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OF THE

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PROCEEDINGS AND DEBATES OF THE SIXTY-FIFTH CONGRESS
THIRD SESSION.

SENATE.

WEDNESDAY, *February 12, 1919.*

(*Legislative day of Tuesday, February 11, 1919.*)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

The Vice President being absent the President pro tempore assumed the chair.

Mr. SIMMONS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Johnson, S. Dak.	Robinson	Spencer
Chamberlain	Jones, N. Mex.	Saulsbury	Sterling
Colt	Lodge	Sheppard	Sutherland
Culberson	McNary	Sherman	Thomas
Dillingham	Myers	Simmons	Thompson
Hardwick	Norris	Smith, Ga.	Trammell
Johnson, Cal.	Penrose	Smoot	Warren

Mr. SUTHERLAND. I wish to state that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

Mr. SHEPPARD. I desire to state that the Senator from North Carolina [Mr. OVERMAN], the Senator from Delaware [Mr. WOLCOTT], and the Senator from Minnesota [Mr. NELSON] are absent on official business.

Mr. SPENCER. I wish to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Montana [Mr. WALSH], the Senator from Kansas [Mr. CURTIS], and the Senator from Idaho [Mr. NUGENT] are absent on official business in the Committee on Indian Affairs.

The PRESIDENT pro tempore. Twenty-eight Senators have answered to their names. A quorum is not present. The Secretary will call the roll of absent Senators.

The Secretary called the names of the absent Senators, and Mr. GORE, Mr. HENDERSON, Mr. LA FOLLETTE, Mr. MARTIN of Virginia, Mr. NEW, Mr. PAGE, Mr. RANSDELL, Mr. SHAFROTH, Mr. SMITH of South Carolina, Mr. SWANSON, Mr. TOWNSEND, and Mr. VARDAMAN answered to their names when called.

Mr. FLETCHER, Mr. MCKELLAR, Mr. JONES of Washington, Mr. HITCHCOCK, Mr. FRELINGHUYSEN, Mr. GAY, Mr. CALDER, Mr. KENYON, Mr. GRONNA, Mr. KIRBY, Mr. WEEKS, Mr. MCLEAN, Mr. KELLOGG, Mr. BAIRD, Mr. CUMMINS, Mr. KENDRICK, Mr. BANKHEAD, Mr. POMERENE, and Mr. POLLOCK entered the Chamber and answered to their names.

Mr. MARTIN of Virginia. I wish to announce that the senior Senator from Maryland [Mr. SMITH] and the senior Senator from Mississippi [Mr. WILLIAMS] are detained by illness.

The PRESIDENT pro tempore. Fifty-nine Senators have answered to their names. There is a quorum present.

VICE PRESIDENT MARSHALL'S CREED OF AMERICANISM.

Mr. PITTMAN. Mr. President, on the 7th instant the National Press Club of Washington invited the Vice President to be their guest. On that occasion in delivering an address he presented a creed that expressed his opinions with regard to Americanism at the present time. It is so beautifully expressed and in such terse American language that I should like to have it read from the desk.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

"I believe that the American Republic as instituted by the fathers constitutes the finest system of government ever ordained among men and affords the machinery for the righting of grievances without resort to violence, tumult, and disorder.

"I believe that every inequality which exists in the social and economic condition of the American people is traceable to the successful demands of interested classes for class legislation, and I believe, therefore, that practical equality can be obtained under our form of government by remedial legislation in the interest of the American people and not in the interest of any body thereof, large or small.

"I believe there is no justification in a government, where officials are elected and laws made by the people, for a minority to threaten bloodshed and anarchy unless the majority shall submit to the will of the minority.

"I believe that America belongs to American citizens, native and naturalized, who are willing to seek redress for their grievances in orderly and constitutional ways, and I believe that all others should be taught, peacefully if we can and forcibly if we must, that our country is not an international boarding house nor an anarchist café.

"I pledge myself to the support of these principles by my voice, my vote, and, if need be, by my fortunes and my life, and I promise my country to train my children in this most holy faith."

APPEAL OF RUSSIAN SOCIETIES.

Mr. LODGE. I ask unanimous consent to present an appeal from 39 Russian societies in the United States, and I ask that it be printed in the RECORD.

There being no objection, the appeal was ordered to be printed in the RECORD, as follows:

Russian Appeal.

Whereas, the supreme council of the peace conference in Paris has practically decided to enter into negotiations with the Bolshevist officials in Russia;

Whereas the supreme council has decided to meet the Bolshevist delegates as well as the delegates of the Russian loyal factions opposed to the Bolsheviki, on the Princes' Islands, on the 15th of February, 1919;

Whereas in the opinion of the loyal Russian organizations the Bolsheviki, in signing a separate peace with the central powers at Brest-Litovsk, have committed an act of high treason toward Russia as well as toward the allied cause in general;

Whereas, further, it has been proved that the Russian Soviet officials were on the pay roll of the Imperial German Government;

Whereas during the Bolshevist rule in Russia unspeakable terror has been going on and thousands and thousands of innocent men, women, and children have been murdered by the Bolsheviki without any trial, and taking into consideration that the Soviet terror was condemned by President Wilson on the 21st of September, 1918, in his address to all the neutral governments;

Whereas the Bolsheviki have abolished all the fundamental principles of liberty and civilization in Russia;

Whereas the Bolshevist rule has proved to be the greatest and most irreparable misfortune in Russia's history;

Whereas it is contrary to the national dignity of the peoples of Russia to meet the allied representatives somewhere in the backyard of Europe;

Whereas the very idea of a joint meeting at which representatives of Trotzky on the one hand and the loyal Russians on the other would meet constitutes an offense to loyal and honest Russia:

Resolved, To appeal to public opinion of the United States and the allied nations and to emphasize:

(a) That the loyal Russian organizations in the United States believe that the above decision of the supreme council at the peace conference in Paris is a fatal and historical error which might affect in a most harmful manner the civilization of the whole world;

(b) That the above decision of the allied governments is apt to strengthen the Bolshevist cause at the very moment when Trotzky's régime is on the verge of a complete collapse;

(c) That, notwithstanding the decision of the supreme council, the loyal Russian organizations feel their duty and will continue their fight against the Russian Bolshevist traitors; and

(d) Finally, that we are deeply convinced that the loyal Russian delegates should meet the allied representatives either in Paris or nowhere.

Executive Board of the General Committee of Russian National Defense (comprising 39 Russian organizations, societies, political groups, and professional unions, 5 Karpatho-Russian organizations and the consistory of the Greek Orthodox Church, with 250 branches in the United States and Canada); chairman, A. D. Semenoffsky; vice chairman, Lieut. Boris Brasol; members, Lieut. Commander P. E. Stogoff, Col. N. N. Koch, Rev. L. Tourkevich, Rev. P. Popoff, representatives of the Karpatho-Russians, Gataliak and Cherniak; secretaries, Capt. N. Vishnevsky, V. Shumsky. Voluntary Association of the Russian Army and Navy Officers in the United States; president, Col. I. Sidorkin. Union of Russian Engineers; president, Count S. Shullenberg; secretary, Engineer Osolin.

NEW YORK CITY, *January 23, 1919.*

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, returned to the Senate, in compliance with its request, the bill (S. 3992) to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MOON, Mr. BELL, Mr. ROUSE, Mr. STEENERSON, and Mr. MADDEN managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes, and it was thereafter signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of sundry citizens of Worcester, Mass., praying for the Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by the Irish-American Catholic Societies of Lowell, Mass., favoring the independence of Ireland, which were referred to the Committee on Foreign Relations.

Mr. McLEAN presented a petition of the Lithuanian Independent Club, of Bristol, Conn., praying for the independence of Lithuania, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Middletown, Conn., praying for a league of nations to enforce peace, which was referred to the Committee on Foreign Relations.

Mr. SMITH of Arizona presented a petition of the Arizona Good Roads Association, praying for the repair of the bridge across the Gila River, in Arizona, which was referred to the Committee on Indian Affairs.

Mr. TOWNSEND presented a petition of the United Automobile, Aircraft, and Vehicle Workers of America, praying for Government care of returned and discharged soldiers, which was referred to the Committee on Military Affairs.

He also presented a petition of the Parents Council of the Straight School, of Grand Rapids, Mich., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 378, International Molders' Union, of Bay City, Mich., praying for the passage of the so-called civil-service retirement bill, which was ordered to lie on the table.

He also presented a petition of Local Union, International Brotherhood of Boiler Makers and Iron-Ship Builders and Helpers of America, of River Rouge, Mich., and a petition of Local Lodge No. 788, Brotherhood of Railway Clerks, Freight Handlers and Station Employees, of St. Ignace, Mich., praying for the Government control of the railroads of the country, which were referred to the Committee on Interstate Commerce.

Mr. COLT. I present a resolution adopted by the General Assembly of Rhode Island, which I ask to have printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the resolution was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

[State of Rhode Island, etc., in general assembly. January session, A. D. 1919.]

Resolution protesting against the improper method of computing and the excessive charges on telephone calls to points outside local-service areas throughout the United States, which became effective on the 21st day of January, A. D. 1919.

Resolved, That the General Assembly of the State of Rhode Island does hereby enter its protest against that improper method of computing and the excessive charges on telephone toll calls to points outside local-service areas throughout the United States, which became effective on the 21st day of January, A. D. 1919; and be it further

Resolved, That a copy of this resolution be directed to the Postmaster General of the United States of America and a copy to each of the Representatives of the State of Rhode Island in Congress and the Senate of the United States.

STATE OF RHODE ISLAND,
OFFICE OF THE SECRETARY OF STATE,
Providence.

I hereby certify the foregoing to be a true copy of the original resolution approved by his excellency the governor February 6, 1919.

In testimony whereof I have hereunto set my hand and affixed the seal of the State of Rhode Island this 10th day of February, in the year 1919.

[SEAL.]

J. FRED PARKER,
Secretary of State.

Mr. COLT presented a petition of sundry citizens of Pawtucket and Central Falls, in the State of Rhode Island, praying for Government control and operation of the railroads of the country, which was referred to the Committee on Interstate Commerce.

Mr. CALDER. I present a resolution of the legislature of New York requesting that copies of all draft lists be made and filed in the offices of the governors of the respective States. I ask that it be referred to the Committee on Military Affairs and printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK, IN SENATE,
Albany, January 27, 1919.

Whereas the records of the local draft boards in the State of New York, by direction of the Provost Marshal General, transmitted through the selective-service headquarters, are accessible only for the purpose of ascertaining information from the duplicate registration cards regarding the name, home address, date, and place of birth, parentage, nationality, citizenship, race, occupation, employer's name, and nearest relative, but are not accessible for the purpose of ascertaining the date of the registrant's induction into Federal service; and

Whereas the obtaining of the foregoing information is restricted to certain organizations which are "interested and assisting in the work of helping returned soldiers to find employment and of locating the relatives of deceased soldiers whose bodies are returned to this country"; and

Whereas from orders issued by the Provost Marshal General, transmitted to local boards to-day, it is evident that all records will be inaccessible shortly after February 15, 1919.

Resolved (*if the assembly concur*), That the Senators and Representatives in Congress from this State be and hereby are requested to obtain the authority of the Secretary of War to leave in the State of New York, under proper supervision, such records as will furnish information for the preparation of a list of its citizens who have been inducted into Federal service through the medium of the draft law, and who have been mustered into the service of the United States during the war between United States and the German Empire and its allies, containing not only the foregoing information but information which will disclose the date of induction into the Federal service and such other information as such records may contain and which will throw light on the camp to which entrained, the organization to which attached, the date of discharge, and to give to the properly authorized agent of the State the right and power to make such extracts and to use such information, and to make such records and information available for the use of soldiers' and sailors' welfare and welcoming home committees throughout the State; further

Resolved, That certified copies of this resolution be sent by the secretary of state to each of the United States Senators and Representatives in Congress from New York State.

By order of the senate.

ERNEST A. FAY, *Clerk.*

IN ASSEMBLY, *January 30, 1919.*

Concurred in without amendment.

By order of the assembly:

FRED W. HAMMOND, *Clerk.*

Indorsed. Filed January 30, 1919.

FRANCIS M. HUGO,
Secretary of State.

STATE OF NEW YORK,
Office of the Secretary of State, ss:

I have compared the preceding copy of resolution relative to records of local draft boards with the original resolution on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole thereof. Given under my hand and the seal of office of the secretary of state, at the city of Albany, this 30th day of January, A. D. 1919.

[SEAL.]

C. W. TAFT,
Second Deputy Secretary of State.

Mr. CALDER presented a petition of the Merchants' Association of New York, praying for a discontinuance of the operation by the Government of railroads, telephones, and telegraphs, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry ministers of the Reformed Church of America, praying for the independence of Armenia, which was referred to the Committee on Foreign Relations.

Mr. WARREN presented resolutions adopted by the Laramie County Farm Bureau of Wyoming, favoring the adoption by the Government and the United States Grain Corporation of a sliding scale for the purchase of wheat in the future, which were referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted by the Commercial Club, of Rock Springs, Wyo., favoring a continuance of Government control of the telephone, telegraph, and cable systems,

which were referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by Local Union No. 2055, United Mine Workers of America, of Acme, Wyo., favoring an extension of Government control of railroads for five years, which were referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by Local Union No. 2055, United Mine Workers of America, of Acme, Wyo., praying for the passage of the so-called Sims-Kenyon bill relative to the control of the meat-packing industries of the country, which were referred to the Committee on Agriculture and Forestry.

Mr. WEEKS. I ask unanimous consent to have referred to the Committee on Foreign Relations and printed in the RECORD a resolution passed by the faculty of the Boston Institute of Technology.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

FEBRUARY, 1919.

To the PRESIDENT AND CONGRESS OF THE UNITED STATES:

The undersigned members of the faculty of the Massachusetts Institute of Technology respectfully petition the President and Congress of the United States to support some plan of international organization for the maintenance of peace.

R. C. Maclaurin, C. A. Adams, Floyd Armstrong, Frank Aydelotte, Frederick H. Bailey, Dana P. Bartlett, Charles W. Berry, Robert Payne Bigelow, Arthur A. Blanchard, Harry C. Bradley, C. B. Breed, W. Felton Brown, Alfred E. Burton, Davis R. Dewey, Fred P. Emery, Wm. S. Franklin, Charles E. Fuller, H. W. Gardner, Nathan R. George, jr., A. H. Gill, A. L. Goodrich, H. M. Goodwin, William T. Hall, Geo. B. Haven, Carle R. Hayward, H. W. Hayward, H. C. Hofman, H. P. Hollnagel, W. Hovgaard, W. A. Johnston, Erwin Kenison, Joseph Lipka, Charles E. Lock, D. A. MacInnes, A. L. Merrill, Edward F. Miller, C. L. E. Moore, F. J. Moore, C. L. Norton, Leonard M. Passano, C. H. Peabody, Henry G. Pearson, J. W. Phelan, H. B. Phillips, Arthur G. Robbins, A. T. Robinson, Geo. E. Russell, Erwin H. Schell, Henry Latimer Seaver, W. T. Sedgwick, Hervey W. Shimer, Elwood B. Spear, Charles M. Spofford, George W. Swett, Henry P. Talbot, C. H. Warren, Robert S. Williams, E. B. Wilson, A. G. Woodman, F. S. Woods.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. FRELINGHUYSEN, from the Committee on Military Affairs, to which was referred the bill (S. 5019) for the construction of a memorial archway at Vicksburg, Miss., and for other purposes, reported it without amendments and submitted a report (No. 709) thereon.

Mr. NEW, from the Committee on Military Affairs, to which was referred the bill (S. 5334) to correct the military record of Jesse E. Smalley, reported it without amendment and submitted a report (No. 710) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POMERENE:

A bill (S. 5579) providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio; to the Committee on Public Buildings and Grounds.

By Mr. SIMMONS:

A bill (S. 5580) granting the consent of Congress to the counties of Martin and Bertie, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C.; to the Committee on Commerce.

By Mr. KENYON:

A bill (S. 5581) to create a commission to investigate and report to Congress on the questions involved in plans of national housing systems; to the Committee on Education and Labor.

By Mr. KIRBY:

A bill (S. 5582) to amend sections 8 and 21 of the copyright act approved March 4, 1909; to the Committee on Patents.

By Mr. CURTIS:

A bill (S. 5583) donating captured cannon and cannon balls to the city of Abilene, Kans.;

A bill (S. 5584) donating captured cannon and cannon balls to the city of Marysville, Kans.;

A bill (S. 5585) donating captured cannon and cannon balls to the city of Waterville, Kans.;

A bill (S. 5586) donating captured cannon and cannon balls to the city of Fort Scott, Kans.;

A bill (S. 5587) donating captured cannon and cannon balls to the city of Bonner Springs, Kans.;

A bill (S. 5588) donating captured cannon and cannon balls to the city of Concordia, Kans.;

A bill (S. 5589) donating captured cannon and cannon balls to the city of Paola, Kans.;

A bill (S. 5590) donating captured cannon and cannon balls to the city of Oberlin, Kans.;

A bill (S. 5591) donating captured cannon and cannon balls to the city of Belleville, Kans.; and

A bill (S. 5592) donating captured cannon and cannon balls to the city of Peabody, Kans.; to the Committee on Military Affairs.

AMENDMENTS TO NAVAL APPROPRIATION BILL.

Mr. FLETCHER submitted an amendment proposing to appropriate $500,000 for the development of a submarine base, intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate $2,000,000 for a water system, including the purchase of land and the necessary rights of way, intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

THE REVENUE—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the bill (H. R. 12863) to provide revenue, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. SMOOT. Mr. President, I simply wish to say that I am aware that the Senator from Pennsylvania [Mr. PENROSE] desires to address the Senate on this report, and I myself intended to take some time in discussing the matter. I really did not want the conference report to be agreed to so hurriedly as was indicated yesterday. I ask the Senator from Pennsylvania if he wishes to go on now?

Mr. PENROSE. I have no set speech to inflict upon the Senate. I have a few remarks to make about the conference report. I can go on now or I will be satisfied to have the Senator from Utah go on for a while and then I can take the floor.

Mr. SMOOT. The Senator, I think, yesterday announced that he desired to address the Senate before I did, and I think he had better proceed now.

Mr. PENROSE. Mr. President, I set forth my views very fully when the revenue bill was pending before the Senate prior to its reference to the committee of conference, and I do not know that I have much of anything to add. I should like to call attention, however, to some of the particular features of the bill as it comes from the conference committee.

Before discussing details I want to express my regret and concern that this bill has been the vehicle for irrelevant legislation. If that practice is to continue, Mr. President, a revenue bill will become a menace and a danger while it is passing through this body. Certainly the power of taxation is not meant to be used as a method of regulating the manners and habits of a great Nation. It is bad enough to have a 100 per cent tax on brass knuckles, because some people do not think that brass knuckles ought to be encouraged.

It is bad enough to have a discriminatory tax, in the paragraph relating to firearms, of an additional 15 per cent on pistols, because perchance there are some people in the community who think pistols lead to disorder and aid murders and burglaries, notwithstanding the fact that a very great number of people, and among them experts in the study of crime, say the possession of a pistol by the householder is a protection to him and his property and decreases crime. All the manufacturers of firearms were incensed and upset because, apparently, there was an unjust discrimination against pistols. These, Mr. President, are minor features of the bill, but illustrate the tendency to correct manners and control the habits of the people by taxation, which, to my mind, is a most dangerous practice to get into.

These punitive or corrective taxes are almost smuggled into the measure. Public attention is not concentrated on them. I take it, that if a bill were brought out in the open to control the use and manufacture of pistols there would be a tremendous and a legitimate opposition in the United States to any such legislation. In the secrecy of a committee room, however, a discriminatory tax can be put on, of which the American people have no knowledge, without any public sentiment behind it, but simply to gratify a few mistaken theorists.

But to come to the larger phases of the abuse, Mr. President, the bill, as the Senate will recall, during the closing hours of the debate, became the vehicle for a number of matters of general legislation. An amendment placing a punitive tax on campaign contributions was offered. A legislative body, like an individual, occasionally gets in a wayward mood, and I think the Senate that afternoon would have adopted almost any amendment of a general character to this bill. Anyhow, this amendment, which I do not hesitate to say is a freak amendment, was adopted by the Senate.

Congress nearly every year has legislated on the subject of campaign expenditures. The present law is quite rigorous. Congress can legislate in the future upon the use of money in politics and concerning expenditures in campaigns. But, Mr. President, it certainly reaches the height of absurdity for us to be called upon to retain it in a revenue measure carrying crushing burdens upon the taxpayer, the largest tax bill in the history of civilization, so far as we have any record. It seems humiliating to me to be called upon to consider, even for a few weeks, an amendment of this character. Its absurdity was shown upon the first examination when it was discovered that its author had made it retroactive.

Immediately the alarm signal was sounded in the Democratic and Republican camps, and the chairmen of both national committees viewed with horror, and naturally so, the thought of having a tax of 100 per cent imposed as a retroactive measure upon campaign contributions, made by contributors properly and legitimately interested in the success of one or the other of the two great parties; contributions made according to law, and made solely to promote what the contributors deemed, from their point of view, to be policies for the best interests of the country.

When the absurdity of this retroactive feature was realized everyone dropped it. The suggestion was then made that it should apply only to the future. Its author argued that money is now spent under existing law to a very large extent without publicity or without compliance with the requirements of law. But how much more, Mr. President, would the law be evaded if, in addition to regulation and penalty, a prohibitive tax should be imposed? If money heretofore has been spent in too large amounts in secret and surreptitious ways, the condition would be tenfold worse with an additional tax of 100 per cent imposed. Anyhow, the attempt to put this general legislation in the revenue bill failed, with the active or tacit consent of all present and taking part in the proceedings.

I am ready, Mr. President, to vote in this body and to go as far, I believe, as any Senator toward regulating campaign expenditures, and to go nearly to the point of forbidding them entirely, for the older I grow, and the more I reflect upon political conditions, the more I am convinced that the electorate to-day, with the benefit of 30 or 40 years of common-school education, are intelligent; that no campaign can be won which does not rest upon an appeal to their intelligence and reason, and that the old-fashioned methods, which required money, very largely have disappeared; but, anyhow, I do not want to make this bill ridiculous—a bill which will be read in Paris and all over the world as the peak of American taxation, representing the sacrifices of the taxpayer for the war, and to meet the requirements of demobilization—by having it appear that American statesmen did not have the courage or the wisdom to eliminate a freak amendment from a bill of this colossal importance.

Then the measure was made the vehicle for the child-labor amendment. Mr. President, I am not going to argue the merits of the child-labor law. The Northern States very largely within the last few years have adopted very stringent child-labor laws. This amendment does not impose any further restrictions concerning the employment of child labor than now exist in Pennsylvania, in all the New England States, and, so far as I know, in most of the large manufacturing States of the North. The opposition to the Pomerene amendment came from the South, where labor legislation of this character has not progressed to the same extent.

In a very large mail concerning the revenue bill, I do not think I received a single letter from the North protesting against this amendment, but many were received by me from the South. The vote on the proposition on the floor of the Senate showed that the opposition in this body came very largely from Senators from Southern States.

I am willing to concede the merits of the amendment, but, Mr. President, I only want to call the attention of the Senate, by this particular instance, to the danger of making a revenue bill the vehicle for these purposes. Here is a law which the Supreme Court of the United States declared unconstitutional; which that court declared exceeded the powers of Congress, even under the fiction of interstate commerce legislation, which covers such a multitude of sins; yet we are practically embodying into law, by the power of punitive taxation, a matter which the Supreme Court has declared to be beyond the power of Congress to do. Still the amendment remains in the bill; unquestionably it will be retained by a very large vote in the Senate, and I am now only calling attention to the evils of this practice.

The so-called "bone-dry" amendment then was added to the bill. I shall not argue the merits of that amendment either, but a revenue measure ought not to be made an agency for bringing about legislation affecting the police powers and the habits of the community. I call attention to these irrelevant amendments, Mr. President, in the hope that the practice will not be pursued, and to the fact that it may be necessary to amend the rules of the Senate so that amendments to revenue bills shall be confined to matters relating strictly and legitimately to the raising of revenue.

Other new legislation, which was added to the bill or modified in conference, may be referred to. While open to the same technical objection, yet there was some pertinence in its being considered. I refer to an amendment providing a bonus for officers and enlisted men in the military or naval forces of the United States. The Senate provided the bonus should be equivalent to one month's salary. The purpose is that the payment of the bonus shall be made immediately upon discharge, and to have provided one month's pay would have involved matters of calculation resulting in endless delay. So the conferees adopted an amendment providing a flat bonus of $60, which, roughly speaking, is two months' pay for an enlisted man, and they made the bonus apply, as a measure of democracy, to officers and enlisted men alike. Careful provision was made to protect the payment of this bonus from the intrigues and wiles of the claim agent.

Mr. THOMAS. Mr. President——

Mr. PENROSE. I yield to the Senator.

Mr. THOMAS. I desire to ask the Senator whether, in the case of that amendment, the conference committee did not increase by 100 per cent the appropriation which was made by the Senate amendment?

Mr. PENROSE. Yes.

Mr. THOMAS. Can the Senator point me to any rule or precedent which justifies such action on the part of the committee of conference? My understanding is that they have power to reduce but never to exceed the amount provided for in an amendment or which is required to carry it into effect.

Mr. PENROSE. Mr. President, the conferees were most careful not to violate the rules of the Senate or of the House of Representatives in exceeding their powers as conferees. So careful were they to avoid even the appearance of transcending their powers that they held a special session after the bill had been completed and its consideration finished. They spent the greater part of a day examining a number of amendments, which some of the conferees were fearful might have crossed the border line. As a result important and most meritorious amendments, in two or three instances, were dropped from the bill because it was feared there might be just a little appearance of exceeding the limits of the conference.

Mr. SMOOT. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. PENROSE. Yes.

Mr. SMOOT. I would not mention the fact if it were not for the RECORD, but I say to the Senator from Pennsylvania now that this amendment as proposed in conference is a violation of the rule of the Senate. I am not going to invoke the rule; I do not believe that any other Senator will do so; but I should dislike to have the RECORD show that the statement that the insertion of this amendment by the conferees was not a violation of the rule of the Senate had been made, and that no statement was made to the contrary.

The last amendment which was made to our rules, as the Senator from Pennsylvania well knows, virtually says that conferees shall not add to provisions agreed to either by the House or the Senate. That is the substance of the rule. This amendment provided that officers and enlisted men should receive at least $60, increasing the amount from $30 to $60. The House not having acted upon the matter at all, the only question for the conferees was as between $30 and no compensation whatever.

However, I simply rose at this time, so that the RECORD may show that there was a difference of opinion in this matter, but not for the purpose of invoking the point of order against this item.

Mr. PENROSE. Mr. President, I think the Senator from Utah is entitled to look at the amendment from his angle. On the surface it is open to some doubt; but the conferees thought, upon a further examination, that the fact that the bonus had been changed from a month's pay to a flat amount, with an equal sum to officers and men, so modified the entire proposition that it could be adopted fairly by the conferees, bearing in mind the very great difficulties encountered in a conference dealing with a bill of the encyclopedic character of a revenue measure; and, above all, it was thought that the patriotic purpose to be served by providing the bonus immediately would be an argument that would overcome any shadow of doubt which might exist in the House or Senate as to the propriety of this amendment to the measure.

Mr. SMOOT. I think that the last statement made by the Senator is the only possible reason that could be given for the

item being in the bill. His first statement was a complete reason why it has violated the rules of the Senate.

Mr. PENROSE. Well, we will not argue it.

Mr. SIMMONS. Mr. President, let me suggest to the Senator from Pennsylvania that, while the original amendment was confined to the payment of one month's salary, it included both officers and enlisted men. The salary of an officer for one month is very much greater than the pay of an enlisted man for one month; and in ascertaining the amount required by the Senate amendment, which the conference report further amended, we had to take into consideration the allowance the officers would receive as well as the allowance which the enlisted men would receive.

Mr. THOMAS. Will the Senator inform the Senate what the proportion of officers and enlisted men is?

Mr. SIMMONS. Of course, the number of enlisted men is very much greater, but the salaries of the officers are several times greater than those of the enlisted men.

Mr. THOMAS. I understand that; but does not the Senator know that the effect of this amendment, as amended by the conference committee, is to increase the amount of the appropriation necessary to carry it out by over a hundred million dollars?

Mr. SIMMONS. It would increase it somewhat, but not very materially, I think.

Mr. SMOOT. By over a hundred million dollars.

Mr. SIMMONS. I think the Senator's estimate is entirely too great; I do not think it would increase it that much. The pay of the enlisted men is not the same in all cases; it is one amount in this country and another amount when services are rendered abroad; it is $30 for service at home and $36 for service abroad. The salaries of some officers are very high; and if an average were made, I think, while it would probably be not quite as much as $60, it would be very near that amount. I suggest to the Senator that this is not a case where the House had fixed a rate.

Mr. PENROSE. No.

Mr. SIMMONS. The Senate alone had fixed a rate. It was a case where the Senate alone had acted. This is an amendment to a Senate amendment; and I think, so long as an amendment is resonably germane, the conferees have very large latitude in redrafting it as to rates and as to the substance of the provision.

Mr. SMOOT. Mr. President, I wish, in that connection, if the Senator from Pennsylvania will allow me——

Mr. PENROSE. Yes.

Mr. SIMMONS. If the Senator will pardon me one word further, I am not going to say that the amendment is not in some respects of doubtful power, but the committee fully considered that question, and they resolved the doubt in favor of their power.

Mr. SMOOT. I am not objecting to that at all, Mr. President, as the Senator knows. The old contention, under the rules of the Senate before the rules were amended, was that when the Senate struck out all of a House bill and inserted a new provision, the whole subject matter was open and any amendment could be agreed to in conference. The result of that was that the most vital legislation was enacted by conference committees, and not by the House and by the Senate. It was for that reason that the rules were amended.

Mr. PENROSE. I remind the Senator that the great abuse was in connection with the military bill, and was due largely to the action of the House conferees.

Mr. SMOOT. It was not only in connection with the bill to which the Senator refers, but there was hardly a bill that passed Congress that was not absolutely changed when it came back after having been acted upon by the conferees.

Mr. NORRIS. Tariff bills, for instance.

Mr. SMOOT. Yes; some of the most vital questions coming before Congress. Then the Senate was in this position: It either had to accept legislation by the conferees or it had to defeat the whole subject matter, and sometimes the subject matter was so vital and the necessity for passing it immediately was so great that both the Senate and the House had to yield to the action of the conferees.

I am glad the Senator from Pennsylvania made the statement he did, that the change in this provision was based alone upon the ground of patriotism and a desire to do a just act to the soldier. That is the only reason that can be given in justification of the change that has been made.

Mr. THOMAS. Then, Mr. President, if I may interrupt the Senator, the proposition is that the Senate rules prevail where patriotism does not conflict with them. My criticism of the whole situation is that the amendment to tax campaign contributions, which I presented and which was adopted by the Senate, was one from which the Senate committee could not under any circumstances depart a jot or tittle; but with regard to the other amendment the rules were of no consequence, notwithstanding the fact that the amount of the appropriation was increased by over a hundred million dollars. That is another instance of straining at a gnat and swallowing a camel.

Mr. SMOOT. My object in bringing this matter to the attention of the Senate was in order that hereafter when a conference report is made upon some bill, when Congress has ample time to discuss it, say, months before final adjournment will take place, this may not be pointed to as a precedent. I am perfectly willing to take my responsibility in saying that I do not make a point of order against this provision because of the fact that it does take care of our soldiers more as they should be taken care of than the provision which originally appeared in the bill. With that statement I am perfectly content that it shall remain in the bill.

Mr. PENROSE. Mr. President, I do not think it amiss at all for the Senator from Utah to call attention to the importance of enforcing the rules concerning matters in controversy between the two Houses. It has been the subject of very great abuse within the last four or five years, to an extent unknown before that time in the history of Congress, and we can not be too careful about it. I think, however, if there is one piece of legislation where liberality in the construction of the rules regulating a conference might apply, it is to a revenue bill of this character, so filled with complications and details.

But, to proceed.

A great outcry was raised in the country, Mr. President, as soon as the provisions of the bill became known after its passage through the Senate, against the so-called King amendment requiring detailed reports of all war contracts. In my opinion, this amendment was adopted by the Senate without due consideration. It will be recalled that it was not even read to the Senate. The preparation of copies of these contracts, it was discovered, would impose an expense of thousands of dollars, and in some cases perhaps more, upon great business concerns. The ramifications of contracts and subcontracts were such as to make it almost physically impossible, and it was not apparent that any really good purpose would be served by this provision. Consequently, the conferees amended the King amendment by providing that this information could be obtained by the Commissioner of Internal Revenue, if he desired it in any individual case, and also provided a penalty of fine and imprisonment upon any taxpayer who declined to furnish the information.

I think, Mr. President, attention ought to be called to several important amendments affecting the income and the profits taxes.

Mr. THOMAS. Mr. President, I do not want to interrupt the Senator, but if he will permit me to ask a question at this point, as he is about to take up another amendment, I will not interrupt again.

Mr. PENROSE. I shall be very glad to yield to the Senator.

Mr. THOMAS. I have been told that just before I came into the Chamber the Senator, in discussing the campaign-contributions amendment, stated that it was opposed not only by the chairman of the Republican National Committee, but by the chairman of the Democratic National Committee. Am I correct in that?

Mr. PENROSE. I think I said something to that effect. In fact, I did not find a Democrat or a Republican who at heart was for the amendment.

Mr. THOMAS. That may be; but my question concerns only the Senator's statement regarding the chairman of the Democratic national committee.

Mr. PENROSE. I was told that he was greatly disturbed by the retroactive feature of the amendment.

Mr. THOMAS. Possibly.

Mr. PENROSE. He viewed with horror the prospect of having that 100 per cent tax imposed upon some of the very large contributors to the Democratic campaign fund.

Mr. THOMAS. I merely wanted to ascertain whether my information was correct as to the Senator's statement regarding Mr. McCormick.

Mr. PENROSE. Yes; I did not talk with the gentleman himself—I do not know him—but I was so told. In fact, I think I can say without exaggeration that I have failed to find a Republican or a Democrat who, in confidential conversation, does not brand the amendment as a joke.

Mr. THOMAS. I think a great many who opposed it did so not because they were afraid of its jocular nature, but because of the possible results of the statement upon the subject required to be made by the amendment to the Commissioner of Internal Revenue.

Mr. PENROSE. Well, that may be, Mr. President.

Important changes were made by the conferees in the provision affecting the computation of the net income. The Senate bill authorized the taxpayer to deduct a loss sustained in one year from the net income of the preceding or succeeding year, this provision applying to losses sustained in any taxable year beginning after December 31, 1916. This beneficial provision, designed to allow business concerns to do what they have been allowed to do in Great Britain for a long time—that is, average their income for three years, thus offsetting losses against gains—was restricted by the conferees to recognition of net losses sustained in any taxable year beginning after October 31, 1918, and ending prior to January 1, 1920. I sincerely regret that this very meritorious amendment put in by the Senate and which, as I say, is simply the same as the law of Great Britain, was thus curtailed. Hardly had the conference adjourned when several Senators came to see me with taxpayers who were excluded by the curtailment of this amendment and who presented cases of very great hardship; but nothing could be done. I sincerely hope that before January 1, 1920, is reached—prior to which date, in every probability, some new revenue measure will be pending—an opportunity will be afforded to strike out this restriction and to embody in revenue legislation a provision such as was contained in the bill as it passed the Senate.

The admirable provisions of the Senate bill allowing a deduction on account of falling inventories were liberalized by the conferees so that taxpayers will be permitted, under proper safeguards, to take this allowance immediately upon making their returns, without waiting for the Treasury Department to pass on the case and authorize a refund.

We all know what refunds from the Government Treasury mean, Mr. President. The waiting is long and indefinite, and often hopeless. Refunds always are long in coming, even when the taxpayer is plainly entitled to them. When the taxpayers of the country come to read the bill and notice this relief provision, and the one already referred to concerning the three-year period, and many others, I think they will be very much gratified at the care which has been taken to adjust, equalize, and ease the burden of these very high taxes.

Mr. POMERENE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield to the Senator from Ohio?

Mr. PENROSE. Yes.

Mr. POMERENE. If I may ask the Senator a question, some time ago a member of a prominent commercial firm of my State wrote me with reference to the readjustment feature which the Senator from Pennsylvania is now discussing, and he was then of the opinion that it applied to individuals and to corporations, but not to partnerships. My understanding is that these provisions will give the same relief to partnerships that they give to corporations and to individuals. Am I right?

Mr. PENROSE. Yes; that is my understanding.

One of the most important features of the bill, as it came from the House and passed through the Senate and appeared in the conference committee, was the paragraph relating to consolidated returns. The House failed to provide for the consolidated-returns proposition. The Senate amended the bill so as to permit consolidated returns on the same lines as they already are permitted by construction and methods of administration in the office of the Commissioner of Internal Revenue. Under the amendment adopted by the conferees the important Senate provision authorizing consolidated returns was both extended and restricted. Under the conference provision a subsidiary organized after August 1, 1914, and not a successor to a then existing business, will be separately assessed and taxed, and the consolidated returns can be made only by domestic corporations, whereas the original Senate provision required the consolidation of domestic and foreign returns in certain cases. On the other hand, the Senate restriction which confined the consolidated returns to corporations "engaged in the same or related business" has been stricken out and a liberal provision inserted by which a domestic corporation which owns a majority of the voting stock of a foreign corporation can credit against dividends received from such stock a fair proportion of the tax paid in foreign countries by such foreign corporation. In other words, Mr. President, as the conference committee amended the consolidated returns paragraph the mushroom corporations established for the particular purpose of getting war contracts practically are exempted from the consolidated-return privilege; but the old and well-established corporations, existing prior to 1914, stand on the basis which they now have under Treasury construction.

I shall refer to only certain features of the war-profits and excess-profits taxes as modified in the conference.

The profits taxes remain substantially as formulated in the Senate bill, the important changes all involving war contracts; that is, Government contracts made between the beginning of the war and the armistice. The Senate reduced the House rates of the excess-profits taxes from 35, 50, and 70 per cent to 30 and 60 per cent for 1918 and 20 and 40 per cent thereafter. The conferees made a slight change in the excess-profits tax rates for 1918, retaining the 30 per cent bracket and changing the 60 per cent to 65 per cent, but continued the 80 per cent war-profits tax and the higher excess-profits tax rates on all profits derived from war contracts.

Mr. President, I regret that the conference committee felt obliged to raise the rate from 60 to 65 per cent. The further I proceed with the consideration of this measure the more I am convinced that these taxes reach the danger point with regard to the maintenance of industrial conditions in this country; but the House conferees thought the 65 per cent rate made a more uniform proposition and the Senate yielded. While there are not many corporations falling within this bracket, the increase will operate as a hardship on some.

To my mind, Mr. President, the wisdom of this discrimination against war contractors is very doubtful. Of course, there are profiteers who ought to be taxed as heavily as possible, but among the business concerns which undertook work for the Government are many that lost money, or accepted less than their ordinary profits, and displayed in every way a fine sense of patriotism. Thousands of concerns—hundreds known to me personally in Pennsylvania—went into this war work at the express request, if not command, of the Government. Ordinarily they would not have diverted their activities from their normal business, but under the circumstances they were glad patriotically to obey the request or order of the Government. I really can not imagine that the profiteers exceeded the real patriots, and to stigmatize as profiteers an entire class holding war contracts, many under compulsion and many at a loss, does not seem to me to be entirely just.

A similar change was made in the conference in connection with the war-profits credit or deduction for new corporations; that is, corporations organized after January 1, 1913. The House gave new coporations a deduction of 10 per cent of their invested capital for the taxable year. The Senate liberalized this and made the deduction of new corporations the same percentage of their invested capital for the taxable year as was earned by corporations in the same general class of trade or business during the prewar period. The conferees adopted the Senate method, but excepted newly organized subsidiaries and corporations whose principal income is derived from war contracts. Similar action was taken with respect to the so-called relief provisions, which permit the profits tax in any case of exceptional hardship to be fixed by reference to the experience of representative concerns. This amendment, to my mind, is a most admirable one. The Senate greatly increased the classes of cases entitled to this relief. The conferees amalgamated all these classes into a single, general class, but denied the relief to corporations whose principal income consists of profits derived on a cost-plus basis from war contracts. Relief also was granted to certain partnerships doing business with invested capital which reorganize as corporations prior to July 1, 1919. Such partnerships are authorized to pay income taxes, profits taxes, and capital-stock taxes for 1918 as corporations in lieu of the income taxes to which, under existing law, the members of the partnership would be liable. This extends immediate relief to a class of partnerships in which the exigencies of business require most of the profits to be reinvested and which, under existing law, have been taxed much more severely than their competitors organized in the corporate form.

This amendment, Mr. President, put into the bill at the last hour, furnishes, in my opinion, a striking illustration of the relief provisions abounding in the measure. There was a particular case, typical of many others, in which it was discovered that some seven or eight hundred thousand dollars of taxes would have had to be paid by a certain partnership in excess of that required under the corporate form, thereby involving a most rank and indefensible discrimination between one concern as a partnership and, perchance, a competitor as a corporation. This amendment was put in giving such a partnership the option of becoming incorporated and paying the profits taxes as a corporation. I only refer to this as a fine illustration, to my mind, of very many similar provisions put in the bill to correct inequalities; not put in to favor any individual, but to relieve the hardship of inequality which the legislator can not defend or explain to the injured taxpayer.

Some of the best features of the Senate bill had to be sacrificed in the inevitable compromises which accompany a mixed settlement of this kind. The Senate changed the estate tax to an inheritance tax, thus making the tax dependent upon the size of the legacy or inheritance and not upon the size of the entire

estate. This real reform has been lost, and the bill returns to the existing estate tax, with some reduction in the rates. There is a little comfort in the thought that the worse the form of the Federal tax, the sooner, in all probability, will this source of revenue be given back to the States, to which it properly belongs.

Similarly the Senate amendment repealing the zone system for second-class mail matter was lost, and the conference committee restored the provisions of existing law.

This zone paragraph was referred to yesterday afternoon and fully discussed. I was earnestly in favor of the Senate amendment; I think it should have been agreed to; but I feel certain we would have had no revenue bill if the conferees on the part of the Senate had not yielded on this point. There could be no doubt about the impression conveyed to the Senate conferees that the bill, for all practical purposes, would not be reported back to the House unless the Senate conferees yielded, and, in view of the absolute necessity of the Government to have the money, and the very numerous meritorious provisions in the bill, the Senate conferees felt they had nothing to do but yield and let the law remain as it is for the present.

At the same time the Senate amendment reducing the rate of postage on first-class mail matter to the prewar rate was accepted by the House conferees.

What I consider, Mr. President, as one of the most unfortunate occurrences in the conference committee was the inability of the Senate conferees to secure concurrence in the Senate amendment concerning the taxes on insurance companies. These taxes, as they stand in existing law and under the House provision in the pending bill, are uncertain and unscientific, and productive of litigation rather than revenue. In fact, information was conveyed to the conference committee that the great bulk of the large insurance companies, being so certain of their legal position under professional advice, felt they would all be involved in court proceedings and had refused to pay a dollar to the Treasury in the form of taxes.

The Senate offered a plan of insurance taxation that was equitable, definite, and simple. The Senate plan would have produced more revenue than the provisions of existing law, which are in substance repeated in the bill as passed by the House. However, another Congress in a future revenue bill will have to place the taxation of insurance companies upon a sound and scientific basis.

Mr. President, it seems to me that no discussion of the revenue bill at this time would be complete without some reference to the character of the expenditures. The revenue bill was framed under the noblest impulses of patriotism, while the war was at its height, and when men were willing to make every sacrifice. No one could complain that the greater part of his income was being taken by the Government when he saw the one-legged and one-armed soldiers walking the streets, or went through the hospitals and witnessed the evidences of sacrifice made by men for their country. But after the armistice many did not realize that the war was not really over, and the enthusiasm subsided considerably.

Instead of the bill carrying $8,000,000,000, the Finance Committee of the Senate was able to reduce it to $6,000,000,000. A large part of that reduction is more apparent than real, because it comes from the loss of taxes on intoxicating beverages, which, for so many years, together with the tax on tobacco, were the main source of internal revenue in this as in every other civilized country of the world.

Then, several hundred million dollars were given up on account of the relief provisions, which, necessarily, reduced the revenues of the Government to come from the taxpayer.

But, Mr. President, the bill was moving along, and the average sentiment was that it should pass, until men began to awake to the wasteful expenditures of Congress for every kind of chimerical, ill-considered, and ill-advised purpose. People said—and when I make this remark I have reference to the sentiments expressed in thousands of letters received by me from, and in conversation with, taxpayers—what is the use in raising revenue if it is to be poured like water out of a bucket into the gutter? What nation, however wealthy, can stand expenditures like these?

Only the other day the Senate passed a hundred-million dollar appropriation for the so-called famine sufferers in Europe. Nearly half the Republicans voted against the bill. Many who voted for it did so with the greatest reluctance. There was no information before the Senate on the subject. A vague telegram from the President was the only testimony. There was no definite information as to how the money would be spent. The allegation was made by a prominent man of Chicago, in a telegram which I had read in the Senate, that pretty nearly a third of the money already had been spent without authority of law. There was a refusal to insert in the bill a provision that the money should be expended by a commission appointed by the President and confirmed by the Senate, and under the obligation of an oath of office. All proposed amendments were ruthlessly voted down by the majority and the money handed over to be spent by some international commission, the American representative of which is not a citizen of the United States and has no identity with this country that I can find, except that he was born here, and he may never return. He certainly is not within the jurisdiction or reach of the arm of Congress.

One prominent taxpayer wrote to me asking that I help defeat this revenue bill and to insist, if there were a large number of people anxious to squander $100,000,000 in that improvident way, that it might be well to float a famine loan and let those so greatly interested in the cause subscribe to it instead of spending the people's money.

Mr. President, I am not going to refer to the many foolish projects and wasteful expenditures that occurred during the war. When a house is on fire economy is not consulted. Anyhow, people became largely unsettled during the war, it seems to me, in their mental processes. If we are to survey the world at the present time between here and Paris, I am not so sure that common sense or sanity has entirely returned even to many of the Anglo-Saxon race.

I shall do no more than refer to the fanciful project of appropriating $50,000,000 to discover minerals, to say nothing of similar propositions. Money has been poured out in a kind of debauch by those who seem to have lost all idea of what a billion dollars means. I think it was Charles M. Schwab who said in a speech at the Hog Island Shipyard, when impressing upon his auditors the vastness of a billion dollars, that it represented $1 for every minute since the birth of Christ. One dollar for every minute since that time gives us some idea of the measure of a billion dollars. Yet we put that sum into an appropriation bill now with the same carelessness that we might have exercised in putting $100,000 in a bill 10 years ago.

I merely wish to call the attention of the Senate to the most casual survey which I have made of propositions floating around in this Chamber and in the House of Representatives since the ending of the war, all of which have the purpose of extracting money from the Public Treasury. They are made without any authority of a budget system, apparently without any consultation with anybody else, and without any basis of investigated fact, to gratify the whim, caprice, or fad of some theorist; and yet many of them have passed this body notwithstanding the protest of a few of us. I do not doubt that nearly all of them, if time afforded, would pass both branches of Congress, because I have failed, since the declaration of war or even since the armistice, to discover any bill carrying an item of money that did not get a majority vote. They illustrate the vicious and uncontrolled tendency of minds, completely unsettled by the war, to continue the carnival of waste.

I hardly feel that I am keeping up to the high standard of expenditures when my eye catches a reference to a modest item of $50,000 asked for by the senior Senator from Montana [Mr. MYERS] for the sinking of artesian wells, and for other purposes. The amount is modest, but just why the Government should go into the business of sinking artesian wells puzzles me. I think that, while the amount is almost beneath the dignity of a Senator to notice, I might be permitted to refer to the proposition as preeminently of the freak variety:

> The Secretary of the Interior is hereby authorized to investigate the arid and semiarid conditions where they exist in the northern part of the State of Montana, in the vicinity of the Canadian border, for the purpose of discovering favorable locations for the sinking of artesian wells.

When the Secretary thinks he has discovered a favorable location, the bill says he may go ahead and sink the well, which is a good thing.

Mr. SIMMONS. Mr. President——

Mr. PENROSE. I yield.

Mr. SIMMONS. I ask the Senator if that is not confined to artesian wells on the national domain, the property of the Government?

Mr. PENROSE. It does not say so. It says "the northern part of the State of Montana," and "the northern part of the State," I suppose, means land of the State.

Mr. SIMMONS. Does not the bill itself show that it is for the purpose of sinking artesian wells on the public domain?

Mr. PENROSE. I do not think so, but even if on the public lands I do not see why the Government should go into it at this juncture.

Mr. SMOOT. I wish to remind the Senator that there is a very good precedent for the Senator from Montana asking for this money, for he will remember that it was proposed that we sink artesian wells in the Trinity River in order to make it navigable.

Mr. PENROSE. I am glad the Senator called my attention to that. I remember, when the projected improvement of Trinity River to make it navigable was under discussion in this body, that the then Senator from Montana, Mr. Carter, humorously urged the sinking of artesian wells along the river in order to fill it with water.

Mr. THOMAS. Mr. President——

Mr. PENROSE. I yield to the Senator.

Mr. THOMAS. I am in full accord with the Senator's criticism of that bill, but I wish to remind him that several similar bills have been introduced and some of them have passed, of course, as amendments to appropriation bills, at the instance of both Republican and Democratic Senators, and the money has been expended or is being expended for the purpose on the public domain. I voted against all of them, and I expect to continue to do so, which perhaps is one reason why they continue to pass.

Mr. PENROSE. I do not doubt this bill will pass. Some morning the Senator from Montana will rise when no one is in the Senate and ask unanimous consent for the consideration of the measure, and it will pass almost before the Secretary can read it.

Mr. SMOOT. There is a favorable report on it from the department.

Mr. PENROSE. There is often a favorable report from a department. They hang together for the plunder about as close as it is possible to do. This appropriation is not for public lands, as the Senator from North Carolina [Mr. SIMMONS] suggests, but for the State of Montana; and why they should bore for water there any more than in Pennsylvania is rather puzzling to me.

The department looks with favor on the bill. I want to say that the Secretary of the Interior has a great tendency to look with favor upon any appropriation, and he is quite indefinite in his estimates.

I called the attention of the Senate some time since to another bill of the Senator from Montana regarding which the Secretary of the Interior stated that one, two, or three million dollars would be very nice to help them start the project. I will come to that in a few minutes.

Then I have another choice production from that distinguished statesman, the Senator from California [Mr. PHELAN], "to stimulate the production of food upon private and public lands within reclamation projects, and for other purposes," which likewise is reported favorably from the committee. This bill provides for $5,000,000. Five million dollars, at the request of the Senator from California, to permit the Secretary of the Interior to range over the country and stimulate the production of food, whatever that may mean. The report does not indicate just how this stimulation is to occur, but I do not doubt that the money will be expended.

The Senator from Arkansas [Mr. ROBINSON], with a very praiseworthy desire to promote the welfare of the wage earners, puts in a bill providing for a complete new official staff. We all know what that means. He starts with a director at a salary of $5,000 a year, which, I can foresee, if the bill should ever pass, would be raised the following year; and he asks for $750,000 to carry out his particular notions regarding the relief of wage earners.

All these bills are pending, Mr. President. They are on the calendar or likely to be reported from committees. Most of them are on the calendar, and they inevitably will pass if they are ever brought up in this body.

Then the senior Senator from Oklahoma [Mr. GORE] has a bill, which has been referred to the Committee on Agriculture and Forestry, which committee is a fertile source of favorable reports on all kinds of lavish appropriations. He asks for an appropriation to establish experiment stations in engineering and in the other branches of the mechanic arts in connection with colleges established in the several States and Territories. As to just what genius conceived the idea that we want experiment stations in engineering in connection with colleges I am not advised. I have received a good many letters protesting against this bill as an interference with the land-grant State colleges, many of which are largely endowed, and liberally helped by State legislatures; but the Senator from Oklahoma would like to begin with $15,000 per annum for each State and Territory. I have not added that up, but I easily can see how it will expand, and will involve a very large sum in the future.

The senior Senator from Illinois [Mr. LEWIS] presents a measure creating a bureau of farm colonization, to make a national survey of all public lands suitable for farming, to develop, establish, and maintain in a practical manner rural colonies and farm homes for qualified families. As to just what that phrase "qualified families" means I am not informed. This measure is based upon the argument of the war, as set forth in the preamble. The bill, Mr. President, calls for $500,000,000 to carry out the peculiar notions of the Senator from Illinois.

Mr. SIMMONS. Which one of the Senators from Illinois?

Mr. PENROSE. There could be only one Senator from Illinois who would introduce this bill, and that is the senior Senator [Mr. LEWIS]. I did not suppose there would be any doubt as to the identity of the Senator.

Then, Mr. President, the senior Senator from Maryland [Mr. SMITH], for whom I entertain very high esteem, has a bill pending, which has been on the point of getting up several times, making an appropriation of $20,000,000 for improved highways. That bill seems like a rather modest performance now, in view of the $200,000,000 which was retained in the Post Office appropriation bill for that purpose the other day.

The senior Senator from Georgia [Mr. SMITH] has a bill which he was near passing one day—I am not sure whether it has not been passed. I opposed it, and I think the Senator from Oregon, the chairman of the Committee on Military Affairs [Mr. CHAMBERLAIN], opposed it very vigorously—a bill to require the Commissioner of Education to devise methods and promote plans for the elimination of adult illiteracy in the United States. This is another emanation from the Secretary of the Interior, of whose ability I have a very high opinion, but, nevertheless, these expenditures must stop some time.

I think these charges of there being so many million illiterates in the United States are absolutely without foundation, but still the assertion is made. Such an assertion can have no other foundation than that they include as illiterates infants in arms and inmates of institutions for the mentally defective. I think I know something about the condition of the great mass of the people in Pennsylvania, and in other States of the Union, and deliberately to say that there are eight or ten million illiterates in the United States is to make a statement, in my opinion, without any foundation; it is simply an argument to get an appropriation.

This bill provides for the establishment of a new department—always an alluring proposition—with $100,000 for the first year and $50,000 for each succeeding year. The amounts are small, but the possibilities of growth to the one-hundred-million-dollar mark are so great that I thought the measure worthy of being called to the attention of the Senate.

Now, I come to another bill introduced by the senior Senator from Montana [Mr. MYERS], which, likewise, has been recommended by the Department of the Interior. This bill provides for a survey and classification by the Secretary of the Interior of all unentered public lands of the United States and all unused, cut-over, logged, and swamp lands, and other unused lands of the United States, with a view to disposing thereof to honorably discharged soldiers and sailors and others, and for other purposes. I remember in connection with this bill, Mr. President, that the Secretary of the Interior, or somebody who happened to know about it, said if we went into this scheme in the way we ought to do, we should have four or five billion dollars to properly carry it out. Hardly had the proposition got very far and filtered through the minds of the public, when all of us were overwhelmed with protests from farmers against the measure. The State Grange of Pennsylvania only the other day officially protested, and the Senator from North Dakota [Mr. GRONNA] put communications into the RECORD protesting at length against the folly of this proposition; yet it comes recommended by the department, which is pretty nearly the same thing as being recommended by the administration. Originally it carried an appropriation of $2,000,000, but the committee made it $1,000,000 to start with—$1,000,000 for a visionary proposition, Mr. President, that could not be carried into effect until the returning soldier would be an old, bent man, too enfeebled by age to work on a farm—a measure protested against by every agricultural interest in the United States; yet this bill for $1,000,000, being such a small amount of money, no doubt would pass the Senate in the confusion of the moment if it were brought up some morning with the indorsement of the Secretary of the Interior.

We are gradually getting up in this desultory survey, Mr. President, to nearly $2,000,000,000—to $1,000,000,000, anyway. Nearly every one of these bills is from a department, has official sanction, and is likely to pass. Certainly the task of opposing them is invidious and generally is unsuccessful.

I have before me a bill introduced by the junior Senator from Iowa [Mr. KENYON] for the commencement or prosecution of public works in order to provide increased opportunities of employment during the period of demobilization and industrial readjustment, and for other purposes. Mr. President, I do not doubt the patriotic motives of the Senator from Iowa

in introducing this bill. I know of his earnest desire, as shown by his acts, to alleviate the condition of the laboring people in the United States; but, as I have told him personally in speaking with him about this bill, while I do not criticize the purpose of it or the patriotism which induced its introduction, I simply criticize the measure as being an independent attack on the Treasury without any concerted attempt to find out how much money is available and how it should be distributed. Each Senator comes along with his pet project, in very many cases an absurd project; but whether it is absurd, or meritorious, like this one, surely no Public Treasury can stand anyone coming along, fixing the amount he wants, without an estimate and without full knowledge of the facts, and having the money desired allotted to the scheme. This bill starts off with $100,000,000, and there is a further attractive provision in it for $300,000,000 more to provide for advances, making $400,000,000 in all that, under a plausible argument, may be separated from the Public Treasury. Whether or not it is ever to be returned to the Treasury I do not know; but my experience is—and I think the experience of others will vindicate me in the assertion—that when cash is once separated from the Treasury it seldom is returned.

Regarding the lack of employment, this $400,000,000 is for what at present, in my opinion, is a needless purpose. The matter of unemployment is greatly exaggerated. I understand the Department of Labor reports this week that some 250,000 or 300,000 men are unemployed. Why, Mr. President, that is a very small number of men unemployed in a country with nearly 11,000,000 wage earners. I have studied this question somewhat. Last summer I happened to spend the night in a little county in Pennsylvania, and, upon asking about conditions there, I discovered that some eight or nine hundred men had gone to the war and that a thousand or so more had gone to Philadelphia, New York, and elsewhere to work in munitions plants and had thus been taken away from the farms. With the curtailment of production or the shutdown of munitions plants these men will not be able to return immediately to the farms, where they belong. Many of them made such enormous wages during the war, and up until a recent period, that they do not want to work and do not have to work, but are looking around the country enjoying themselves. I do not think the returning soldier, coming back from France, wants to begin working 8 or 10 hours a day the minute he gets here. He goes home the hero of his town, is fêted by the inhabitants, and welcomed by his relatives. He is entitled to look around a little and enjoy himself before he takes up the hard tasks of life. I think the statistics of the employment agency are remarkable in showing how little lack of employment there is.

I represent in part in the Senate one of the greatest industrial States, if not the greatest, in the country—a seething mass of organized labor, toilers, and wage earners in textile mills and steel plants—and I would be the first to know of unemployment. I think I can safely make the assertion that unemployment in that great industrial area is, up to the present time, in no way reaching the danger point. This $400,000,000 is proposed to be taken from the Treasury for the purpose of relieving a condition which is almost normal, it may be said, when the problems of readjustment are considered.

The senior Senator from Oklahoma [Mr. GORE], with his attention firmly fixed upon the $1,250,000,000 necessary to keep up the price of wheat, permits himself to be diverted to the very great urgency of eradicating the tick which infests southern cattle. He has a report from that fertile source of appropriations, the Committee on Agriculture, recommending an appropriation of $3,000,000 to eradicate the tick. That, of course, is a pastime while waging the great battle for the $1,250,000,000.

Mr. THOMAS. Mr. President, I should like to ask the Senator if that is a new tick or the same old tick?

Mr. PENROSE. I am afraid it is the same old tick, which has been swarming around cattle since the earliest days of man's association with animals, and which will continue to infest cattle, as the Almighty has foreordained, long after the Senator from Oklahoma and I are forgotten. I have no evidence that in the lapse of many thousands of years cattle are not thoroughly accustomed to the tick.

Then, here is a little resolution. This, by the way, is a minor matter, but it shows the almost Shakespearean quality of the senatorial mind, which takes in every variety and aspect of the human comedy, so that nothing from the tick to an earthquake in Porto Rico escapes its notice. Notwithstanding the fact, Mr. President, that the island of Porto Rico is relieved of all war taxes in the revenue bill, and at the same time enjoys the inestimable privileges of American citizenship; and notwithstanding the fact that the inhabitants of that island practically have a great advantage over citizens of the United States residing here, from the point of view of taxation, it is seriously proposed that we appropriate $300,000 on account of earthquakes in Porto Rico. I halted this resolution one day on the floor of the Senate when it was brought up by the senior Senator from Delaware [Mr. SAULSBURY]. It did not seem that the Committee on Pacific Islands and Porto Rico was exactly possessed of jurisdiction to recommend the appropriation, and the matter was dropped. Whether or not the resolution subsequently was passed in my absence I have no information, and I am not concerned as to whether it has passed or not, because I know perfectly well, if still pending, that it will pass some day when I am not here.

Mr. President, I need only refer, because the event is too recent to require any extended discussion, to the extraordinary appropriation of $200,000,000 for roads carried in the Post Office appropriation bill. The debate on this appropriation was so extensive, and the exceptional, unfair, and improvident character of the appropriation so evident to any man of the most ordinary intelligence, who was not prompted by sectional self-interest, that I do not think it necessary to detain the Senate any further about it.

I have already referred, Mr. President, to the $100,000,000 appropriation for the alleged famine-stricken people of Europe, and I shall not expatiate on it. It is a good fund to exploit Mr. Hoover and the Wilson administration; and from that point of view doubtless will find its supporters.

I ought to state that I am gradually drawing toward the close of what I wanted to call to the attention of the Senate; but before I go any further I wish to say that up to this time I have been speaking only of some of the bills pending in the Senate. They aggregate over $2,000,000,000. I will drop the other figures as insignificant. Bills are pending here on the calendar, most of them with the sanction of departmental recognition, liable to pass any day, calling for almost a third of the revenues contemplated to be raised under this revenue bill, not to mention the current expenses and the actual obligations of the Government.

I shall now refer to several matters of this character pending in the House. Here is a little proposition from Mr. LEVER, a bill to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919, and to protect the United States against undue enhancement of its liabilities thereunder. I have not examined this bill very carefully. Doubtless other price-fixing bills will be reached by me; and, as it only provides—oh, Mr. President, I was mistaken. I thought this bill provided for only a million dollars. I find it provides for a billion, and therefore is entitled perhaps to a passing comment.

This, I find, upon further examination, is the great bill to provide a billion dollars—or some say a billion and a quarter; that is immaterial—to keep up the price of wheat. The Senator from Oklahoma [Mr. GORE] deliberately stated in the Senate—and I want to say that I agree with him; I think he, perhaps, knows more about the question than any other Member of this body; certainly he knows more about it than I do, but I can appreciate a good argument when I hear it—that this price fixing had been folly from the beginning, sheer waste, and had cost the farmers $800,000,000 in actual losses; and now, pursuing this folly—and I am not prepared to say that we can get out of it—we are called upon to appropriate $1,000,000,000, one-sixth of all the taxes to be raised from the groaning taxpayers in the United States, to make good the folly and the dilettanteism of Hoover and his administration of the food question.

Then, of course, Mr. President, we have floating around the lump sums, and I have not, as yet, been able to locate exactly the amounts left of these lump sums, or whether they can be refunded into the Treasury. The President, as I understand, has had $150,000,000 in a lump sum, and the Secretary of the Navy, according to my recollection—I may not be entirely correct—some $50,000,000. I really think, now that the war is over, that some auditing and accounting of these lump sums should be obtained, and the balance remaining, if any, returned to the Public Treasury; that hereafter expenditures should be made under authority of law, and not at the whim of a bureau autocrat or Cabinet officer, or even of the President. Congress, perchance, declines to authorize the purchase of a radio station or a telegraph system, and defeats the appropriation, whereupon the word goes forth that the purchase will be made out of a lump sum already appropriated. The lump sum covers everything, at home and abroad, from here to Paris.

Now, Mr. President, I want to call the attention of the Senate to about $8,000,000,000 of appropriations that I have not as yet reached, asked for by somebody.

A Representative from Alabama in the House, Mr. BANKHEAD, comes along with a bill to promote the education of native

illiterates. I have referred already to one bill relating to illiteracy, which has the insidious purpose of starting a bureau. This measure, however, comes right out into the open and asks for $13,000,000—I should say $13,500,000—to educate illiterates; and I think a large part of the money would have to be expended in locating the illiterates. [Laughter.]

Here is another measure, introduced by an eminent statesman in the House, a joint resolution asking for $100,000,000 to relieve distress among wageworkers. As the average wageworker has been making two or three times the wages of the average clergyman, lawyer, or physician in the town——

Mr. THOMAS. Maybe that is the reason he is in distress.

Mr. PENROSE. That may be, but it seems to me that this distress, up to the present time, must be largely a matter of hallucination. The only real thing about the bill is the one hundred millions.

Then we have a measure that already has gotten as far as the conference committee on the Post Office appropriation bill, so its prospects are bright—a bill to provide two hundred millions for roads.

Then there is that ingenious project, the reclamation of swamp lands wherever they can be found. The modest sum of $100,000,000 is proposed for this purpose by Mr. BYRNES, an associate from an adjoining State of the distinguished chairman of the Finance Committee here in the Senate—$100,000,000 to reclaim swamp lands. This bill, I am glad to say, is in no way sectional. At first glance I thought maybe it was for the benefit primarily of South Carolina, but I did that State an injustice. I am satisfied that it really aims to reclaim swamp lands wherever found, even if they have to be advertised for. [Laughter.] This measure has the sanction of the Secretary of the Interior, and I suppose will pass some day when it comes up in the Senate under the conditions which have been prevailing.

Here is a bill which candor compels me to admit was introduced by one of my Pennsylvania colleagues in the House of Representatives, but I have the less hesitation in admitting it in view of the fact that he is a Democrat and was not reelected to the next Congress. He wants $1,000,000 with which to distribute war trophies. Just how the million dollars is to be used in the distribution of war trophies I do not know, but I suppose some one will be found ingenious enough to invent a way to spend the money. [Laughter.]

The VICE PRESIDENT resumed the chair.

Mr. THOMAS. Mr. President, if the Senator will permit me, I might suggest that with such a sum war trophies would be made the subject of manufacture, as the demand would be very great.

Mr. PENROSE. Yes; I have no doubt of that, and perhaps a bill will come along for an appropriation to encourage the manufacture of war trophies. [Laughter.]

Here is a bill to provide for the common defense and general welfare—a most excellent beginning—but closer examination discloses the fact that it applies more particularly to Texas, Colorado, New Mexico, Kansas, Nebraska, North Dakota, and South Dakota. It urges their immediate relief from the drought. I do not know whether it is the prohibition drought, Mr. President, or the other kind. [Laughter.]

Mr. THOMAS. May I ask the amount of the appropriation?

Mr. PENROSE. Well, it is sufficient. Has the Senator any idea what would be required to cure the drought in those half dozen States?

Mr. THOMAS. It depends on what kind of a drought the Senator refers to. That is the reason why I wanted to know the amount.

Mr. PENROSE. Well, assuming any kind of a drought?

Mr. THOMAS. It would take a good-sized appropriation to destroy the prohibition drought in that section of the country.

Mr. PENROSE. The bill carries $50,000,000.

Mr. THOMAS. I think that might do it. [Laughter.]

Mr. PENROSE. It would help. It is for the general welfare, but particularly for Texas, Colorado, New Mexico, Kansas, Nebraska, North Dakota, and South Dakota.

Mr. THOMAS. May I ask the Senator to state the author of the bill? I live out there, and I do not want to lie under suspicion?

Mr. PENROSE. It is pending before the Committee on Agriculture, a very good committee, and I expect will be favorably reported to the House in due course.

Mr. THOMAS. It is a House bill? Then I am exonerated.

Mr. PENROSE. It is a House bill—the Senator may want to follow it up. It was introduced by Mr. BLANTON. The Senator may be acquainted with him.

Mr. THOMAS. No; I am not.

Mr. PENROSE. That is unfortunate.

Mr. THOMAS. That is doubtless true.

Mr. PENROSE. Now, Mr. President, I have here another bill, which I am compelled to admit was introduced in the House by one of my colleagues from Pennsylvania. But I sustain the shock when I realize he is a Democrat. This is to provide for the emergency arising out of the demobilization of soldiers, sailors, and marines, and the discharge of workers from war industries and other occupations, and so on. It is unnecessary to read the full title, which is ample, but it is sufficient to say that $100,000,000 is asked for by Mr. KELLY of Pennsylvania.

Then we have the bill to authorize the Post Office Department to acquire and extend the telephone system in the District of Columbia, for which $7,000,000 is requested—an unwarranted proposition, because everyone knows that the telegraph and telephone systems have broken down lamentably under present Government control, and the railroads have suffered a scandalous demoralization. I seldom send a telegram that I do not corroborate it by writing a letter, and I am not certain that either of them will reach its destination within a reasonable time.

Now, Mr. President, here is a gem which appeals to the loftiest aspirations of patriotism. It is a bill to provide for the local commemoration, in his home county, of the supreme sacrifice made by each soldier, sailor, marine, and aviator while in the service of the United States during the present war, likewise introduced by Mr. BLANTON.

One is reluctant to criticize an appropriation coming under such a patriotic guise, and I do so with hesitation. I hope that some day every one of these brave men will have a monument; but in the stress of the moment I can not but pause and respectfully criticize when I read that $50,000,000 is wanted for monuments to which the townsmen of these gallant boys would deem it a privilege to be able to contribute, and thus put up far better monuments than could be erected by a bureaucrat here in Washington, wastefully expending the public money.

Then, some genius, feeling that we are not doing everything we should to express our joy at the wonderful achievements of the war, suggests the propriety of appropriating $2,000,000 for an arch of victory here in Washington; and, in order that the matter may not be delayed, he thinks $50,000 ought to be immediately available.

Here is a bill for a monument to Theodore Roosevelt, in the form of a museum of history and art, to cost $5,000,000. Mr. President, I say in all seriousness that I, as much as any other American, think the American people should construct a splendid monument to the memory of Col. Roosevelt; but what I criticize about the measure is that I have no information that it comes from any consultation or conference with the members of Col. Roosevelt's family, or his friends, or with any committee having memorials in charge, but simply represents the independent notion of Mr. HICKS, the gentleman introducing it, and, for aught we know, it may pass some morning without the authority or sanction of anybody.

Then we have a bill to provide further for the national security and defense by making an appropriation for the purchase of iron ore, coke, coal, limestone, and other materials essential to the manufacture of iron and steel and for constructing, equipping, maintaining, and operating blast furnaces and steel plants and mills for the Government of the United States. That bill is pending before the Military Affairs Committee of the House and calls for $50,000,000, notwithstanding the fact that several authorizations for Government munition and other similar plants have never been carried out, and some such projects which the Government has undertaken have proved wretched and lamentable failures.

Then we have a joint resolution here which says in the preamble:

> Whereas the railroads of the United States are unable to handle the food products and the coal supply of the United States.

A rather treasonable assertion, Mr. President, in view of the many statements of self-glorification and protestation issued by Mr. McAdoo and others. I am one of those who believe that the railroads have reached a deplorable, scandalous, and inexpressible condition of inefficiency, but I did not suppose anyone would be bold enough to make a statement of this character in the preamble of a joint resolution asking for $10,000,000.

Mr. KELLOGG. Mr. President——

Mr. PENROSE. I yield.

Mr. KELLOGG. Is the Senator aware that the railroad administration is now asking for $750,000,000 more?

Mr. PENROSE. Yes.

Mr. KELLOGG. In addition to the $500,000,000 appropriated for a revolving fund which does not revolve?

Mr. PENROSE. I was aware of that.

Mr. KELLOGG. And it was stated here the other day by the director general that they are owing the railroads now something like $650,000,000, and probably they would owe them

$380,000,000 when everything is settled up to the 1st of January, 1919.

Mr. PENROSE. I say in all candor that I think the Bolshevist government in Petrograd could have run the railroads better than the representatives of the American people have run them during the period of Government control.

Mr. LEWIS. Mr. President, will the Senator from Pennsylvania allow me?

Mr. PENROSE. Yes.

Mr. LEWIS. I suggest to the able Senator that those who are at the head of the operation of the railroads throughout the United States are the same gentlemen who have been operating those railroads during all the time in the last three or four years preceding the taking of them over by the Government, with the single exception of one or two offices here in Washington, where they do not operate the roads at all.

Mr. PENROSE. The Senator ought to know that his statement is utterly devoid of foundation.

Mr. LEWIS. The Senator would know if it were true.

Mr. PENROSE. On the contrary, Government ownership, in my opinion, has been largely a process of educating Mr. McAdoo and others to be railroad men, a very expensive educational process on the part of the American people, and I do not know that any of them are railroad men yet.

Mr. LEWIS. I will state to the Senator that he must see that in the management of the transportation of freight and passengers the heads of the management at the different depots, either in Philadelphia, Chicago, or elsewhere, are the same gentlemen who before held the same offices under private railroad management.

Mr. PENROSE. The Senator is mistaken.

Mr. LEWIS. Can the Senator give me an instance to prove that I am in error to the contrary?

Mr. PENROSE. I now abhor the condition of the railroads to such an extent that I purposely stay away from them.

Mr. LEWIS. Therefore the Senator has no acquaintance with the subject as to who runs them and who conducts them.

Mr. KELLOGG. Mr. President, if the Senator from Pennsylvania will pardon me, I can give him the names of many railroad presidents who have been removed and not allowed to run the railroads and where other men have been put in their place—Mr. Fairfax Harrison, of the Southern; Mr. Samuel Rea, of the Pennsylvania; Mr. Marvin Hughitt, of the Northwestern; and many others.

Mr. LEWIS. I desire to except to the statement of the Senator from Minnesota. The Senator has made a statement, and I call the able Senator's attention that the presidents named only assumed to direct the financial policy, and many others directed the issue of watered stock and bonds. The railroads have been run by superintendents, general managers, passenger agents, traffic heads, and men who are in the yards. I ask my able friend if he does not know that that class of gentlemen are still in control of all the roads of which he has knowledge?

Mr. KELLOGG. I will state to the Senator that I know nothing of the kind. Mr. Marvin Hughitt is not a man who is issuing watered stock. He has run one of the most conservative and best roads in the country; he is one of the ablest and highest-minded railroad men in the country; and there are many others like him.

Mr. LEWIS. Mr. Marvin Hughitt is not the subject of debate. He is an acknowledged exception.

Mr. KELLOGG. The railroads have been run by regional managers and by appointees by the director general in a concentrated system in Washington. I am not complaining about the management, because probably it has been as good as you could get when you change the entire management of the system and try to concentrate it and make it over in a short time.

Mr. LEWIS. I join issue with the able Senator. Mr. Marvin Hughitt is referred to as a railroad president. The Senator might recall to his mind the St. Louis & San Francisco Railroad, the New York, New Haven & Hartford Railroad, the Chicago & Alton Railroad, and many others, and recall their presidents and their past conduct.

What I beg to impress upon the Senator from Pennsylvania and the Senator from Minnesota is that these regional directors, those who are charged with the active operation, are the gentlemen who were the officers of the roads before we took charge of them and continue in their management. Therefore the criticism of my able friend is in harmony with similar criticisms heard all over the country, and ought not to be based upon the assumption that we have changed the management of the roads.

Mr. SHAFROTH. I should like to say a word with respect to that matter.

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Colorado?

Mr. PENROSE. Yes.

Mr. SHAFROTH. The proposition has come here for the extension of the Government control of roads for five years. The experience had in the last year is not fair to the Government. Wages in all occupations have been greatly increased. It was in war times, where there was no opportunity to get to a normal basis nor to a proper operation of the roads. I think every person in the country feels that there ought to be a test without regard to whether he believes in governmental ownership of railroads or not, and that a fair test can be had at this time better than any other time. It takes about five years for the purpose of making such a test.

I hold myself free, if the conditions were such that the operation would not be in the interest of the masses of the people, to reject the proposal, and if it were shown to be in the interest of the masses that the Government can operate them to better advantage and at cheaper rates, then it seems to me it would be wise to consider seriously the permanent control of the roads; but, Mr. President——

Mr. KELLOGG. Will the Senator yield?

Mr. SHAFROTH. Yes; I yield.

Mr. KELLOGG. How much have rates been cheapened?

Mr. SHAFROTH. I do not know that they have been cheapened any, because we have had——

Mr. KELLOGG. How much have the rates been increased?

Mr. SHAFROTH. There has not been a fair test. There is one feature in the matter by which all men in the Army can travel at 1 cent per mile, which is ridiculously low.

Mr. KELLOGG. The Senator is mistaken.

Mr. SHAFROTH. But low rates for soldiers is evidently a matter that is sanctioned by the people of the United States. There can be no denial of the fact that there are certain economies that can be made in railroad management, and they have been made. The saving in coal in transporting freight by a short line instead of a long line will be great, as well as the high salaries of officials. For instance, there is a consolidation in the city of Denver of about 10 or 12 railroad offices downtown in a high-priced rental district——

Mr. PENROSE. Mr. President, I decline to be interrupted by such a trite argument as that. It is a fleabite. In my opinion the consolidation of the ticket offices in the great cities was an absurdity.

Mr. SHAFROTH. It seems that there is a great saving in the cities by it.

Mr. PENROSE. I deny that there is a saving. The ticket offices, in many cases owned by the railroads, have been standing idle and unoccupied, and to say it is a saving is simply a resort to meretricious and misleading bookkeeping.

Mr. SHAFROTH. They have but one ticket office in Denver where they formerly had 12, and quit paying rent on 11. That necessarily meant a saving as to the ticket offices, and where there are a large number of persons engaged in soliciting freight——

Mr. PENROSE. They are several hundred millions behind, and everybody in the United States is bitterly condemning the management of the railroads by the Government.

Mr. SHAFROTH. As a matter of fact, there were thousands of men employed by the railroads for the purpose of soliciting freight over their lines, and now no expense of that kind can be made, because the Government is disinterested as to which line the freight shall go over.

Mr. PENROSE. And the railroads are losing in freight rates.

Mr. KELLOGG. If the Senator will permit me——

Mr. PENROSE. I will permit an interruption for anything except a defense of the consolidation of the ticket offices.

Mr. SHAFROTH. That is one of the economies, and there are many other economies. Whether or not governmental control of railroads can be made a success I do not know, but I think now is the time when we have the opportunity at the least expense to the Government of testing it, and if it is not a success it can be turned down.

Mr. PENROSE. Did the Senator ever before witness such a spectacle on the railroads as a dirty and ill-kept dining car with available spaces scribbled with scoffing remarks addressed to the management?

Mr. SHAFROTH. I do not know——

Mr. PENROSE. That is what I have seen.

Mr. SHAFROTH. I do not understand that there is anything of that kind.

Mr. PENROSE. The Senator has not been traveling lately.

Mr. SHAFROTH. I have traveled some in the last six months and I have found just as courteous treatment as I ever

found at any time. I have gone four times over the Pennsylvania Railroad from here to Chicago.

Mr. PENROSE. The Senator is easily satisfied.

Mr. KELLOGG. If the Senator from Pennsylvania will permit me——

Mr. PENROSE. Yes.

Mr. KELLOGG. The classified accounts of the operating expenses of the railroads this year, including general office expenses, transportation expenses, maintenance of way, and all the other classified accounts, show not one single account less than it was last year or any economy whatever.

Mr. PENROSE. Mr. President, I am not taking into account in this very desultory statement the enormous losses on account of the maladministration of the railroads. I am taking only a good-humored survey of the scattering, irresponsible proposals on both sides of the Capitol to extract money from the Treasury. If we undertook to estimate the losses by reason of this inefficient administration they would, in my opinion, approximate a startling sum of money.

When we consider the property which has been destroyed, or the values which have been greatly curtailed and reduced—I am not going to argue the effects of it—millions of dollars wiped off the books as an asset to the community or the individual by the destruction of steamboat lines and short-line railroads, the steamship lines having been withdrawn from the transportation business, or the short-line roads scrapped because the railroad management deflected the traffic, which they had been relying upon, in order to keep up the showing of the trunk lines, we see to what extent this inefficiency has gone.

Mr. LODGE. If the Senator will allow me one moment, speaking of the matter of the destruction of property, there is a line that has been rendering excellent service from Boston, Providence, Philadelphia, Baltimore, to Norfolk and on to the Southern States as far as Savannah—the Merchants & Miners' Transportation Co.—which has been in existence for 60 years and has been of very great value to all those States. The Railroad Administration took the line over. They not only took the line over, but they took over $600,000 of cash they had in their treasury. This line was fed, of course, by arrangements made with the railroads. They stopped those, and that naturally deprived the line of business. They now have handed the ships back to the company with the business gone, and they have omitted to hand back the $600,000 they took in cash from their treasury.

That industry has been wiped out, so far as I can make out. All the Senators from the States affected have been trying and trying in vain to prevent the destruction of a useful line which for 60 years has given all the seaboard States on the Atlantic a good water service for water competition. That is merely an illustration. I am sorry to have interrupted the Senator so far.

Mr. PENROSE. I am very glad the Senator from Massachusetts has called attention to the scandalous and harrowing case of the Merchants & Miners' Line. I should like to ask him whether any reason was presented for failing to return the cash to the treasury? It is usual to return cash, is it not?

Mr. LODGE. No explanation was given of that that I know of. The explanation for their returning the line back was that the company asked too much for leasing it. They could have leased it at any price they wanted if they had been willing to lease it. I believe their plan was to do the transportation either by rail or by using some of the ships that had been built and which they were afraid to send across the ocean to carry freight, and those ships would be run under the name of another line—the Old Dominion.

Mr. SMITH of Georgia. Will the Senator permit me on this very subject?

Mr. PENROSE. Yes.

Mr. SMITH of Georgia. I have, I believe, a little later information than the Senator from Massachusetts has. A number of us, among them the Senator and myself, addressed a communication to the counsel for the Railroad Administration, and we received an answer. Then, later on, with the president of this company, at the request of the Senator from Maryland [Mr. SMITH], who could not come, the Senator from Rhode Island [Mr. COLT], the Senator from Florida [Mr. FLETCHER], and myself were called into conference. It was impossible to get all those who had signed the letter, and we undertook to represent the balance of you as best we could.

The insistence upon suspending operations was based upon the claim of very heavy losses now in operation. A proposition is being submitted to-day by the Merchants & Miners' Transportation Co., and we have just prepared a letter urging that they do not suspend operations. I have just brought it into the Senate to request of the Senator from Florida [Mr. FLETCHER] to join the Senator from Rhode Island and myself in signing it as representing the Senators. I will read the letter, because I am sure it will meet with the Senator's approval.

Mr. LODGE. I had not heard of this last thing. I saw the letter to which the Senator referred from the counsel of the road, which gave us no satisfaction whatever, but up to the point at which I had arrived I think I stated the case correctly.

Mr. SMITH of Georgia. I am not questioning that, but I thought I would read the letter.

Mr. LODGE. Certainly; I am glad to know that we are still struggling.

Mr. SMITH of Georgia (reading)—

FEBRUARY 12, 1919.

Judge JOHN BARTON PAYNE,
Counsel United States Railroad Administration,
Washington, D. C.

DEAR SIR: We are familiar with the proposition being submitted to you by the Merchants & Miners' Transportation Co.

In connection with the proposition we desire to urge the importance of the continued operation of this system of coastwise transportation. We are impressed with the loss which would be caused our entire system of transportation if this coastwise line is discontinued, and especially with the injury to the communities served by it.

May we not suggest that, controlling all the railroads, the Government director can cause ample freight to be given to this and the other water-transportation systems. Normally it is more economical, and should be preserved in an organized state for the benefit of the public. We are referring, of course, now to the coastwise ships serving especially the Atlantic and Gulf communities. The entire cost of this transportation—the rates and the business to be done—is so within the control of the transportation administration of the Government that we earnestly hope such steps may be taken as will continue the operation of this coastwise line.

Very truly, yours,

——— ———

We are just on the point of sending this additional letter to them, and we assumed in signing it we were representing all who wrote the original letter.

Mr. LODGE. Certainly. As I remember, I think Senators from six or more States signed the letter and we got a most unsatisfactory reply.

Mr. SMITH of Georgia. It is in a little more satisfactory condition now.

Mr. LODGE. I am glad it is. This letter, it seems to me, is little more than the expression of a hope. I sincerely hope it will lead to something.

Mr. SMITH of Georgia. The matter has been opened up again, and that an adjustment can be made with the company I believe is clear and is most probable; but we were expressing the opinion that if the Government adjusts these differences with the owners it ought to continue operations for the benefit of the public.

Mr. LODGE. Of course it ought.

Mr. SMITH of Georgia. That is what we sought to express in this letter.

Mr. LODGE. It is a great disadvantage to the public to have that line wiped out.

Mr. PENROSE. Mr. President, I have not the slightest confidence that a repetition of the letter, signed by a half dozen Senators from these coastwise States, will have any effect upon the situation. For the time being and under the present régime that line of transportation for freight and passengers is out of existence, deliberately destroyed by the policies of the American Government, a line which, for three generations, regardless of weather, fair or foul, has carried the seacoast commerce and passengers from Georgia to Massachusetts and from Pennsylvania to New York. It is extinguished to-day as a result of the railroad management of the Government; and, to add a rather humorous phase to it, such as we occasionally read about in some of the performances of the Bolsheviki in Petrograd, the line, after being ruined, is politely returned to the owners with an empty treasury. It has been withdrawn from the port of Philadelphia, where it was a source of great relief to commerce and also a matter of pride to the people. It would have continued another hundred years or more to prosper and grow had sound economic conditions prevailed, but the idiosyncrasy of the railroad management has destroyed it. I venture the assertion that property values, to an enormous amount, have been destroyed within the last three years, or have been greatly depreciated.

We have been moving along steadily to destroy values, as in the case of railroad securities, and to destroy property physically, as illustrated by the Merchants & Miners' Line. I begin to wonder at the robustness and strength of the American Nation, and how its commerce and industry must be built upon an imperishable foundation, that it can withstand all this bad economic, ruthless, and injudicious treatment.

But while this digression has been profitable it hardly bears upon the subject I have in mind, except to emphasize the fact that while we are engaged in propositions calculated to squander the money of the taxpayers, we are at the same time making very substantial inroads upon the taxable values and incomes

from which we must get revenue. I for one think it time to call a halt, and if these wasteful appropriations can not be stopped before the 4th of March, at least the attention of the American people can be called to them and perhaps some relief afforded in the new Congress and under another party after March 4.

Mr. President, no system of taxation could be devised by the ingenuity of man, and no country, however rich it might be, could bear the taxes that would be commensurate with these wild, extravagant, and wasteful expenditures.

Now, here is a small appropriation for an unnecessary project—the establishing of marketing departments in agricultural colleges in the several States of the Union.

I have not had an opportunity to inform myself as to just what purpose the author of the bill has in mind, but it has been referred to the Committee on Agriculture, and I assume it will be only a question of time until it comes out with a favorable report, because it involves an appropriation of $250,000. This particular bill has been making its way obscurely through the House and Senate. Already I have received hundreds of letters from produce dealers and dairy and food people of Pennsylvania protesting against the passage of the measure. As to just what good purpose is subserved by it beyond the wanton expenditure of money I am not advised.

Here is another interesting measure referred to the Committee on Agriculture which, doubtless, will be favorably reported from that fertile source of expenditures. It provides for the purchase of seed grain and feed for live stock, to be supplied to farmers and stockmen, and to create boards in the respective States to assist in carrying out the provisions of the act. It is true, the bill provides for an appropriation of $50,000,000, but I have no idea that amount will be an obstacle to its favorable report by the members of the Committee on Agriculture.

Then we have a bill "to establish a Government experiment integral of industries." I am at a loss to know what the title means. The phrase is new to me. I, perhaps, am unduly ignorant. I fail occasionally to keep up with the progress of the times and, particularly during this period of international consciousness, as the term goes, to keep pace with new phrases and new terminology; but I notice that the bill calls for an appropriation of another $50,000,000. So I assume there must be some argument, plausible at least, for the enactment of the measure.

The fanciful phraseology, characteristic of this period of international consciousness, is well illustrated by section 3, which says that a commission shall be established on creative economics, an admirable phrase, Mr. President, and fraught with possibilities to the league of peace and to our future international civilization. I pause and wonder when I reflect upon the genius of the inventor of that phrase "creative economics." Still, he had a stern purpose to the ultimate goal and he provides for $50,000,000 to carry out the objects of the commission.

They are "to plan and construct a government economic experminent integral"; and, in order that ample explanation shall be afforded of the word "integral," he says "or unit of industries"—if that makes it any clearer; it does not to me—"for the purpose of testing, independent of existing commercial interests and by scientific methods, the merits or demerits of another system of industry not adjusted to the economic principle of mutual repression and plunder"—how familiar!—"the social contract of which shall be the donation of labor power by all employees, and the donation of the products of labor power to all employees under the rule of the common good."

This man is a genius, Mr. President. The Secretary of the Interior is authorized to devote any of the lands or natural resources owned by the Government to the commission of creative economics.

But why detain the Senate longer by explaining the purpose of this commission? Its name speaks for itself, and the imagination can picture the plans.

Mr. LEWIS. Mr. President, will the able Senator allow me to merely interrupt to ask him who is the author of that measure?

Mr. PENROSE. Does the Senator from Illinois indorse that proposition?

Mr. LEWIS. I ask the Senator to let me know who is the author of that bill?

Mr. PENROSE. The bill discloses the fact that Mr. JOHNSON of South Dakota is the author of it.

Mr. LEWIS. Mr. JOHNSON of South Dakota of the Senate or Mr. JOHNSON of South Dakota of the House?

Mr. PENROSE. I am referring now to House bills, but I assume that many of them will come here to the Senate.

Mr. LEWIS. We are prohibited by certain rules of the Senate to express an opinion which we might have concerning matters in the other House. I have no doubt when they arrive here we shall then get the opinion of the Senate.

Mr. PENROSE. I have no doubt I have a right to express my opinion about legislation which is pending.

Mr. LEWIS. I beg to say that I am merely commenting upon the loss we may have to suffer from not having the opinions of some others.

Mr. PENROSE. The bill will doubtless come over here. I do not know whether the Senator from Illinois will be for it or not. He can state that better than I.

Leaving the domain of "creative economics," Mr. President, we now come, in view of recent experiences, to a choice morsel which has been referred to the Committee on Interstate and Foreign Commerce of the House of Representatives. This bill provides an appropriation of $500,000,000 to promote the ownership of transportation systems. I suppose some of them, like the Merchants & Miners' Line, could be bought pretty cheap at this juncture; but whether or not $500,000,000 will cover the whole situation, I am not informed.

Here is another measure, "a bill to provide transportation, storage, and marketing facilities for and to regulate commerce among the States in live stock, meats, and other products derived from live stock or the slaughtering of live stock." This commendable purpose, Mr. President, can best be realized, in the opinion of the author of the bill, by an expenditure of $500,000,000.

Mr. THOMAS. Who is the author of that?

Mr. PENROSE. That eminent statesman, Mr. SIMS.

Then we have a bill "to create a department of education and human welfare"—definite and specific and all practical purposes clearly defined—"and to arrange for the cooperation between the Federal Government and the States in the encouragement and support of education, and for other purposes." It provides for "broadening the scope of education, of democratizing it so that it will include and promote all human activities." Whatever that phrase may cover I am at a loss to understand, but that is not material. The extraordinary feature of the bill is that there is no definite appropriation to carry out its provisions. Just what the purpose of the author was in leaving the really interesting part of the measure in an indefinite and chaotic condition I do not know.

Then we have a bill for rural sanitation. I can not lay my hand immediately on that measure, though I thought I had it. Rural sanitation is a good thing, and it looks better when an appropriation of nearly $3,000,000 is asked for to launch the Government in this enterprise, and an annual appropriation of $1,400,000 thereafter.

The items I have read, Mr. President, many of which are pending before committees or are sanctioned by departments, or have been reported favorably, aggregate $2,880,480,000, or nearly $3,000,000,000—half of the amount proposed to be raised by the pending tax measure!

There are a number of other items confronting us and to be reckoned with. I will not say that the items I am going to read are all unnecessary, but they will convey to the taxpayer some general idea of the bill he has got to foot as the result of incompetence and waste or, in some cases, as the result of the war.

Amongst what I might term inevitable objects is the construction of hospitals, which it is estimated will require $30,000,000. Whether or not that estimate is well based, I do not know.

Then we have the interest account on the national debt of $1,000,000,000 annually at the very least.

We have the propositions in connection with the merchant marine, which are to some extent imaginary, but they call for an expenditure of $650,000,000.

Then we have the loss of $800,000,000 in the operation of the railroads, a loss which I attribute to the account of blundering and inefficiency.

We have the very general estimated expense of demobilization of $500,000,000, which, of course, is inevitable.

We have the proposition for aircraft mail service, amounting to $50,000,000, a service that I think could very well wait until the stress of expenditure is over. Anyhow, it is a good deal of a luxury and more or less of an experiment. Yet, apparently, there is a disposition to spend money for it, at least until the 4th of March shall have arrived.

Then there are Government contracts put down at $1,500,000,000—a wild guess as to the amount that will be required.

I have already referred to the European food bill. The war-risk insurance requires $150,000,000; the Employment Bureau

wants $14,000,000; and the bonus to soldiers, which we all indorse, requires $255,000,000, making an additional amount for some necessary purposes, but some unnecessary or ill-advised, of $5,049,000,000. This, and the miscellaneous, visionary, and needless items already mentioned, aggregate $7,927,480,000, or nearly $8,000,000,000, which, added to the amounts floating around here in the Senate, to which I have already referred, makes $10,000,000,000 actually asked for by Senators and Representatives with solemn countenance and earnest demeanor, frequently supported by a department. I have yet to see one of these measures fail of passage when its consideration could be reached.

Mr. President, the air is full of suggestions for enormous expenditures. Here is $10,000,000,000 picked up in the most casual way by looking through the calendars of the House and Senate. Every departmental report contemplates squandering money somewhere.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Pennsylvania yield to the Senator from Washington?

Mr. PENROSE. Yes.

Mr. JONES of Washington. In view of the facts which the Senator has pointed out; also in view of the new propositions with reference to the Navy, which I understand involve the expenditure of almost a billion dollars; and also in view of what we are going to have to do in connection with wheat, what excuse is given for cutting down the taxes for the next year? How do those in authority now say that we are going to meet these largely increased expenditures which have been made—certainly since the bill passed the other House, and I think since the committee reported the change in the taxes for the next year?

Mr. PENROSE. Mr. President, the inquiry of the Senator from Washington is very natural. I can not answer his question. The whole situation is so chaotic and so characterized by lack of system that I, standing here on the minority side, with no responsibility for legislation, am unable to answer the Senator's question. There is no remedy, unless the majority party and those in control of the executive departments of the Government lend a helping hand to check this wasteful extravagance.

Mr. JONES of Washington. Is there any other way to meet these additional expenditures except by the sale of bonds?

Mr. PENROSE. There is no other way except by the sale of bonds; and, in my opinion, if this debauch of expenditure and carnival of waste continue, the sale of bonds up to the limit of toleration of the business world will not meet all the requirements.

Mr. JONES of Washington. So that this apparent reduction in taxation, which is proposed in this bill to take place in another year will have to be made up through the sale of interest-bearing bonds?

Mr. PENROSE. Yes; money will have to be borrowed to the limit of toleration on the part of the taxpayers; and, instead of getting the benefit of reduced expenditure by the armistice and the completion of peace, our expenditures will keep on soaring and will show little difference from the enormous amounts expended while we were in the agony of war.

I have said, Mr. President, that this is merely a casual survey of some $10,000,000,000, not to mention the destruction of assets or the reduction in their value, thus curtailing the ability of the taxpayer to pay taxes.

Nearly $1,500,000,000 ultimately will be lost to the Treasury by prohibition. I am not arguing the merits of that policy one way or the other. The American people have, by an overwhelming sentiment, indorsed the proposal; but the fact remains and confronts those engaged in revenue legislation that the revenues are reduced.

The relief measures to which I referred in my opening remarks, for the correction of inequalities, inequities, and hardships, sacrifice several hundred million dollars of revenue which, otherwise, might have been raised but which, under the circumstances, can not be fairly collected.

Mr. LEWIS. Will my eminent friend allow me a suggestion? May I ask the Senator if he would not make clear, in connection with his very able exposition, that the bills to which he is directing attention—most appropriate attention—are not bills which have been passed; that they are not bills for which appropriations have been made; but are mere proposals from different Members of both Houses for things which they hope, but for which at present there has not been any legislation granted at all?

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Utah?

Mr. PENROSE. Yes.

Mr. SMOOT. Allow me to suggest to the Senator, however, that wiping all of those suggested bills out of consideration, there will be vast appropriation bills that we know must be passed before the close of this session, or in an extra session, that will amount to over $10,000,000,000; but if the bills referred to become laws, instead of the taxpayers of the country having to meet $10,000,000,000 next year, they will have to meet $20,000,000,000. I will say frankly to the Senator from Illinois the country can not do it and will not do it; and if Congress appropriates all the money proposed to be appropriated by the various bills which have been referred to to-day by the Senator from Pennsylvania, I say that the country will rise in its might and power and drive from public life every man who approves of such propositions; and I hope they will do it if anything like that happens.

Mr. LEWIS. Mr. President, I express my thanks to the very alert Senator from Utah [Mr. SMOOT] for his explanation and his statement. I have to say, since the Senator says that the amount of $10,000,000,000 will be appropriated, that it must be assumed, in view of the intelligence of this body, coupled with its patriotism, guided by a genius such as the Senator from Utah, when such appropriations shall have been made, they will have been made for some just cause and for purposes that can be justified; otherwise, they will not be passed. It will not be assumed that the other measures, such as the Senator from Pennsylvania has humorously, but in many instances most appropriately, described as little less than ridiculous, would pass a body of this kind or pass the House. Therefore, the fears of the Senator from Utah that the appropriations will be multiplied to the extent of the sums suggested by the Senator from Pennsylvania, I think, are groundless, and we ought to make clear to the American public right now, that these expressions of the able Senator from Pennsylvania are based upon the possibility of such bills passing, and not that he wishes to let the American public understand that these bills have passed. He did not have that in his mind nor was that his intention.

Mr. PENROSE. Mr. President, many of the measures carrying the vast sums referred to by me have passed Congress; many more are earnestly recommended by the Secretary of the Interior and other heads of departments, and many of them are on the calendars awaiting favorable action by either body. Experience is the best and only test we have in this world as to future conditions; and we all know that so far not a single bill has failed, no matter what the purpose or the amount.

Mr. LEWIS. Mr. President, I think as to those measures the passage of which is hoped——

Mr. PENROSE. Can the Senator name a single appropriation bill, or item of appropriation, which the majority has defeated in this Chamber? I challenge the Senator to do so. He can not do it.

Mr. LEWIS. I will say to the Senator that the items that are defeated by the majority party are defeated in the appropriate committees when they are wrong and should not be passed. It is only when they are right and practicable and best that the committees send them in here and the Senate passes them, because it is right to do so.

Mr. PENROSE. The only test is the longing and hunger for appropriations.

Mr. LEWIS. Ofttimes there is a hunger which should be satisfied because it is right, Mr. President, as a longing—I might say, more than a longing—a dessert; but let me say to the Senator that as to those measures to which he has referred, which their authors hope will pass, we can apply the Scriptural injunction, "Many are called, but few are chosen."

Mr. SMOOT. Mr. President, I do not wish the Senator from Illinois to get the idea that I said I had a fear that the people of this country were not going to pay the just obligations incurred by the Government in carrying on the war. I say frankly to the Senator that the greater part of the $10,000,000,000 which the people of America must meet next year has been brought about by the war; but that does not make it any easier for the American people to raise the amount of taxes necessary, particularly so when we take into consideration the conditions existing to-day and realize the extent to which we have already strained our credit.

The Senator will readily admit, I presume, that it was much easier to raise the first $5,000,000,000 than it was the second $5,000,000,000 or the third $5,000,000,000; and as $5,000,000,000 sums are added by way of taxation it becomes harder. The Senator, of course, will admit that. All I want to do is this: I want the American people to know the obligations that they have got to meet, and I want them to prepare to meet them, because they must be met. I also want the American people to understand that the time has come when there must be a halt called on the extravagant expenditures of public money.

As the little foxes spoil the vines, so these little million-dollar appropriations, as they are now called, are going to ruin the credit of the business and of the country itself if we do not stop them.

I remember, Mr. President, the time in this Chamber when an appropriation of any sort that carried a million dollars was scanned with the greatest care and had to receive an explanation that was satisfactory to every Senator in this body before there would even be a chance of securing a vote upon it, while to-day it is not desired to secure consideration of any appropriation of less than a million dollars; in fact, about the only way to get an appropriation through Congress is to make it more than a million dollars.

I know that the Senator will not charge me with trying here to appeal to the passions or the prejudices of the people; but I am alarmed, Mr. President, over the financial condition of our country. I can not see how the obligations of the Government are going to be met unless the strictest economy is not only practiced by Congress and the executive departments of the Government, but by all the people in the land.

Mr. LEWIS. Mr. President, will the Senator give me his audience a moment while I respond to that?

Mr. SMOOT. Certainly.

Mr. LEWIS. I wish to say to the public that there is no man in this Chamber who has more sedulously given his attention patriotically to seeking to hold expenditures down to just levels than has the Senator from Utah, but what I wish to have him know is that if the bills referred to by the Senator from Pennsylvania and the amounts for which they call shall be held up before the country as appropriations that have really been made, as distinguished from mere demands, the country would be of the opinion that such vast millions have already been appropriated as would stun them, as would paralyze their initiative, and discourage every undertaking.

Now to the Senator's observation. It is true that in the past there was close economy, but gradually there grew that very thing which the Senator from Utah says exists—a general indifference. Previous administrations to the one in power, however, were those that encouraged the growth of those vast expenditures. We may say, as the scriptural warning, the fathers ate the sour grapes, the teeth of the children are set on edge; so we have come into power to find the custom, and, unhappily, instead of repealing it entirely, as the Senator says, we are repeating it.

Now, I will ask the Senator a question, in order that I may obtain the Senator's judgment. We have large expenditures to meet, and great appropriations are in view. I have a proposal to make to the American public in my position as a Senator, and not carrying any further weight than that. There are $7,000,000,000 due to the American Nation from foreign nations. These nations, I suggest, could issue their bonds, those bonds to be turned over to the United States, and then the United States to use those bonds through the Federal Reserve System, the Federal reserve banks issuing $7,000,000,000 of money based on those bonds, which are security for money loaned. The $7,000,000,000 thus being secured would be money of the United States and would lessen the taxes to that amount. I ask the Senator if that is not an appropriate method of securing that fund and avoiding further taxation?

Mr. SMOOT. Mr. President, I will say to the Senator that I have in my office a bill in process of preparation—I think I will have it completed to-night, and if I do I shall introduce it to-morrow—to carry out the very suggestion the Senator has made, although not along the exact lines the Senator has suggested, providing that the obligations of foreign Governments for our loans to them be changed into a bond obligation and used by the Federal Reserve Board as a basis for the issuing of Federal reserve notes. I want the Congress to pass a law authorizing the Federal Reserve Board to issue Federal reserve notes against those obligations. If our Government, now that the war is over and it is not likely that we will be compelled to advance more money to foreign countries, will request those foreign countries to issue for the obligations which they have given to our Government in the shape of notes—because that is what they are—bonds in serial numbers of denominations of $50, $100, $500, and $1,000, I believe that such bonds can be sold in the market, and I do not believe that our Government will have to carry the present obligation, which now amounts to nearly $8,300,000,000.

Mr. PENROSE. Mr. President, I hope I may be permitted to continue my remarks. I shall finish in a moment.

Mr. SMOOT. I will ask the Senator to excuse me. I understood the Senator had yielded to me.

Mr. PENROSE. I appreciate that, and I was perfectly willing to yield, but this controversy has taken a little longer time than I think is fair to me. I merely wish to conclude my remarks.

Mr. SMOOT. It is not fair to the Senator to interrupt him so long, and I wish to apologize.

The PRESIDING OFFICER. The Senator from Pennsylvania refuses to yield further.

Mr. PENROSE. I do not want an apology. I know the Senator from Utah is going to take the floor in a few moments in his own right, but if he desires to go on now I will yield further.

Mr. SMOOT. I may discuss the question when I get the floor.

Mr. PENROSE. Mr. President, the Senator from Illinois is an offender himself. Here is a bill introduced by him on February 25, 1918, and referred to the Committee on Agriculture and Forestry, which committee never has failed to act favorably on an appropriation. The measure creates a bureau of farm colonization, and appropriates $500,000,000 as a beginning. I should like to ask him whether he intends to push that measure?

Mr. LEWIS. I have an idea that if the Senator observes the heading of the bill he will see that it was tendered "by request."

Mr. PENROSE. Then the Senator is not familiar with the subject of the bill?

Mr. LEWIS. Yes; I am familiar with it; but I think the Senator will see that that particular measure was tendered "by request"——

Mr. PENROSE. It is not so stated.

Mr. LEWIS. Merely that it might be sent to the committee for their examination in connection with other measures which at that time they were considering. May I call the Senator's attention to the fact that it was a proposal to advance money to immigrants coming to our country?

Mr. PENROSE. No statement appears on the bill that it was introduced by request.

Mr. LEWIS. Then that has been omitted. I do not wish to say that it does not possess virtue; but I must say to the Senator that, having introduced it "by request," I have not examined it as fully as I would have done if it had been a measure introduced on my own initiative.

Mr. PENROSE. It is usual when a bill is introduced "by request" to have that fact indicated in the heading, and it is not so noted in this case; therefore I got the impression that the Senator was carried away with the splendid and inspiring thought of spending $500,000,000 to create a bureau of farm colonization.

Mr. LEWIS. No; the Senator from Illinois is only carried away by the powerful oration and glittering criticism of his eminent friend, who, in his satire, discloses a legitimate criticism of some of those measures.

Mr. PENROSE. It is very consoling to me, Mr. President, to realize that I can subtract $500,000,000 from the ten billion to which I referred; because the Senator from Illinois conveys to me the thought that, in vulgar parlance, he is "side-stepping" his bill and does not intend to press it. That to me is a most hopeful sign. Whether it is due to the appalling aggregate of misguided appropriations which I have tried to bring to the attention of the Senate this morning, I do not know; but if it has sunk into the minds of Senators that the time has come to call a halt my labors to-day will not have been in vain.

Mr. LEWIS. Mr. President, I will have the Senator understand that I do not side-step anything when I confront him; I back it up.

Mr. PENROSE. The Senator is confronting his own bill now, and displays a lack of enthusiasm for it which is rather impressive.

I now refer to extra offices which have been created. I suppose they were necessary during the war, anyhow; but we have only to go through and along the sides of these great temporary buildings scattered throughout Washington, or through the departments, to see the large number of employees crowding the corridors and cumbering up the rooms, and, in many cases, actually hunting something to do. That demoralized situation has been alluded to frequently on the floor, and I do not intend to enlarge upon it now. I simply want, as a part of my remarks, to refer to the fact that in the Sixty-fifth Congress, first session, 82,719 new offices were created, requiring $47,371,231 to pay the salaries; and in the second session 191,307 new offices were created, requiring $110,925,428 to defray the expense, making a grand total for the present Congress of 274,026 new offices created, requiring an expenditure of $158,296,659. I venture the assertion, and I say it deliberately, and I have been corroborated in it by conversation with members of these volunteer boards down here—dollar-a-year men, so called—that perhaps one-half of these offices were needless, and the result of inefficiency and improvidence.

The air is full of propositions for expenditures, most disheartening. Here we pick up the morning paper and observe

that the Secretary of War is going to send a commission over to France to take care of the liquidation of—

the $30,000,000,000 war from which we are slowly emerging. * * * The adjustment of all claims, both for and against us, which doubtless will aggregate many millions of dollars, will be considered immediately and will not be permitted to drag along for years or perhaps generations.

That opens up a prospect of expenditure.

Then I note that the Department of Commerce is talking about spending some $200,000 in connection with trade with Spain, Italy, and the Balkans; that it is to be energetically pushed to promote the work of obtaining new fields in which to sell American goods. Is that comparatively large expenditure, Mr. President, authorized by Congress? Has it been sanctioned by a favorable report from a committee, after a full hearing on the subject? No.

We read further in the article that the expenditure is to be taken care of out of the special fund of President Wilson. Did Congress vote this special fund to promote trade in Bulgaria or was it appropriated for the purposes of the war? The Senator from Utah [Mr. SMOOT] has returned to his seat. I should like to inquire of him, Is there no way of saving us from the waste of this enormous special fund? Can it not be gotten back into the Treasury, so that presidential expenditures hereafter may proceed in an orderly way, under authority of law?

Mr. SMOOT. Mr. President, I will say to the Senator that that question came up before the Appropriations Committee; and the sentiment of the committee was that, as long as the fund was appropriated to the President with no limitation whatever on it, to be spent in any way that he wished, they felt that it would be a very inopportune time to repeal that law. The only way in which it can be done is by act of Congress repealing the appropriation that was made for any purpose that he may see fit to use it for.

I will say to the Senator that the Commerce Department is not the only department of our Government that has received funds from that sum. I called attention here the other day to five or six allotments that were made out of that fund, where the heads of bureaus and divisions came here and asked for these appropriations and Congress refused to grant the appropriations, and they immediately went to the President and the President gave them whatever they asked for out of the fund that was given to him. This is only one case. I will say that I asked for a statement to be made of the amounts that had been given to the departments, naming the departments and the amounts that had been given to each of them; but up to the present time I have received no answer to the request, and I do not expect to receive any.

Mr. PENROSE. I should like to inquire of the Senator whether he, or the Committee on Appropriations, of which he is the leading minority member, has any information as to how much of this fund is left, or how it is being spent, or how it is intended to be spent?

Mr. SMOOT. No, Mr. President; I do not think any member of the committee knows the balance that is in that fund. I certainly do not.

Mr. PENROSE. Has the Senator any idea of how much is left?

Mr. SMOOT. I heard that about four or five months ago there was some forty-odd million dollars in the fund; but I can not say how much of that has been expended since then, nor can I say that that report was correct, because I have never seen an itemized account of the expenditure of the fund.

Mr. PENROSE. Has the Senator any information as to whether itemized accounts are kept of these expenditures?

Mr. SMOOT. They must be kept somewhere, but the law did not require that they should be made public.

Mr. PENROSE. Could not a committee of Congress have access to them?

Mr. SMOOT. Not under the law. That would be entirely with the President. He may give it if he desires, and, if not, he is not compelled to do so.

Mr. PENROSE. Then I think the sooner Congress passes a law rendering the secret archives of this enormous fund available to the committees of Congress and to the American people the better it will be for this Government and for this administration. I do not intend to sit idly by and permit $150,000,000 of the people's money to be expended between here and Paris, and for every kind of unauthorized project such as promoting trade in Bulgaria, to which I have just referred, or to make good amounts which Congress deliberately has refused to appropriate, without at some time or other having information as to how every penny has been spent; and I do not entirely agree with the Senator from Utah. I know he is in the minority on the committee, but I do not see why this enormous fund, without restriction or restraint, should any longer be placed at the disposal of the President. He simply is a branch of the American Government, the head of the executive part of our Government. The war, for all practical purposes, is over, and how any legitimate purpose can be subserved or conserved by an ability to squander or spend $40,000,000 or $50,000,000 is beyond my comprehension, and, I think, will be utterly beyond the comprehension of the average American citizen when he wakes up and rubs his eyes and realizes what is going on.

Mr. President, I have spoken at greater length than I had intended. There is no use in my criticizing, at this time, expenditures made under the stress and inspiration of the war, many of which were needless and improvident; but I intend on some other day, as opportunity offers and I find time to investigate the different phases of the subject, to show the American people, on the floor of the Senate, the character of the ill-advised economic methods under which the war was fought, and the wastefulness and extravagance of many of the appropriations.

I only want to refer now to the bill to stimulate agriculture, carrying $11,000,000, largely devoted to the suppression of coyotes and squirrels. When the war was at our door and the most heroic efforts were required to float the liberty loans, the Senate found time, in the midst of the stress and strain and agony of the war, to devote a whole day to the extermination of coyotes and squirrels, at an expense of some $11,000,000, under the guidance of the majority party.

The enormous appropriation of $162,500,000 to the food and fuel production and distribution is water over the dam. I shall not refer to it further except as a wasteful appropriation, largely for bad economic methods, which the historian of the future will employ to exhibit a high standard of folly on the part of civilized people.

There is no use in my referring to the $150,000,000 given to the President for which no accounting has been made, because that already has been commented upon.

The enormous sum spent by the Shipping Board, $1,806,000,000, is largely waste. The policy of the Government should have been to require the building of these ships in existing yards and to have held contractors rigidly responsible for results instead of constructing enormous plants, like the Hog Island Shipyard, under a wasteful cost-plus contract, and demoralizing the labor market by hiring clerks and mechanics at soaring and fanciful wages in competition with normally paid labor engaged in similar occupations right along the Delaware River. The whole proposition was ill-advised and unjustifiable from an economic and business point of view, and entailed, in my opinion, the wasteful expenditure of a large part of that nearly $2,000,000 appropriation.

I do not know how much has been appropriated for housing, due to alleged war needs. I notice one item of $100,000,000. It is a proposition that never had any merit, except in connection with certain restricted localities, and yet we have squandered several hundred millions of dollars in this connection unnecessarily, and wastefully, and the houses in most cases are now a dead loss to the Government. Clerks, perchance, could not be crowded for a few months, even if soldiers were content to sleep in the trenches and dugouts in France.

In closing, I only want to say that I intend to vote for this revenue bill. The sentiment in favor of its passage is, in my opinion, 60 or 70 per cent less than it was two months ago. That is due largely to the fact that the people have become alarmed, not to say disgusted, at the wasteful way in which Congress has been spending money, and have thrown up their hands and said, "If this kind of thing is going on, why should we make further sacrifices out of current revenue for taxes or in the way of subscriptions to liberty loans?" The future seems hopeless, and I firmly believe that to-day a majority of the taxpayers in every State in the Union—North, South, East, and West—would be delighted to see this bill fail. I believe they feel that no revenues can be raised under any bill which will meet the situation I have so casually sketched out. I am convinced, however, from my intimate knowledge of the bill, after nearly six months of very faithful and painstaking work, not missing, I think, more than one or two meetings of the committee during that long period, that the Government needs the money. The bill is defensible as a war measure, and it has so many very wise provisions in it for the relief of the taxpayer and for the correction of inequalities and hardships that I feel I am performing my patriotic duty in voting for it. I also feel I should perform another patriotic duty, and that is to do everything I can in behalf of economy and retrenchment; but I am rather hopeless of meeting with much success in these latter activities until after the 4th of March.

Mr. THOMAS. Mr. President, I want to express my sincere gratification over the change that has come over my friend from Pennsylvania [Mr. PENROSE], who, like all past offenders, has been converted, and converted to the principle of economy

in public expenditures. I sincerely hope that with his valuable assistance we shall be able to effect many reductions in public expenditures which up to now have been impossible. I know that the Senator, when he advocates a policy, will devote himself to it with all his strength and all his mind and all his heart.

The Senator has deprecated, and very justly, the making of a number of appropriations which, to say the least of it, might have been postponed; but I want to warn the Senator that his present resolution will go barren of accomplishment unless he stays in Washington and gives his time and attention as zealously to the cause of economy as he has given it to the affairs of the Finance Committee. If he does that, he will have to change his past course and answer the roll call more frequently.

I have observed during a somewhat short experience in this Chamber that the Senator from Pennsylvania is always in close attendance when anything of an important nature is pending before the Finance Committee, but that his duties elsewhere—I presume his duties—are so onerous as to make his absence felt, and I am afraid felt more keenly hereafter than heretofore if it continues.

This Congress, Mr. President, met on the 7th day of December. If my recollection serves me right, the revenue bill became active about the 19th day of June. Between the 7th day of January and the 19th day of June last the Senator answered 20 roll calls and was absent from 102. I think if the Senator had been here during that period, and had lifted his voice against some of these appropriations, they might have been modified, if, indeed, they could not have been defeated. Since that time the Senator's attendance has been very regular, and he has devoted himself ably and capably to a consideration of all the features of the revenue bill.

I think the Senator—because he knows the fact—would have been a little more fair in discussing the matter of extravagance had he in some way apprised the Senate of the fact that the introduction of bills carrying appropriations is not a partisan practice. It is either bipartisan or it is nonpartisan. Perhaps it is both. A favorite amusement of Congressmen and Senators on both sides of the political house is the introduction of bills, of which up to this time more than 30,000 have been introduced and printed, and of which no doubt the great majority carry some sort of an appropriation. Indeed, I am aware of the fact that the Senator himself has frequently introduced, and will continue frequently to introduce, bills, especially for the increase of pensions; and, as the Senator from Utah has reminded us that it is the little foxes that spoil the vines, it is these little bills that in their aggregate go largely toward the depletion of the funds in the Treasury.

The Senator, of course, also knows that the great majority of the bills introduced for appropriations never leave committees. If they did, and were considered favorably, the result would be that more money would be appropriated every year, or as much, as the aggregate wealth of the United States amounts to. I am satisfied that if the Senator will take all of the bills introduced by everybody since the commencement of this Congress, he will discover that the total sum they propose to appropriate very largely exceeds the cost of the war.

Merely as a matter of diversion, in no sense by way of criticism, but merely as showing how universal is this practice of introducing bills for appropriations, of which even Pharisees like myself sometimes are guilty, let me call attention to five bills introduced since the 28th day of January by my distinguished friend the Senator from Utah [Mr. SMOOT], all for public buildings in his State, and aggregating $215,000. The Senator has done what all of us do; and I think these bills for public buildings could be duplicated on the part of a great many others, perhaps a majority of the Members of both Houses, if I only had the time to gather them together and present them in the shape of an indictment against the predominant party or against the minority party.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. SMITH of South Carolina in the chair). Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I certainly do.

Mr. SMOOT. I wish to call the Senator's attention to the five bills which I introduced, with regard to public buildings in the State of Utah. If he will notice, they merely carry increases from a certain amount up to a certain amount, and the increase from the appropriations already made and authorized would not amount to what the Senator has stated. I wish to add that every increased amount that I asked for in those five bills was requested by the Treasury Department, and a statement was attached to the request that the reason for it was that they could not proceed with the construction of the building because of the increased cost of building material and the increased cost of labor; and in order to begin the work they have to have this increased appropriation.

I simply wanted to say that in fairness to myself.

Mr. THOMAS. Mr. President, I am not criticizing the Senator. I am simply referring to the fact that, while we are pretty black over here, we have not a monopoly of the appropriation appetite which has caused the gorge of the Senator from Pennsylvania to rise in disgust.

Mr. SMOOT. That is true.

Mr. THOMAS. The Senator from Pennsylvania, when he had the floor, asked the Senator from Illinois [Mr. LEWIS] in a very defiant way to name a single large appropriation asked for which the majority had defeated. I think it is fair to ask the same question of the minority. What single large appropriation asked for has the minority defeated? I know of a great many that a solid minority vote would have defeated.

Mr. PENROSE. Mr. President——

Mr. THOMAS. I yield.

Mr. PENROSE. How can a minority defeat any appropriation?

Mr. THOMAS. By staying in their seats.

Mr. PENROSE. Does that defeat the appropriation?

Mr. THOMAS. It would tend very largely to defeat the appropriation.

Mr. PENROSE. I voted against a large number of them, including the famine fund.

Mr. THOMAS. The Senator did, and I give him credit for that. Not only that, but it confirms me in my belief that if the Senator will diligently attend hereafter he will be able to help a few of us who are not only in a painful minority, but painfully unpopular, in the effort to accomplish the same result.

I have here an amendment, offered by my distinguished friend from New York [Mr. CALDER], intended to be proposed to the bill making appropriations for the service of the Post Office Department, which proposes to appropriate the sum of $6,000,000 for the purpose of building a very desirable improvement in the shape of a subway under the Hudson River. It is a good object, and comes from my very good friend, one of the representatives in this body of the great State of New York.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New York?

Mr. THOMAS. I do.

Mr. CALDER. The Senator commends that proposition; does he not?

Mr. THOMAS. Why, I think it is an excellent project, as are also many of the projects which have been introduced on both sides.

Mr. CALDER. It is an excellent project.

Mr. THOMAS. I do not condemn them all by wholesale. I think if we are going to spend public money for anything, that is one of the best possible things—I mean, for anything that may be said to be within the purview of a generous spirit on the part of the Government.

Mr. CALDER. I am glad to hear the Senator say so.

Mr. THOMAS. Then I have here an amendment, intended to be proposed by the Senator from Washington [Mr. JONES], calling for $145,000 for the Cape Spencer, Alaska, Light Station; and for repairs and improvement of light stations in Alaska, $70,000 more. I have here another one from the Senator from Washington, introduced on the 31st of January, which provides that the Secretary of the Interior, through the Reclamation Service, shall investigate and report to Congress upon the feasibility and advisability of the construction of reclamation works for the irrigation of what is called "The Horse Heaven" section in the State of Washington, in Benton and Klickitat Counties—that is a very difficult word to pronounce properly—and which calls for a small appropriation for the purpose of carrying out the provisions of the bill. I also have one here from the Senator from Minnesota [Mr. NELSON], calling for an appropriation of $1,500,000 for the erection of a public building at Duluth, the State if Minnesota.

These, Mr. President, are just a grab by the way, so to speak. If I had spent two or three weeks upon the subject, as the Senator from Pennsylvania has done, I have no doubt I could duplicate in bills introduced by my friends, the members of the Republican Party, every bill that he has mentioned and criticized as emanating from the majority.

Mr. JONES of Washington. Mr. President——

Mr. THOMAS. I yield to the Senator from Washington with pleasure.

Mr. JONES of Washington. I wish to call the Senator's attention to one amendment which I introduced, and which I

intend to press as vigorously as I possibly can, proposing to appropriate $50,000,000 for carrying on reclamation projects in the West.

Mr. THOMAS. There we see the honest confession of an honest man. The Senator from Pennsylvania should also have been just enough to have stated what I think he must know, that the $50,000,000 appropriation, designed for the purpose of securing needed valuable and unusual minerals during the war, will not be expended at all except in so far as the amount which may be necessary to reimburse those who, upon the strength of it, have incurred expenditures and obligations which the Government is at least morally bound to recognize.

Mr. President, on this matter of extravagance, there is no reason why the pot should call the kettle black. Democrats have been extravagant. Republicans have been extravagant. In voting these appropriation bills I have not observed any party spirit whatever. A few have been disposed, at times at least, to register their votes in the negative, but I do not know of any appropriation which has been intended for general expenditure that has not received generous and hearty support on both sides of the Chamber.

Now, just a word and I will yield the floor. We have been informed, and I have made the prediction myself several times—the nonoccurrence of things predicted emphasizes the fact that I am not a prophet nor the son of a prophet—that the people would soon rise and smite us in their wrath. I wish they would. But the trouble is that the people's appetite for Uncle Sam's money is as universal as is our habit of giving it to them. They demand more than we do give them. I do not know of a crossroads in the United States that is not clamoring for money for a public building. I do not know of a State in the Union that was not hungry for the $200,000,000 we appropriated the other day. I do not know of a State in the Union having a stream too wide for a man to run and jump over that does not want an appropriation from the public money to be expended in order to make that stream navigable.

The difficulty is with the people in the final analysis of this subject. When they really do demand economy and demand it in such way as to impress their Representatives and Senators, they will get it. They will never get it until they do, and not then unless a budget system is adopted whereby the estimates and the appropriations may go together, when Members of the Senate and House shall be deprived of their present privilege of offering bills carrying appropriations of large sums.

Mr. SMOOT obtained the floor.

AMENDMENT OF THE RULES.

Mr. JONES of Washington. Out of order, I ask permission to give notice of an amendment I intend to propose to the rules.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Without objection, the Secretary will read the notice.

The Secretary read as follows:

Notice is hereby given that after one day from the presentation of this notice I shall introduce the following amendment to Rule XXV, relating to the standing committees of the Senate:

Resolved, That Rule XXV of the Standing Rules of the Senate be, and the same is hereby, amended by adding thereto the following: "*Provided*, That with the beginning of the Sixty-sixth Congress no standing committee of the Senate shall consist of more than 17 members."

Mr. JONES of Washington. I understand the Senator from Utah [Mr. SMOOT] is going to proceed to discuss the conference report. I think we should have a larger attendance, and I suggest the absence of a quorum.

Mr. KING. Before the Senator does that, let me ask him if he intends to press the motion of which he has just given notice?

Mr. JONES of Washington. Yes; I am going to do so the next day. I have to give one day's notice, and then it will go to the Committee on Rules.

Mr. KING. Does the Senator expect to ask this action during the life of the present Congress?

Mr. JONES of Washington. Yes.

Mr. KING. I think, in view of the fact that the Senator's party expects to have control of the Senate at the next session, he had better pretermit consideration now and postpone consideration until that time.

Mr. JONES of Washington. I will say to the Senator I violate no confidence when I state that the Republican conference expressed a preference for it, and I understand it will receive favorable action by the Committee on Rules in a day or two.

HOUSE BILL REFERRED.

H. R. 15539. An act making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes, was read twice by its title and referred to the Committee on Naval Affairs.

CALLING OF THE ROLL.

Mr. JONES of Washington. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, Cal.	Moses	Smith, Ariz.
Beckham	Johnson, S. Dak.	Myers	Smith, Ga.
Borah	Jones, N. Mex.	New	Smith, Mich.
Calder	Jones, Wash.	Nugent	Smith, S. C.
Chamberlain	Kellogg	Page	Smoot
Colt	Kenyon	Penrose	Spencer
Cummins	King	Pittman	Sutherland
Curtis	Kirby	Pomerene	Swanson
Fernald	La Follette	Ransdell	Thomas
Fletcher	Lenroot	Saulsbury	Trammell
Frelinghuysen	Lodge	Shafroth	Warren
Gay	McCumber	Sheppard	Weeks
Gore	McKellar	Sherman	
Henderson	Martin, Va.	Simmons	

The PRESIDING OFFICER. I desire to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. KIRBY. I wish to announce that the senior Senator from Arkansas [Mr. ROBINSON], the Senator from Minnesota [Mr. NELSON], and the Senator from North Carolina [Mr. OVERMAN] are detained on official business. I desire also to announce that the Senator from Alabama [Mr. UNDERWOOD] is necessarily absent.

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. There is a quorum present.

SECOND DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

Mr. MARTIN of Virginia. Mr. President, the Senator in charge of the revenue bill has kindly agreed to yield to me for a few moments to enable me to present the conference report on the second deficiency appropriation bill.

The PRESIDING OFFICER. The Senator from Utah has the floor. Does the Senator from Utah yield to the Senator from Virginia?

Mr. SMOOT. I yield.

Mr. MARTIN of Virginia. I am sure it will take only a moment. I submit the following report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15140) "making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2 and 4.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 6, and 7, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended as follows: On page 3 of the bill, in line 4, strike out "$12,000" and insert in lieu thereof "$6,000"; and the Senate agree to the same.

THOMAS S. MARTIN,
O. W. UNDERWOOD,
F. E. WARREN,
Managers on the part of the Senate.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. SMOOT. I wish to ask the Senator what are amendments numbered 2 and 4? I have not the bill before me.

Mr. MARTIN of Virginia. The House made an appropriation of $9,000 of the appropriation of $25,000 for carrying on in the District of Columbia the work of the commission in France, as provided in the deficiency appropriation act of July 8, 1918. The Senate cut down the appropriation to $5,000, but we yielded to the House conferees. They insisted that it does not increase the appropriation and simply authorizes the expenditure of $9,000 in the District of Columbia instead of in France.

Mr. SMOOT. In other words, we give the full $9,000 instead of $5,000.

Mr. MARTIN of Virginia. That is right. The Senate conferees yielded.

Mr. SMOOT. What is amendment numbered 4?

Mr. MARTIN of Virginia. Amendment numbered 4 struck out the appropriation of $23,000 made by the House for the purchase of boxes, book rests, chairs, and so forth, in the Treasury Department. The Senate struck that out.

Mr. SMOOT. And the Senate conferees yielded?

Mr. MARTIN of Virginia. The Senate conferees yielded.

Mr. SMOOT. Was there any additional reason given to the conferees why that should be done?

Mr. MARTIN of Virginia. They have only $160 available for this purpose. The Secretary of the Treasury stated that that was absolutely inadequate, and would leave him very much embarrassed.

Mr. SMOOT. The Senator is convinced that the appropriation ought to remain.

Mr. MARTIN of Virginia. Yes; I am convinced of it.

Mr. SMOOT. I have no objection to the report.

The report was agreed to.

BIRTHDAY OF ABRAHAM LINCOLN.

Mr. JOHNSON of California. Mr. President, on this particular day, fraught with such memories to the American people, it seems to me that something has been forgotten. I recognize that in these modern times pure Americanism may not be wholly so popular as once it was, but lest we forget, Mr. President, I want to read a very brief address delivered November 19, 1863:

"Fourscore and seven years ago our fathers brought forth on this continent a new Nation, conceived in liberty and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war, testing whether that Nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle field of that war. We have come to dedicate a portion of that field as a final resting place for those who here gave their lives that that Nation might live. It is altogether fitting and proper that we should do this.

"But, in a larger sense, we can not dedicate, we can not consecrete, we can not hallow this ground. The brave men, living and dead, who struggled here have consecrated it far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this Nation, under God, shall have a new birth of freedom; and that government of the people, by the people, for the people shall not perish from the earth."

Mr. President, as a mark of respect to the memory of the American, Abraham Lincoln, I move that the Senate adjourn.

Mr. LEWIS. May I ask the Senator from California to withhold the motion that I may address the Senate for a moment on the subject?

Mr. JOHNSON of California. I yield to the Senator from Illinois.

Mr. LEWIS. Mr. President, it was my intention to address the Senate for a moment upon this sacred theme, but since the able Senator from California has appropriately tendered the immortal address of Lincoln at Gettysburg, I ask the Senate to indulge me for but a moment while I tender a tribute of a word, which I will do tersely, taking no more time than the conditions of legislation will justify.

Mr. President, if the angels bore messages to the sanctified spirits in heaven, the sacred couriers would bear to Abraham Lincoln the tidings that on this birthday the world paid the tribute of thanks to God that Lincoln lived and taught. The celestial realms this hour ring with peans that the gospel of Christ for the saving the souls of men for God; and the gospel of Lincoln for the saving the lives of men for liberty of life, at last fulfill the Scripture. These are "gospel to all men" and are "preached throughout the world." This day the ambassadors of peace to man and regeneration of worlds who sit in Paris are met in the name of Lincoln. In the name of his prayer they petition the Father of Justice to administer to men the liberty taught by Lincoln. Wherever men gather to preach to the text of freedom they speak in the name of Lincoln. Wherever nations are assembled to enforce right among men and justice to civilization they dedicate their petition in the spirit of Lincoln.

Mr. President, for 50 years the great revolutions and reforms have marched under the banner of Lincoln's declarations against wrongs. Every bugle blast calling the children of men to arise and strike for freedom from corruption from within and oppression from without, trumpets in Lincoln's name. From the United States the example that lifted men to action and inspired nations to immortal deeds were born of the urge of Lincoln on the spirit of life. The emancipation of the blacks by Lincoln to equality of liberty, the call of Roosevelt for integrity of character in public office, and the cry of Wilson for the end of tyranny through all the earth is but the prayer of Lincoln voiced by the patriots of the American Republic. All now march as the conquering crusader over the world gathering converts of kings and slaves until all the world rejoices in the saving grace that God has given mankind through the works of Lincoln, Roosevelt, and Wilson. All speak the creed of Christ, do the will of God in the regeneration of man to liberty and brotherhood through the undying deeds of the imperishable Lincoln.

As one of the Senators, a representative of Illinois, Mr. President, I delight to be privileged to pay this tribute to the distinguished patriot of my State—this immortal statesman of my country.

Mr. JOHNSON of California rose.

Mr. SMOOT. Just a moment, if the Senator from California will yield. It will be impossible for me to speak on this day after listening to the reading of the Senator from California [Mr. JOHNSON] of the most wonderful speech that was ever delivered by mortal man and by the greatest American, living or dead. Therefore I am perfectly willing to forego at this time what I had to say.

Mr. JOHNSON of California. Mr. President, I renew my motion that the Senate do now adjourn out of respect to the memory of the great American, Abraham Lincoln.

The motion was agreed to; and (at 3 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, February 13, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 12, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, ever working in and through Thy children for the betterment of mankind. Many are called but few are chosen, since few are willing to meet the crucial test, the heroic, the sublime sacrifice. To be great is to be humble. To follow the path of duty is to be brave, noble.

We lift up our hearts to Thee, on this natal day, for the life, character, and public service of Abraham Lincoln—the greatest miracle of modern times.

Born in poverty, reared in penury, with little opportunity for even a primary education, yet by dint of his own efforts he became the greatest among the great. The truths he uttered, the message he brought in his faultless rhetoric and logic live and will live through all time.

He belongs to the ages. May we cherish his memory, emulate his virtues, tell his story round the fireside, in our schools, churches, and in all public places to coming generations; to the honor and glory of Thy holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

LINCOLN'S GETTYSBURG ADDRESS.

The SPEAKER. Under the order of the House, the gentleman from Missouri [Mr. RUBEY] is recognized to read Lincoln's Gettysburg address. [Applause.]

Mr. RUBEY (reading)—

"Fourscore and seven years ago our fathers brought forth on this continent a new Nation, conceived in liberty and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war, testing whether that Nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle field of that war. We have come to dedicate a portion of that field as a final resting place for those who here gave their lives that that Nation might live. It is altogether fitting and proper that we should do this.

"But, in a larger sense, we can not dedicate, we can not consecrate, we can not hallow this ground. The brave men, living and dead, who struggled here have consecrated it far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these

honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this Nation, under God, shall have a new birth of freedom; and that government of the people, by the people, for the people shall not perish from the earth."

[Applause.]

The SPEAKER. By order of the House the gentleman from Illinois [Mr. FULLER] is recognized for 15 minutes.

Mr. FULLER of Illinois. Mr. Speaker and gentlemen of the House of Representatives, it is well that we should pause for a brief moment from the strenuous duties of this session to recall something of the life and services of that greatest of Americans, Abraham Lincoln. His life, his character, his greatness is more apparent and grows brighter and brighter as the years come and go. To honor him and his memory is but to honor ourselves. To follow his precepts and his example is to glorify our country and its institutions. As we listened to the reading of that wonderful Gettysburg Address, we could realize how the very soul of a great man and of a great people could be expressed in few words—but words that grip the heart of a Nation. The great oration of Everett on that occasion was received by the multitude with tumultuous cheers and applause, but his words are forgotten. Lincoln's brief address, following that oration, was received in silence—silence and awe, as profound as though the great audience had listened to a voice from another world; and the words of that address live to-day, and will live forever, as the expression of the hopes, the wishes, the ideals of the lovers of freedom and free government the world over. As Lincoln then said, "Let us here highly resolve, * * * that government of the people, by the people, for the people shall not perish from the earth." We should here cherish that sentiment to-day and give to it its full meaning and expression. Abraham Lincoln represented that sentiment in all his life and all his public service. His greatness of mind and heart was not derived from modern education or from schools and colleges. It was from the very soil from which he sprang. He did not look over the people's heads. He sympathized with them in all their thoughts, their ideals, and their aspirations. He was of the people and for the people, and therein lay his greatness of soul and thought and action. In his sympathy with and love for the people, his kindness of heart, he came as near to the divine example of the Man of Nazareth as any other man who has made an impression on the history of the world. Coupled with his great heart the Almighty gave him also great intellect, that he might in the good providence of God lead a free people to higher and better things. Much may be found in the record of his life and teachings that we may well consider now in connection with the tremendous problems that confront this Nation and the world.

I recall one thing he often said. It was this: "Teach and practice economy; that is one of the first and highest virtues. It begins with saving money." I commend that advice to the majority in this Congress, and to the present administration, as being worthy of thoughtful and even prayerful consideration. I apprehend that the people of this country will soon be heard in very earnest commendation of this advice of Abraham Lincoln.

Gen. Richard J. Oglesby, of Illinois, then a young man, but afterwards a Senator of the United States and three times governor of Illinois, was on the most intimate terms with President Lincoln during his term of office. I have often heard Gen. Oglesby repeat the advice which Lincoln gave him, which was, "Keep close to the people, Dick, keep close to the people, and they will never mislead you." It was good advice to follow. Too many in this day of men in high positions look over the heads of the people and fail to appreciate the ultimate fact that all power rests with the people and that "the voice of the people is the voice of God."

We have just emerged from a great world war, another demonstration of the eternal conflict that has been waged for ages between autocratic power and the right of the people to govern themselves. Again in the good providence of God the people have won in the contest, but let us not forget that it is the victory of the people and not of any man or any set of men or of any clique or clan; and what the people have won in this last great conflict they will at every cost maintain and perpetuate. The brave boys of America who have been fighting the battles of humanity are coming home, some of them in health and strength, thank God, and others with cruel wounds as evidence of what the conflict has cost them. Let us now remember Lincoln's words: "With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive to go on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle, and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations." [Applause.]

To us mortals the ways of the Almighty are ofttimes inscrutable, but I believe that his guiding hand has ever been over this Nation, and that, as Lincoln quoted, "The judgments of the Lord are true and righteous altogether." The great emancipator's work was done and God called him for his own, using the cruel hand of the assassin for the purpose. As Lincoln's life was ebbing away in the early hours of the morning in that little chamber on Tenth Street, in this city, the anxious watchers at the bedside stood with bated breath until that loving heart ceased to beat, when the great Secretary of War, Edwin M. Stanton, tenderly crossed the hands upon the lifeless breast as in awestruck tones he said, "He belongs to the ages." And so Abraham Lincoln sleeps to-day in the capital city of the State from which he came, and there thousands of freedom-loving pilgrims come, and will come for generations in the future, to pay tribute to the name of one of the world's immortals.

Illinois is justly proud of the immortal names that illumine its history all down through the hundred years of its statehood in this Union.

Not without thy wondrous story,
Illinois, Illinois,
Can be writ the Nation's glory,
Illinois, Illinois;
On the record of thy years
Abraham Lincoln's name appears,
Grant and Logan and our tears,
Illinois, Illinois.

[Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the bill (S. 83) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes, in which the concurrence of the House of Representatives was requested.

CHANGE OF REFERENCE.

Mr. EVANS. Mr. Speaker, I ask unanimous consent for a change of reference of the bill S. 3392, from the Committee on the Public Lands to the Committee on Irrigation.

The SPEAKER. What is it?

Mr. EVANS. It is a reclamation project and clearly belongs to the Irrigation Committee.

The SPEAKER. The gentleman from Montana asks unanimous consent to a change of reference for the bill S. 3392, from the Committee on the Public Lands to the Committee on Irrigation. Is there objection?

There was no objection.

SECOND DEFICIENCY BILL.

Mr. SHERLEY. Mr. Speaker, I call up the conference report on the second deficiency bill.

The SPEAKER. The Clerk will report it.

The Clerk read the conference report and statement, as follows:

CONFERENCE REPORT (NO. 1058).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2 and 4.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 6, and 7, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended as follows: On page 3 of the bill, in line 4, strike out "$12,000" and insert in lieu thereof "$6,000"; and the Senate agree to the same.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

THOMAS S. MARTIN,
O. W. UNDERWOOD,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Appropriates $6,000 as proposed by the Senate, instead of $12,000 as proposed by the House, for expenses of community forums and civic centers in public-school buildings in the District of Columbia.

On No. 2: Authorizes the use in the District of Columbia of $9,000 as proposed by the House, instead of $5,000 as proposed by the Senate, of the appropriation for carrying on the work of the Employees' Compensation Commission in France.

On No. 3: Strikes out, as proposed by the Senate, the paragraph providing for the occupancy of the Navy Department annex by the Auditor for the War Department.

On No. 4: Appropriates $23,000, as proposed by the House, for furniture and other office equipment for the Treasury Department.

On No. 5: Appropriates $5,000,000 as proposed by the Senate, instead of $4,000,000 as proposed by the House, for temporary employees of the War Department.

On No. 6: Provides for the restoration to their former positions of all former Government employees who have been drafted or enlisted in the military service, in the manner as proposed by the Senate, instead of in the manner proposed by the House.

On No. 7: Appropriates $2,614.84 for rent of buildings for the Navy Department, as proposed by the Senate, instead of $2,570.84 as proposed by the House.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

Mr. SHERLEY. Mr. Speaker, the statement deals with the seven amendments that were in conference, but it is in error in a slight degree as to amendment No. 1. The Senate struck out the provision put in in the House for $12,000 as a deficiency for community forums and civic centers. In conference there was an agreement for the restoration of the provision, but appropriating only $6,000. The statement makes it appear that the Senate had originally suggested $6,000.

In regard to the two other amendments of any magnitude, one increases the appropriation from four to five million dollars in connection with temporary clerks for the War Department. When before the House Committee on Appropriations they asked for $6,000,000. We gave them $4,000,000. They insisted before the Senate that they needed the $6,000,000, but the Senate agreed to allow them $5,000,000. I do not think anybody can tell with any degree of accuracy just the amount that is needed, but their representations were so pronounced that even the $6,000,000 that they asked for would supply them with hardly sufficient clerks, and in view of the action of the Senate in the reconsideration of the action of the House allowing four millions, the conferees acquiesced in the amendment allowing five millions.

The other amendment which is of importance is one in relation to the restoration of soldiers to positions that they held prior to their entering into the Army and giving them preference over civilian employees, provided they are qualified to do the work. The change made by the Senate was to strike out the House provision, which was a limitation on the expenditure of the fund, and by identical language as a separate provision to make it a substantive law, applying generally. The House conferees, believing that that was in accordance with the view of the House, as expressed in its limitation, agreed to the proposal of the Senate.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. MANN. I do not remember exactly the form of the amendment. I think there has been an amendment agreed to of that character upon several different bills, one on the deficiency bill, one on the census bill, and I am not sure but there was one on the legislative bill.

Mr. GARNER. There was.

Mr. MANN. I am very anxious that we should not get our wires crossed and put a provision in the census bill which will be in conflict with the provision in the deficiency bill, both of which may possibly be in conflict with some provision in some other bill, not to mention a bill that is now pending, reported from one of the committees, covering the whole subject. I thought the whole thing was covered in the census bill amendment that was agreed to.

Mr. SHERLEY. Mr. Speaker, I agree thoroughly with the gentleman as to the desirability of having one enactment rather than a number that may be in conflict, and for that reason I questioned the wisdom of placing it in the form of a limitation upon this bill when the matter was pending in the House.

Mr. MANN. At that time the census bill had not been agreed to.

Mr. SHERLEY. No; but a similar provision had been put on the legislative bill. It is my understanding that the Committee on Appropriations of the Senate, in dealing with the legislative bill, have put into it the exact amendment that they are putting here in the deficiency bill, and in order that the RECORD may show just what they have put in and what the House conferees agreed to, I shall read it, with the hope that those who are conferees on these other bills will see to it that the action that is taken, if any, shall be in accordance and not in conflict with this provision. The provision as it now exists reads as follows:

That all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions, if they have received an honorable discharge and are qualified to perform the duties of the position.

Mr. MANN. I think that is not in conflict with the provision in the census bill. This is applicable only to reinstatements?

Mr. SHERLEY. Yes.

Mr. MANN. The census bill provides in reference to original appointments all through the service.

Mr. GARNER. Giving the preference under the civil service?

Mr. MANN. Yes.

Mr. SHERLEY. The effect of this was simply to take it from the form of a limitation as it passed the House and put it into the form of substantive law, and, therefore, the House conferees felt they were but obeying the wishes of the House in agreeing to the Senate amendment.

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. LITTLE. Mr. Speaker, referring to the appropriation for the naval training station at the Great Lakes, the Bureau of Navigation has issued an order that all students at such institutions shall be discharged upon their own application. I find that that station and other similar places do not seem to grasp that order. I do not suppose the gentleman can, but I wonder if he might be able to tell us whether it is the intention of such places to obey this order or to continue to do as they darn please.

Mr. SHERLEY. Mr. Speaker, I assume that it is the intention of every department affected to obey the order. I have no personal knowledge touching the particular matter to which the gentleman refers.

Mr. Speaker, just one word more. The Senate did not affect the bill as it passed the House in any of its major particulars. It still repeals the appropriations and authorizations in the amount it did when it passed the House, and I again express the hope that the action of Congress taken in this pronounced way may result, as I believe it will, in the curtailment of unnecessary expenses and will be the medium of saving to the country moneys in very, very large sums.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. WALSH. I desire to ask the gentleman, with reference to one of the minor amendments, amendment No. 7, referring to the rental of additional quarters for the Navy Department. The Senate strikes out the amount $2,570.84 and inserts the amount $2,614.84.

Mr. SHERLEY. That was a deficiency, and the amendment is simply to correct an error in amount. As the gentleman sees, it amounts to something under $100.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

ARMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, with Mr. SAUNDERS of Virginia in the chair.

The Clerk reported the title of the bill.

Mr. DENT. Mr. Chairman, I find one or two typographical errors or omissions in the report, but I think they are self-explanatory. As stated in the report, the department submitted estimates when Congress reassembled on the first Monday in December which they afterwards requested should not be considered, because the estimates as then submitted were purely tentative, and asked for further time in which to make complete and final estimates. The committee waited for those estimates until the middle of January, when we finally received from the department their final estimates. Immediately upon the receipt of these complete estimates the committee proceeded to sit morning and afternoon and sometimes at night in order to complete this bill as early as possible.

As chairman of the committee I wish to say that I have had the full and complete cooperation of the members of the committee on both sides of the House in endeavoring to work out a bill as rapidly as possible, and I am glad to say that the committee comes before the House with a bill as to which we are in practical agreement. There may be one or two items of legislation in it about which there is some little difference of opinion, but in the main the committee has reported the bill unanimously.

Let me state to the committee in a general way the purpose of the Military Committee in drafting this legislation. The armistice having been declared on the 11th of November, 1918, and Congress having convened only a short time afterwards, necessarily the permanent policy of the War Department and the permanent military policy of Congress was undetermined. The result was that the committee finally reached the conclusion that the only thing that could be done at this session of Congress was to fix a limitation upon the size of the Army to be appropriated for the next fiscal year, with the express understanding that this is not to be considered the permanent military policy of the country.

The War Department, in considering the question as to how long it would probably take to demobilize the Army, recommended that there should be an appropriation for an Army of an average size during the next fiscal year of 28,579 officers and something like 509,000 enlisted men.

Mr. GARNER. Would it interrupt the gentleman if I should ask him a question?

Mr. DENT. Not at all.

Mr. GARNER. The next fiscal year begins July 1, 1919, and ends July 1, 1920, and this bill, if I understand it, appropriates money to carry an average army in this country, not counting what is in France, of about 537,000 men and officers. Does the War Department think you are going to have an average of that many men in the service from July 1, 1919, to July 1, 1920?

Mr. DENT. Well, I do not know that the gentleman catches exactly the idea I was undertaking to convey. This does not indicate what is to be the strength of the Army at all, but it means simply this, that on the 1st day of July of this year, for instance, we may have 1,200,000 men in the Army, whereas on the 1st day of next May or next June we may have only 200,000 men.

Mr. GARNER. Does the gentleman mean in the United States—within the boundaries of the United States?

Mr. DENT. In the entire service.

Mr. GARNER. Does this bill provide for the payment of troops in France?

Mr. DENT. Certainly; it provides for troops wherever they are.

Mr. GARNER. That is what I was trying to get the gentleman's attention directed to. This bill provides, then, for the payment of troops in France for the next fiscal year. Is there any money for the next fiscal year by which troops can be paid outside of this?

Mr. DENT. No; there is not. Of course, if there are troops in France, this bill will provide for the payment of those troops. Whether there will be any troops in France or not or how many I do not know.

Mr. GARNER. If there are no troops in France on the 1st day of July, 1919, it is inconceivable to me that you would have 1,200,000 men on that day.

Mr. DENT. There are bound to be some troops in France on the 1st day of July of this year. The committee was informed by the War Department and the testimony before the committee was that by February the department hoped to begin to return troops at the rate of 200,000 a month; that by March they hoped the monthly return of troops would reach 250,000; so that if you figure on 200,000 in February, this month, and 250,000 in March it will be impossible for us to bring back 2,000,000 men who are in France between now and the 1st day of July.

Mr. LAZARO. Will the gentleman yield for a question right at that point?

Mr. DENT. Yes, sir.

Mr. LAZARO. Can the gentleman tell the committee how many men there were in the service when the armistice was signed and how many men have been brought back since the armistice was signed up to date, as near as possible?

Mr. STAFFORD. We can not hear the gentleman.

Mr. KAHN. If the gentleman will permit——

Mr. LAZARO. I asked the gentleman if he could tell the committee how many men were in the service on the day the armistice was signed and how many men have been brought back since the armistice was signed?

Mr. YOUNG of Texas. In Europe?

Mr. LAZARO. Certainly, in Europe.

Mr. DENT. I am going to put those figures in the RECORD.

Mr. KAHN. If my colleague will allow me, Secretary Baker published a statement in the Review of Reviews for this month in which he said there were 2,002,000 and some odd men that had crossed to the other side and were over in France, or Belgium, or Germany, or Russia, and that there had been about a million six hundred and some odd thousand left in the United States.

Mr. DENT. We had in round numbers on the day the armistice was signed something like 3,700,000 men in the Army.

Mr. LAZARO. On the other side?

Mr. DENT. No, in all. The latest figures I have as to the number that have been actually returned since the signing of the armistice is something like 175,000. I am going to put in the RECORD figures furnished me only this morning.

Mr. LAZARO. The question was asked for information.

Mr. MOORE of Pennsylvania. Mr. Chairman, we could not hear the reply of the gentleman to the question of the gentleman from Louisiana.

Mr. DENT. I said in round numbers we had in the military service something like 3,700,000 men when the armistice was signed and the latest figures that I have had of the number that have been returned up to date is about 175,000.

Mr. MOORE of Pennsylvania. There is just this difference in the statement made by the gentleman from Alabama and that made by the gentleman from California: The gentleman from California says that Secretary Baker in an article in a publication known as the Review of Reviews, which we may or may not see, has said that there were 2,002,000 men on the other side of the water. Now, if there are 2,002,000 men over there in France, in Germany, in Belgium, and in Russia, as the gentleman from California indicates, how many men have been brought back of those 2,002,000 men?

Mr. DENT. I said the latest figures I have been able to get were about 175,000 in round numbers.

Mr. MOORE of Pennsylvania. A hundred and seventy-five thousand out of a total of 2,002,000?

Mr. DENT. The figures as given to me are just a little over 2,000,000 men in France, enlisted men; a little less than 2,000,000 enlisted men, and with the officers making a little over 2,000,000.

Mr. MOORE of Pennsylvania. Can the gentleman state whether the Secretary of War has given Congress or the Committee on Military Affairs any such figures as he has given to the Review of Reviews, as quoted by the gentleman from California [Mr. KAHN]?

Mr. DENT. That is substantially right; yes.

Mr. MOORE of Pennsylvania. And the fact is that, though the families of the soldiers in the United States are worrying about the return of the soldiers, and the soldiers themselves are anxious to get home, feeling that their work is done, many of them suffering and more of them dying in France, Belgium, Germany, and Russia, we have brought back up to the present time, since the signing of the armistice, from the 2,002,000 men over there, only 175,000 men?

Mr. DENT. That is substantially so.

Mr. MOORE of Pennsylvania. That accounts very largely for the fearful expense bills that we are obliged to incur and that this Congress and the people of the United States must pay in the way of taxation.

Mr. GARNER. Can the gentleman tell us the reason why there has not been more than 175,000 men brought back?

Mr. DENT. The reason they give is because they can not get the transportation facilities.

Mr. GARNER. Does the War Department give that reason?

Mr. DENT. Yes.

Mr. GARNER. Do they undertake to convey the idea that just as fast as transportation can be furnished they will be brought back?

Mr. DENT. Yes; and giving preference to the wounded soldiers.

Mr. GARNER. Let me ask the gentleman this question. I notice in the press reports that our fleet has just gone down to the southern waters to maneuver. Could not those vessels be used to bring troops back from France?

Mr. DENT. I can not answer that question. The gentleman knows as much about that as I do.

Mr. GARNER. Where could we get that information?

Mr. FIELDS. Will the gentleman yield to me?

Mr. DENT. Yes.

Mr. FIELDS. In addition to what the gentleman has said about the 175,000 men that have been returned, the Secretary of War stated that they first return the wounded, which require more space and more time to handle, and after getting the wounded soldiers back they would, of course, increase the numbers that could be brought back, because they could bring more men in the same space and it would take less time to handle them.

Mr. GARNER. Maybe the gentleman can give me the information. Does the gentleman know just why these vessels—the 15 that are going down to maneuver for several weeks—could not be used to bring the troops back?

Mr. FIELDS. I do not know why.

Mr. LAZARO. I wanted to ask a question for information.

Mr. MOORE of Pennsylvania. If the gentleman from Louisiana will yield to me just a minute, I wanted to ask the gentleman from Alabama if he knows anything about the truth of the statement that the steamship *George Washington*, which took the President over, came back with space and sleeping accommodations for a thousand men vacant?

Mr. DENT. No; I do not know anything about that.

Mr. SHALLENBERGER. Mr. Chairman, I ask that the gentleman may be permitted to make his statement consecutively and without interruption.

Mr. LAZARO. Can the gentleman tell the committee if they agreed on the number of the army of occupation—that is, from our standpoint—how many men we are supposed to furnish there until the peace treaty is signed; and, second, whether our allies are helping us in bringing our boys back home?

Mr. DENT. In answer to the first question of the gentleman, I stated, I thought, right at the outset that this entire program as recommended by the committee is purely a temporary proposition, and there is absolutely no understanding as to the size of the army of occupation that is to remain in Europe; and I am informed that the British are helping us in bringing our troops back.

Mr. JONES. Will the gentleman yield?

Mr. DENT. Yes.

Mr. JONES. I notice under the legislative provision of this bill, if I read it correctly, that provision is made for enlisting volunteers for an army of 500,000 men and a little more. Is that in addition to taking care of the men who are already in the Army?

Mr. DENT. Oh, no.

Mr. JONES. It says that the Secretary of War is authorized, while making further provision for the national defense, to increase temporarily the Military Establishment of the United States by adding a force sufficient to maintain an aggregate commissioned enlisted strength of 28,579 officers and 509,909 enlisted men. Is that an additional force?

Mr. DENT. I will explain to the gentleman in this way: The purpose of that is to restore voluntary enlistments, so that, whatever the size of the Army we may have during the next fiscal year, it will be raised by voluntary enlistments in two ways—first, a regular permanent establishment under the national-defense act of June 3, 1916, which in peace times we limited to 175,000 men, and a temporary army to be enlisted for the period of one year only by voluntary enlistment, aggregating a total force not to exceed 509,000.

Mr. JONES. And this can be raised sufficiently to make it 500,000, regardless of whether or not the others are demobilized?

Mr. DENT. It could be.

Mr. JONES. Does the gentleman think that many are necessary while the others are being demobilized?

Mr. DENT. I do not think they will ever get them. It is just a method we arrived at for the purpose of fixing the amount of the appropriation.

Mr. DOUGHTON. Will the gentleman yield?

Mr. DENT. I will.

Mr. DOUGHTON. The gentleman has stated the number of men that were in foreign service at the time of the armistice and also the number of those soldiers that have been returned. Will he please state the number of men who have been discharged from the camps in this country and, approximately, the number still in camps?

Mr. DENT. I am going to put those figures in the RECORD, if the members of the committee will give me time.

Mr. RAMSEYER. Will the gentleman yield for another question?

Mr. DENT. Yes.

Mr. RAMSEYER. Just prior to the signing of the armistice we were sending our soldiers abroad at the rate of about 300,000 a month. Since the signing of the armistice, of course, we have not sent any abroad. But with the same amount of merchant shipping and all the naval ships released from patrol duty, can the gentleman explain why we have only been able to bring them back at the rate of 60,000 a month, or only about one-fifth the number we were sending abroad just before the signing of the armistice?

Mr. DENT. I can give the gentleman this one reason that has been given to the committee, and that is that the British loaned us a good deal of their transportation facilities in order to get the men over there, their army being already on French soil; but the English have had to bring their army back, too, and consequently they have not been able to loan us as many ships as they did prior to the signing of the armistice.

Mr. RAMSEYER. The bringing of the British troops home presented but a small problem, their country being but a few miles away.

Mr. DENT. But they have to use ships.

Mr. RAMSEYER. What proportion of our men were taken over on American bottoms?

Mr. GARNER. I understand between 40 and 50 per cent.

Mr. DENT. About 40 per cent.

Mr. RAMSEYER. Then why can we not bring back at least 40 per cent in any one month of the number that we sent over prior to the signing of the armistice?

Mr. DENT. I can not answer any further than I have already answered.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. KEARNS. The gentleman has said twice that the British loaned us their ships. Does he mean that, or did Great Britain rent them to us?

Mr. DENT. The situation is this: We expect to pay the British for the use of their ships, but the amount that we are going to pay them has yet to be determined.

Mr. KEARNS. Then Great Britain did not in any wise loan us the ships?

Mr. DENT. If we pay for them, I reckon it would still be a loan in one sense.

Mr. KEARNS. We would hire them.

Mr. DENT. Now, Mr. Chairman, I would prefer to go ahead with my statement.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman.

Mr. MOORE of Pennsylvania. I want to ask the gentleman about some things in France, and I hope he will be patient with me. I would like to know if there is any provision in this bill, or if the War Department is now in possession of funds, to pay for damages resulting from the occupation of French territory by the American troops?

Mr. DENT. There is an appropriation made for that purpose; yes. You mean payment to private parties?

Mr. MOORE of Pennsylvania. I ask the gentleman to be patient because the country wants to know about these things.

Mr. DENT. I am always patient.

Mr. MOORE of Pennsylvania. I think the gentleman is; but up to the present time we have been very liberal with the Committee on Military Affairs. It has had all that it asked for at the request of the administration. I want to know whether the gentleman knows whether we of the United States are paying the French authorities for the occupation of the trenches used by the American troops?

Mr. DENT. That report has been circulated, and it is absolutely false. That question has been asked by the Committee on Military Affairs of the War Department, and they have denounced it as an absolute falsehood.

Mr. MOORE of Pennsylvania. It has been brought to me as a report——

Mr. DENT. The only property occupation expense that we are paying for over there is where we organize a training camp and use the property of a private person, just as we would occupy private property over in this country for training purposes. We have paid for that, but so far as the payment of rent for the occupation of trenches is concerned, that is said to be an absolute falsehood.

Mr. MOORE of Pennsylvania. Are we paying for the ground on which those trenches are dug?

Mr. DENT. We are not.

Mr. MOORE of Pennsylvania. Are we paying for the use of the trenches in any way—rental or fee simple?

Mr. DENT. We are not, if you can rely on the absolute statement of the War Department.

Mr. McKENZIE. Mr. Chairman, if the gentleman will yield a moment——

Mr. MOORE of Pennsylvania. I want to ask the gentleman a further question if the gentleman will yield a moment. Why, when we are trying to get at facts, must we be interrupted all the time by members of the committee who do not want us to know these things?

Mr. GARRETT of Texas. I want to challenge the statement of the gentleman from Pennsylvania.

Mr. DENT. I have answered the gentleman's questions positively and emphatically.

Mr. MOORE of Pennsylvania. I want to find out how our money is spent in France and under what auspices. To whom may I go to get that information but to the chairman of the Committee on Military Affairs?

Mr. McKENZIE. If the gentleman will pardon me and not be quite so fast——

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] has the floor——

Mr. McKENZIE. I might add, in connection with the statement as to training camps, that where we have training fields and have practice trenches we have paid rental for the ground and for those trenches, and we do that in this country.

Mr. MOORE of Pennsylvania. I thank the gentleman for that statement. Now, while we are paying the debt we owe to Lafayette——

Mr. DENT. Mr. Chairman, I must decline to permit the gentleman from Pennsylvania to make a speech in my time. I have yielded to the gentleman, but I decline to yield further.

Mr. MOORE of Pennsylvania. I am seeking information as to the waste of public moneys.

Mr. DENT. I decline to yield to the gentleman.

Mr. MOORE of Pennsylvania. Then, when the time comes, I will make a speech in my own time.

The CHAIRMAN. The gentleman from Pennsylvania is out of order. The gentleman from Alabama has the floor.

Mr. LUNN. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes; I yield to the gentleman from New York.

Mr. LUNN. I ask in behalf of the chairman of the committee that he be permitted to make his statement without interruption.

Mr. DENT. It is very difficult for me to decline an interruption when a gentleman asks me a gentlemanly question.

Mr. MOORE of Pennsylvania. The question I asked of the gentleman——

The CHAIRMAN. The gentleman from Alabama declines to yield.

Mr. DENT. Most of these questions will be answered in the course of the debate.

Mr. MOORE of Pennsylvania. If it is ungentlemanly——

The CHAIRMAN. The gentleman from Alabama has the floor. The gentleman from Pennsylvania is out of order, because the gentleman from Alabama declines to yield.

Mr. MOORE of Pennsylvania. I yield to the Chairman. [Laughter.]

Mr. DENT. The gentleman from Pennsylvania is always a gentleman.

Mr. MOORE of Pennsylvania. That answers the query I have in mind. [Laughter.]

Mr. DENT. Now, Mr. Chairman, that is the general policy or plan which the committee adopted relative to this bill, with the distinct understanding, I repeat, that this is not intended as permanent legislation or as any permanent military policy, but as the only practical way under the circumstances by which we can arrive at the sum of money which should be appropriated in order to carry on the Military Establishment during the next fiscal year.

We carry in the bill some legislative features in addition to this. One of them restores voluntary enlistments in the Army, and that provision is to become operative immediately upon the approval of the act. It was stated by the Secretary of War and by the General Staff that many men now in the service are anxious to reenlist and to continue therein, but under the law, while they would have the right to reenlist, the period of enlistment is limited to the present emergency. This law restores the enlistment period as it was in the act of June 3, 1916, so that we can organize a permanent Army under that act by voluntary enlistment, which in peace times is limited to 175,000 men, and the additional army is a mere temporary army, to be raised by voluntary enlistment for a period of one year. That, we think, will take care of the military situation until the close of the fiscal year 1920.

Mr. CRISP. Mr. Chairman, will my friend allow me to ask him a question?

Mr. DENT. Yes.

Mr. CRISP. Is it not contended by the military authorities that if they are given this provision for voluntary enlistment, it will enable them more speedily to demobilize the Army and let out of the service a number of men whom they can not now let out until they can get volunteers to take their places?

Mr. DENT. That is the contention of the War Department.

Mr. DYER. Will the gentleman permit one question there?

Mr. DENT. Yes.

Mr. DYER. Do I understand that some enlistments in the Regular Army will be for the prescribed period?

Mr. DENT. For three years.

Mr. DYER. And that others will be accepted for one year?

Mr. DENT. Yes.

Mr. KNUTSON. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from Minnesota.

Mr. KNUTSON. What percentage is for one year and what percentage is for three years?

Mr. DENT. There is no percentage fixed, except that under the act of June 3, 1916, known as the national-defense act, the peace limitation upon the Army is 175,000, but the war strength would be something like 275,000, about 100,000 more.

Mr. KNUTSON. It is not proposed under this bill to make the permanent military strength of this country 500,000?

Mr. DENT. It is not. It is intended by this bill to limit the permanent Military Establishment in peace times to what it is limited to under the national-defense act, 175,000 men.

Mr. IGOE. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from Missouri.

Mr. IGOE. I should like to ask the chairman of the committee if his committee went into the question of how many enlisted men are retained now by the War Department in positions in this country that could very well be filled by civilians? For instance, in the matter of the transport corps, which has just recently been authorized, there are thousands of men who are being retained because the department say they will have to get some other people to take their places before they can let them go. How in the world are we ever going to let those men out unless we provide for the employment of civilians?

Mr. DENT. The committee asked questions about that. Has the gentleman any suggestions he can make that the Military Committee can act upon?

Mr. IGOE. Yes; I suggest that you authorize the Secretary of War to spend money to pay civilians to do the work which is now being done by men getting $30 a month, because there are thousands of people now who will do those things.

Mr. DENT. What is the practical suggestion that the gentleman urges to be put upon this bill?

Mr. IGOE. The practical suggestion that I offer is this: That if the committee has not already provided money that can be used to pay civilian employees the provision be put in this bill and that the War Department be prevented from keeping men in the Army as enlisted men whose work can as well be done by civilians without any detriment to the military service.

Mr. DENT. Of course, as far as any appropriations for that purpose are concerned, they have already been had. There is nothing in this particular bill that covers a case of that kind. The committee has provided in this bill for the repeal of the Overman Act, except in so far as it might maintain field and tactical units.

Mr. IGOE. The Overman Act has got nothing to do with what I am talking about.

Mr. DENT. The Transport Corps is organized under it.

Mr. IGOE. Under the Overman Act?

Mr. DENT. Yes.

Mr. DYER. Will the gentleman allow me to ask my colleague a question upon that point?

Mr. DENT. Yes.

Mr. DYER. And I will ask it also of the chairman of the committee. Would it not be well, and I would be glad to know if the chairman of the committee would object to putting in the bill a provision that none of the money appropriated herein shall be used for the payment of men in the military service for doing purely clerical work if civilians can be found through the Civil Service or otherwise to do that work?

Mr. DENT. I shall be very glad to consider an amendment along that line.

Mr. DYER. I think we ought to do that.
Mr. DENT. I will be glad to consider it.
Mr. KAHN. Will the gentleman yield?
Mr. DENT. I yield to the gentleman from California, a member of the committee.
Mr. KAHN. Does not the gentleman think the suggestion of the gentleman from Missouri is fraught with a great deal of danger? These men are doing work a great deal of which is of a confidential character, and, of course, you must have a man who is subject to military discipline if he gives publicity to what is told him confidentially.
Mr. DYER. Does the gentleman allege that to be the rule in peace times?
Mr. KAHN. In peace times the conditions are altogether different.
Mr. DYER. I will say to the gentleman that not one in a thousand of the men who are occupying these positions and drawing $30 a month, for doing the work that a man ought to be paid $100 or $125 for, is doing any confidential work whatever.
Mr. DENT. I am simply suggesting to the gentleman from Missouri that if he will draw an amendment we will consider it.
Mr. KEARNS. Will the gentleman yield?
Mr. DENT. I will.
Mr. KEARNS. Does the gentleman know how many drafted men in the National Army are now being used to guard railroad property, bridges, and private property in the United States?
Mr. DENT. I do not. I supposed that that had all been eliminated, and that that was only during the period of the war.
Mr. KEARNS. The gentleman knows that there are thousands in the United States to-day doing nothing but guarding private property. If the gentleman rides on the railroads he will see them along the roads.
Mr. LOBECK. Railroad property now is under the charge of the Government.
Mr. DENT. Now, Mr. Chairman, there is one other matter of legislation to which I desire to call the attention of the committee, and that is the invalidation of the order of the War Department requiring men in this country and in the service to wear a silver chevron. The committee thought that while the decorations ought to be preserved for those who did fight over the seas, it was unfair and unjust to discriminate against the men in this country who did not go over by requiring them to wear a distinctive chevron. We have declared that to be invalid.
Mr. STAFFORD. I did not grasp the reason why the committee decided not to allow a man who went over the seas and did service different from that of those in the cantonments to wear the distinctive chevron.
Mr. DENT. I stated that the committee has no objection to the man who did service over the seas, who actually fought, to wear his decorations, but it did not think that the man in this country ought to be singled out by requiring him to wear a particular chevron, indicating the fact that he stayed in this country or did not get a chance to go over the seas.
Mr. STAFFORD. The action of the committee does not prevent the man who went over the seas from wearing the gold bar?
Mr. DENT. No, it was not intended and it does not do it. The only other matter of legislation which I desire to call the attention of the committee to is the recommendation of the committee that all officers and enlisted men who are regularly recommended for promotion by their superior officers——
Mr. STAFFORD. If the gentleman will pardon me, my attention has been called to the paragraph which, as I read it, forbids the wearing by any person who has seen overseas duty of a distinctive badge. May I read the paragraph?
Mr. DENT. I prefer that the gentleman should wait. If the language does not carry out that idea, I am perfectly willing to accept an amendment.
Mr. STAFFORD. I think the language is positive in forbidding the wearing of such badge.
Mr. DENT. I was proceeding to state that the last legislative feature of the bill to which I wish to call the attention of the committee is the recommendation of the committee that all officers and enlisted men who were recommended for promotion by their immediate superior officers, which was approved by competent military authority prior to the signing of the armistice, shall now be granted, and if they have been separated from the service they shall receive the promotion in the Reserve Corps.
Mr. DUPRÉ. Will the gentleman yield?
Mr. DENT. Yes.
Mr. DUPRÉ. In regard to the gentleman's last statement, how about those men who were recommended for promotion before it had become generally known that the Secretary of War had issued his order stopping promotion?
Mr. DENT. This applies to every recommendation prior to the 12th of November.
Mr. DUPRÉ. How about the man who was recommended, say on the 20th of November, before it became generally known that Secretary Baker had ordered all promotions stopped as of the date of the 11th of November?
Mr. DENT. It would not apply to any recommendations since the armistice was signed.
Mr. DUPRÉ. Although it might have been made in perfect good faith by a general who did not know of the order of Secretary Baker?
Mr. DENT. It is of that date; it may be that it ought to be corrected.
Mr. DYER. Will the gentleman yield?
Mr. DENT. Yes.
Mr. DYER. The gentleman said he was going to put some facts and figures in the RECORD.
Mr. DENT. Yes.
Mr. DYER. Is the gentleman going to put in facts in reference to the personal strength of the air service, the number of camps in the air service in this country, and how many enlisted men and officers there are in each of these camps, and what the cost to the Government is for the maintenance, approximately, of these camps?
Mr. DENT. These facts have already been put in the RECORD by the gentleman from Kentucky [Mr. FIELDS], a member of the committee, furnished by the War Department.
Mr. DYER. I have in mind a camp in a Southern State where they have 200 enlisted men and perhaps half as many officers, which is costing the Government $30,000 a month, and yet the only work they are doing is looking after a few flying machines and some other Government property. That is my information. I do not know whether it is all true, but I want to find out about it.
Mr. GORDON. How does the committee know whether it is true or not?
Mr. DYER. If the committee does not know then it is pretty difficult for a Member of the House to get any information.
Mr. DENT. The gentleman from Kentucky [Mr. FIELDS] put these facts in the RECORD, and I think the gentleman can find out from the gentleman from Kentucky what day he put them in the RECORD.
Mr. FIELDS. I put them in the RECORD of January 11, 1919.
Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?
Mr. DENT. Yes.
Mr. RAMSEYER. The gentleman was speaking of taking care of the men recommended for promotion.
Mr. DENT. Yes.
Mr. RAMSEYER. Is the committee doing anything for the men who were in the training camps at the time the armistice was signed, and who were by their superior officers requested to complete the course, and who have since completed the course?
Mr. DENT. There is no legislation upon that subject.
Mr. RAMSEYER. Does the gentleman know what the War Department intends to do for those men?
Mr. DENT. No.
Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?
Mr. DENT. Yes.
Mr. BANKHEAD. The report of the committee and the statement of the chairman of the committee indicate that it is the purpose of the bill under these authorizations to maintain a standing Army during the next fiscal year of approximately 500,000 men.
Mr. DENT. No; I did not state it.
Mr. BANKHEAD. That is what I gathered from the gentleman's statement.
Mr. DENT. I expressly stated just the contrary, that it was not the purpose of the committee to maintain any particular sized standing Army, but that this was a method by which we arrived at the amount to be appropriated, that we would appropriate for an average Army during the period of demobilization of something like 500,000 men.
Mr. BANKHEAD. I wanted to get a clear understanding, because I feel sure that Members are all interested in the permanent policy of the department.
Mr. DENT. I have stated two or three times that it is not the purpose of the committee to declare any permanent military policy by this legislation at all; that this was simply a method by which we arrived at the amount of money necessary to be appropriated, taking that as the average size that will probably be in existence during the period of demobilization.
Mr. BANKHEAD. The amount appropriated is based upon the estimate of maintaining during the next fiscal year a standing Army of 500,000 men.

Mr. DENT. It is paying for an Army during the period of demobilization that will average that.

Mr. BANKHEAD. It is on the assumption that you will have an Army of that size?

Mr. DENT. It will take that long, perhaps, to get rid of it.

Mr. WISE. I think there is some confusion on that point. It misleads me. The provision is that in addition to the Regular Army as now organized there shall be raised and organized an additional force of 500,000 men. In my judgment that is mandatory and calls upon the department to raise and organize an additional force of 500,000 men.

Mr. DENT. I do not agree with the gentleman from Georgia upon his construction of the language.

Mr. WISE. That is the language of the amendment.

Mr. DENT. I do not think that is the proper construction to give it.

Mr. WISE. It seems to me it should read that they are authorized to raise that many men, without saying that they shall, and that it is in addition to the Regular Army. The language of the provision is that in addition to the Regular Army as now organized under the act of June 3, 1916, there shall be raised and organized under the provisions of another act, which was the act of May 18, 1917, so many men.

Mr. DENT. But the gentleman should read it all—that it is not to exceed so many officers and men.

Mr. WISE. I am about to read it, if the gentleman will permit me:

That, in addition to the Regular Army as now organized under the provisions of "An act for making further and more efficient provisions for the national defense, and for other purposes," approved June 3, 1916, as amended, there shall be raised and organized under the provisions of "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, as amended, a force sufficient to maintain an aggregate commissioned and enlisted strength of 28,579 officers and 509,909 enlisted men.

That is the language of the provision—that in addition to the Regular Army as now organized under the act of June 3, 1916, there shall be raised another army under another act.

Mr. BANKHEAD. The purpose of my inquiry was to clear this up.

Mr. DENT. I know what the committee intended. We discussed that in the committee and we reached the conclusion that it did not mean that.

Mr. STEAGALL. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. STEAGALL. I do not read this to mean what the gentleman from Georgia [Mr. WISE] understands it to mean.

Mr. DENT. Nor I.

Mr. STEAGALL. It provides as follows:

That, in addition to the Regular Army as now organized under the provisions of "An act for making further and more efficient provisions for the national defense, and for other purposes," approved June 3, 1916, as amended, there shall be raised and organized under the provisions of "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, as amended, a force sufficient to maintain an aggregate commissioned and enlisted strength of 28,579 officers and 509,909 enlisted men.

As I construe this language, coupled with the former language, it is designed and intended to create only an aggregate force of that many men.

Mr. DENT. That is the construction the committee put upon it.

Mr. STEAGALL. Under both acts an aggregate Army of that size.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. SMITH of Michigan. I see by the bill that there is an appropriation for the construction and repair of hospitals. A very short time ago we passed a bill here authorizing $10,000,000 for the construction of hospitals, and I would inquire whether or not there is anything in the bill that aims to purchase the lands upon which the cantonments are constructed?

Mr. DENT. There is not.

Mr. SMITH of Michigan. Was that brought before the committee?

Mr. DENT. The committee heard the Secretary of War and the Assistant Secretary of War on the question of the policy of the War Department as to whether or not they would purchase the land on which these cantonments are located, and the committee has declined to make any recommendations on the subject.

Mr. SMITH of Michigan. So it is not in contemplation at the present time. I see this is for the repair and construction of hospitals. Do they expect to use the hospitals at these cantonments?

Mr. DENT. They do expect to use them.

Mr. SMITH of Michigan. How many hospital beds is it thought would be required?

Mr. DENT. I have not those figures with me right now. I can give the figures to the gentleman when we get to that section of the bill, but I can not carry those things in my head.

Mr. SMITH of Michigan. Did the committee understand there are thousands of beds at the different cantonments around that are not occupied and that they have the nurses and the physicians and the complete service at these hospitals if they are needed?

Mr. DENT. I can give the gentleman full facts—and we went into a full investigation of that matter—when we reach that item in the bill.

Mr. SMITH of Michigan. The reason I inquired is that there is a very fine hospital in connection with Camp Custer in my district.

Mr. GORDON. Does the gentleman want the Government to buy it?

Mr. SMITH of Michigan. I should prefer to buy it rather than to build new buildings; anyone would do that as a business proposition.

Mr. MASON. Will the gentleman yield?

Mr. DENT. I will.

Mr. MASON. There have been some questions asked in regard to the return of soldiers from France, and I would like to ask the chairman whether there is any rule of the department, so far as he knows, in regard to what troops are to be used. I ask this question in good faith. Our colleague from Massachusetts returned the other day—I think he arrived about a week ago—and he stated here to many of us that the ship that he returned on had a large number of unoccupied rooms—I think he said rooms for a thousand more—that some staterooms had three beds and only one was occupied. I want to know if there is any rule of the department limiting the kind of ships that the boys are to be sent home on?

Mr. DENT. I do not know of any rule.

Mr. MASON. The gentleman does not know. Has the chairman of the committee any information which could be imparted to his colleagues with safety to the Government in regard to the plan of whether we will withdraw our troops from Russia or send more over for the defense of those who are already there?

Mr. DENT. No, sir; I have no information.

Mr. LOBECK. This bill provides for volunteer enlistment, does it not?

Mr. DENT. Yes, sir.

Mr. LOBECK. Did the committee have the approval of the National Security League? I just wanted to ask——

Mr. DENT. No. I understand, though, from the newspaper reports that Judge Parker repudiated his own baby yesterday before the committee. I do not know whether that is true or not.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. DENT. Yes.

Mr. OLIVER of Alabama. The gentleman stated that at the time the armistice was signed we had approximately 1,700,000 men in the camps here? Is the gentleman prepared to state how many of that number have been discharged?

Mr. DENT. Yes; I am going to have that read into the RECORD right now.

Mr. OLIVER of Alabama. And what policy obtains in reference to discharge of the others?

Mr. DENT. The policy is supposed to be to discharge them just as rapidly as practicable.

Mr. LONDON. Will the gentleman yield for one question?

Mr. DENT. All right.

Mr. LONDON. On page 58 is the provision for a new army which is to be raised and organized under the act approved May 18, 1917—that is, the draft act.

Mr. DENT. It is only to be raised by voluntary enlistment.

Mr. LONDON. Is it clear enough? Does the gentleman believe the subsequent provisions of the bill make it clear?

Mr. DENT. I think it does. That language was drafted by the Judge Advocate General of the Army in order to carry out the intention of the committee.

Mr. LONDON. What does this mean, that they shall be organized and raised under the provisions of the draft act?

Mr. DENT. That refers to the character and nature of the organization and the different units and the different kinds of organizations that were created by the act of May 18, 1917.

Mr. LONDON. Does the gentleman believe that the language should be made so clear and specific as to make no doubt about it?

Mr. DENT. I think it should be made so clear that he who runs may read; yes, sir.

Mr. GORDON. Will the gentleman yield to me?

Mr. DENT. Yes.

Mr. GORDON. I think the point in the mind of the gentleman from New York [Mr. LONDON] is this, that the draft act provides for raising the Regular Army, that they shall be raised by voluntary enlistment, if they can, or by draft whenever the President decides he wants the men drafted. There is that alternative in the act of May 18, 1917, which the committee did not intend to carry in this bill.

Mr. DENT. The draft act?

Mr. GORDON. Yes. The question I suspect the gentleman from New York propounded is whether it is intended to confer upon the President the power, in case he can not raise by voluntary enlistment, to draft them.

Mr. DENT. It is not.

Mr. GORDON. Of course it is not.

Mr. CARAWAY. Will the gentleman yield?

Mr. DENT. I will.

Mr. CARAWAY. I am very much interested in the statement made by the gentleman from New York, because I have no doubt that not only the War Department, by this act, is authorized to raise an Army under the selective-draft act, but there would be another alternative. The language indicates that fact. Further, this is not to be a Regular Army.

Mr. DENT. No.

Mr. CARAWAY. You say all the enlisted force for the Regular Army shall be raised by voluntary enlistment, which differentiates the method by which you raise your Army of 509,000 men——

Mr. GARRETT of Texas. No; if the gentleman will look at——

Mr. CARAWAY. Pardon me; I am not asking the gentleman from Texas to correct me.

Mr. GARRETT of Texas. I beg the gentleman's pardon, of course——

Mr. CARAWAY. I beg the gentleman's pardon; I should not have answered that way; but does the committee intend that language to mean an alternative, that a certain Army shall be raised under the provisions of the act approved May 18, 1917, which was the so-called selective-draft act? Then you say your enlisted personnel of the Regular Army shall be by voluntary enlistment for a certain length of time.

Mr. DENT. We did not intend to do it——

Mr. CARAWAY. I wanted to be certain about that, because I am so satisfied it is the only interpretation that can be had.

Mr. DENT. If that is the way it is to be interpreted, I will insist upon an amendment.

Mr. GARRETT of Texas. I call the chairman's attention to lines 13 and 14, on page 58, which read as follows:

And for the additional forces herein authorized by voluntary enlistments for the period of one year.

Mr. HOUSTON. That was the item to which I was going to call the gentleman's attention. That provides an additional force for the Regular Army by voluntary enlistment.

Mr. DENT. Mr. Chairman, I have some figures which might be interesting to the House and which answer a great many questions that have been asked me; and if the committee wishes I would like to have them read from the Clerk's desk.

The CHAIRMAN. Without objection, the Clerk will read.

Mr. DENT. Then I will reserve the balance of my time. [Applause.]

The Clerk read as follows:

Report from The Adjutant General, Feb. 11, 1919.

APPROXIMATELY CORRECT.

Number of officers in United States	48,676
Number of officers in insular possessions	1,638
Total	50,314
Number of enlisted men in United States	767,003
Number of enlisted men in insular possessions	45,478
Total	812,481
Number of officers, American Expeditionary Force, including Russia	64,270
In Siberia	296
Total	64,566
Number of enlisted men, American Expeditionary Force, including Russia	1,614,937
In Siberia	8,722
Total	1,623,659

RECAPITULATION.

Total officers in American Expeditionary Force, Russia, insular possessions, and Siberia	114,880
Total enlisted men in American Expeditionary Force, Russia, insular possessions, and Siberia	2,436,140
Grand total in all	2,551,020

Report of date of Feb. 7 of all reports received.

Discharged from the service since Nov. 11, 1918:	
Officers	67,038
Enlisted men	1,033,812
Total	1,090,850
Orders issued for discharges, but not yet effected, including officers and enlisted men	1,443,000
	2,533,850
Total officers and enlisted men in American Expeditionary Force, Russia, insular possessions, and Siberia	2,551,020
Discharges pending	1,443,000
Total in service	1,108,020

Cost of the war.

According to the latest statement furnished the Committee on Military Affairs on the cost of the war, most of the statement covering period up to December 1, 1918, contains the following totals:

Amount paid in United States	$10,190,566,755.10
American Expeditionary Force	1,210,239,246.66
Obligated	4,856,578,247.28
Grand total	16,257,384,249.04

Approximate estimates of stock on hand.

Quartermaster Corps	$1,650,000,000
Ordnance Department	600,000,000
Signal Corps	25,000,000
Air Service	500,000,000

Allotments and allowances to enlisted men only.

	Voluntary allotment.	Compulsory allotment.	Government allowance.	Total.
Payable to wife while husband is in active service:				
Wife alone		$15.00	$15.00	$30.00
Wife and one child		15.00	25.00	40.00
Wife and two children		15.00	32.50	47.50
Wife and three children		15.00	37.50	52.50
Wife and four children		15.00	42.50	57.50
Wife and five children		15.00	47.50	62.50
Wife and six or more children		15.00	50.00	65.00
Payable to or for children but no wife:				
One child		15.00	5.00	20.00
Two children		15.00	12.50	27.50
Three children		15.00	20.00	35.00
Four children		15.00	30.00	45.00
Five children		15.00	35.00	50.00
Six children		15.00	40.00	55.00
Seven children		15.00	45.00	60.00
Eight children		15.00	50.00	65.00
Man with parents, brothers, sisters or grandchildren:				
Man making no allotment to wife or children—				
One parent	$15.00		10.00	25.00
Two parents	15.00		20.00	35.00
Brother, sister, or grandchild	15.00		5.00	20.00
Man making an allotment to wife or children—				
One parent	5.00		10.00	15.00
Two parents	5.00		20.00	25.00
Brother, sister, or grandchild	5.00		5.00	10.00

Disability benefits under war-risk insurance for officers and enlisted men.

	Monthly.
Man with wife or with wife and children (allowance for nurse; monthly Government compensation):	
Wife alone	$65.00
Wife and one child	75.00
Wife and two children	85.00
Wife and three children	95.00
Payable for total disability but not permanent:	
One child	60.00
Two children	70.00
Three or more children	80.00
Man alone or with dependent parents:	
Man alone	50.00
Man with one parent	60.00
Man with two parents	70.00
Payable to man for total permanent disability (war-risk insurance; monthly Government compensation; allowance for nurse):	
Wife alone	122.50
Wife and one child	132.50
Wife and two children	142.50
Wife and three or more children	152.50
Payable to man with no wife, but children:	
One child	117.50
Two children	127.50
Three or more children	137.50
Payable to man or parents:	
Man alone	107.50
Man with one parent	117.50
Man with two parents	127.50

Nurse allowance in each case is $20 per month.

Application of war-risk insurance.

	Monthly.
Man with wife or with wife and children after death of husband:	
Wife alone—	
War-risk insurance	$57.50
Monthly Government compensation	25.00
Wife and one child	92.50
Wife and two children	100.00
Wife and three children	105.00
Wife and four or more children	110.00

Man with children and no wife after death of father:	
Children (war-risk insurance; monthly Government compensation)—	
One child	77.50
Two children	87.50
Three children	97.50
Four children	102.50
Five or more children	107.50
Man with parents, brothers, sisters, or grandchildren (war-risk insurance; monthly Government compensation):	
One parent	77.50
Two parents	87.00
Brother, sister, or grandchild (war-risk insurance)	57.50

Government compensation is payable to parents only in the event they are dependent.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] occupied one hour and five minutes and reserves the balance of his time.

Mr. KAHN. Mr. Chairman, I yield 30 minutes to the gentleman from Illinois [Mr. MCKENZIE]. [Applause.]

Mr. MCKENZIE. Mr. Chairman and gentlemen of the committee, I want to make the request before I begin my statement that I be permitted to make it without interruption, when I will be glad to answer any question that I am able to answer.

I want to say that the Committee on Military Affairs has been criticized somewhat for its delay in bringing in this bill, but I want to add very frankly that it has not been the fault of our committee or the members of the committee. We have been unable to get the estimates, and, in fact, we have not got all of the printed hearings yet that were held by our committee. But nevertheless we have gone ahead and have done the very best we could under the circumstances to agree on the appropriation, which in many cases is but a guess. Many of the appropriation items contained in this bill are simply guesses on the part of the committee as to the amount that will be necessary for the next fiscal year.

The large items in this bill, as you will find by looking at it, are the items of subsistence of the Army, pay of the Army, and transportation of the Army. The latter item is $449,000,000, an enormous one. But the committee did not feel that it would be wise to curtail it, inasmuch as it covers the bringing of the boys back from Europe, and the paying of the transportation in France, the ocean transportation, and the transportation of the boys to their homes in various parts of the country. So we felt that it would be wise to err on the side of liberality rather than otherwise, and not subject ourselves to the criticism of not making sufficient appropriation to bring the boys home from France. That item we left large.

There is another very large item in the bill which takes care of storage. Some of you will wonder why such a large appropriation is made, but you must bear in mind that we have thousands of carloads of material and equipment in France that will be transported back to our country; that we have tens of thousands of carloads of material in the various cantonments of the country that must be stored and preserved; and to get the storage space and pay for the carrying of that, and the storing of it, will cost a vast sum of money. However, we feel that it is economy to do it.

I want to call your attention to another item in this bill—the item of the Intelligence Department of the Army. They came before our committee and asked for an appropriation of $780,000 for this one particular branch of the service, for which in peace times we had appropriated the sum of $11,000 to care for. In peace times this department of the Army was practically carried on by one man, but when war came it was greatly enlarged, and they asked us in the reorganization scheme of the Army to grant them 77 officers and 254 men. Of course, you gentlemen understand the Intelligence Department of the Army means the secret-service department of the Army. We felt that in peace times no such an amount of money was necessary. Therefore we cut the appropriation to $200,000, which, in my judgment, is excessive in peace times; but inasmuch as we are now passing from war back to peace, it might be well for one more year to continue this activity to some extent. Therefore we made what I believe to be a fair and liberal appropriation.

Another appropriation which is very much increased over that of last year is the appropriation for the National Guard; and I am sure there is not a man in this House but will remember the terrific fight that we had in 1916 against those who formed the policy of the Continental Army and who were determined to destroy the National Guard, the only military organization that is as old as our country. But we succeeded in defeating them and writing into the law of 1916 a provision which would bring the National Guard up to a real fighting force. Is there a man in the United States to-day who does not read with pride and satisfaction the story of the Rainbow Division, of the New England Division, of the Wildcat Division, of the Sunset Division, and of the Thirty-third or Prairie Division from old Illinois and other National Guard Divisions? [Applause.] We are proud of the record made by these citizen soldiers on the battle fields of Europe, and I hope the day will never come, no matter what may be our military policy in the future, when the old National Guard system or militia, which has stood by us in every trial through all our history, will not be maintained. [Applause.] We have appropriated liberally for the National Guard, and I trust that it will meet with your approval.

Now, gentlemen, I am not going to take up very much time in discussing this bill, but I want to say a few words in connection with the legislation contained in it, and about which the chairman of the committee spoke while he was on the floor. Let us look into this for a moment.

What is the military policy of the United States and how is it provided for by law? The only law that we have providing for a permanent Military Establishment in this country is the law of June 3, 1916, known as the national-defense act. That provided for a permanent and fixed Military Establishment in this country. When war came on we enacted special legislation for the raising of larger armies to fight our battles in this war. We provided for conscription. We did many things that would enable us to enlarge our Army. But now that the war is approaching an end, with the prospect of peace ahead of us, it is necessary that we get back to some permanent military policy for the future. The General Staff of the Army prepared a plan. They came before our committee and asked us to adopt a policy that would provide permanently for 28,579 commissioned officers in the Regular Establishment and 509,000 men. We said to them very frankly, "Gentlemen, we can not pass any bill at this session of Congress providing for a permanent Military Establishment in this country." The Staff then sent over a rider containing this proposition, but, in fact, meaning about the same thing, because we fixed the permanent Army of 509,000 men and 28,579 officers and enact permanently the Overman Act so far as the powers of the General Staff are concerned and which have enabled the General Staff to wipe out of existence some of the most useful bureaus which have been a part in the Military Establishmnt of our country, and creating no end of corps such as the Construction Corps, the Tank Corps, and I do not know how many more, some of them very useful.

But it centralized the entire power in that establishment. We said, "We can not do that. We will not do that." Then Mr. KAHN and the other members of the committee began to work to find out what we could do to tide us over for the present, at least, until the people of this country shall have had an opportunity to study and determine what the character of the permanent Military Establishment of this country shall be, and the gentleman from California [Mr. KAHN] presented to the committee a rider, which provides for the commissioning of 28,579 officers—the same number as was suggested by the General Staff—and providing for an Army of 509,000 men, to be raised by voluntary enlistment of from one to three years; and it has written in language which provides that in addition to the force now authorized by the act of June 3, 1916, there shall be raised additional forces which shall bring the number up to 509,000 men.

Now, what does that mean? That simply means that we are to have a Regular Army as provided for in the national-defense act, at war strength, and in addition to that we are going to add a sufficient number of men to bring it up to 509,000.

Now, I want to say to you, gentlemen of the committee, that I think you know me well enough to know from my position in the past that I do not favor in time of peace a large standing army in a republic. [Applause.] I am unalterably opposed to fastening on the taxpayers of our country a large fixed and permanent regular Military Establishment. But I am perfectly willing to do anything that will protect the interests of our country while we are passing through these troublous days, getting back to substantial peace, and therefore I am willing that for the next fiscal year we may enlist, if we can get the men, 509,000 men temporarily, to serve until 1920. I am willing that they shall have sufficient officers to officer that Army. But I want to tell you, my friends, that we have undertaken to guard this rider in such a way that it will be impossible for the War Department to fasten that number of men and officers onto the country permanently.

I do not know whether we have used language that will protect us in that, and I ask and I request that every Member of this House take that provision of the bill and study it carefully, and if there is a weak spot in it, if there is a possible chance that that language will enable the War Department to commission permanently in the line and staff of the Army of the United States 28,579 officers, we had better put in language

about which there is no question, in order to be sure that we do not find ourselves with that large number of officers fastened onto us permanently.

There are now commissioned in the Regular Army of the United States a few over 10,000 officers. It is about 10,200, I think, and the Army that is provided for under the national-defense act is something like 300,000 at war strength. Now, to almost multiply that by three, giving us nearly 30,000 officers for an Army of 500,000 men, would be, to my mind, an unbalanced and top-heavy Military Establishment, even if we wanted one of that size. And I hope that if anyone in reading this can find a weak spot in it that will make it possible to add one single more officer to the line than the number provided for by the national-defense act he will assert himself and help us to write this law in such a way that when we finally arrive at the days of peace we will have the forces provided under our own national-defense act, the National Guard, and what other elements of national defense we may have, and will be able to sit down and think it over and determine whether or not we want to have a system of universal military training in this country; and if we do, God knows that I do not want a large, fixed, permanent Regular Army in our country.

Mr. BANKHEAD. Mr. Chairman, will it interrupt the gentleman to yield?

Mr. McKENZIE. I yield.

Mr. BANKHEAD. Under this provision authorizing the Army for the fiscal year for which we are appropriating to a strength of 500,000 men it provides that, in addition to the Regular Army, and so forth, under the national-defense act and under the selective-draft act of 1917, this force shall be maintained at approximately 500,000.

Mr. McKENZIE. Yes.

Mr. BANKHEAD. I want to ask the gentleman this question: It is conceivable that the existing emergency may end the 1st of July this year if we declare peace. That, under the operation of the selective-draft law, would terminate the service of all men taken in under that act, as I understand it.

Mr. McKENZIE. Yes.

Mr. BANKHEAD. Suppose that all the men under the provisions of that act shall be entitled to discharge. How are you to raise this 500,000 men provided for in this act?

Mr. McKENZIE. I am glad the gentleman asked that question, because we would find ourselves without an Army at all if we did not take some steps to raise an Army within four months after the treaty of peace has been signed, because the men are all entitled to discharge and, whether they are in the Regular Service or in other service—and there are, as I understand it, only about 30,000 men in the Regular Army whose time has not already expired, and they would be entitled to go out—we would find ourselves when that time comes without an Army.

Now, what are we hanging our hopes upon? Simply upon this provision in the bill which provides that we must enlist men from one to three years to make up an Army of 500,000. Can we get them? I asked the Secretary of War when he was before our committee if he did not believe it would be wise, if he wanted an Army of that size—and he said he did, and he wanted the officers permanently commissioned in the Regular Army—I asked him whether it would not be wise to put into the law a provision for the conscription of the men. He said, "No; I think we will get the men without any trouble at all. They will come in."

But I want to tell you, my fellow countrymen, that I doubt if there are 500,000 men in this country who will be willing to enlist in the Regular Army in time of peace, and one of the things that we provided for, or attempted to provide for, in this rider is that the officers shall be commissioned only as the men are enlisted, and if we get only 250,000 men under that enlistment they can not add a single officer to the permanent roll of this country. And that is as it should be.

Mr. BANKHEAD. Mr. Chairman, I want to ask the gentleman a question in regard to the rider he is discussing. It provides that this Army shall be maintained under the national-defense act and under the provisions of the act authorizing the President to increase the Military Establishment, which is the selective-draft law.

Mr. McKENZIE. Yes.

Mr. BANKHEAD. And it provides for—

a force sufficient to maintain an aggregate commissioned and enlisted strength of 28,579 officers and 509,909 enlisted men.

By implication would not that make new legislation on the selective-draft law, so as to compel the retention in the service of men under the selective-draft law despite this prior provision?

Mr. McKENZIE. No; I do not think so.

Mr. BANKHEAD. Or authorize the drafting of new men under it?

Mr. McKENZIE. No; I do not think so. That language refers to that part of the law of 1917 which provided for the increase of the Army above the number provided for in the national-defense act.

Mr. BANKHEAD. It says "under the provisions." It means all the provisions.

Mr. KAHN. It says they must be voluntary enlistments under that law.

Mr. BANKHEAD. This section does not say that.

Mr. KAHN. Oh, yes; it does.

Mr. BANKHEAD. Where does it say so?

Mr. McKENZIE. Further on in the bill.

Mr. KAHN. Further down in the section. Now, the very proposition which the gentleman speaks about was called to the attention of the committee. We recognize the fact that if we keep these men in France beyond the period of the war or the emergency, we are practically redrafting them. The committee did not want to do that, and therefore they provided that men should be enlisted into this temporary army by volunteering.

Mr. CARAWAY. I should like to ask the gentleman from Illinois a question.

Mr. McKENZIE. I take pleasure in yielding to the gentleman from Arkansas.

Mr. CARAWAY. I am not going to vote for any act that in time of peace is going to authorize the drafting of boys into the Army.

Mr. McKENZIE. I do not blame you.

Mr. CARAWAY. Now, we know that no law should be written that requires construction. It ought to be clear and explicit.

Mr. McKENZIE. Yes.

Mr. CARAWAY. By reference to the act approved May 18, 1917, you reenact the provisions of that law that are applicable to this, do you not?

Mr. McKENZIE. Not necessarily; no.

Mr. CARAWAY. Then why refer to it at all?

Mr. McKENZIE. That is the only way in which we can enlarge the force above that provided for in the act of 1916.

Mr. CARAWAY. There is not a thing in the language in this act that says you are adopting only a part of the act approved May 18, 1917; but you say that they shall raise an Army under the provisions of the act authorizing the President temporarily to increase the Military Establishment of the United States, approved May 18, 1917. Now, in the language referred to below you say—

The enlisted force for the Regular Army shall be raised by voluntary enlistments for periods of three years and for the additional forces herein authorized by voluntary enlistments for the period of one year.

Now, that refers to the 500,000 men for the Regular Army. That is under the act of June 3, 1916. The language that has been referred to says that this is not to be a conscript army, but that—

The enlisted force for the Regular Army shall be raised by voluntary enlistments for periods of three years, and for the additional forces herein authorized by voluntary enlistments for the period of one year.

Now, it is the contention that this refers to this Army of 500,000 men.

Mr. McKENZIE. To the surplus; yes.

Mr. CARAWAY. But in construing a law I understand it is always the rule to construe it so that every provision of it may stand, if possible. Now, for the construction—

The enlisted force of the Regular Army shall be raised by voluntary enlistments for periods of three years.

That is, if you enlist in the Regular Army, you shall enlist for three years, but if you enlist in this additional temporary force you may enlist for one year.

Mr. McKENZIE. Yes.

Mr. CARAWAY. But it does not say that is the only way you can raise the Army. You can undertake to raise it by voluntary enlistment, which enlistment shall be for the period of one year; but if you do not get it, then, under the provisions of the act of May 8, 1917, which you incorporate by referring to it in this bill, you can raise an Army of 500,000 men, and therefore you will be in a position to raise it by the selective-draft act. That is the possible construction. That construction will make each provision of the bill stand; and we know that when the War Department undertakes to raise an Army of 500,000 men by voluntary enlistment in time of peace it will not get 500 men. I have not seen a boy yet who has come back

from the other side who would reenlist, and you have not seen one either.

Mr. PLATT. I have.

Mr. CARAWAY. Then they come from New York City and not from any other part of the country, and I would be willing to assert that the gentleman can not go out and raise a regiment in this country by paying a bonus for voluntary enlistment.

Mr. PLATT. Will the gentleman yield right there?

Mr. CARAWAY. I yield to the gentleman from New York.

Mr. PLATT. The Secretary of the Navy says they are enlisting 1,600 men a week in the Navy and Marine Corps.

Mr. CARAWAY. I was not talking about the Marine Corps.

Mr. PLATT. That is the only place where they can enlist now.

Mr. CARAWAY. The Marine Corps has always been popular because it has always been sensibly administered, but nobody has heard of a boy coming back from the Regular Army who wanted to volunteer to get into the Regular Army again.

Mr. PLATT. He has not had a chance to.

Mr. CARAWAY. If he had a chance, you could not get him within a mile of the enlistment officer.

Mr. McKENZIE. If the gentleman from Arkansas is through, I will say to him that I have no quarrel with him. I think the language is plain enough that there can be no possible chance of conscription under it. But I want to say to him that if he has any doubt about it, if he will prepare an amendment I have no objection to it.

Mr. CARAWAY. Would the gentleman have any objection to putting in at the end of the sentence in line 8 "providing that the personnel shall be raised by voluntary enlistment only," and then there will be no question about it?

Mr. McKENZIE. I would have no objection, and I do not think the committee would, for we do not propose to raise them by conscription.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. McKENZIE. Certainly.

Mr. HUMPHREYS. Suppose this legislation in this paragraph should not be enacted at all, what would be our situation in reference to the army in Europe?

Mr. McKENZIE. It would be unchanged.

Mr. HUMPHREYS. After the proclamation of peace all the boys who were inducted and all of those who enlisted in the Regular Army since the war began would be entitled to a discharge in four months?

Mr. McKENZIE. Four months after the treaty of peace—as soon as it is practicable to get them home.

Mr. HUMPHREYS. That would make it necessary to bring the boys right home?

Mr. McKENZIE. Yes.

Mr. HUMPHREYS. And the Regular Army would consist of the men who had enlisted prior to our entrance into the war and such others as may now desire to enlist, and that law is on the statute books?

Mr. McKENZIE. Yes.

Mr. HUMPHREYS. Then, may I ask what is the matter with that?

Mr. McKENZIE. I will state to the gentleman from Mississippi, as I understand the law, if we do not enact this legislation at all, but simply make an appropriation, we will find ourselves four months after the treaty of peace is announced with no Army that we have a right to hold. We will have, however, an organization of the Regular Army complete in its officer personnel. We will have a thousand and some odd officers commissioned in the Regular Army, making it complete from top to bottom, and the only thing we would lack would be men. [Laughter.] I mean enlisted men. If we would provide, however, in this law for the immediate enlistment of men in the Regular Army, we could enlist up to 175,000 men in the line, as provided in the national defense act.

Mr. HUMPHREYS. Would it take new legislation to authorize that?

Mr. McKENZIE. It would take new legislation to authorize the enlistment.

Mr. HUMPHREYS. No; under the law as it stands now men can enlist in the Army up to 175,000 after peace has been declared. We would still have a Regular Army of 175,000 men if we put no legislation in the bill at all. Am I not correct?

Mr. McKENZIE. No; you are not. The Regular Army now in existence, with the exception of 20,000 men, would pass out.

Mr. SHALLENBERGER. Will the gentleman permit me to make a suggestion?

Mr. McKENZIE. Certainly.

Mr. SHALLENBERGER. I want to call the attention of the gentleman from Mississippi to the fact that the national defense act specifically provides for enlistment in the Army during the war, terminating with the war, so that if you enlist men now you could only hold them until peace is declared. So you have to amend the enlistment law.

Mr. HUMPHREYS. After the proclamation of peace the men go out in four months.

Mr. SHALLENBERGER. They go out immediately, and the four months is to get them back from Europe.

Mr. HUMPHREYS. We have four months to get them back home. They may all be back in four months after peace is declared. Then we have authority to hold those who enlisted prior to the entrance into the war, up to 175,000, without any further legislation. That is a consummation most devoutly to be wished.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. KAHN. I yield to the gentleman from Illinois five minutes more.

Mr. KEARNS. Will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. KEARNS. This Army that you are trying to raise by virtue of the bill is an addition to the Regular Army; am I right?

Mr. McKENZIE. No.

Mr. KEARNS. Then, what do you mean, in line 21, by saying "in addition to the Regular Army"?

Mr. McKENZIE. That would mean the difference between the Regular Army and that provided in the national defense act.

Mr. KEARNS. But they all belong to the Regular Army.

Mr. McKENZIE. Yes; temporarily.

Mr. GREENE of Vermont. Will the gentleman from Illinois permit me?

Mr. McKENZIE. Yes.

Mr. GREENE of Vermont. There can be under existing law no personnel of the Regular Army except that laid down in the provisions of the national defense act of June 3, 1916, and amendments thereto. That is what we start with here, 175,000 men, going along to what is specifically prescribed as a temporary army, in the aggregate making 509,000 men.

Mr. IGOE. Will not the 509,000 men be an addition to the 179,000 men?

Mr. GREENE of Vermont. No; what you start with is the Regular Army, and the difference between that and 509,000 men would be complete.

Mr. McKENZIE. If my colleague would permit, they would not be in or, rather, attached to it for a temporary period.

Mr. GREENE of Vermont. They are called the temporary Army.

Mr. KEARNS. I want to know whether these 509,909 enlisted men, when enlisted, are going to be a part of the Regular Army?

Mr. KAHN. A portion of them are.

Mr. KEARNS. What portion?

Mr. KAHN. One hundred and seventy-five thousand as a maximum.

Mr. KEARNS. And the others are not going to be?

Mr. KAHN. No; they are in the temporary Army, enlisted for only one year by volunteering.

Mr. KEARNS. Then I want to call the gentleman's attention to line 11, which provides that the enlisted force of the Regular Army shall be raised by voluntary enlistments.

Mr. KAHN. Yes.

Mr. KEARNS. And these others need not be raised by voluntary enlistment?

Mr. KAHN. Oh, the gentleman should read a little further.

Mr. KEARNS. I am reading what the bill says. The gentleman from California says a part of the 509,909 men will be a part of the Regular Establishment.

Mr. McKENZIE. Yes.

Mr. KEARNS. In this bill you give the War Department authority to raise by voluntary enlistment those that belong to the Regular Army.

Mr. KAHN. Yes.

Mr. KEARNS. But the bill says nothing about those men who are going to belong to the other portion.

Mr. McKENZIE. Yes; it does. It says that the temporary force shall be enlisted for the period of one year.

Mr. BANKHEAD. Mr. Chairman, I am sure that we would like to hear the reasons and the theory upon which the War Department and the General Staff predicated the necessity in time of peace for an army of 500,000 men, whether you call it a standing army or an emergency army.

Mr. McKENZIE. I will say to the gentleman that they said—and I think it is their contention—that in a nation of

this size, with our many scattered possessions, an army of 509,909 men and 28,579 officers is not an army too large to properly care for our possessions in the United States and our insular possessions in time of peace; and they base their judgment, I presume, upon the experience of the past. Personally I do not agree, and I have not in the past agreed, with the judgment of the General Staff as to the size of the Regular Army in our country in time of peace. I feel this way about it: I have always conceded to the experts in our Military Establishment the regulation of all manner of things pertaining to organization and to the character of the Army that we are to have, but I do feel, and I always have felt, that it is the duty of the representatives of the people in the Congress of the United States to fix the size of the Army that we shall have. [Applause.]

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. KAHN. Does not the gentleman from Illinois remember that the Secretary of War himself stated and restated frequently to the committee that this was not intended as a regular army, but as a "stop-gap" army. That was the expression he used.

Mr. McKENZIE. I know he did. I know he stated that, and I know he said it was only for temporary purposes in a sense. But I do know, and my colleague knows, that the General Staff's plan called for an Army of 509,909 men in time of peace, and if the gentleman will read on page 18 of the hearings he will find what the Secretary of War said. If I may have time, I just want to read that for the benefit of the House, so that we will know where we stand on this proposition. It should be borne in mind that we had the staff's plan before us at the time this testimony was given:

The CHAIRMAN (interposing). In other words, as I understand it, really this army of 500,000 is intended just for the transition period until we do come back to normal conditions?

Secretary BAKER. That is my judgment.

The CHAIRMAN. Then why not make this legislation temporary instead of permanent?

Secretary BAKER. The only difficulty about that is that you have made temporary legislation which you are now having to recast. All legislation is temporary. Every Congress has the right to change the legislation passed by its predecessor, and the fact that this bill creates an Army of 500,000 men does not disable the Congress hereafter from making it 100,000, if they desire to do so.

The CHAIRMAN. It is very much easier to originate a bill than it is to pass it.

Mr. ANTHONY. On that point, Mr. Secretary, if you raise your Regular Army of 500,000 men, and officer it with the Regular Army officers, in the regular service, how are you going to reduce it after that?

Secretary BAKER. It would reduce itself.

Mr. ANTHONY. By eliminating your officers?

Secretary BAKER. By eliminating the officers as they eliminate themselves.

Mr. ANTHONY. Would that not be a difficult thing to do?

Secretary BAKER. I do not think so.

Mr. ANTHONY. After you have taken these officers into the Regular Establishment?

Secretary BAKER. I do not think so. They are in process of elimination.

Mr. ANTHONY. It would take quite a while to get them out?

Secretary BAKER. It would take some time.

My friends, you may be sure that it would take some time. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. KAHN. Mr. Chairman, I yield the gentleman 10 minutes more. Will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. KAHN. Does not the gentleman know, and is it not a fact that there was not a singe member of the Military Affairs Committee in favor of a standing army of 500,000 men in time of peace, and was not this legislation written to avoid anything of that kind?

Mr. McKENZIE. Yes; and I am glad that my colleague has stated that. I think it is to the everlasting credit of the Committee on Military Affairs that they did not stand for that proposition.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. GREENE of Vermont. I want to add to what the gentleman has said in response to the gentleman from California [Mr. KAHN], that part of the reason for appropriating for the maintenance of 500,000 men this year is that there would probably be an average of that many kept through the fiscal year, when you considered that you start the year with over 2,000,000 men. You can not demobilize at sufficient speed so that by the time you come to the end of this fiscal year you will not have had an average of about 500,000 men for the year, anyway. The second phase of the matter, which does not run to ratios or figures, but runs to public policies, was this, expressed concretely. It was thought to be, and I believe it is the opinion of this Congress, an unwise thing to put your hose up until you are sure the fire is out.

Mr. McKENZIE. I thank my colleague for that statement. I thought I had put myself in that position.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. STAFFORD. Will the gentleman inform the House as to how much of this force of 509,909 enlisted men is to be used as an army of occupation abroad, either in Germany, Russia, or Siberia?

Mr. McKENZIE. I will say to the gentleman that that matter did not come before us; it has not been considered. This is a proposition, supposed to be for an army of the United States and the insular possessions, although it has been stated that perhaps some of these men enlisted for the temporary army of one year might be sent to Europe to replace some of the boys who have been over there for a long time and let them come back.

But on that proposition I want to say this, that I think when the day comes, unless there is some other difficulty arising on the other side of the water, that if we load another regiment of American boys on a ship and start them across the water for Europe there is going to be something doing in this country. [Applause.] I do not believe it will be necessary, and I hope that these boys will be permitted to serve in this country. More than that, and I must conclude my statement because other members of the committee wish to speak——

Mr. KEARNS. I take it to be the hope of this committee, I know it is with the majority of the House, at least I think it is, to get away from conscription, and that is the object of this bill.

Mr. McKENZIE. Yes; that is one of the objects.

Mr. KEARNS. And I doubt very seriously whether we do. Now let us read this:

The enlisted force of the Regular Army shall be raised by voluntary enlistments for periods of three years, and for the additional forces herein authorized by voluntary enlistments for the period of one year.

Now, I am afraid that is not clear, and I want to ask the chairman of the committee if he would not agree to an amendment of this kind:

The enlisted force of the Regular Army shall be raised by voluntary enlistments for periods of three years, and the additional forces herein authorized shall be raised by voluntary enlistments for the period of one year.

Mr. DENT. I will state to the gentleman that I am willing to accept any amendment that will make it absolutely clear and definite that all enlistments must be voluntary.

Mr. KEARNS. To my mind the language of the bill is not clear and definite, and the language which I would suggest is absolutely clear and definite.

Mr. DENT. I shall be very glad to consider the gentleman's amendment when we reach the reading of the bill on that point. I desire to make it clear, and that is the intention of the committee.

Mr. WINGO. If the gentleman will permit, to get back to the question the gentleman was discussing 15 minutes ago when I first tried to attract his attention—that is, the necessary Army in time of peace on account of our possessions, and so forth—the gentleman remembers his statement, I want to know if I am correct in this information I have that prior to this war England with all of her possessions had a standing army of a little over 200,000 men?

Mr. McKENZIE. That is my understanding.

Mr. WINGO. Did not we get along with a standing Army of 100,000 prior to the war, and we have no additional possessions?

Mr. McKENZIE. We did fairly well.

Mr. WINGO. We did fairly well; yes. Now, what practical difficulty, or rather is there any practical difficulty that prevents our adopting the program of saying to England, France, and Italy, "We are going to bring every one of our boys home at once and you must furnish the troops to police your own territory of continental Europe." What practical difficulty is there in the United States adopting that policy?

Mr. McKENZIE. I would simply say to my good friend from Arkansas, in my judgment, that would be too much like the amendment we tried to beat yesterday providing for the authorization of more battleships in the future. What we are doing is satisfactory to me and it is serving notice on them——

Mr. WINGO. But what is the practical difficulty in doing it?

Mr. McKENZIE. There is no difficulty in doing it. We could say that if we wanted to——

Mr. WINGO. Then what is the practical difficulty?

Mr. McKENZIE. There is the question of wise action. We are bringing our boys back as fast as we can, I am advised, and certainly we have not yet been asked to leave a certain

number of our troops in Europe, and when the time comes we can settle that question.

Mr. DYER. Does the gentleman believe that or is he quoting the Chief of Staff?

Mr. WINGO. If we have got the shipping that they have contended in the last few days we have, we should be able to bring home most of our boys by the close of the fiscal year?

Mr. McKENZIE. Oh, no.

Mr. WINGO. Yes; they have more than a hundred vessels, if the public press is to be believed, and they can take those and if they will load them like they loaded the *Rochambeau*, putting on 810 men more than its capacity, what practical difficulty is there?

Mr. McKENZIE. I want to say to the gentleman from Arkansas, and every Member of this House, I think we ought to try to exercise at least some patience and some reason in connection with this matter.

Mr. WINGO. That is the reason why I am asking if there is any practical difficulty; if it is not practicable I would not insist on it.

Mr. McKENZIE. We should understand that over 50 per cent of our boys were carried to France in bottoms not carrying the American flag but in foreign ships which they voluntarily, freely, and gladly furnished to get our heroic boys over there to help them win the war when the war was on; but the war is over now. It took well over a year to get those men into France even with all that assistance, and it is certain that with our small number of vessels compared with the number we had given to us to get our boys over, that when it comes to bringing them back home it will require more time.

Mr. WINGO. Is that the only practical difficulty in the matter?

Mr. McKENZIE. And we are bringing them back as fast as possible.

Mr. WINGO. Is that the only practical difficulty—the lack of shipping?

Mr. McKENZIE. Well, no; there are many difficulties in the way.

Mr. KAHN. Will the gentleman yield to me?

Mr. McKENZIE. I yield to the gentleman.

Mr. KAHN. I will say to the gentleman from Arkansas that the President of the United States is one of the plenipotentiaries in France at the present time.

Mr. WINGO. I had heard that; so the gentleman does not give me any information by that statement.

Mr. KAHN. And we do not know but what he will agree to some provision in the peace treaty whereby he will consent to keep a certain number of our men over there.

Mr. WINGO. My question is, Is there a practical difficulty?

Mr. KAHN. That is a practical difficulty.

Mr. WINGO. Not from our standpoint. We can refuse to provide for an army of occupation if we wish to do so.

Mr. McKENZIE. I will say to the gentleman from Arkansas that it is not a matter to be settled in the discussion on this bill.

Mr. WINGO. I can not agree to that. I wanted to get the gentleman's idea of the practical difficulty.

Mr. LAZARO. The gentleman said that there were a hundred difficulties in bringing the boys back home. Will he please be specific and state what the difficulties are, in his judgment?

Mr. McKENZIE. I can not state all of them.

Mr. LAZARO. State what they are, in your judgment.

Mr. McKENZIE. I can understand that one of them is getting the troops even to the harbors of France and picking out the organizations that are to be sent home, the work of demobilizing them, and all that sort of thing. It is a great task to demobilize this army, and we simply can not do it by word of mouth or by our wish. God knows I would like to see them discharged.

Mr. EMERSON. Is this army of half a million men to be used in the United States? Does the gentleman know?

Mr. McKENZIE. Most of them; yes.

Mr. EMERSON. I have a notion on this military preparedness business, and I would like to ask why it would not be better to have this army of 200,000 men and spend the balance of the money in training the boys in the schools. That would give them physical development, develop them physically in a military way, and then we would be prepared; because if we need an army we would need a large army.

Mr. McKENZIE. That is a matter that can be determined when we fix the Military Establishment of the country.

Mr. DYER. The gentleman made a statement to the committee without limitation, as I understood it, to the effect that the War Department was bringing back to this country our troops in France as fast as they could. Now, does the gentleman desire that the committee is to understand that as a statement from him based upon facts, that he knows to be facts, or where did he get that information?

Mr. McKENZIE. That is my understanding.

Mr. DYER. Where did the gentleman get that information?

Mr. McKENZIE. From statements in the press and from statements before our committee.

Mr. DYER. Who made that statement before the gentleman's committee?

Mr. McKENZIE. I do not remember.

Mr. DENT. I will state that the officer of the War Department who appeared before the committee on this subject was Maj. Bettison.

Mr. DYER. And he is the only information we have on that proposition?

Mr. DENT. He has charge of the embarkation service under Gen. Goethals.

Mr. DYER. And we have nothing from Gen. Pershing upon the question, have we?

Mr. DENT. No.

Mr. DYER. Will the gentleman permit me to ask him another question?

The CHAIRMAN. The time of the gentleman from Illinois [Mr. McKENZIE] has expired.

Mr. McKENZIE. I would like to have five minutes more.

Mr. KAHN. Mr. Chairman, I yield to the gentleman five minutes more.

Mr. DYER. Mr. Chairman, the gentleman having yielded, he states that he has no information except the newspapers and something coming before the committee, which was added to by the gentleman from Alabama [Mr. DENT] when he mentioned some major who brought this information. That is all the information that we have that we are bringing our troops back as fast as we can. Of course, I do not want to get into any argument over it, but I do not agree with the statement of the gentleman. That is, I do not believe they are telling the truth to the gentleman from Illinois or to the Congress and to the members of the committee. Does this bill that this committee has brought in provide for all of these officers with their uniforms, who are sitting around in the various departments here, doing no work, earning no money, and not giving over half an hour a day, on the average, to the service of the Government for the next year?

Mr. McKENZIE. They are not especially mentioned in this bill.

Mr. DYER. But they will be taken care of, instead of having men come in and do the work who know how to do it, and who will not wear uniforms.

Mr. KNUTSON. Can the gentleman tell us whether or not Maj. Bettison's information that we were bringing them back as fast as we can was given prior to the return of the steamer *George Washington*, which came back with 1,200 vacant berths?

Mr. McKENZIE. I can not do that.

Mr. DYER. What authority have you for it? What I say I said on my own responsibility, and if I can get some time I will state the facts.

Mr. LAZARO. Will the gentleman yield for a question there?

Mr. DYER. I have not the floor.

Mr. McKENZIE. Let me finish. I will simply say to the gentleman from Missouri [Mr. DYER] that we have given all the information we have, and when we have done that we can do no more.

Mr. LAZARO. What I wanted to ask the gentleman was this: What information has he when he says the department does not want to bring them back?

Mr. McKENZIE. I decline to go into that.

Now, Mr. Chairman and gentlemen of the committee, whatever may be said about this proposed rider, it is simply intended to take care of our country for the next fiscal year and gives an opportunity in the next session of Congress, or in the next Congress, to consider fully the character of the permanent Military Establishment that we will have hereafter. And I want to say, for one, that I think it is wise, when we read the newspapers and see some of the dangerous signals that are showing up above the horizon in our country at this time, to keep at least a sufficient military force to maintain order in case disorder should come in our own country. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KAHN. I yield one minute more to the gentleman.

The CHAIRMAN. The gentleman from Illinois is recognized for one minute more.

Mr. McKENZIE. I realize, Mr. Chairman and gentlemen of the House, that the War Department has been guilty of many shortcomings. It has been deserving of much criticism in many lines. There has been waste without end, and there have been

many officers who have dishonored the uniforms they wore. But, after all, when you cast aside those who have been a discredit to this great Republic of ours, and when you realize that of the 200,000 or more officers that we have had in our Army, those who have proven unworthy are relatively few, and when we realize what has been achieved and accomplished we can in a moment of pride forget for the time being the man who would rob his country in the hour of its peril or the officer who would disgrace the uniform which he has upon him.

I hope that in the next Congress this House will have an organization of men who will have the courage to meet the many vexing and trying problems that are going to confront us in the next Congress, and that when they come up for settlement we will forget that some of us at times think too much of self, and that we will rise to that place where we will stand up with courage as real Representatives of the people and see that the future of our country is made more secure. For if we do not do that, gentlemen; if we go on in the mad way in which we have been going in the past few years, adding burden after burden to the taxpayers of this country, the day will come when we will not be fighting enemies outside our land but we will be facing revolution within our own land. And I hope that in the next Congress we will have the courage not only to curb Regular Army officers and the Navy, but all the other activities of this country that are seeking more than is necessary to protect us in time of peace. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has again expired. The gentleman from Alabama [Mr. DENT] is recognized.

Mr. DENT. Mr. Chairman, I yield 10 minutes to the gentleman from Porto Rico [Mr. DAVILA].

The CHAIRMAN. The gentleman from Porto Rico is recognized for 10 minutes.

Mr. DÁVILA. Mr. Chairman, now that the American Nation, on account of the termination of the war, has to confront all the difficult problems that the great struggle has brought to the consideration of the American leaders, now that the American people, through their most eminent spokesmen, are advocating the liberty and freedom of the small countries, I want to present to your consideration the Porto Rican problem which, in my opinion, is one that ought to be decided in this psychological moment in which we are fighting for the sake of humanity with the purpose of establishing an enduring and everlasting peace. President Wilson has said that no peace can last or ought to last which does not recognize and accept that governments derive all their just powers from the consent of the governed; that no right anywhere exists to hand peoples about from sovereignty to sovereignty as if they were property; that the world can be at peace only if its life is stable; and that there can be no stability where the will is in rebellion, where there is no tranquillity of spirit and a sense of justice, of freedom, and of right. No nation, adds the President, should seek to extend its polity over any other nation or people, but that every people should be let free to determine its own polity, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful. Porto Rico, as a small country under the American flag, is entitled to the benefit of these great principles to the same extent that any of the small foreign countries whose liberties have been advocated by the whole American Nation.

The island of Porto Rico has been placed under a very peculiar situation. Our status under the American sovereignty never has been definitely settled, and we know as much about our future destiny as we know about the past. On the 25th of July, 1899, the American Army, under the command of Gen. Nelson A. Miles, landed in Porto Rico and several months after took possession of the whole island. On this occasion Gen. Miles said:

> In the prosecution of the war against the Kingdom of Spain by the people of the United States in the cause of liberty, justice, and humanity its military forces have come to occupy the island of Porto Rico. They come bearing the banner of freedom, inspired by a noble purpose, to seek the enemies of our country and yours and to destroy or capture all who are in armed resistance. They bring you the fostering arms of a nation of free people, whose greatest power is in its justice and humanity to all those living within its fold.

The military occupation of the island ceased when, in the year 1900, Congress approved a law to "Provide revenues and a civil government for Porto Rico."

Section 7 of this law reads as follows:

> That all inhabitants continuing to reside therein who were Spanish subjects on the 11th day of April, 1899, and then resided in Porto Rico, and their children born subsequent thereto, shall be deemed and held to be citizens of Porto Rico, and as such entitled to the protection of the United States, except such as shall have elected to preserve their allegiance to the Crown of Spain on or before the 11th day of April, 1900, in accordance with the provisions of the treaty of peace between the United States and Spain entered into on the 11th day of April, 1899; and they, together with such citizens of the United States as may reside in Porto Rico, shall constitute a body politic under the name of the people of Porto Rico, with governmental powers as hereinafter conferred, and with power to sue and be sued as such.

Congress at that time did not think proper to grant American citizenship to the Porto Ricans and created a body politic under the name of the people of Porto Rico, to be composed of Porto Rican citizens and American citizens residing therein. The approval of this law brought about many important questions with regards to our political status. Then came the theory established by the Supreme Court of the United States classifying the Territories into incorporated and unincorporated, incorporated Territories being those which have become part of the United States proper, and not merely a part of its domain, and which are entitled to the benefits of the Constitution, and which are held to be as much a part of the United States as are the States of the Union; and unincorporated Territories being those which have not been made part of the United States and to which Federal legislation does not uniformly extend. Porto Rico has been classified as an unincorporated territory.

In the case of Downes *v.* Bidwell (182 U. S., 287) the court says:

> We are therefore of the opinion that the island of Porto Rico is a Territory appurtenant and belonging to the United States, but not a part of the United States within the revenue clauses of the Constitution.

Mr. Justice White, with whom concurred Mr. Justice Shiras and Mr. Justice McKenna uniting in the judgment of affirmance, says:

> It is then, as I think, indubitably settled by the principles of the law of nations, by the nature of the Government created under the Constitution, by the express and implied powers conferred upon that Government by the Constitution, by the mode in which those powers have been executed from the beginning, and by an unbroken line of decisions of this court, first announced by Marshall and followed and lucidly expounded by Taney, that the treaty-making power can not incorporate territory into the United States without the express or implied assent of Congress, that it may insert in a treaty conditions against immediate incorporation, and that, on the other hand, when it has expressed in the treaty the conditions favorable to incorporation, they will, if the treaty be not repudiated by Congress, have the force of the law of the land, and therefore by the fulfillment of such conditions cause an incorporation to result. It must follow, therefore, that where a treaty contains no conditions for incorporation, and, above all, where it not only has no such conditions but expressly provides to the contrary, incorporation does not arise until in the wisdom of Congress it is deemed that the acquired territory has reached that state where it is proper that it should enter into and form a part of the American family. * * * And in addition, to the provisions of the act by which the duty here in question was imposed, taken as a whole, seem to me plainly to manifest the intention of Congress that for the present at least Porto Rico is not to be incorporated into the United States.
>
> The result of what has been said is that whilst in an international sense Porto Rico was not a foreign country, since it was subject to the sovereignty of and was owned by the United States, it was foreign to the United States in a domestic sense, because the island had not been incorporated into the United States, but was merely appurtenant thereto as a possession.

In Kopel *v.* Bingham (211 U. S., 468) it was held that Porto Rico is a completely organized Territory, but not a Territory incorporated into the United States. This doctrine was reaffirmed in the cases of American Railroad Co. of Porto Rico *v.* Didricksen (227 U. S., 145) and Porto Rico *v.* Rosali (227 U. S., 270, 274).

These are the most important decisions of the United States Supreme Court construing the act of April 12, 1900, "temporarily to provide revenues and a civil government for Porto Rico," known as the Foraker Act. The Boston court of appeals, sustaining the same doctrine in a recent decision, says:

> Porto Rico is at least a possession, and through its organized government and under the organic act of April 12, 1900, has many of the essentials of these political entities known as Territories, but, notwithstanding that, the substantial fact remains that it is an insular piece of ground, with a considerable population, many miles at sea and widely separated from the States and Territories of the Government which is charged with the responsibility of seeing that there is a civil government in the island. Therefore, without much regard to the refinement of the question as to which it is, it is the fact that it is an insular possession or an insular territory, whichever it is, far removed from physical relations with other Territories and possessions, and with no physical relation to any of the States. * * *

The Foraker Act was practically repealed by the act of Congress approved on March 2, 1917, "to provide a civil government for Porto Rico, and for other purposes." By this act American citizenship was granted to the citizens of Porto Rico. The provisions of this organic act to this effect read as follows:

> That all citizens of Porto Rico, as defined by section 7 of the act of April 12, 1900, "temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," and all natives of Porto Rico who were temporarily absent from that island on April 11, 1899, and have since returned and are permanently residing in that island, and are not citizens of any foreign country, are hereby declared, and shall be deemed and held to be, citizens of the United States: *Provided*, That any person hereinbefore described may retain his present political status by making a declaration under oath of his decision to do so within six months of the taking effect of this act before the district court in the district in which he resides.

On the approval of this law the question of the political status of Porto Rico came again under discussion. Carlos Tapia was

arrested charged with the crime of attempted murder. He applied for a writ of habeas corpus to the United States District Court for Porto Rico, alleging that Porto Rico being a Territory incorporated into the United States he could not be legally held for trial without the presentment or indictment of a grand jury. Tapia was represented by his lawyer, and the attorney general, an American who has the legal representation of the people of Porto Rico, appeared before the court, sustaining that the new organic law has shown a clear and affirmative intent not to incorporate Porto Rico as a Territory; and that the provisions, in connection with the granting of collective citizenship, that citizens of Porto Rico could retain their status as Porto Rican citizens and decline to accept American citizenship, makes the incorporation of Porto Rico as a Territory of the United States under the Jones Act impossible. The Federal court in an elaborate decision held that Porto Rico was incorporated into the United States by the new law. The Supreme Court of Porto Rico arrived to the same conclusion in a similar case. Both cases were brought to the consideration of the Supreme Court of the United States, and on January 17 and 21 of 1918 the Supreme Court reversed the judgments of the insular courts upon the authority of the cases decided in construction of the Foraker Act. No opinion was delivered in these cases.

Mr. MASON. Mr. Chairman, will the gentleman yield for a question?

Mr. DÁVILA. Certainly.

Mr. MASON. Then, as I understand your statement, under the act of Congress you are a citizen of the United States, the Porto Rican is a citizen of the United States, but under the decision of the Supreme Court of the United States they decline to give you the constitutional right of a trial by jury or to defend against an indictment when no grand jury has been called?

Mr. DÁVILA. Yes, sir. That is the position we are in.

Mr. MASON. So that while you are a citizen of the United States, you have not the constitutional protection of a citizen of the United States?

Mr. DÁVILA. We have not the right in Porto Rico to be tried by a grand jury, because the Constitution of the United States, according to the Supreme Court, does not extend to Porto Rico.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. DÁVILA. Yes.

Mr. DYER. Has the gentleman presented any bill so that Congress might legislate and recoup this error and do what I feel Congress intended to do originally?

Mr. DÁVILA. I will explain my view. My position is that the Congress of the United States must decide what the United States intends to do with the people of Porto Rico. We ought to know what our position is. I think we are entitled to know what will be the fate of the people of Porto Rico.

These decisions of the Supreme Court clearly show that the high tribunal considers the position of Porto Rico at present as it was under the Foraker Act, that no change has been operated in our status with the granting of the American citizenship to the citizens of Porto Rico, and that therefore we are yet an unincorporated territory. So, after 20 years of American domination, we have not been able to know what the Congress of the United States intends to do with us, and we are speculating about our future, some people advocating for independence, others for statehood, and others for self-government. We are not to be blamed for the different views that are striking our minds. It is not our fault. If there is any fault at all, that belongs exclusively to the doubtful position adopted by the Congress of the United States. According to the Supreme Court, we are an organized teritory, but not incorporated into the United States. The high tribunal has established a distinction between organization and incorporation. Our status, therefore, is extremely peculiar. Are we foreigners? No; because we are American citizens, and no citizen of the United States can be a foreigner within the boundaries of the Nation.

Mr. QUIN. Mr. Chairman, will the gentleman yield?

Mr. DÁVILA. Yes.

Mr. QUIN. Does the gentleman believe that the United States ever intended to make Porto Rico a part of the Union and place it in the position of a State?

Mr. DÁVILA. I do not know the intention of the United States, but I think the people of Porto Rico are entitled to know their fate. I think we are entitled to know your views, in order that our people may know what to expect of the American people and what course you are going to follow. [Applause.]

Mr. CURRY of California. Mr. Chairman, will the gentleman yield?

Mr. DÁVILA. Yes.

Mr. CURRY of California. I think the American people did intend to make Porto Rico a part of the United States, as far as the Territory is concerned, and I would suggest to the gentleman that in drawing up an organic act it would be well to follow along the lines of the act creating Alaska and the Sandwich Islands; and if he introduces such a bill in this House it would undoubtedly be passed by the Congress and signed by the President, and it would relieve the situation entirely.

Mr. DÁVILA. I see the point of the gentleman.

The CHAIRMAN. The time of the gentleman from Porto Rico has expired.

Mr. SHALLENBERGER. Mr. Chairman, does the gentleman desire more time?

Mr. DÁVILA. Yes.

Mr. SHALLENBERGER. Would the gentleman desire 5 minutes or 10 minutes?

Mr. DÁVILA. I would be glad to have 10 minutes.

Mr. SHALLENBERGER. I will yield to the gentleman 10 minutes.

The CHAIRMAN. The gentleman from Porto Rico is recognized for 10 minutes more.

Mr. DÁVILA. Are we a part of the Union? No; because we are an unincorporated Territory under the rulings of the Supreme Court. Can you find a proper definition for this organized and yet unincorporated Territory, for this piece of ground belonging to but not forming part of the United States? Under the ruling of the courts of justice we are neither a part nor a whole. We are nothing, and it seems to me, without criticizing the wisdom of this policy, that if we are not allowed to be a part of your organization we must be allowed to be a whole, with our own government and our own flag. [Applause.]

Our position is entirely different to that of the Philippine Islands. You have not granted to these people the American citizenship, and they have your promise, the solemn and reliable promise of the people of the United States of recognizing their independence in a reasonable period of time. They know what their future is; they see a definite solution as to the permanent status of their islands, and we are ignorant of our fate and placed blindfolded in the path of our destiny; and we are entitled to know what will be the fate of the people of Porto Rico. We are asking for a definite solution, and the Congress of the United States must satisfy our wishes as soon as possible, because the policy of the past is inconsistent with the American principles and with the views expounded by the great leaders of the Nation in the present crisis of the world.

The two great political parties of Porto Rico are divided in their views. The Republican Party claims for statehood and the Unionist Party, which is the majority party, claims for full self-government in the present and independence for the future. Now, if it is your intention to decide the future of Porto Rico without taking into consideration the opinion of the inhabitants of the island, you must express your views, to the end that the people of Porto Rico may know the course you are going to take and what to expect in regard to our future political welfare. In my judgment the fate of a country ought not be decided without a proper consultation with the people affected by the decision, in accordance with the right of self-determination, about which so much has been said. You may submit to a plebescite or referendum the question of our political status if you think that our country is entitled to express its opinion in a matter which has for us an extraordinary importance, because it carries with it the decision of our fate. I expect that the people of Porto Rico will not be deprived of this right, and I am sure that this Congress and this Nation will receive with the greatest respect the opinion of our country, very small in territorial extension and population, but as great in justice and humanity as the most powerful country on earth. [Applause.]

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. DÁVILA. Yes.

Mr. KEARNS. What is the public opinion in the island of Porto Rico? Do the people want to be made a State, or do they want to set up an independent government of their own?

Mr. DÁVILA. Opinion is divided. The Republican Party favors statehood. The Unionist Party, which is the majority party, demands self-government at the present and independence in the future, when the people of the United States will think that it is proper to grant independence to the people of Porto Rico. But really I can not say what is the opinion of a majority of the people of the island. I can not say whether a majority of the people is in favor of statehood or in favor of independence. It may be that statehood will carry, or it may be that independence will carry the country. I do not want to advance any opinion, although I presume the results.

Mr. KEARNS. Does the United States to-day exercise the same control over Porto Rico as it does over Alaska and the Hawaiian Islands?

Mr. DÁVILA. There is this difference, that Alaska is a part of the United States, and we are not a part of the United States.

Mr. MASON. The Constitution is in Alaska.

Mr. DAVILA. The Constitution of the United States is in force in Alaska, and the Constitution of the United States is not in force in Porto Rico.

Mr. WELLING. Will the gentleman state if he knows how many white people there are living in Porto Rico to-day?

Mr. DÁVILA. We have more white people than you have in the city of Washington—two-thirds white people and one-third negro people.

You may be sure that we will not take any steps in conflict with the American interest. We love this Nation, we love your institutions and your ideals, and know, that whatever would be the definite status of Porto Rico, whether statehood, independence, or self-government, we are forever united to your people by the ties of common affection which are more powerful and stronger than the ties of force.

There is a strong sentiment in favor of independence in the island. In spite of this, however, we have refrained ourselves from expressing this sentiment during the war, devoting our time entirely with all our resources to help the United States in the great struggle against the central empires. The American administration in Porto Rico seems not to understand our position and refuses to recognize the right of the natives to defend our ideals, believing that he who advocates for the entire liberty of his native country is a traitor to the United States. There is a great distinction between the Americans who live in this country and the Americans residing in Porto Rico. The people here, unselfish and humane, receive our views with sympathy, but the most part of the continental Americans residing in Porto Rico, thinking perhaps that every right granted to the native is a privilege lost by them, are enemies of our liberties and desire to keep control of the public affairs. The island of Porto Rico has always being loyal to the United States and in the present crisis the entire population, whether favoring statehood, independence, or self-government, has been so enthusiastic in behalf of our cause that I dare to say that no State of the Union has been more patriotic and loyal to the United States than the people of Porto Rico. [Applause.] The continental Americans there think that because we are American citizens we can not defend our independence without being guilty of the crime of treason. I want to quote the language of Mr. Barcelo, president of the Unionist Party, in a statement made by him to a reporter of the newspaper La Democracia. Relating to the meaning of the American citizenship in Porto Rico, Mr. Barcelo says:

> It has for us the same meaning that it has for a citizen of New York or of Kentucky. It means that we Porto Ricans are joined individually and collectively to the destiny of the American Nation; that it is our duty to respect its sovereignty and to glorify its flag through all its evolutions; to acknowledge and respect its authority in international life, and at all times and places to defend as our own the honor of the United States of America. It also implies our right to demand for ourselves all the consideration, all the respect, all the justice, and all the liberty which belong to an American citizen.

This is our duty while we are American citizens, but as we are not incorporated into the United States and the right of self-determination has not been taken away from us, it is not treason at all for a native of Porto Rico to defend the independence of his country. The American citizenship is for us a privilege of which we feel very proud, but I want to state here that if this Congress arrives at the conclusion that the independence of Porto Rico is the only practical solution in the interest of the Nation and of the island of Porto Rico, our people will be as loyal to the United States as they are at present, ready always to do their bit in favor of the American principles and of the American Nation. Our sentiments have not been understood by the Americans residing in the island. I am going to offer you an example of the attitude taken by the administration there. Some time ago a number of students of the University of Porto Rico sent a petition to the House of Representatives requesting the approval of a resolution asking independence for the people of Porto Rico.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DÁVILA. I should like to have five minutes more, because what I am going to say is very important.

Mr. SHALLENBERGER. I yield to the gentleman five minutes more.

Mr. DÁVILA. The commissioner of education, Dr. Paul G. Miller, an American born in the State of Wisconsin, when informed of the attitude of the students, wrote the following letter to the dean of the university:

> CHARLES W. ST. JOHN,
> *Dean University of Porto Rico, Rio Pedras, Porto Rico.*
>
> MY DEAR MR. ST. JOHN: Sometime ago my attention was called to the fact that certain students of the university had sent a petition to the House of Representatives formally requesting that a certain resolution be changed so as to make a definite demand for the independence of Porto Rico.
>
> Since this request is made by persons who are American citizens, and at the time when the Nation is being exceedingly careful to scrutinize the loyalty of all its citizens, you are hereby directed to furnish me with a list of any members of the graduating class of the normal school who may desire to enter the teaching service. I shall not appoint or approve the nomination by school board of persons concerning whose loyalty to the United States of America there may be any doubt. Please let me have the list.

As you see, this American, born in the continent, thinks that it is a crime for a Porto Rican to defend the independence of his island, and, acting as the Kaiser of Germany, has destroyed the careers of the members of the graduating class who signed the petition. These young men have devoted the most precious time of their lives to their education, and when they expected to receive the reward of the efforts made in the school the commissioner of education asks for the list of their names, with the purpose of depriving the students of the right of serving their own country as school teachers. The punishment imposed by Dr. Miller upon these students is entirely unjustified. They have not done anything to deserve it. They have merely asked the insular legislature to send a petition to the Congress of the United States for the independence of their native country.

"Let me have the list," says Dr. Miller in his ukase to the dean of the university; and I should say that the proper thing to do is to send to the President a list with the name of Dr. Miller and all American officials who have acted in the same way, to the end that they be immediately removed from the positions they hold against the will of the Porto Rican people.

Dr. Miller has been strongly criticized for his undiplomatic attitude toward our people in the past, but in spite of this criticism I had considered him as a good commissioner of education. I am sorry that his present attitude compels me to change my mind. He has acted in this matter as a true autocrat, forgetting that there is a flag in Porto Rico which protects our rights, and that under its shade it is entirely impossible to sow the doctrines of kaiserism. He believes that because we are American citizens we have been deprived of the right to defend the liberty of our country, and I think that a man who does not believe in freedom and justice and who does not advocate the independence of his country is utterly unfit to be an American citizen. In this connection I want to quote the remarks of Senator VARDAMAN when the Senate was discussing our present organic law. On that occasion Senator VARDAMAN said:

> There were some eloquent statements made before the committee. One young man appeared before the committee, with whom I was greatly impressed, who pleaded for the independence of Porto Rico, for the right to govern their own country, for the sanctity of their home that had been invaded and the sovereignty over which had been taken from them; but, recognizing the fact which any well-informed man who understands the Anglo-Saxon disposition in dealing with subject Provinces will recognize, that independence is impossible, and since independence is not going to be given them the majority of them expressed a desire to come in under the terms of this bill.
>
> If the question of independence were submitted to them to choose between being a dependency of the United States or having their independence, I do not believe 1 per cent of them would vote to become a part of the United States. If they should do otherwise, they would prove themselves utterly unfit for citizenship in a free country, for a man who does not desire to be free and independent has not the elements in him essential to the making of a desirable citizen of this Republic.

Now, Mr. Chairman, if it is a crime to defend the independence of our native country, I confess myself guilty of such a crime, because I have that ideal in my heart, and if I sacrifice it for the present it is only for the welfare of my country and because of the confidence that I have in the justice and humanity of the people of the United States.

I want to present to you another example of the attitude of the administration in Porto Rico, or, rather, of some people connected with the Government. Some days ago the Navy censor in Washington received a copy of a message sent to a member of the British Parliament by the Porto Rican Independence Association. This copy was forwarded to Washington by the wireless station of Porto Rico, and reads as follows:

> From: Radio, San Juan.
> To: Nav. cen., Washington.
>
> Referred from San Juan, P. R., January 24, to Sir James Brown Chavez, member British Parliament, London, England:
>
> "Porto Ricans wishing independence being great majority in this country agreed in mass meeting to cable you our gratitude for your noble petition to Premier Lloyd George to consent to the right that assists Porto Rico in accordance with the principle maintained by the great Wilson to have a place among the free countries of the world."
>
> (Signed) PORTO RICAN INDEPENDENCE ASSOCIATION.
> By V. M. ALCARAZ.

This is the message received by the Navy censor, but as a corollary to it comes a report from the radio station, which reads as follows:

Alcaraz is the secretary of this association which has wide membership in Porto Rico and which is spreading revolutionary propaganda and is active in creating anti-American feeling among Porto Ricans.

Now, Mr. Chairman, I want to emphatically deny that there is any kind of revolutionary propaganda in the island. Porto Rico is the most peaceable country in the world. We have never had a revolution in our country, even in the times of the Spanish Government under which we suffered so many injustices. We need not appeal to violence or disorder to defend our ideals, because under the American institution all changes in the system of government can be brought about in an orderly and lawful way. I have not any information about this association which has just come into existence, but if either Mr. Alcaraz or his associates try to create anti-American feeling among Porto Ricans they will lose their time, because the people of Porto Rico have sufficient common sense to reject any suggestion which is calculated to create antagonism between Americans and Porto Ricans, between this Nation and our people, whose love to this country is beyond question.

If there is any Porto Rican capable to entertain any anti-American feeling, leave him alone with all the responsibility of his acts, because he who hates this Nation does not love his own country, does not work for our welfare, since our happiness largely depends on the cordial relations and mutual understanding between the two countries, and does not deserve either the respect of Porto Rico or of the American Nation. It would be an ingratitude on our part to sanction with our approval a policy of hate and discontent against the American people, and the natives of Porto Rico are not ungrateful. Our loyalty to this Nation is a sufficient answer to this report, which has the sinister purpose of casting suspicion upon the people of Porto Rico.

I sent a cable to Mr. Barcelo, president of our senate, asking information about this association, and in reply he says that there does not exist in Porto Rico any anti-American feeling.

The report from the radio station says that this Independence Association has a wide membership in the island. This statement is entirely untrue. Although the sentiment for independence in Porto Rico is strong, no political association outside of the political parties has wide membership in the country, and neither the Republican Party, which is fighting for statehood, nor the majority party, which is fighting for complete self-government at present and independence as a definite solution, will authorize any movement which may interfere with the friendly relations existing between the two countries or which may diminish the affection that the people of Porto Rico feel for the United States.

I do not indorse the attitude of this Independence Association in the message sent to a member of the British Parliament. We do not want to complicate our problem with international intervention. We realize that we do not need to appeal to France or to England or to any organized power in order to obtain liberties for our own country. The peace conference is a great tribunal, indeed, but there is no greater tribunal in the world for the adjustment of our rights than the American Congress, and it is here in this place, before the Representatives of the Nation, where we must come with our case, in the entire confidence that justice will be done to the people of Porto Rico. I am grateful to Sir James Brown Chavez for his petition in favor of our liberty, but my gratitude does not go so far as to encourage him in his efforts to obtain a place for Porto Rico among the free countries of the world. This is a matter which belongs exclusively to the American Congress, and the people of Porto Rico, with full confidence in your wisdom and straightforwardness, place in your hands the solution of their destiny.

I want to make a personal statement, expressing my own views, and although I am not sure of the indorsement of the political parties organized in the island, it seems to me that the majority of the people of Porto Rico will agree with my statement. If it is not your intention to make of Porto Rico a State of the Union, if you think as the Boston Court of Appeals that we are an insular piece of ground, with a considerable population, far removed from any physical relation with the States and Territories; if you think that on account of our differences in language, ethnology, and habits we can never form a part of the American federation; if we can not be a star in that glorious heaven of blue with its stripes of red and white; if we can not be a vital living part of the Nation we love and want to serve; if that concession can not be granted to us by the land that is always the friend of the helpless and small, then we must demand that the American people give us the freedom that is our God-given right. You have but two alternatives—statehood or independence. It is impossible to arrive at any other conclusion under the American Government. Here you have the Porto Rican flag [showing the flag] with only one star, made, by the way, by an American girl who has three brothers in the service in France. Were I to see this star forming part of the American constellation, with the same dignity and greatness as the 48 stars of the American States, I would feel very proud in considering my island a part of the Union. [Applause.] But if this star can not be associated to yours in this beautiful and glorious emblem [pointing to the American flag], then leave it alone in the Porto Rican flag and let me love my own emblem with the same pride that you love your Star-Spangled Banner. I hoist it on the floor of the House before the representatives of the American people. And when it will be raised on the public buildings of Porto Rico this flag will have for us the honor and privilege of having been hoisted for the first time in the American Congress, which is the highest peak of human justice. Quoting the language of Representative MASON, I should say that the American flag is the most beautiful emblem in the world, but that it will never look so beautiful as the day in which it comes down to make room in the Porto Rican sky for the Porto Rican flag. If that day comes I am sure that our relations will be still more friendly than they are to-day. The American flag may come down from our public buildings, but it will live forever in our hearts, and it will have our affection and devotion, because we need and want to live under your protection, and for this and for your sense of justice you are enttled to our love and gratitude. [Applause.]

As Mr. MASON said in his speech on the floor of this House on January 17, the great hindrance to civilization has been the ungodly desire of one man to govern another man without his consent, the ungodly desire of one people to govern another people without their consent. If you want to follow these principles and give full recognition to the right of self-determination, you must consult the people of Porto Rico before adopting any definite solution; but if you think that this consultation will not be of value at all and that on account of the conditions I have stated the concession of statehood is impracticable, although it may be asked by a portion of the people of Porto Rico, then the only practical solution is the ultimate independence of the island, granting in the meantime full self-government powers to the people of Porto Rico. [Applause.]

Under the authority granted me to extend my remarks I want to print in the RECORD the following article of the Journal of Commerce and Commercial Bulletin of New York of January 29, 1919:

WHERE DOES PORTO RICO STAND IN UNITED STATES?—ISLANDERS PROTEST BEING TREATED AS FOREIGNERS—CLAIM THEY HAVE BEEN TREATED AS ALIENS UNDER THE WAR REGULATIONS AND WANT THEIR RIGHTS AS AMERICANS DEFINED.

"Is Porto Rico a part of the United States? Such is the issue being raised by many of the inhabitants, as well as Americans interested in trading with the islanders, and a survey of the situation appears to leave considerable basis for complaint on the part of the territorials. One of the plainest spoken champions of the island is Salvador Ferrer, of this city, who feels that the American Government is playing an especially double-faced part toward Porto Rico.

"Now that the political rights of small peoples are being so freely discussed, it is quite petrinent to examine the case of Porto Rico," he said.

"What is the political status of Porto Rico after 20 years of American domination? Is the island a part of the United States; good enough United States territory to apply to it our tariff, income tax, and navigation laws, and all the very important laws enacted by the Congress during the recent European war, or foreign territory whenever official Washington so chooses to rule?

"Let us look into the treatment that is being accorded to Porto Rico, two decades after we wrested it from Spain. The following are some facts about a few of the recent regulations in our relations with Porto Rico, borne patiently during the fighting in Europe, but which should call forth energetic protest now that hostilities have ceased:

"The food-conservation law is in force in Porto Rico, but when, faced by a 'bone-dry' prohibition law that went into effect last March, Porto Rico tried to send here distilled spirits imported or manufactured before September 8, 1917 (just as Boston or Chicago might have done), and the Attorney General of the United States gave us a sample of legislation by administrative interpretation, ruling that Porto Rico was to be considered foreign in this instance, and shipments were not allowed to be made.

"Censorship of mails, cables, etc., between the United States and foreign countries was established by virtue of the trading-with-the-enemy act. In other words, under the assumed authority of a law Porto Rico has been treated, as regards cable censorship, precisely as if it were a foreign country. This unjust procedure compels the use of a few general cable codes and means an increase of four or five times the prewar cost of cabling, which is at the enormous rate of 50 cents per word. It would be idle to attempt to estimate the heavy losses occasioned by the long delays, amounting sometimes to one and two weeks in the receipt of cables, as well as by the absolute nondelivery of many messages sent from here and from Porto Rico, even from a loyal and respectable American house to another. And when complaint about it has been made, a curt answer that 'no information is available' is all that has been vouchsafed; and senders lose the cost of transmitting a message never put on the cables.

"In the meantime cable letters from Cuba, not a possession of the United States, costing only about 4 cents a word from Habana and about 8 cents a word from other places, have frequently come through

in less than 24 hours, simply because they were given immediate attention, whilst Porto Rico messages, being in code, had to wait days, until it was found convenient to decode them.

"Furthermore, during the entire war there has been no restriction to telegraphic or postal correspondence with the Dominion of Canada, and even messages by wire about sailings of ships from here and from Canada, with names, dates, destination, etc., passed freely, not excepting the period of the piratical Hun visitation of undersea boats last summer. Can we be expected to believe that Congress intended that Porto Rico should be treated as foreign soil and Canada domestic in these matters?

"The War Department's reports show that when the armistice was signed Porto Rico troops were in the fighting line with those from Florida, South and North Carolina, yet in the casualty list of our Army abroad, classified with those from British West Indies, Canada, England, France, Italy, etc., we read: 'Men of foreign countries—Porto Rico: Sergt. Santiago Cintron, Cayey, died of wounds.'

"The consumption of refined sugar in Porto Rico has not yet warranted the heavy investment in a sugar refinery, hence they must bring the refined product from here. Nevertheless, several weeks ago, when removing all restrictions in the sale of refined sugar to manufacturers here, the Food Administration specifically excepted Porto Rico.

"What is to be the answer to these questions? That human nature will continue to be the same everywhere? That the strong will continue to take advantage of the weak? Unless our officials promptly adopt a very different attitude toward the people of Porto Rico, forgetting that we are big and they are small, there can not exist much faith in our oft-expressed solicitude for the preservation of the political rights of humanity."

Mr. SHALLENBERGER. I will ask the gentleman from Pennsylvania [Mr. CRAGO] to use some of his time.

Mr. CRAGO. I yield 30 minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Without objection, the request of the gentleman is granted.

Mr. HERSEY. Mr. Chairman, during the closing days of the Sixty-fifth Congress both Houses are working day and night under the administration whip to put through the great appropriation bills for the support and maintenance of the Government, the building up of the greatest Navy in the world, the preparation for a great standing Army of 500,000 men.

In addition to this, there is proposed the enactment of many laws to provide for the Government control of the railroads, telegraph and telephone lines, as well as Government ownership of everything in general. There is pressed for consideration with great haste, to avoid a special session, bills appropriating vast sums of money for world charity; and on the heels of this come from nearly every department a multitude of schemes, plans, and projects purporting to be in the interest of the returning soldiers.

One department has a scheme involving billions of dollars for buying up the swamp lands of the South and the arid desert lands of the West, to drain the one and to irrigate the other, and out of them to create farms and build houses and barns, as well as provide farm machinery, and then mortgage and turn these all over to the returning soldier—who never farmed in his life—as a reward for his services in France.

Another scheme would build highways across the Nation at great expense of labor and materials in order to give employment to the soldiers, who do not care to work upon the highways. Others would meet the returning soldiers with a little purse of the Government of some six months' pay and build a triumphant arch at the Capitol and allow them to keep and wear the old clothes they wore in the trenches.

Those of us who have talked with the soldiers who have returned from France and the battle fields and who have seen real service there understand at once that he does not ask for nor desire the charity of the Government; he does not ask nor expect the treatment accorded a pauper or a mendicant. He wants no farms or rewards because he fought for his country and his flag, but he does desire, and he demands at the hands of the Congress, justice for the wrongs that have been heaped upon him during the past war. I say wrongs, for the greater portion of the soldiers and officers of the National Guard in the American Expeditionary Force in Europe that went upon the battle fields and through the hell of battle and won the world war have been wronged more than any other soldier since the days of Rome.

Those of you who listened to or read the speeches of the gentleman from Massachusetts [Mr. GALLIVAN] made upon the floor of the House on January 13 and February 1 must have been stirred to the quick by his eloquent recital of the wrongs done by the War Department to the officers of the National Guard, and especially to those who belonged to the Twenty-sixth Division, from New England. And what was true of New England was true of the whole Nation. The wrongs committed against the Twenty-sixth Division have been committed against all the officers of the National Guard that won immortal and imperishable glory for American arms.

I want for a few minutes to call your attention further to this great injustice by way of supplement to the eloquent speeches of the gentleman from Massachusetts. When the armistice was signed November 11, 1918, we had in France under arms something over 2,000,000 men. About one-half of these, or more than a million, were on the fighting line in the trenches and on the battle fields contesting every inch of ground of the enemy. The other million was in reserve. They had never been in the fight and were waiting to be called, but the call never came. The million men who were in the fight and in the great battles that commenced in June, 1918, and continued until November were made up largely of the National Guard units of the Nation. In direct command on the field of battle, without scarcely an exception, were the officers of the National Guard. They had been educated in the National Guard organizations of their own States, served in the Spanish-American War, and had seen service also on the Mexican border, and were prepared when the call came from Gen. Pershing: "For God's sake, send us men!"

Among the million men in reserve of the American Expeditionary Forces were another class of officers called the "Regulars." They had been educated at West Point and in training camps and military schools of the Nation. They had never seen real war service. They had had no experience in battle and they did not desire any real service. They had secured through influence noncombative positions in the commissary and other departments of the service, where they would be safe in place and position, where they could only be exposed to danger in case there arose such an emergency as would call out every resource. They were diligent and faithful in watching the progress of our fighting troops. Day after day they closely watched those brave boys "on the fighting line" push back the Huns toward the Rhine. They knew long before the people of this Nation knew that the war had been won. They knew along in the first days of November that there was to be very shortly an armistice and that the war was about to close, when suddenly there came a radical change of officers all along the line.

Officers of the National Guard, from generals down to lieutenants, were demoted and removed from their commands only a few days before the armistice was signed. They were sent back far in the rear to Blois, a town called the "canning factory," in France, and their places were filled by these "Regulars," who had never seen real service, whose motto was "Safety first," and who had received commissions not for service but by reason of a pull. They, of course, wanted the position after the battle had been fought, and obtained it that they might return at the head of the victorious troops to this country and be received under triumphant arches as the heroes of the war, leading and commanding the boys who had won these battles under the leadership of the National Guard officers, who had now been demoted, discharged, and disgraced.

The war correspondent of the Washington Post, George Rothwell Brown, one of the most reliable correspondents of a great daily, in the issue of January 27, 1919, explains this great injustice to the officers of the National Guard in the following language:

In the little town of Blois, halfway between Bordeaux and Paris, in one of the loveliest parts of France, is the "canning factory" of the American Expeditionary Forces, the place of heartaches and tears.

They don't "can" tomato soup here, but officers of the overseas army who have been tried and found wanting. A large percentage of the 100,000 American officers in the Expeditionary Forces, considering that we had not been long in the war, passed through the ordeal prepared for them at this place and came out broken, sullen, and sometimes resentful.

It was here that the system was operated whereby the Army was rid of officers who had not made good or who were charged with not having made good. While the war was on there was no more dreaded place than this in all France, no more bitter fate for officers at the front or in important posts in the "S. O. S." than to be "ordered down to Blois."

It was through this place that the National Guard officers, who were relieved of their commands, were obliged to pass. It is a place of hated memory.

* * * * * * *

Courageous men who led their soldiers in battle against the Huns have emerged from this inquisitorial chamber shattered wrecks, in tears, crushed, humiliated, and broken in spirit. Others have come out like roaring lions, swearing vengeance.

Officers who were ordered before the board of Blois and who were found incompetent and recommended for discharge were discharged in France, and returned to the United States without any military status. When they stepped foot in America they were not soldiers, but civilians. This was cleverly conceived, to prevent these officers from having their cases reopened, through political influence or otherwise, in Washington. This is one reason why the "canning factory" system has been so effectually bottled up. It has been frankly admitted to me that some officers—the kind who might show fight—were deliberately kept in France, although not needed there, to prevent them from "starting something" prematurely.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. HERSEY. I can not yield at present.

Mr. Chairman, the many officers of the National Guard who were removed under these peculiar circumstances were dumbfounded and amazed by this strange treatment. The minor officers were disregarded and discharged and allowed to find

their way home as best they could with scars and wounds and broken bodies, and, worse than all, disgraced and humiliated.

A few of the higher officers in the ranks demanded to know the reasons for their removal, and some of them were given what purported to be the reasons for their discharge. The charges were all the same, from the generals down, as follows:

1. His qualifications as a soldier are poor.
2. Lack of force and aggressiveness.
3. He permitted the members of his regiment to fraternize with the enemy.
4. It is not known that he ever performed any military service well.

Gen. Cole, of Massachusetts, of the National Guard, was demoted with the rest. He was a man of great political influence in his State and Nation. He had recently been candidate for governor in his own State and had many powerful friends at court. He was able to get his record up to Gen. Pershing, and the general at once wrote the following decision:

FRANCE, *November 30, 1918.*

From: Adjutant General, American Expeditionary Forces.
To: Brig. Gen. Charles H. Cole, Center of Information, American Post Office 714, American Expeditionary Forces.
Subject: Relief from Fifty-second Infantry Brigade.

1. I am directed by the commander in chief to inform you that upon his personal examination of the papers representing the facts incident to your relief from command of the Fifty-second Brigade, he is of the opinion that the facts did not warrant your relief, and that you be reinstated to your former brigade.
2. Accordingly orders will be issued in the near future.
By command of Gen. Pershing.

ROBERT C. DAVIS,
Adjutant General.

Mr. LARSEN. Mr. Chairman, in due consideration of the House, I do not feel that the gentleman is discussing any issue before the House or any part of this bill, and I therefore make the point of order that the gentleman is not discussing the bill.

The CHAIRMAN. The Chair thinks that under general debate the gentleman is not required to discuss the bill.

Mr. LARSEN. I did not understand that the rule so provided.

The CHAIRMAN. It is the understanding of the Chair that it does.

Mr. LARSEN. If the rules of the House so provide——

The CHAIRMAN. That is the understanding of the Chair.

Mr. LARSEN. Does the Chair rule that the rules so provide?

The CHAIRMAN. Yes; the gentleman from Maine will proceed.

Mr. HERSEY. The minor National Guard officers were disgraced and discharged and allowed to find their way home as best they could. Many thousands of the officers of the National Guard who had been demoted and discharged at the close of the war found it was impossible to get their appeals to Gen. Pershing. Gen. Leonard Wood, a prominent officer of the National Guard, had long before this returned to this country to give place, as his friends believe, to an officer of the Regular Army in France. Gen. Edwards, a brave and most efficient officer of the National Guard, in command of the Twenty-sixth Division, had been removed after he had been through all the battles and he has returned to his home in New England. Col. Logan, who commanded the One hundred and fourth United States Infantry, and Col. Hume, who was in command of the One hundred and third United States Infantry, bold splendid soldiers and efficient officers of the National Guard, and who had led their men successfully through all the battles, were removed a few days before the signing of the armistice and sent to the "canning factory" at Blois, and there they were not able to get their record up to Gen. Pershing for review.

I desire at this time to call your attention to the case of one National Guard officer who was removed and demoted on the 6th day of November last, the armistice being signed on the 11th. This case is not much different from the rest; and while I speak of him more particularly, as he is my neighbor and friend and I know about his life and his work, I am speaking for the thousands of other officers who have been demoted and disgraced under the same circumstances.

Col. Frank M. Hume, of my home town, is in the prime of life, well educated, earnest, aggressive, honest, brave, every inch a soldier. For 25 years he was an officer of the National Guard of my State. In 1898 he was in command of the First Maine Heavy Battery in Cuba in the War with Spain, was recommended as captain of the United States Volunteers for service in the Philippine Islands after the War with Spain, but was unable to go on account of sickness.

From July 4 to October 20, 1916, he was colonel of his regiment, located on the Mexican border on a front of 100 miles, and made there a splendid record, as appears in the reports of his superior officers.

April 15, 1917, a few days after we declared war against Germany, his regiment was called to guard railways and bridges, tunnels, and terminals in the State of Maine, where he performed valuable service until August, 1917, when he was placed in command of the One hundred and third United States Infantry, made up of New England men, largely of the National Guard, and went overseas and to the front, where from June until November 6 of last year he was constantly on the battle line, gassed and wounded, but persisted in remaining at the head of his command, leading his soldiers through every battle, his record all these times being marked "excellent," and three times he was recommended for promotion to the rank of brigadier general by his commanding officers.

I will not encumber the RECORD by the many honors that he has received from his superior officers during these battles, but I wish to insert in the RECORD this one general order:

[Eighth Army, 32d Army Corps Staff, 3d Bureau, No. 3,094. General Order No. 131.]

HEADQUARTERS, *June 18, 1918.*

On June 16 a strong detachment of 600 Germans, previously selected, reinforced by units from an assault battalion, attacked at daylight the front line of the Twenty-sixth American Division at Xivray and Seicheprey. The enemy was everywhere thrown back by immediate counterattacks, leaving numerous dead on the terrain and 10 prisoners, including one officer.

This brilliant action does the greatest honor to the Twenty-sixth Division, and particularly to the One hundred and third Regiment, Col. Hume, commanding.

This operation shows the unquestionable superiority of the American soldier over the German soldier. It also gives an idea of all that may be expected of these magnificent troops when the entente, in its turn, takes the offensive.

Gen. PASSAGA,
Commanding the Thirty-second Army Corps.

Official:
Agd. MANGIN,
The Chief of Staff.

To be read to companies.

On November 6, when the battles had all been won and everyone was rejoicing that peace had come, Col. Hume was suddenly removed from his command by these foolish and senseless charges filed by a regular officer who had never met him, an officer who had been to the front less than 24 hours, who had seen no service and knew nothing about the charges that he filed, except that they were the "usual ones."

Gen. Pershing has found these charges unfounded and he has restored Col. Hume to his command, and he will return home with the boys that love him and trust him and honor him. He will return to a people that believe in him and who will see to it that every wrong against his record is righted.

That this injustice to the National Guard officers of our armies might be without a parallel when they were removed an order was at once issued that there should be no more promotions, so as to deprive the National Guard officers who had been removed from being promoted by reason of the record they made on the battle field.

Mr. GARNER. Will the gentleman yield?

Mr. HERSEY. No; I can not yield at the present time.

The CHAIRMAN. The gentleman declines to yield.

Mr. HERSEY. The gentleman from Massachusetts [Mr. GALLIVAN] has called the attention of the House to these things in two splendid speeches. He told the truth. No Republican could have presented the matter before this House without being accused of politics. I thank the gentleman from Massachusetts. He has performed a great service to his party and to his country. Neither I nor any other Republican could get the papers and records up to Gen. Pershing. The remarks of Mr. GALLIVAN in this House on these two occasions have resulted in the sending of the papers in many cases up to Gen. Pershing; and so Col. Logan, Mr. GALLIVAN's neighbor and friend, has been reinstated. Gen. Edwards has been reinstated. My friend, Col. Hume, has now been reinstated; but there are thousands of officers who have left the "canning factory" and returned home in disgrace because they would not wait; and the papers can not go up to Gen. Pershing unless the Congress takes the matter in hand.

The people of this country demanded that such an unjust order be changed, and it was changed by the Secretary of War in this way, that promotions could be made hereafter, but such promotions should not be made "merely as a reward for past services."

Another order has been made that no soldier returning from France should be allowed to wear his medals given him by a foreign power; and so these National Guard officers returning from France, broken in spirit, wounded, gassed, disgraced, with medals given them by France for bravery on the battle field, can not wear them here. They can not be promoted, because there will be no more promotion "merely as a reward for past services."

I wish to say this in conclusion: I plead for the boys over there in the Twenty-sixth Division and for the boys of the National Guard all over the United States that keenly feel the disgrace and humiliation that has come to our Armies by having the National Guard officers demoted and relieved of their commands without cause. I am pleading to Congress to right this awful wrong. There are thousands and tens of thousands of the brave boys from the National Guard "over there," dead on "Flanders Field." Their silent and voiceless lips are pleading to you to right this great wrong. Every grave is calling to us:

Take up our quarrel with the foe!
To you from failing hands we throw
The torch; be yours to hold it high.
If you break faith with us who die,
We shall not sleep, though poppies grow,
In Flanders fields.

[Applause.]

Mr. SHALLENBERGER. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. OLNEY].

Mr. OLNEY. Mr. Chairman and Members of the House, in these days of caustic criticism, when we are criticizing even the Commander in Chief of the Army and the Navy, the War Department, the War Risk Insurance Bureau, it is time to contemplate that there is one subject upon which we can all agree. We all place our stamp of approval upon the humanitarian work of the American Red Cross Association. [Applause.] I am going to ask the patience and indulgence of the House—and I wish there were more Members present—while I diverge from the topic under discussion and give you some facts which were given to me through the courtesy of Mr. Fitzgerald, of the American Red Cross Association.

When Mabel Boardman was before our Military Affairs Committee early in 1916 she announced that there were 27,000 members only in the American Red Cross Association, and she pointed out to us at that time—March, 1916—that Great Britain had 750,000 members in its Red Cross Association; Austria, about 1,000,000; Germany, 900,000; and even Japan with a membership of 1,000,000. An appeal was made to the United States to increase the membership to a million, and the drive was then and there begun. The membership of the Red Cross to-day, according to the latest returns, is approximately 20,000,000 loyal Americans, not including several million school children, members of the junior organization.

I recall that three years ago I became a life member in this association by paying $25. I invite all Members of the House to become life members of the American Red Cross Association.

The personnel of the Red Cross shows that there are about 17,000 persons employed in national, divisional, and foreign headquarters, of which about 13,000 are paid workers and 4,000 volunteer; and of the total number, about 9,000 were engaged in Red Cross service overseas. These figures do not include the great army of volunteer women workers employed in Red Cross chapter rooms throughout the country during the war; their number has been estimated at 8,000,000.

From the beginning of the world war the American Red Cross extended relief, but participation in war activities in a big way dates from May 10, 1917. When President Wilson appointed a Red Cross war council of seven members, headed by Henry P. Davison, of New York, to direct the relief work, the council's first task was to secure an adequate war fund, and the week beginning June 18 and ending June 25 was set aside by the Red Cross for the collecting of the $100,000,000 war fund, which was oversubscribed by $12,000,000. A Christmas membership drive in December of that year netted $24,500,000 and a second war fund of $100,000,000, asked in May, 1918, was oversubscribed by $76,000,000.

The Red Cross mission sailed for France June 2, 1917, and the relief work among those who had been holding back the German hordes for so long was organized and the groundwork laid for helping the American soldiers soon to be pouring across the Atlantic. In this country men and women from all walks of life volunteered for Red Cross work of all kinds, from knitting garments for the soldiers to nursing at the front.

Great camps and cantonments were springing up throughout the United States, and in all of these, as soon as mobilization began, the Red Cross was at work ministering to the wants of the soldiers. It is conservatively estimated that while America was engaged in the war, about a year and a half, 10,000,000 Americans were knitting various kinds of articles for the soldiers and sailors; that about a year's supply of the American wool market was consumed, or about 130,000,000 pounds of wool. And it is further estimated that the gratuity furnished by American men and women for the prosecution of the war, and materials furnished, amounted to $2,500,000,000. As America's participation in the war increased the field organization of the American Red Cross, its work expanded in proportion, as may be judged from the fact that in France alone over $22,000,000 was expended by July 1 last, not including $13,000,000 of supplies then on hand for future use, while over $25,000,000 was appropriated for the ensuing six months. But the work was by no means confined to France, for expenditures and appropriations up to January 1, 1919, in other countries were as follows: Italy, about $17,000,000; England, $11,000,000; Belgium, $3,400,000; Switzerland, $2,300,000; Russia and Siberia, $8,500,000; Serbia, Greece, Roumania, and Palestine, about $10,000,000. The American Red Cross campaign to enlist nurses, which has entailed expenditures and appropriations of $2,400,000, is one of the brightest chapters in the history of the organization's war work. Up to October 1, 1918, 30,000 nurses were enrolled in the Army and Naval Nurse Corps Reserves, of which over 17,000 are caring for soldiers and sailors. Among the Red Cross activities that have proven of the utmost value in maintaining the morale of both the soldiers and their families are those of the bureau of communication and home service. Through the bureau of communication 20,000 families have been kept in weekly communication with relatives overseas and at least 10,000 weekly have been kept informed of the condition and whereabouts of soldiers while in this country. [Applause.]

The work increased greatly with the signing of the armistice, the number of letters handled weekly by the bureau reaching almost 100,000 at the present time. Through this bureau also was carried on correspondence with the American prisoners in Germany.

More than $6,000,000 has been spent or appropriated for camp service, whereby several hundred canteens have been established in camps, on railway lines, and at embarkation points, in addition to numerous other means of providing comforts for the soldiers, over 50,000 women volunteers being engaged in this work alone. In conjunction with this work, the department of military relief of the Red Cross rendered signal service when the influenza epidemic hit the great Army camps and cantonments last fall, providing medical and other supplies. The important services rendered by the American Red Cross in that emergency has been officially recognized as having saved the lives of many men. Throughout the country, since the United States entered the war, there have been formed units of women volunteer motor corps, composed of public-spirited women owning or able to drive automobiles, who have performed noteworthy service of many kinds. At all hours of the day and night they have cheerfully responded to calls, transporting sick and wounded and Red Cross workers in ambulances and in their own machines.

To-day the war work of the American Red Cross is far from complete, although hostilities have long ceased. Until demobilization is complete the organization will continue to minister to American soldiers and sailors, at home and abroad. Nor is this all, for it has played an active part in reestablishing the soldier in life, assisting in the reconstruction of the maimed, the reeducation and suitable callings for those whose injuries unfit them to take up their old vocations.

Maj. Gen. M. W. Ireland, Surgeon General, United States Army, says that victory in the great world war was largely due to the American Red Cross Association.

The American Red Cross knows no creed, color, or race, and all loyal Americans are eligible to membership. Miss Clara Barton, a native of Massachusetts, Red Cross nurse during the Civil War, administered to the sick, suffering, and wounded on both sides, and she became the first president, prior to an act in 1882 through the United States Senate which ratified the Red Cross Society and gave official status to the American association.

Our association has been asked to become guardian of the 100,000 Russian prisoners still in Germany, and it has cheerfully accepted the task imposed upon it. Red Cross activities and assistance were continued effectively in civilian disaster during the world war.

From national headquarters there were distributed $125,000 for the Halifax disaster, $100,000 for Minnesota forest fire sufferers, $500,000 for the influenza epidemic, and a half million dollars more for other exigencies.

In these days of criticism it is most gratifying to observe, and we can all agree, that the machinery of the American Red Cross is well oiled and is running smoothly and without a hitch night and day. We can not pay too high a tribute to the Red Cross for what it has done, is doing to-day, and in its plans for the future.

Fair and just criticism of the usual peace-time methods of the War Department impelled it to summon to its assistance many of the big business men of the Nation, including Baruch, Schwab,

Eidlitz, Hurley, Taft, Hughes, Thorne, and others too numerous to mention.

The dilatoriness in settling allotment cases has been corrected to a remarkable degree under the able supervision of Col. Henry D. Lindsley, Chief of the War Risk Bureau. When will the daily publication of our casualty list come to an end, is a question often put. I submitted such a query to the Secretary of War a month ago and he then said, "About two days longer." The lists have been published ever since and the end is not yet in sight, some days with a column of names and other days nearly or a full page in the daily newspapers.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. OLNEY. Mr. Chairman, I will ask the gentleman from Nebraska to yield me a little more time.

Mr. SHALLENBERGER. Mr. Chairman, I yield the gentleman five minutes more.

Mr. OLNEY. It is needless to say that I shall support the Army appropriation bill providing for an Army of 29,579 officers and about 510,000 enlisted men, which seems necessary during the period of demobilization, which legislation is temporary, and which provides for a Regular Army of 250,000 and 250,000 under the volunteer system, with optional enlistments of from one to three years.

Continuation of the increased war pay for enlisted men and provision for the promotion of officers and men for meritorious conduct recommended for such before the signing of the armistice are important features in this bill which should meet with the unanimous approval of the Members. I can not conclude my remarks without referring to the splendid heroism and gallantry of the New England division known as the Twenty-sixth, which distinguished itself in most of the important battles of the great war in the spring, summer, and autumn of 1918; and the names of Maj. Gen. Edwards, Brig. Gens. Cole and Sherburne, and Col. Logan are officers whose names are household words throughout New England; and while this division will return to America with regiments sadly depleted, companies skeletonized, the people of New England are looking forward to the day when the fighting Twenty-sixth will disembark in Boston Harbor.

For the information of the New England Members who may be present, I may say that proceedings have been started to bring the Twenty-sixth Division back to New England. There are three processes. The first starts from the point where the soldiers are. Then there is the order of priority, and then there is the convoy from the port of embarkation. The first procedure might be classed as preparation, and the Twenty-sixth Division has already begun preparations to leave France, and should land in New England or in New York at the port of disembarkation within two months.

The whole Nation is clamoring for the immediate return of our boys in France, and let us hope they will be allowed to come back as expeditiously as possible and in conformity to the status of the world peace.

Our committee builded wisely in providing for an Army of 550,000 officers and men, so that a sufficiently large force can exchange places with our soldiers who have borne the brunt of the fighting since the United States became an active participant in the great conflict.

I do not believe that we will get so many men to volunteer as we provide for in this bill, but I am entirely satisfied myself with an Army of practically skeleton strength, an Army of 150,000 men, as I see a chance in a small Regular Army to secure for this country some day universal military training of which I have been an advocate for three years in this House.

Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman has three minutes left.

Mr. OLNEY. Mr. Chairman, I have heard it said, and it has been carefully estimated, that it costs to run Congress $20 a minute, and in order to save the time of this Congress I am going to yield back $60 to the chairman of the committee.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HUMPHREYS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior years, and for other purposes.

ARMY APPROPRIATION BILL.

The committee resumed its session.

Mr. FIELDS. Mr. Chairman, I yield 10 minutes to the gentleman from Nebraska [Mr. SHALLENBERGER].

Mr. SHALLENBERGER. Mr. Chairman, I did not intend to take any of the time of the committee in the consideration of this bill, but some questions and points have been raised that I thought I would like to express my views upon. I have been upon this committee now for four years, and it is interesting to recall that the first appropriation bill I helped frame four years ago carried $100,000,000. The appropriation of two years ago, before we entered into the war, had increased to $267,000,000. Those were both peace-time appropriations, showing the tendency to increased appropriations for the Army, even in time of peace. Now we are coming before this Congress and asking for a peace-time appropriation of $1,100,000,000. There is no contention, nor was it stated to your committee, that this money had been estimated to take care of the Army in Europe. On the contrary, it was constantly stated to the committee that the estimates were based on an Army to be maintained in the United States; and the action of the committee in reporting the amounts carried in this bill was based upon the idea that we did not believe, as the gentleman from Massachusetts has just stated, that we could raise 500,000 men by voluntary enlistment for a peace-time Army. We do know that we are confronted with the fact that there will be a considerable Army remaining of those raised to fight this war after the 1st day of July. So as the basis for appropriations, and not with the idea that we were fixing any definite policy, we finally agreed to appropriate the money that the War Department asked us for; and yet I think it is fair to state to the House that the War Department did ask us for this money in this bill to pay for an organization that was hereafter to be an Army for use in the United States. The issue, as I view it, is this: We know that we have to appropriate this money, and I want to say that I have no illusions that this money is all that we are going to appropriate for military purposes during the next fiscal year. I think that we will have to have a very large deficiency appropriation in addition to this to take care of the Army that will be on our hands before the end of the next fiscal year, but the committee attempted to draft a rider on this bill that would provide for a temporary Army only; and I am not sure that the committee drafted the kind of legislation that this Congress wants to adopt. My judgment all the time has been that all this Congress ought to do is to reenact a provision for the enlistment of men voluntarily in the Regular Army, which was done away with during the war, and allow this Army to be recruited by voluntary enlistment, and appropriate the amount of money asked for in this bill; and we would then give them legislation to build the standing Army in conformity with requirements and provide for the immediate demobilization of the Army that we have raised to fight this war.

Mr. GARNER. Will the gentleman yield?

Mr. SHALLENBERGER. I will.

Mr. GARNER. Glancing at the provisions of this bill and the provision for the organization of an army by enlistment for three years under the act of 1916, which is 175,000 men——

Mr. SHALLENBERGER. Yes.

Mr. GARNER. Then the bill provides for 500,000 men—or, rather, putting the two enlistments together, 500,000. Now, if you leave out the second provision, what would be the effect of that?

Mr. SHALLENBERGER. The effect would be that we would endeavor to raise a standing army of something like 175,000 men. That would be provided for under the Hay bill, and the organization of that army would be in conformity with the act of June 3, 1916.

Mr. GARNER. Now, can the gentleman tell us exactly how many troops would be in the Regular Army after the Army was demobilized from war strength?

Mr. SHALLENBERGER. The Hay bill—that is, the existing law for the Regular Army—contemplates in peace times an organization of about 175,000 men, and in time of war it is provided that those units shall be expanded to war strength, which would provide something like 250,000 men.

Mr. GARNER. Then, for instance, four months after peace is declared by the proclamation of the President all troops go out except certain who are obligated to serve under their enlistment in the Regular Army. Now, how many troops will there be——

Mr. SHALLENBERGER. We were told something like 40,000 or 50,000 would remain.

Mr. GARNER. So we have got this kind of a state of affairs, that you can leave out the provision of this bill, as referred to the last provision, and when you demobilize the Army four months after the proclamation of peace we would have between 40,000 and 50,000 men in the Regular Army. Then you would have under the standing law authorization for the enlistment up to 175,000 men?

Mr. SHALLENBERGER. Not under the present law. The present law by special act provides that enlistments since the declaration of war should be for the period of the war only. Now, we ought, in my judgment, to enact a law that would provide for reenlistments as contained in the amendment of the gentleman from California [Mr. KAHN], for three years, so as to enable them to raise a standing army of the full number provided for under existing law.

Mr. GARNER. I agree with the gentleman. Now, let me get this pretty well in my mind. If you demobilize the Army after four months' period there would then remain between 40,000 and 50,000 in the Regular Army?

Mr. SHALLENBERGER. Unless we have some legislation.

Mr. GARNER. If some legislation is not had at that time, would not they still have authority to go on and enlist men up to the 175,000?

Mr. SHALLENBERGER. But when peace is declared these men are immediately discharged.

Mr. GARNER. After their discharge when you have no legislation, has not the War Department authority under the Hay Act to enlist men up to 175,000?

Mr. SHALLENBERGER. It was the statement of the best legal authority we could get in the Judge Advocate General's Office that that would not be the fact.

Mr. GARNER. Then we must have law?

Mr. SHALLENBERGER. To authorize again three-year enlistments.

Mr. GARNER. If you will put the first provision in your bill and leave off the one-year enlistment, will you have authority to bring it up to the 175,000 men?

Mr. SHALLENBERGER. I will say to the gentleman I prepared an amendment, in face of the possibility that this proposed legislation might go out, to provide for the reenlistment of men voluntarily for the three-year period exactly as provided for in this act and to enact that into legislation and no more, so far as the Army for the United States is concerned.

Mr. GARNER. Will the gentleman yield further?

Mr. SHALLENBERGER. I will.

Mr. GARNER. I asked the gentleman from Alabama what this money was to be used for we propose to appropriate in this bill, whether it was to be used to pay troops in France, and he said it was. Now, from reading the bill, I have not had time to go through it thoroughly, but from a reading of this bill I do not believe you have authority to pay troops in France out of that money appropriated in this bill. They are to be paid now out of the lump sum, are they not?

Mr. SHALLENBERGER. They are to be paid for out of the Army appropriations.

Mr. KAHN. If the gentleman will yield, they are paid out of the Army appropriation bill of last year, which provided for the pay of the Army. This bill likewise provides for the pay of the Army but for the fiscal year 1920. There is no such thing as a lump-sum appropriation. The military appropriation bill fixes the pay.

Mr. GARNER. Will the gentleman yield further?

Mr. SHALLENBERGER. Of course.

Mr. GARNER. Does the gentleman from California think that we carry sufficient appropriations in this bill to pay the Army in France and in this country for the fiscal year 1920?

Mr. KAHN. I think we do; yes. I think that was the purpose of the committee. It was certainly the purpose of every member of the committee to appropriate enough money to pay for the running of the Army for one year, and one year only. Of course, that is all we could do under the Constitution; but the committee apportioned the money in such a way that we believe the entire Army that will have to be carried until the end of the next fiscal year can be paid out of the appropriations carried in this bill.

Mr. GARNER. You do not anticipate any deficiencies, then, to take care of the Regular Army in 1920?

Mr. KAHN. I do not.

Mr. SHALLENBERGER. The gentleman from California and myself disagree on that proposition. I agree with him that so far as the committee is concerned it had in view exactly the state of affairs which he suggests. But I do insist that the estimates, so far as the committee is concerned, submitted to us by the department were not for the support of an army in France, but for an army in the United States.

Mr. GARNER. Your understanding is that the appropriation made in this bill is to take care of the army in the United States?

Mr. SHALLENBERGER. If they can raise it.

Mr. KAHN. Will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. KAHN. How would you pay the army in France if you did not pay it out of the money appropriated in this bill?

Mr. SHALLENBERGER. I will say to the gentleman that we appropriate to pay the Army, but I still insist it is my deliberate judgment that we have not enough pay in this bill to pay the Army the United States will have to pay in the next fiscal year.

Mr. KAHN. Does not the gentleman recognize the fact that the 500,000 men provided for in this bill are to be in France, or part of them are to be in France, during the next fiscal year?

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SHALLENBERGER. I would like to have the gentleman yield to me about 10 minutes more.

Mr. FIELDS. I yield to the gentleman 10 additional minutes.

Mr. SHALLENBERGER. I wanted to touch upon another subject, and that is the constant criticism that has been made on this floor of the conduct of our Army and those in charge of our Army in France. Speeches and statements have been made here on this floor, I am sorry to say, that amount to assaults upon our Army in France, either directly or by innuendo and implication. The charge has been made that cliques and favoritism are rampant in our Army overseas. I know that when we began this war we were without experience in a conflict of the kind that confronted the world. We had no generals who had had training in great wars. The President of the United States, in his judgment, chose a man to lead the armies of the United States in Europe. I know that the President himself has stated that he realized that we had no commander who had ever fought a great battle; that it had to be a matter of judgment and trial and experiment who should be selected to lead. He chose the man that he believed, from all the reports brought to him, was the man best fitted to command our Army. He gave him absolute power, as a military commander, and sent him to France. He went there with a very small Army, for the first four or five months only a single division—a mere handful. That man was upon trial. We never had been able in former wars to choose a man as leader of our forces at the outset and have him prove by experience that we had chosen the right man at the first trial. There has not been a nation engaged in this war that was able at the beginning to choose as its commander a man that could stand the trial of the battle field, the one final test of a military commander, except the Government of the United States. Germany had the nephew of her former great marshal, von Moltke, as her first leader. He failed and died in disgrace. And then came Falkenhayn, and after him Hindenburg, and they were found wanting before the end, and finally Ludendorff was defeated and fled, a failure and a fugitive.

The British tried one commander after another, belted earls and titled lords, men of great position and reputation were placed at the head of that army. One after another they were removed from supreme command. They were tried in the balance and in the judgment of those in authority were found wanting. France tried one leader after another and they failed, and other men were put in their places. But the United States still has in command of her armies the man that our President chose when we commenced the conflict. Politics has always been rife in military matters in all of our prior wars. President Wilson has not permitted it to weaken or interfere with our great military effort in France. Gen. Pershing was one of the newest major generals in the Army. We sent the Chief of Staff and other generals who outranked him over there to judge of what he was doing. Congressmen visited the battle front, men of every station in life went there to view the work of the Army. And every returning visitor from general to private citizen has said that our Army was a marvel of efficiency and success.

Mr. GARNER. The gentleman has reference to Gen. Pershing?

Mr. SHALLENBERGER. Yes.

Mr. GARNER. There has been some discussion or doubt as to who has been responsible for the conduct of the war in France; that is to say, after the troops landed in France under whose jurisdiction and under whose organization, and who got up that organization, and who is responsible for the whole thing in France.

Mr. SHALLENBERGER. I will say that Gen. John J. Pershing, the commander in chief of the United States Army there, is responsible for it. And he has performed his duty in a way that has won the admiration of the world, so far as that is concerned. [Applause.]

Mr. GARNER. Now, then, the gentleman from Maine [Mr. HERSEY] was indicting the so-called "canning factory" in France. Gen. Pershing is responsible for that?

Mr. SHALLENBERGER. I do not think there was any "canning factory."

Mr. GARNER. That is what they termed it.

Mr. SHALLENBERGER. That is the newspaper talk.

Mr. GARNER. The newspaper criticisms of the Army in France must finally go back to Gen. Pershing. Is not that true?

Mr. SHALLENBERGER. I will come to that in a little while. I was saying that the Commander in Chief of the Army had to build up his Army from the ground up. Just as the President of the United States had to choose a commander in chief, Gen. Pershing had to choose his officers for important posts and try them out. Those men who are said to have been demoted, who have been referred to on the floor here, were largely men of the Regular Army. Gen. Edwards was referred to by the gentleman from Maine. In his speech the other day the gentleman from Massachusetts [Mr. GALLIVAN] put in the RECORD a statement from Gen. Edwards, which I consider a splendid definition of the proper procedure for officering an army in time of war. Gen. Edwards said:

> Battles and war service in the face of the enemy, the supreme test of war, were what selected, so far as lay in my power, its lieutenants, its captains, its majors, and its colonels. One or two battles picked out these officers, and there was no question as to their selection. The controlling element was leadership, the greatest factor in choice for command, and frequently the factor that is given the least credit in military schools and colleges.
>
> It is wonderful and informing what can be done in six months with 30,000 men if politics, prejudice, and favoritism are eliminated and the only thought is patriotism and service.

In my judgment politics and prejudice were eliminated from the conduct of our Army in France, but I am afraid we are trying to get politics and prejudice into it over here.

Mr. GARNER. One word. The gentleman from California [Mr. KAHN] said the troops were paid in France out of the appropriations made. They were paid out of a lump sum.

Mr. SHALLENBERGER. I hope the gentleman will permit me to finish, and then I will let the gentleman occupy his time. I know that there is a great disposition to find fault and to bring in here stories of those who feel that they have been neglected or badly treated and abused, and things of that sort. But war is a terrible thing, and the men who have conducted our war over there have fought it out upon principles that are supremely American and with officers along the lines laid down in Gen. Edwards's statement. Unless those intrusted with authority had had the courage to displace men who ought to have been retired, not only because of lack of courage but for physical reasons and temperamental reasons in some cases, we would have failed, and Gen. Pershing would have failed as a military commander if he had not exercised that authority.

I know, gentlemen, how easy it is for men to complain after the war is over.

If I had a boy who was in that Army, I would not like to hear him complain because in the terrible struggle the bread cart or pay wagon had not always kept up with the advancing lines. Even if he had marched through mud and mire to get to the battle field, marched at night because it was death to the command to march in the daytime, and after struggling through mud and mire over the most difficult terrain in all the battle line in France, and finally at midnight had to take his place on the firing line, and at daybreak next morning to go over the top, I would not want him to come back and tell me how bad the road was or short the food or irregular the pay. I would expect him to say, "It was war; it was hell." "Hell"; and repeat, as Sherman said. "The German Army was tough meat, but we ate 'em up; we ate 'em alive." [Applause.]

When Gen. Pershing landed in France it was asserted that this Hun army was invincible. That was the statement we heard constantly repeated when Gen. Pershing went over there. He said from the first the Hun army was not invincible, it could be defeated, and he proved it. He was the first commander of a great army who said frankly, "I am ready to take orders from the commander in chief of the allied army." When he said to Gen. Foch, "I offer for your command all my forces, and will go wherever you tell me to go," he brought unity of command to the allied army, and that brought final victory to our forces. [Applause.]

They told us the Hindenburg line could not be broken through. But finally, in July, we got about 200,000 men on the fighting line, and those men showed at Chateau-Thierry and all the way to the Ainse what our Army could do in battle. Finally, at St. Mihiel, in September, we got an American Army at the front, commanded and directed throughout by Americans, and in three days' time they wiped out that St. Mihiel salient, which had stood there for four years like a Gibraltar in the German lines, and sent the Germans back to their last line of defense. [Applause.]

It was said we could not get through the Hindenburg line or get around it, because one flank of it rested on Switzerland and the other on the North Sea. The cry was, "You will have to fly over it or dig under it; you can not go through." But these men who are being criticized here did not go under it or over it or around it, but they went through it. [Applause.] For four years the German military engineers had been building an impregnable fortress in the Argonne Forest, but in four weeks' fighting our army under Pershing destroyed that obstacle. They went right through, and they won the war. [Applause.]

It is true a lot of brave men died, but in my opinion we saved a million lives by winning this war a year sooner than it would have been won without an American Army under the leadership of our great commander. [Applause.]

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. FIELDS. Mr. Chairman, I yield five additional minutes to the gentleman.

Mr. SHALLENBERGER. I will not want all the five minutes.

The CHAIRMAN. The gentleman from Nebraska is recognized for five minutes more.

Mr. SHALLENBERGER. I only want time enough to say that I think the American Army in this war has achieved the most marvelous record of any army that ever fought in the whole tide of time. American democracy was on trial in the final arbitrament of nations. The world was the stage. All the other combatants staggered and halted in the fray. America's Army under Pershing made good, and democracy triumphed. I was somewhat humiliated the other day when I read in the public press an item to the effect that a Member of Congress had sent a cablegram to Gen. Pershing and had said in that message something like this: "Some one in Washington is criticizing you," and asking him if he did not want to have an investigation made into his conduct of the war. That would be like investigating the Duke of Wellington after the Battle of Waterloo or Bonaparte following Austerlitz.

The American people are mighty proud of our Army in France and the matchless record it has made. I do not think America wants her honor and her flag to be besmirched now by having investigations or complaints made for political or partisan advantage, and I protest against it here to-day. [Applause.]

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman from Nebraska yields back his unused time.

Mr. KAHN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MASON].

The CHAIRMAN. The gentleman from Illinois is recognized for 10 minutes.

Mr. MASON. Mr. Chairman, during the statement made by the Resident Commissioner from Porto Rico [Mr. DAVILA] I was moved to make a few suggestions. I now ask the privilege to revise and extend my remarks.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. MASON. Mr. Chairman, it was my good fortune in another chamber to have something to do with the organic law of Porto Rico. That organic law was drawn by the late Senator from Ohio, Mr. Foraker, whom I considered one of the greatest constructive law writers or statesmen I ever knew, and I pay that tribute to him now.

What we have seen here to-day is what will always occur when we try to make other people happy our way. In our declaration of war against Spain we promised to take no territory. We passed what was known as the Teller amendment, which promised to give Cuba back to the inhabitants of that island, and we have kept our word. If anyone had thought of the geography of the case, the sentiment of the people was such that they would have amended that declaration to include the Philippine Islands, Porto Rico, or any other territory then under the dominion of the Spanish Government. But after that hundred-day war the desire for a carpetbag government overcame our people. I had the pleasure of sitting for four hours and hearing the decision of the Supreme Court of the United States in the insular cases, and the absolute absurdity of the situation shown here to-day is the natural result of the decision of that court, which ruled that a ship going to Porto Rico with a cargo was foreign trade and coming back with the same cargo was coastwise. To-day in Porto Rico you have this situation: You have passed a law making Porto Ricans American citizens. You remember the decision in the insular cases, which held that the Constitution did not follow the flag. The eloquent statement made here to-day by Mr. DAVILA, if I understood him aright, and I think I did, for I have heard something of it before, was that when a man who is a citizen of the United States residing in Porto Rico applies for a writ of

habeas corpus, demanding either a jury trial or indictment by a grand jury, the Supreme Court of the United States, following its old decision that the Constitution was not there, denies to the Porto Rican, who is made an American citizen by your act of Congress, the right of trial by jury or any other of the guaranties of the Constitution of the United States.

I simply wish to say in passing that this is what many of us suspected would come. Whenever we start in the wrong way, whenever we start to establish a government over people without their consent, something of this kind is likely to happen. It is said that Porto Rico accepted our sovereignty. Yes; so she did, at the point of a gun. But if you will read the statement that Gen. Miles made on the day the people of Porto Rico accepted our sovereignty you will see that therein was the same promise that was made by Dewey to the Philippine Islanders when we took possession of that country.

I simply rose to say that this man who speaks for the Porto Rican government to-day [Mr. DAVILA] asks simple justice. He says they love this country. They have raised armies, they have volunteered to fight in this war. He wants his Porto Rico to take a place as one of the stars of our flag; but if you are going to refuse him that you ought at least to give to the people of the island a star of their own. You have made them citizens, subject to the laws and hard rules of the common law and to the rules of the act of Congress, and by the same act you have deprived them of those natural, inalienable rights guaranteed by the Constitution. I simply rose to voice myself in favor of letting the people there say. The gentleman from Porto Rico [Mr. DAVILA] says, "Give us statehood; give us something that will bring to us the Constitution, or else give us independence." I think it is the duty of this Congress to consider that seriously and grant what he asks, and let us get away from this doctrine that we can make other people happy our way. We have tried it in the Philippine Islands. We have spent millions and billions of dollars. We have lost 25,000 lives. To the poor, downtrodden Filipinos we said: "We want you to be happy. Go to our church. Let us have a carpetbag government over there and appoint people in the United States to go over there and govern you." It has cost us, as I tell you, 25,000 lives; and it is due to the President of the United States to say that in all these years that he has been President he has made an effort to relieve the American people of the stain of political slavery and to relieve those people over there, so they may have a chance to govern themselves.

The Porto Rican case is before you. The gentleman from Porto Rico [Mr. DAVILA] has made his statement. His native language is different from ours. All this state of affairs shows the danger and the absurdity and the wickedness, if you please, of trying to make people happy our way. Why, Cuba offered us every man, every woman and child. The moment we declared war against Germany the little people of Cuba jumped to their feet and said: "Here, Uncle Sam, here are our men, here is our money, here is everything we have; and we declare war with you against Germany."

The Cubans are our friends. We have not made them friends by keeping a gun at their heads or a knife at their throats. We want the friendship of the Porto Ricans, and if there is anything in self-determination we ought to let them say or, at least, be consulted about what sort or form of government they shall have.

Mr. SHERWOOD. I want to say to the gentleman that besides the 25,000 lives it has cost, the estimate of the money cost of the Philippines to the United States three years ago was a thousand millions of dollars.

Mr. MASON. Yes; I have no doubt of it. Three years ago we had spent at least a thousand million dollars, all because we are trying to imitate royalty. We want to govern somebody, we want to have something to say about somebody else's government. Some of us wanted to change their religion. We wanted to give them the Christian religion with 13-inch guns. Some of us wanted to fix it over there so that they would wear the same kind of clothes that we wore. Some wanted one thing and some another, but everybody in this country who wanted to do something over there expected to get something for nothing.

Mr. KAHN. Will the gentleman yield?

Mr. MASON. Yes.

Mr. KAHN. Does the gentleman recall the fact that this country had to send its Army into Cuba to make the people down there behave themselves, at an expense to the taxpayers of this country of $7,000,000?

Mr. MASON. Yes; I do remember that; but it was not the Cubans that were making the trouble. We spent more time and more money when we drove the Spaniards out of Cuba than we did after that, and in my humble opinion that revolution and that trouble came about because of this ungodly desire to hold onto the government of Cuba. We passed in the Senate what was known as the Platt amendment, so that the moment they had a little shindig of their own and began killing a few people, as we did in the Civil War, then we put our Constitution and our flag over them and went down there and took the burden. We made them put the Platt amendment into the constitution of Cuba, and if they had not had it there we would not have had to go back and subject ourselves to the cost and expense.

Mr. Chairman, I say to you again and again—I am getting a little old and perhaps garrulous—I want you to remember one thing: No question is ever settled until settled right. No man ever had a slave that was free himself. No nation can be republican, no nation can be a democracy, that has a carpetbag government traveling around the world governing people in foreign lands by force without their consent. [Applause.]

Mr. KAHN. Mr. Chairman, I yield 30 minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman and gentlemen of the committee, I want to call the attention of the committee to the service of the Forty-second—the "Rainbow"—Division in the war.

THE "RAINBOW" DIVISION.

On Wednesday, August 15, 1917, the War Department announced the formation of a new division, to be composed of National Guard units from 27 States and to be designated the Forty-second Division. This division has since become known as the "Rainbow" Division, so named by Gen. MacArthur because it was made up of units from all parts of the country.

It was composed as follows:

Forty-second Divisional Headquarters Troop, formerly First Separate Troop, Louisiana Cavalry.

Eighty-third Infantry Brigade, composed of the One hundred and sixty-fifth Infantry Regiment, formerly the Sixty-Ninth New York Infantry; the One hundred and sixty-sixth Infantry Regiment, formerly the Fourth Ohio Infantry; and the One hundred and fiftieth Machine Gun Battalion, formerly Companies E, F, and G, Second Wisconsin Infantry.

Eighty-fourth Infantry Brigade, composed of the One hundred and sixty-seventh Infantry Regiment, formerly the Fourth Alabama Infantry; the One hundred and sixty-eighth Infantry Regiment, formerly the Third Iowa Infantry; and the One hundred and fifty-first Machine Gun Battalion, formerly Companies B, C, and F, Second Georgia Infantry.

Sixty-seventh Field Artillery Brigade, composed of the One hundred and forty-ninth Field Artillery Regiment, formerly the First Illinois Field Artillery; the One hundred and fiftieth Field Artillery Regiment, formerly the First Indiana Field Artillery; the One hundred and fifty-first Field Artillery Regiment, formerly the First Minnesota Field Artillery; and the One hundred and seventeenth Trench Mortar Battery, formerly the Third and Fourth Maryland Coast Artillery Corps.

One hunded and forty-ninth Machine Gun Battalion, formerly the Third Battalion, Fourth Pennsylvania Infantry.

One hundred and seventeenth Engineer Regiment, formerly the Separate Battalion, South Carolina Engineers; Separate Battalion, California Engineers.

One hundred and seventeenth Field Signal Battalion, formerly the First Battalion, Missouri Signal Corps.

One hundred and seventeenth Headquarters and Military Police, formerly the First and Second Virginia Coast Artillery Corps.

One hundred and seventeenth Ammunition Train, formerly the First Kansas Ammunition Train.

One hundred and seventeenth Supply Train, formerly the Texas Supply Train.

One hundred and seventeenth Engineer Train, formerly the North Carolina Engineer Train.

One hundred and seventeenth Sanitary Train, formerly the First Michigan Ambulance Company, First New Jersey Ambulance Company, First Tennessee Ambulance Company, and First Oklahoma Ambulance Company; also the First District of Columbia Field Hospital, First Nebraska Field Hospital, First Oregon Field Hospital, and First Colorado Field Hospital.

When our troops were ordered to France Gen. Pershing took with him such Regular Army units as could most quickly be made ready for service. The first National Guard division organized was the "Rainbow" Division. It was made up of those units of the National Guard throughout the country which were considered best fitted for immediate service.

The mobilization of the division was completed September 13, 1917, at Camp Mills, Mineola, Long Island, near New York City. The division embarked the latter part of October, spent one week in England, and began active training in France November 30, 1917. It arrived at its training stations in the worst part of the

winter and suffered much from the cold and the constant rains. Their food was poor, and most of the men were billeted in barns and outbuildings. They were sent to the Lorraine sector February 17, 1918.

ON THE LORRAINE FRONT.

The troops of the "Rainbow" Division were sent into the trenches February 24, four days after their arrival. The "Rainbow" was the first American division, either Regular or National Guard, to be intrusted with a divisional sector. The sector assigned to them was located east of Toul, west of Strassburg, and near Luneville. It was supposed to be a quiet sector, and so it was until the Germans knew the Americans occupied it. When once that fact was known, activity was apparent behind the German lines. They began to concentrate their artillery, and from about 150 shells a day they increased their bombardment of the American position to over a thousand. Their airplanes flew almost continuously over the American trenches dropping bombs.

It was not long before the Americans who had been vigilant on the defensive became aggressive in attack. Our artillery was soon able to send as many shells into the enemy lines as the enemy gave us. Maj. Frederick Palmer says that raids became almost as popular as going to a country post office for the mail.

"They're telling us," said a New York Irishman, "that when we're out in front and we're attacked to fall back on points of resistance. Well, orders is orders, I suppose, but to my mind that's only another word for retreating, and I don't believe in it." That was the fighting spirit early developed by the division. Always to take the aggressive when possible and never to retreat when attacked was their inclination and became their habit. "I reckon folks will learn, seh, that we aint scairt of the Hun," said a man from the Georgia mountains. And so folks did learn. Beginning with this early service in the Lorraine, the boys of the "Rainbow" Division never were "scairt of the Hun," but again and again on his own ground and behind his own defenses compelled him to yield and surrender. They have the enviable record of never yielding and never retreating throughout their entire service. [Applause.]

On the night of March 4 the Germans made an attack in force on the American lines. The attack was preceded by an unusually heavy bombardment, which almost destroyed the American trenches. The burden of the attack was borne by the One hundred and sixty-eighth (Iowa) Infantry. Three assaults were made, two frontal and one flank. All three were repulsed. Twice the Germans gained a footing in the American trenches, and were only driven out by determined counterattacks and the fiercest hand-to-hand fighting. Almost surrounded at one time, the Americans had no thought of surrender, and extricated themselves without leaving a single prisoner in German hands. The toll of dead and wounded, however, was large.

An official report of the French officer under whose command the Americans were then operating stated that the Americans showed a rare quality of courage, self-possession, and calm bravery. Clemenceau, the French Premier, was enthusiastic in his praise. Asked if he thought the Americans in action were promising, he said: "Promising? That's no word. They have arrived. Why, the Americans were attacked on three sides. They were told to stand, and they did. The result was the Germans retired with heavy loss and their attack failed." [Applause.]

IN THE CHAMPAGNE.

Early in July the Forty-second Division was sent to the Champagne front to assist the French in holding back the impending German offensive toward Paris. They went at the request of the French staff officers, who had heard of their fighting qualities as shown in the Lorraine sector.

In order to reach the Champagne front a forced march of 125 miles was required. The division traversed that distance in five days, marching steadily with full kits from 9 a. m. to 6 p. m., with stops of only 10 minutes each hour.

The boys of the "Rainbow" had little rest after their long march. The division was needed at once, and at once took its place. As an indication of their trustworthiness, the French command gave orders that if the Germans broke through that sector, Gen. Menoher, commanding the Forty-second, was to take command of both American and French Infantry and Artillery. To realize their responsibility it should be remembered that in each of the great offensives preceding this one the Germans had overwhelmed nearly all the front-line positions attacked. In the March offensive against Amiens the Germans swept every first-line defense of both French and English and practically annihilated the Fifth British Army. These considerations did not for a moment depress the boys of the Forty-second. They had met the boche in the Lorraine, and they were not afraid of him in the Champagne.

The attack started July 14 along a 50-mile front. The preliminary bombardment was up to this time the heaviest of the war. The Germans had been concentrating their artillery for weeks, and shelled the French and American trenches for 10 hours with their heaviest guns and gas. Their aeroplanes swept low, dropping bombs and raking the Americans with machine-gun fire. The bombardment was so fierce and overwhelming that the French and Americans lost heavily. Many were killed where they lay, and in places the trenches and dugouts were filled with the dead and wounded. All the artillery horses were killed. All supplies were destroyed. Many of the men were days without food.

After this terrific bombardment the Germans came over the top, confident and determined, in long, recurring waves. Part of the line gave way, but the men of the "Rainbow" Division held their positions without a break against repeated and desperate German attacks. One of our battalions broke six successive assaults with steady rifle and machine-gun fire. Throughout the whole battle there was no flinching among our men, no signs of disorder, only steady, determined, efficient fighting. Every officer and soldier seemed to realize his individual responsibility and did his part and took his chance without surprise and without complaint in the most trying of battle experiences.

The French, too, met the onset bravely and effectively, with the result that the German offensive in the Champagne was stopped, the triumphant march to Paris interrupted, and the anticipated victory turned into defeat.

There was no lack of appreciation by the French of the service rendered by the Americans in this battle.

On July 20 Gen. Naulin, the French officer in command of the corps to which was attached the Rainbow Division, issued a general order:

At the moment when the Forty-second American Division is on the point of leaving the Twenty-first Army Corps, I desire to express my keen satisfaction and my sincere thanks for the services which it has rendered under all conditions. By its valor, ardor, and its spirit, it very particularly distinguished itself on July 15–16 in the course of the great battle, when the Fourth Army broke the German offensive on the Champagne front. I am proud to have had it under my orders during this period. My prayers accompany it in the great struggle engaged in for the liberty of the world.

CHATEAU-THIERRY.

July 15, 1918, the Germans launched their fifth and evidently their most stupendous offensive. Ludendorff, having been disappointed in his Champagne attempt, confidently hoped that an offensive from the Chateau-Thierry salient, which was within sight and hearing of Paris, would reach the French capital and end the war with a glorious victory. So, with 70 divisions, massed for an overwhelming assault, such as had crushed the English in the Amiens drive, on a 60-mile battle line, the advance was ordered.

The Chateau-Thierry salient may be described as an obtuse triangle, with Soissons and Rheims as the extremes of its base line and Chateau-Thierry at its apex nearest Paris. The side lines and the point of the triangle constituted the battle front. The line was held principally by the French and American forces. To force the attack the Germans had to cross the Marne. On July 15 a crack German guard division, with about 15,000 men, forced a passage near Mezy and advanced against the Americans. The Americans not only held their ground, but almost immediately counterattacked and practically destroyed the guard division. Other attacks failed. Everywhere the French and American lines held. For three days the Germans continued their vain endeavors to break through. In the meantime Foch had determined on a counteroffensive all along the line. Masses of troops were rushed to the front; the reserves were hurried to position; guns, tanks, ammunition, and supplies were gathered. And then, on July 18, the counteroffensive was launched. In front, at Chateau-Thierry, on both sides of the triangle from Chateau-Thierry to Rheims and from Chateau-Thierry to Soissons, the French and American attacked suddenly, vigorously, triumphantly.

All the world knows the story of the proud days that followed. From victory to victory the allies pressed on. From the Marne to the Ourcq, and from the Ourcq to the Vesle the Germans retreated, stubbornly fighting. The Americans covered themselves with imperishable glory by their magnificent daring, endurance, and heroic bravery. Gen. Pershing in his official report says that every available American division was hurried to the front. The First and Second Divisions were directed to make the first attack. They did so, he says, against stubborn resistance, but with constant success. That but half tells the story. The American Regulars and the Marines which composed these divisions fought that battle in a way that won the praise of all the allied commanders and excited the wonder of the Germans, who thought the Americans untrained and weak.

On the 24th the "Rainbow" Division was sent in to relieve the Twenty-sixth. Gen. Pershing in his report says that it fought its way through the Foret de Fere and cleared the way to the River Ourcq. Gen. March said, "In eight days of battle the Forty-second Division has forced a passage of the Ourcq, taken prisoners from six divisions, met, routed, and decimated a crack division of the Prussian Guards, a Bavarian division, and one other division, and driven back the enemy's lines for 16 kilometers." After crossing the Ourcq, the Forty-second pressed on, captured Hill 212, Seringes, Nesles, and Sergy, and, with the Thirty-second Division, drove the Germans to the Vesle.

The announcement by the American Chief of Staff that the "Rainbow" Division had met and defeated the celebrated Fourth Division of the Prussian Guards, never before vanquished in battle, sent a thrill of pride to every loyal American. [Applause.]

When Foch not only stopped the well-conceived offensive of the Germans, which was to be their final and triumphant march on Paris, but immediately launched a counteroffensive with what seemed reckless abandon against the German lines he met with unexpected success. By hard and well-directed fighting he forced the Germans to retire on both sides of the triangle. So rapidly was the assault pressed that the Germans, in danger of a disastrous rout, called into action their strongest reserves. It was then that the Germans determined to send the invincible Prussian Guards against the advance. It was the "Rainbow" Division that met this onset of the Prussian Guards.

The Prussian Guards have been regarded by the German people for more than a century as the ideal of the German Army. They have been considered not only as the best that German military science could produce but vastly superior to any other military organization in the world. They were not called into action except upon extraordinary occasions. They were sent against the Americans to demolish them, to put them to shame, to show their lack of training and incompetency. The Fourth, their crack division, the best of the best, hitherto undefeated, led the attack. The Guards charged in due form, but, strange to say, the Americans refused to yield. The "Rainbow" boys met the onset calmly and resolutely, and with such a well-directed storm of rifle and machine-gun fire that it blinded and stunned and finally stopped the fierce assault. And then the boys from Camp Creek and Smoky Hollow countercharged with a swiftness and ferocity that took the breath away from the wondering Guards. The Americans simply went through the front ranks of the invincible Guards as if it were an everyday diversion. Time and again the officers of the Guards rallied the men to stop the American onset. Some say four times, some six, and others say nine times the Guards tried to re-form and reattack, but the Americans pressed them so hard they could not find a chance. The Americans pressed them not only in front but soon attacked their flanks. The Germans were in danger of being surrounded, and so there was nothing to do but retreat in order to prevent surrender or destruction. This they did, with difficulty preserving their organization. It was a glorious victory for the Forty-second Division. [Applause.] It was a terrible defeat for the Guards. It gave confidence to the allies all along the line. It did more to break the morale of the Germans than any other single action.

It was the One hundred and sixty-eighth Regiment, the old Third Iowa, that bore the brunt of the Guards' assault. This regiment was in action continuously from July 24 to August 3. During eight days of fighting the regiment lost 1,400 officers and men—50 per cent of its combatant strength. It should be remembered that this loss occurred not in a desperate last stand but in almost continual offensive, and that the advance was not retarded for a single hour by the terrible losses incurred.

Gen. Pershing reports that the Forty-second, with the Thirty-second, drove the Germans from the Ourcq to the Vesle, where the work of reducing the Chateau-Thierry salient was finished. It was the turning point of the war. Foch ordered advances on every front. The German armies were placed permanently on the defensive. They were continuously attacked and continuously defeated. Steadily and stubbornly they retreated until they reached the Rhine and sued for peace. The American officers had urged this policy. When it was adopted they took their part of the work not only with resolute determination but with joyous exultation. [Applause.]

It was a glorious part. It brought not only fame and honor to our boys in the field, but it gave our country a stronger place and added dignity in the eyes of the world. Back of our resources and wealth, back of our liberty and justice, back of our idealism and humanity, it has become known that there are 20,000,000 of fighting men as brave, as strong, as efficient as any the world has ever known, ready and willing and even glad to give their lives, if need be, for their country and a righteous cause.

ST. MIHIEL.

The next major service assigned to the Rainbow Division was in the St. Mihiel offensive. The weeks that followed the victory of Chateau-Thierry were devoted by Gen. Pershing to the organization of the first independent American army. The organization took place in the Lorraine, and to that point came units of American soldiers from all parts of France. As soon as the gaps in the ranks of the veteran divisions were filled and a short period of intensive training was given to the new men, these forces were quietly sent to their places on the St. Mihiel front.

The St. Mihiel salient was located southeast of Verdun and southwest of Metz. It, like the Chateau-Thierry salient, was a triangle, with its base line extending from Fresnes to Pont-a-Mousson and its side lines meeting in a point at St. Mihiel. It was a spearhead thrust at the heart of France. Four years ago the Germans had taken and thereafter held this triangular, daggerlike indentation. The French attempted its reduction, but failed. In the preceding July Gen. Pershing made up his mind to reduce this salient as his first offensive. It was a remarkably strong position. One side of the triangle was a range of hills and the other was a river. The interior plain was dominated by Mont Sec, from which every approach was visible. Mont Sec itself was a natural fortress strongly fortified, whose capture seemed almost impossible. Every hill along the line was fortified. Every depression, every grove, every natural obstacle concealed machine-gun nests.

September 12, at 5 a. m., after four hours of artillery preparation, the seven divisions which were to take part in the initial assault advanced. Preceded by a rolling barrage, followed by wire cutters, they went through the successive entanglements, through the front lines and support trenches in irresistible waves, exactly as scheduled. Breaking down all defenses, out of the fog which hung heavy over the battle field, suddenly appeared the Americans advancing with bayonets fixed. The Germans in most cases either surrendered or ran. The advance of the Americans was so well conceived, their attack so fierce and determined, and their concentrations so overwhelming that resistance was brief and futile. In two days' time the salient was cleared and a new line formed straight across the base of the triangle. With small loss a commanding position was taken, an important line of communication was cleared, and Verdun was no longer in danger. Sixteen thousand prisoners, 443 big guns, and a great quantity of material fell into our hands.

The signal success of the Americans in their first major offensive was of great importance. The allies gained confidence in the strength and effectiveness of the American forces, and the Germans learned that a new and dangerous enemy had been added to her foes. As a piece of military strategy it was not surpassed by any operation of the war. It worked out exactly as planned. Successful resistance was prevented, and a complete victory won with comparatively slight losses. It won Gen. Pershing instant recognition as an able and successful commander, and the conduct of our troops was lavishly praised.

The "Rainbow" Division again distinguished itself. The One hundred and sixty-eighth Regiment led the attack and pushed the Germans back 12 kilometers the first day. A Red Cross helper writing of the battle says:

> I am glad to tell you that I saw the first all-American engagement. And your boys from Iowa fought like hell-cats, hand to hand, hour after hour. All that we like to think of for American manhood and fighting was offered here to be blazoned most gloriously in our history. You Iowans may hold your head higher than ever in pride for your particular part of the country. Nothing can be said too highly of the courage, the fortitude, and the determination of those children.

ARGONNE.

Gen. Pershing in his official report says that on the day after taking the St. Mihiel salient the Americans were on their way to the area between the Meuse River and the Argonne Forest. It was supposed that after the Americans had won the St. Mihiel victory they would be sent to reduce the fortifications of Metz. But Marshal Foch assigned them a more important and difficult task. If the Argonne Forest could be cleared and Sedan captured the vital railroad communication of the German armies in southern Belgium and northern France would be cut. The Germans must hold that line open or the withdrawal of their forces would be seriously imperiled. The German general staff was fully aware of the consequences of allied success on this line and was prepared to throw all its power into its defense.

Gen. Pershing divides the Argonne offensive into three phases. The first began on September 26 when the Americans mastered all the first-line defenses in a brilliant and determined general attack. On that day, and on the 27th and 28th, they penetrated the enemy's lines from 3 to 7 miles over a 20-mile front. By this initial operation, carried out with splendid spirit, Gen. Pershing took 10,000 prisoners and forced the Germans out of a large part of their strongly protected positions. From September 28 until October 4 was largely occupied in clearing the lower portion of the Argonne Forest.

The second phase of the offensive began October 1, when the attack was renewed all along the 20-mile front. In the meantime the Germans had strongly reinforced their lines with fresh divisions of their best troops. Every advance of the Americans was met with determined resistance, and strong counterattacks were constant. Every foot of ground was gained only after the most desperate fighting. By October 10 the forest was cleared, and on the 16th the Americans occupied the important strategic point of Grand Pré, on the northern bank of the Aire, at the vertex of the Argonne Forest. The way was now cleared for the last phase of the offensive which involved the capture of Sedan and the closing of the German lines of communication.

In all, 40 divisions had been used by the Germans in this battle. The Americans employed 21 of their divisions, several of which were engaged for the first time. Gen. Pershing in his report of these said, "They soon became equal to the best." The veteran divisions remained for days in the line, and eight were in the line twice. Among these was the Forty-second.

The Argonne Forest, which gives its name to this great battle, is about 50 kilometers long and about 10 kilometers wide. It had been in possession of the Germans since their first grand offensive in 1914. In 1915 the French made a desperate endeavor to retake it but failed. Since then the Germans had used the forest as a rest area for their war-worn troops. They had fortified it with every imaginable defense. It was crossed and recrossed with hundreds of miles of barbed wire, which ran in every direction and often was hidden in the underbrush. Every depression and cover was a machine-gun nest. The trenches were made of cement, with connecting trenches in many cases entirely covered. The underground works were on a most elaborate scale. Officers' quarters were subterranean palaces, with electric lights and hotel ranges. One of these had an elaborate brownstone front, with carved pillars at its opening on a hillside. It contained 10 large rooms lined with concrete, with wooden floors, mahogany furniture, electric lights, and almost every modern convenience.

It is impossible to exaggerate the difficulty of clearing the Argonne Forest. The Germans had thousands of steel and concrete positions bristling with machine guns. They had devised funnel-shaped traps, in which an enemy force advancing would be unconsciously concentrated until it could be exterminated with a storm of machine-gun fire from concealed emplacements.

In order to understand what fighting in the Argonne meant it should be remembered that for days the struggle continued night and day. During much of the time a cold rain was falling. The men were without shelter of any kind. If they snatched a few minutes' sleep they must lie in the mud. Nothing but utter exhaustion would allow sleep under such circumstances. In the forest they fought in inky darkness against concealed foes who were behind the strongest defenses. All the time the Germans were shelling heavily the American advance and pouring gas into all the valleys and depressions. The Americans were frequently compelled to sling their rifles and use their pliers to cut the wire entanglements that crossed their advance. This made them targets, even in the darkness, for enemy machine-gun fire.

It takes stout hearts and iron nerves to stand the strain of such fighting for days and nights in succession. But it was over this kind of terrain, it was with this kind of fighting, that the Americans tore their way through the Argonne forest. It is not too much to say that never in the history of warfare, ancient or modern, was greater courage, endurance, and individual heroism shown than in this great battle of the Argonne.

The Prussians were dismayed and astounded at the way the National Guardsmen, drawn from all parts of the United States only a year before, stormed through the most cunningly devised defenses Gen. von Marwitz could establish. They threaded the forests, scaled the wooded hills, smothered innumerable machine-gun nests, traversed guarded ravines, faced rifle fire and artillery barrages, and waded through the darkness in the rain through flooded areas of mud and water.

In the Argonne offensive one of the most difficult tasks assigned the Forty-second Division was the taking of Hill 288. The "Rainbow" boys first attacked it frontally. The attack failed. They made four more vain attempts to storm the hill. One rainy morning the One hundred and sixty-eighth Regiment, supported by a New York regiment, started on the sixth trial. With our artillery dropping shells on the crest, and the New York troops spreading machine-gun fire on all the slopes, the Iowa boys just at daylight, in a cold rain, again started up the hill. Through the barbed wire, over the trenches, driving the gunners from hundreds of machine-gun nests, they went at the Germans with bayonets set. There were hundreds of hand-to-hand conflicts on the slippery hillside. Captains fell and lieutenants commanded; lieutenants fell and sergeants commanded. One platoon, without even a corporal to command, was led over the top by a private. For six hours the struggle continued before the top was reached and the victory won. When the Germans surrendered there were only 107 left, the rest had been killed or wounded.

One of the finest operations of the American forces in France was the capture of the Cote de Chatillon. The hill is 820 feet high, and dominated a vital part of the Kreimhilde-Stellung defense. It was very strongly fortified and was defended with stubborn bravery. For 40 hours the Forty-second Division, which led the assault, was exposed to a merciless rain of lead poured into them from every side. Slowly the Americans crawled to the objective. Day and night they pressed forward and upward. Through barbed-wire entanglements, in the face of the massed fire of machine guns, in a veritable hail of shrapnel and hand grenades, they made their way to the top. Then out came the bayonet, and with a wild hurrah the Americans fell upon the enemy and captured the position. It was a hard fight and a glorious victory. These instances but illustrate the character of the great battle of the Argonne.

SEDAN.

When Ludendorff retired from his defeats in the battles of Chateau-Thierry and St. Mihiel he took his position at the Hindenburg line in what was considered by military experts to be the most intricate and elaborate system of defensive works ever fashioned by the ingenuity of man. The Germans believed them impregnable. The allied commanders considered their reduction the work of months at least.

What was known as the Hindenburg line was rather a zone than a line. In some places it was 12 miles across. When possible it followed the line of natural defenses, in some places following the lines of rivers and canals, in others the lines of hills and ridges. The defenses were of every kind known to military science, with trenches, big-gun emplacements, every point of vantage utilized, and every conceivable defensive position strengthened. These defenses had been four years in building, and they were commanded by nearly 2,000,000 trained soldiers under the command of able and confident commanders.

In six weeks time the Ludendorff forces were defeated, the Hindenburg line was broken, the invincible Germans in ignominious flight, and their impregnable defenses utterly destroyed. This great movement began September 26 when Marshal Foch opened the Battle of the Argonne by throwing the American troops against the German defenses, with a final objective at Sedan. For this third and last phase of the offensive Gen. Pershing made careful preparation. Tired troops were rested, fresh divisions were brought forward. The artillery was strengthened.

November 1 the final advance was ordered. It became almost from the start an impetuous onslaught which overwhelmed every effort at resistance. Sweeping northward our troops did not pause until on the 6th they reached the outskirts of Sedan, 25 miles from their line of departure. It had been a continuous battle, which lasted 40 days. Against the best German troops, fighting with desperation to save their line of withdrawal, the Americans had won a continuous series of brilliant victories. They took in all over 26,000 prisoners, over 500 big guns, and, best of all, the control of the Metz-Meziers-Sedan railroad lines. But these results were not achieved without severe losses. It is not known what the total casualties of this last offensive were, but the losses of the Rainbow Division alone were 50 per cent of their effectives.

In the advance on Sedan Pershing's forces traversed 40 kilometers in six days. From November 1 to November 6 the Germans threw 22 divisions against the Americans, but failed to check their progress. It was the First Regulars and the Forty-second—"Rainbow"—Divisions which led the advance and made the final whirlwind dash into Sedan. The Germans planned to make a final stand at Sedan, the place of their great and culminating victory in the war of 1870, but the rapidity of the American advance and the vigor and valor of our forces spread despair among their men and they were compelled to evacuate their defenses at the last almost without a struggle.

It was fitting that this great and final victory should occur on the spot where Germany inflicted upon France the humiliating defeat of 1870. When Pershing with the vanguard of American troops stood at the grave of Lafayette he uttered those simple and memorable words which the world will never let die: "Lafayette, we are here." It was dramatic and perfect justice that the Americans, having come, should have been able to drive the German forces in disaster and disgrace from the historic battle field that marked the French defeat. To them the surrender of their Emperor at Sedan was not a mere defeat; it was the downfall of France. What more fitting than that the Americans should return Sedan for Yorktown? If it had not been for the French, there would have been no Yorktown. If it had not been for the Americans, there would have been no second Sedan.

The German high command laughed derisively when the Americans began to send troops across the seas. Such a movement of untrained men could not count in the titanic struggle they were waging. But the Americans in a few brief months turned their derision into disaster, and on the historic battle field of Sedan wiped out for all time the French defeat of 1870 and transformed it into a triumph so glorious that Frenchmen now can think of Sedan with exultation instead of shame.

It was a graceful courtesy that the Americans extended in yielding the honor of entering and occupying Sedan to a French division which had followed closely the American advance. So the flag of France displaced the German emblem and was hoisted over that historic spot, never again to be lowered by German command.

THE "RAINBOW" BOYS.

In all the important battles in which the Americans were engaged, from Lorraine to Sedan, the "Rainbow" Division bore a conspicuous part. From February 17, 1918, to November 11, when the armistice was signed, a period of about 225 days, the "Rainbow" boys were under fire 180 days. During this period it fought 26 enemy divisions, including 3 divisions of the Prussian Guards. It took prisoners from 19 German divisions.

It was considered a shock division almost from the start, and was in the front lines longer than any other American division, either Regular or National Guard. It was the first division to which was assigned an entire divisional sector, which it held for 13 weeks. At Chateau-Thierry it distinguished itself in first crossing the Ourcq River, capturing Sergy, Seringes, Villiers, Sen-Fere, and Nesles. It drove the Germans from the Ourcq to the Vesle, penetrating the enemy's territory 15 kilometers. In the Argonne offensive it was assigned the most difficult tasks, piercing the Kriemhilde-Stellung line, taking the Cote de Chatillon, and Hill No. 288. In this operation it penetrated enemy territory 19 kilometers, took over 1,200 prisoners, and recovered 150 square miles of French territory.

During all this time the Rainbow Division was allowed very few and very brief periods of rest. Even after the severe fighting of July and August they were denied even the expected seven days' leave. Very little complaint was made. Their baggage was far behind. Even the commissariat was distanced. Food was irregular and often insufficient and poor in quality. Yet through it all the spirit of the officers and men was superb. They were proud that they were selected for such distinguished service, proud that they were trusted with such responsibility, and so, whatever the conditions and whatever the task assigned, they were always ardently brave and always calmly resourceful. [Applause.]

They were proud of their name, the "Rainbow" Division. This is shown in a boy's letter to his parents describing an incident in the battle of the Argonne. He said:

We had been fighting so long we were all worn out and could hardly take another step. Our officers said we must take the next hill. We started, but our officers, seeing how tired we were, ordered us to lie down and rest. Just then the clouds broke and a beautiful rainbow appeared in the sky. That was enough. The "Rainbow" boys forgot they were tired out, jumped to their feet with a hurrah, and, needless to say, took the hill with a rush.

ONE HUNDRED AND SIXTY-EIGHTH INFANTRY.

One of the four Infantry regiments of the Rainbow Division was formerly the Third Iowa National Guard. It was originally recruited from southern Iowa. During the Spanish-American War it served as the Fifty-first Iowa Infantry from May 30, 1898, until November 2, 1899, and saw active service in the Philippines. After its return and demobilization the regiment was reorganized as the Fifty-fifth Iowa Infantry, and in July, 1915, it again reorganized as the Third Infantry, Iowa National Guard. Under this designation it served on the Mexican border in 1916.

When the order was issued for the mobilization of the National Guard, the Third Iowa assembled at Camp Dodge, where it was mustered into the service as the One hundred and sixty-eighth Infantry. There were about 2,000 men in the original Third, and the regiment was raised to war strength by 1,600 additions, mostly from the First and Second Iowa National Guard. It left Des Moines September 10, and arrived at Camp Mills September 13, where it became part of the Forty-second Division, and soon thereafter embarked for France.

The service of the One hundred and sixty-eighth, with the Forty-second Division, has been given with the account of the service of the Rainbow Division, of which they were a part. Particular reference to this regiment is justified because of its long and exceptional service. Wherever the fighting was hardest and the responsibility greatest, there the One hundred and sixty-eighth was sent. In whatever duty assigned, no matter what dangers were incident or what losses were inevitable, the regiment braved the dangers and suffered the losses without complaint and without protest. Throughout their service they endured privations and faced the hazards of battle with indomitable fortitude and invincible heroism. Col. Bennett, who commanded them for a long period of their service, said of them:

I only wish that I had the power to express the character of the work performed by these men. It is wonderful and deserving of the highest praise.

Col. Brown, of the General Staff, said:

They are a wonderful fighting unit.

Capt. Leon Bentz, of the French staff, said:

It is the best regiment I ever saw. The men are too brave, too courageous.

Gen. Douglas McArthur, chief of staff, said:

You can tell the people of Iowa that this regiment ranks 100 per cent.

The war correspondents repeatedly singled it out for special praise. As one of them reported:

The One hundred and Sixty-eighth has earned the name of the most famous American regiment. The French cheer whenever it passes. The English have marked it for special praise. The Australians, the Canadians, and other colonials, considered the best fighters among the allies, claim the troops of the One hundred and Sixty-eighth as their brothers.

A Member of Congress, visiting the battle fronts, said that the names of two American regiments were on every tongue, that of the One hundred and sixty-eighth Iowa and the One hundred and sixty-seventh Alabama. These two regiments constituted the Eighty-fourth Infantry Brigade and fought side by side throughout almost their entire service. Representing the blue and the gray, together they gave new luster to the flag they carried on many a foreign battle field, and vied in affectionate rivalry in service and devotion to each other and to the cause for which they fought.

While praise and honors and citations and decorations were lavishly given the gallant boys who composed the One hundred and sixty-eighth, they were dearly bought. In the fight of July 25 to obtain the heights beyond the Ourcq River, Maj. Stanley's battalion lost over 50 per cent of its enlisted men and 20 out of 26 officers. In the Chateau-Thierry drive Maj. Worthington's battalion, in 10 days' fighting, was reduced from 1,200 to 200 men. In one action Company A lost all its commissioned officers and went out in command of a sergeant. In another engagement Company F went into action with 250 men and 6 officers. The next morning only 27 men and 1 officer reported for duty. Of the 250 men of Company M who went into the service, only 27 escaped. Two hundred and twenty-three were killed or wounded. Such was the price paid to vindicate American rights and save the civilization of the world.

THE FINAL VICTORY.

The coming of the Americans to the help of the allies was most opportune. It was their good fortune to take the field as an effective force when it was possible to change defeats into victories, and when after a short but mighty struggle the German terror collapsed. Until July 18, 1918, the allies had been fighting on the defensive, many times with their backs against the wall. Against the most powerful armies ever mobilized for war they had for four years maintained a desperate and heroic struggle. In the campaigns of 1918 it was the purpose of Ludendorff by mighty offensives to crush the English or French, or both, and break through to the Channel, to Paris, or to both, and thus end the war.

Ludendorff's first blow on March 21 was one of the most perfectly planned, as it was one of the most skillfully executed offensives ever launched. It came very nearly being a complete success. The British were everywhere overcome by the superior forces massed in overwhelming numbers against them. Fighting desperately, they were forced continuously to retire but still heroically held their line from breaking, although sometimes near extermination. At the end of a week of deadly fighting the victorious German army was compelled to stop from sheer exhaustion; it had outrun its guns, its ammunition, and its supplies. There was just time for the French to arrive,

and almost miraculously the drive was stopped within sight of Paris.

In April following Ludendorff sprung another offensive, this time in the north, against the British. Again he was successful at first, and for a time it seemed as if he would have an open road to the Channel. But again the French arrived in time to support the British, and again the German assault was repulsed.

Ludendorff knew the Americans were coming in ever-increasing numbers and realized that he must win a decisive victory soon or give up hope of final success. For more than a month he gathered his forces for another attack. The new offensive was again a brilliant success. It swept over Chemin des Dames, across the Vesle, over the Ourcq, and reached the Marne at Chateau-Thierry, again within sight of Paris. The thunder of the German guns was heard daily in the French capital, and raids by airplanes and shells from long-range guns were nightly terrorizing the Parisians. But again the Germans had outrun their support and supplies, and were compelled to stop to strengthen their communications and concentrate their forces.

Within the Chateau-Thierry sector Ludendorff prepared for his final offensive against Paris. He believed, as did most of the German staff, that from so near an attacking point another great drive would certainly reach Paris. The offensive was launched July 15. But it never made progress. It was stopped almost as soon as it began, and three days later Marshal Foch ordered the counteroffensive which ended the war.

As a military achievement this counteroffensive has never been surpassed in all the history of warfare. Within four months a victorious army of nearly two millions of trained veterans, commanded by the most thoroughly trained officers in the world, behind the strongest defenses military science and experience could construct, was defeated and compelled to sue for peace. No military commander ever achieved a greater victory or ever conceived and carried out a more wonderful strategic campaign. Marshal Foch organized and ordered his counteroffensive not alone on the Marne but over a battle front 300 miles long. Along this far-flung battle line he sent the soldiers of 10 nations to their places, each command being given the work it could best accomplish, with coordination everywhere. So perfect were these plans, so complete the accomplishment, that the result was the greatest and most decisive victory history records.

September 26 Foch threw Pershing and Gouraud against the Germans near the south end of the line. September 27 he threw the Belgians and Plumer's British Army against the Germans on the north end of the line. On the same day he threw Horne's and Byng's British Armies against the Germans on the Scheldt Canal. September 30 he launched Berthelot's French Army against the Germans between the Vesle and the Aisne.

As a result, the whole German line from the Channel to the Meuse was set rocking. Both at the north and south ends the German lines were completely broken. So vigorous were these offensives all along the line that for the first time in all the four years of warfare the Germans were unable to concentrate against so many attacks. From November 1 the story is one of swift and relentless pursuit: By the British down the valley of the Sambre, through Maubeuge, until they reached Mons; by the French to and across the Belgian frontier; by the Americans through the Argonne to Sedan. With the British at Mons, the Americans and French at Sedan, and the Belgians nearing Antwerp and Brussels, there was nothing for the Germans to do but to sue for peace.

We in America have a just right to be proud of our part in this great struggle and this great victory. While neither in point of time of service nor in numbers was our contribution so great as that of other nations, ours was the final reenforcement which, flung in the decisive campaigns, brought final success. If our boys came late, they came in time. If their numbers were not so great, they brought to the war-wearied veterans who held the line that vigor, that intrepid spirit, that indomitable energy which demanded victory and would not be denied, which put new life into the long line from the Channel to the Alps, which stirred it to a new enthusiasm and a new hope, which changed four years of defensive to four months of offensive warfare, and thus brought victory swift and sure.

In this proud and high achievement the Forty-second, the Rainbow Division, bore a conspicuous part, and for its service and its sacrifice merits and will receive both the praise and honor of the world and the gratitude and love of the Nation under whose flag it served so well. [Applause.]

Mr. KAHN. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. CLARK].

Mr. CLARK of Pennsylvania. Mr. Chairman and members of the committee, the first thing that attracts my attention regarding the bill now under consideration is the statement in the report that the estimate originally as submitted by the department was $1,916,905,572.16.

The revised estimate by the department reduced that over $700,000. The reported bill carries $1,117,289,488.56, being a very substantial reduction from the amount at first requested. I surmise it rarely happens that a committee finds it necessary to raise departments' estimates.

Ever since I have been a Member of this House we have been indulging in appropriations in large sums. I have tried to form some standard by which I might comprehend what a billion means, that I might get some conception of the total that we have appropriated. From the present moment backward in the calendar of time to the hour of the Nativity there have been 1,008,608,400 minutes; from this fact we get some sort of a standard enabling us to realize what a billion is. This bill provides that we increase our indebtedness $1 per minute from the dawn of the Christian era until the present time.

I do not know what the sum total of all our appropriations and indebtedness amount to. I have been unable to ascertain it. I have asked many, I have sought information, I have heard the questions asked upon the floor of this House, and I have got no satisfactory answer. I have been told that with what we have incurred and what is now in sight it will aggregate $57,000,000,000. If that be true, it means that we have gone in debt $57 a minute since Christ was born, and if we keep on at that rate the taxpayers, before they can be relieved of their burdens, will have to wait until His second coming. [Laughter.] In any event the total is staggering in amount and paralyzing in effect.

In Pennsylvania, wherever a railroad crosses a highway at grade, there is a sign placed which reads, "Stop, look, and listen." I think it would be a good idea if a similar sign were put in front of the Speaker's desk, so that we might observe its mandatory admonition.

I did not, however, rise to comment or discuss this bill so much as some other matters which have been called to my attention, and to present some facts in the nature of cumulative evidence of a lamentable condition of affairs. I think while we are now appropriating money, spending our time in doing it, we might devote a little of our efforts to seeing that the money we have already appropriated reaches the people for whom it is intended.

Presumably every Member of this House has received a score or more of complaints relating to the nonpayment of money long overdue to men in the service and of allotments and allowances provided and intended for the monthly and needed relief of their dependents.

The total of such complaints must aggregate a very large number, and when they are given publicity on the floor of this House and in other ways there occasionally follows soon thereafter a statement from high official sources that there is not any foundation in fact for them; that the conditions of deferred payments and nonpayments do not exist. You know and I know that they do.

A circular issued by the department having these matters in charge, and entitled "What the United States Government does for its fighting men and their families," in describing the same contains this statement:

> By this system of allotments and allowances the enlisted man and the Government together make provision for the loved ones left behind.

And, again, commenting on the measure providing for allotments, allowances, compensation, and insurance, it is set forth that this system—

> safeguards the families left behind and by its broad and generous provisions it takes from war its chief terror—fear for the future.

Beautiful in sentiment, disappointing in results, though accurate in statement, for in truth a great many of these "loved ones" have been left behind, though in destitute circumstances.

And the men in service are disheartened, broken in spirit, justly indignant over the treatment of themselves and their families. What will be the attitude of mind of the returning soldier toward the lawmakers, toward those who have in charge the administrative duties of the law which we have enacted, toward the Government, and the administration? It will not be in praise of what we have done, but in bitter condemnation of failure to intelligently, expeditiously, and patriotically execute the law and apply its provisions as intended.

A few illustrations of different kinds will be enough for the present.

I have been trying since last June to secure relief in one particular instance. Under date of June 21, 1918, I received a letter in part as follows:

> I have been advised to write you in regards to my allotment. My husband left here on October 7, 1917, for Camp Lee, Va., and in November made out allotment papers for me to receive half of his pay

and the Government was to pay me $15 a month also, and it is now June 21, 1918, and as yet have not even heard from the Government and have written Washington several times with no reply, and I have been ill since the 10th of February and, of course, have no parents or anyone that I could turn to for help, and my husband is now in France in reserve camp at the front, so won't you please look this up for me as I have my hospital bill and doctor to pay, also rent and gas.

Again, under date of September 21, 1918, this woman writes as follows:

I am sincerely sorry that I have to keep writing you, in fact I think it annoys you, but I have written so many times to the Treasury Department without even getting an answer. If I were not ill I would not bother, but, Mr. CLARK, picture a woman ill for eight long months with her husband in France. I haven't anyone I could go to until I get better. You must remember I am all alone. My milkman quit leaving milk, my grocer has refused to send down any more groceries as I owe him $47.50. And, oh, God, it is so hard. I have tried to work and worked two weeks and have been confined to my bed for a week, at that rate I won't be able to hold a position nowhere. * * *

So, Mr. CLARK, won't you please try and have them do something for me. If they doubt my statement as to illness they can write my doctor.

Again, under date of October 10, 1918:

Pardon me, Mr. CLARK, for annoying you again, but it seems that writing to the War Risk Department they don't seem to pay much attention and this is one more favor that I am going to ask of you. Mr. CLARK, will you tell them that the allotment is due me from November, 1917, as it was then that my husband had made out allotment papers.

Again, under date of October 29, 1918—

Why is it that I have to go through all this red tape before I can get what allotment is due me? The papers I had registered a week ago are what they asked me to send; now they write and say they must hear from the commanding officer of my husband's company—as if they doubted my statement. Now, perhaps, I haven't any patience left, but I have been ill a long time, and when you are alone it is so much harder to get along. And I feel this way—I have done my part, and have done it willingly. * * *

You see, Mr. CLARK, I am utterly discouraged, and I must have the help that is due me. So, thanking you for past favors and thanking you again * * *

P. S.—Mr. CLARK, I can send a statement from my doctor that I am not able to work, but I am trying hard to.

Again, under date of December 21, 1918—

Each time that I write I always say it will be the last, because I know just how it is to be annoyed with other people's troubles; but each time that I write the War Risk Insurance in regard to my allotment they take forever and a day to answer. But I am without money and can not even get trusted, as I owe a grocery account, and I will not ask anyone for 12 cents to buy bread with. Now, I am without money and haven't either coffee or bread in the house, so will await a reply by the first of the week; then whatever I see fit to do with myself will do so. I know, Mr. CLARK, it is not using common sense to write this way, but I am utterly discouraged and can not help it. The War Risk has not even kept its word and sent me $30 a month, as it has promised to.

Again, under date of January 29, 1919—

In reply will state as yet I have not received my check, and the gas company has shut off my gas. They did this yesterday, and I am without fuel or food. I am not begging anyone for anything. * * * I gave up everything I had in this world, and then in return what do I get? I haven't heard from [my husband]—it's four months and two weeks. Now, Mr. CLARK, please advise me what to do; you know, it is not very nice staying in a cold house without food.

Again, under date of February 4, 1919:

Won't you ask them to find out where my husband is, as it is four months and three weeks to-day since I last head from him?

In 16 months this woman has received only three payments of $30 each.

This is a fine picture for us to view. A woman without parents; no wealthy relatives; alone in her home, cheerless, cold, penniless, destitute, sick, and hungry, and she the wife of a soldier in the service overseas.

Here is another case of a soldier leaving for overseas service in the early part of September last. He made an allotment to his mother of $15, but she has not received anything; and according to the last communication, which arrived at his home on December 24, 1918, he had not received any pay since he entered the service. This young man contributed to the support of his father and mother, when he was at home, $50 per month. They have not received a dollar from the Government. I saw this man's parents, who stated the facts to me.

Another case of one who went into the service July 15, 1917; did his part in France; was wounded seven times, and had a rib taken away. He has not received any money from the Government since April. This is not an imaginary case. I saw the man myself and heard the story from his own lips.

I have a complaint of another kind. A letter written by a soldier to his mother, whom I know, is in part as follows:

Send me some of my money. I haven't got paid for December yet, and I haven't told you that I buy my meals all the time or I would starve to death. I don't believe some of these "wops" around here could live on the meals that we get.

Last Friday we had fried (rotten) fish for dinner. Nobody would take it, and made soup out of it for supper; and everybody took it and threw it away so we wouldn't get it some other way again. It has been that way ever since we came here.

And yet there is given $100,000,000 to the alleged hungry of other foreign nationalities.

Under date of February 6, 1919, I received a letter from the mother of a lieutenant in Siberia, who inclosed a field-service post card from her son, who says that he has not received any mail, and I am requested to find out the proper address.

The post card reads as follows:

VLADIVOSTOK, 1-8-19.

Am well—feeling fine—don't worry.

Am in the hospital—sick—slightly wounded—seriously wounded—am now recovering rapidly.

Have—have not—received mail from you.

(Signed) ——— ———.

(Draw a line through any of the above not applicable. All field-service post cards with unauthorized additions or changes will be destroyed.)

This is all that is given on a small postal card made for the use of soldiers in the United States Army and sent from Siberia by a lieutenant in the service to his mother, who has sent him several important business letters which he has not received.

I have drawn a line through parts of the card, as he did.

The name I have, for obvious reasons, omitted.

I am acquainted with a young woman from the city of Erie who is doing her part in one of the hospitals in New York. She has written a letter descriptive of her work and the conditions there existing. It has appeared in the public press. I quote briefly:

Many of the boys can not write, so we do it for them. If they want to send telegram and have no money, the Red Cross pays for them. I am going to write to some of the girls at home and ask them if they will send small stamp books to the boys who are down and out, as many of them haven't had pay for five or six months, and haven't a cent to their names. I already have loads of letters to mail that are not stamped.

And yet the Post Office Department is on a paying basis. Daily we hear the praises of those boys, but that does not give them their overdue pay.

Not long since I personally visited a hospital not very far from the city of Washington and I conversed with a number of men there, and I learned that they had not received their pay for some months, although the day before I was there they had signed some papers by which they were to receive from the Government casualty pay of $7.50 per month, or amounts approximating this.

It would seem to the ordinary person that the basis upon which this casualty pay could be made would be sufficient to warrant the payment in full of all that was their just dues.

Such illustrations as these arouse our indignation, and I think that we could spend a little of our time most profitably and patriotically to do that which we ought to do. I understand from a gentleman, Mr. MCCULLOCH, of Ohio, who addressed this House a few days ago, that he felt the same way, and that he made inquiries to see how many bills had been introduced for this purpose. He found 15 of them. If there are 15 bills of this nature resting in the committees it is time some of them were brought into the House, and those who are responsible for introducing legislation of that kind and bringing it before this House ought, in my opinion, to take action at once to relieve the conditions, of which I have many complaints. [Applause.]

From all that I gather from various sources and from what has been presented upon the floor of the House immediate relief is imperative. The families of our soldiers are fed, in many instances, with broken promises, and we are binding up the wounds of our boys with red tape. It is high time that the slumbering resentment and indignation of the membership of this House expressed itself in some constructive and mandatory legislation which will eliminate chaos and substitute system for confusion worse confounded. [Applause.]

Mr. MCKENZIE. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. RAMSEYER].

Mr. RAMSEYER. Mr. Chairman, I had intended to discuss some features of the bill, but some of the data that I had hoped to get by this time I have not acquired, so instead thereof I am going to take a few minutes of the time allotted to me to get into the RECORD a brief that I prepared three or four weeks ago and have been carrying in my pocket ever since, on the right of public officials to receive gifts from foreign governments. The thing that prompted me to look up this question was an inquiry from one of my constitutents, based upon a news item similar to the one which appeared in the Washington Post here on Sunday, December 29, 1918. The news item is vouched for by the Associated Pess and is headed "King sends Wilson fine set of books as birthday gift." It is dated London, December 28, and states that President Wilson celebrated that day, his

sixty-second birthday, by a round of social activities, and that King George presented him with a magnificent set of books, and at the same time gave gifts to every member of the President's official party. Dispatches following that also gave out the news that the President accepted gifts given to him by other potentates and high dignitaries, including the Pope. The constitutional provision on that is very plain. It is so clear that any man who runs may read. The wayfaring man, even though he be a President or other high official, can not err therein. It is the eighth paragraph of the ninth section of Article I, and reads as follows:

No title of nobility shall be granted by the United States.

The second clause, to which I wish especially to call attention, is the provision:

And no person holding any office of profit or trust under them, shall without the consent of the Congress, accept of any present, emolument, office or title, of any kind whatever, from any king, prince, or foreign state.

That was incorporated in the Constitution by the fathers who made up the constitutional convention, and it was no passing whim of the framers of the Constitution, because this provision appeared in the Articles of Confederation substantially as we find it in the Constitution. Mr. Pinckney, a member of that convention, moved the adoption of this provision as a part of the Constitution and it was carried unanimously after full understanding of its importance, and the reason that he urged therefor was the necessity of preserving foreign ministers and other officers of the United States independent of external influence. Now, for a public official to accept a present from any king, prince, or foreign State is not only a violation of the Constitution, but is in violation of an act of Congress passed in 1881, two sections of which I will incorporate in my remarks. Section 2 of the act provides:

That no decoration or other thing, the acceptance of which is authorized by this act, and no decoration heretofore accepted, or which may hereafter be accepted, by consent of Congress by any officer of the United States from any foreign Government shall be publicly shown or exposed upon the person of the officer so receiving the same.

Mr. LONDON. Will the gentleman yield?

Mr. RAMSEYER. For a question.

Mr. LONDON. I understand the custom is that a gift that is received by the President from a foreign power is deposited in the State Department and is turned over to him when he becomes a private citizen. I understand that is how they have been getting around that constitutional provision.

Mr. RAMSEYER. Well, I do not know what the custom is—and here let me state that I never heard of a President violating this constitutional provision before—but the law is that no person while holding a public office can in any wise receive a gift from any prince, king, or foreign State, and the statute here provides that the officials can not take the gift and then come to Congress and ask Congress to give consent.

Section 3 provides:

That hereafter any present, decoration, or other thing which shall be conferred or presented by any foreign government to any officer of the United States—civil, naval, or military—shall be tendered through the Department of State and not to the individual in person; but such present, decoration, or other thing shall not be delivered by the Department of State unless so authorized by act of Congress.

As a matter of fact, Congress has in but very few cases acted favorably in giving consent to permit a public official to accept a gift or decoration since 1881.

Mr. RAKER. Will the gentleman yield?

Mr. RAMSEYER. I yield for a question only.

Mr. RAKER. Has the section of the Constitution to which the gentleman referred and the act—has either of them been violated lately, within the last six months? If so, who is the one who violated it?

Mr. RAMSEYER. The gentleman is listening, and I have not tried to cover up anything. I read this press dispatch from London, where the President of the United States accepted a gift from the King of England. I wish to inform the gentleman that I am not discussing this violation of the Constitution and statutes because of any hostility to the President or to embarrass him in his work over there, because I am in sympathy with nearly everything he says he is trying to accomplish. This is a domestic question, not a foreign one.

Mr. RAKER. Is it the gentleman's contention that the provision of the Constitution stated has been violated by the President?

Mr. RAMSEYER. If the press dispatch quoted by me is correct, there is no question about the violation.

Mr. RANDALL. Will the gentleman yield?

Mr. RAMSEYER. I will.

Mr. RANDALL. Does the gentleman disapprove of the decorations some foreign governments have conferred upon the officers and soldiers of our Army for distinguished services?

Mr. RAMSEYER. That is not the question that I am undertaking to discuss. The thing I am attempting to show in this brief to which I have referred is the constitutional and statutory provisions touching the President's right to accept gifts from kings and princes, and also what construction the constitutional writers and Attorneys General have placed upon this constitutional provision and what Secretaries of State had to say in regard thereto in their instructions and letters to ministers of ours serving abroad.

Mr. CRAMTON. Will the gentleman yield?

Mr. RAMSEYER. Always to the gentleman.

Mr. CRAMTON. As to the soldiers and sailors, the gentleman will recall that in our military appropriation bill of 1918 express authority was given those to accept such decorations.

Mr. RAMSEYER. Of course, I am not objecting to that. I am not discussing that; that does not come in this discussion at all.

Mr. CURRY of California. If the gentleman will yield further, the President of the United States is Commander in Chief of the Army and Navy.

Mr. RAMSEYER. The gentleman's contention is that the President has a right to accept any gift from any foreign State or king or prince because of that statutory provision? I doubt that very much. I do not recall the provisions of that statute now——

Mr. CURRY of California. Pershing, who is chief——

Mr. KAHN. If the gentleman will yield, the law provides that they may receive military decorations and that our Government in return can present to the officers and men of the foreign armies that cooperated with us such military decorations as we bestow.

Mr. RAMSEYER. I thank the gentleman for that explanation and that distinction. The costly gifts the President has been accepting can hardly be classed as military decorations.

Mr. McCULLOCH. If the gentleman will permit, I think the gentleman has opened up a very interesting question, and I would like to ask whether his brief brings up the question whether or not Congress has the power under the constitutional provision to enact such a law.

Mr. MASON. Yes; the Constitution provides for that.

Mr. RAMSEYER. Of course, Congress can give consent in particular cases. Now, the question the gentleman asks is whether Congress can by general statute give consent before the king, prince, or foreign state offers the gift?

Mr. McCULLOCH. That is what I wanted to know.

Mr. RAMSEYER. I have not investigated that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. Does the gentleman want more time?

Mr. RAMSEYER. I would like to have five minutes more.

Mr. KAHN. I yield five minutes additional to the gentleman.

Mr. RAMSEYER. I am very much obliged to the gentleman.

Mr. McCULLOCH. The gentleman has not answered my question. Have you made the distinction?

Mr. RAMSEYER. I did not look into that phase of it. I thought I had answered you.

Mr. McCULLOCH. It is a very interesting subject.

Mr. RAMSEYER. I shall print this brief in the extension of my remarks. It will give you the opinions of constitutional writers, United States Attorneys General, and Secretaries of State. Rawle in his work, "The Constitution," gives a reason for this constitutional inhibition. He says:

There can not be too much jealousy in respect to foreign influence. The treasures of Persia were successfully distributed in Athens; and it is now known that in England a profligate prince and many of his venal courtiers were bribed into measures injurious to the nation by the gold of Louis XIV.

And Watson, another eminent writer on the Constitution, cites the incident when Prince Henry of Prussia was here in 1902 and presented portraits to the Navy Department and to the academies at West Point and Annapolis, and also gave photographs to military and civil officers of the United States. These, however, according to the statute of 1881, were deposited with the Secretary of State, and the Secretary of State wrote a letter to the Attorney General and asked him whether it would be proper to turn these gifts over to the institutions and officers for whom the gifts were intended by Prince Henry. The Attorney General held that the Navy Department and these academies could accept them, because the constitutional inhibition did not apply to governmental institutions. But he said, as to these photographs, that the military and civil officers could not receive them. And the Attorney General calls special attention to the fact that Prince Henry of Prussia was only a titular prince and was not a sovereign exercising any power whatever. The Constitution prohibits the acceptance of a gift of any kind whatever from any prince or any king or any foreign State.

This same ruling has been followed by Attorney General Wickersham as applying to a postal clerk of the fourth class down here in the Post Office Department, whom the Emperor of Germany offered to decorate, and the question was raised in the case of a field assistant here in the Geological Survey, a Prof. Udden, who was decorated by the King of Sweden with the Order of the Knighthood of the North Star. In this case Prof. Udden was permitted to receive the decoration, for the simple reason that he was only working for the Geological Survey by the day, had never taken an oath of office, and was not held to be an officer of the United States.

Wharton on International Law goes on and discussess the same proposition. And I want to tell you, also, besides the Attorneys General of the United States always construing these provisions strictly, so also has every Secretary of State. I here call your attention to a quotation from John Quincy Adams, in his instructions, as Secretary of State, to our minister in Great Britain, where he says:

It is expected by the President that every offer of such present which may in future be made to any public minister or other officer of this Government abroad will be respectfully but decisively declined.

Daniel Webster, as Secretary of State, writing to Mr. Cushing, who was at that time minister to China, said:

The Chinese are apt to speak of persons coming into the Empire from other nations as tribute bearers to the Emperor. This idea has been fostered, perhaps, by the costly parade embassies of England. All ideas of this kind respecting your mission must, should they arise, be immediately met by a declaration, not made ostentatiously or in a manner reproachful toward others, that you are no tribute bearer; that your Government pays tribute to none and expects tribute from none; and that even as to presents your Government neither makes nor accepts presents.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAMSEYER. Mr. Chairman, I ask unanimous consent to extend and revise my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. RAMSEYER. The following is the brief to which I have referred:

PRESENTS TO PUBLIC OFFICIALS OF THE UNITED STATES.

The Washington Post of Sunday, December 29, 1918, carried the following news item on the front page:

"KING SENDS WILSON FINE SET OF BOOKS AS BIRTHDAY GIFT.

[By the Associated Press.]

"LONDON, *December* 28.

"President Wilson celebrated to-day his sixty-second birthday by a round of official activities. King George presented him with a magnificent set of books, and at the same time gave gifts to every member of the President's official party."

This present from King George to President Wilson is in plain violation of Article I, section 9, paragraph 8, of the Constitution, which reads as follows:

"No title of nobility shall be granted by the United States: And no person holding any office of trust or profit under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state."

The reference to this paragraph of the Constitution in Madison's Constitutional Convention is found in volume 2, pages 234 and 235, and is as follows:

"Mr. Pinckney urged the necessity of preserving foreign ministers and other officers of the United States independent of external influence and moved to insert after Article VII, section 7, the clause following: 'No person holding any office of profit or trust under the United States shall, without the consent of the legislature, accept any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state which passed nem: contrad:"

The only comment made in Hamilton's Federalist on this paragraph is found on page 274, as follows:

"The prohibition with respect to titles of nobility is copied from the Articles of Confederation, and needs no comment."

Rawle, in his work, The Constitution, pages 119 and 120, makes the following comment:

"'No title of nobility shall be granted by the United States or by any individual State.' Of this there could have been but little danger. The independent spirit of republicans leads them to contemn the vanity of hereditary distinctions, but the residue of the clause is more important. 'No person holding any office of trust or profit under the United States shall, without the consent of Congress, accept any present, emolument, office, or title of any kind whatever from any king, prince, or foreign State.'

"There can not be too much jealousy in respect to foreign influence. The treasures of Persia were successfully distributed in Athens; and it is now known that in England a profligate prince and many of his venal courtiers were bribed into measures injurious to the nation by the gold of Louis XIV."

Story, in his work on Constitutional Law, section 1352, has this to say on the last part of this paragraph:

"The other clause, as to acceptance of any emolument, title, or office from foreign governments is founded in a just jealousy of foreign influence of every sort. * * * A patriot will not likely be seduced from his duties to his country by the acceptance of any title or present from a foreign power. * * * Still, however, the provision is highly important, as it puts out of the power of any officer of the Government to wear borrowed honors, which shall enhance his supposed importance abroad by a titular dignity at home."

Watson on the Constitution. Vol. I, page 760.

"When Prince Henry of Prussia visited the United States, in 1902, he made presents of portraits to the Navy Department and Military and Naval Academies, and of photographs to several civil and military officers of the United States. Prince Henry was not occupying a throne, but was a titular prince. The question was submitted by an officer of the Government to the Attorney General whether the constitutional prohibition prevented the acceptance of these presents. The Acting Attorney General held that, although Prince Henry was only a titular prince, an acceptance of a present from him would come within the prohibition; he also held that, as the Constitution forbids any person holding any office under the United States from accepting any present, emolument, office, or title, the prohibition did not apply to a department of the Government nor to governmental institutions. The opinion went further and held that even a simple remembrance of courtesy, which from motives of delicacy recognizes our policy, like the photographs in this case, falls under the inclusion of any present of any kind whatever."

See also 24, Op. A. G., 117–118. Acting Attorney General Henry M. Hoyt.

In 1909 the Secretary of State received an insignia of the third class of the Order of the Red Eagle, conferred by the German Emperor to deliver to a clerk of class 4 in the Post Office Department. Attorney General George W. Wickersham in an opinion held (27 Op. A. G., 219–21):

"That the Secretary of State would not be justified, without authority of Congress therefor, in delivering an insignia which had been conferred upon this officer of the United States by the German Emperor. The opinion is clear that a present can not be made to any officer of the United States, 'unless authority be first obtained by act of Congress.'"

In 1911 the question arose whether Prof. Udden, a field assistant in the United States Geological Survey, could accept from the King of Sweden the order of the Knighthood of the North Star, which that sovereign had conferred upon him, in view of Article I, section 9, paragraph 8 of the United States Constitution. Attorney General Wickersham (28 Op. A. G., 298) held that as his duties were not continuous, being employed by the day, only occasional work, and no oath of office was taken by him, "there is nothing in the Constitution or laws to prevent the acceptance by Prof. Udden of the order conferred upon him by the King of Sweden."

Wharton's International Law Digest, Volume I, has the following:

1. Daniel Webster, Secretary of State, to Mr. Cushing, May 8, 1843, pages 446–447:

"The Chinese are apt to speak of persons coming into the Empire from other nations as tribute bearers to the Emperor. This idea has been fostered perhaps by the costly parade embassies of England. All ideas of this kind respecting your mission must, should they arise, be immediately met by a declaration, not made ostentatiously or in a manner reproachful toward others, that you are no tribute bearer; that your Government pays tribute to none and expects tribute from none; and that even as to presents, your Government neither makes nor accepts presents."

2. J. Q. Adams, Secretary of State, to Mr. Rush, November 6, 1917, page 757:

"It is expected by the President that every offer of such present which may in future be made to any public minister or other officer of this Government abroad will be respectfully but decisively declined."

3. Mr. McLane, Secretary of State, circular, January 6, 1834, page 757:

"I am directed by the President to instruct the ministers, consuls, and other diplomatic and commercial agents of the United States that it is required of them that in future they will not, unless the consent of Congress shall have been previously obtained, accept, under any circumstances, presents of any kind whatever from any king, prince, or foreign State."

4. Other Secretaries of State give similar opinions on pages 758 and 759.

Mr. CLARK of Pennsylvania. Mr. Chairman, I ask unanimous consent to extend and revise my remarks.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause] The Chair hears none.

Mr. KAHN. Mr. Chairman, I yield 10 minutes to the gentleman from South Dakota [Mr. DILLON].

Mr. DILLON. Mr. Chairman, for many years South Dakota has maintained a board of railroad commissioners. These commissioners are elected by the people, they are responsible to the people, and the people of our State have absolute confidence in their efficiency and integrity. These commissioners have for many years been instrumental in securing for the people of our State a reduction in freight, passenger, and express rates. Recently the Director General of Railroads promulgated a new schedule of express rates as applied to interstate shipments. This new schedule interferes with the intrastate express rates of my State. When this schedule was about to go into effect, the railroad commissioners of my State brought suit against the officials and sought to enjoin them from putting into effect this new schedule, which would interfere with the intrastate rates in South Dakota.

When the case came on for trial there appeared in a luxurious, specially equipped, private car three attorneys representing the Public Service Corporation, who sought to impress their argument on the court that these intrastate rates could be set aside. They thus interfered with the domestic affairs of our State. To show the extent that our people resented this interference in our internal affairs and the extravagance in the use of private cars, the legislature of the State, being in session, passed a resolution condemning the action of these paid attorneys, coming there under the circumstances in an equipped, luxurious car as a wanton waste of expenditure of public money, and condemned their activities in interfering with the affairs of our State.

As a part of my remarks, I desire to have read in my time the resolution so passed by the legislature.

The CHAIRMAN. Without objection, the paper referred to will be read.

There was no objection.

The Clerk read as follows:

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed concurrent resolution was duly passed by the sixteenth session of the Legislature of the State of South Dakota.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at the city of Pierre, January 31, 1919.

[SEAL.] C. A. BURKHART,
Secretary of State.

Hon. C. A. BURKHART,
Secretary of State:

The following concurrent resolution has been adopted by the senate and concurred in by the house of representatives:

Concurrent resolution.

Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring):

Whereas the Government of the United States as a war-emergency measure took over the control of several great public-service corporations, including the railroads and express companies of our country, and placed them in charge of a Director General of Railroads; and

Whereas our Government did at the same time urge upon our people the great necessity of saving and conserving in private and business affairs, and asked our people, even the widows and orphans, to save their mite to buy liberty bonds and war-saving stamps for the support of the Government and its different departments in its conduct of the war, including the railroads and express companies; and

Whereas our people have generously responded to every request made, and whereas it has now come to the attention of our people that three paid representatives of one of the said great public-service corporations have come to the city of Pierre in a luxuriously equipped private car at a great and unnecessary expense for the express purpose of opposing in our courts the action of our board of railroad commissioners wherein they are representing the interests of our people in seeking to prevent what appears to be an unwarranted, unlawful, and unjust raise in express rates, which are sought to be put into effect under the guise of Government control and with the apparent approval of the Director General of Railroads: Now therefore be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That we do condemn such unwarranted extravagance as unpatriotic, disloyal, and undemocratic, and that we do hereby memorialize the Congress of the United States to enact such laws as will effectually and permanently protect the American people from unfair and extortionate rates, whether imposed upon them by private corporations owning and operating such public utilities or under Government management and control of the same, thereby rendering to the people that reasonable and efficient service to which they are rightfully entitled, free alike from unreasonable governmental control or from corporate or individual oppression.

For the Senate:

C. S. AMSDEN,
President pro tempore.
A. B. BLAKE,
Secretary.

For the House:

LEWIS BENSON,
Speaker.
WRIGHT TARBELL,
Chief Clerk.

Dated at Pierre, S. Dak., this 28th day of January, A. D. 1919.

Mr. DILLON. Mr. Chairman, on February 5 I made some remarks concerning conditions found at Newport News and vicinity and referred to corrals in which several thousand horses were kept. My remarks are found in the CONGRESSIONAL RECORD of February 5, commencing on page 2774. I append a communication received from R. E. Wood, brigadier general, United States Army, Director of Purchase and Storage, giving his version of these conditions. I ask unanimous consent to have it printed as an extension of my remarks.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to have the matter indicated printed as an extension. Is there objection?

There was no objection.

The communication referred to is as follows:

WAR DEPARTMENT,
PURCHASE, STORAGE AND TRAFFIC DIVISION,
Washington, February 7, 1919.

Hon. CHARLES H. DILLON,
House of Representatives.

DEAR SIR: I note your speech with reference to conditions at Newport News, which appeared in the CONGRESSIONAL RECORD of February 5.

While the majority of the matters you treated in this speech are not under the jurisdiction of the Quartermaster Corps, the corrals and remount stations are. I am attaching, for your information, copy of reports from Col. Scott, inspector of the remount division.

To enable you to understand the situation it will be necessary to state that the remount station at Newport News was not intended to keep animals any length of time. It was used as an embarkation depot, pure and simple. Animals were brought there to be shipped to Europe and, as a rule, were held in the corrals only a few weeks. At the time of the armistice we were shipping fifteen to twenty thousand animals per month.

The corrals were all right during the dry season, but during the rainy season they were very muddy. At the same time, the sheds are well-drained and dry on the inside, and the animals have an opportunity to lie down.

Just as soon as the armistice was declared this department requested authority from the General Staff to sell off the surplus animals, and when authority was received we advertised and began the sales. As you will note in Col. Scott's report, there were 4,300 animals in the corrals at the time of your visit. Twenty-two hundred were sold on February 3, 4, and 5. These animals were in good condition, as evidenced by the prices realized at the sale, which were exceedingly good. Fifteen hundred are to be sold on the 26th, which will leave about 600 animals, for which there is stable room. In other words, no animals need be kept in corrals after February 26.

While it in no way concerns me, I noticed a statement in your speech which is incorrect, and I assume that you will be glad to have your attention called to it. I happen to know personally Capt. L. G. Thom, whom you mention as being assistant executive officer and a brother-in-law of one of the Ferguson brothers. Capt. Thom is in no way connected with the Fergusons. He married a sister of Col. Altstaetter.

Very truly, yours, R. E. WOOD,
Brigadier General, United States Army,
Director of Purchase and Storage.

—

FEBRUARY 6, 1919.

From: Lieut. Col. Charles L. Scott, Q. M. C.
To: Remount Division, O. Dir. P. & S., room 1064, Munitions Building, Potomac Park.
Subject: Inspection of Animal Embarkation Depot, Newport News, Va., December, 1918.

1. I report that I inspected the animal embarkation depot, Newport News, Va., December 27, 28, 29, and 30. This depot was in excellent condition.

2. I especially investigated the shortage of water supply, which was due to exceptionally dry weather. Recent rains have relieved this situation; also, the British remount depot at this place has sold 5,000 animals, and 1,300 have been shipped out from this depot. This also will largely reduce the amount of water being used. There was no necessity for shipping animals out to be sold at other points, and I recommended that animals be held at Newport News and sold at that place during January, February, and March.

3. Due to rains the corrals were quite muddy, but cleaning was progressing daily, and the animals were being shifted from corral to corral, in order to provide as dry corrals as possible. The sheds in each corral were dry and provided suitable shelter for animals during the rain.

4. The animals were in excellent condition.

CHARLES L. SCOTT,
Lieutenant Colonel, Quartermaster Corps.

—

FEBRUARY 6, 1919.

From: Lieut. Col. Charles L. Scott, Quartermaster Corps.
To: Remount Division, Office Director of Purchase and Supplies, Room 1064, Munitions Building, Potomac Park.
Subject: Inspection of animal embarkation depot, Newport News, Va., February 5, 1919.

1. I submit the following report of inspection of the animal embarkation depot, Newport News, Va., which I made February 5, 1919:

(a) Due to recent rains, corrals are quite muddy. This is a temporary and not a permanent condition. There are 31 corrals in the depot proper, of which 21 have been in constant use. Two excellent corrals belonging to the veterinary hospital, which are located on high ground, were turned over to the depot and put in use on January 27, 1919. These corrals had been used for contagious diseases, and several careful disinfections of same had to be made in addition to removing much loose earth. These corrals were vacant during these disinfections, and they are the only good corrals that have not been constantly in use.

(b) The 10 corrals now in use are located on low and poorly drained ground, 6 of them being receiving corrals along the railroad track and unloading chutes.

(c) Of the 23 good corrals, 13 have been necessary to care for animals, thus leaving 10 vacant. These vacant corrals are then cleaned and drained and animals are shifted from the 13 corrals that are occupied as conditions may warrant.

(d) Sheds are located in all of these 23 corrals and provide ample shelter in bad weather for the animals in these corrals. They are generally well drained and dry on the inside.

(e) All feed and hay racks are located outside of sheds. The ground on each side of the hayracks in occupied corrals is graded and generally well drained and provides good footing for the animals while being fed.

(f) The animals of this depot are fat and in excellent condition. Four thousand two hundred and forty-three animals were at this depot on February 1. There are now only 72 animals receiving treatment in the hospital, 50 per cent of which are old cases of injuries received in shipment.

(g) Sale of 2,200 animals was conducted on February 3, 4, and 5, 1919. This leaves about 2,000 animals in the depot, 1,500 of which will be sold February 26, 1919. After this sale stable facilities will be available for all animals remaining at the depot.

(h) The general condition of this depot and the animals in it is very good, and from all reports and records it is better than it has ever been before under similar weather conditions.

CHARLES L. SCOTT.
Lieutenant Colonel, Quartermaster Corps.

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

The CHAIRMAN. The gentleman from Michigan is recognized for five minutes.

Mr. CRAMTON. Mr. Chairman, I desire in that time to have read by the Clerk a statement which is contained in a letter recently received by the parents, at Detroit, Mich., of a sergeant in the service of the United States with our troops in the north of Russia. There is a great interest in Michigan, as elsewhere, in the American expedition now in the north of Russia, and I think that, with other comments, this expression, which comes from one of the soldiers there, is of particular interest. I ask that the Clerk read it.

The CHAIRMAN. Without objection, the clipping indicated will be read.

The Clerk read as follows:

The success of American armies in wars of the past has been attributed to the fact they always have had a complete knowledge and understanding of the principles for which they were fighting. This is not true of this expedition which has been sent to Russia. We are absolutely ignorant of any cause for being here, and we appeal to the folks at home to enlighten us.

If we are here to improve conditions of the Russians and to destroy bolshevism, which we must admit is a dangerous institution, does it not seem right the Russians should assist us? But they refuse to go to the front and fight with us.

We were actually compelled to turn our machine guns on a body of them the other day—Russians who had enlisted in the British Army and refused to obey commands to move to the front. Does it seem right we should sacrifice our lives for men who refuse to assist us in establishing peace in their own country?

We are here under English command. Every move we make is controlled by England, and we are living on English rations, which consist mostly of canned stew and tea. I don't want you to feel that being in doubt is lessening my fighting spirit any. I am ready at all times to give my life for my flag and my country. But all we ask is that you assist in convincing us that this expedition is justified.

Mr. CRAMTON. Mr. Chairman, I yield back any time I may have remaining.

The CHAIRMAN. The gentleman yields back the remainder of his time.

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. MANN. Mr. Chairman, here is a new one on me. There has been a good deal of complaint about the inability of boys in the Army to get their applications for discharge acted upon at all, and more complaint about their inability to get them acted upon favorably, where the conditions would all seem to indicate that the applications ought to be granted. But out at Fort Logan H. Roots, Ark., they have a new commanding officer, who turned back all the applications in effect and issued an order to the effect that all men applying for a discharge must have a letter from the Red Cross secretary stating the reason. In other words, it was not sufficient for these men to present applications and affidavits from doctors, dependents, employers, or anybody else, but, having done that, they must get the Red Cross secretary to give the reasons why, in the judgment of the Red Cross secretary, the man ought to be discharged.

I have here a very appealing letter, not addressed to me, from one of the men out there seeking to obtain from the Red Cross secretary at Chicago reasons why he should be discharged. Evidently that man has great faith in the Red Cross.

The War Department here does not seem to have as much faith in the judgment of the Red Cross. The War Department in its files here has information probably of thousands and thousands of cases where men have been killed or wounded in France; and yet if you ask for information from the Red Cross, which they have and will be glad to give, they are ordered by the War Department not to give the information unless the War Department has already given it out.

Mr. DILLON. Mr. Chairman, will the gentleman yield to me?

Mr. MANN. Yes.

Mr. DILLON. I will state that I had a communication from the War Department quite recently, referring me to the Red Cross to get information as to the death or whereabouts of one of the soldiers.

Mr. MANN. I understand they refer to the Red Cross, but the Red Cross is forbidden to give the information unless the War Department has previously given it out themselves. Upon receipt of the information by the War Department that a man has been killed or wounded or is missing, the Red Cross is notified, and is thereupon permitted to furnish the relatives of the soldiers with whatever additional information it has. For months the Red Cross here in Washington has been in possession of information about men in the Army, either wounded or dead, which they were not permitted by the War Department to give out to the families. One man in the Red Cross has had on his desk as many as 500 obituary letters sent by Red Cross representatives in the hospitals in France to the families of men who have died, sending the information through the Red Cross, and yet they were not permitted to forward these letters to the families or to give the information which they received from their own representatives.

That is true also of the wounded, although in some cases that rule has been violated by the Red Cross officials. I may say if I were running the Red Cross I would tell the War Department to go to sin with such an order. [Applause.] If I had the information from Red Cross representatives in hospitals in France that a soldier boy was lying there wounded, or that he had died and had been buried, I would give that information to the mother or the wife of the soldier over here, whether the War Department liked it or not. [Applause.]

Of course the claim of the War Department is that mistakes will occur; that men of the same name are in the Army, and that a man by the name of John Smith may be reported dead, but it is not the John Smith that some particular person is interested in. But I am inclined to think from the information we have had that the reports of the Red Cross upon the subject in the main are more reliable than the reports that come from the War Department.

I think it is a shame that the mother who has given her boy in France, where he has been killed, and who walks the floor, as many of them do, night after night in worry, can not receive the information which would at least allay that much of her sorrow and anxiety.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. HUMPHREYS. Everybody agrees with the gentleman in his criticism, except as to the Red Cross. Now, the Red Cross people, as I understand it, are under the Army, and if they——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. KAHN. I yield five minutes more to the gentleman.

Mr. HUMPHREYS. If they were to disobey these orders, it might mean that their opportunities for the great services they have rendered would be seriously curtailed by further order of the War Department.

Mr. MANN. That is their fear. I have no doubt, however, that if they disobeyed the order, the order would be revoked. The War Department can not defend such a thing before the American people.

Mr. HUMPHREYS. Absolutely not.

Mr. MANN. They can defend it in secret. As long as it is not known it can be enforced. If the war were to continue now, it would not be in force for 30 days longer.

Mr. HUMPHREYS. That is true; but the Red Cross might be seriously handicapped in the great good it is doing if it should run counter to the orders of the War Department.

Mr. MANN. I am not disposed to criticize the Red Cross. If I appeared to do so, I did not mean to do it.

The other day I referred to a letter from Judge Walter I. McCoy, for many years a very valued and valuable Member of this House, now a justice of the Supreme Court of the District of Columbia, concerning the marking of the graves in France. I was glad to have some of the gentlemen here who had been over in France where the boys are buried state that those graves were well marked, and I hope that is true in all cases. Undoubtedly it was true of the cases referred to by the gentlemen here. This is what Justice McCoy says:

I am informed by one who has just returned from France, where he visited the grave of my son, that it is marked by a wooden cross on which was "written," without the Christian name or initials, simply "Lieut. McCoy, 39," and that the writing was nearly effaced by the rain. My informant tells me that he rewrote the name, so that it probably will not be obliterated, and wrote my name and address on the cross as an added precaution. * * *

Fearing the loss of identity, I endeavored several months ago through a French lady who was good enough to take an interest in the matter to have a simple stone placed on my son's grave, but she was told by the American Graves Registration Service that this would not be permitted.

Of course, I suppose Judge McCoy does not know anything further than the information furnished to him, which was that a friend of his visited the grave, found the name of his son written on the cross over the grave nearly effaced, and his friend rewrote it. A photograph just received by Judge McCoy, showing the grave of his son at Pierrefonds, discloses that the crosses marking the burial places of the American soldiers bear simply cards, which appear to be tacked upon the wood.

A great many of the boys who died abroad probably never will be brought home. They may be given a resting place there which will be entirely satisfactory and altogether suitable; but a great many will be brought home, and the relatives and friends of the boys whose remains are brought home do not want any unnecessary uncertainty as to the identity of the remains. It will be a crime if the Government of the United States has so marked those graves that the names will become obliterated, and if it becomes known in the country later that while they may bring a coffin with some remains to the mother or wife, no one knows whose remains are in the coffin.

Mr. GARRETT of Tennessee. I have understood, though I can not vouch for the accuracy of it, because I have had it from no official source, that a diagram was kept of the burial plats, the graves being numbered upon that diagram, and the names set opposite the numbers. I say I can not vouch for it, because I have heard it from no official source.

Mr. MANN. That may be true. I will say this: I raise a great many flowers. One of the greatest difficulties in the world is to keep them properly labeled and to know what their names are. I have nearly a thousand different varieties of one sort of flower. There is a plat which shows where every one of them is planted. They are all labeled, most of them with two labels; and yet it is the hardest thing in the world

not to get them mixed up at times. But there ought to be no mixing up of these graves over there, not to any extent, at least. Everything ought to be done to give the people confidence that the identity of these dead soldiers is being preserved. We have given those people enough money. If they will use common sense, there will be no trouble about it at all. If they do not, God help them. [Applause.]

Mr. KAHN. Will the gentleman from Nebraska use some of his time?

Mr. SHALLENBERGER. I will yield 15 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, the specter of Bolshevism is haunting the world. Everybody—statesman, business man, preacher, plutocrat, newspaper editor—keeps on warning the world that it is about to be destroyed by Bolshevism. A few days ago a preacher who brought to the pulpit the slang of the barroom orated against it. The chairman of the Republican congressional committee put in the CONGRESSIONAL RECORD remarks which he had delivered before the Chamber of Commerce in Pittsburgh, in which he warned them of the danger of Bolshevism.

A meeting was held in Washington at which a number of Members of Congress were present. At the meeting two newspaper reporters said the things that they had been saying in the press for more than a year—things that had been published in a number of metropolitan papers, that had been published in a number of newspapers in England. One of the typical plutocratic sheets of America, the Washington Post, immediately proclaimed that the country was in danger; that within the shadow of the Washington Monument people were permitted to speak things which were not popular; that within the shadow of the Washington Monument a young man and a young woman dared to say things which were contrary to the policy of that plutocratic sheet. But the worst of it is that every movement, every new idea, every new suggestion, every new thought that is advanced is immediately denounced as Bolshevism. It is not necessary to argue any more with a man who advances a new idea; it is enough to say "That is Bolshevism." Socialism, anarchism, nihilism, all these are presented as one thing.

There is an investigation going on in another body as to what Bolshevism stands for. I would like to see an investigation as to whether there exists a conspiracy to suppress freedom of speech, freedom of the press, and freedom of assembly.

The war is over and still we have not repealed the espionage act or the so-called sedition bill. It never was an espionage act. No man would ever vote against a bill which punished a spy. There is no more damnable crime than spying in a time of war, but what they call the espionage bill is a bill to check, regulate, and control speech, control the press, and to control thought. Hundreds and thousands of men are lingering in jail to-day because they dared express views which were unpopular in time of war. Hundreds and thousands of men are in jail to-day because they dared proclaim a political philosophy which ran contrary to the philosophy of the moment.

Mr. QUIN. Does not the gentleman think they ought to be there if they violated the law?

Mr. LONDON. First, the gentleman ought to ask if I yield. There was an old sedition law in the eighteenth century, a sedition law which cost the political party responsible for it its life. Under that old sedition law only 11 persons were tried, if the gentlemen will examine the records. The maximum penalty under that old law was two years' imprisonment and a fine of a thousand dollars. The only substantial fine imposed under the sedition law was ordered returned by the subsequent Congress.

Under the existing law the penalty is 20 years of imprisonment and a fine of $10,000. I can understand why the fine was fixed at $10,000 instead of $1,000; we are now 10 times as rich; but why should it be 20 years instead of 2 except that we appreciate liberty to only one-tenth the extent it was appreciated then. [Laughter.]

You ought to know how difficult it is to try a political case before a jury in time of war. Take the average Republican or Democratic Members of Congress. They are men above the average intelligence; they are the best men of their districts. Some of them are not even politicians, because they have no time to dabble in politics; but still if you put six Republicans and six Democrats, Members of Congress, on a jury to determine whether a Socialist was right in expressing certain views, I do not know whether they would be capable of reaching an impartial decision because Republicans and Democrats are totally ignorant of what socialism is. All they know is that it is unpopular in their districts. Take the average business man, the retired banker, the grocer, the shoe manufacturer; take the crowd the Security League has assembled together and have them decide whether certain utterances were lawful or unlawful, whether they tended to increase or reduce profits, whether they tended to overturn society, and they are sure to decide the case as their prejudices and ignorance determine.

Whatever excuse there might have been for that law during the war, there is no excuse for continuing it to-day.

Mr. BLACK. Will the gentleman permit a question?

Mr. LONDON. Yes.

Mr. BLACK. Does the gentleman think we ought not to have any legal method of punishing the man who advocates the overthrow of this Government by methods of violence?

Mr. LONDON. My dear sir, the man who advocates the overthrow of a government by violence puts himself outside of the pale of law. The man who believes in the overthrow of anything by violence, that is not socialism; and I am opposed to the use of violence in any form.

That is why as a Socialist I have voted against war. I do not believe in the healing efficacy of violence and war. I do not believe that by putting a million men against a half million men and killing the half million men you establish any moral or ethical principle. You merely establish the fact that a million men commanded by better generals and supplied with better artillery are stronger than half a million men commanded by weaker generals and supplied with weaker artillery. As a Socialist I oppose the use of physical violence, and that is why I condemn those slanderers and ignoramuses who seek to confuse the life-giving philosophy of Socialism, which seeks to apply the noblest principles of religion to the actualities of life—that is why I condemn those who seek to confuse the philosophy of Socialism with the theory of violence.

Mr. SUMNERS. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. SUMNERS. I fully respect the gentleman's views, but I want to ask this question: Does he believe in meeting violence with violence? What are you going to do when a man comes at you with a gun? I ask that for information.

Mr. LONDON. That will lead me away from the subject.

Mr. SUMNERS. Then I withdraw the question.

Mr. LONDON. I am not a believer in nonresistance, but that would take me away from the subject. I would refer the gentleman to Tolstoy for those things. I am not a believer in nonresistance. The doctrine of nonresistance has been preached for 2,000 years and the opposite of it has been practiced during those 2,000 years. The gentleman can find better authority than I am upon that subject and more binding authority.

The man who advocates the overthrow of government by violence puts himself outside of the law. Countries which have permitted the widest possible latitude, so far as freedom of speech goes, have not been losers thereby. Take the English Government, for instance. Every anarchist was given a place of refuge in London. They have allowed them there to talk, and England has never had a single act of assassination, while Spain and Italy, where they have had rigorous restrictive laws relating to the freedom of assemblage, have had all sorts of anarchistic attempts, because violence on the part of the Government breeds violence on the part of the people.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. BLACK. I understand from the gentleman's answer to my question that he does favor a law that would prohibit a man from advocating the overthrow of this Government by violence?

Mr. LONDON. Or the overthrow of any government by violence, except to this extent—to the extent which is embodied in the American Declaration of Independence, that the people in their collective capacity reserve the right to overthrow a government which has usurped powers which do not belong to it. Of course, that is a fundamental principle, to which the gentleman subscribes, I am sure.

Mr. BLACK. If we are in agreement on that, does the gentleman know of any law that we have on the statute books that would prevent him or any other man from advocating his doctrines of socialism?

Mr. LONDON. Oh, that is exactly what is happening. What has taken place under the so-called espionage law is that men are being prosecuted and persecuted, very often by well-meaning officers, because to those officers the doctrines which the accused advocate seem to be subversive of well-ordered society. In other words, their doctrines are unpopular, their doctrines are misunderstood. Let me give the gentleman this illustration: During the campaign of 1916 the Democrats gained popularity by proclaiming the slogan, "He kept us out of war." The Republicans avoided the issue. In October, however, the National Hughes Alliance published an advertisement over the names of 27 prominent citizens, including ex-Presidents Roosevelt and Taft, Joseph H. Choate, Robert T. Lincoln, and Elihu

Root. The statement dealt with the Mexican situation. It contained, among other things, the following declaration:

"Our business is business. Year by year it becomes more apparent that the markets of the world must be kept open to American industries. We can not extend our trade further than we are able to defend it. The rivalries that begin in commerce end on battle fields. The history of war is green with international jealousies. Every great conflict in modern times had its origin in some question of property rights. We are now universal competitors and are destined to grow constantly stronger rivals for a power which other people will not surrender without a trial of wit and will and, if need be, force," and so forth.

That statement was signed by prominent Republican statesmen and is substantially true; there is no doubt about that; but if the very same things were said by a Socialist—if a Socialist were to say that most wars are caused by the clash of the economic interests of nations and are primarily business wars—it would have led him, of course, in some States to the gallows and in other places to jail after indictment and trial by prejudiced men.

If I had time, I would have no difficulty in explaining to the gentleman that what is known as bolshevism is a stage in a revolution which may continue for several years. It is a stage in a struggle incident to Russian life. No other nation in the world has or has had similar conditions. A people stretching over a territory one-sixth of the world's surface, European Russia constituting one-half of Europe, Asiatic Russia being one and a half times as great as the whole of Europe, contending——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHALLENBERGER. I yield the gentleman 10 minutes additional.

Mr. LONDON. I thank you. Contending with the evil wrought by a most abominable system of monarchism, where every aspiration of the people was suppressed, where the only reward the noble men and women of Russia received from their Government during the last 50 years was exile to Siberia and death on the scaffold—in this land, where revolution was the only way out, the contest for true democracy was bound to assume a revolutionary character. And then Russia has had peculiar economic institutions. So, for instance, in the greater part of European Russia the peasants look upon collective ownership of land as the only proper form of land ownership, and naturally when in a country like that a revolution takes place——

Mr. BLACK. Will the gentleman yield?

Mr. LONDON. Let me develop this argument. There the principle of collective ownership of land flows out of their life, and while it may appear to be subversive in a country where individualism prevails, over there it is merely the next stage in the evolution of the people. I now yield to the gentleman.

Mr. BLACK. The gentleman has read, of course, the constitution of the Soviets?

Mr. LONDON. Yes.

Mr. BLACK. Does not that constitution first prohibit the private ownership of land, and then provide that the owner of the land when dispossessed could not be paid anything whatsoever for his ownership? I take that to indicate that there is private ownership of land, because the constitution itself recognizes private ownership and provides that the Soviet States shall have the right to go out and dispossess them and pay nothing at all.

Mr. LONDON. If the gentleman would not have interrupted me——

Mr. BLACK. Does the gentleman approve of that?

Mr. LONDON. I should tell the gentleman this, that while the principle of the collective ownership of land exists among the people and is a part of the very psychology of the revolution, only 12 per cent of the land was owned collectively and 88 per cent was owned individually, by large estates, by the church, and by the Czar's family. Now, the gentleman knows that the history of modern England began with the division of land of England among the generals who invaded and conquered England. The feudal system of the rest of Europe was similar in origin, and as far as Russia is concerned, the feudal system of Russia was firmly established by Catherine II, to whom Byron referred as a Queen, spelling it "q-u-e-a-n."

It is easy to understand that there should be an attempt made in Russia to extend the principle of the collective ownership of land. Whatever form of government they may have now can not be considered the last and final form of government.

Mr. BLACK. Does the gentleman approve that part of their constitution that confiscates private ownership, title to the land?

Mr. LONDON. The gentleman is a lawyer and will concede that the very basis of American real-property law is that the people collectively are the ultimate owners of the land. That is the very basis of American law, and it is on that principle that we exercise the right of eminent domain.

Mr. BLACK. I am interested to know if the gentleman approves of that article of the Soviet constitution which provides that the private owner of land shall be deprived of his title without compensation? That is a plain question.

Mr. LONDON. No. The principle adopted by the Socialist Party is that private owners shall be compensated. That is the principle adopted by the Socialist Party.

Mr. BLACK. I am talking about this constitution.

Mr. LONDON. The principle, I say, that the Socialists have adopted is that the private owner shall be compensated. I look upon the Soviet declaration as a revolutionary step taking place during an upheaval.

Mr. BLACK. Do you approve that doctrine or disapprove it?

Mr. LONDON. I have answered you that as a Socialist I would permit the compensation of the private landowner, but I would not permit the continuance of large estates. I would not permit the church to own one-tenth of the land for the purpose of communion with the Lord, because the Lord does not need it, and when the poor peasant, who has only one-half an acre, needs that ground in order to live on it and toil on it.

The question is not whether you and I approve the particular step taken by a revolutionary government or a particular constitution. I am distressed when a Democrat expresses hatred of the effort of the masses of Russia to liberate themselves. You can not advise them. I was opposed to the sending of Root as commissioner, and advised the President against it. I knew Root would not succeed. But in justice to him it must be said no one could have succeeded—not with 180,000,000 people in revolt. It took the little American Republic four years to establish a Constitution, and the Constitution was adopted in secret, and many a delegate left that constitutional convention in disgust, and, what is more, although they adopted the most wonderful document in the history of republics, they retained the curse of slavery, which subsequently cost America a million lives.

It took the French Republic six or seven years before they adopted a constitution by a majority of one vote, and then they did not dare to openly proclaim that they were establishing a republic, but they smuggled in the word "republic" by saying, "The President of the Republic shall be elected."

That was in the year 1878. See the slow progress of the world. The individual and the people collectively live through more in a year than it would take a generation to live through. The American people should treat with sympathy the effort of the great Russian masses—their groping for liberty and their striving for a better state of society.

Mr. ROSE. Only recently I saw published in one of our local papers in the city an alleged copy of a declaration made by some government in Russia, and it appeared to me as though it advocated public ownership in women.

Mr. LONDON. Let me say that——

Mr. ROSE. I would like to have the gentleman, while on the subject of Russia, to tell us about that.

Mr. LONDON. Russia occupies a territory about twice as large as the whole of Europe.

There was a meeting of prostitutes in San Francisco. That is in the United States of America. The prostitutes demanded certain rights. Now, suppose some cheap tory or some European aristocrat—and they have been doing it for decades, trying to make the American people and the American democracy appear ludicrous—would have exaggerated that meeting of prostitutes in San Francisco as a great national movement covering the United States. That is exactly what has been done by a press that seeks to exaggerate every little disagreeable thing that occurs in the revolution. I saw a reference to that in a syndicalist paper published in Switzerland.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. Can the gentleman give me 15 minutes more?

Mr. SHALLENBERGER. I will yield to the gentleman 10 minutes more.

Mr. LONDON. I saw that incident referred to in a syndicalist paper published in Switzerland. They refer to that particular incident and mention some little town, a little local soviet, somewhere in the east of Europe, near Siberia. It is very likely that such a thing should have happened in revolutionary times.

Why, there was such a school of thought in France during the revolutionary days of the thirties. These are the excrescences, these are the exuberances, these are the absurdities, of revolutionary days.

And then let me say this to the gentleman: While this proclamation has shocked him so much, I wonder whether he has been equally shocked by the report of the ravages of unmention-

able diseases under the best established methods of government? I wonder whether, when he read the report of the horrible effect of unmentionable diseases upon the youth of America, he did not ask himself the question whether, under our present state of society, millions of homes are destroyed, millions of children will be born abnormal because of the horrible effect of these diseases? The Soviet government has adopted a rather complex law dealing with the subjects of marriage and divorce.

The question is not whether their constitutions are good or bad. The question is whether the Russian people shall be permitted to solve their own problems in their own way.

Coming down to the fundamental proposition which I started out to develop, I ask you as a democratic Congress—using the word "democratic" in the broader sense, including Republicans, including all of you as Members of the House of Representatives—I ask you to repeal the obnoxious espionage law. I ask you to stop this unjust, unfair attack upon the Socialist philosophy. You can not crush it by force. Socialism seeks to apply the ethical principles of religion to life. Socialism seeks to substitute cooperation for competition wherever competition is hurtful to the interests of society. Socialism believes in the doctrine of evolution, of the power of education and of science. We are the advocates of the theory of evolution, and we do not want those who happen to be in the majority to use the physical, coercive, brutal power of the majority to suppress freedom of thought, freedom of the press, and freedom of assembly.

It is not necessary for me to repudiate the doctrine that the American Republic and the American people are the greatest in the world. Believing that this is the country of the greatest opportunity and of the greatest possibilities; that we are younger, stronger, more vigorous, more energetic than any other people; that we have larger opportunities which we have not yet utilized, I ask you not to fall asleep on your rights while other nations are now conquering new liberties. I do not want you to fritter away the liberty for which your fathers fought and for which heroes bled in the past. [Applause.]

Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. DENT. Mr. Chairman, I am going to make the suggestion to the gentleman from California [Mr. KAHN] that I have practically exhausted my time. I would like to know about how much longer we ought to run. I hope that we can close general debate to-night, with the exception of the time that the gentleman from California would like to have to-morrow.

Mr. KAHN. I have about an hour more to run this evening. I have time asked for to the extent of one hour.

Mr. DENT. Then I am going to make a suggestion. Of course, we can not arrange to conclude debate here in Committee of the Whole, but I am going to suggest that we remain until we finish that hour; and then I will ask, when we adjourn to-night, that the gentleman from California may have one hour to-morrow, and after that hour ask that general debate close.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman reserve a few minutes for himself to-morrow?

Mr. DENT. I can get it under the five-minute rule.

Mr. HUMPHREYS. When I said "for himself" I meant himself as a distributor.

Mr. DENT. If the gentleman from Mississippi wishes some time, I am sure he could inform us very materially about mistakes that we have made in the bill.

Mr. HUMPHREYS. I can do that under the five-minute rule in case there should be any mistakes in the bill. I do not express any opinion on that, but I did want to submit a few observations under general debate, but I will not insist upon it. I will tell you what I want to talk about——

Mr. DENT. We have always been liberal in extensions of time, and I am perfectly willing to let the gentleman from Mississippi have the time he wishes under the five-minute rule, knowing that he never asks for an excessive allotment of time.

Mr. KAHN. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Chairman, the able and clever gentleman from New York [Mr. LONDON], who is always interesting in his remarks, has made one of his characteristic addresses to the House, and has been followed with much interest by those who have been privileged to hear him. He has sought to impress upon us that in his opinion, as I understood him, the dangers of bolshevism are now threatening only the peoples of Russia, and that, as far as this great Nation is concerned, we need have no apprehension of those who preach the doctrines which he mentioned, nor should we be concerned with those who seek to overthrow or undermine our form of government. Soon the gentleman will be concluding a service in this branch of the National Legislature, a service in which he has added much of interest, at least, to the discussions of the various measures that have engaged our attention. But I think, in view of the expressions of opinion which we are accustomed to hear from the gentleman from New York, when his term of service is concluded, he not having been privileged to participate in that momentous conference now being held in France, he will find a fertile field in which to put into execution some of the recommendations which he seeks to have us heed, in the land of which he speaks, amongst the people of the great country of Russia; and he will find that the men who have caused the confusion there are men who have gone from this country, where, somehow, they have become imbued with the views they are attempting to put into practice over there, men like Lenine and Trotzky, who are attempting to formulate a government which apparently meets with the gentleman's approval and which he is holding up to us, the United States of America, as a pattern to be modeled after. With him as an assistant to the leaders of that element in Russia, with the experience he has had in legislation here, I doubt not that he will be able to give great aid in bringing peace and quiet once more amidst those troublous and troubled people.

We are approaching the conclusion of a great war which has tested our resources and our strength and our statesmanship to the utmost. I believe, sir, that we should see to it that one of the consequences of that war shall not be that we have weakened our institutions or impaired the value of our form of government, and I say, sir, we ought not to heed the suggestions of gentlemen who advocate doctrines such as have been preached, aye, even during the waging of the war, in violation of our laws. Men who have preached those doctrines and who have violated our laws have been punished when found guilty. The gentleman says that the espionage law should be repealed. I assume that the espionage law will be repealed when the treaty of peace shall have been concluded. I do not imagine that the gentleman from New York was seeking to prejudge the case of one of his fellow Socialists, or at least of one who believes in some of the principles which he advocates, who has been elected to serve in this branch of the Government during the next Congress. But if our trial by jury still maintains, if the protection of the courts is still in existence, that gentleman has had a trial by jury in the jurisdiction in which he resides, and has been found guilty; and clearly such utterances as he made during the war were not such as to unite our people in its prosecution or to assist our people in winning this important struggle. So I submit that the gentleman from New York [Mr. LONDON] might well wait until the turmoil resulting from this struggle has somewhat abated, and that he might abide his soul in patience and console himself with the thought that nearly all of those who seek to revolutionize our form of government are those who have made a failure in revolutionizing or improving, according to their views, other forms of government. [Applause.] If our institutions and laws and the foundations upon which our Government is based have been sufficient to withstand the struggles through which we have gone in this crisis and in the contests and wars of the past, I submit, sir, there is no stronger hope to hold out to the peoples of the world who believe in a government of laws and not of men than that this Nation will in the future, as in the past, stand for this as the Government of liberty-loving people throughout the earth; and I have no patience with the Socialist, with the Bolshevik, or their apologists, who seek now to take advantage of the unrest in the world to advocate their doctrines and to excite our people to urge and advocate revolution or, if that is too strong a word, to advocate improvement or change under the guise of socialistic doctrines in our structure.

I believe we can continue to go along the avenues of the future under our present form of government and under our present laws, improved from time to time as conditions may arise. I am sure I speak the sentiments of the American people when I say we do not need at this time the urging or the recommendations of Mr. Lenine or of Mr. Trotzky—no, nor of the colleagues and associates of the gentleman from New York—in improving our conditions for the future. Many times, as I have listened to the gentleman from New York, who is an able man and a student of government, I have regretted that, since he has interested himself in problems of government, somewhere or somehow at the start he reached a switch which put him off upon a sidetrack, and that he has been chasing rainbows of glittering hue, and that he has not kept along the main line and associated himself with parties that believe in a government of laws under the Constitution of the United States as laid down by the fathers following the immortal truths of the Declaration of Independence. [Applause.]

This is no time nor are these the conditions under which to attempt to put into practice or to countenance the doctrine of bolshevism, to which the gentleman has referred.

I trust that the distinguished gentleman from New York when he retires to private life will see to it that, as far as he is able to, he will combat the tendency on the part of certain people to be beguiled by the preachings and teachings of these gentlemen who went from the East Side of New York and who found that they could do the things in Russia which they could only try to do in America; that he will seek to correct the apparent desire on the part of the people to be misled and befuddled by the doctrine such as the Russian Bolshevik disturbers urge and advocate. Let us see to it in the remaining days of this session, and those of us who have been sufficiently fortunate to be honored with election, in the next Congress that in meeting the problems that will confront us we shall seek to perpetuate the institutions of our Government, strengthen our laws, and make firm the great fragment of the human family and not to be diverted, misled, or beguiled by the soothing-sirup pronunciamentos which may be dealt out to us in doses from time to time by reformers, be they Socialists, anarchists, or others of their ilk. We ought to affirm and reaffirm, again and again, our allegiance to the Government of the United States of America, to its Constitution, and to its laws. [Applause.]

Mr. KAHN. Mr. Chairman, I yield 15 minutes to the gentleman from Oklahoma [Mr. CHANDLER].

Mr. CHANDLER of Oklahoma. Mr. Chairman, recently the press of this country has been full of comment upon the action of the Secretary of War in granting wholesale pardons to a lot of so-called conscientious objectors, slackers, or, as they term themselves, political prisoners. These pardons were granted and these men were liberated from prison, were given full pay and an honorable discharge, although they had done everything possible to hinder and obstruct this Government in the prosecution of the war. There possibly may have been some meritorious cases among this large number, but if there were each case should have stood upon its own merits. We have witnessed this unusual procedure of liberating these so-called political prisoners and who were honorably discharged, while there still remained in the same prison over 3,500 prisoners, a great many of whom were sent there for trivial offenses, who at all times stood ready and willing to fight for their country. Some of these 3,500 were sent back here from France, some of them saw actual service on the battle field, and although they were there in prison probably for a short term they are not even considered, they are not pardoned, they are not given discharges and their full pay with mileage. At the same time we witness hundreds of thousands of the boys who are in the Army, both in the camps here in the United States and in foreign countries, who have stood ready and willing to fight for their country, who have asked and desire their discharge so that they may return home and take up their ordinary civil life, and are denied, while these so-called conscientious objectors are given preference over the boys who were not only willing to fight but worked for their country. Yet the Secretary of War is giving preference to these so-called conscientious objectors over these thousands of loyal Americans, who stood ready to pay the supreme sacrifice for liberty on the battle fields. What do these thousands of men in uniform think of Mr. Baker and of his assistants? What will the loyal American citizens not in uniform think of them, especially when they give preference to such men, who call themselves conscientious objectors, as Henry Layman? I hold in my hand a transcript of some of the testimony of the said Henry Layman when he was examined at Camp Funston, Kans. One of the questions which was asked him is as follows: "Read your Bible in Russian or American? Answer. In German." Please note the answer of this so-called conscientious objector. Do you think he is a good American citizen and should be given preference over our good loyal American boys who have fought upon the battle fields of France, who are now clamoring for their discharges? Again I quote from the testimony of this same man: "Question. If a negro were about to rape your mother and the only way that you could prevent it was to shoot him, and you had a gun, would you do it? Answer. No, sir." My God, my friends, what do you think of any department which would give a man of this character, who would make such an answer as this, preference over and above our good loyal American citizens?

My mails have been flooded with letters—and I presume every Member of this House has received them—attempting to set forth the bad treatment of these so-called political prisoners. The most of it is pure propaganda. If these men had complied with the law, they were amply protected in every way, but they did not see fit to comply with the law; on the contrary, they refused to do ordinary work, although the orders from the War Department did not compel them to wear uniforms.

I have here a statement of facts pertaining to conditions which arose between military authorities and conscientious objectors made by Eugene C. Brisbane, captain, Infantry, United States Army, on the 8th day of January, 1919, office of provost marshal, Camp Funston, Kans., which clearly sets forth the facts pertaining to these so-called conscientious objectors. The law and the regulations relating to conscientious objectors read as follows:

THE LAW AND REGULATIONS RELATING TO THE CONSCIENTIOUS OBJECTOR.

1. In dealing with the class of men drafted into the Army known as religious objectors, we must consider the laws and regulations governing the service in that relation. Without regard to the early statutes exempting those who from religious teachings object to taking part in warfare in any form, the question as to what class or classes of men the legislature intended to include in the meaning of the term "conscientious objector" during the existing emergency may be clearly established by a reference to the statutes hereinafter briefly discussed.

Notwithstanding the fact that the highest duty to be performed by the individual citizens of a nation is a prompt response to the call in defense of the country, there is to be found among all peoples the religious fanatic who, because of his belief in a fixed creed, objects to participation in war in a combatant capacity. In time of peace this class of citizens enjoy all the rights and benefits of citizenship. They have no hesitancy in calling upon the police force in their communities to defend them against the lawless element when their rights or properties are subjected to trespass or criminal act, wherein they undergo danger to life and property. They freely use the courts of the land in the settlement of their controversies when it is known to them that the power of the courts is never stronger than the power of the sheriff to execute the decrees of the courts. This power is invariably represented by armed force whenever that force is required to carry into execution the orders of the court.

However, when the Nation is attacked by a well-organized military force, jeopardizing her peace and happiness and even the titles to properties, as well as the lives of her citizens, these religious fanatics who have enjoyed freedom, enforced only by armed strength on the part of their Government, demand exemption from duty with the colors in repeling invasion of her rights and homes, and expect their fellow citizens to defend them and their properties against the common enemy.

In times of national calamity, such as confronts us to-day, it is needless to say that the religious objector deserves no consideration whatever, as a class, that is not extended to all citizens alike. To discriminate among classes in the organization of a national force for the common defense is to create dissention and a division of forces within the Nation that bids fair to lead us to utter defeat through the breaking down of the morale of the people and their military forces.

Regardless of all that may be said against favoring a class or classes of the people by exemption from militia service, Congress saw fit, in section 59 of its act of June 3, 1916, known as the national defense act, enacted during peace times, to provide for the exemption from military service of a designated class in the following words:

"* * * all persons who because of religious belief shall claim exemption from military service, if the conscientious holding of such belief by such persons shall be established under such regulations as the President shall prescribe, shall be exempted from militia service in a combatant capacity; but no persons so exempted shall be exempt from militia service in any capacity that the President shall declare to be noncombatant."

It will be noted that a broad interpretation of this act would operate to release from combatant military service any and all men who claim exemption, and unless such regulations as prescribed by the President thereunder properly controlled the situation, every member of the Military Establishment would be at liberty to refuse to enter actual combat at any time he saw fit to set up his claim for exemption.

However, when the lawmakers were considering this subject under war conditions, they evidently deemed it advisable to change the law to make it applicable to bona fide claims only, and not to leave it to the dictates of the conscience of each individual soldier to establish his rights thereunder, and by section 4 of the act of Congress approved May 18, 1917, known as the draft act, it is provided:

"And nothing in this act contained shall be construed to require or compel any person to serve in any of the forces herein provided for who is found to be a member of any well-recognized religious sect or organization at present organized and existing and whose existing creed or principles forbid its members to participate in war in any form, and whose religious convictions are against war or participation therein in accordance with the creed or principles of said religious organization; but no person so exempted shall be exempted from service in any capacity that the President shall declare to be noncombatant."

It is clear that Congress intended that this provision should only apply to members of well-recognized religious organizations existing at the time of the passage of this act, with a then existing creed or established principles forbidding the members thereof from participating in war in any form, and further, members of such organizations claiming exemption under this act were to be required to establish the fact that they live up to such creed or principles by individually entertaining religious convictions in accordance with the creeds of their various sects.

There is nothing in the law that could be construed to mean that any drafted man would be permitted to walk about the post or camp dressed in civilian clothing. However, the first instructions to the Army under the law exempted a certain class of men from wearing the uniform by the following telegram from the War Department to all division commanders, dated September 25, 1917:

"Secretary of War directs that selected Mennonites who report to your camp for duty be not forced to wear uniform, as question of raiment is one of the tenets of their faith."

On October 10, 1917, the following confidential letter was sent out to all division commanders:

"1. The Secretary of War directs that you be instructed to segregate the conscientious objectors in their divisions and to place them under supervision of instructors who shall be especially selected with a view of insuring that these men will be handled with tact and consideration and that their questions will be answered fully and frankly.

"2. With reference to their attitude of objecting to military service, these men are not to be treated as violating military laws, thereby subjecting themselves to the penalties of the Articles of War, but their attitude in this respect will be quietly ignored and they will be treated with kindly consideration. Attention to this connection is

invited to a case where a number of conscientious objectors in one of our divisions when treated in this manner renounced their original objections to military service and voluntarily offered to give their best efforts to the service of the United States as soldiers.

"3. It is desired that after the procedure above indicated shall have been followed for a sufficient length of time to afford opportunity to judge of the results derived from it a report of the action taken and the results obtained under these instructions be submitted to the War Department by each division commander. As a result of the consideration of all these reports, further instructions will be issued by the Secretary of War as to the policy to be observed in the future in the case of conscientious objectors.

"4. Under no circumstances are the instructions contained in the foregoing to be given to the newspapers."

Notwithstanding the fact that the statute clearly defined the term "conscientious objector," the following confidential letter extended its meaning to include any soldier announcing personal scruples against war. This letter was dated December 19, 1917, and was addressed to all camp commanders except Camp Grant:

"1. The Secretary of War directs that until further instructions on the subject are issued 'personal scruples against war' should be considered as constituting 'conscientious objectors,' and such persons should be treated in the same manner as other 'conscientious objectors' under the instructions contained in confidential letter from this office dated October 10, 1917.

"2. Under no circumstances should these instructions be communicated to the newspapers."

Then, on March 11, 1918, the following letter was published to camp commanders:

"1. You are informed that instructions regarding the segregating of conscientious objectors contained in confidential letters from The Adjutant General of October 10 and December 19, 1917, should not be construed as requiring the mingling in one group of different classes of conscientious objectors, who for the good of the service may better be kept apart.

"2. Under no circumstances are the instructions contained in the foregoing to be given to the newspapers."

This letter was followed by an Executive order dated March 20, 1918, published by General Order No. 28, War Department, current series, containing the following:

"I hereby declare that the following military service is noncombatant service:

"(a) Service in the Medical Corps, whenever performed. This includes service in the sanitary detachment attached to combatant units at the front; service in the division sanitary trains composed of ambulance companies and field hospital companies, on the line of communications, at the base in France, and with the troops and at hospitals in the United States; also the service of supply and repair in the Medical Department.

"(b) Any service in the Quartermaster Corps in the United States may be treated as noncombatant. Also, in rear of zone of operations, service in the following: Stevedore companies, labor companies, remount depots, veterinary hospitals, supply depots, bakery companies, the subsistence service, the bathing service, the laundry service, the salvage service, the clothing renovation service, the shoe-repair service, the transportation repair service, and motor-truck companies.

"(c) Any engineer service in the United States may be treated as noncombatant. Also, in rear of zone of operations, service as follows: Railroad building, operations, and repair; road building and repair; construction of rear-line fortifications, auxiliary defenses, etc.; construction of docks, wharves, storehouses, and of such cantonments as may be built by the Corps of Engineers; topographical work; camouflage; map reproduction; supply-depot service; repair service; hydraulic service; and forestry service.

"2. Persons ordered to report for military service under the above act who have (a) been certified by their local boards to be members of a religious sect or organization as defined in section 4 of said act or (b) who object to participating in war because of conscientious scruples but have failed to receive certificates as members of a religious sect or organization from their local board will be assigned to noncombatant military service as defined in paragraph 1 to the extent that such persons are able to accept service as aforesaid without violation of the religious or other conscientious scruples by them in good faith entertained. Upon the promulgation of this order it shall be the duty of each division, camp, or post commander, through a tactful and considerate officer, to present to all such persons the provisions hereof, with adequate explanation of the character of noncombatant service herein defined and, upon such explanation, to secure acceptance of assignment to the several kinds of noncombatant service above enumerated; and whenever any person is assigned to noncombatant service by reason of his religious or other conscientious scruples he shall be given a certificate stating the assignment and reason therefor, and such certificate shall thereafter be respected as preventing the transfer of such persons from such noncombatant service to combatant service by a division, camp, post, or other commander under whom said person may thereafter be called to serve, but such certificate shall not prevent the assignment of such person to some other form of noncombatant service with his own consent. So far as may be found feasible by each division, camp, or post commander, future assignments of such persons to noncombatant military service will be restricted to the several detachments and units of the Medical Department in the absence of a request for assignment to some other branch of noncombatant service as defined in paragraph 1 hereof.

"3. On the 1st day of April, and thereafter monthly, each division, camp, or post commander shall report to The Adjutant General of the Army, for the information of the Chief of Staff and the Secretary of War, the names of all persons under their respective commands who profess religious or other conscientious scruples as above described and who have been unwilling to accept, by reason of such scruples, assignment to noncombatant military service as above defined, and as to each such person so reported, a brief, comprehensive statement as to the nature of the objection to the acceptance of such noncombatant military service entertained. The Secretary of War will from time to time classify the persons so reported and give further directions as to the disposition of them. Pending such directions from the Secretary of War, all such persons not accepting assignment to noncombatant service shall be segregated, as far as practicable, and placed under the command of a specially qualified officer of tact and judgment, who will be instructed to impose no punitive hardship of any kind upon them, but not to allow their objections to be made the basis of any favor or consideration beyond exemption from actual military service which is not extended to any other soldier in the service of the United States.

"4. With a view to maintaining discipline, it is pointed out that the discretion of courts-martial, so far as any shall be ordered to deal with the cases of persons who fail or refuse to comply with lawful orders by reason of alleged religious or other conscientious scruples, should be exercised, if feasible, so as to secure uniformity of penalties in the imposition of sentences under articles of war 64 and 65 for the willful disobedience of a lawful order or command. It will be recognized that sentences imposed by such courts-martial, when not otherwise described by law, shall prescribe confinement in the United States disciplinary barracks or elsewhere, as the Secretary of War or the reviewing authority may direct, but not in a penitentiary; but this shall not apply to the cases of men who desert either before reporting for duty to the military authorities or subsequently thereto.

"5. The Secretary of War will review the sentences and findings of courts-martial heretofore held of persons who come within any of the classes herein described and bring to the attention of the President for remedy, if any be needed, sentences and judgments found at variance with the provisions hereof."

With a view to determining the mental condition of the conscientious objector, the following instructions were issued by the War Department on April 10, 1918:

"Referring to the instructions to have a psychological examination of all conscientious objectors made, which were contained in letter of March 6, 1918, the Secretary of War directs that all of these men whom the examination psychologists, for any reason, consider should receive further examination by a psychiatric specialist be examined by such a specialist. In all cases where psychiatric specialists recommend the discharge from service of such men for mental deficiency or derangement their discharge for the good of the service is authorized."

From the above letter it is to be observed that the conscientious objector is placed in a class entirely separate from other soldiers of the Army. Under existing regulations the disposition of mental defects is provided for.

Although all soldiers of the United States Army are at all times subject to the penalties to be imposed by the Articles of War, without the proper application of which discipline can not be maintained, the conscientious objector is exempted therefrom, and the attention of all commanders was called to the provisions of previous instructions by the following War Department letter of April 18, 1918:

"1. With reference to the Executive order dated March 21, 1918, published in General Orders No. 28, War Department, 1918, the Secretary of War directs the attention of all commanding officers to the provisions of paragraph 3 of this order, to the effect that no punitive hardship of any kind be imposed upon conscientious objectors who do not accept assignment to noncombatant service before their cases shall have been submitted to the Secretary of War, and instructions relating to their disposition shall have been issued by him."

On the same day the following memorandum from the Secretary of War to The Adjutant General was published:

"Mr. Keppel has brought to my attention the question raised in my absence as to whether men who accept service in noncombatant branches under the provisions of the President's Executive order shall be required to bear side arms.

"My judgment is that it should be contrary to the spirit of the order to require these men to bear arms if they can not conscientiously do so."

The side arms of a soldier, referred to in the above memorandum, consist of a belt, with bayonet and scabbard, worn, as a rule, to designate men on certain duties.

Extending further consideration and privileges to the conscientious objector on June 1, 1918, the following instructions were published by the War Department:

"1. By the terms of the presidential order of March 20, 1918, men reporting at the training camps under the provisions of the selective service law who profess conscientious scruples against warfare are given an opportunity to select forms of service designated by the President to be noncombatant in character. By direction of the Secretary of War, dated April 22, 1918, instructions were issued by this office April 27, 1918, to try by court-martial those declining to accept such noncombatant service; (a) whose attitude in camp is defiant; (b) whose sincerity is questioned; (c) who are active in propaganda.

"2. All other men who profess conscientious objections now segregated in posts and camps—i. e., those who, while themselves refusing to obey military instructions on the ground of conscientious scruples, religious or other, have given no other cause of criticism in their conduct, and all who have been or may be acquitted by such court-martial—shall be transferred to Fort Leavenworth. Orders for such transfers will be obtained from this office. The commanding officer, Fort Leavenworth, will keep these men segregated, but not under arrest, pending further instructions from this office.

"3. The same procedure shall be carried out as promptly as possible in the cases of men professing similar scruples who may report at posts or camps in the future.

"4. Under no circumstances will conscientious objectors otherwise qualified to perform military duty be discharged from their responsibilities under the selective service law, but the Secretary of War has constituted a board of inquiry, composed of a representative from the Judge Advocate's office (Maj. Richard C. Stoddard), chairman; Judge Julian W. Mack, of the Federal court; and Dean H. F. Stone, of the Columbia University Law School. It will be the duty of this board to interrogate personally each man so transferred. Such men as may be determined by this board to be sincere in their attitude and desirous of serving their country in any way within the limits of their conscientious scruples may be furloughed by the commanding officer, Fort Leavenworth, without pay, for agricultural service, upon the voluntary application of the soldier, under the authority contained in the act of Congress of March 16, 1918, and the provisions of General Order No. 31, 1918, provision being made:

"(1) That monthly report as to the industry of each person so furloughed shall be received from disinterested sources, and that the furlough shall terminate automatically upon receipt of report that he is not working to the best of his ability; and

"(2) That no person shall be recommended for such furlough who does not voluntarily agree that he shall receive for his labor an amount no greater than a private's pay, plus an estimated sum for subsistence if such be not provided by the employer. It is suggested that any additional amount which may be offered for the service of such men be contributed to the Red Cross.

"5. In exceptional cases the board may recommend furlough for service in France in the Friends' reconstruction unit.

"6. If there shall be any instances in which the findings of courts-martial at camps or posts in cases involving conscientious objectors shall be disapproved by the Secretary of War, the men concerned shall also be transferred to Fort Leavenworth and similarly examined and reported upon by the board of inquiry.

"7. Any man who is not recommended for furlough by this board, or who being offered such furlough shall refuse to accept it, or whose furlough shall be terminated for the reasons indicated above, or for other reasons deemed sufficient by the Secretary of War, shall be required to perform such noncombatant service as may be assigned to him, and shall be held strictly accountable under the Articles of War for the proper performance of such service and to strict obedience to all laws governing or applicable to soldiers employed in that status. In the event of disobedience of such laws or failure to perform such service, the offender shall be tried by court-martial, and if found guilty and sentenced to confinement shall be detained in the disciplinary barracks for the term of his sentence.

"8. Pending the final decision in each case, as to the disposal of these men, the directions as to their treatment issued from time to time by order of the Secretary of War remain in force. These may be summarized as follows:

"As a matter of public health, every man in camp, entirely apart from his military status, shall be expected to keep himself and his belongings and surroundings clean, and his body in good condition, through appropriate exercise. Men declining to perform military duties shall be expected to prepare their own food.

"If, however, any drafted man, upon his arrival at camp, either through the presentation of a certificate from his local board or by written statement addressed by himself to the commanding officer, shall record himself as a conscientious objector, he shall not, against his will, be required to wear a uniform or to bear arms; nor, if, pending the final decision as to his status, he shall decline to perform, under military direction, duties which he states to be contrary to the dictates of his conscience, shall he receive punitive treatment for such conduct.

"No man who fails to report at camp, in accordance with the instructions of his local board, or who, having reported, fails to make clear upon his arrival his decision to be regarded as a conscientious objector, is entitled to the treatment outlined above.

"In the assignment of any soldier to duty, combatant or noncombatant, the War Department recognizes no distinction between service in the United States and service abroad."

The instructions were supplemented on June 10 by the following:

"1. The following confidential instructions, supplemental to instructions from this office, June 1 and June 8 (18), 1918, are furnished for your information and guidance:

"2. The board of inquiry referred to in paragraph 4, letter of June 1, is authorized in exceptional cases to recommend furlough for the purpose of engaging in industrial occupations as well as to engage in agricultural work.

"3. Such recommendations will be dealt with in the same manner as is provided in orders with respect to agricultural work."

And on the same date instructions were issued, as follows, concerning the furloughs to be granted these men under circular letter of June 1, 1918:

"1. The following instructions relative to men furloughed to engage in agricultural work, pursuant to instructions from this office contained in circular letter (382.2 Disposition Misc. Div.), dated June 1, 1918, are published for the information of all concerned:

"2. The board referred to in paragraph 4 of the circular letter cited will visit such camps and cantonments at which conscientious objectors are now stationed or to which they may be transferred as the board deems proper for the purpose of conducting the examination referred to in the above-mentioned letter.

"3. The board will be given every facility and assistance to examine all persons claiming to be conscientious objectors, who have not been court-martialed and are not under charges, and, with the consent of the camp commander, such also as are under charges and have not yet been brought to trial.

"4. Furlough will be issued by the commanding officer of the respective camps at which the men to be furloughed are stationed, pursuant to the recommendations of the board. Such furlough shall not be granted until the commanding officer is satisfied that bona fide employment at the prevailing rate of wages in this occupation can be secured. The furlough shall be conditioned upon the man's written agreement that he shall receive no more than private's pay plus a reasonable amount of subsistence, clothing, and medical attention, and that the balance of such wages be paid to the American Red Cross.

"5. Men furloughed pursuant to these instructions will be transferred as of date of furlough to Fort Leavenworth, Kans. Their service records will be sent to the commanding officer, Fort Leavenworth, Kans., and upon the termination of their furlough for cause they will be sent to that post.

"6. When it becomes necessary to revoke the furlough of any man furloughed under the provisions of these instructions, the commanding officer, Fort Leavenworth, will request the department commander of the department in which the man is employed to take him into custody and send him under guard to Fort Leavenworth.

"7. The commanding officer concerned will send to Fort Leavenworth, Kans., such of the men so examined by the board as it may recommend. Men so sent shall be held at Fort Leavenworth for further examination and report by the board.

"8. Definite instructions as to the method to be followed in arranging for employment for men to be furloughed under the foregoing instructions will be furnished later."

2. A careful study of the above instructions and orders issued concerning the conscientious objector, in comparison with the law under which such instructions have been issued, clearly shows that those controlling the issuance of such instructions went far beyond the intention of the lawmakers in many instances. A comparatively few men drafted into the service are members of well-recognized religious sects whose creeds prohibit their members participating in war of any kind, and which organizations were in existence at the time of the passage of the law granting their members exemption from combatant service with the military forces.

Add to the few religious objectors contemplated in the law the pacifists, cowards, disloyalists, and others who desire to avoid military service or to interfere in every way possible with the proper disciplining of the Army, and the result is that at each of the training camps there are to be found several hundred of these men doing nothing to assist in the prosecution of the war. The presence of these men in camp, privileged as indicated in the above instructions, injuriously affects the discipline of the entire command.

It was never intended by the legislature that any citizen of the United States should be exempted from service with the colors during the existing emergency. It was not their intention that any class of soldiers should be drafted into the United States Army and encouraged to claim exemption from military service by simply stating their conscientious objections.

Under the above instructions any soldier arrested for a military offense may profess his religious objections to military service, regardless of the requirements of law to show membership in a well-recognized religious sect, and thereby escape any form of punishment.

3. Section 1199, Revised Statutes, provides that the Judge Advocate General of the Army "shall receive, revise, and cause to be recorded the proceedings of all courts-martial." In all cases of trial by general courts-martial the records of trial are reviewed in the office of the Judge Advocate General. If the proceedings are found to be legal and action thereon final, the records are filed. But under the instructions issued March 11, 1918, the conscientious objector convicted by court-martial is extended the privilege of a review of the findings and sentence in his case by the Secretary of War, to whose attention the conviction must be called.

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STATEMENT OF FACTS PERTAINING TO CONDITIONS WHICH AROSE BETWEEN MILITARY AUTHORITIES AND CONSCIENTIOUS OBJECTORS.

(By Eugene C. Brisbin, captain, Infantry, U. S. A. Office of Provost Marshal, Camp Funston, Kans., January 8, 1919.)

1. Let me first state that the preceding laws and regulations governing the religious objector and so-called conscientious objector, as issued by the War Department up to the present time, have been very closely adhered to, and in no case do I conscientiously believe any of them have been violated to the most minute extent which I will endeavor to prove in the following samples:

2. When the first draft arrived at Camp Funston there was considerable trouble experienced with the so-called conscientious objectors. The majority of these objectors we found to be in possession of certificates from their church and were either Hutternite or Mennonite believers and were segregated in compliance of confidential letter sent out by the War Department under date of October 10, 1917; also, in compliance of telegram of War Department under date of September 27, 1917. These men were not forced to wear a uniform but were taken into hand by a very competent officer who examined them very carefully as to their actual belief. Many of these men, after very close questioning, and upon being told that they would be put into noncombatant units, accepted their oaths, put on their uniforms and were placed in sanitary trains, Quartermaster Corps, etc., in accordance with General Order No. 28, and in the majority of instances, where men were placed in noncombatant organizations, these men, although still professing to be conscientious objectors, have rendered excellent—also conscientious—service to their Government and in very few cases have these departments experienced any trouble whatsoever with these men.

3. With the balance of the conscientious objectors received, there appeared, not only to be a religious resentment to military duties, but a very antagonistic feeling toward all military persons, and endeavored from the time they arrived in camp to impose as great a hardship upon those directly over them as was possible in their mind.

4. These men were afforded the best possible treatment and in no cases were abused or mistreated by either the guards over them or any of their superior officers. They were not ordered to, or forced to, don the uniform of the United States, but were segregated and the only orders they received at any time were those necessary for their own welfare, both mentally and physically.

5. At the time the first draft was called these men were not segregated into one large group but were segregated in the organizations to which they were assigned, and in one case, referring to my own, although the same occurrence was prevalent throughout the entire camp—two conscientious objectors were received and assigned to my organization. Shortly after their arrival, evidently through propaganda distributed by the enemy of our country through these men, there appeared five other conscientious objectors, or men who claimed to be conscientious objectors. These men gave no end of trouble and the situation became very trying inasmuch as the War Department had issued certain orders and regulations opposing the use of drastic measures upon these men, and it was with great difficulty in complying with these War Department orders that we prevented the spread of this existing condition amongst the more weak-minded men of these organizations. One of these five men openly stated that he was a conscientious objector and he didn't care who knew it, that he had made that decision of his own free will, after having held consultation with God. Upon investigation found that this man had served two or three years in the Missouri National Guard, having served on the Mexican Border, and had also been secretary to some official, I do not remember who, in Washington.

6. In less than one week from the time the draft arrived in this camp we were pestered by large numbers of civilian people, both male and female, in the endeavor to get in communication with the so-called conscientious objectors. This condition existed for some little time until it had grown to such an enormity that these Mennonites would arrive in camp 30 or 40 strong, distributing themselves to the various organizations and would endeavor to convert any of the enlisted men, even though they were not conscientious objectors, whom they could conveniently talk to. In not only my opinion, but in the opinion of the high-ranking officers who were here at that time, this was not only a case where they were endeavoring to post their own religious sect on bulletins and memorandas issued by the War Department for the protection of the conscientious objectors, but was in all appearances a rank deliverance and spread of German propaganda.

7. The increase in the number of conscientious objectors was very small until about January 1, 1918, when there appeared in this camp a handbill which originated after the meeting of the committee representing eight branches of the Mennonite Denomination which was held at Goshen, Ind., on January 9 and 10, 1918, which reads:

"At a meeting of committees representing eight branches of the Mennonite Denomination at Goshen, Ind., January 9 and 10, 1918, attention was called to some trouble in the past which might have been averted if more information had been in the hands of our registered brethren. Consequently, a committee was appointed to publish some authoritive information for immediate use. Another committee will publish later a more complete collection of documents bearing on this subject."

And further, in the same publication, is found the following:

"Our boys who report at their respective camps have the privilege of taking their stand on the following points:

"No uniform.

"No drill.

"No service of any kind in the camp.

"Taking their stand on these points, they will be placed in detention camps.

"They will be offered a list of services considered noncombatant. They need not accept any in violation of their conscience. They will

be properly fed and cared for. Those who can not accept any service under the military arm of the Government will be held in detention camps to await such disposition of their case as the Government may decide upon. We recommend that our brethren comply with every requirement of the Government, availing themselves of every opportunity to present their claims for exemption, exercising care they do not commit any act that could be rightly interpreted as desertion or treason; and at the time when they receive the summons to enter the military service they present themselves to the authorities and meekly inform them that under no circumstances that they consent to serve, either combatant or noncombatant, under the military arm of the Government, citing them to the fact that they are members of a church whose creed and principle forbid them to have part in war in any form, and that their conscience coincides with this position; submitting to any penalty the Government may see fit to inflict, trusting to the Lord for guidance and protection."

8. From about March 1, 1918, up to the present time there has been taken from a large number of persons who profess to be conscientious objectors on entering this camp printed handbills, circulars, some of which are supposed to have been signed not only by prominent officials of this country but by the President of the United States, and it has been a rank injustice to other drafted men who are members of this great Army, and our true soldiers, to allow the publishers and possessors of these falsehoods to go unpunished, and it most certainly appears that these men are receiving the support of some very high authority of this country.

9. The following letter was printed upon one of the handbills received in this camp:

"A LETTER FROM PRESIDENT WILSON.

(The bill here mentioned has since become law.—P. H. R.)

"The following letter from the President to Brother H. C. Early is self-explanatory and will be of great interest to our readers:

"MY DEAR SIR: I have received the memorial of the Church of the Brethren with regard to the assignment of members of that church now in the military service, to noncombatant occupations, in agriculture and other constructive pursuits.

"The Secretary of War has presented to the Congress for its approval a bill which will authorize the War Department to furlough, without pay, men in the military service. Should the Congress enact this legislation it will then be possible, under its provisions, to assign by conditional furlough men whose conscientious scruples can not otherwise be met to civilian occupations of the general sort which you indicate. At the same time, the Secretary of War is endeavoring to broaden the list of noncombatant occupation directly associated with the activities of the Army and tells me that he hopes soon to have prepared, for presentation to me, such a list. When this is done it may well be that the members of your church will find services which they can render without invasion of their beliefs, and I trust every effort will be made by your members so that this difficult question can finally be settled in a way consistent at once with the sentiment of those involved and the best interests of the Government.

"Cordially, yours,

WOODROW WILSON."

(From Gospel Messenger.)

Taking all things into consideration, if carefully noted, will bring out the fact that on or about March 1, 1918, a tremendous pressure was brought to bear upon the War Department in order to influence the higher authorities there in favor of the conscientious objectors. The following is a clipping from the Gospel Messenger of March 9, 1918, published letter from W. J. Seigart, written from Huntingdon, Pa., on February 25, 1918:

"Owing to the throng and rush about the War Department and the arduous pressure of responsibility upon these men, it is a marvel how they in any sense get through, and the obtaining of interviews is really embarrassing and not very satisfactory. Matters can be better brought to their attention by correspondence and can thus probably have more studied attention when considered away from the hours when the press is so great and everybody wants a hearing. * * * I have headquarters in Washington at 337 North Carolina Avenue SE., where letters or wire messages may be sent. * * * I also have arrangements with a Member of the House, who is interested, to post me on legislation and other matter that may concern us. * * * there are brethren who have been in camp since October or September who have not yet had a visit and seem not to know that there is a provision for such. There are members in camp who are taking the military drill because they do not know how to get out of it. A little counsel and help from the visitors would release some of them, at least, * * * the congregation should see that persons doing such work be made whole for expenses incurred. The boys should have help. * * *."

The writer then refers to certain publications, such as the Statement to the Churches and Drafted Brethren, with the following remark:

"Every brother in camp and every brother going to camp or likely to be called should have one from his home church with the certificate of membership duly signed. It would be well if many who are not going to camp should have the statement and study it."

It was literature and handbills of this kind distributed around the camps and through many of the organizations which soon caused a marked increase in the number of so-called conscientious objectors; so from January 1, 1918, the number has increased from a mere handful until up to a few days ago there were 553 in this camp, and it is very surprising to know that of those 553 only 21 have been so disobedient or so antagonistic to any military authorities whatever that it has forced the proper authorities to take action against them. This action has been made necessary by two important factors, for both of which the responsibility may be placed on the men themselves.

(a) Their complete and whole-hearted belief in these handbills or German propaganda which was spread through the camps.

(b) They all rest assured, in their own mind, that nothing can happen to them, as they have a great friend in Washington, Mr. Keppel, the Third Assistant Secretary of War, who will support them, "so they state," in anything their conscience tells them to do, and that all other military authorities are to be considered their enemies; therefore the hardships brought to bear upon the guards over them and their superior officers, due to this extreme narrow-mindedness, or in some cases I may even state cowardice, have been of such a nature, at the same time taking into consideration the War Department's instructions, an officer or enlisted men having any connection with them whatsoever is called upon to do the impossible, and I do not believe that these men were treated with any more disrespect, and in some cases I know they were not treated with as much respect in other camps, as they are in this one; but, nevertheless, upon using the utmost precaution and tactfulness in the handling of these men opposition was received at every turn of the wheel from one source or another.

The following gives some information on the status of conscientious objectors as determined at a meeting of the military exemption committee of the western district conference, which sent a delegation to Washington and handed Secretary Keppel a list of questions, which he answered as follows:

"1. What is the status of the conscientious objector who accepts service in one of the departments named by the President noncombatant?

"(a) Must they bear weapons of any kind, including such as revolver, dagger, etc.?

"Answer. No.

"(b) Must they drill with the rest of the men who are preparing for service in the Army?

"Answer. Yes.

"(c) Are such men considered a part of the organized military force of the States?

"Answer. Yes (as part of the noncombatant forces).

"2. Can these men, who because of conscientious scruples can not accept service in one of the three departments named by the President, remain in the camp and do civilian (that is, not under military orders), work without becoming a part of the military organization under any department?

"Answer. It may possibly be; but it would not be wise, because of the resentment of the other men if such men, conscientious objectors, are not uniformed and subject to regular discipline.

"3. (a) What are the rules and what is the plan under which 'conscientious objectors' are to be furloughed for farm work?

"Answer. No definite rules have thus far been adopted, but will soon be issued.

"(b) Would a representative of our conference be permitted to be present and cooperate in a consulting capacity in cases where men of our membership are to be furloughed?

"Answer. Too cumbersome; but I will assure you men that your men will be treated with consideration. Certain men have already been furloughed out, in cooperation with the nearest State agricultural department, for about two months, with the thought that the furlough will be extended under the regulations to be adopted. The furloughing will be placed in charge of a civilian commission, who although not a conscientious objector will be sympathetically disposed, and he will have the advice of a committee of representatives from the Quakers, Dunkards, and Mennonites. The men will not be furloughed to their home communities of their faith.

"4. Would a representative of our people be permitted to be present when a member of our church is under trial by court-martial as a conscientious objector?

"Answer. This is a matter for the court-martial board itself to decide. They may admit a civilian in cases which in their judgment make such action advisable.

"5. Has a conscientious objector who, under pressure of one kind or another, has accepted service in some department of the armed forces of the United States, which he finds to be contrary to his conscientious convictions, thereby forfeited his rights as a conscientious objector?

"Answer. Yes; unless such service was accepted under duress. In that case he must bring positive proof that undue pressure was brought to bear on him and caused him to accept service contrary to his conscientious convictions.

"6. Can a conscientious objector be employed in the Hospital Department without at any time bearing weapons of any kind while engaged in such service?

"Answer. Yes; absolutely. A new department of the hospital service will be established for the purpose of teaching disabled men new lines of occupation, suited to their condition, such as gardening, fruit growing, and small farming. Such disabled men will not go back to war, and helping and teaching such men will not assist in the war. This will be an opportunity for service for nonresistants in human reconstruction work.

"There will also be published a list of different kinds of civilian service for conscientious objectors, including clothes and shoes and other trades and lines of work.

"We feel that we should state it as our convictions that the heads of the War Department are sincerely endeavoring to handle the problem of the nonresistant citizens with a most sympathetic spirit of kindness, fairness, and consideration, anxiously careful that the individual freedom of conscience should be sacredly respected and shielded. That such a spirit prevails in Washington in this trying time may well be recognized by all Mennonites as a cause for deepest gratitude to God and to our Government in Washington.

"The delegation.

"H. P. KREHBIEL, *Newton, Kans.*

"PETER H. UNRUSH, *Goessel, Kans.*"

In view of Mr. Keppel's answers to the above questions anyone would most naturally suppose that these would be complied with, not only by the military authorities but by the conscientious objectors themselves. In answer to question (a), from a military standpoint these men were not forced to carry side arms or weapons of any kind, nor did any dispute ever arise that I am aware of or upon investigation have been able to find out over this question.

Answering question (b) and the answer to same:

In the majority of cases where these men were ordered to drill with their organization they complied, but not with the spirit that should have been shown and the interest that should have been taken, taking into consideration Mr. Keppel's statement that they should drill and the acceptance of this statement by their own delegation. Most of these men had to be kept in awkward squad or placed in development battalions, not because they did not have the brain or the ability to learn but due to their prominent and antagonistic feeling on their part toward anything military. Some of these men actually refused to go out and drill, even after threatened with punishment, which punishment should have been justifiable and was justifiable according to War Department order, but in the early stages of the game no punishment was inflicted on these men.

(c) The answer to which was, "Yes."

Again, in a large majority of these cases these men did accept noncombatant service, and it appears that in these cases a large proportion of them have given very good service to their country. However, there is still quite a number of these men who remained antagonistic and refused to accept anything that was offered them.

In answer to No. 2, question (a).

The man who accepted noncombatant service donned the uniform of the United States; those who did not accept anything which was offered them refused to wear our uniform.

Answer to No. 3, question (a).

In some cases where men were furloughed for farm work: These furloughs were obtained through sympathizers of theirs who brought pressure to bear upon the War Department, which in some cases, according to their own statements, were falsehoods. In one case, that of Pvt. Louis Kopelin, telegram received June 14, commanding general Camp Funston, Kans. Grant Pvt. Louis Kopelin, said to be in Twenty-third Company, One hundred and sixty-fourth Depot Brigade, Camp Funston, Kans., indefinite furlough, without pay or allowance, and direct to report immediately at own expense to J. J. Sheppard, Fort Scott, Kans., for employment. Forward service record to commanding general Central Department, with proper notation therein, showing status of soldier. Expedite and report action. Signed "McCane."

On June 16 Mr. J. I. Sheppard stated he had seen the Secretary of War personally and had been assured that furlough would be granted. In reply to a communication sent to Mr. Sheppard, extracts have been taken, dated June 18. "It pleases me to comply with your request to give you a short statement of the object and purpose of the mission to England, France, and Italy upon which Pvt. Kopelin had gone as secretary. Mr. Sheppard states that he is a true American socialist and that Pvt. Kopelin has been attached to this mission with the hopes that they may offset the lies which are spread through this country by socialists other than through American socialists.

Why did the War Department order this man furloughed for farm work, or did they not know that the mission was other than that represented to them in request of this man's furlough?

In answer to questions b, 4a.

As nothing pertaining to the above questions has been brought up in this camp will not try to debate on these questions.

In answer to question 5.

At no time were conscientious objectors forced or even undue pressure brought to bear upon them, leaning toward their acceptance of military duties, therefore those men violating their acceptance of military duty were entitled to and should have received the proper disciplinary action for their misconduct.

In answer to question 6.

State that in some cases conscientious objectors were transferred and assigned to both medical and hospital units, and are at no time required to bear weapon.

In view of the above questions and their answers I sincerely believe that the military authorities at Camp Funston have exerted every effort possible to carry into effect the policies of the War Department laid down.

On December 12, 1918, the following telegram was received at this camp from the War Department:

"212 KSJ 130GVT GNS 1W,

"WASHINGTON, D. C., 4.15, *December 12, 1918.*

"COMMANDING GENERAL,
"Camp Funston, Kans.:

"Discharge Maj. Gustav C. Taussig, Infantry; Maj. Frank S. White, junior judge advocate general; Capt. R. W. Wittman, military police; Capt. Joseph E. Young, One hundred and sixty-fourth Depot Brigade; and Capt. S. H. Negrotto, Sixty-fifth Pioneer Infantry, from the service as soon as settlement of accounts, completion of records, etc., required in cases of all officers discharged in accordance with general plans for demobilization have been made. Following form of order will be used by you in this connection, 'By direction of the President and under the provisions of section 9, act of Congress approved May 18, 1917, Capt. John Doe, Infantry, is discharged from the service of the United States to take effect this date.'

"HARRIS."

In reference to the above telegram, received from the War Department, it was not known in this camp why these men were discharged other than they had been in close connection, and had been at different times commanding officers over these conscientious objectors, and as they have without question carried out their orders to the letter, it appears that a rank injustice was done them upon the sending of this telegram. The matter was immediately taken up with the War Department through various sources, and on December 17 the following telegram was received: "Reference your telegram 17th, suspend action of discharge of Maj. Taussig and Maj. White until you receive further instructions from War Department." Signed "Harris. 4.15 p. m." In the case of the other three officers included in this telegram, action was suspended on account of their being members of the Regular Army and that such discharge was illegal. The following is a report which reached this office in the form of a handbill, supposed to have been a copy of a diary kept by the conscientious objectors who were in the guardhouse pending confirmation of the sentences which had been imposed upon them by a general court-martial.

Dated Thursday, September 5, 1918.

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REPORT OF TREATMENT OF CONSCIENTIOUS OBJECTORS AT CAMP FUNSTON GUARDHOUSE.

(The following extracts are taken from this report. Complete report is on file at Camp Funston.)

On Saturday, September 14, they state that Col. Barnes, provost marshal, called at the guardhouse and ordered them to stand at attention, and when they refused to comply he proceeded to kick the legs of the men; one man (Kaplin) stated he had his legs and ankles bruised as the result, and that upon the colonel leaving the guardhouse he hinted to the prisoners that he would be tempted to pardon them if they would beat these men up. This was not so, as the other prisoners of the guardhouse testified upon being questioned.

On Friday, September 27, they state that while taking their exercises (which in no case they underwent willingly), they were grossly maltreated. They state the bayonet was applied to all of them, one man, Larson, receiving a scar. Two others, Kaplin and Berger, were beaten by the butt end of a rifle and all were kicked and shoved about, and that later in the day, when they were called out and refused to march around the building, bayonets were again used, and upon the guards insisting upon their marching in a strict military posture kicks and blows were rained upon them. One man, Eichel, refused to submit to this abuse, and a guard seized him by the neck, forcing him around the building, heaping blows and kicks upon him at the same time. Later on in the evening one man, Steiner, refused to walk and states he was seized by the ears and dragged around the building. They state a few days after that they were forced under cold shower baths with their clothes on, the result of which one man, Sandin, collapsed and became sick, and upon asking the officer of the day for medical attention was refused.

These are but a very few of the various abuses that they claim were heaped upon them while in the guardhouse, and anyone with half a mind can very readily determine that the claimed abuses are rank falsehoods, as it is ridiculous to believe that any officer or enlisted man is going to deliberately incriminate himself by violating strict regulations that were laid down by the War Department. These men persisted in making the statements that they knew were upheld by the War Department, and that sooner or later this matter or condition would be referred to Mr. Keppel, who would immediately see to it that their superiors were punished.

The following is a copy of a letter mailed to Julius R. Greenberg by his father, inclosed with a letter of his father's own handwriting, which we have here and which states that Mr. Keppel has advised him that he, Julius R. Greenberg, is one of those chosen to be discharged by order of the War Department:

Copy of inclosure.

"WAR DEPARTMENT,
"THE ADJUTANT GENERAL'S OFFICE,
December 10, 1918.

"Re Julius R. Greenberg case.

"1. Report from the Judge Advocate General's office states that this is one of the several general court-martial cases from Camp Funston recently received in the office of the Judge Advocate General, where recommendation was made that the findings and sentence be disapproved and the soldier restored to duty.

"The case goes to the President for action.

"By order of the Secretary of War.

"(Signed) R. J. HERMAN,
"Adjutant General."

[The following in own handwriting of the writer:]

"For your information, will let you have further information when available.

"(Signed) F. B. KEPPEL."

While dwelling on the subject of various communications, which are claimed to have originated by the War Department, quote the following:

"In the September issue we published a letter to President Wilson on the subject of those in jail for antiwar agitation. The following correspondence explains itself:

"'THE WHITE HOUSE,
"'*Washington, July 30, 1918.*

"'MY DEAR MR. SINCLAIR: Referring to your recent communication, the President has asked us to invite your attention to the inclosed copy of a letter which he has received from the Secretary of War.

"'Sincerely, yours,

"'J. P. TUMULTY,
"'*Secretary to the President.*'

"'WAR DEPARTMENT,
"'*Washington, July 22, 1918.*

"'DEAR MR. PRESIDENT: Thank you for sending me Upton Sinclair's interesting communication. I think, however, he should be informed that we are now doing absolutely all that public opinion will stand in the interest of conscientious objectors and others whose views do not happen to coincide with those of the vast majority of their fellow countrymen.

"'I have given directions that all the court-martial cases having to do with these people shall be carefully and sympathetically reviewed in the light of the experience gained by the special board of inquiry, consisting of Judge Mack, Dean Stone, and Maj. Stoddard. The terms of imprisonment which conscientious objectors may, in the last analysis, be compelled to serve will be served in the Disciplinary Barracks at Fort Leavenworth, where the men have a wholesome outdoor life and are kept busy upon things that are worth doing. Most of the conscientious objectors who declined to accept military service in any form, however, are now engaged in farm work at a private's pay, through cooperation between the Department of Agriculture and the War Department.

"'I do not know how many of what Mr. Sinclair calls political prisoners are now under the control of the Department of Justice, but if you care to have me do so I could find out from the Attorney General whether there are any prisoners under his direction whom he thinks it wise to have transferred to Fort Leavenworth.

"'Respectfully,

"'NEWTON D. BAKER,'
"'*Secretary of War.*'"

Following are statements made to commanding general Camp Funston, Kans., relative to the increased defiance on the part of conscientious objectors after November 1, 1918:

1. During the last few days the prisoners held in my guardhouse awaiting trial who are conscientious objectors have been individually examined by the inspector general at his quarters at the Foreign Mission Building. I have no idea what transpired during the examination of these men, but their defiance to military authority has increased, and I believe it is partly due to the manner in which they were treated by the inspector general and the conditions surrounding the investigation.

2. For some time we have been greatly hampered in the work of caring for these prisoners. Our attempt to properly discipline them and make them abide by the prison rules is seriously affected by the numerous inspections and investigations ordered by the War Department. Upon each of such inspections these men add one more name to their list of sympathizers, and have come to the belief that those of us who are immediately responsible for their keep, care, and discipline are overriding the rules and regulations set out by the War Department and that they have no friends here.

3. As a matter of fact, every conscientious objector prisoner under the control of the provost guard has been treated with such great leniency and given such consideration that those prisoners who are loyal soldiers and confined for purely military offenses, required to suffer all the penalties of discipline because of their being good soldiers, have become disgruntled and dissatisfied in the service. This is quite naturally true when men who have refused to do their duty as soldiers are confined with them and extended privileges never before extended to military or other prisoners.

4. This subject, which has been transferred from a mole hill to a mountain, is now a serious one for those responsible for the care of the prisoners. Not only fellow prisoners, but the guard over such men, hold them in utter contempt, and human nature in man is so constituted that true soldiers can not be made to treat this class of soldiery with any degree of respect. To add to this by encouraging these men in the belief that the War Department and its officials are in full

sympathy with their conduct is to make it impossible for any officer properly to conduct the prison.

5. It is therefore recommended that, if during the present investigation further testimony is to be taken of these prisoners, the inspector general be required to visit the guardhouse for that purpose and that these prisoners be not sent from there for the purpose of interrogation. It is further recommended, in due respect for the decent soldiers, that these men be segregated in a guardhouse separate and apart from any other prisoners, to enable the officers charged with their protection to deal with them as sympathetically as may be required without lowering the discipline in the guardhouse where good soldiers are confined.

(Signed) J. W. BARNES.
Colonel, Infantry, United States Army.

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Memorandum for the commanding general.

Subject: Prisoner Lester G. Ott.

1. As it has recently come to my knowledge that one of the prisoners in the military police guardhouse who has given much trouble by reason of his attitude to service of any kind is a man named Lester G. Ott, who was formerly in my employ, I beg to submit certain facts in connection with him which may throw light upon the sincerity of some of the so-called conscientious objectors.

2. Prior to my assignment to duty I was in active practice of the law at Cincinnati, Ohio, as the junior member of the firm of Worthington, Strong & Stettinius. In the late summer of 1917 I employed Ott as a law clerk upon the recommendation of a young lawyer who had been his classmate at the Cincinnati Law School, and of the dean of that school. Ott told me that he had been rejected for military service, because of insufficient weight, by his local draft board at Hamilton, Ohio, and, as I recall it, also told me that he had been refused admission to one of the officers' training camps for the same reason. He further said that he had never been pro-German, and that his friends were not German sympathizers.

3. During the months of December, 1917, and January, 1918, Ott acted as an associate legal adviser to one of the local draft boards at Cincinnati, and, I presume, took the oath set forth in section 317 of the selective-service regulations, as all of the associate legal advisers to local draft boards were required to do so. The oath is probably now on file with the adjutant general of the State of Ohio. As far as I know, Ott's work as a legal adviser was satisfactory, and I heard no complaint that he was endeavoring to dissuade registrants from entering the military service.

4. Early in 1918, at my suggestion, Ott became a member of Company C of the Cincinnati Home Guard, drilled with it, and did guard duty as an armed sentinel on at least one occasion, during the floods in the Ohio River. As a member of the home guard he also took an oath to support and defend the Constitution against all enemies of the United States.

5. After about three months' service in the Cincinnati Home Guard, Ott resigned, because he had taken additional night employment which prevented his attending drills. Late in April or early in May, he also left the employ of my firm in order to take a position as inspector in some factory doing Government work, because it enabled him to make a larger salary. Shortly thereafter he was placed by his local draft board in class 1 as physically fit for service, was drafted, and sent to Camp Sherman.

6. In June, 1918, I was shown a letter written by Ott, in which he said that he had drilled for a time, but nobody seemed to want him; and as he had been placed with the conscientious objectors, he expected shortly to get furloughed for farm work. I also heard that after he had been at Camp Sherman for some time he was nominated for the office of prosecuting attorney of Butler County, Ohio, on the Socialist ticket.

7. During the time of his employment by my firm, Ott's work as a law clerk was fairly satisfactory, but he was unmanageable, and did not show a willingness to receive instructions. From my knowledge of his character, I am convinced that his objection to military service is based solely on his personal dislike to discipline of any kind, and that his present defiant attitude is due to the type of stubbornness which is shown by a balky mule.

8. Yesterday evening, at the suggestion of the division judge advocate, I called upon the inspector general, Brig. Gen. Williams, who had interrogated Ott in an investigation of complaints made by conscientious objectors, in order to furnish him with the above information, which I thought might assist him in arriving at conclusions in his present investigations. Gen. Williams first told me that he did not know whether or not Ott was conscientious, as the special board to examine into the sincerity of conscientious objectors had decided he was. After referring to his files, however, he said that Ott's case had not yet been decided by that board. I then told him that Ott had been employed by me as a law clerk, and that I felt I knew something about his attitude toward bearing arms. The inspector general, however, refused to allow me to continue, and said politely that the matter was of no interest to him.

(Signed) JOHN L. STETTINIUS,
Major, Judge Advocate, Assistant Division Judge Advocate.

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The following reports of conscientious objectors were submitted by Camp Commander Maj. C. E. Desobry—one dated October 14, 1918; the other November 17, 1918.

These reports are contradictory in their entirety; and I honestly believe—in fact, am almost certain—that pressure was brought to bear on Maj. Desobry upon submitting the second report, which originated from a source other than in this camp:

"OFFICE OF CAMP INSPECTOR,
"*Camp Funston, Kans., October 14, 1918.*

"From: Camp inspector.
"Memorandum: For executive officer.
"Subject: Investigation of treatment of conscientious objectors, with recommendation.

"1. Pursuant to verbal instructions from headquarters, Camp Funston, I this day made an investigation of the treatment received by alleged conscientious objectors now in the guardhouse at this camp. From my visit to the guardhouse I found in one cell of ample space 18 of these men. One other was found to be confined in a room by himself in another part of the guardhouse. It appears that these men are in fact mutineers, although under the law they probably couldn't be tried for mutiny. They absolutely and positively refuse to obey any military order or any instructions that appear in any way to be from a military source. They are determined to follow their own individual inclinations and show an utter disregard and contempt for any military rule or regulations imposed upon them. This condition makes it extremely hard for the guard over them to properly handle them. If they are told to take a bath, they will or they won't, as they see fit. They will not march to meals in any orderly formation. If they are to go in or out of a door and decide that by so doing they are obeying a military order, they refuse to do so. Any number of other instances may be quoted to show their attitude toward the military authorities and the Government. Their attitude is extremely exasperating to those who are required to guard and care for them. This has caused possibly in some instances an over amount of force being used to require them to perform necessary things. It is very difficult, particularly for enlisted men over them, to handle these men with gentleness, kindness, and firmness to the proper degree.

"(Signed) S. M. WILLIAMS,
"*Lieutenant Colonel, General Staff, Executive Officer.*"

The attitude of the members of the guard placed over those individuals and all other enlisted men, including prisoners, is naturally one of extreme hostility. From my observation of the surroundings of these men, I believe there is no real foundation for complaint of treatment or criticism of the methods adopted. I believe that under the circumstances they are as well taken care of as could be possibly expected. They are properly housed, properly clothed, properly fed, and are given ample opportunity to maintain cleanliness of both person and surroundings. They are given opportunity to take exercise necessary to maintain their health. No punitive hardships whatever are imposed upon them. One thing, then, I believe necessary is to see that the treatment they receive from those over them is proper and just.

2. In order to insure the proper treatment, care, and security of these men I recommend the following:

3. Recommendation.

(a) That under provisions paragraph (256), Manual of Interior Guard Duty, United States Army, a commissioned officer be detailed as officer in charge of prisoners. This officer to have charge of all prisoners in the camp guardhouse; that he censor all outgoing mail of the conscientious objectors; that he handle incoming mail for these men as prescribed for general prisoners in paragraph (382), Manual of Interior Guard Duty; that he be in charge of the special guard for conscientious objectors to be recommended below; that this office be charged with the duty of seeing that no person be permitted to communicate with any of these conscientious objectors, either directly or indirectly, unless so authorized by the camp commander or the commander of the provost guard; that he make frequent and irregular inspections of the guardroom where these men are confined to see that no unauthorized articles are kept by them, and that all windows, doors, floors, walls, and ceilings are not tampered with, with the view of providing means of communicating with outside persons; that he further be charged with the duty of seeing that these men are sent to meals at the proper time; that they are kept under proper guard while going to and from meals; that they receive proper food; that they be given an opportunity to bathe at least twice a week; that they are given ample opportunity to wash their own clothes; that they be given opportunity to obtain necessary medical attention when sick; that they are not mistreated by those placed over them.

(b) That a special guard consisting of two noncommissioned officers and six privates specially selected for their military bearing, firmness, kindness, and proper conception of military justice be detailed over these conscientious objectors. This recommendation is made with the idea of securing uniform treatment of these men and to remove any opportunity for criticism of treatment of these conscientious objectors by members of the guard.

(c) That these conscientious objectors be allowed to have in their possession only their necessary clothing and toilet articles; that no books, magazines, papers, or reading matter whatsoever be allowed these men, except papers, books, and magazines of recognized worth; that these men be allowed only such reading matter on Sundays; that they be allowed no smoking material of any kind at any time; that they be allowed no eatables, save and except those that are regularly furnished them; that they be turned out into the inclosure for exercise for not less than two hours daily; that they be allowed to write not more than one letter per day; that they be not allowed to have any money in their possession; that such postage stamps as they may require be permitted to remain in their possession; that their writing material be kept by the prison officer and issued by him to them when necessary.

(d) That they be confined in one of the cell rooms by themselves, and that no other prisoners be confined with them.

(Signed) E. C. DESOBRY,
Major, Inspector General.

[First Indorsement.]

HEADQUARTERS CAMP FUNSTON, KANS.,
October 15, 1918.

To provost marshal, Camp Funston, Kans.:

1. Forwarded. The recommendations of the camp inspector are approved. You will take immediate steps to have them put into effect.

By command of Maj. Gen. Wood.

(Signed) S. M. WILLIAMS,
Major, General Staff, Executive Officer.

[Second indorsement.]

PROVOST MARSHAL, TENTH DIVISION,
Camp Funston, Kans., October 18, 1918.

To commanding officer Tenth Military Police, Camp Funston, Kans.

1. For compliance.

(Signed) J. W. BARNES,
Colonel, Infantry, United States Army.

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C. O., TENTH MILITARY POLICE,
Camp Funston, Kans., October 22, 1918.

To: Commanding officer, Provost Guard, Camp Funston, Kans.

1. Forwarded for your information.

(Signed) R. W. WITTMAN,
Captain, Infantry, United States Army, Commanding.

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OFFICE CAMP INSPECTOR,
Camp Funston, Kans., November 17, 1918.

From: Maj. E. C. Desobry, inspector general, camp inspector.
To: The commanding general Camp Funston, Kans.
Subject: Report of investigation of ill treatment of alleged conscientious objectors.

1. This investigation was made between October 21 and November 13, 1918, pursuant to memoranda, instructions headquarters, Camp Funston, Kans.

2. This investigation was based on complaints made to the Third Assistant Secretary of War in telegrams from Mrs. J. Brandon, Mrs. J. Greenberg, Mrs. J. Berger, and L. Hollingsworth Wood, and letter from Norman Thomas.

3. The following witnesses were interviewed by the inspector and the assistant to the inspector:

Col. J. W. Barnes, Infantry, United States Army.
Maj. Gustav C. Taussig, Infantry, United States Army.
Capt. R. W. Wittman, Infantry, United States Army.
Capt. Joseph H. Buckley, Infantry, United States Army.
Capt. Signey H. Negrotto, Infantry, United States Army.
Capt. Joseph E. Young, Infantry, United States Army.
Capt. Arthur L. Strum, Infantry, United States Army.
Capt. Richard C. Neek, Infantry, United States Army.
Capt. Cyril Milton Stilson, Infantry, United States Army.
Capt. Charles M. Brades, Infantry, United States Army.
Second Lieut. Omar J. Stanley, Infantry, United States Army.
Sergt. John Bell, Military Police Company, attached to Tenth Division.
Sergt. Noble C. Peet, Military Police Company, attached to Tenth Division.
Sergt. Ray See, Military Police Company, attached to Tenth Division.
Sergt. Harry Dalton, Quartermaster Corps.
Sergt. Elmer A. Henderson, Medical Department.
Corpl. James L. Cavanaugh, Military Police Company, attached to Tenth Division.
Corpl. Homer D. Jamison, Military Police Company, attached to Tenth Division.
Corpl. Robert L. Lipson, Military Police Company, attached to Tenth Division.
Corpl. Joseph A. Olson, Military Police Company, attached to Tenth Division.
Corpl. George L. Raymond, Military Police Company, attached to Tenth Division.
Corpl. Simon T. Rubottom, Military Police Company, attached to Tenth Division.
Corpl. John Stretcher, Military Police Company, attached to Tenth Division.
Corpl. Arthur J. Nordy, Military Police Company, attached to Tenth Division.
Pvt. (First Class) James C. Davis, Military Police Company, attached to Tenth Division.
Pvt. (First Class) Ernest J. O. Sterman, Military Police Company, attached to Tenth Division.
Pvt. (First Class) Roy F. Piper, Military Police Company, attached to Tenth Division.
Pvt. (First Class) Frank J. Schulte, Military Police Company, attached to Tenth Division.
Pvt. (First Class) William Jackson Alworth, Thirteenth Field Artillery.
Pvt. Leo E. Bates, Military Police Company, attached to Tenth Division.
Pvt. Everett J. Blagg, Military Police Company, attached to Tenth Division.
Pvt. Samuel A. Breeze, Military Police Company, attached to Tenth Division.
Pvt. Charles Arthur Bruce, Military Police Company, attached to Tenth Division.
Pvt. H. Burfiend, Military Police Company, attached to Tenth Division.
Pvt. Chester F. Burns, Military Police Company, attached to Tenth Division.
Pvt. Louis S. Burns, Military Police Company, attached to Tenth Division.
Pvt. Hiram T. Burton, Military Police Company, attached to Tenth Division.
Pvt. J. M. Calge, Military Police Company, attached to Tenth Division.
Pvt. Harold F. Christiancy, Military Police Company, attached to Tenth Division.
Pvt. Ben Edwards, Military Police Company, attached to Tenth Division.
Pvt. Reuben Gipe, Military Police Company, attached to Tenth Division.
Pvt. Albert O. Hay, Military Police Company, attached to Tenth Division.
Pvt. Alfred Johnson, Military Police Company, attached to Tenth Division.
Pvt. Leman B. Johnston, Military Police Company, attached to Tenth Division.
Pvt. Everett Kempkes, Military Police Company, attached to Tenth Division.
Pvt. William H. Lloyd, Military Police Company, attached to Tenth Division.
Pvt. A. L. McAdams, Military Police Company, attached to Tenth Division.
Pvt. Charles H. McFall, Military Police Company, attached to Tenth Division.
Pvt. Felipe G. Obregon, Military Police Company, attached to Tenth Division.
Pvt. Ralph Leon Pontius, Military Police Company, attached to Tenth Division.
Pvt. John D. Robertson, Military Police Company, attached to Tenth Division.
Pvt. William F. Thomas, Military Police Company, attached to Tenth Division.
Pvt. John B. Valentine, Military Police Company, attached to Tenth Division.
Pvt. August Vecellio, Military Police Company, attached to Tenth Division.
Pvt. Terry O. Wallace, Military Police Company, attached to Tenth Division.
Pvt. Jess B. Winsted, Military Police Company, attached to Tenth Division.
Pvt. John C. Bond, Company F, Forty-first Infantry.
Pvt. Charles Cavender, Company D, Sixty-ninth Infantry.
Pvt. William David, Company F, Forty-first Infantry.
Pvt. Waldemar B. Lossman, Company B, Twenty-ninth Machine Gun Battalion.
Pvt. J. B. Miller, Forty-first Infantry.
Pvt. William Spellerberg, Company D, Sixty-ninth Infantry.
Pvt. Harry J. Wagner, camp exchange detachment.
Pvt. Francis M. Willcoxen, Company A, Twenty-ninth Machine Gun Battalion.
Pvt. Gilbert E. Wyatt, headquarters troops, Tenth Division.
Pvt. Joseph Brandon, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Mayer Bernstein, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Benjamin Breger, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Ulysses De Rosa, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. David Eichel, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Morris Franklin, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Julius R. Greenberg, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Francis X. Hennessey, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Herman D. Kaplan, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Charles P. Larson, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Henry Monskey, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Lester G. Ott, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Resford Powell, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. John E. Downey, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Max Sandin, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Thomas Shotkin, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Emanuel Silver, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Francis Steinerm, Company A, First Casual Battalion, Fort Riley, Kans.
Pvt. Alfred J. Schulte, Medical Corps.
Pvt. Frank W. Satman, Ambulance Company 238, Tenth Sanitary Train.
Pvt. Vernon L. Kooncs, Company B, One hundred and forty-second Infantry.
Pvt. Robert C. Pratt, Battery B, Ninth Field Artillery.
Pvt. Quilla Davis, Five hundred and thirtieth Engineers Service Battalion.
Pvt. Henry K. Laje, Ambulance Company 238, Tenth Sanitary Train.
Pvt. George Krempkau, Company B, Twenty-ninth Machine Gun Battalion, Tenth Division.
Pvt. Scott E. Craft, Company B, One hundred and forty-second Infantry.

All witnesses were examined separate and apart from each other.

The record of their testimony is hereto appended.

4. The following facts are deduced:

First. That during the months of September and October, 1918, 19 enlisted men who claimed to be conscientious objectors and who were awaiting trial for violation of the sixty-fourth article of war were confined in the guardhouse at this camp.

Second. That, due to an apparent absence of instructions, the prison authorities attempted to treat these enlisted men as ordinary prisoners awaiting trial.

Third. That these enlisted men refused to observe prison regulations; in fact, refused to recognize military authority.

Fourth. That at least on three occasions some of these enlisted men were put on bread and water diet for refusing to obey prison regulations.

Fifth. That some of these enlisted men at one time went on a hunger strike as a protest, as stated by some of them, of the conditions imposed on them.

Sixth. That on several occasions some of them were given cold shower baths for refusing to observe prison regulations, this order being given by Capt. R. W. Wittman, Military Police Company, Tenth Division, officer in charge of prisoners.

Seventh. That upon several occasions some of them were given cold shower baths after refusing to take them as a matter of personal cleanliness.

Eighth That the guard attempted to compel them to take exercise in the inclosure, and as a rule succeeded.

Ninth. That on the night of September 7, 1918, they were deprived of their beds and one of them was deprived of his blankets as a disciplinary measure, by order of Capt. Joseph H. Buckley, Infantry, United States Army, officer of the day, acting under instructions from Maj. Gustav C. Taussig, Infantry, United States Army, officer in charge of prisoners.

Tenth. That on the night of September 23–24, 1918, these men were paraded every time the relief of the guard was formed as a disciplinary measure, this order being given by Capt. Richard C. Meek, Infantry, United States Army, officer of the day, acting under instructions from Maj. Gustav C. Taussig, Infantry, United States Army, officer in charge of prisoners.

Eleventh. That on the morning of October 8, 1918, Pvt. Hyman Block, one of the alleged conscientious objectors, was given a cold shower bath with his clothes on before appearing before the court-martial appointed to try him.

Twelfth. That on the morning of October 8, 1918, while attempting to compel Pvt. Ulysses De Rosa, one of the alleged conscientious objectors, to exercise by marching around the inclosure of the guardhouse, the guard found it necessary to pick him up from the ground, and that afterwards they gave him a shower bath.

Thirteenth. That on the morning of October 9, 1918, Col. John W. Barnes, Infantry, United States Army, commanding Trains and Military Police, Tenth Division, while attempting to compel some of the alleged conscientious objectors to stand at attention struck at least two of them—Pvt. Thomas Shotkin and Julius R. Greenberg—on the feet and legs with his riding crop.

Fourteenth. That on the morning of October 19, 1918, Sergt. John Bell, Military Police Company, Tenth Division, while commander of the guard, ordered two of the alleged conscientious objectors—Pvt. Lester G. Ott being one of them—to assist in cleaning up the latrine, and upon refusal struck him.

Fifteenth. That on various other occasions when some of the alleged conscientious objectors refused to take exercise by marching around the inclosure they were forcibly required to do so by members of the guard.

Sixteenth. That these alleged conscientious objectors received sufficient food to sustain life and health and had sufficient time in which to eat.

Seventeenth. That they received proper medical attention.

Eighteenth. That they were never deprived at any time of drinking water for any time of sufficient length to endanger their health or cause them any hardship.

Nineteenth. That at times the members of the guard, particularly Sergt. John Bell, Corpl. John T. Stretcher, and Pvt. (first class) Roy F. Piper, Military Police Company, Tenth Division, in carrying out the instructions given them used means and language too drastic in compelling their obedience.

Twentieth. That a feeling of hostility existed between the members of the guard and the alleged conscientious objectors, due to the feeling on the part of the guard that these alleged conscientious objectors should be required to perform the military duties required of others.

5. Conclusions:

First. That the prison authorities were in a very difficult position in their efforts to enforce discipline among these alleged conscientious objectors due to their absolute defiance of all military authority.

Second. That summary punishment for breaches of prison discipline on the part of these alleged conscientious objectors was the only method, in fact, that could be used for the very obvious reason that trial by courts-martial of these men for such offenses and the awarding of forfeitures and confinement with hard labor would have had no effect on them due to their attitude toward military authority and the probability of their being convicted of a violation of the 64th Article of War followed, in all probabilities, by a sentence of dishonorable discharge from the service and confinement at hard labor for a long period of time.

Third. That the absence of orders published by the War Department, governing special treatment of these alleged conscientious objectors was the reason the prison authorities attempted to compel, on the part of these men, the same observance of prison regulations as was required of the other prisoners.

Fourth. That the giving of shower baths as a disciplinary measure was too drastic at times and other means should have been used to enforce discipline.

Fifth. That the methods used in compelling these men to take exercise by marching around the guard house was too drastic at times.

Sixth. That the placing of these men on a bread and water diet was unauthorized by the manual of interior guard duty as they were neither general or garrison prisoners (but see 2d conclusion).

Seventh. That Col. John W. Barnes, Infantry, United States Army, in striking the alleged conscientious objectors with his riding crop was not, under the law, justified and violated the 96th Article of War.

Eighth. That Sergt. John Bell, Military Police Company, 10th Division, was not justified in striking the alleged conscientious objectors on the morning of October 19, 1918.

Ninth. That Maj. Gustav C. Taussig, Infantry, United States Army, permitted too drastic measures to be used in compelling the alleged conscientious objectors to take exercise.

Tenth. That Capt. R. W. Wittman, Military Police Company, 10th Division, permitted too drastice measures to be used in compelling the alleged conscientious objectors to take shower baths and exercise.

Eleventh. That Sergt. John Bell, Corpl. John T. Stretcher, Pvt. (first class) Roy F. Piper, Military Police Company, 10th Division, and other members of the guard used means and language too drastic in carrying out their instructions, but due to conflicting testimony received it is not very probable they could be held responsible.

Twelfth. That Corpl. Joseph A. Olson, Military Police Company, 10th Division, commander of the guard on the morning of October 8, 1918, was responsible for the sending Pvt. Hyman Block to the court-martial room in wet clothes.

Thirteenth. That Pvt. De Rosa was handled unnecessarily rough on the morning of October 8, 1918, but in view of the very conflicting testimony it is not probable any members of the guard could be held responsible.

Fourteenth. That the members of the guard in giving testimony in this investigation were, in a great many instances, evasive, withheld the truth and undoubtedly gave false testimony.

6. Recommendations:

First. That Col. John W. Barnes, Infantry, United States Army, be brought to trial under the 96th Article of War for striking with his riding crop Pvt. Thomas Shotkin and Julius R. Greenberg, Company A, 1st Casual Battalion, Fort Riley, Kans., on the morning of October 9, 1918.

Second. That Sergt. John Bell, Military Police Company, Tenth Division, be brought to trial under the ninth article of war, for striking Pvt. Lester G. Ott, Company A, First Casual Battalion, Fort Riley, Kans., on October 19, 1918.

Third. That Corpl. Joseph A. Olson, Military Police Company, Tenth Division, be brought to trial under the ninth article of war, for allowing, while commander of the guard, the sending of Pvt. Hyman Block, Company A, First Casual Battalion, Fort Riley, Kans., to the court-martial room in wet clothes.

Fourth. That Maj. Gustav C. Taussig, Infantry, United States Army, be reprimanded for permitting unnecessarily rough measures being used in compelling the alleged conscientious objectors to take exercise.

Fifth. That Capt. R. W. Wittman, Military Police Company, Tenth Division, be reprimanded for permitting the use of measures of too drastic a nature in compelling the alleged conscientious objectors to bathe and take exercise.

(Signed) E. C. DESOBRY.

CAMP FUNSTON, KANS., *January 6, 1919.*

EXAMINATION OF CONSCIENTIOUS OBJECTORS.

HENRY LAYMAN.

Q. What is your name?—A. Henry Layman.
Q. Where are you from?—A. Colorado; Ordway, Colo.
Q. What branch of Mennonites?—A. I belong to the Church of God.
Q. How long have you belonged?—A. Since 1916.
Q. You have belonged about two years? Swear you belong that long?—A. Yes, sir.
Q. Do your father and mother belong to that church?—A. Yes, sir.
Q. Do your brothers and sisters?—A. Yes, sir.
Q. How many brothers have you?—A. I have got two right brothers. He is my stepfather.
Q. You call stepbrothers "right brothers"?—A. I have got two real brothers.
Q. Any sisters?—A. No, sir.
Q. Have you any brothers in the Army?—A. No, sir.
Q. How old a boy are you?—A. Sir, me? I am 24 this fall.
Q. How much schooling have you had?—A. I have none in America, just a few, couple months; I was born in Russia.
Q. Born in Russia?—A. Yes, sir.
Q. Have you been naturalized?—A. Yes, sir; I have been naturalized. Soon as I was in the Army. Yes, sir; I got my citizen papers. I am here in the Army.
Q. You are doing noncombatant work?—A. Yes, sir; I did work in truck company.
Q. Are you doing it now?—A. I am not now.
Q. What do you mean by that exactly?—A. I am working some here. Whatever I could do.
Q. Is it against the creed of your church to take up fighting?—A. Yes, sir.
Q. Do you mean to tell me that? Do you know what the creed of your church is?—A. I will explain as good as I can. I not highly educated American. When we join church we got to be given up all our sin and follow Christ Jesus in his way and be a true man in all ways, live up in God's way.
Q. And you think that you follow that pretty well?—A. Yes, sir. Just as much power I got. Just as much as God give me power.
Q. Read your Bible in Russian and American?—A. In German.
Q. How often do you read it?—A. Most every day. I tried to read the Bible several years.
Q. Do you find anything in the Bible that makes you think it wrong to go to war?—A. It is in certain ways, I guess. It says not to kill anybody; got to love your enemies.
Q. Do you love the Germans?—A. The Bible says you got to love the enemies.
Q. Do you love your enemies?—A. I got no enemies, as far as I know.
Q. Do you love the Germans?—A. I got nothing against nobody in this world.
Q. Do you want Germany in this country?—A. I never give that any thought.
Q. Did you buy any liberty bonds? Thrift stamps? Give any to the Red Cross?—A. Well, I guess they never ask me.
Q. Would it have been against your conscience to buy any stamps?—A. Not really.
Q. Is there any reason why you should not go and fight?—A. Yes, sir; I belong to a religious sect and follow Christ Jesus.
Q. What do you think would happen to you if you did go and fight?—A. I would cross God's command.
Q. Ever swear, ever drink, ever smoke, ever have any connection with a woman?—A. No, sir.
Q. Did you ever go to moving pictures?—A. No, sir; and no man can prove it.
Q. Why not?—A. It is not right, and our church does not believe in it. And I don't, either.
Q. What is your business?—A. My business is farming.
Q. In Kansas?—A. Colorado.
Q. Not married?—A. No, sir.
Q. Do you live with your people?—A. Yes, sir; with my father.

Capt. Smithey requested permission to ask a question, as follows:

Q. If a negro were about to rape your mother and the only way that you could prevent it was to shoot him, and you had a gun, would you do it?—A. No, sir. I would not shoot him. I could not kill the man. I would be going against God's law.
Q. Would you argue and reason with him?—A. I would tell him to get out. I would not kill him.
Q. Would you use force—would you strike him, knock him down?—A. That would not be right.
Q. You think that is following Christ's teachings?—A. Well, I am going to be a perfect man.
Q. Do you recall where Christ went in the temple and saw the money changers?—A. Yes, sir; I do.
Q. What did he do?—A. He ran them out with a rope. I don't believe he abused anybody.

(End of Capt. Smithey's interrogation. Maj. Kellogg resumes interrogatory:)

Q. Well, now, you say you don't believe Christ hit any of them with the whip. He just took the whip and [pantomime of waving an imaginary whip]. Now, suppose the negro was going to rape your mother and you had a pistol, you would point it at him? Wouldn't you scare him?—A. No, sir.
Q. That is just what Christ did. He just made them believe he was going to hit them?—A. He told them the house was not made for buying and selling.
Q. Well, suppose you told the negro this house was not made for raping. Wouldn't you?—A. I don't believe it would be right for me to point the pistol against him.

Mr. KAHN. Mr. Chairman, I yield to the gentleman from Ohio [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman, on this, the 12th day of February, the anniversary of the birth of Abraham Lincoln, it is very interesting to consider for a few moments the progress of the colored people of this country who feel greatly indebted to him for his efforts in securing for them freedom and opportunity.

On September 22, 1862, President Lincoln issued his emancipation proclamation wherein he stated that on January 1, 1863, all persons held as slaves within certain States were to be free. The close of the Civil War found the colored man free—not only free, but he was invested with all the rights and responsibilities of citizenship.

How he has progressed since that time is now a matter of history, reduced to figures and facts, and it is well for us to consider them, bearing in mind that the civilization and progress and accomplishments of this race have taken place in the last half of a century.

In 1915 the races of the world were in about the following proportions: Yellow, 703,000,000; white, 560,000,000; colored, 258,000,000.

To give an idea of the great increase in the efficiency of the colored race I desire to submit the following figures:

Homes owned, 1866, 12,000; 1916, 600,000.
Farms operated, 1866, 20,000; 1916, 981,000.
Business conducted, 1866, 2,100; 1916, 45,000.

Wealth accumulated, 1866, $20,000,000; 1916, $1,000,000,000.
Now let us turn to educational statistics:
Percentage literate, 1866, 10 per cent; 1916, 75 per cent.
College and normal schools, 1866, 15; 1916, 500.
Teachers in public schools, 1866, 600; 1916, 36,900.
Students in public schools, 1866, 100,000; 1916, 1,736,000.
Property for higher education, 1866, $60,000; 1916, $21,500,000.
Expenditures for education, 1866, $700,000; 1916, $14,600,000.
The religious progress of the colored race has been wonderful, and here are the figures:
Number of churches, 1866, 700; 1916, 42,000.
Number of communicants, 1866, 600,000; 1916, 4,570,000.
Number of Sunday schools, 1866, 1,000; 1916, 43,000.
Number of Sunday-school pupils, 1866, 50,000; 1916, 2,400,000.
Value of church property, 1866, $1,500,000; 1916, $76,000,000.
In 1914, in the State of Georgia, colored citizens made returns upon $38,603,307 worth of property and owned 1,592,555 acres of land.
In North Carolina colored citizens made returns upon $32,197,890 worth of property.
In Virginia colored people owned 1,674,823 acres of land and had $37,851,973 worth of real and personal property.
In 1900 colored people were interested in 51 banks and insurance companies that held policies to the amount of $25,800,000.
Colored people have interested themselves in playgrounds for children, social improvement, negro uplift, civic improvement, health improvement.
They have won prizes in raising corn, pigs, cotton, potatoes, and other vegetables.
They have noted preachers, inventors, teachers, sculptors, actors, singers, painters, composers, and musicians.
The colored man in the wars of the United States has always shown himself loyal, patriotic, and ready to fight, never flinching from duty.
The blood of colored men has been shed upon every battle field from the Boston massacre to the time of the signing of the armistice last November.
Crispus Attucks, a colored man, was the first to fall in the Boston massacre, March 5, 1770.
Samuel Lawrence led a company of colored soldiers at Bunker Hill.
Peter Salem fired the shot that killed Maj. Pitcairn.
The Black Legion in 1779 covered themselves with glory at the siege of Savannah.
Over 3,000 served in the Revolutionary War and fought for the independence of this Nation.
They served with Commodore Perry on Lake Erie, who spoke highly of their bravery, courage, and fearlessness.
They fought under the great Jackson at New Orleans, and helped turn back the British on that eventful day.
They marched with Gen. Scott into Mexico and suffered with David Crockett on the Alamo.
Nearly 200,000 fought in the Union armies during the Civil War, and showed their bravery on numerous occasions.
On November 23, 1861, at a review of Confederate soldiers 1,400 colored soldiers marched, out of the 28,000 in the review.
It was the famous Tenth Cavalry that came to the rescue of Col. Roosevelt in the first battle in Cuba.
The Twenty-fifth Infantry took a prominent part at El Caney and the Ninth and Tenth at San Juan Hill.
In this present world war thousands of colored soldiers went over the top for freedom and democracy.
Over 33 colored people have received Carnegie medals, 3 graduated from West Point, and they have a lower percentage of crime than many foreign races that come to this country.
What the colored man needs is education and an equal opportunity. Education is the only safeguard for free institutions, and if this opportunity is given the colored race what will he do in the next 50 years?
Lynchings are a form of anarchy, whether the person lynched is black, white, or yellow. They should be discouraged by all the means and all the power at the Government command. If one crowd of people can lynch one person, whether he is innocent or guilty, one never knows who will be the victim of the next lynching.
I am in favor of giving every man, black or white, an even opportunity to work out his own salvation.
Equal opportunity is the essence of a free government; without it a free government ceases to exist.
Every child in this country should be given an opportunity to obtain an education. It should be a part of the fundamental law of the land. Republics that have failed in the past have failed because the people were not all educated.
"There is so much good in the worst of us and so much bad in the best of us that it hardly behooves any of us to speak ill of the rest of us." That is a good policy,

I desire to speak strongly for the education of the colored man, for the care of his health, and the giving him an opportunity to work out his own future.
Many colored pupils have graduated from public schools and colleges at the head of their classes, and what one colored pupil has done many others can do and will do if given an opportunity.
In the city where I live—Cleveland, Ohio—there are colored lawyers and doctors, who stand very high in their profession, and some of the most eloquent preachers I ever listened to.
They are but representatives of the future of the colored citizen in the professions.
In conclusion let me state that if a people can accomplish these things in 50 of the first years of their freedom, what will they accomplish in the second 50?
Time alone can answer the question. [Applause.]
Mr. FRENCH, by unanimous consent, had leave to extend his remarks in the RECORD.
Mr. KAHN. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. SMITH].
Mr. SMITH of Michigan. Mr. Chairman and gentlemen of the House, of course an Army and Navy are absolutely necessary to the protection and welfare of the Government, not only for the purpose of its own defense but also to see that its rights are protected and its sovereignty maintained. A short time ago it was absolutely necessary that the United States should engage in war. We found ourselves very inadequately prepared, but with the enthusiasm, with the spirit of determination of the citizens of the Republic, we set about immediately to organize an army. I am pleased to say that the test of the Republic was shown in the patriotism of its soldiers.
We have sometimes heard that a kingdom or a monarchy was the best fitted to assemble its soldiers, because their subjects are taught to serve and obey; but history has proven upon every field in many wars that the American soldiers eclipse the soldiers of any nation as fighters under every condition and never falter at any time or in any clime. [Applause.]
They came from their homes, they came willingly, and they were not urged. They were eager to go to the front. They did not request to fight alone in their own country. They raised no constitutional question that they could not be compelled to go into a foreign country to fight. But, as stated in the little poem of "Bill"—

They wanted to go over to France,
And wear those blooming pants;
They wanted to be before it was done
A roaring, fighting, son of a gun.
They wanted to follow wherever they led;
They wanted to prove their blood was red,
They wanted to go to France.
They wanted to go over to France and learn to take a chance.
They wanted to be before it was done
A roaring, fighting, son of a gun;
They wanted to hike and carry a pack,
And they didn't care if they didn't come back,
They wanted to go over to France.

Those who remained at home do not ask us for congratulations because they did not have to go to France, but they say that they are sorry they were not given the chance to serve in the front lines, go over the top, and follow the flag in a foreign clime. This war has demonstrated that the country need not be afraid when the time comes about the boys rallying to the flag. I do not care whether it is to suppress or fight Bolshevism or the I. W. W., or anarchy, the country is safe in the hands of the great American citizen and soldier. [Applause.] There is no place here for sedition. There is no place here for those who advocate a different form of government than ours. And why? Because we absolutely have the best Government the sun shines on. More men have fought for the principles upon which the Government of the United States is founded, more men today are ready to uphold and advocate the blessings and benefits of our Republic, than ever before. We have become more united and the foundations of our institutions have been strengthened by and because of the war. And woe to the traitor who seeks to undermine our Government or intrigue against our Nation. No men or set of men, organized or unorganized, should conspire against it. Wherever a republic has been formed or a new nation come into being, since the Republic of the United States, that country has turned to the Republic of the United States for its guiding principles. Our Republic is the oldest, and it goes on, anchoring its hope, its welfare, and its future prosperity, so full of opportunities, to the patriotism of its citizens. Here every man is the equal of every other man in the eyes of the law, marching on to a destiny that knows no bounds. Here in this our blessed Government let each and every one of us not only dedicate our life but also our sacred honor and our utmost resources to the limit against every foe, whether foreign or domestic,

My friends, the citizens of this Government gave these men willingly and they went willingly. We have won this war. Some think that never again ought there to be a time when the United States would have to rely upon the navy of another nation. One gentleman addressing this House yesterday said that and I wondered how many other nations relied upon the Navy of the United States. It came out at the right time. It came to the rescue. How many nations depended upon the soldiers of the United States?

The great question of demobilization is now upon us; and now that the war is over I think these men should be returned to their homes and to their previous occupations. They did not enlist or enter the Army for the purpose of making a life work of soldiering. I think that they should now be demobilized and every man returned to his home who has a place waiting for him. I think it would be a good plan if a survey of the men in the Army were taken and those who have positions waiting for them discharged and sent home, so that they may pursue their former vocations.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Michigan. Yes.

Mr. LAZARO. No one wants to see the boys come back more quickly than I do, but I want to ask this. The gentleman said the war is over.

Mr. SMITH of Michigan. I did not mean that abstractly if I did.

Mr. LAZARO. Is the war really over?

Mr. SMITH of Michigan. It is not.

Mr. LAZARO. And we saw fit to go into this war.

Mr. SMITH of Michigan. Certainly; and very properly; to save our Nation and prevent German world dominion over us as well as all other nations, as I believe.

Mr. LAZARO. And it is our war as well as it is their war.

Mr. SMITH of Michigan. There is no doubt about that now.

Mr. LAZARO. The question is, Ought we to come back before the treaty of peace is signed?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KAHN. Mr. Chairman, I yield the gentleman more time.

Mr. LAZARO. In that connection I would like to know if the gentleman knows how many men are required as an army of occupation until the peace treaty is signed, and whether or not we are bound to contribute our quota to that army of occupation?

Mr. SMITH of Michigan. I do not think that we are bound to contribute our quota to the army of occupation. I think a great mistake was made in signing the armistice before we marched our Army into Berlin, much as I defer to the conclusion reached by our military leaders to do so. I think further than that that if our Commander in Chief is over there to establish this league of nations he ought to wait until he forms and agrees upon a treaty of peace. That, in my opinion, should come first. If any league of nations will compel us to furnish an army to protect the borders of these small European states and nations or to keep the boys or an army in Europe, or to keep or to send them into Russia, then I am against it. I do not think that our Army has any place, when this war is won, in a foreign country of Europe. We did not send our Army and our Navy into Europe or enter the war for the purpose of policing or permanent occupation. We sent it there to bring Germany to time, as I recollect the declaration of war. We have finished that job. The other nations can now take care of Germany, and we should bring our boys home. [Applause.]

Mr. LAZARO. But the gentleman does not answer my first question. I asked the gentleman whether or not this war was our war as well as theirs and whether or not the war was over, and the gentleman said that the war was over.

Mr. SMITH of Michigan. Well, I wish to modify that by saying it is not completely over yet, but Germany is licked. I think there is a great deal of unrest over there still, but I feel absolutely sure that England, France, Italy, and our allies can take care of Germany, and if Germany wants more of it these European allies can give her all she wants. I think the war is not in shape yet that all troops can be actually taken away, but, as stated, I think there are plenty of other troops over there to complete the work. We do not ask for any territory; we say that we are not asking for any indemnities; but I think we should have some pay for our losses when the other nations get theirs. If other nations outside of Belgium and France get nothing, of course we do the same. If this league of peace compels us to pay a part of the total cost of this war, as some of the published reports claim, then I am against that. I do not want any league formed for that purpose. [Applause.]

As I understand it and as I read and remember, Thomas Jefferson and Benjamin Franklin were for a league of nations. Washington told us to avoid entangling foreign alliances. They called it then a congress of nations. I am for peace. I have often made use of the quotation to beat the swords into plowshares, and I have recited Tennyson's Locksley Hall so many times throughout my district that I think they all have heard it. I am essentially for peace. We will have peace in due course. The fighting has ceased, and it should take no longer to demobilize the Army than it did to mobilize it and put it into the field.

I particularly think it was a great mistake to send our boys into Russia. We debated the Navy bill for days on the floor of the House, and we have debated the Army bill all of to-day, but no one seems to know or can tell just why our Army was sent into Russia, or how long it will remain there, or when it will be returned. The people, the parents of the boys, and the country are greatly worried and very solicitous about them. Already leagues and societies are formed and are petitioning Congress for their return. I want to close my remarks by inserting a telegram which I received from one of these organizations. I wish our Commander in Chief would command the American troops to return from Russia to America. I am sure that this telegram expresses the sentiment of the country, and I hope our troops now in Russia may return home without further delay. An article appearing in the Battle Creek Inquirer, the leading paper published in that city, of February 9, is headed as follows:

Relatives of men in Russia meet to-day—A mass gathering is called for 2 o'clock in city hall for an exchange of views.

The telegram above referred to follows:

BATTLE CREEK, MICH., *February 9, 1919.*

Congressman J. M. C. SMITH,
Washington, D. C.:

We, the wives, parents, brothers, sisters, and friends of the boys in Russia, ask you to get in connection with Senators TOWNSEND and JOHNSON and all other Senators and Congressmen you possibly can, and, if possible, bring about the very early recall of our boys from Russia, as we have no quarrel with the Russian people, and we understand our boys are in grave danger.

RUSSIA RECALL LEAGUE,
By BUELAH CALDWELL, *Secretary.*

[Applause.]

Mr. KAHN. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. LUFKIN], and he is the last speaker.

Mr. LUFKIN. Mr. Chairman, this House on Saturday adopted a conference report making the law of this land, so far as this body is concerned, the largest single tax measure in the history of the world, a tax measure which proposes to extract $6,000,000,000 from the pockets of the American people. Yesterday we commenced to spend some of the money which we are going to raise by that tax bill. We started in by appropriating over $700,000,000 for the naval bill and in authorizing over $400,000,000 more. To-day we are starting in to spend some more of that tax. We are commencing the consideration of the largest Army appropriation bill in the history of this country in peace times, and in the short time that is accorded me to-night I desire to read a letter which I have received to-day from one of my constituents, a prominent professional man in Massachusetts, who gives what seems to me to be some very interesting comments on the present administration of these large appropriations. The letter is dated Boston, February 8, 1919, and is as follows:

BOSTON, *February 8, 1919.*

Hon. WILLFRED W. LUFKIN, M. C.,
Washington, D. C.

DEAR MR. LUFKIN: As a constituent of yours, I desire to thank you for your position on the income-tax bill now pending in Congress for $6,000,000,000 to assist in carrying on the war. I hope that you will be able to come home and help in the victory loan, the drive for which is soon to be started. The Government needs every financial assistance to carry on the war now raging about the peace table in Paris. I am particularly interested in the above matter, as I have a son now in France who enlisted as a private who would not have been reached in the draft, being in class 4. He was offered a commission as a second lieutenant in the Quartermaster Department, but declined it, thinking his duty was to fight. He went overseas in June, leaving a wife and a child less than 4 months of age. In a letter written December 28, the last one received by me, he informed me that the last letter he received from home was dated October 1, mailed in Paris by an English officer who sailed from Halifax. No letter from his wife since September. Since July 1 he has received one month's pay, which, after deducting his wife's allowance and his insurance, left him in the vicinity of $5. Since June I have sent him by checks and cables $700, hoping that some of it at least might reach him, but they have not. Packages for Christmas also failed to arrive.

I know that it is not the fault of the Government that his mail is not delivered or that he has not received his pay, for Gen. Pershing urged every one to write, write, write to their husband or son, as nothing in the world cheered a soldier like letters from home (there has been at least five letters every week since his departure and no delivery of mail with the exception of the letters before named since August). If he needs letters to cheer him up, I am much worried for fear that he may develop acute melancholia; or that the $4 paid him by the Government may lead him into a wasteful and extravagant habit in his mode of life and make it harder for him when he returns and has nothing but his profession to fall back on for the

support of himself and his family. Could you not get a portion of the hundred million dollar appropriation that you voted for to feed the hungry of Russia, Bulgaria, Turkey, Italy, and France, to keep down the rising tide of social unrest. I am sure that France, always generous, would be pleased to give up all or any part of her contribution to pay off an American soldier. He would at once put it in circulation in their country. Would it not have been well to have amended the bill providing that said sum should be paid when our own soldiers had received what was due them? Of course I know that this is not the fault of our Government that letters are not delivered or that the paymaster has not the money to give the boys their monthly pay, but it is the niggardly and parsimonious American people that have embarrassed this Government in not furnishing sufficient money to carry it on to a successful termination.

I write this letter "more in sorrow than in anger," but when you appreciate that the deaths from the influenza in this country were so terribly exaggerated in the French papers, and you keep receiving letters from one over there without one word of complaint, simply begging for letters, letters, letters—"Are you alive?" etc.—it gets under an old man's skin in time. If you will get me a passport to France I will go over and carry letters from his wife and mother, a picture of his baby, and a little cash from the old man, without any expense to this Government. I will pay my taxes without a murmur, subscribe for the victory loan, buy thrift stamps, make contributions to the Red Cross, Salvation Army, Knights of Columbus, Young Men's Christian Association, milk for French babies, and potatoes for Irish ones; will send all of my old clothes to the Belgians, pay the luxury tax on my new ones; will go without liquor after July 1; will keep all the commandments and wish there were more for me to keep—all of this, O Lord, will I do, if you will only get one little postal card to my son on the other side announcing that his wife and daughter, mother and father still live.

[Applause.]

You might also bring, incidentally, to the attention of the one who is responsible for this situation the words of the Prophet Isaiah, "They praise me with their lips, but their hearts are far from me."

Very truly, yours,

P. S.—Do not let my name appear if you use this letter, as they might send the kid to Siberia.

[Applause.]

And so it has been all along the line. From the very day the American forces landed in France the mail conditions have been intolerable and the system of payments, especially to the wounded and sick men in the hospitals, a disgrace to any great organized effort of this sort. At the beginning the War Department passed the buck to the Post Office Department, and it was promptly passed back again. "The mail conditions are improving," said the Postmaster General and the Secretary of War on this side. "Conditions are improving" echoed Gen. Pershing and his staff across the sea. Apparently everyone was satisfied except the officers and the men themselves, who continued to receive no mail or mail at very irregular intervals and who still considered a regular pay day as a total stranger.

"But this is war," said the defenders of the administration. "These soldiers can not expect to have things go on with the regularity in vogue during peace times." This argument might be sound were it not for the fact that no such conditions existed in the English Army. Apparently the English and Canadian soldiers received both their pay and mail with regularity and dispatch. But allowing for all the difficulties to be overcome while the troops were on constant move during the period of hostilities, what excuse is there for these conditions to continue and even to grow worse now that most of the units are located at fixed points? What excuse is there for a wounded American soldier in a hospital for months to have received no mail since last summer, though his family had written him on an average of four times a week? What excuse is there for these letters to be returned to the father and mother of that boy, letters which were properly and fully addressed, as described in a letter which I have recently received from a constituent in Marblehead, Mass. Listen to this:

MY DEAR CONGRESSMAN: To you the people from this district pour out their troubles. Here goes mine: I have a son, a private in Battery A, One hundred and first Regiment, Field Artillery, American Expeditionary Forces. He has been wounded three times in action, and has been cited by Gen. Clarence R. Edwards, formerly commanding the Twenty-sixth Division, for heroic acts of bravery under enemy fire.

On January 2, 1919, we received a letter from him, dated December 12, 1918. At that time he was on his way back from the hospital (Base 19) to his battery, and he gave his address Army Post Office 709, American Expeditionary Forces. In that letter he stated that he had not received a single word from home since August, 1918, a period of over four months. Never a week passes by that less than four letters, besides newspapers, are mailed to him by we home folks, and he was terribly worried about us, as he knew that the influenza was raging here. To-day we received 11 letters we had addressed to him. The envelopes, which I am inclosing in this letter, that you may note the stamped dates on them and also see that they were properly addressed.

I hold those envelopes here, all clearly and completely addressed.

You may note that the first date is August 25, and in the boy's letter of December 12 he wrote that the letter of August 19 was the last one he received.

I am a patient and loyal man and have endured many things in silence, because the country was at war. But now patience ceases to be a virtue when I think of the inefficient way in which this Democratic Government has treated the wounded soldiers. We were advised to write letters to our boys, to keep up their morale, but it seems that Secretary Baker and Postmaster General Burleson, of cable-grabbing fame, are so interested in the political future of the Democratic Party and the furtherance of their own political future that such a thing as a home letter to a poor wounded boy lying in a hospital 3,000 miles from home is of no moment to them. It is easier to transport that letter 3,000 miles across the ocean and 3,000 miles back than to make an attempt to find the wounded boy.

God knows, and He only, where all the letters we wrote in October and November and December are. Perhaps they are on the way back to this country, and that poor boy of mine will wait in vain to hear from home.

If you could find out for me just where he is located back in his battery or at a replacement camp, I would send him a cablegram to let him know that we home folks are all right. His mother is terribly worried about the boy worrying about us. If the inclosed envelopes will be of any assistant to you in helping to arouse the majority (thank God, soon to be in the minority) party to some semblance of their responsibility to the people and not their party, you can use them in any way you please.

If the Barnum and Bailey circus parade now going on in Europe is over, and if the descriptions of that triumphal tour have all been cabled across to this country, I would suggest that President Wilson devote part of his time to straightening out the Burleson mess of congested mail conditions. Col. House is there with him, and if they are not enough, perhaps some more Texas politicians could be sent over to help out.

Seriously, Mr. Congressman, I am sore to-night when I think of the worry that has been needlessly inflicted upon my kid by the mess this administration has made in looking after the comfort and welfare of our boys. Thanking you for what you have done for me and all Marblehead in this war, I close.

Very truly, yours,

And these complaints are not confined to any one group of people or to any one section of the country. I quote you from an editorial from the Lowell Sun, one of the leading Democratic newspapers published in the district represented by my colleague, the Hon. JOHN JACOB ROGERS, who himself has for months been making a fight against existing conditions. Listen to what the editor of that Democratic newspaper has to say:

One of the most glaring instances of the failure of overseas mail to arrive at its destination in France was brought to my attention a day or two ago when I heard the story told by a Lowell young woman, who in one mail received back 38 of her own letters, written over a period of several months. The next day brought several more. Why they never reached the soldier to whom they were addressed is not known, but that does not alleviate hours of disheartening waiting which he doubtlessly experienced. A soldier away from home, without mail, soon loses his enthusiasm for the job at hand. The Government, and more acutely the postal department, should have realized this and made more than ever possible effort to get overseas mail through. This is not a remote case by any means, although it is the most deplorable piece of evidence yet brought to our attention.

Here is a case from Salem, Mass., describing another abuse now going on in France, to wit, the practice of transferring men discharged from the hospitals to new units under orders to continue indefinitely in France instead of restoring them to their old divisions and comrades, slated for an early return to this country.

Hon. WILLFRED W. LUFKIN.

DEAR SIR: I have the honor of calling your attention to a case which I should like very much to have your opinion of. My son, a corporal in Company B, One hundred and fourth United States Infantry, was sent to a hospital on October 28 with trench feet. In a letter received from him, under date of December 10, he states that he was discharged from the hospital the last of November and, with some more men of the Twenty-sixth Division, was marched to Dillon and assigned to the Three hundred and nineteenth Regiment, Eightieth Division. In a cablegram published in the papers yesterday it is stated that the Twenty-sixth Division had been ordered home. On inquiry I am informed that the Eightieth Division has not been slated for an early return. Do you think it is right for the Twenty-sixth Division to come home and some of the men who have been with it ever since it left here, men who have fought with it all through the war, be left behind? Do you think it is right to leave them over there because they were unfortunate enough to be sent to a hospital? My son has a wife depending on him for support, and if there is any possible way to have him return with the outfit he belongs with I wish you would be kind enough to let me know. I have taken this matter up with Maj. Gen. Clarence R. Edwards, and am inclosing his reply, which I would thank you very much to return with the answer to this letter.

Sincerely, yours.

The letter from the office of Maj. Gen. Edwards, formerly commanding the Twenty-sixth Division, but now commanding the Department of the Northeast in this country, indicates that this nefarious practice referred to by my constituent was once broken up, but apparently it has now again been resumed.

HEADQUARTERS NORTHEASTERN DEPARTMENT,
99 Chauncey Street, Boston, Mass.

MY DEAR SIR: Your letter in regard to your son * * * has been received, and the general directs me to tell you that after long efforts he succeeded in getting an order published which required all soldiers to be sent back to their own organizations when discharged from the hospital. Apparently this order has been revoked since we left France, or somebody has violated the order in sending your son to another organization.

It is to be regretted that he could not return to his own outfit which is the same as home to him in a military sense, and if there is anything I could do to adjust the matter I would be only too glad to do it, but the American Expeditionary Forces are far away, and a matter of this sort would be very difficult to correct. * * *

Yours, very truly,

JOHN W. HYATT,
Major, Infantry.

Here is another letter from Marblehead, Mass., rockbound in both its shores and its republicanism. This letter indicates

how some of the money which we voted to take out of the people's pockets in taxes last Saturday is being spent. It also indicates how one Republican in that town looks with favor upon the gallant efforts of my friend and colleague, Congressman JAMES A. GALLIVAN, in his fight for justice to the officers and men of the Twenty-sixth, or Yankee, Division. Here is what he says:

MY DEAR SIR: I hope that you are supporting Congressman GALLIVAN in the volleys which he is pouring forth against existing conditions. I could vote for GALLIVAN with enthusiasm. Here in Marblehead two coast patrols were brought into the harbor five weeks ago. The boats are out of commission, but still the 20 men are boarding in town, at the Government's expense, doing nothing and drawing their pay. Every one of these men declares he wants to get out and get to work and not idle his days away without object or purpose. Twenty men's salary for five weeks to be added with 10,000 others to the taxes imposed upon every man who owns a hut that he calls or thinks his own. Secretary Baker has monkeyed with Congress about long enough, and I rejoice that it was a Massachusetts man who had the shades of Roosevelt to stand and rebuke him. With kindest regards for your success, I remain,

Yours, truly,

I might quote from similar letters for hours. Every Member of this House could probably do the same. But we must do more than quote from letters. We must find out who is responsible for these shortcomings, and we must place the blame where it belongs, regardless of who gets hurt. This should be one of the first and most important tasks of the new Congress. The American people demand an answer, and it is apparently impossible to obtain it from this Congress. But some committee, either a regular or a special one, must undertake these investigations once we are called into special session. I am a member of the Committee on Expenditures in the War Department. The function of that committee is to investigate just such matters as the ones to which I have referred. The committee has never had a meeting during the present Congress. I have never had the honor even of meeting the chairman; but with the coming of the new Congress, with a Republican chairman at the head, I predict that this committee will resume the functions for which it was intended, will endeavor to find out and tell to the American Congress and the American people who is responsible for all this cussedness and neglect in the comfort and care of our victorious warriors.

Mr. LUFKIN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts. [After a pause.] The Chair hears none.

Mr. DENT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15835, the Army appropriation bill, and had come to no resolution thereon.

The SPEAKER. The bill, H. R. 15608, was erroneously referred to the Private Calendar, whereas it should be on the House Calendar. The Chair therefore refers it to the House Calendar.

RATIFICATION OF PROHIBITION AMENDMENT.

The SPEAKER. The Chair has a certificate from the governor of Nevada announcing the ratification of the prohibition amendment.

LEAVE OF ABSENCE.

By unanimous consent, Mr. MCCORMICK was granted leave of absence for five days on account of important business.

REPRINT OF A BILL.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, at the request of the gentleman from South Carolina [Mr. LEVER], chairman of the Committee on Agriculture, I ask unanimous consent for a reprint of the bill H. R. 15796.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none.

PRINTING ADDRESS OF SENATOR LODGE ON LATE EX-PRESIDENT ROOSEVELT.

Mr. WALSH. Mr. Speaker, the gentleman from Indiana [Mr. BARNHART] expected to ask unanimous consent to have the House print 20,000 copies of the address delivered by Senator LODGE on Sunday upon the life, character, and public services of Ex-President Roosevelt. In his absence and with his approval I make that request, the copies to be circulated through the folding room.

The SPEAKER. To be published as a House document?

Mr. WALSH. Yes, sir.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that 20,000 copies of Senator LODGE's eulogy on Col. Roosevelt be printed. Is there objection?

Mr. SMITH of Michigan. Mr. Speaker, reserving the right to object, I would like to inquire how many that would allot to each Member?

The SPEAKER. Fifty.

Mr. ROGERS. Reserving the right to object, which I shall not do, I want to ask the gentleman from Massachusetts if he has any information as to the character of the paper which will be used in this reprint, and whether he knows there is any way by which a rather better quality of paper can be used than is habitually employed in the printing of the speeches of Members of the House?

Mr. WALSH. I have no knowledge upon that point, but I think the chairman of the Committee on Printing could see that a better quality of paper is used for the printing of this document.

Mr. ROGERS. I suggest that the Members interested confer with the chairman of the Committee on Printing and urge that that be done.

Mr. WALSH. From the conversation I have had with him, I know that he would favor that.

Mr. STAFFORD. If the gentleman will permit, there have been instances where the House has ordered certain speeches printed as a House document, and where it has been printed in a form different from the ordinary document, and well fitting the occasion. I assume that will be the case in this instance.

Mr. WALSH. That can be done without any specific order of the House?

Mr. STAFFORD. Without any specific order of the House.

The SPEAKER. I do not know how it is done, but Senator KNOX made a speech in the Senate not long ago that was printed in much larger type and on better paper than the average congressional speech.

Mr. STAFFORD. Mr. Speaker, I had in mind speeches delivered by yourself and the gentleman from North Carolina and others anent the retirement of Representative John J. Fitzgerald, and which I asked unanimous consent to be printed as a document, and they were compiled in a very fitting form.

The SPEAKER. I do not think there will be any doubt about it.

Mr. STAFFORD. That will undoubtedly be properly taken care of by the Committee on Printing.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the House print 20,000 copies of the address of Senator LODGE on the late Theodore Roosevelt, to be distributed through the folding room. Is there objection? [After a pause.] The Chair hears none.

PRINTING OF CONFERENCE REPORT ON REVENUE BILL.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that there be printed 14,000 copies of the conference report on the revenue bill, half of them to go to the House folding room and half to the document room.

The SPEAKER. Has the Senate passed on it?

Mr. KITCHIN. This is within the $500 limit.

The SPEAKER. But has the Senate agreed to the conference report?

Mr. KITCHIN. Yes, sir.

Mr. ROGERS. Will the form in which the gentleman proposes to print this conference report show the text as it will actually be enacted, without any of these lines stricken through?

Mr. KITCHIN. Just exactly.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] asks unanimous consent that 14,000 copies of the conference report on the revenue bill be printed, half to be distributed through the folding room and half through the document room. Is there objection? [After a pause.] The Chair hears none.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I understand that general debate on the military appropriation bill has not been concluded.

Mr. KITCHIN. The understanding is that it has been concluded with the exception of the speech by the gentleman from California [Mr. KAHN], who will have an hour to-morrow.

Mr. STAFFORD. And after that it will be considered under the five-minute rule?

Mr. KITCHIN. Yes, sir.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. KITCHIN]? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 30 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Thursday, February 13, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury transmitting copy of a communication from the Secretary of the Navy, submitting deficiency estimate of appropriation required by the Navy Department and Naval Establishments for the fiscal year 1919, and for prior years (H. Doc. No. 1787); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury transmitting copy of a communication from the president of the Board of Commissioners of the District of Columbia, submitting estimates of deficiencies in appropriations required by the District of Columbia for the service of the fiscal year ending June 30, 1919, and for prior years (H. Doc. No. 1788); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. DILLON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 5316) granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington, reported the same without amendment, accompanied by a report (No. 1061), which said bill and report were referred to the House Calendar.

Mr. MAHER, from the Committee on Labor, to which was referred the bill (H. R. 12634) to encourage instruction in the hygiene of maternity and infancy, and to extend proper care for maternity and infancy; to provide for cooperation with the States in the promotion of such instruction and care in the rural districts; to appropriate money and regulate its expenditure; and for other purposes, reported the same with amendment, accompanied by a report (No. 1062), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FERRIS, from the Committee on the Public Lands, to which was referred the bill (S. 2021) to add certain lands to the Sequoia National Park, Cal., and to change the name of said park to Roosevelt National Park, reported the same with amendment, accompanied by a report (No. 1063), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CANTRILL: A bill (H. R. 15891) authorizing the Secretary of War to donate to the city of New Castle, Ky., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15892) authorizing the Secretary of War to donate to the city of Frankfort, Ky., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 15893) to donate two cannons of obsolete pattern to the village of Baudette, in the State of Minnesota; to the Committee on Military Affairs.

Also, a bill (H. R. 15894) to donate two cannons of obsolete pattern to the village of Spooner, Minn.; to the Committee on Military Affairs.

By Mr. KEY of Ohio: A bill (H. R. 15895) providing for the purchase of a site and the erection thereon of a public building at Bucyrus, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. MOTT: A bill (H. R. 15896) for the purchase of a post-office site at Phoenix, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15897) to provide for the erection of a post-office building at Oneida, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15898) for the purchase of a site for and the erection of a post-office building at Lowville, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. DEMPSEY: A bill (H. R. 15899) for the purchase of a post-office site at Youngstown, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15900) for the purchase of a post-office site at Middleport, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15901) for the purchase of a site and the erection thereon of a public building at Tonawanda, Erie County, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. MAGEE: A bill (H. R. 15902) providing that the United States may be made a party defendant in the same manner as a private person in certain legal processes dealing with real property; to the Committee on the Judiciary.

By Mr. BRAND: A bill (H. R. 15903) to amend paragraph 5 of section 5 of the United States cotton-futures act, approved August 11, 1916, and for other purposes; to the Committee on Agriculture.

By Mr. DYER: A bill (H. R. 15904) to provide for the erection of a Federal office building on the site acquired for the Subtreasury in St. Louis, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 15905) authorizing the Secretary of War to donate to the city of Sand Spring, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15906) authorizing the Secretary of War to donate to the city of Copan, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KITCHIN: A bill (H. R. 15907) increasing the limit of cost for a Federal building at Wilson, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. WEAVER: A bill (H. R. 15908) for the construction of a post-office building at Rutherfordton, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. LUFKIN: Resolution (H. Res. 572) to print the manuscript entitled "Address of Henry Cabot Lodge, in honor of Theodore Roosevelt," as a House document; to the Committee on Printing.

By Mr. HUDDLESTON: Resolution (H. Res. 573) requesting the Secretary of the Treasury to furnish the House information regarding number of persons in the United States whose incomes amount to $3,000 to $1,000,000; to the Committee on Ways and Means.

By Mr. MONDELL: Joint resolution (H. J. Res. 425) relating to the fuel supply of the city of Casper, Wyo.; to the Committee on the Public Lands.

By Mr. CARY: Memorial from the Legislature of the State of Wisconsin, relating to the establishment of a free, united, and independent Polish nation; to the Committee on Foreign Affairs.

By Mr. DAY: Memorial from the Legislature of the State of Utah, memorializing Congress for the passage of an amendment to certain bills introduced in order to provide a more equitable application of Federal aid for post roads in sparsely settled States, and to provide a more reasonable time limit for the availability of such Federal aid; to the Committee on the Post Office and Post Roads.

By Mr. DOOLING: Memorial from the Legislature of the State of New York, urging favorable action on bill amending an act for the construction of dams across navigable waters; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of New York, relating to retention by the State of New York of information on selective draft; to the Committee on Military Affairs.

By Mr. LAMPERT: Memorial of the Legislature of the State of Wisconsin, relating to the establishment of a free, united, and independent Polish nation; to the Committee on Foreign Affairs.

By Mr. ADOLPHUS P. NELSON: Memorial of the Legislature of the State of Wisconsin, relating to the establishment of a free, united, and independent Polish nation; to the Committee on Foreign Affairs.

By Mr. SCHALL: Memorial of the Legislature of the State of Minnesota, relating to injuries sustained by persons in war industries, to be included in legislation for the relief of soldiers, sailors, and marines; to the Committee on Education.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLAYPOOL: A bill (H. R. 15909) granting an increase of pension to John Devine; to the Committee on Invalid Pensions.

By Mr. EMERSON: A bill (H. R. 15910) granting a pension to Abigail Merriman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15911) granting a pension to Mrs. Edward McLaughlin; to the Committee on Pensions.

Also, a bill (H. R. 15912) granting an increase of pension to Richard J. Fanning; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 15913) granting a pension to Melville C. Sullivan; to the Committee on Invalid Pensions.

By Mr. LUNN: A bill (H. R. 15914) granting an increase of pension to Gilbert G. Harris; to the Committee on Pensions.

By Mr. GRAY of New Jersey: Joint resolution (H. J. Res. 426) to provide for the recognition and reasonable remuneration of William Russell Hinsdale, of Orange, N. J.; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROWNING: Petition of citizens of Gloucester County, N. J., protesting against postal zone law; to the Committee on Ways and Means.

By Mr. CAREW: Petition of Central Federated Union of Greater New York and vicinity, asking Congress to repeal law prohibiting increase in wages of customhouse laborers; to the Committee on Labor.

Also, memorial of Merchants' Association of New York, relative to the discontinuance of operation by the Government of railroads, telephones, and telegraphs; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLING: Petition of Central Federated Union of Greater New York and vicinity, asking Congress to repeal the law prohibiting increase in wages for customhouse laborers, so that the Secretary of the Treasury may legally give them a suitable, just, and living wage; to the Committee on Labor.

By Mr. FARR: Petition of Scranton (Pa.) Board of Trade, urging control and operation of telephone and telegraph lines until Congress shall have studied the question and determined upon a proper procedure to be followed thereafter; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLIVAN: Petition of Leon F. Moss, of Los Angeles, Cal., advocating the construction of paved trunk-line highways; to the Committee on Roads.

Also, petition of mothers of soldiers and sailors of Massachusetts, protesting against $50 bonus to be paid discharged soldiers of United States, as compared with Canadian soldiers, who get six months' pay; to the Committee on Military Affairs.

By Mr. GRIEST: Petition of George Werner and other citizens of Lancaster, Pa., urging enactment of legislation providing for national ownership and Government operation of railroads in the United States and its possessions; to the Committee on Interstate and Foreign Commerce.

Also, petition of Samuel Bell and other citizens of Lancaster, Pa., urging enactment of legislation providing for national ownership and Government operation of railroads in the United States and its possessions; to the Committee on Interstate and Foreign Commerce.

Also, petition of William H. Hager, of Lancaster, Pa., requesting repeal of the periodical-postage amendment; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Memorial of Charles Johnson Post, New York, with 39 citizens of eighteenth Ohio congressional district, asking for repeal of zone postal system; to the Committee on Ways and Means.

By Mr. KEARNS: Petition of certain citizens of Portsmouth, Ohio, asking for passage of House bill 10550, relating to Government operation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Rhode Island: Resolution of the General Assembly of the State of Rhode Island, "protesting against the improper method of computing and the excessive charges on telephone calls to points outside local-service areas throughout the United States"; to the Committee on the Judiciary.

By Mr. LAMPERT: Petition of employees of Western Union Telegraph Co., Manitowoc, Wis., protesting against elimination of certain clauses of a contract entered into between the telegraph officials and employees which in a measure would have offset the extreme high cost of living due to war conditions; to the Committee on Labor.

Also, petition of Northern Hemlock & Hardwood Manufacturers' Association, relating to employment of returning soldiers or securing it for them; to the Committee on Labor.

By Mr. NOLAN: Petition of residents of Los Angeles and vicinity, favoring House bill 10550 providing for Government ownership and operation of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. OSBORNE: Petition of Transportation Club of San Francisco, Cal., in protest against the proposed tax on club dues; to the Committee on Ways and Means.

Also, memorial of Municipal League of Los Angeles, Cal., urging appropriation of moneys for maintenance of railways, etc.; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Petition of Board of Public Education, Wilmington, Del., asking support of bill introduced by Hon. CHARLES POPE CALDWELL, of New York, requiring War Department to loan machine tools not in use for Government purposes to trade and technical schools and universities; to the Committee on Education.

By Mr. RAKER: Petitions of R. C. Stratton, C. F. Bingham, and W. A. Douglas, San Francisco; W. S. Young, Roseville; Mrs. M. E. Lofton, Henderson; S. K. Chapman, Dunsmuir; G. V. Robinson, Rough and Ready; Leland A. Colby, Clio; Mrs. J. J. Scofield, Big Oak Flat; Mrs. H. E. Hestchinson, Lake City; H. R. Wall, Sonora; K. K. Torreson and Mrs. O. Hawkinson, Jelly; George L. Burger, Junction City; Mrs. H. A. Douglas, Grass Valley; Mrs. E. M. Cooper, Oleta; Shiego Fergir, Loomis; H. L. Burnham, Los Molinos; Mrs. M. R. Smith, Camanche; H. E. Williams, Cassell; Sarah A. Bailey, Hamburg; Mrs. H. J. Hanson, Wendel; R. D. Kellog, Richfield; Mrs. George N. McDow, Susanville; Mrs. A. A. Miller, Sonora; Eva G. Clark, Westwood; C. H. Ham, Mrs. C. H. Ham, Mrs. C. F. Lewis, and Lea Feleiger, colonel, United States Army, retired, San Francisco, all in the State of California, urging repeal of the postal zone rate system; to the Committee on Ways and Means.

By Mr. RANDALL: Petition of women's clubs of Orange County, Cal., favoring the creation of a department of education; to the Committee on Education.

Also, petition of Business Woman's Civic Club, of Los Angeles, Cal., favoring the creation of a league of nations to safeguard the peace that has been won by the joint efforts of the allied nations; to the Committee on Foreign Affairs.

Also, petition of Monday Afternoon Club, of Covina, Cal., favoring the creation of a league of nations to safeguard the peace of the world; to the Committee on Foreign Affairs.

By Mr. SHOUSE: Petition of residents of Dodge City and Ford County, Kans., for continuance of Government control of railroads for five years; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER: Petition of sundry labor employees of Utica, N. Y., protesting against the taxation provided for in House bill 12863, to provide revenue for the Government; to the Committee on Ways and Means.

SENATE.

THURSDAY, *February 13, 1919.*

Rev. G. W. Popkins, of the city of Washington, offered the following prayer:

Oh, Lord God, our Father, Father of Jesus Christ the Savior of the world, incline Thy ears this morning and hear the prayers of Thy people. We thank Thee, Lord, for the blessings that have waited upon this Nation from its earliest history until the present moment. May we be guided in the future by Thy spirit, counseled by Thy wisdom, protected by Thy power, and saved by Thy grace. Guide these Thy servants here with Thy wisdom, and may they be lively instruments in Thy hands for accomplishing great good for this Nation and through the Nation for the world. We humbly ask it all in Jesus's name.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Tuesday, February 11, 1919, when on request of Mr. MCKELLAR, and by unanimous consent, the further reading was dispensed with and the Journal was approved.

BOLSHEVIST PROPAGANDA IN WASHINGTON (S. DOC. NO. 386).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Attorney General, which will be read.

The Secretary read as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., February 11, 1919.

The PRESIDENT OF THE SENATE,
Washington, D. C.

SIR: Permit me to acknowledge receipt of the resolution adopted by the Senate on the 5th instant, which, after reciting that "it is the duty of the Attorney General to enforce the laws of the United States," directs me to report to the Senate what steps, if any, I have taken to investigate the two meetings referred to, the speeches made therein, the names of the speakers and those who supported them, and what, if any, steps I have taken to enforce the laws of the United States in the premises.

The meetings referred to took place in the city of Washington, at Poli's Theater and the Masonic Temple, on the 2d and 3d instant, respectively.

Being aware that it is my duty to enforce the laws of the United States, I had already instituted investigations of these meetings before the Senate resolution was received. Representatives of the Department of Justice were present at the meeting of the 2d, and I am in possession of rather full stenographic notes of all that occurred. What I consider accurate reports of occurrences at the meeting of the 3d are also in my possession. I believe that my department is accurately informed as to the speeches made, the names of the speakers, and everything of importance that occurred on these two occasions. This data has been and is receiving proper consideration. I shall take such action as in my judgment is warranted.

The resolution states that the speakers at these meetings advocated the subversion of the Government of the United States by force and violence. Such advocacy would, of course, be a violation of the laws of the United States. The Attorney General will appreciate it if the Senate will transmit to him the evidence on which this statement is based.

Respectfully,

T. W. GREGORY,
Attorney General.

Mr. JONES of Washington. My colleague [Mr. POINDEXTER] is not here; and I suggest that the communication from the Attorney General lie on the table.

The VICE PRESIDENT. Very well; it will lie on the table and be printed.

EMBARGO ON COTTON EXPORTS.

Mr. HARDWICK. I present resolutions adopted by the State-wide cotton convention held at Macon, Ga., February 6, 1919. I ask the Secretary to read the resolutions, and then I am going to ask that they be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

[Resolutions adopted at State-wide cotton convention, Macon, Ga., Feb. 6, 1919.]

Whereas the New York and other cotton exchanges are no longer legitimate mediums of exchange, but have degenerated into gambling machines which, in the hands of interested speculators, has been used as an instrument for years to deprive the farmers of the South of a fair price for cotton; and

Whereas the continued existence of said New York and other cotton exchanges as at present operated is a menace to the prosperity of the South, and, being upon the same level with the Louisiana lottery, should be abolished in the same manner by legislation; and

Whereas our Senators and Representatives in Congress have from time to time attempted to curtail the gambling in the New York Cotton Exchange by certain legislation; and

Whereas this legislation has not been effective, and in a measure has impliedly recognized the right of the New York Cotton Exchange to gamble in futures between certain limits: Now, therefore, be it

Resolved by the cotton planters and business men of Georgia in convention assembled at Macon:

First. That we call upon our Senators and Representatives in Congress to introduce and pass more stringent measures regulating the New York and all other cotton exchanges.

Second. That in said legislation it shall be provided that before any person or firm shall offer to sell cotton on the New York Cotton Exchange they shall file with the secretary or bookkeeper of said New York Cotton Exchange an affidavit showing where said cotton is deposited and the grade of each bale.

Third. That said New York Cotton Exchange shall publish from day to day the number of bales offered for sale and the number of sales actually consummated, and the names of the parties buying and selling, and also showing where the actual cotton is located.

Fourth. That the books and business of the said New York Cotton Exchange shall at all times be under the inspection and control of the United States Government, through any of its duly appointed agents, and that it shall be also provided in said legislation that if any person or firm shall make a false affidavit that the same shall be a crime, to be punished by fine or imprisonment, or both.

Resolved, That this convention condemn the practice of the New York Cotton Exchange tendering nine grades of cotton on middling contracts. We demand of our representatives in Congress that the law regulating this exchange be so amended as to require delivery of the actual grade contracted for on any exchange.

Mr. HARDWICK. Mr. President, if the Senate will indulge me for just a moment, I wish to say that accompanying the resolutions the commissioner of agriculture of the State of Georgia sent me a letter, from which I wish to quote. He says:

GEORGIA DEPARTMENT OF AGRICULTURE,
Atlanta, February 10, 1919.

Hon. THOMAS W. HARDWICK,
United States Senate, Washington, D. C.

DEAR SIR: We attach hereto copy of extracts from the minutes of the State-wide cotton convention held in Macon, Ga., Thursday, February 6.

This meeting was attended by about 700 farmers, bankers, warehousemen, and merchants. Notwithstanding the fact that all roads in middle Georgia were rendered impassible for automobile travel by heavy rainfall, 80 Georgia counties were represented in this meeting. It is conceded that the meeting was the most thoroughly representative and more thoroughly in earnest than has ever been in any similar meeting.

The principles laid down in the resolutions attached are the representative views of our ablest and most conservative thinkers. The entire atmosphere of the meeting from beginning to end evidenced the unalterable determination of the Georgia people to stand shoulder to shoulder in this fight to protect cotton farmers and all cotton allied interests from the attacks of a money-mad class of spinners and exchange gamblers.

Unless the morally illegal practices into which the cotton exchanges have degenerated are curbed by national legislation and the natural laws of supply and demand be permitted to rule the markets of America, then the American producer has, in addition to handicaps imposed upon him by the changeable seasons during which his crops are produced, added the unsurmountable obstacle of the "stacked deck" fixed by the speculator regulating downward the selling prices of his hard-won products.

There are so many movements afoot, many of which emanate from Washington, to bring about a general downward trend of prices, which the unscrupulous money-maker is utilizing to his own selfish ends, it becomes vitally necessary to the welfare of the American farmer, and therefore to the American people, that the greatest statesmen devote their greatest consideration and deepest thought to the problems which unjustly handicap the farmer or interfere with the only sane balance in preservation of values—that is, the natural law of supply and demand.

We beg you to throw the weight of your influence to the side of the producer and, in advance, know full well that, as far as the power of the Georgia delegation carries, the interests of our farmers will be cared for.

Very truly, yours,

J. J. BROWN,
Commissioner of Agriculture.

Mr. President, let me say, if the Senate will indulge me for a moment more, that, in addition to the complaint voiced by the commissioner of agriculture and outlined in the resolution, in my judgment the cotton farmers of the South, and especially of Georgia, are suffering, far more than from the causes indicated in these resolutions, from an unjust and indefensive embargo upon our cotton, which was imposed as a war measure and which is maintained now, under conditions of peace, at an incalculable cost to the cotton producers of the country.

Mr. President, when this war broke out in Europe, and long before this country had become a party to it or it was even feared that it might become a party to it, when the market of the cotton planter throughout the world was suddenly destroyed by the war, the Government then took the position that the economic law of supply and demand must control in this matter. Various schemes of relief, some of which were more or less fantastic, that were suggested in the two Houses of Congress were promptly, and in most cases I admit properly, denied by the Congress and by the Government.

It does seem to me, however, that the same rule of action ought to obtain now and that, the country being at peace once more, not technically at peace but with the armistice declared and fighting ended, there is no need whatever of an embargo of any kind against any country on cotton. The economic law of supply and demand ought to control and govern this situation. It seems to me that the cotton producers of the South can only get relief when these artificial barriers to the free movement of cotton are removed.

It appears to me further, Mr. President, that if we are to have a $700,000,000 Navy per year in order to guarantee peace among the nations of the world and to promote the interest of the society of nations, and the South is expected to contribute its part of the tremendous appropriations that are necessary to carry on this and projects of similar magnitude in every branch and line of government, it will be necessary that these restrictions on the free movement of our great product shall be removed and that cotton shall be permitted to at least stand on its own merits and its own basis in the markets of the world.

Mr. LODGE. May I ask the Senator one question?

Mr. HARDWICK. I yield.

Mr. LODGE. Is the embargo universal against any export of cotton?

Mr. HARDWICK. Yes; against all exports of cotton controlled by a licensing board here in Washington, not only against countries with which we were formerly at war but against every neutral country on earth.

Mr. LODGE. That is what I wanted to bring out.

Mr. HARDWICK. The result is that British spinners and the interests that are controlling the British Government in

the interests of the British spinners are largely controlling and largely influencing the price of our cotton and of every movement connected with that product.

The cotton farmers of the South and the people of the South are entitled to demand at the hands of this administration that the depressing influence of this embargo shall be removed at once, not only on neutral countries, about which there can be no possible doubt, but in my judgment also as against every country on the earth. Certainly it can do no harm to let cotton go to Germany, or Holland, or Norway, or Sweden, or any country on earth where the money can be put up to buy it. The producers of the South, who have made this cotton with their toil and in their sweat, are entitled to this relief as a matter of common fairness, of absolute justice, and they will not be satisfied with less. Indeed, unless they have lost their manhood they will not accept less. I ask that the resolutions be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. Without objection, it is so ordered.

PETITIONS AND MEMORIALS.

Mr. LA FOLLETTE. I present a resolution adopted by the Legislature of the State of Wisconsin, which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

The resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Joint resolution (S. J. Res. 18) relating to the establishment of a free, united, and independent Polish nation.

Whereas one of the 14 points proposed by President Wilson for the establishment of a permanent world peace provides for the creation of a free, independent, and united Poland, with access to the sea; and

Whereas liberty and justice loving people the world over are united in their acknowledgment that Poland is entitled to a free, independent, and autonomous existence and self-government and is entitled to all the Polish territories which belonged to her prior to her dismemberment and partition: Now, therefore, be it

Resolved by the senate (the assembly concurring), That we favor the establishment of an independent Polish State, composed of all Polish territories, inclusive of those which give Poland access to the sea, to the end that justice be done to the Polish nation, that the territories which were taken from her in violation of all international rights shall be restored, and in order that by the creation of such a State a durable peace of the world will be materially assured; be it further

Resolved, That copies of this resolution, properly attested by its presiding officers, be sent to the President of the United States, to the presiding officers of both branches of Congress, and to each of the United States Senators and Representatives of Wisconsin.

EDWARD F. DITTMAR,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.
RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. LA FOLLETTE. I also present a resolution adopted by the Legislature of the State of Wisconsin, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Joint resolution (S. J. Res. 17) urging the Senate of the United States to pass bill H. R. 13366, authorizing soldiers, sailors, and marines who served in the war with Germany and her allies to retain their uniforms.

Whereas bill H. R. 13366, permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditions, has been passed by the House of Representatives and is now pending in the United States Senate; and

Whereas the privilege accorded by this bill is a fitting tribute by the people of the United States and the Nation to the valor and glorious services of the boys who served in the United States Army in the present war: Therefore be it

Resolved by the senate (the assembly concurring), That this legislature respectfully memorialize and urge the Senate of the United States to promptly pass bill H. R. 13366; and be it further

Resolved, That a suitable copy of this resolution, properly attested by the presiding officers and chief clerks of both houses, be forwarded to the President of the United States Senate and to each of the United States Senators from this State.

EDWARD F. DITTMAR,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.
RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. SMOOT presented a petition of sundry citizens of Salt Lake City, Midvale, Magna, Sandy, Murray, and Ogden, all in the State of Utah, praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. THOMPSON. I present a resolution adopted by the Legislature of the State of Kansas, which I ask to have printed in the RECORD and referred to the Committee on Finance.

The resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

House resolution 11.

Whereas the largest metal mining industry in the State of Kansas is the zinc mining industry; and

Whereas the said industry has been greatly crippled by reason of the immense importations of zinc ore from foreign countries, which said importations amounted in four years ending July 30, 1918, to the huge total of 824,000 tons; and

Whereas the War Industries Board has recently removed the embargo of April, 1918, which prohibited the use of ship bottoms for the importation of zinc ores; and

Whereas there are now 350,000 tons of zinc ore concentrated in Australia ready for shipment to the United States, together with a potential importation of 150,000 tons of zinc ore per year from Mexico and Canada: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas, That immediate action is necessary to save the zinc mining industry of the State from destruction by reason of these huge importations, and therefore the Congress of the United States is hereby requested to take immediate action to save said industry by attaching a rider to the present revenue bill providing for a tariff of 2 cents per pound upon the metallic content of all zinc ore imported into the United States; and be it further

Resolved, That the Senators and Congressmen from the State of Kansas be requested to immediately confer with the Finance Committee of the Senate and the Ways and Means Committee of the House with a view to having such a provision incorporated in the revenue bill.

Adopted February 5, 1919.

W. P. LAMBERTSON,
Speaker of the House.
CLARENCE W. MILLER,
Chief Clerk of the House.

Mr. THOMPSON presented a petition of the Board of Commissioners of Kansas City, Kans., praying that six months' additional pay be given to honorably discharged soldiers and sailors, which was referred to the Committee on Military Affairs.

He also presented a petition of the Board of Education of Hutchinson, Kans., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. LODGE presented a petition of the City Council of Cambridge, Mass., praying for the continuance of the Federal Employment Service, which was referred to the Committee on Education and Labor.

Mr. KENYON presented a memorial of sundry citizens of Boone, Iowa, remonstrating against the reenactment of the daylight-saving law, which was referred to the Committee on Interstate Commerce.

Mr. PAGE presented a petition of sundry citizens of St. Albans, Vt., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. KNOX presented petitions of sundry citizens of Pittsburgh, Millvale, St. Clair, Bellevue, Mount Oliver, and Bethlehem; of Local Division No. 51, Order of Railroad Telegraphers, of Greenville; and of Iona Lodge, No. 216, United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, of Harrisburg, all in the State of Pennsylvania, praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Board of Trade of Philadelphia, Pa., and a petition of the Board of Trade of Ridgway, Pa., praying for the return to private ownership of the railroad, telephone, and telegraph lines, which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Merchants' Association of Pottsville; of Local Council No. 350, United Commercial Travelers of America, of Williamsport; of the Kiwanis Club of Reading; of the Business Men's Association of Coudersport; of the Business Men's Association of Lebanon; of the Rotary Club of Reading; of the Rotary Club of Williamsport; of the Rotary Club of Shamokin; of the Board of Trade of Ridgway; of the Board of Trade of Scranton; of the Board of Trade of Newton; of the Board of Trade of New Castle; of the Board of Trade of Quakertown; of the Board of Trade of Austin; of the Board of Trade of Braddock; of the Chamber of Commerce of Harrisburg; of the Chamber of Commerce of Reading; of the Chamber of Commerce of Knoxville; and of the Chamber of Commerce of Carlisle, all in the State of Pennsylvania, praying that the return to private ownership of telephone and telegraph lines be deferred until Congress shall have studied the question and determined upon the proper and safe procedure to be thereafter followed, which were referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by the Pennsylvania State Board of Agriculture, favoring the early discharge of men in the service who are farmers and for the adoption of a system of universal military training similar to that used by Switzerland, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by the Rotary Club of Philadelphia, Pa., favoring the proposed change of name of the Panama Canal to the Roosevelt Canal, which was referred to the Committee on Interoceanic Canals.

He also presented a petition of the city council of Columbia, Pa., praying for the enactment of legislation making navigable the Susquehanna River from Chesapeake Bay to such point as is feasible and possible, which was referred to the Committee on Commerce.

He also presented a petition of Washington Camp No. 631, Patriotic Order Sons of America, of Doylestown, Pa., praying for the proposed further restriction of immigration, which was referred to the Committee on Immigration.

Mr. LODGE presented a petition of sundry citizens of Boston, Mass., praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

Mr. SMITH of Michigan. I present a communication signed by the mayor of the city of Grand Rapids, Mich., embodying resolutions adopted at a meeting of the citizens of that city regarding the American troops in the Archangel region. I wish to say in connection with the resolution that I am in cordial sympathy with the purpose and the object sought to be obtained. I should like to have them read. They are very brief.

There being no objection, the communication was read and referred to the Committee on Military Affairs, as follows:

CITY OF GRAND RAPIDS, MICH.,
February 6, 1919.

Hon. WILLIAM ALDEN SMITH,
Washington, D. C.

DEAR SENATOR: At a meeting of the citizens of this city held Wednesday evening, February 5, the following resolution was adopted:

"Whereas the United States Government is now maintaining an armed force in northern Russia, among whom are a number of soldiers from this city and vicinity; and

"Whereas it appears that the force there maintained is wholly inadequate to cope with the forces sent against them, and there is grave danger that their maintenance as at present will result in many if not all of the soldiers being overcome by the forces opposed to them; and

"Whereas it appears that their maintenance in north Russia at this time is not necessary for the safety and welfare of the country or necessary as a military measure: Therefore

"*Resolved*, That we, the citizens of the city of Grand Rapids, most earnestly protest against the retention of our boys in Russia; and further

"*Resolved*, That the Secretary of War be and he hereby is requested to withdraw said force at as early a date as practicable to the end that their lives may not needlessly be sacrificed in maintaining an unnecessary military venture; and be it further

"*Resolved*, That a copy of this resolution be transmitted to the Secretary of War, to the Congressmen from this district, and to the Members of the Senate from this State, and ask the Congressmen and Senators to cable the President to this effect."

Respectfully,

CHRISTIAN GALLMEYER,
Mayor.

Mr. FERNALD. I present a petition signed by a large number of citizens of the State of Maine, requesting Congress to enact into law a bill providing for the national ownership and Government operation of all the railroads in the country. I ask that the petition without the signatures be printed in the RECORD and referred to the Committee on Interstate Commerce.

The petition was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

FEBRUARY 10, 1919.

To the Hon. BERT FERNALD,
United States Senate, Washington, D. C.

We, the undersigned, citizens of the State of Maine, respectfully urge upon you, and through you the Congress of the United States, to have enacted into law a bill similar to or identical with H. R. 10550, providing for the national ownership and Government operation of all railroads within the territory of the United States and its possessions necessary for the furnishing of transportation to the people of the United States, including all lands, terminals, and equipment required or desirable for successful operation; and that you will cause this petition to be noted in the CONGRESSIONAL RECORD and referred to an appropriate committee.

Respectfully submitted.

GEORGE A. HAYHURST
(And others).

AMERICAN FORCES AT BREST, FRANCE.

Mr. CALDER. Several weeks ago the junior Senator from Indiana [Mr. NEW] submitted a Senate resolution asking for an investigation of the conditions existing at the army camp at Brest, France. I have received numerous letters and calls from people interested in that subject, and I present to the Senate a telegram which I received this morning on the subject. I wish that the Committee on Military Affairs would take immediate steps to investigate this matter. I ask that the telegram be read.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

NEW YORK, N. Y., *February 9, 1919.*

United States Senator WILLIAM H. CALDER,
Washington, D. C.:

My daughter, Frances Williams, manages Memorial Hut at Brest. Reports conditions frightful for American troops. Hopes for investigation.

Mrs. JAMES HARVEY WILLIAMS.

SERVICE OF WOMEN IN THE WAR.

Mr. CALDER. I have a resolution adopted by the Woman Suffrage Party of the City of New York, urging Congress to enact legislation providing for the proper decoration of women who have served in our Army in France. The resolution is very short, and I ask that it may be printed in the RECORD. I know that no Senator will object to that request, for it deals with the women who served our country.

The resolution was ordered to be printed in the RECORD and referred to the Committee on Military Affairs, as follows:

WOMAN SUFFRAGE PARTY OF THE CITY OF NEW YORK,
New York, February 6, 1919.

[Passed at a conference held Feb. 3, 1919, at 373 Fifth Avenue, New York City.]

We, the leaders, officers, and members of the New York City Woman Suffrage Party, hereby declare our belief that it is only just for the Nation to show some honor to the heroic women who enlisted under the War Department for service as nurses in the military hospitals and for canteen, welfare, and reconstruction work under the supervision of the various war organizations.

And that this honor may take concrete form we appeal to all committees whose duty it is to welcome the home-coming soldiers to take due cognizance of the return of our war sisters.

And we strongly urge the War Department to bestow upon women who have rendered military service of a high order medals or other insignia of honor, or if present rules forbid this we call upon Congress to pass a bill that will make possible national recognition of the women war workers' services and sacrifices.

Miss ADALINE STERLING,
Corresponding Secretary.

ARMY DEMOBILIZATION.

Mr. BORAH. Mr. President, in relation to the telegram which the Senator from New York [Mr. CALDER] has just submitted I desire to ask the Senator from Oregon, the chairman of the Committee on Military Affairs [Mr. CHAMBERLAIN], if he can inform the Senate how rapidly the demobilization of the Army is taking place and what number of men are being demobilized daily?

Mr. CHAMBERLAIN. Mr. President, I regret exceedingly that I can not give the Senator from Idaho any information on that subject, except what he doubtless has and has seen in the newspapers. That is about the only information our committee has on the subject.

Mr. BORAH. Well, of course, I see certain items in the newspapers, and I always believe what I see in the newspapers. Still, at the same time, I thought perhaps the Senator from Oregon, the chairman of the Committee on Military Affairs, might have some specific official statement in regard to it.

Mr. CHAMBERLAIN. I regret very much to say, Mr. President, that I do not get any official statements from the War Department nor have conference with them unless specially requested. Other Senators have the same source of information that I have in that respect. Our committee has been pretty busy all the time taking up matters which have been presented to us and are of pressing importance. This matter has not been called to the attention of the committee; but if the Senator from Idaho desires to have it taken up and have an inquiry made into it we shall be glad to do so.

Mr. BORAH. I was not, even by inference, criticizing the Committee on Military Affairs. I know the committee is very busy, and I know it is attending to its business in the proper way.

MILITARY ACADEMY APPROPRIATIONS.

Mr. CHAMBERLAIN. From the Committee on Military Affairs I report back favorably, with amendments, the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, and I submit a report (No. 711) thereon.

The committee has only reported one or two amendments to the bill, and I shall in due time ask to have it considered by the Senate.

The VICE PRESIDENT. The bill will be placed on the calendar.

REPORTS OF COMMITTEES.

Mr. BECKHAM, from the Committee on the Library, to which was referred the bill (S. 5556) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va., reported it without amendment.

Mr. SUTHERLAND, from the Committee on Military Affairs, to which was referred the bill (S. 4949) for the relief of J. C. Garrett, reported it with amendments and submitted a report (No. 714) thereon.

Mr. WALSH, from the Committee on Pensions, to which was referred the bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported it with amendments and submitted a report (No. 715) thereon.

Mr. WOLCOTT, from the Committee on Claims, to which was referred the bill (S. 5371) for the relief of Roland S. Robbins, reported it without amendment and submitted a report (No. 717) thereon.

He also, from the same committee, to which was referred the bill (S. 4526) for the relief of the Arundel Sand & Gravel Co., reported it with amendments and submitted a report (No. 716) thereon.

FALLS BRIDGE IMPROVEMENT CO.

Mr. SUTHERLAND. The bill (S. 5478) granting the consent of Congress to the Falls Bridge Improvement Co. to construct a bridge across the Tug River was wrongly referred to the Committee on Interstate Commerce. I ask that the Committee on Interstate Commerce be discharged from the further consideration of the bill and that it be referred to the Committee on Commerce.

The VICE PRESIDENT. Without objection, that action will be taken.

COOS BAY WAGON-ROAD GRANT.

Mr. CHAMBERLAIN. Mr. President, I ask unanimous consent for the immediate consideration of Calendar 595, H. R. 8625, it being entitled "A bill to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled 'An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State,' commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes." The bill passed the House, was duly referred to the Public Lands Committee of the Senate, and was reported out without amendment. It affects only my State. It is recommended by the Departments of the Interior and Justice, as well as by those who are interested in the grant, who are anxious to have the bill passed and to adjust the differences between the United States and the grantees in reference to the terms of the grant. It will not, I am sure, take a moment to consider the bill. If it is not passed now, it means that another year's taxes will have to be assessed against the property eventually. The Government of the United States receives a large part of the money that is to come from the sales of the lands within the limits of the grant, the State of Oregon a smaller portion of it, and the grantees a part in satisfaction of their interest therein.

Mr. BORAH. If the matter leads to debate, the Senator will not ask for its consideration?

Mr. CHAMBERLAIN. In that event, I will not ask to have the bill considered, Mr. President.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That upon the execution and delivery by the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, of a deed satisfactory to the Attorney General of the United States, reconveying to the United States all the right, title, and interests of the said Southern Oregon Co. in and to the lands situated in the counties of Coos and Douglas, in the State of Oregon, and embraced within the limits of the grant made by the United States to the State of Oregon by the act of March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, and now involved in litigation pending in the Supreme Court of the United States under the style and title "The Southern Oregon Co. against the United States," the said lands shall again become a part of the public domain, and the United States shall pay to the Southern Oregon Co. the sum of $232,463.07. The execution and delivery of the aforesaid deed within 30 days from and after the approval of this act shall constitute the acceptance of this act by the said Southern Oregon Co.; and upon the approval of such deed by the Attorney General of the United States the aforesaid suit shall be dismissed and all matters of difference, controversy, and litigation between the United States and the said Southern Oregon Co. arising out of said land grant shall be deemed fully settled, adjusted, and terminated: *Provided,* That nothing herein shall be construed to prevent the United States from instituting and maintaining such suits or actions as may be necessary to recover the value of timber or other material heretofore cut or removed from any of said lands without the consent of the Southern Oregon Co.

SEC. 2. That the taxes accrued, unpaid, and delinquent on the said lands on the date of the delivery of the deed provided for in the preceding section shall be paid by the Treasurer of the United States upon the order of the Secretary of the Interior as soon as may be after this act becomes effective, and a sum sufficient to make such payment and also to provide for the payment of the said sum of $232,463.07, as provided for in section 1 of this act, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 3. That the said lands shall be classified and disposed of in the manner provided by the act of June 9, 1916 (39 Stat. L. p. 218), for the classification and disposition of the Oregon & California Railroad grant lands: *Provided,* That such persons who, being citizens of the United States, have continuously leased from the said Southern Oregon Co. for a period of not less than 10 years, or who under lease from said company have cultivated and placed valuable improvements upon any of said lands classified as agricultural, not exceeding 160 acres to each person, shall be allowed a preference right of six months in which to purchase such lands from the United States by paying therefor the sum of $2.50 per acre and reimbursing the United States for the taxes paid on such land: *Provided further,* That where any of such leased lands have been resided upon, to the same extent and in the same manner as is required under the homestead laws, since the 1st day of December, 1913, by any person duly qualified to enter such lands claiming adversely to such lessee, and who has improved the land and devoted some portion thereof to agricultural use, and who shall have maintained his residence to the date of his application, the claim of such settler and resident shall be superior to that of the lessee, and he shall be allowed the preference right of entry afforded actual settlers by section 5 of the act of June 9, 1916, aforesaid.

SEC. 4. That the title to all money arising out of said lands and now on deposit to await the final outcome of said suit now pending in the Supreme Court, as aforesaid, is hereby vested in the United States, and the United States is subrogated to all the rights and remedies of the obligee or obligees, and especially of Harry E. Laughlin as commissioner, under any contract for the purchase of timber on said lands.

SEC. 5. That all moneys received from or on account of said lands and timber and the timber thereon under the provisions of this act shall be deposited in the Treasury of the United States in a separate fund to be designated "The Coos Bay Wagon Road grant fund," which fund shall be disposed of in the following manner: A separate account shall be kept in the General Land Office of the sales of said lands and timber within each of the two counties of Coos and Douglas, and after the proceeds from such sales amount to a sum equal to that applied to pay the accrued taxes in that county and a sum equal to $2.50 per acre for each acre of such land therein title to which is revested in the United States pursuant to the provisions of this act, 25 per cent of all other moneys received from said lands shall be paid to the treasurer of the county in which the lands sold are situated for common schools, roads, highways, bridges, and port districts, to be apportioned by the county courts for the several purposes above mentioned; and the remainder shall become a part of the general fund in the Treasury of the United States. The payments herein authorized shall be made by the Treasurer of the United States upon the order of the Secretary of the Interior, as the fund accumulates in the Treasury: *Provided,* That none of the payments to the counties provided for in this section shall be made until the Treasury has been reimbursed in the amount paid to the Southern Oregon Co. and also for all taxes paid pursuant to the provisions of section 2 of this act.

SEC. 6. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect; and any person, applicant, purchaser, entryman, or witness who shall swear falsely in any affidavit or proceeding required hereunder or under the regulations issued by the Secretary of the Interior shall be guilty of perjury and liable to the penalties prescribed therefor.

SEC. 7. That the sum of $12,000 be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to enable the Secretary of the Interior, in cooperation with the Secretary of Agriculture, or otherwise, to complete the classification of the lands as herein provided, which amount shall be immediately available and shall remain available until such classification shall have been completed.

SEC. 8. That this act shall become effective upon its acceptance by the Southern Oregon Co. in the manner provided by the first section hereof.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CHAMBERLAIN. I ask that the report of the committee may be printed in the RECORD in explanation thereof.

The VICE PRESIDENT. Without objection, it is so ordered.

The report (S. Rept. No. 650) submitted by Mr. CHAMBERLAIN, from the Committee on Public Lands, is as follows:

The Committee on Public Lands, to which was referred the bill (H. R. 8625) to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay wagon-road grant, to provide for the disposition of said lands, and for other purposes, having had the same under consideration, begs leave to report it back to the Senate with the recommendation that the bill do pass.

The necessity for the above legislation is clearly set forth in House Report No. 687 of the Sixty-fifth Congress, as follows:

"The history of the Coos Bay wagon-road grant and the reasons for this legislation are in brief as follows:

"The grant in question was made to the State of Oregon to aid in the construction of a military wagon road from Coos Bay to Roseburg, in Oregon. The grant was made March 3, 1869 (15 Stat., 340), hereinafter set forth. The State selected the Coos Bay Wagon Road Co. to construct the road, and by act of its legislature October 22, 1870, hereinafter set forth, transferred all its rights and interests in and to the grant to said company subject to all the conditions and limitations prescribed in the act of Congress by which the grant was made to the State.

"The wagon road was constructed by said company in accordance with the terms of the act of Congress of March 3, 1869. By act of Congress approved June 18, 1874 (hereinafter set forth), issuance of patent to said granted lands was authorized to said Coos Bay Wagon

Road Co., and in pursuance thereof patents were issued by the United States to said company for 105,120.11 acres.

"By mesne conveyances the Southern Oregon Co., mentioned in the bill H. R. 8625, became the owner of the granted lands December 14, 1887, in so far as the Coos Bay Wagon Road Co. was competent to transfer them, with the exception of approximately 7,500 acres previously sold by the road company and one of its successors to individuals.

"In addition to said sale of 7,500 acres, some 4,500 acres of land have been disposed of to different parties, so that the entire area undisposed of is approximately 93,000 acres.

"On account of the violation of the terms of the granting act, which prohibited sales in quantities greater than 160 acres to any one person and at a price exceeding $2.50 per acre, the Attorney General of the United States filed suit for a forfeiture of the land grant in the United States court for the district of Oregon. This court and the circuit court of appeals refused to grant a forfeiture, but decreed that the Southern Oregon Co. be enjoined from making further sales in violation of law and from making any sale or disposition whatever of the land and timber until Congress shall have reasonable time within which to provide for their disposition in such manner as it may deem proper, at the same time securing to the company all the value conferred by the granting act. The case is now pending on appeal by defendant before the Supreme Court of the United States.

"The following letter from the Attorney General of the United States gives more in detail the history of the grant and the reasons in favor of H. R. 8625 as introduced:

"DEPARTMENT OF JUSTICE,
"*Washington, D. C., January 21, 1918.*

"Hon. SCOTT FERRIS,
"*Chairman Committee on the Public Lands,*
"*House of Representatives.*

"MY DEAR SIR: I have just received your letter of the 19th requesting a report on House bill No. 8625, present Congress, authorizing an acceptance from the Southern Oregon Co. of a reconveyance of the lands constituting the Coos Bay wagon grant in the State of Oregon.

"The grant in question was made to the State of Oregon by the act of March 3, 1869 (15 Stat., 340), to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, and was upon condition that the granted lands should be sold in quantities not greater than a quarter section to any one person and for a price not exceeding $2.50 per acre. By an act of October 22, 1870, the Legislature of the State of Oregon donated the lands to the Coos Bay Wagon Road Co., subject to all the conditions and limitations prescribed in the act of Congress by which the grant was made to the State.

"Upon certificate from the governor of the State that the road had been constructed, four patents were issued by the United States, as follows: No. 1, dated February 12, 1875, for 42,496.93 acres; No. 2, March 18, 1876, for 1,080 acres; No. 3, November 8, 1876, for 61,111.53 acres; and No. 4, February 17, 1877, 431.65 acres, making an aggregate of 105,120.11 acres.

"Prior to 1876 the Wagon Road Co. disposed of in small quantities about 7,500 acres of the lands to individuals, some sales embracing as much as an entire section of land, and on May 31, 1875, the company entered into an agreement to sell all of the lands and the road to one John Miller for the price of $1 per acre for the lands, and on that day the company executed to Miller a deed for all of the lands that had then been patented and which had not been sold to individuals—that is to say, about 3,500 acres. The contract with Miller provided that the balance of the lands would be conveyed to him as soon as the patents were procured from the Government. In furtherance of this agreement the Wagon Road Co. on January 7, 1884, executed a deed to one William H. Besse for the lands that had been patented to the company since the date of the deed to Miller in 1875, for an alleged consideration of $91,715.05; and by mesne conveyances these lands were conveyed to the Oregon Southern Improvement Co. on January 4, 1884. In the meantime Besse had acquired by intermediate conveyances the lands that had been deeded to Miller in 1875. He conveyed them to one Russell Gray on December 29, 1883, and Gray on January 5, 1884, transferred them to the Oregon Southern Improvement Co. So that in 1884 the Oregon Southern Improvement Co. became the owner of the entire grant in so far as the Oregon Road Co. was competent to transfer it, with the exception, of course, of the area of approximately 7,500 acres that had been previously conveyed to individuals.

"In order to secure certain bonds that had been issued by it the Oregon Southern Improvement Co. executed a deed of trust conveying all of its property to the Boston Safe Deposit & Trust Co., of Massachusetts, which company was in 1886 succeeded as trustee by William H. Rotch and Edward D. Mandell; and during that year proceedings were begun in the United States court for the district of Oregon to foreclose the deed of trust, as a result of which a sale of the property was ordered and was made by a master to Rotch, one of the trustees, and one W. W. Crapo, who on December 14, 1887, transferred the property to the Southern Oregon Co.

"By a joint resolution approved April 30, 1908 (35 Stat., 571), Congress authorized and directed the Attorney General of the United States to institute such proceedings as might be necessary to enforce all the rights and remedies of the United States growing out of this grant. In pursuance of that law the Attorney General filed a suit in the United States court for the district of Oregon praying, among other things, for a forfeiture of the land grant. However, before this suit proceeded to a determination, the Supreme Court of the United States had decided the somewhat similar case growing out of the Oregon & California Railroad land grant (238 U. S., 393), in which it held that while the railroad company had violated the law in selling lands contrary to the terms of the grant, such violation nevertheless did not operate as a forfeiture of the entire grant. In view of the action of the Supreme Court in the railroad case, the district court for Oregon, on July 12, 1915 (225 Fed., 560), rendered a decision and entered a decree in the present case along the lines of the Supreme Court's decision in the railroad case; and on the appeal of the Southern Oregon Co. the decree of the district court was affirmed by the circuit court of appeals February 13, 1917 (241 Fed., 16). By this decree the company is enjoined from making further sales in violation of the law and from making any sale or disposition whatever of the land and timber until Congress shall have a reasonable time within which to provide for their disposition in such manner as it may deem proper, at the same time securing to the company all the value conferred by the granting act. The Southern Oregon Co. took a further appeal to the Supreme Court of the United States, where the case is now pending.

"The bill upon which you request my views authorizes a settlement of this litigation in the following manner: Upon the execution and delivery by the Southern Oregon Co. of a deed satisfactory to the Attorney General, reconveying to the United States all of the company's right, title, and interest under the grant, the lands are to become again a part of the public domain, and the United States is to pay the Southern Oregon Co. the sum of $232,463.07, whereupon the suit now pending in the Supreme Court is to be dismissed and all matters of difference, controversy, and litigation between the United States and the Southern Oregon Co. arising out of this land grant are to be fully settled, adjusted, and terminated.

"The bill also provides that the taxes accrued and unpaid on the lands at the time of delivery of the deed of reconveyance provided for shall be paid by the United States, and a sum sufficient to make that payment and also to provide for the payment of the sum of $232,463.07 to the company is appropriated by the bill.

"The bill further provides that the lands are to be classified and disposed of in the manner provided for the classification and disposition of the Oregon & California Railroad grant lands by the Chamberlain-Ferris Act of June 9, 1916 (39 Stat., 218); and after the Treasury is reimbursed for the taxes paid on the lands and in the amount paid the Southern Oregon Co. the balance of the proceeds is to be distributed as follows: Twenty-five per cent to the county in which the lands sold are situated for common schools, roads, highways, and bridges, and port districts; 25 per cent to the State treasurer to become a part of the irreducible school fund of the State; 40 per cent to be paid into the reclamation fund; and the remainder to become a part of general fund in the Treasury.

"The evident purpose of the bill is to dispose of this somewhat complicated and vexatious matter without further litigation or further delay of any sort. The act is to become effective, upon acceptance by the Southern Oregon Co., within 30 days from and after its approval, and there has been filed in this department a proposition by the president of the company for the settlement of the case, which gives absolute assurance of the company's acceptance of the bill if enacted into law.

"Since the acquisition of the grant by the Oregon Southern Improvement Co. and the Southern Oregon Co. some 4,500 acres of land have been disposed of to different parties, so that the entire area undisposed of is now approximately 93,000 acres, and the amount to be paid the company is at the rate of $2.50 per acre of this area. At the trial of the case in the district court the Southern Oregon Co. offered evidence showing receipts and disbursements on account of the land grant as follows:

"*Receipts.*

Sale of lands	$24,500.00
Sales of timberlands and timber	77,621.47
Leases of lands	10,937.44
Chittam bark	11,223.01
Total	124,281.92

"*Disbursements.*

Land expense, cruising, fire protection, etc	$17,229.61
Improvement on land made by lessees	1,399.05
Stumpage expenses, cost of delivering logs	4,475.35
Chittam bark, expenses of marketing	17,904.12
General expenses	218,207.83
General taxes	325,305.17
Special road taxes	5,787.47
School taxes	762.90
Legal expenses	6,077.15
Interest	218,829.49
Total	815,978.44
Receipts	124,281.92
Excess disbursements over receipts	691,696.52
Interest	218,829.49
Excess disbursements over receipts, other than interest	472,867.03

"It should be noted that the disbursements do not include the price originally paid by the Oregon Southern Improvement Co. for the land grant. I have given little consideration to the alleged price paid by the Southern Oregon Co. at the time of its purchase from the trustees in 1886, for the reason that the new company was but, in my judgment, a reorganization of the old company; and, so far as I have been able to gather, the only new money advanced was a sum sufficient to cover the expenses of the foreclosure proceedings. However, it is clear from the evidence that the Oregon Southern Improvement Co. paid $120,000 for the land grant at the time of its purchase in 1884, and, as above stated, that amount was not included in the disbursements, apparently having been overlooked.

"I do not feel that the company should be properly credited with all the items of disbursements submitted at the time of the trial; for example, general expenses, amounting to $218,207.83; general taxes, amounting to $325,305.17; interest, amounting to $218,829.49. The general expenses were probably incurred in connection with other matters than the land grant, because the company's holdings were not limited to these lands. The same thing may be said of the general taxes, and it is not satisfactorily shown why the item of interest should be charged as a disbursement on account of the land grant. I am satisfied, however, that the company has expended more than $200,000 in taxes on the lands, and I have no reason to question other items of expense aggregating, say, $50,000, while it is clear that $120,000 was paid as purchase price for the lands, all of which aggregates $370,000.

"These lands are situated in the counties of Coos and Douglas and the company has paid no taxes since the year 1908. The taxes in Coos County, without penalty and interest, for the years 1909 to 1916 amount to $233,636.45, while with the penalty and interest these taxes amount to $366,693.95. The net tax claimed by Douglas County, where the smaller portion of the grant is situated, amounts to $32,463.55, while the penalty and interest in this county are $9,699.11, making a total for Douglas County of $42,162.66; or, the total tax claimed by both counties, $408,846.61. It will thus be seen that if Congress assumes the obligation of paying all the accrued taxes, with penalty and interest, the total cost to the Government will amount to $641,309.68.

"For obvious reasons I must refrain from discussing in a communication of this character the legal questions involved in the case and upon which its determination may depend, and therefore shall merely say that upon equitable grounds I think the settlement of the litigation should be authorized along the lines laid out in the bill. Assuming a favorable decision in the Supreme Court, the matter must then be referred to Congress for action and followed by further litigation to determine the measure of the grant, the moneys received by the company on account of it, and the balance due, all of which will, of course,

involve months, if not years, of delay. The company has made nothing out of the land grant; on the contrary, it has become deeply involved in debt, having expended far more than it will receive under this settlement. These lands, which at the time of the grant were worth very little—certainly not more than $1 per acre in the aggregate—are now worth $15 or $20 per acre, or at least one million and a half or two million dollars in all, and by the proposed settlement the Government will make not less than a million dollars in excess of the amount it is to disburse on account of the grant, even assuming that Congress will authorize the payment of the taxes, with penalties and interest.

"The measure of taxes to be paid should, in my judgment, be determined by Congress, and I will not go further than to suggest that the provision in this regard should be made plain so as to indicate clearly whether it is to include penalties and interest; and if so, to what extent. The disposition of the lands and the distribution of the proceeds are likewise matters not primarily within the jurisdiction of this department, and I therefore have no comment to make thereon.

"Very respectfully,

"T. W. GREGORY,
"Attorney General.

"The following is the proposal of settlement made by the Southern Oregon Co.:

"In the Supreme Court of the United States. Southern Oregon Co. *v.* United States of America.

"To the United States of America:

"In order to bring about a speedy determination of the controversy involved in the above-entitled suit and to settle matters of dispute between the United States and the Southern Oregon Co., the Southern Oregon Co. hereby agrees to execute a quitclaim deed to the United States for all the lands involved in the above litigation and described in the bill of complainant herein, except for lots 2, 3, and 4 of section 7 and lot 3 of section 29, township 26 south, range 12 west, the said lands having been sold by Coos Bay Road Co., at a price and in a quantity in accordance with the act for the sum of $232,463.07, providing the United States will agree to discharge all unpaid taxes against said lands and relieve the Southern Oregon Co. from any obligation in relation thereto, and will release the Southern Oregon Co. from any claim by reason of the judgment for costs in this suit and from all claims which the United States might be considered to have or assert on account of sales heretofore made by the Southern Oregon Co. or its predecessors in interest, or on account of moneys received by said Southern Oregon Co. or its predecessors in interest, through leases, sales of personal property, or on any account.

"In order that there may be no misunderstanding hereafter as to the meaning of this proposal, it must be understood and agreed that the acceptance by the United States of our deed for such lands as are embraced in the bill and are claimed by us fully settles and discharges all claims of every nature and character which ever have been asserted or might hereafter be asserted against the Southern Oregon Co. because of its claim of ownership of the lands embraced in the Coos Bay wagon-road grant, or on any account whatever.

"SOUTHERN OREGON CO.,
"By HERBERT ARMSTRONG, *President.*

"DECEMBER 21, 1917.

"The granting act of March 3, 1869 (15 Stat., 340), is as follows:

"*'Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be, and hereby is, granted to the State of Oregon, to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, alternate sections of public lands, designated by odd numbers, to the extent of three sections in width on each side of said road: *Provided,* That the lands hereby granted shall be exclusively applied to the construction of said road and to no other purpose, and shall be disposed of only as the work progresses: *Provided further,* That the grant of lands herein made shall be upon condition that the lands shall be sold to any one person only in quantities not greater than one quarter section, and for a price not exceeding $2.50 per acre: *And provided further,* That any and all lands heretofore reserved to the United States, or otherwise appropriated by act of Congress or other competent authority, be, and the same are hereby, reserved from the operation of this act, except so far as it may be necessary to locate the route of said road through the same, in which case the right of way to the width of 100 feet is granted: *And provided further,* That the grant hereby made shall not embrace any mineral lands of the United States, or any lands to which homestead or preemption rights have attached.

"'SEC. 2. *And be it further enacted,* That the lands hereby granted to said State shall be disposed of by the legislature thereof for the purpose aforesaid, and for no other; and the said road shall be and remain a public highway for the use of the Government of the United States, free from tolls or other charges, upon the transportation of any property, troops, or mails of the United States.

"'SEC. 3. *And be it further enacted,* That said road shall be constructed with such width, graduation, and bridge as to permit of its regular use as a wagon road, and in such other special manner as the State of Oregon may prescribe.

"'SEC. 4. *And be it further enacted,* That the State of Oregon is authorized to locate and use in the construction of said road an additional amount of public land, not previously reserved to the United States, nor otherwise disposed of, and not exceeding 6 miles in distance from it, equal to the amount reserved from the operation of this act in the first section of the same, to be selected in alternate odd sections, as provided in section 1 of this act.

"'SEC. 5. *And be it further enacted,* That lands hereby granted to said State shall be disposed of only in the following manner; that is to say, when the governor of said State shall certify to the Secretary of the Interior that 10 continuous miles of said road are completed, then a quantity of the land hereby granted, not to exceed 30 sections, may be sold, and so on from time to time until said road shall be completed; and if said road is not completed within five years no further sales shall be made, and the lands remaining unsold shall revert to the United States: *Provided, however,* That the entire amount of public land granted by this act shall not exceed three sections per mile for each mile actually constructed.

"'SEC. 6. *And be it further enacted,* That the United States surveyor general for the district of Oregon shall cause said lands, so granted, to be surveyed at the earliest practicable date, after said State shall have enacted the necessary legislation to carry this act into effect.

"'Approved, March 3, 1869.'

"The selection of the Coos Bay Wagon Road Co. to construct the road was made by an act of the Legislature of the State of Oregon October 22, 1870, and is as follows:

"*'Be it enacted by the Legislative Assembly of the State of Oregon:*

"'SECTION 1. That there is hereby granted to the Coos Bay Wagon Road Co. all lands, right of way, privileges, and immunities heretofore granted or pledged to this State by the act of Congress in this act heretofore recited, for the purpose of aiding said company in constructing the road mentioned and described in said act of Congress upon the conditions and limitations therein prescribed.

"'SEC. 2. There is also hereby granted and pledged to said company all moneys, lands, rights, privileges, and immunities which may be hereafter granted to this State to aid in the construction of said road for the purposes and upon the conditions and limitations mentioned in said act of Congress or which may be mentioned in any further grants of money or lands to aid in constructing said road.

"'SEC. 3. Inasmuch as there is no law upon this subject at the present time, this act shall be in force from and after its passage.'

"The following is the act of Congress of June 18, 1874 (18 Stat., p. 80), directing the issuance of patents:

"'Whereas certain lands have heretofore by acts of Congress been granted to the State of Oregon to aid in the construction of certain military wagon roads in said State, and there exists no law providing for the issuance of formal patents for said lands: Therefore

"'*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all cases when the roads in aid of the construction of which said lands were granted as shown by the certificate of the governor of the State of Oregon, as in said acts provided, to have been constructed and completed, patents for said lands shall issue in due form to the State of Oregon as fast as the same shall under said grants be selected and certified, unless the State of Oregon shall by public act have transferred its interests in said lands to any corporation or corporations, in which case the patents shall issue from the General Land Office to such corporation or corporations upon their payments of the necessary expenses thereof: *Provided,* That this shall not be construed to revise any land grant already expired nor to create any new rights of any kind except to provide for issuing patents for lands to which the State is already entitled.'

"The following is the report of the Secretary of the Interior, Franklin K. Lane:

"DEPARTMENT OF THE INTERIOR,
"Washington, February 6, 1918.

"Hon. SCOTT FERRIS,
"Chairman Committee on the Public Lands,
"House of Representatives.

"MY DEAR MR. FERRIS: In response to your request of the 14th instant for a report on House bill 5625, I have the honor to submit the following:

"The general purpose of this bill is to authorize the acceptance, on behalf of the United States, of a reconveyance from the Southern Oregon Co. of the lands granted to aid in the construction of a military wagon road by the act of March 3, 1869, from the navigable waters of Coos Bay to Roseburg, Oreg., with certain conditions attendant upon such acceptance, to wit, the payment to the said company of the sum of $232,463.07 and the taxes due the counties of Coos and Douglas, in said State, amounting, with interest, penalties, and costs, at the present time to $408,846.

"The report of the Attorney General on this bill of the 21st instant, contains a very complete statement of the facts leading up to the present proposed measure—the grant and its covenants, the failure of the company to observe such covenants, and the resulting litigation now pending for the forfeiture of said grant—and reaches the conclusion, after a consideration of the somewhat analogous case growing out of the grant to the Oregon & California Railroad Co., and the judicial proceedings for the forfeiture thereof, that the settlement of the present litigation should be authorized in the manner proposed herein. This conclusion of the Attorney General seems to rest on the assumption that a decision favorable to the United States will be rendered in the suit now pending, which will require thereafter action by Congress, as in the Oregon & California case, followed by further litigation to determine the existing equities of the parties, all of which will involve a period of considerable delay, the interest and penalties on the unpaid taxes in the meantime accumulating, while if the settlement is effected as proposed the Government will ultimately realize, after payment of all claims now contemplated against the United States, a sum of probably not less than $1,000,000, without further litigation.

"I am constrained to abide by the conclusion of the Attorney General as to the policy of this bill as to the legal and equitable considerations involved, as well as the interests of the Government from a financial standpoint, without further comment. An additional reason for this conclusion is found in the fact that the lands involved in this measure lie adjacent to those included within the Oregon & California grant, and if title thereto is revested in the United States, as now proposed, will form a substantial addition thereto of valuable timberlands, which in itself will be an item of no little advantage in future timber sales by the Government.

"The proposed disposition of the lands and the timber thereon is practically along the lines covered by the act of June 9, 1916, in dealing with the Oregon and California grant, and so far as similar thereto calls for no comment at the present time. An exception, however, to this is found in a provision contained in section 3 of the bill, to the effect that where citizens of the United States have continuously leased from the defendant for a period of not less than 10 years any of said lands classified as agricultural not exceeding 160 acres to each person they shall be allowed a preference right of six months in which to purchase said lands from the United States by paying therefor the sum of $2.50 per acre; an exception, however, being made to this provision in the interest of bona fide settlement claims maintained since December 1, 1913. This provision introduces an element of adjustment that I do not think should be recognized. Under no circumstances could tenants of the defendant acquire such equities as would entitle them to purchase the land from the United States on the resumption of title thereto.

"Section 4 of the bill, declaring that the title to all money arising out of said lands and now on deposit to await the final outcome of pending litigation shall be vested in the United States is intended to cover a sale made with the approval of the Department of Justice and confirmed by the court for the timber upon a part of section 35, township 26 south, range 12 west, Willamette meridian, the proceeds to be held in escrow pending termination of litigation.

"The remainder of the bill, in so far as it provides for the disposition of the proceeds of the land and the timber thereon, to which title will be secured if this bill becomes law, is practically in keeping with

the similar provisions of the Oregon and California act and calls for no special consideration at the hands of the department.

"Consideration of the situation presented, aside from any questions of law or equity involved, particularly in view of the course pursued with respect to the Oregon and California grant lands, brings me to the conclusion that the present bill should receive favorable consideration at the hands of Congress, with one amendment, however, inserting, in line 13, page 2, after the word 'State,' the phrase 'free from all claims and encumbrances, save and except the taxes due the counties of Coos and Douglas, in the State of Oregon.' With this amendment and the exception heretofore noted, I have the honor to recommend the enactment of the proposed measure.

"Cordially, yours,

"FRANKLIN K. LANE, *Secretary.*

"The Secretary of Agriculture, D. F. Houston, made the following report:

"FEBRUARY 13, 1918.

"Hon. SCOTT FERRIS,
"*Chairman Committee on the Public Lands,*
"*House of Representatives.*

"DEAR MR. FERRIS: Receipt is acknowledged of a copy of the bill (H. R. 8625) providing for the disposition of what are commonly known as the Coos Bay wagon-road grant lands, with the request that your committee be sent such suggestions as this department may see fit to offer.

"The bill is in many respects similar to the act of June 9, 1916 (39 Stat., 218), providing for the classification and disposition of the so-called Oregon & California Railroad grant lands. It provides in section 1 that upon the execution and delivery by the Southern Oregon Co. (the present owners of the lands) of a deed satisfactory to the Attorney General reconveying in the United States all right, title, and interest of said corporation to said lands, they shall become a part of the public domain, the United States shall pay to the company the sum of $232,463.07, and the litigation between the United States and the said company now pending in the Supreme Court of the United States shall be dismissed.

"Section 2 provides that all taxes accrued and unpaid on said lands at the date of delivery of said deed shall be paid by the United States and appropriates a sum sufficient for such payment and also for the payment provided in section 1. It is provided in section 3 that the lands shall be classified and disposed of in the manner provided by the act of June 9, 1916, supra, except that citizens of the United States who have leased continuously from the company for not less than 10 years not exceeding 160 acres of said lands classified as agricultural shall be allowed a perference right of six months in which to purchase them at $2.50 per acre, and if any of such leased lands have been resided upon adversely to the lessee and improved and cultivated as required by the homestead laws since December 1, 1913, by a person qualified to enter such lands, he shall be allowed the preference right of entry afforded actual settlers by section 5 of the act of June 9, 1916, supra. Section 4 vests in the United States the title to all money arising out of said lands and now on deposit awaiting the final outcome of said suit now pending in the Supreme Court and subrogates the United States to all rights and remedies of the obligee or obligees under any contract for the purchase of the timber on said lands.

"Section 5 provides that all moneys received from the said lands and the timber thereon shall constitute a special fund and provides for the disposition of the same.

"Section 6 authorizes the Secretary of the Interior to perform any and all acts and make rules and regulations necessary to carry out the provisions of the act, and provides that any person swearing falsely on any affidavit or proceeding required thereunder shall be liable to the penalties prescribed for perjury.

"By section 7 there is appropriated the sum of $50,000 to enable the Secretary of the Interior, in cooperation with the Secretary of Agriculture, or otherwise, to classify the lands as provided in the bill.

"This department is interested in this measure in two particulars. First, it is now protecting these lands, upon request of the Interior Department, until such time as the Supreme Court of the United States shall decide the case now before it involving the proper disposition of the lands. The money obtained for this protection is an appropriation of $10,000 made in the act of October 6, 1917 (40 Stat., 372). Second, section 7 of the bill proposes that the $50,000 appropriated may be used to enable the Secretary of the Interior, in cooperation with the Secretary of Agriculture, to complete the classification as provided for in the bill. No doubt your committee will be informed by the Department of the Interior of the acreage and location of the lands to be thus disposed of and by the Department of Justice as to the status of the suit now on appeal before the Supreme Court of the United States. While a very small portion of the lands are within national forests and should be retained by the Government for growing timber, this department has no recommendation to make regarding them now, since it is believed that details of this character will have to be worked out later by special legislation.

"For this reason this department has no objection to the passage of the bill in its present form.

"Very truly, yours,

"(Signed) D. F. HOUSTON, *Secretary.*

"As section 3 of the bill provides that the lands shall be classified and disposed of in the manner provided by the act of June 9, 1916 (39 Stat. L., p. 218), for the classification and disposition of the Oregon and California railroad-grant lands, said act is as follows:

"'*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the title to so much of the lands granted by the act of July 25, 1866, entitled "An act granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad in California to Portland, in Oregon," as amended by the acts of 1868 and 1869, for which patents have been issued by the United States, or for which the grantee is entitled to receive patents under said grant, and to so much of the lands granted by the act of May 4, 1870, entitled "An act granting lands to aid in the construction of a railroad and telegraph line from Portland to Astoria and McMinnville, in the State of Oregon," for which patents have been issued by the United States, or for which the grantee is entitled to receive patents under said grant, as had not been sold by the Oregon & California Railroad Co. prior to July 1, 1913, be, and the same is hereby, revested in the United States: *Provided,* That the provisions of this act shall not apply to the right of way to the extent of 100 feet in width on each side of the railroad and all lands in actual use by said railroad company on December 9, 1915, for depots, sidetracks, wood yards, and standing grounds.

"'SEC. 2. That the Secretary of the Interior, in cooperation with the Secretary of Agriculture, or otherwise, is hereby authorized and directed, after due examination in the field, to classify said lands by the smallest legal subdivisions thereof into three classes, as follows:

"'Class 1. Power-site lands, which shall include only such lands as are chiefly valuable for water-power sites, which lands shall be subject to withdrawal and such use and disposition as has been or may be provided by law for other public lands of like character.

"'Class 2. Timberlands, which shall include lands bearing a growth of timber not less than 300,000 feet board measure on each 40-acre subdivision.

"'Class 3. Agricultural lands, which shall include all lands not falling within either of the two other classes:

"'*Provided,* That any of said lands, however classified, may be reclassified if, because of a change of conditions or other reasons, such action is required to denote properly the true character and class of such lands: *Provided further,* That all the general laws of the United States now existing or hereafter enacted relating to the granting of rights of way over or permits for the use of public lands shall be applicable to all lands title to which is revested in the United States under the provisions of this act. All lands disposed of under the provisions of this act shall be subject to all rights of way which the Secretary of the Interior shall at any time deem necessary for the removal of the timber from any lands of class 2.

"'SEC. 3. That the classification provided for by the preceding section shall not operate to exclude from exploration, entry, and disposition under the mineral-land laws of the United States any of said lands, except power sites, which are chiefly valuable for the mineral deposits contained therein, and the general mineral laws are hereby extended to all of said lands except power sites: *Provided,* That any person entering mineral lands of class 2 shall not acquire title to the timber thereon, which shall be sold as hereinafter provided in section 4, but he shall have the right to use so much of the timber thereon as may be necessary in the development and operation of his mine until such time as such timber is sold by the United States.

"'SEC. 4. That nonmineral lands of class 2 shall not be disposed of until the Secretary of the Interior has determined and announced that the merchantable timber thereon has been removed, and thereupon said lands shall fall into class 3 and be disposed of in the manner hereinafter provided for the disposal of lands of that class.

"'The timber on lands of class 2 shall be sold for cash by the Secretary of the Interior, in cooperation with the Secretary of Agriculture, or otherwise, to citizens of the United States, associations of such citizens, and corporations organized under the laws of the United States, or any State, Territory, or District thereof, at such times, in such quantities, and under such plan of public competitive bidding as in the judgment of the Secretary of the Interior may produce the best results: *Provided,* That said Secretary shall have the right to reject any bid where he has reason to believe that the price offered is inadequate, and may reoffer the timber until a satisfactory bid is received: *Provided further,* That upon application of a qualified purchaser that any legal subdivision shall be separately offered for sale such subdivision shall be separately offered before being included in any offer of a larger unit, if such application be filed within 90 days prior to such offer: *And provided further,* That said timber shall be sold as rapidly as reasonable prices can be secured therefor in a normal market.

"'The Secretary of the Interior shall, as soon as the purchase price is fully paid by any person purchasing under the provisions of this section, issue to such purchaser a patent conveying the timber and expressly reserving the land to the United States. The timber thus purchased may be cut and removed by the purchaser, his heirs or assigns, within such period as may be fixed by the Secretary of the Interior, which period shall be designated in the patent; all rights under said patent shall cease and terminate at the expiration of said period: *Provided,* That in the event the timber is removed prior to the expiration of said period the Secretary of the Interior shall make due announcement thereof, whereupon all rights under the patent shall cease.

"'No timber shall be removed until the issuance of patent therefor. All timber sold under this act shall be subject to the taxing power of the States apart from the land as soon as patents are issued as provided for herein.

"'SEC. 5. That nonmineral lands of class 3 shall be subject to entry under the general provisions of the homestead laws of the United States, except as modified herein, and opened to entry in accordance with the provisions of the act of September 30, 1913 (37 Stat. L., p. 113). Fifty cents per acre shall be paid at the time the original entry is allowed and $2 per acre when final proof is made. The provisions of section 2301, Revised Statutes, shall not apply to any entry hereunder and no patent shall issue until the entryman has resided upon and cultivated the land for a period of three years, proof of which shall be made at any time within five years from date of entry. The area cultivated shall be such as to satisfy the Secretary of the Interior that the entry is made in good faith for the purpose of settlement and not for speculation: *Provided,* That the payment of $2.50 per acre shall not be required from homestead entrymen upon lands of class 2 when the same shall become subject to entry as agricultural lands in class 3: *Provided further,* That during the period fixed for the submission of applications to make entry under this section any person duly qualified to enter such lands who has resided thereon, to the same extent and in the same manner as is required under the homestead laws, since the 1st day of December, 1913, and who has improved the land and devoted some portion thereof to agricultural use, and who shall have maintained his residence to the date of such application, shall have the preferred right to enter the quarter section upon which he was so residing whether such lands shall be of class 2 or class 3 and where such quarter section does not contain more than 1,200,000 feet board measure of timber, and where the quarter section contains more than the said quantity of timber such person may enter the 40-acre tract, or lot or lots containing approximately 40 acres, upon which his improvements, or the greater part thereof, are situated: *Provided further,* That a prior exercise of the homestead right by any such person shall not be a bar to the exercise of such preference rights: *And provided further,* That all of the following-described lands which may become revested in the United States by operation of this act, to wit: Township 1 south, range 5 east, sections 23 and 35; township 1 south, range 6 east, sections 3, 5, 7, 9, 17, 19, 29, 31, and 33; township 2 south, range 5 east, sections 1 and 3; township 2 south, range 6 east, sections 1, 3, 5, 7, 9, and 11; township 2 south, range 7 east, section 7; township 3 south, range 3 east, section 15; township 4 south, range

4 east, sections 11 and 13; township 4 south, range 5 east, sections 19 and 29; and township 12 south, range 7 west, sections 15, 21, 23, 27, 33, and 35, Willamette meridian and base, State of Oregon, shall be withheld from entry or other disposition for a period of two years after the approval hereof.

"'SEC. 6. That persons who purchase timber on lands of class 2 shall be required to pay a commission of one-fifth of 1 per cent of the purchase price paid, to be divided equally between the register and receiver, within the maximum compensation allowed them by law; and the register and receiver shall receive no other compensation whatever for services rendered in connection with the sales of timber under the provisions of section 4 of this act.

"'SEC. 7. That the Attorney General of the United States be, and he is hereby, authorized and directed to institute and prosecute any and all suits in equity and actions at law against the Oregon & California Railroad Co., and any other proper party which he may deem appropriate, to have determined the amount of moneys which have been received by the said railroad company or its predecessors from or on account of any of said granted lands, whether sold or unsold, patented or unpatented, and which should be charged against it as a part of the "full value" secured to the grantees under said granting acts as heretofore interpreted by the Supreme Court. In making this determination the court shall take into consideration and give due and proper legal effect to all receipts of money from sales of land or timber, forfeited contracts, rent, timber depredations, and interest on contracts, or from any other source relating to said lands; also to the value of timber taken from said lands and used by said grantees or their successor or successors. In making this determination in the aforementioned suit or suits the court shall also determine, on the application of the Attorney General, the amount of the taxes on said lands paid by the United States, as provided in this act, and which should in law have been paid by the said Oregon & California Railroad Co., and the amount thus determined shall be treated as money received by said railroad company.

"'SEC. 8. That the title to all money arising out of said grant lands and now on deposit to await the final outcome of said suit commenced by the United States in pursuance of said joint resolution of 1908 is hereby vested in the United States, and the United States is subrogated to all the rights and remedies of the obligee or obligees, and especially of Louis L. Sharp as commissioner, under any contract for the purchase of timber on the grant lands.

"'SEC. 9. That the taxes accrued and now unpaid on the lands revested in the United States, whether situate in the State of Oregon or State of Washington, shall be paid by the Treasurer of the United States, upon the order of the Secretary of the Interior, as soon as may be after the approval of this act, and a sum sufficient to make such payment is hereby appropriated out of any money in the Treasury not otherwise appropriated.

"'SEC. 10. That all moneys received from or on account of said lands and timber under the provisions of this act shall be deposited in the Treasury of the United States in a special fund, to be designated "The Oregon and California land-grand fund," which fund shall be disposed of in the following manner: The Secretary of the Interior shall ascertain as soon as may be the exact number of acres of said lands, sold or unsold, patented to the Oregon & California Railroad Co., or its predecessors, and the number of acres of unpatented lands which said railroad company is entitled to receive under the terms of said grants and the value of said lands at $2.50 per acre. From the sum thus ascertained he shall deduct the amount already received by the said railroad company and its predecessors in interest on account of said lands and which should be charged against it as determined under section 7 of this act; and a sum equal to the balance thus resulting shall be paid, as herein provided, to the said railroad company, its successors or assigns, and to those having liens on the land, as their respective interests may appear. The amount due lien holder shall be evidenced either by the consent, in writing, of the railroad company or by a judgment of a court of competent jurisdiction in a suit to which the railroad company and the lien holders are parties. Payments shall be made from time to time, as the fund accumulates, by the Treasurer of the United States upon the order of the Secretary of the Interior: *Provided, however*, That if, upon the expiration of 10 years from the approval of this act, the proceeds derived from the sale of lands and timber are not sufficient to pay the full amount which the said railroad company, its successors or assigns, are entitled to receive, the balance due shall be paid from the general funds in the Treasury of the United States, and an appropriation shall be made therefor. After the said railroad company, its successors or assigns, and the lien holders shall have been paid the amount to which they are entitled, as provided herein, an amount equal to that paid for accumulated taxes, as provided in section 9 hereof, shall be deposited in the Treasury to the credit of the United States, thereafter all other moneys received from the sales of land and timber shall be distributed as follows:

"'A separate account shall be kept in the General Land Office of the sales of land and timber within each county in which any of said lands are situated, and, after deducting from the amount of the proceeds arising from such sales in each county a sum equal to that applied to pay the accrued taxes in that county and a sum equal to $2.50 per acre for each acre of such land therein title to which is revested in the United States under this act, 25 per cent of the remainder shall be paid to the State treasurer of the State in which the land is located, to be and become a part of the irreducible school fund of the State; 25 per cent shall be paid to the treasurer of the county for common schools, roads, highways, bridges, and port districts, to be apportioned by the county courts for the several purposes above named; 40 per cent shall be paid into, reserved, and appropriated as a part of the fund created by the act of Congress approved June 17, 1902, known as the reclamation act; 10 per cent shall become a part of the general fund in the Treasury of the United States; and of the balance remaining in said Oregon and California land-grant fund, from whatsoever source derived, 25 per cent shall be paid to the State treasurer of the State in which the land is located, to be and become a part of the irreducible school fund of the State; 25 per cent shall be paid to the treasurer of the county for common schools, roads, highways, bridges, and port districts, to be apportioned by the county courts for the several purposes above named; and the remainder shall become a part of the general fund in the Treasury of the United States. The payments herein authorized shall be made to the treasurers of the States and counties, respectively, by the Treasurer of the United States, upon the order of the Secretary of the Interior, as soon as may be after the close of each fiscal year during which the moneys were received: *Provided*, That none of the payments to the States and counties and to the reclamation fund in this section provided for shall be made until the amount due the Oregon & California Railroad Co., its successors or assigns, has been fully paid and the Treasury reimbursed for all taxes paid pursuant to the provisions of section 9 of this act.

"'SEC. 11. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect; and any person, applicant, purchaser, entryman, or witness who shall swear falsely in any affidavit or proceeding required hereunder or under the regulations issued by the Secretary of the Interior shall be guilty of perjury and liable to the penalties prescribed therefor.

"'SEC. 12. That the sum of $100,000 be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to enable the Secretary of the Interior, in cooperation with the Secretary of Agriculture or otherwise, to complete the classification of the lands as herein provided, which amount shall be immediately available and shall remain available until such classification shall have been completed.

"'Approved, June 9, 1916.'

"Section 1 of this bill provides that the Southern Oregon Co. shall be paid the sum of $232,463.07 for a deed, satisfactory to the Attorney General of the United States, reconveying to the United States all the right, title, and interests of said company in and to the lands now involved in the litigation pending in the Supreme Court of the United States, amounting approximately to 93,000 acres, said sum of $232,463.07 being the value of said lands at $2.50 per acre; said value of $2.50 per acre being the value conferred by the granting act, which value the court decreed should be secured to the Southern Oregon Co.

"Section 2 provides for the payment of taxes, which, according to the above letter of the Attorney General, amount to $408,846.61 for the years 1909 to 1916.

"While the Government is required to pay to the Southern Oregon Co. $232,463.07, and for delinquent taxes $408,846.61, total $641,309.68, this sum is to be repaid to the Government from the sale of grant lands and timber, and in addition thereto 75 per cent of all other moneys received from said lands is to be paid into the Treasury of the United States. That the Government will be amply repaid is shown from the estimates of the value of the lands.

"Mr. S. W. Williams, special assistant to the Attorney General, having charge of the suit, testified in the hearings that the 'land grant is easily worth $2,000,000'; that the land has two or three billion feet of timber on it; that 'we have sold timber on 400 acres of this land at $2 per thousand.'

"Ex-Gov. Oswald West, of Oregon, testified that $3,000,000 would be realized from the grant lands.

"R. W. Marsters, county judge of Douglas County; B. F. Nichols and W. E. St. John, county commissioners; and George Neuner, district attorney, estimate the value of the grant lands to be double Mr. Williams's estimate, or $4,000,000.

"On the basis of the estimate of Mr. Williams, special assistant, the Government would profit by the proposed adjustment in this bill more than $1,000,000; on the basis of the estimate of the value of the grant lands made by the county judge and commissioners of Douglas County, the Government's profit would be over $2,000,000 clear profit.

"Section 3 of the bill provides for preference rights to lessees of said Southern Oregon Co. and to settlers.

"The following letter from George M. Brown, attorney general of the State of Oregon, sets forth the claim of said lessees and settlers to preference rights:

"OFFICE OF ATTORNEY GENERAL,
"*Salem, Oreg., February 14, 1918.*

"Hon. S. W. WILLIAMS,
"*Assistant to the Attorney General of the United States,*
"*Department of Justice, Washington, D. C.*

"MY DEAR SIR: I have read with much interest your testimony before the Public Lands Committee, and have just written to Representatives SINNOTT and HAWLEY in reference thereto.

"It is my belief that you intend to be absolutely fair in all your statements before the committee, but I think you are not fully informed as to some of the facts requested by the committee.

"This letter is for the purpose of attempting to point out the facts in reference to some of the settlers on the land and their failure to acquire title, as well as to the kind of a road that was originally constructed.

"There are settlers on this land who have settled upon the same in good faith, and there are lands situated along the road that are capable of cultivation, although much of the land in the Coos Bay-Roseburg wagon-land grant consists of mountain, rock, and forest. I personally know men among the settlers on the land who have dwelt upon the same for more than 30 years and have cleared valuable homes from what was once a dense wilderness. These people were persuaded that the company had to sell to them tracts of land in quantities not to exceed 160 acres at the price of $2.50 per acre. The company did not sell and the Government took no action to enforce the covenant to sell.

"I can not speak for all settlers, but I know in some cases where they have lived upon the land, improving the same year after year, hoping and believing that the company would sell, and in order to protect themselves from ejectment they executed leases. By reason of these leases they have become tenants of the company. However, the truth is, these people settled upon the land in good faith, thinking that the United States would ultimately require the company to convey.

"You are familiar with the case of Nichols *v.* Southern Oregon Co., reported in 135 Federal Reporter, 232. I will state that Nichols is an old-time resident of Coos County, and relying upon the covenant that the lands were granted with certain terms contained in the granting act which restricted sales of such lands in quantities to single purchasers of not more than 160 acres and at a price not greater than $2.50 per acre, tendered the purchase price for 160 acres of land included in the grant. Bellinger, district judge, held in said case that—

"'These restrictions were mere incidents of the grant. * * *. Whatever rights existed in respect to these restrictions belonged to the United States. No interest was created in the complainant. He is not a beneficiary in the grant, and he has no standing to complain that the State has violated its conditions in the manner in which it has disposed of the granted lands. That is a matter that can only be taken advantage of by the United States.'

"I have also read your testimony as to the character of the road that was constructed by the Coos Bay Wagon Road Co.

"It is my conviction from information given by old settlers who were over the road soon after its construction that it was a good moun-

tain road. For some years freight was transported over the same from the tidal waters of Coos Bay to Roseburg. This could not have been carried over a range of mountains such as the Coast Range at the point where the old Coos Bay wagon road crossed unless a fairly good road had been built. However, I am not inferring that it was an ideal road. Nearly 20 years after its construction the State of Oregon and the counties of Douglas and Coos built another road leading from Roseburg to Myrtle Point, in Coos County, by way of Camas Valley, and in recent years this last-mentioned road has been the chief thoroughfare. This was true at the time you went over the old Coos Bay wagon road. For a number of years the principal mail route from Roseburg, Douglas County, into Coos County was by way of Camas Valley. Thereafter the Coos Bay wagon road, from Brewster Valley, situated in Coos County, over the Coast Range Mountains into Douglas County, became out of repair.

"From Brewster Valley, almost to the termination of the road, Coos County has in recent years regraded and planked the same.

"These lands have been upon the tax roll of Coos County for a great many years, and it would be a great hardship on the county to deprive her of the revenue derived therefrom, unless it is returned in some such way as is proposed by the pending bill. The same applies in some measure to Douglas County, but the greater portion of the lands are situated, as you know, in the county of Coos.

"Very truly, yours,

"GEO. M. BROWN,
"Attorney General.

"S. W. Williams, special assistant to the Attorney General, wrote concerning the preference rights as follows:

"616 JOURNAL BUILDING,
"Portland, Oreg., April 2, 1918.

"Hon. SCOTT FERRIS,
"Chairman Committee on the Public Lands,
"House of Representatives, Washington, D. C.

"MY DEAR MR. FERRIS: I have been approached by a number of persons who are interested in the pending legislation, which provides for the settlement of the litigation involving the Coos Bay wagon-road grant in this State and the subsequent disposition of the lands by the United States. Some of these people have been living on the lands for a number of years, some have leased the lands and cultivated them, while others placed improvements upon the lands, perhaps without any lease; but, as I understand it, most, if not all, of them went upon the lands under some sort of promises from the officials of the Coos Bay Wagon Road Co. or the Southern Oregon Co. that lands could be purchased at a reasonable price. These promises, it is needless to say, the company has not kept.

"I have informed those who approached me that the bills now pending in Congress in regard to the matter contain a provision whereby those who have leased land from the Southern Oregon Co., or its predecessors for more than 10 years will be allowed a preference right to purchase the lands for $2.50 an acre, provided that they are found to be of the agricultural class. I have also informed them that the House committee did not seem favorably impressed with this provision, and that I also understood that the Secretary of the Interior had reported adversely to it; but, in view of their insistence, I agreed to lay the facts before your committee.

"Mrs. Hester Harmon claims to have settled on lot 1 of section 13, township 28 south, range 12 west, 44 years ago, and has lived on it continuously ever since.

"Grove G. Swan claims an interest in the south half of the southeast quarter of section 21, township 28 south, range 11 west, having settled there in 1870. He has improved a part of one 40-acre tract.

"E. P. Mest claims to have settled in July, 1872, on 20 acres of land in section 21, township 21 south, range 11 west, and has continued to reside on the land, together with 120 acres he purchased from the Southern Oregon Co. Has paid rent to the company for the use of 20 acres, upon which a part of his building is situated.

"Mrs. Dora A. Krantz has possession of 40 acres in section 15, township 28 south, range 11 west, and has had it for 20 years. She has fenced and cultivated the land.

"T. G. Barker claims that his father settled in July, 1874, on the southwest quarter of section 5, township 27 south, range 11 west; that he lived there 25 years and in 1900 turned the land over to his son.

"Mrs. W. G. Robbins in July, 1913, leased 40 acres in section 7, township 28 south, range 12 west, from the Southern Oregon Co. She has improved it and made it her home.

"G. P. Miller had married into a family who had spent several thousand dollars in clearing and improving a tract of about 120 acres in the grant, lived on it for a number of years, and was finally ejected by the Southern Oregon Co.

"The above are but a few of those who, I think, rightfully claim to be entitled to equitable consideration when the Government comes to disposing of these lands. From what I can learn, there are perhaps between 50 and 100 others similarly situated. I see no reason why they should not be given a preference right to purchase the lands at $2.50 per acre, provided that they also be required to reimburse the Government for the taxes it is to pay on these lands. In the first place, if the lands are entered under the homestead law, as they necessarily must be, the Government will receive only $2.50 per acre from the homesteader, who will not be required to pay the taxes the Government is going to pay. These people who have spent time and money, and in some instances no inconsiderable amount, are certainly entitled to more consideration than one who has done nothing. I have talked with a number of them who seem to be perfectly willing to reimburse the Government for the taxes it may pay on these lands and in addition pay $2.50 per acre in cash, while the homesteader will be allowed from three to five years to pay it.

"Of course, some of these people, those who have been actually living upon the land, will probably be given a preference right to homestead, but all of them have not lived upon the land. Some lived upon adjoining lands and others perhaps several miles away. I do not know just how this is, but I am reliably informed that all of those who have leased and improved the lands did not live upon them.

"I have written to my department in Washington, reporting the result of my inquiry into the attitude of the State and county officials here on that provision of the bill concerning the division of the net proceeds resulting from the sale of lands and timber in this grant, and I understand that ex-Gov. Oswald West, who represents the two counties directly involved, will be in Washington about the time this letter reaches there and will inform the committee in regard to the matter. I assume that my department will also take the matter up with you.

"I trust that you will understand the spirit in which I am writing to you in regard to the claims of these people who have been leasing and improving the lands on this grant. Some of them are very much interested in the matter and will lose what is to them a great deal unless some provision is made for their relief.

"If there is anything further that I can do in regard to any feature of the bill, please let me know. With kind personal regards, I am,

"Sincerely, yours,

"S. W. WILLIAMS,
"Special Assistant to the Attorney General.

"Section 5 of the bill provides that after the Government is reimbursed from the sale of grant lands for the moneys advanced to pay the Southern Oregon Co. and to pay the taxes the remaining proceeds from such sales shall be paid 75 per cent into the Treasury of the United States and 25 per cent to the treasurer of the county in which the lands sold are situated for common schools, roads, highways, bridges, and port districts.

"The bill as introduced followed the provisions of the act of June 9, 1916, above set forth, for the disposition of the Oregon and California railroad grant lands. This act gave 50 per cent of the proceeds to the State of Oregon and to the counties, 40 per cent to the reclamation fund, and 10 per cent to the Treasury of the United States.

"The committee amended section 5 so as to give the Government 75 per cent and the counties 25 per cent.

"In support of the allowance to the counties of 25 per cent for common schools, roads, and port districts it may be said: The grant lands are in Coos and Douglas Counties; 55 per cent of Douglas and 30 per cent of Coos County are now nontaxable, the nontaxable portions composing forest reserves and land removed from taxation on account of the revestment of the Oregon and California land grant by the Government.

"The revestment by the Government of title to the Coos Bay wagon-road grant, contemplated in this bill, will take from the tax rolls 93,000 acres, and consequently throw the burden of taxation on the remaining lands, now heavily burdened with taxation.

"Douglas County, only 45 per cent of which is taxable, on account of forest reserves and the revestment of the Oregon and California railroad grant, has now a bonded indebtedness of $555,000 for highway construction; the port of Umpqua, in this county, has a bonded indebtedness of $200,000 for harbor improvement. This county had in 1910 a population of 19,674.

"Coos County, which in 1910 had a population of 17,959, has an indebtedness of $1,250,000, of which $650,000 is a bonded indebtedness for the improvement of Coos Bay Harbor.

"The money expended by said counties in harbor and road improvements has enhanced and will continue to enhance the value of the Government timber in the forest reserves and revested lands, the bonded indebtedness for such expenditures will be a continuing burden on the remaining lands, and as the grant lands, hereby revested in the Government, may possibly remain off the tax rolls for many years, it seemed equitable to the committee that 25 per cent of the proceeds from the sales of the revested lands should be allotted to the counties for common schools, roads, highways, and port districts. In addition to the above expenditures for port and highway improvements, these counties are annually taxed for a fire patrol to protect the timber in said counties, including the timber on the grant in question and on other grants.

"The following statement of facts was submitted to the committee by the county judge, commissioners, and district attorney, of Douglas County.

"ROSEBURG, OREG., *March 11, 1918.*

"Hon. JOHN N. TILLMAN,
"Chairman Subcommittee of Committee on the Public Lands,
"Washington, D. C.

"DEAR SIR: Pursuant to the request of Hon. NICHOLAS J. SINNOTT and Hon. W. C. HAWLEY, Representatives in Congress from the State of Oregon, we, the undersigned, duly elected and qualified officials of Douglas County, Oreg., wish to submit herewith on behalf of said Douglas County and its citizens a statement of fact for the information of the subcommittee on the Public Lands in connection with the consideration of H. R. 8625, which has for its object the disposition of the lands known as the 'Coos Bay wagon-road land grant.'

"HISTORY.

"The Coos Bay Wagon Road Co. was a company duly organized for the purpose of building a wagon road from Roseburg, Douglas County, Oreg., to the tidal waters of Coos Bay, and primarily for the development of the southwestern part of the State of Oregon, and particularly for the establishment of commerce and communication between Roseburg, Douglas County, Oreg., and Coos Bay. The topography of the country which the road traversed was very rough, densely wooded, and very mountainous. The distance from Roseburg to Coos Bay, the beginning and terminus of this highway, is 61 miles.

"The Coos Bay Wagon Road Co. was composed of pioneer residents and business men of Roseburg, as follows: Aaron Rose, sr., J. F. Watson, Thomas J. Beale, J. N. Eberline, J. M. Arrington, D. L. Watson, S. Hamilton, and A. R. Flint.

"A number of these honored pioneers figured conspicuously in the development of the Northwest, and particularly of the State of Oregon. The character of these men and the purpose for which the organization was formed dispels and precludes any idea that they had any other purpose in view than the upbuilding of their State and community. The capital stock of this company was $60,000. Like many business ventures, it proved to be more expensive than at first contemplated. Mr. J. M. Arrington, one of their number, had some knowledge of civil engineering and was also a mountaineer, and he was chosen as the civil and constructing engineer who selected the route for the location of the road. More than $60,000 subscribed to the capital stock was expended before the completion of the road to the tidal waters of Coos Bay. Eleven miles of this road followed the Coquille River from the summit of the Coast Range of mountains, which divide Douglas and Coos Counties. A great portion of this distance was made by blasting rock from the side of the mountains along the river, and this proved very expensive construction. When it was completed it was a splendid mountain road, but its maintenance proved to be more expensive than its construction, for the reason, as stated before, of the very rough topography and the winter storms, which resulted in the destruction of much of it, and necessarily great portions of the road had to be rebuilt or repaired each year, and this proved the source of constant loss to the company. However, immediately after its completion mail, passenger, and stage routes were started, and considerable freighting was done over the road between Coos Bay and Roseburg. It served as the main highway between Douglas and Coos Counties for many years, and was kept up, in the main, by the company during this time. Afterwards the road was taken over, the part lying in Coos County by said county and the part in Douglas County by Douglas County.

"The whole history of the organization of this company and the construction of this road proves conclusively that its object was the development and building up of these counties and of the southwestern part of Oregon. The land grant which was made to the company did not repay the stockholders for the amount of money expended by them. At that time timberlands were of very little value, and most of this grant was composed of land chiefly covered by timber. The men who constructed this road did it honestly, and they intended to and did construct a highway which, when completed, was one of the best roads in Oregon, but the expense of maintaining the road was greater than the original costs of its construction. On the completion of the road, which was during the term of Hon. S. F. Chadwick as governor of Oregon, the governor himself personally inspected the road together with one or two commissioners appointed for that purpose. One of the commissioners, a Mr. William Jackson, was of Coos County. Upon their inspection and performance of the duty devolving upon them the road was accepted.

"All of these pioneers, to the best of our knowledge, are no more. However, for reference we may give the names of Hon. J. W. Hamilton, circuit judge of the second judicial district of Oregon, Roseburg, Oreg., and a son of S. Hamilton, one of the company which constructed this road, and who has personal knowledge of every detail thereof, and Hon. Stephen J. Chadwick, associate justice of the Supreme Court of the State of Washington, son of S. F. Chadwick, then governor of Oregon, and others, if your committee wish to make a further investigation of the facts herein stated.

"PRESENT CONDITION.

"The road is being used to-day, and that portion thereof from Roseburg to the Coos County line, some 20 or 22 miles, is in good condition. The greater portion of said road in Coos County is in first-class condition. However, the portion of 11 miles following the Coquille River is not in very good condition. It is being traveled and used and kept open, and automobiles by the hundreds traverse this road every summer. Some 15 years after the construction of this road a new road was constructed from Roseburg to Coos Bay, following a lesser gradient, and it has been used since that time, and we might say that the latter road traverses the more settled parts of Douglas and Coos Counties.

"AREA OF COUNTY.

"The area of Douglas County is approximately 5,000 square miles. Fifty-five per cent of this area is nonassessable, being that portion composed of forest reserves and lands removed from taxation on account of the revestment of the O. & C. Railroad land grant in the Government. Therefore 45 per cent of this county must carry the burden of the whole thereof.

"VALUATION.

"The valuation of this county is approximately $28,000,000. A valuation of $6,000,000 was taken from our tax rolls by the revestment of the O. & C. Railroad land grant; and by the removal from taxation of the Coos Bay wagon-road grant this valuation will be further reduced, imposing a still greater burden upon the remaining assessable property.

"ROADS.

"Douglas County has approximately 2,200 miles of road to maintain and approximately 2,300 bridges of more than 10 feet in length to keep up. Nearly one-half of this burden and expense of the construction and keeping up of these roads and bridges covers those which are adjacent to or through Government lands; in other words, nontaxable property. One hundred and five miles of the Pacific highway is located within this county. This is a highway of military importance; in other words, an interstate and an international highway. The highway from Roseburg to Coos Bay, of which some 40 miles is in Douglas County, is considered of military importance, and it requires thousands of dollars annually to keep it in repair, to say nothing of construction or improvement.

"BONDED INDEBTEDNESS.

"On June 4, 1917, the people of Douglas County voted a bonded indebtedness of $555,000 for the construction or improvement of its main highways. The port of Umpqua, situated in the northwestern part of the county, bonded itself for $200,000 for the construction and improvement of the harbor at the mouth of the Umpqua River. In addition to this, the various road and school districts tax themselves heavily annually to keep up the roads and schools in the county, to say nothing of the municipal bonded indebtedness of the various municipalities within the county. We merely call attention to these facts to show that by the removal of these lands from the tax roll and put in a condition where it will be years before they will be replaced upon the tax rolls of Douglas County a great burden is imposed upon the taxpayers and owners of property, which undoubtedly will inure to the detriment of the development of this portion of the great State of Oregon. The Coos Bay wagon-road grant is enhanced in value by the improvements voted by the people of Douglas County. Of the roads that are to be improved and constructed, a number of them traverse this grant. The port of Umpqua in its development of the harbor greatly enhances the value of the timber upon this grant. The State and county are required to tax themselves annually for a fire-patrol tax to conserve the timber upon this and other grants, the county in particular paying all of this tax, for the State taxes the county and most of the counties are required, in addition to the payment of the State tax, to pay one-third of the money expended for fire patrol within the respective counties.

"The valuation given at the hearing before the House Committee on the Public Lands is manifestly too low. We should say, conservatively, that the grant is nearly double the value placed thereon at said hearing. This wagon-road grant includes some of the best timber within the State of Oregon. It is nearly all on the coast slope and a great portion accessible to tidewater. Some of these 160 tracts that we have personal knowledge of cruise fifteen to sixteen million feet of timber. In addition to that a good portion of this land will be valuable when the timber is removed for dairy and grazing purposes. This is mentioned merely for the purpose of emphasizing the fact that the Government should not hesitate to administer the grant on account of losing money thereon.

"CONCLUSION.

"We think it is manifestly unfair to place any portion of the proceeds of this fund derived from the sale of this timber upon this grant or the lands thereof into the reclamation or any other fund. The State and counties in which this land grant is located have been burdened for years with heavy taxation. They will be burdened for years to come in carrying out the policy of caring for and protecting the timber thereon, and as a matter of equity and justice they should be entitled to all of the proceeds from the sale of said timber and lands over and above the actual costs of administration by the Government. The State and counties have not been negligent in this matter. The whole history of the grant shows that the best of faith entered into the entire transaction, and we believe that as a matter of fairness, equity, and justice we are entitled to at least a substantial percentage of the proceeds from said sales for the construction of roads and the maintenance of the schools of the county and State in which this land is situated, and we trust that your committee will give due consideration to the facts hereinbefore stated. We would gladly send you the sworn statements if you so desire, but being at a great distance from the deliberation of your committee, we can not personally be present to urge our cause.

"Respectfully submitted.

"R. W. MARSTERS,
"County Judge.
"B. F. NICHOLS,
"County Commissioner.
"W. E. ST. JOHN,
"County Commissioner.
"GEORGE NEUNER, Jr.,
"District Attorney for the State of Oregon.

"Attest:
"[SEAL.] "E. H. LENOX,
"County Clerk."

THE AMERICAN MERCHANT MARINE.

Mr. SMITH of Arizona. From the Committee on Printing I report an original resolution, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The Senator from Arizona reports from the Committee on Printing a resolution, which will be read.

The secretary read the resolution (S. Res. 452), as follows:

Resolved, That the manuscript submitted by the Senator from Louisiana [Mr. RANSDELL] on January 29, 1919, entitled "Proceedings of the conference on the American merchant marine," held in the auditorium of the new National Museum, Washington, D. C., January 22–23, 1919, be printed as a Senate document.

Mr. SMOOT. Mr. President, does the Senator from Arizona ask unanimous consent for the immediate consideration of that resolution?

Mr. SMITH of Arizona. Yes.

Mr. SMOOT. Mr. President, it seems to me that Congress has enough printing of its own to do now without going outside and printing the proceedings of other bodies. If this manuscript is printed, I can not see why conferences held upon every public question in every part of this country should not also be printed. There is no difference whatever, except as to the subject matter.

Mr. SMITH of Arizona. I should like to suggest to the Senator, inasmuch as he and I have for months and months made a very serious and earnest effort to keep all extraneous matter out of the CONGRESSIONAL RECORD, although the Senate has refused to stand by us in that effort, that I am sorry to see the Senator object now to a matter that comes from the committee with a favorable recommendation. It is true that the committee has had no meeting, but it has been polled. The Senator from Utah was not seen—they did not see me until this morning—but the committee has been polled and every member of the committee except the Senator from Utah and the Senator from Vermont [Mr. PAGE] has been interviewed, and they all agreed to the printing of the proceedings referred to in the resolution. Under the circumstances I did not hesitate to ask unanimous consent; but I wish to say here and now that if the Senator will stand with me again, and if the Senate will stand behind us, we will save the Government a million dollars next year in connection with its printing.

Mr. BORAH. Is the request for unanimous consent?

The VICE PRESIDENT. It is.

Mr. BORAH. I object.

The VICE PRESIDENT. The resolution goes to the calendar.

Mr. SMITH of Arizona. Mr. President, I should like to make a parliamentary inquiry with regard to the objection of the Senator from Idaho. Not knowing what his reason or purpose is, when he permits everything else to go into the RECORD without objection, I am at a loss to know why he objects to the printing of something which has been recommended in a report of the committee. I want to know whether or not it is in order for me to move that the resolution be considered?

Mr. SMOOT. Mr. President, if this resolution should be passed, the proceedings would not, of course, be printed in the CONGRESSIONAL RECORD; but I wish to say to the Senator now—and it will only take me a few moments, if the Senator from Idaho will not object——

Mr. LODGE. The resolution has gone to the calendar.

Mr. BORAH. Mr. President, I objected for two reasons. In the first place there are certain matters which I wished to have disposed of this morning before 2 o'clock, and it seemed that the resolution of the Senator from Arizona was going to lead to debate. In the second place, I desire to say to the Senator from Arizona that he is mistaken when he says I have always permitted these matters to go into the RECORD. On the contrary, I

have voted with him and sustained him in every contention he has made in regard to such matters.

Mr. SMITH of Arizona. I do not think that there is any doubt about that; but I should like to say to the Senator that if he would confine his objection to matters which have not been favorably passed upon by the committee I would feel his support to be more effective.

The VICE PRESIDENT. This situation is perfectly plain. It is a report of a committee, and has to go to the calendar if there is objection. That is all there is to it.

JOHN A. GAULEY.

Mr. ROBINSON. From the Committee on Claims I report back favorably without amendment the bill (S. 5471) for the relief of John A. Gauley, and I submit a report (No. 713) thereon. I call the attention of the Senator from Massachusetts [Mr. LODGE] to the bill.

Mr. LODGE. I ask unanimous consent for the present consideration of the bill. It is a very small claim.

The VICE PRESIDENT. Is there any objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John A. Gauley, of Arlington, Mass., out of any money in the Treasury not otherwise appropriated, the sum of $1,200, and said sum is hereby appropriated as compensation for personal injuries suffered by said Gauley in the course of his duties as an employee of the War Department at the Watertown Arsenal, Watertown, Mass.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OMAHA TRIBE OF INDIANS.

Mr. NORRIS. Mr. President, on Tuesday last I entered a motion to reconsider the votes by which the bill (S. 3992) to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians was ordered to a third reading and passed, the bill having been reported from the Committee on Indian Affairs. My motion was coupled with a request that the bill be returned from the House, and I understand it has been complied with. I should like to say that I have talked with the Senator from South Dakota [Mr. JOHNSON], who introduced the bill and who also reported it from the committee, and the action I am about to ask the Senate to take is entirely agreeable to him.

I am not expressing any opinion as to the merits of the bill, but it seems that the bill was reported without giving a hearing to one tribe of Indians who wished to be heard, and it is only for the purpose of giving them an opportunity to be heard that I desire the Senate to take the action I am about to ask it to take. I ask that the motion to reconsider be put, and then I wish to move that the bill be recommitted to the Committee on Indian Affairs.

The VICE PRESIDENT. The question is on the motion of the Senator from Nebraska that the votes whereby the bill was ordered to a third reading and passed be reconsidered.

The motion to reconsider was agreed to.

Mr. NORRIS. I ask unanimous consent that the bill be recommitted to the Committee on Indian Affairs.

The VICE PRESIDENT. Without objection, the bill will be recommitted to the Committee on Indian Affairs.

ROCKY MOUNTAIN NATIONAL PARK, COLO.

Mr. SHAFROTH. From the Committee on Public Lands I report back favorably without amendment the bill (H. R. 171) to repeal the last proviso of section 4 of the act to establish the Rocky Mountain National Park in the State of Colorado, and I submit a report (No. 712) thereon.

Mr. President, this bill is identical with one which passed the Senate last January a year ago, the number of the Senate bill being 1555. I ask unanimous consent that the bill passed by the House, which, as I have said, is identically the same bill as that passed by the Senate, word for word, comma for comma, and period for period, be considered at this time.

Mr. SMOOT. Mr. President, I told the Senate two years ago that when we limited the amount of money that could be expended in the Rocky Mountain National Park—and the only way the bill could have gotten through Congress at the time was by limiting the expenditure—there would be legislation proposed repealing that law, and, of course, that is what the bill now reported by the Senator from Colorado does. It merely means that hereafter the $10,000 limit that was placed on expenditures for that park in the act creating it will be removed, and hereafter there will be no telling what amounts will be expended. That is the object of the bill.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

Mr. SHAFROTH. I will state that this subject has been before the Senate a number of times, and twice has a bill on this subject been passed by the Senate, the last time being on the date given by me. It went over to the House and a Representative from Colorado secured a report on his bill, which is an exact copy of the bill which I had passed here in the Senate. The House bill is simply a substitute for the bill already passed by the Senate.

The VICE PRESIDENT. Is there any objection to the consideration of the bill?

Mr. SMOOT. Yes; if there is any doubt as to the statement I have just made, I object and will ask that the bill go to the calendar.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. SHAFROTH. Does the Senator insist upon his objection?

Mr. SMOOT. Certainly; if the Senator is going to doubt what I have said.

Mr. SHAFROTH. No; nobody doubts what the Senator has stated. The object of this bill, Mr. President——

The VICE PRESIDENT. There is an objection, and the bill has gone to the calendar.

Mr. SHAFROTH. I will ask whether the Senator will withhold his objection for a moment?

Mr. LODGE. I object. We have the conference report here on the revenue bill, which is to be disposed of as soon as possible, and I object to further discussion.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBINSON:

A bill (S. 5593) for the relief of certain officers in the Army of the United States, and for other purposes; to the Committee on Claims.

By Mr. KNOX:

A bill (S. 5594) authorizing the Secretary of War to donate to the town of Warren, Pa., six German cannons or fieldpieces; and

A bill (S. 5595) to donate a cannon to the city of Trafford, Pa.; to the Committee on Military Affairs.

A bill (S. 5596) granting an increase of pension to William C. Shaffer (with accompanying papers); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 5597) increasing the limit of cost for a Federal building at Apalachicola, Fla;

A bill (S. 5598) for the purchase of a site for and the erection of a post-office building at Quincy, Fla.; and

A bill (S. 5599) for the erection of a post-office building at De Funiak Springs, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. THOMPSON:

A bill (S. 5600) granting a pension to Anna Shanks (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 5601) to authorize the presentation of medals of honor, or other rewards for distinguished services, to women in certain cases; to the Committee on Military Affairs.

By Mr. KELLOGG:

A joint resolution (S. J. Res. 222) extending until July 1, 1920, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies and for other purposes," approved October 15, 1914; to the Committee on the Judiciary.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CALDER submitted an amendment proposing to appropriate $5,000 to examine into the question of the adoption of a zone system for the construction of buildings in the District of Columbia., etc., intended to be proposed by him to the District of Columbia appropriation bill, which was ordered to lie on the table and be printed.

Mr. PENROSE submitted an amendment relative to the pay of civilian employees under the Navy Department on leave of absence, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment proposing to increase the salaries of teachers of group A, class 6, including seven principals of graded manual-training schools in the public schools of the District of Columbia from $1,000 each to $1,200 each, etc.,

intended to be proposed by him to the District of Columbia appropriation bill, which was ordered to lie on the table and be printed.

AMENDMENT OF THE RULES.

Mr. JONES of Washington. Pursuant to the notice I gave on yesterday, I submit a resolution and ask that it may be referred to the Committee on Rules.

The resolution (S. Res. 451) was read and referred to the Committee on Rules, as follows:

Resolved, That Rule XXV of the Standing Rules of the Senate be, and the same is hereby, amended by adding thereto the following:

"*Provided*, That with the beginning of the Sixty-sixth Congress no standing committee of the Senate shall consist of more than 17 members."

SCHOONER "HENRY O. BARRETT."

Mr. WEEKS. I ask unanimous consent for the immediate consideration of the bill (S. 3123) for the relief of the owners of the schooner *Henry O. Barrett*. It provides for the sending of a claim to the United States Court of Claims for adjudication.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill which was read, as follows:

Be it enacted, etc., That the claim of the owners of the schooner *Henry O. Barrett*, rising out of a collision between said schooner and the U. S. monitor *Ozark*, off Five Fathom Bank Lightship, on the 19th day of April, 1917, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Henry O. Barrett* by reason of damages to and detention of said schooner may be submitted to the United States court for the district of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision if any shall be found to be due either for or against the United States upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties with the same rights of appeal.

That should damages be found to be due from the United States to the owners of said schooner *Henry O. Barrett*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated, provided that such suit shall be brought and commenced within four months after the passage of this act.

That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled, "An act to provide for the bringing of suits against the United States."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STEAMER "MAYFLOWER."

Mr. WEEKS. I also ask unanimous consent for the immediate consideration of Order of Business 639, being Senate bill 2902, which is a bill of exactly the same character.

The VICE PRESIDENT. Is there any objection?

Mr. JONES of Washington. Mr. President, we have passed four or five bills this morning by unanimous consent without having them read or anybody knowing what they are about. I do not believe the Senate ought to pass bills in this way. I think this bill ought to be read, anyway, before unanimous consent is given for its consideration.

Mr. WEEKS. I am quite willing that the bill shall be read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the claim of the owner of the steamer *Mayflower* and the claims of the passengers on board said steamer rising out of a collision between said steamer and the United States submarine *L–10* in President Roads, Boston Harbor, on the 11th day of August, 1917, for and on account of the losses alleged to have been suffered in said collision by the owner of said steamer *Mayflower* through damage to and detention of said steamer *Mayflower*, and by the passengers on said steamer by reason of personal injuries sustained in said collision, may be submitted to the United States court for the district of Massachusetts, the district in which said collision occurred, under and in compliance with the rules of said court sitting as a court of admiralty: *Provided*, That the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principle and measure of liability with costs as in like cases in admiralty between private parties, with the same rights of appeal: *Provided further*, That should damages be found to be due from the United States to the owner of said steamer *Mayflower* and her passengers, or any or either of them, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *And provided further*, That such suit or suits shall be brought and commenced within four months after the passage of this act: *And provided further*, That the mode of service of process shall conform to the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SALARY OF UNITED STATES DISTRICT ATTORNEY OF NEW YORK.

Mr. CALDER. Mr. President, I ask unanimous consent for the present consideration of the bill (S. 2124) to fix the salary of the United States district attorney for the eastern district of New York.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That from and after the passage of this act the salary of the United States district attorney for the eastern district of New York shall be at the rate of $6,000 a year.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMERICAN TROOPS IN RUSSIA.

The VICE PRESIDENT. Are there further bills or joint resolutions? If not, concurrent and other resolutions are in order. [A pause.] The Chair lays before the Senate a resolution coming over from a preceding day.

The Secretary read Senate resolution 444, introduced by Mr. JOHNSON of California on the 10th instant, as follows:

Resolved, That in the opinion of the Senate United States soldiers should be withdrawn from Russia as soon as practicable.

Mr. JOHNSON of California. Mr. President, on the 12th day of December last I presented a resolution asking the policy of this Government toward Russia. That resolution was referred to the Committee on Foreign Relations. It reposes there safely and silently at the present time. To-day I have read, in the news reports that have come to us of the proceedings in the English Parliament, the statement of Lloyd George yesterday concerning the policy of the United States of America. I read in the statement of the premier of Great Britain yesterday that the United States no longer would send troops into Russia and no longer would extend any aid, substantially, in the matter of intervention.

I want to congratulate the United States, I want to congratulate the Congress of the United States, I want to congratulate the all-seeing eye of the United States Senate, the Committee on Foreign Relations, that finally now we have learned from the lips of the premier of Great Britain, when such a resolution has been before the Senate since December 12 last, the policy of the United States Government with respect to Russia.

This policy, thus announced, I am very glad to commend. The action of the President in that regard, if his action be correctly described, I not only commend, but I am delighted that finally he has made plain thus, and even in this manner, exactly what the United States in the future will do in its relations with Russia. Indeed, I reecho what was said yesterday by Lloyd George in regard to the Bolsheviki in Russia. I reecho every characterization that he then indulged regarding the men who are in control of that unhappy land and in regard to the policies they pursue. I reecho it with all of the adjectives, and would reecho it, if I were possessed of the power, with all of the eloquence that we will hear upon this floor, and that we have heard in the past, in denunciation of Bolsheviki principles and in denunciation of those at the head of the Bolsheviki movement in Russia.

At the outset of what little I have to say—because I shall endeavor to conclude very rapidly—I want to make it plain that the question that is involved in the resolution I have introduced here and that is before the body to-day—the mere expression of an opinion upon the part of the United States Senate—is a question that involves not Bolshevism at all, not the fantastic formulæ of Lenine and Trotzky, not the massacres or the blood spilling to which they have resorted, not their rapine, not their plunder, not their assassinations. What we have involved in this resolution is an American policy for American boys, that deals with American blood, and the reason why I feel as I do upon this subject with all the force of my being is that by our supineness—aye, were it not invidious I would say by our cowardice—we are risking in Russia to-day 5,000 precious American lives without the hope of consummation of any policy of this Government, without the hope of benefiting in any degree any plan or any scheme or any purpose that may be entertained by our Government or by any man upon this floor.

The denunciation of Bolshevism is finally the refuge that those who oppose a resolution of this sort take in dealing with this subject. This is mere cuttle-fishing of the issue. We camouflage it because we dare not act upon the subject; camouflage it because, indeed, we dare not face the truth and do what we ought to do in behalf of Americans and American boys in Russia; camouflage it with that denunciation of Bolshevism and that denunciation of the formulas of Lenine and

Trotzky we have listened to in recent days; denounce Bolshevism as you will, in any fashion that you wish; I will agree with all that you may say in detestation of all that is transpiring in Russia. That is apart from what I am seeking to do. It is apart, indeed, from what is transpiring with American boys over there. It is apart from what ought to be the duty of the American Congress and what ought to be the duty of the United States Senate in passing upon a question of this sort.

I have listened here in the last few weeks to speeches by various eloquent Members of this body concerning the Bolsheviki and the horrible doctrine the Bolsheviki express. Do you know who are making Bolsheviki in this country? And I use the term not as a term which may mean a certain set of socialistic or anarchistic formulas but as synonymous with an unhappy, a discontented, and a rebellious spirit. Do you know who make Bolsheviki in America? You and I are making the Bolsheviki of this country when you and I, seeing the law violated, the Constitution rent and torn, dare not take our stand in behalf of American blood and American soldiers, who, without warrant of law and in violation of the Constitution of the United States, are killing and being killed in Russia to-day. That is the sort of thing that makes Bolsheviki, using the word in the aspect and in the characterization to which I have just alluded. When the men who are intrusted with the enforcement of the law, who have held high their hands and sworn that they would protect the Constitution of the United States, trample it under foot and permit boys of theirs to be murdered in Russia, in violation of that Constitution, that is the sort of thing, my Senators, that makes Bolsheviki in a nation, and that is the sort of thing that makes unhappy, discontented, and rebellious people.

Oh, you may say to-day that you can wage warfare without declaring war because you have confidence in the President of the United States. You may answer that you can kill and be killed in defiance of the law and the Constitution, because you know that your President, as he exists to-day, will do his full duty in the premises. Beware—take care—of the precedent you are establishing now. If you permit one President of the United States or one administration to wage war without declaring war, beware—take care—of what some other President of the United States, in whom you may not have the same confidence, and for whom you upon the other side may not have the same trustful, affectionate love, may in the future do.

And we here, when we violate this Constitution; we here, every time we have battered down one of the barriers that has been interposed by the law for the protection of individual liberty; we here, when we add another rent to the already tattered organic document of ours—we here are establishing a precedent now by which we may be plagued in the future, and by which that document that is sacred to all of us may in the future be set at naught.

The facts concerning Russia you all know; but they have been succinctly set forth recently in such a fashion that I dare read them to you so that you may know them, and then, if you wish, vote down this resolution or refer it again to the Foreign Relations Committee, where it may be bottled up for all time in the future.

Mr. HITCHCOCK. Mr. President, I hope the Senator does not mean to imply that the Committee on Foreign Relations bottles up resolutions that are sent to it. This is the second time during his address that the Senator from California has referred in that way to the Foreign Relations Committee. Permit me to say to him that no resolution which has come to the Committee on Foreign Relations in recent months has received so much attention and consideration as the resolution to which he has referred, which he introduced, concerning our relations with Russia. I feel justified in saying that that resolution was considered at several meetings; that at the last meeting we were ready to vote upon it, but unfortunately only one Member of the Republican side of the Senate was there—because, I believe, of a Republican conference—and out of deference to the request of that Member a vote upon the resolution was deferred until the next meeting.

The Foreign Relations Committee is not in the habit of bottling up resolutions. The resolution of the Senator from California has received fair consideration; and if this resolution is referred to the committee, I can say to the Senator that it will receive fair consideration.

Mr. JOHNSON of California. May the Lord save this resolution if it shall receive the same consideration that the resolution of December 12 received at the hands of the Foreign Relations Committee!

Mr. HITCHCOCK. I am not making the statement that the committee will report it out. If the committee is opposed to it, the Senator certainly would not expect the committee to report it out; but I object to the term "bottling up" the resolution, which implies that we suppressed it.

Mr. LODGE. If the Senator from California will allow me, we took up the resolution of inquiry which the Senator introduced, and my memory was that we considered it quite fully, and that then the committee voted not to report it.

Mr. HITCHCOCK. Since we have entered into a discussion of that, I may say that it was amended in the first place by striking out the preamble, and I think there were other considerations presented for amending it still further. I think there was a tie vote on that particular proposition. I do not think I ought to go into details as to what was done with the resolution, but I do feel justified in saying that it received more extensive consideration than any other proposition that has come before the Committee on Foreign Relations in several weeks, and certainly the committee and the chairman are not entitled to the charge that they have suppressed it.

Mr. JOHNSON of California. I will accept the statement made by the Senator from Nebraska that the resolution introduced on the 12th day of December last, dealing with the lives of American boys in Russia, received extensive consideration from the Foreign Relations Committee. I am very certain that the mothers and the fathers of the boys who have been killed since December 12, illegally and without regard to the Constitution of the United States, are equally grateful for the very careful consideration that the Foreign Relations Committee has accorded unto this resolution since December 12 last.

Mr. JONES of Washington. If the Senator will yield, I wish to ask the chairman of the committee whether it is the plan of the committee, if it does not decide to act favorably upon a resolution, to vote not to report it at all? I understood from the Senator from Massachusetts [Mr. LODGE] that the committee had voted not to report the resolution. If that is the policy of the committee, it seems to me that it is really bottling up the resolution by not permitting it to come on the floor of the Senate either with a favorable or an adverse report.

Mr. HITCHCOCK. The Senator's other resolution was brought up at the last meeting of the committee, and while a quorum was present one of the Senators representing the minority requested that out of deference to the Senator from California a vote be deferred until a larger attendance was present.

Mr. VARDAMAN. I desire to ask the chairman of the committee if it is the custom of the Foreign Relations Committee when a resolution is voted down or disapproved by the committee to permit it to die in the committee, and would that have been the fate of this resolution if the committee had failed to approve it?

Mr. HITCHCOCK. I am not able to say what the committee was going to do.

Mr. VARDAMAN. What is the custom of the committee?

Mr. JOHNSON of California. Mr. President, I beg that I may be permitted to proceed, because my time is limited.

The PRESIDENT pro tempore. The Senator from California has the floor and will proceed.

Mr. JOHNSON of California. I accept the explanation, of course, of the Senator from Nebraska. There remain of this session two short weeks. The resolution was presented to the Foreign Relations Committee December 12 of last year. Of course it has not been bottled up; I recognize that. It has reposed sleepily and sweetly, and very, very nicely in the bosom of the Committee on Foreign Relations, where doubtless it will remain until this session of Congress shall have been concluded, and will remain possibly—let us pray God it will not happen—until all the boys in Russia shall have been buried there. The speed and the haste that the Committee on Foreign Relations would have been compelled to display in bringing this resolution into the Senate within two months are a speed and a haste which I would not for a moment ask that that deliberate committee should employ. The speed and haste with which we continue to fight and to kill in Russia and continue to have our own killed there ought not for an instant to be imposed upon a committee in this body. The speed and haste which the Senator from Nebraska says do not constitute at all bottling up we will concede, for the purpose of the argument, will constitute active operation and deliberation by the distinguished Committee on Foreign Relations concerning this matter.

But beyond this, Mr. President, there is another proposition involved as well. The resolution calls for a statement of the policy by the United States Government concerning the livest matter, the most vital topic, that is existing in all the world to-day. During the period of time from December 12 until to-

day there is not a man on the floor of the Senate, there is not a representative of the Government of the United States of America, there is not anybody in power or in position who has said to the American people or said to the American Congress what is the policy of this Government toward Russia or defined it in any degree or in any aspect.

Very recently the Chicago Tribune sent a representative into Russia to ascertain the exact situation of our troops in the Archangel district. This correspondent sets forth the facts so succinctly and so well that I place them before the Senate as a basis of facts upon which the ultimate conclusion should be drawn. I read hastily this article:

The Tribune presents herewith the first of a series of cables from Frazier Hunt, giving the facts regarding the failure of the allied expedition to north Russia.

By Frazier Hunt, Vardo, Norway, February 1—

This, Mr. President, is the latest word from Archangel. This, Mr. President, is the latest statement of fact by an eyewitness of what has transpired in the Archangel district—

After two months spent in investigating the conditions in north Russia, where American troops are serving under the allied directorship, I can state the following facts:

First. The north Russia allied expedition has developed into a pitiful failure. It has failed to inspire confidence and loyalty and give real assistance to Russia. It has become a cesspool of jealousies, hatreds, mistakes, and shattered illusions. The different allies distrust one another, and the Russians distrust the entire expedition.

Second. The American troops were put under an absolute imperialistic command—

Oh, that does not appeal to us in this day here, I know! It is a matter of no consequence upon this floor.

I listened recently to a speech carefully prepared and judiciously uttered by the Senator from New Jersey [Mr. FRELINGHUYSEN]. I read the next day in the organ of the Democratic Party—the New York World—that by the delivery of that speech the Senator from New Jersey had stamped himself as a Bolsheviki and should be investigated by a committee of the United States Senate.

I listened to a debate on this floor a few days ago concerning the embargo placed upon certain goods of ours by England. I listened to the distinguished Senator from Massachusetts [Mr. WEEKS] when he presented a particular resolution, and I endeavored to inform myself by ascertaining the facts from the utterances of distinguished Senators on this floor. I read only a day or two afterwards the ill-concealed inference in one of the New York papers that that resolution was dictated by German propaganda, and the inference was irresistible, too, that the Senator from Massachusetts had uttered his particular protest solely because he was the active agent of a German propaganda in this country.

I saw as well when I introduced this resolution regarding the boys in Russia the calling of those who advocated that resolution Bolsheviki and all sorts of other epithets that are unnecessary now to state. The sort of intolerance now prevailing is that if a man upon the floor of the United States Senate utters an American sentiment by that very token he is called pro-German or Bolshevist or some other epithet that is sent to the country by the press, and perhaps the very epithets may be whispered upon the floor of this Chamber.

Oh, how far we have gone in this strange psychosis! We are moving to-day at a snail's pace in this body; but I want you to know the people of this country are emerging from that psychosis and by leaps and bounds have gone far, far beyond us. To be an American to-day with the people is again respectable, but in the minds of some distinguished gentlemen to be an American seems to afford an invitation for denunciation as Bolshevist, pro-German, or in some other outrageous fashion.

I will continue reading this statement of facts from Mr. Frazier Hunt:

Second. The American troops were put under an absolute imperialistic command, being handled in a way that was against every tradition of the Army and country. They were put to doing a king's business and to do whatever task was assigned to them by the British. American men and their ideals of right and fairness were entirely submerged through the un-American leadership.

LACK OF SPIRITUAL LEADERSHIP.

Third. The entire expedition suffered from a complete lack of spiritual leadership. Instead of being an ordinary soldier's job, this expedition required sympathetic understanding. It always has been more political than military. The original leaders thought themselves to be great soldiers and great diplomats, but they proved to be neither.

I will ask the Secretary if he will continue the reading of this article, proceeding with the fourth.

The PRESIDING OFFICER (Mr. POMERENE in the chair). Without objection, the Secretary will read.

The Secretary read as follows:

Fourth. The expedition has lacked spiritual significance. Europe's war-tired men, sent here from the French battle fields, failed to appreciate the great revolution or sympathize with the unrest and the new birth that Russia is going through. Most of the allied soldiers, especially since the signing of the armistice, hated the job, despised the Russians, and have no concern with the future of the country. The expedition, lacking this spiritual significance in men's minds, has become a mere fighting job to collect Russia's debt to Europe.

Mr. JOHNSON of California. I ask permission that the entire article may be printed in the RECORD as a part of my remarks without further reading, because of the limitation of time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Fifth. There is no enthusiasm even among the intelligent Russians in the north to assist the allies and fight the Bolsheviki. Everywhere there is a growing disgust against the expedition, especially against the British.

Sixth. The beautiful faith of the Russians for America is breaking under the manhandling by our forces under the foreign command. The American forces have been led by an American colonel when they should have had a major general. Within our own forces we lacked the right leadership, permitting the Americans to be placed under the limited control of foreigners.

AVOIDS THE CENSOR.

I have come out of Russia to write this. The censorship that has crawled back into its hole in most of the world still wears the iron heel of war days in the north. The American public has been fed pretty stories of the gentle glories of this "Help Russia" expedition, but the facts are that a mess has been stewed and has been kept for the cooks themselves.

America, whose ideals of honor are at stake and whose sons are being sacrificed, has the right to know these facts. In north Russia the expedition has become a dismal comic opera. Here in the north, in a district that never was violently Bolshevik, where the allies had many friends at the start, and where, since the first days there have been unlimited opportunities to advance confidence and gain respect here, with everything their own way, the allies have failed utterly.

DISTRUST OF PEOPLE GROWS.

To-day in Archangel, Murmansk, and the other cities of the district there is growing dissatisfaction against the way the expedition has interfered in local Russian affairs. Every phase of life within the district is controlled by the allies and dominated by them.

The Russians frankly resent this. They will tell you openly that they, and not the outsiders, should determine the exact form of government and pick the leaders. To-day if a Russian fails to follow the ideas and opinions of the allied leaders he is classed as a Bolsheviki with the possibilities of jail to keep him silent. Only such men as conform with the foreigners' ideas last in the local government.

The foreign military are actually and undeniably interfering in local affairs. They are dominating every department, forcing their own ideas and judgments against the wishes of the north Russian provisional government. Martial law has been established, placing the foreign military above the local authorities. All this reflected against the avowed motives of the allies.

"Are the allies coming in to help Russia or themselves?" the people ask. "Are they going to force their ideas of government upon us or merely help us put down the Moscow government so we can have our own fair, elective government? If that great allied force comes into Russia, would they insist on us accepting their ideas of policies, as they have done in Archangel?"

MIXED IN INTERNAL AFFAIRS.

This is the real test of the whole idea of intervention, and the people of north Russia have the right to ask it. As far as they are able to tell by experience, military intervention means interference with the internal affairs. Practically all of the Russians resent this. They reserve the right to let their political development take its own course. It is difficult to understand the question until the facts are grasped that the whole country is seething with unrest. In the land there are a hundred and one pet theories, ideas, and beliefs, all of the adherents striving to put forward their remedies. Then into this boiling mass is stuck a bayonet, instead of a spoon, and this new outside foreign cook, whose receipts are not wanted, whose ability is questioned, whose sincerity is doubted, shouts, "Try my brand of cooking. You need it, try it, or I'll stick you with a bayonet."

This is exactly what has happened in north Russia. One particular outside nation forced their ideas of life, liberty, happiness, government, justice, censorship, and everything on the Russians, and they have been imperialistic, old-fashioned, Old World ideas.

VIEW OF ONE RADICAL.

Recently one of the sincerest Russian revolutionists in Archangel, who has given years of his life to bring about an original revolution, said:

"Thousands of honest anti-Bolsheviki radicals throughout Russia are fearing the course that the intervention may take more than they fear the Bolsheviki. We prefer the present Moscow government to the retrun of terrible reaction. As far as we can judge, certain of the allies now are working toward breaking the heart of the whole spirit of advancement in Russia and want a heavy-handed dictatorship established, so that life and business can go on under the old imperialistic conditions.

"If the allies really want to help us, why don't they help us in a straight military way and with food, but let us decide our own political future within ourselves?"

FORCED TO MAN CARS.

The American troops are being used by a foreign high command for internal interference. For instance, on September 3, on the night before the American troops landed in Archangel in force, the provisional government was kidnaped by certain Russian militia people and spirited to an island in the White Sea. This bore, without question, the silent approval of certain elements of the allied high command, and in many circles is said to have been instigated entirely by them.

The American ambassador forced the return of this government, but the workmen of Archangel went on strike as a protest. It was a pure political strike, but the first job the American troops were assigned to was the undignified, unwarranted, and un-American job of manning the street cars, breaking the political strike.

At every minute of the time since then the Americans have been under the complete and absolute control of the British high command. The American officers have been submerged and overshadowed.

HOW BRITISH TOOK COMMAND.

In the early days of the intervention it had been expected that the Russians would flock to the allied colors by the thousands, and several hundred extra British officers, most or all of whom bore service and wound stripes, resulting from long and honorable service in France, were sent out with the idea of training and officering the unborn Russian Army. But the army failed to spring up, and the officers were left high and dry without work.

The 5,000 American troops came as a Godsend to them. The vast forest front, covering some 50,000 square miles, was divided up in a number of districts, and over each always was a British officer. Every order of any kind had to come through the British command. The rations were British, the equipment was British, and the expedition was British.

The Americans were doing their fighting in small groups with, at the most, their own platoon or company commanders over them. In certain instances the tiny groups of Americans actually were under the British sergeants. It simply didn't go. The hard feeling popped up and grew. The same conditions prevailed with all the other members of the expedition, and before long hatreds, jealousies, and distrusts were engendered which it was impossible to correct.

HOW THE AMERICANS FELT.

All the time the Americans felt they were doing a job for certain nations, helping to collect their debts and reestablish their commercial supremacy. Part of this trying condition was brought about through the lack of proper spiritual leadership in the high allied command and part through the lack of proper leadership within the American forces themselves. This put the whole expedition on a false basis and it was reflected through the leaders down to the lowliest private.

Many of the military advisers on the Russian question had been men who went through the revolution. They had been too close to the pain and anguish of the birth of new Russia to catch the significance. They had been too concerned in keeping Russia in the war to care for anything else. The very bitterness engendered by the Bolsheviki's act of signing peace has kept them from thinking clearly and accurately.

These men, with the former commercial men whose Russian business suffered from the war and revolution, have made the chief corps of the allied advisers. Their hatred against the Russian revolutions has been so violent that they have seen only blood in the Russian red-flag freedom. Add to these the professional soldiers, who have often been hard and uncompromising, and you have the types who have tried to lead an expedition which, first of all, demanded intelligent, sympathetic understanding instead of steel bayonets. Their policy has been blunt, inconsiderate, tactless, and often cruel. They have set up governments and then tried to knock them down when they didn't knuckle sufficient.

ARREST DISTRICT GOVERNMENT.

There are Russians to-day in the district who are being hunted and hounded because they have gone against the high command. Recently an entire Zemstvo government in one outlying district within the allied control was arrested and brought to Archangel because they were too radical for the local allied taste. American soldiers did the actual job of assisting in this arrest.

Hand in hand with this lack of spiritual leadership goes the expedition's lack of spiritual significance to the officers and soldiers. In the first place, most of the British, French, Italian, and Serbian soldiers making up the expedition were war weary. They were sent to the north district, understanding it was to be an easy, safe work of guarding ports. Instead they found themselves fighting hundreds of miles away from the ports, down some railroad line or up some river.

Vague rumors came to them of a great British-Russian deal at stake. Other rumors told of tremendous debts which Russia owed to Europe that must be collected. The avowed reason for the original entrance at Murmansk was the threat of the White Finns, under German leadership, to turn the ice-free ports of Murmansk and Petchinga, on the Murman coast, into German submarine bases. This was outlived when the expedition started to Archangel under the slogan of guarding the great war supplies about to fall into the German hands. Reaching Archangel, the foreign soldiers found no supplies. This old, hard-ridden theory of guarding the supplies at Archangel lasted through hundreds of columns of propaganda, even long after the American troops had landed a month later.

HATE TURNS ON RUSSIANS.

From the start the expedition lacked the thrill of the drive that a great, honest, stated purpose would have given. The majority hated the job and transferred their hate to the Russians. They had no concern for them and did not try to understand the tremendous question the country was facing to discover the solution. They carried on in a half-hearted way, riding roughshod over the feelings of the natives and acting much more like conquerors than invited guests.

Then on November 11 the word was flashed that the armistice was signed. So these foreign soldiers, who had been fighting for four years and now were up here in frozen Russia, wanted to quit fighting and go home. They did not care for Russia, and they wanted to get out of the cold, unhappy climate and go back to their families. They no longer cared a whoop for the expedition. Their eyes were turned westward. But they had to stay on, so, being spiritually unled, they figured out their own theories on the intervention.

SUSPECT A COLLECTION AGENCY.

"Sure; we all want something out of this. That's understood," a British officer said to me not a week ago.

"America doesn't," I answered proudly.

"Cheerio, tell that to the Rushies," he answered.

These soldiers can not be blamed for considering that this expedition is Europe's great collection agency. They have not honestly been told differently. The blame goes back to the home Government for failing to make an early, clear, and honest statement of the Russian policy. The war-tired, weary, heartsick soldiers of the world needed a spiritual surge, and they weren't given it.

Many question if there can ever be any enthusiasm for a Russian expedition if a big one be decided upon. Certainly there can be no enthusiasm unless there be an understanding of the real question at stake.

RESULT OF PRESENT SYSTEM.

This same lack of sympathetic understanding has developed and fostered a growing suspicion and hate among many of the Russians. The breaking down of Russian trust, the interfering with local affairs, the crushing of the spirit of unrest that is the hope of the country, the backing of certain reactionary interests against the new spirit of independence through political advancement is adding to this distrust.

The allies, the Russians point out, are visitors whose performance is poor guarantee for what will happen if a great intervention program is decided on.

HOLD FAITH IN AMERICA.

Back of it all, for America, is the beautiful faith Russia's peasant millions have for America. The bearded moujiks far inland, who have never seen a railroad and don't know the world is round, tell you they do not know what Russia needs, but that America does, and that she will help. This is something the new world has in its national possession that is priceless. Here, thousands of miles away, are millions of simple, ignorant peasants who can not read or write who look to America to lead them out of darkness.

Such a faith swings the idea of intervention and interference high above the commonplace ideas of money, power, or national advancement. It is a sacred thing, demanding honesty and sincerity. We must help, and we must find the right way. We must look straight at the great Russian revolution and its present phase. We must not be frightened at the sound of the word bolshevism and hide our heads or hold stupid hatreds. We must keep faith in a world that is tired, heartsick, blind from exhaustion and hunger.

Mr. JOHNSON of California. There is one other very brief article that I wish to read, which is published in the Detroit papers of February 5, and is a letter from Sergt. James Berberian, who is serving at present in Archangel. His letter says:

The success of American armies in wars of the past has been attributed to the fact they always have had a complete knowledge and understanding of the principles for which they were fighting. This is not true of this expedition which has been sent to Russia. We are absolutely ignorant of any cause for being here, and we appeal to the folks at home to enlighten us.

If we are here to improve conditions of the Russians and to destroy bolshevism, which we must admit is a dangerous institution, does it not seem right the Russians should assist us? But they refuse to go to the front and fight with us.

AUXILIARIES MUTINY.

We were actually compelled to turn our machine guns on a body of them the other day—Russians who had enlisted in the British Army and refused to obey commands to move to the front. Does it seem right we should sacrifice our lives for men who refuse to assist us in establishing peace in their own country?

We are here under English command. Every move we make is controlled by England, and we are living on English rations, which consist mostly of canned stew and tea. I don't want you to feel that being in doubt is lessening my fighting spirit any. I am ready at all times to give my life for my flag and my country. But all we ask is that you assist in convincing us that this expedition is justified.

We heard when first these troops were taken into Russia the solemn assurance given by the United States Government that we entered Russia not to take any territory, not for territorial aggrandizement, not to interfere with any local government, but merely to aid. The very statements that were then made were false in fact and were given to lull not only the Russian people into a false security but to lull the American people as well.

We heard then upon the floor of this Chamber that our soldiers were there to guard supplies. The answer is the fact as related by Mr. Frazier Hunt in this article read to-day, and the answer is in the fact that any time we could have obtained those supplies and at any time have taken them out, but to advance into the interior a couple hundred miles, more than 200 miles in some instances, to destroy governments there and set up our own was, of course, not an interference with Russia or with the Russian government, as we said when first we entered that unhappy country, but it was a mere undertaking friendly to them and in their aid.

We have heard these and other excuses offered—none official, Mr. President; none from our Government at all—but we have heard excuses of varying degree of protecting the Russians over there who are friendly to us. The answer is in the facts, and the facts are opposed to every contention that has been made either on the floor of the Senate or by way of semiofficial channels.

We are in Russia because we were forced in there, in the first place, against the will of the President, I am very glad to say. We are in Russia for no good at all to ourselves or the Russian people. We are in there carrying out a purpose that is foreign, I am perfectly confident, to the purpose of the President of the United States, and, thank God, we have learned to-day from the British premier finally that the President of the United States probably will not proceed in this unusual, this vicious, and this criminal course in that land.

I trust that the news which has come to us is true; but why in this great democracy, why with this great Foreign Relations Committee, can we not learn for our own people, from those who govern us presumably not as masters but as parts of a great democracy—why can we not learn from them first hand exactly what the United States Government intend to do and just exactly what it has done in the past?

England was compelled through her prime minister to tell her people. The representative of foreign affairs there told his people exactly what was his purpose and what has been England's design. In France, Pichon showed France's purpose and France's design. We boast of our liberty; we boast of our freedom; we prate of our democracy and of making other nations of the earth safe for democracy as well; and we, Mr.

President, of all the nations on earth that are in Russia to-day, know nothing about what our Government is endeavoring to do or why our boys in that semi-Arctic clime are being buried beneath the snows.

Oh, Mr. President, the Senate, with all its glorious traditions of the past, with all its past independence, with all that which has made American life so beautiful in the past and which has given us our hope and inspiration for the future, it is this thing against which I inveigh and against which I cry out; and it is for this reason, that this Senate ought to have dignity enough to know or even to express an opinion that I present this resolution after the failure of the Foreign Relations Committee to report the resolution of December 12 of last year. Why should we not know? Do you understand, sir, or do you not care?

Back there in Michigan are 5,000 mothers and fathers, sweethearts and wives—15,000, indeed—who have been holding their meetings, preparing their organizations, begging and praying that they may know concerning their loved ones across there in arctic Russia, and we who represent them have neither the courage nor, indeed, the appropriate conception of our own position to enlighten those mothers and fathers and sweethearts and wives in the State of Michigan regarding their own. Why not? You may not agree with me in respect to the policy to be pursued. That is far from the question. You may believe that one policy or another ought to be adopted by this Government in reference to Russia, but for the love of heaven and upon the oaths we took as Senators of the United States upon what theory do you fear to face the truth and to learn the facts concerning your Government's activity in Russia? Is there no appeal in these men and women and these girls who sit there in Michigan's cities and towns who have all they have on earth across there in Russia?

Oh, Mr. President, is it possible that if I had annexed to the resolution a hundred thousand dollars' worth of copper wire or a million dollars' worth of steel rails we might have had tremendous interest and enthusiasm and immediate action on it, and we might have had an expression instant and indignant of the opinion of the Senate of the United States; but because we deal only with 5,000 human lives, with the blood and the bone of the inarticulate mass of citizens of our country, because we deal only with those boys whom we conscripted for war with Germany and then in violation of the Constitution sent into war with Russia, because finally it is only our humanity with which we deal that we can get neither expression of opinion from the Senate of the United States nor report upon the resolution from the Foreign Relations Committee?

Mr. President, these men who are over there to-day appeal to me. I am speaking of them, and of them alone. I am speaking as an American, an American who cares more for one American boy in the snows of Russia than for all of those you feed with such enthusiasm with a hundred million dollars, who are unknown to you.

I listened to the debate upon this floor when we were proposing to appropriate a hundred million dollars to feed an unknown mass in Europe, located no man knew where, to be distributed no man knew how, and I thought of the heat and the enthusiasm of Members upon the floor of this Chamber in behalf of that hundred million dollar appropriation, and then I thought of freezing Americans 220 miles from Archangel, standing in mud and snow and swamps, standing there deserted and forgotten by the Government of the United States. It is for these men that I appeal here.

Oh, talk not to me of bolshevism and of its evils and its horrors; do not deny here to these men, so far as you can express it, an opinion because you hate something over there. Forget your hate for a moment and see if there is not room in your heart for a little love for American men in American uniforms fighting, they know not why, upon a foreign soil and being buried in unnamed graves.

In conclusion, Mr. President, just one thing more. If I were to stand upon a soap box on a street corner, or were I to go to Poli's Theater and say what is said in what I now read, you would want to investigate me, and perhaps expel me from the Senate of the United States. Listen, please, to the words I read:

> I want to say a word about Russia, or not so much about Russia as about our attitude toward Russia. I hold it as a fundamental principle, and so do you, that every people has the right to determine its own form of government; and until this recent revolution in Russia, until the end of the Czar's reign, 80 per cent of the people of Russia never had a "look in" in determining who should be their governor or what their government should be. Now, I am for the 80 per cent. It is none of my business, and it is none of your business, how long they take in determining it. It is none of my business, and it is none of yours, how they go about the business. The country is theirs. The government is theirs. The liberty, if they can get it, and God speed them in getting it, is theirs.

Do you recognize these words? Ah, my Democratic brethren, have you ever heard them before? These are the words of Woodrow Wilson, spoken in relation to Mexico; and, in reading them, I have substituted Russia for Mexico. In that respect, and in that alone, have I made any alteration. Is that your creed to-day, my Democratic brethren, or do you repudiate it? If that is your creed, my Democratic brethren, what are you doing over in Russia now? If that is the creed that you follow, and if this pronouncement is yours and you believe in it, why will you not stand here with me, instead of obstructing and opposing, and pass a resolution containing the mere expression of opinion that, as soon as practicable, these boys should be withdrawn from Russia.

One word more, Mr. President, and I am done. I reiterate again and again that I am here appealing simply as an American—and, under the Providence of God, it is time for Americans to speak in this country—I am here appealing only for American boys, imperiled by our supineness and our cowardice in the past. I am appealing only for these mothers and these fathers and these sweethearts and these wives who, with anguished hearts, stretch out their hands to the Congress of the United States and who have thus far appealed in vain. For them I appeal to-day. It is as an American for Americans I speak, for an American policy, and for American khaki-clad boys who are sacrificing their lives in the snows of Russia.

Mr. LODGE. Mr. President, I only desire to say a word in regard to the Foreign Relations Committee, for I think the condemnation of my friend from California [Mr. JOHNSON] has perhaps been a little sweeping.

I entirely agree with his resolution of inquiry. I thought it ought to have been adopted. It was sent to the Foreign Relations Committee, and in justice to the committee it must be stated that it was taken up immediately after the 12th of December, as I recall the meeting of the committee. The resolution was discussed, but a majority of the committee were against reporting it at that time. I was in favor of reporting it, and so were many other members of the committee. I believe that inquiry ought to have been made. I wish I could think that the passage of a Senate resolution of inquiry addressed to the State Department would have saved a single life, but the committee did not neglect the resolution. The reason the resolution has not appeared here is that there was a majority of the committee who were not in favor of bringing it here.

Mr. President, I wish to say a single word about our relations to the condition of affairs in Russia. When the war was going on with Germany, the situation before the great advance which began on July 18 was very dark. The Czecho-Slovaks were making their great march across Siberia. I thought then, and I still think, that we ought to have sent help to those men at once. We were then at war. I felt very strongly, however, that if we were going to intervene at all we should have intervened effectively; we should have sent sufficient troops for that purpose. We delayed for six months, and then finally sent a very small body of troops to Vladivostok.

In the Archangel-Murmansk expedition, when that was undertaken, the war was going on; the Germans were advancing northward and were threatening Finland. It was a military movement. There, again, I thought action was justified by the allies and by the United States to meet the German advance. In my mind, it had nothing to do with the Russian Government. But again, as, I am sorry to say, has been characteristic of both England and the United States in past wars, we only intervened a little. We had much better have stayed out than to have intervened in a weak way, as we did.

The war came to an end on the field of battle. The war is not over but the hostilities ended. The danger of the advance of Germany through Finland ceased, and from that time it has seemed to me that it was the business of the United States and the business of England, though England's duties do not concern me, but it was the duty of the United States to take those troops out. They were too many to be sacrificed wantonly and uselessly, and they were too few to be effective.

I have no intention of discussing the question of the Bolsheviki in Russia. Their government seems to me as foul a government as ever cursed a country. It is not only cruel; it is not only a government of the most autocratic kind, not representing the people, for the first thing they did was to discard the constitutional convention which had been elected by the people; not only does it rob, pillage, and murder, and use the product of its robbery to maintain a mercenary army, but it is, in addition, what is perhaps worst of all, a stupid and a weak government. The government of the French Revolution, whatever its cruelties may have been, was enormously effective; but the present government in Russia is cruel, tyrannical, ineffective, and weak. Its activities are shown chiefly in an en-

deavor to spread its doctrines in other countries, and those activities are not to be met by trying to meddle with that government in Russia.

I do not regard it as our business to set up a Russian government; let them have what they have got; but I do object very strongly to their invading the territory of people like the Esthonians, the Livonians, and the Lithuanians, who desire to be free and to establish a decent government; I object very much to their interference with those governments or with Poland, which is struggling to establish itself as a nation with free and ordered liberty. Those people should have our support.

But, Mr. President, none of this touches our being in Russia against the Bolsheviki with a small force—too small to effect anything—without any sign that there are any Russians who have the nerve and the courage and the power of cohesion sufficient to help us. As matters stand now, it seems to me, on the surface, a pure waste of American lives in those Arctic regions.

I was gratified this morning, of course, to get some information for the first time as to the policy of our Government in regard to Russia through the medium of the prime minister of Great Britain. The source is perhaps unusual as a method of giving information to the American Congress, but I have no doubt it is authentic. I am glad to see that some decision has been arrived at; that, as we are not disposed to make any of our dealings with Russia effective, we can at least take our men away and save their lives. I understand that the soldiers of Great Britain and the soldiers of France are quite as unwilling to go there as we are to have our American soldiers sacrificed in northern Russia, and I should be glad to see them one and all withdrawn. I think the statement of the prime minister of Great Britain, declaring that to be the policy of the President, ought to hearten the Senate sufficiently to express an opinion on the matter, although I am afraid any opinion we might express would be of little avail.

Mr. HITCHCOCK. Mr. President, it is my purpose to ask that this resolution be referred to the Committee on Foreign Relations, notwithstanding the serious indictment which the Senator from California [Mr. JOHNSON] has brought against the committee for inaction.

I was glad to hear the Senator from California finally commend the policy which the President of the United States has adopted in this international matter. I have felt from the first that the Senator's agitation of this question was premature and was in the nature of a tempest in a teapot.

We went into Russia, as the Senator from California well knows, as a military matter, as a military necessity. We went in there on July 1 last, as I recall, or possibly in June. When the armistice was signed and took effect on the 11th of November, it was not in the nature of things, it was not within the propriety of military policy, to withdraw at once all American forces. We could not even withdraw our forces from France, even if we possessed the ships to do so. The armistice was merely a suspension of hostilities for the purpose of making an endeavor to arrive at permanent terms of peace.

As the Senator from Massachusetts [Mr. LODGE] has said, we went into Russia as a matter of warfare against Germany, because Germans were on Russian soil, because there was a great menace that in that country the hundreds of thousands of German soldiers and the other hundreds of thousands of German prisoners would get practical control of Russia in the face of a manifest weakness of any Russian government. When the armistice was signed it certainly would have been a reckless policy instantly to withdraw troops from Russia.

As a matter of fact, since that time there has been an insignificant amount of fighting. So far as our soldiers are concerned at Vladivostok, there has been practically no fighting for months; they are simply there marking time and waiting for the progress of the conference in Paris. So far as the body of troops is concerned which is at or near Archangel, there has been a little fighting, it is true, and some losses, it is true; but I am sure that if the Senator from California were a military man and confronted with the problem of what to do with the forces that went in there for military purposes he would realize that it would not be possible instantly to withdraw those soldiers, and that the proper time to withdraw them would be when an international agreement had been reached between the United States and the associated nations that went in there.

We did not go in alone; we went in as the result of an agreement between Great Britain, France, and, I presume, Italy. It would create a perfect anarchy and disorder for us to withdraw our troops without first securing an agreement with the other countries, even if in military policy it were proper to do so.

Mr. President, it is very evident that the policy of the President has been to hold out a friendly hand to the people of Russia. Even the Senator from California has been compelled to admit that the President of the United States has been the one man in powerful position, who at all times has endeavored to encourage the Russian people. It was the President of the United States whose policy it was, first of all of the great powers, to recognize the overthrow of autocracy and the establishment of a provisional government. It was the President of the United States who sent a friendly message to the Soviet congress which met in Russia in March, 1918, about a year ago. Let me read again this friendly message which the President sent:

> May I not take advantage of the meeting of the congress of the Soviets to express the sincere sympathy which the people of the United States feel for the Russian people at this moment, when the German power has been thrust in to interrupt and turn back the whole struggle for freedom and substitute the wishes of Germany for the purposes of the people of Russia.
>
> Although the Government of the United States is unhappily not now in a position to render the direct and effective aid it would wish to render, I beg to assure the people of Russia, through the congress, that it will avail itself of every opportunity to secure for Russia once more complete sovereignty and independence in her own affairs and full restoration to her great rôle in the life of Europe and the modern world.
>
> The whole heart of the people of the United States is with the people of Russia in the attempt to free themselves forever from autocratic government and become masters of their own life.

That was the utterance of the President of the United States to the Russian congress of Soviets in March, 1918.

Mr. VARDAMAN. Mr. President, may I ask the Senator what class or faction of the Russian people we are now engaged in fighting—those to whom the President sent this letter and to whom those assurances were sent?

Mr. HITCHCOCK. The Russian Soviet is the form of government that prevails all over Russia.

Mr. VARDAMAN. I understand the Soviet form of government very well; but I want to know if the people to whom the President addressed that loving note are the ones that American soldiers are now shooting and being shot by?

Mr. HITCHCOCK. Many of them are in cooperation with the Americans, with the French, with the British, and with the Japanese. From Vladivostok to the Ural Mountains—5,000 miles, inhabited by millions of people, and through which runs the great railroad of Russia—comparative peace and quiet prevail under the government of the Russian Soviets to-day, and they are at peace with the few soldiers of the United States and associated nations that are there. Wherever the forces of the associated and allied nations are to-day in Russia there is comparative quiet and regular government of the Russian Soviets.

Mr. TOWNSEND. Mr. President——

Mr. HITCHCOCK. Before I am interrupted again, I want to read the reply which was sent by the Lenine-Trotzky dictatorship in Petrograd to this friendly assurance, this sympathetic message from the President of the United States. I want to put it in close connection with the President's message. Here is the reply:

> The all-Russian Congress of Soviets expresses its appreciation to the American people, and first of all to the laboring and exploited classes in the United States for the message sent by the President of the United States to the Congress of the Soviets in this time when the Russian socialistic Soviet Republic is living through most difficult trials.
>
> The Russian Republic uses the occasion of the message from President Wilson to express to all peoples who are dying and suffering from the horrors of this imperialistic war its warm sympathy and firm conviction that the happy time is near when the laboring masses in all bourgeois countries will throw off the capitalist yoke and establish a socialistic state of society, which is the only one capable of assuring a permanent and just peace as well as the culture and well-being of all who toil.

Mr. President, that reply was practically an insult to the American Government and to the President of the United States, who represented the American people. It was practically an effort to breed in the United States trouble for the American Government, which was carrying on a war. It was German propaganda endeavoring to arouse the socialistic and anarchistic element of the United States to oppose the Government of the United States. It was practically an invasion of the United States and an attempt to arouse rebellion here; and I want to say that that document is enough to condemn the sort of government which the Senator from California appears to be the champion of here upon the floor of the Senate.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from California?

Mr. HITCHCOCK. I yield.

Mr. JOHNSON of California. I will not permit the Senator from Nebraska to indulge in any such misrepresentation of what I have said as that in which he has just indulged. I am

not the champion of this government that the Senator describes. The Senator from Nebraska, if he has followed my remarks, knows that full well. Such a statement I brand as utterly without foundation in fact, and the Senator has misapprehended and misunderstood every effort of mine here if he insists upon any such statement. But I say to the Senator, conceding the government there to be all that the Senator says, declare war on it if you want to. Why do you not? Why are we not manly enough to stand here in the presence of our people, and, if we hold such views as the Senator holds, why are we not manly enough and courageous enough to say, "We will declare war upon this government of the Soviets and upon Lenine and Trotzky," instead of murdering our boys over in Russia without a declaration of war?

Mr. HITCHCOCK. That is a fair question, and I will answer it. We are not declaring war nor making war on the Lenine and Trotzky government because it is not our affair. In spite of that message, insulting as it was, the President of the United States has remained the great champion of noninterference in Russia, and he is holding that place to-day, and he is making that fight to-day in Paris. He has only recently brought Great Britain and France and Italy to a point where they have agreed with the United States to send delegates to meet this Bolsheviki government in conference at Princes Islands, and the Senator knows that. The Senator knows that the President of the United States is not proposing to make any war on this government.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from California?

Mr. HITCHCOCK. I do.

Mr. JOHNSON of California. I know the fact that we are making war; and no amount of specious argument can convince the American people that when you kill in fighting and you are killed in return, when armies go forth in battle array and indulge in shooting one another down, it is not warfare. What is it, if it is not warfare? And if you speak as you do concerning these people, and claim you have the right to shoot them down without any declaration of war, how do you justify meeting them to-day at all?

Mr. HITCHCOCK. Mr. President, I have stated that we went into Russia as a military necessity, because Germany at the height of the war was gradually reducing Russia through the Bolsheviki government of Lenine and Trotzky to the position of an assistant in the war. To say the least, Russia was a sort of political "no man's land." The Germans were there. We had the right to oppose them there, and for that purpose we went there. We were making war on Germany, and the Lenine-Trotzky government had become the tools of Germany. We had the right to go there. Now, we expect to get out. The Senator can see that it is the policy of the President of the United States as soon as possible to bring those soldiers out of Russia. The Senator can see that the President of the United States has brought Great Britain and France and Italy to the point where all are to have a conference with those Russians at Princes Islands; and I will predict now that one of the first conditions agreed upon at that conference will be the cessation of hostilities, and another result will be the retirement from Russia not of the United States alone but of all nations that went with us into Russia. When they come out, they will come out as they went in—together. When these nations come out, the terms of withdrawal will be that there will be no butchery of those Russians who have been cooperating with our soldiers. It would be indecent for the United States, Great Britain, France, and Japan to withdraw their troops suddenly or prematurely and leave those who have been cooperating with us there to have their throats cut.

Mr. JOHNSON of California. Mr. President, will the Senator state whether or not he considers that we are engaged there now in warfare against Germany?

Mr. HITCHCOCK. It is as much warfare against Germany as we engage in when we are occupying the bridgeheads of the Rhine. Technically it is warfare. There is no blood being shed on the Rhine, but there may be yet.

Mr. JOHNSON of California. Mr. President, if the Senator will permit me, I will query him no further. That sort of logic I leave, and leave it, I hope, in the RECORD just exactly as it is expressed.

Mr. HITCHCOCK. I have not any doubt in the world, Mr. President, that the gas shells which have been used by the Bolsheviki soldiers to shower upon our American soldiers were made in Germany; and the Senator believes so, too.

Mr. JOHNSON of California. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska further yield to the Senator from California?

Mr. HITCHCOCK. I yield.

Mr. JOHNSON of California. I have no belief upon any such subject, and I do not care a rap for the sort of argument in which the Senator is indulging; but his misrepresentation of a moment ago about this particular government over there, what he takes me to task for, is not because he thinks that I have any sympathy with the Bolsheviki government, but because I am making an American fight for American boys. It is no longer fashionable in some places to do that; but our people understand it, and with them now to be American is becoming fashionable again.

Mr. HITCHCOCK. I will not charge the Senator with being Bolsheviki, because the very fundamental doctrine of the Bolsheviki is the rule of the majority, and the Senator is determined to have a minority rule of the Senate. He criticizes a committee, when there is a majority against him, for not reporting his resolution. He criticizes the Senate now, when a majority on both sides, I will venture to say, are against him, for not passing this resolution. He is not Bolsheviki at all.

Mr. JOHNSON of California. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska further yield to the Senator from California?

Mr. HITCHCOCK. I do.

Mr. JOHNSON of California. Well, let us have a vote upon this resolution, then. That is all I am asking.

Mr. HITCHCOCK. We will have it.

Mr. JOHNSON of California. No; you want to take it back to the Foreign Relations Committee, and we will never have a vote. Let us stand up here and vote upon the resolution. That is what I am asking. Will the Senator join me in that, and let the majority rule?

Mr. HITCHCOCK. I expect to move to have it referred to the Committee on Foreign Relations.

Mr. JOHNSON of California. Ah, but the Senator wishes the majority to rule. Let the majority of the United States Senate now rule, and let them vote upon this resolution, and I am content.

Mr. HITCHCOCK. I think the Senator is not entitled, any more than any other Senator, to have his measures passed upon without reference to committees. It is the custom of the Senate to refer measures to committees, and I am going to ask that that be done in this case.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Michigan?

Mr. HITCHCOCK. I yield to the Senator from Michigan.

Mr. TOWNSEND. If I understand the Senator from Nebraska correctly, he and the junior Senator from California believe that the President's policy is to withdraw our troops from Russia. That is what this resolution favors. Now, if I understand the situation correctly, the President has frequently stated that he was speaking for sentiment in the United States. Now, if he is in accord with the resolution, and if the United States Senate is in accord with it, why not express that now in terms that we are in favor, under the circumstances, of withdrawing our troops from Russia?

Mr. HITCHCOCK. Mr. President, that same argument might be used for every measure that comes before the Senate. The Senator might argue that it should not be referred to a committee. All that I am contending for at the present time is for the reference of the resolution to the committee.

Mr. TOWNSEND. But, Mr. President, this matter has been before the committee a long time.

Mr. HITCHCOCK. No; not at all.

Mr. TOWNSEND. Well, a similar matter has been. It is all one great question—the Russian situation. What are we going to do in the situation that confronts us? What is the duty of the Senate to-day?

If the Senator will permit me, I feel very strongly with regard to the facts that have been disclosed by the Senator from California so far as they affect Michigan; and yet I trust that I am big enough, or think I am, even to subordinate some of the interests of Michigan if such a course were in the interest of the great cause in which we are engaged; but I have been unable to obtain facts in reference to our continuing our troops in Russia. I know that what the Senator has said is true as to their going in; but that purpose has ended. The Senator himself admits that the President is in favor of withdrawing them. He has stood alone. Why not let the Senate raise up its hand and support the President in that great view that he has taken? Not to do so seems to me inexcusable neglect on our part; and I can not agree with the Senator that this action is premature on the part of the Senator from California or any other Senator, because we are working in the dark, and finally we have got to pass upon these treaties. If we have some clearly defined ideas, we should express them in the Congress and in the country now.

That is my attitude with reference to this matter.

Mr. HITCHCOCK. I sympathize with the Senator from Michigan, because I realize that his State has furnished by far the largest quota of troops now in the Archangel region, and I realize that there is strong pressure from his constituents that those men shall be brought back; but there is also strong pressure for bringing back the hundreds of thousands of soldiers that we still have in France. The mere difficulties of getting ship space to bring them back, the mere difficulties of bringing them back from the Murman coast and from Archangel in the midst of winter, as the season is there now, are great enough to cause some pause.

Mr. TOWNSEND. But, Mr. President, that excuse has not been offered by anybody. The only excuse we have had has been that we must wait on the pleasure of the President in connection with the peace conference; that he is in command. We are reading in the press every day that our associate armies that went over there with our boys are being withdrawn, but our boys are there, and we are unable to obtain the slightest information as to what their condition is.

Mr. HITCHCOCK. No; the Senator has not read that the troops that went in with the troops of the United States are being withdrawn without the concurrence of the United States.

Mr. TOWNSEND. Oh, but the Senator thinks he has so read.

Mr. HITCHCOCK. I shall be obliged to the Senator if he will state how, and when, and where.

Mr. TOWNSEND. Why, it is almost a matter of daily occurrence that we read something in the papers about what France and England and Japan are doing with their troops. Maybe it is unofficial, but we have to depend upon the newspaper reports for all that we know; and this resolution has been introduced for the purpose of obtaining official information. That is all that we asked for in the beginning—to know what the facts are.

Mr. HITCHCOCK. No; the Senator is mistaken. The pending resolution is not that resolution.

Mr. TOWNSEND. But the pending resolution is what the Senator from Michigan wants. Let us support the President by passing it promptly.

Mr. HITCHCOCK. I think, on the other hand, that the passage of the pending resolution would be a decided mistake. We are in there in concurrence with Japan, France, Great Britain, and I suppose also Italy. That concurrence is so binding that when Japan sent in an excessive number of troops, the attitude of the other countries was such that Japan has withdrawn that excess, so that the troops she has remaining there at this time are only those which she was called upon to send in by the original agreement.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Does the Senator from Nebraska yield to the Senator from Mississippi?

Mr. VARDAMAN. Just one question.

Mr. HITCHCOCK. I yield.

Mr. VARDAMAN. If this resolution shall be agreed to as an expression of the opinion of the Senate of the United States with reference to our duty in withdrawing our troops from Russia, does not the Senator think, if there is not a good reason for bringing our boys back from Russia, the President will possibly, or very probably, give the Senate that reason, and in that way we will get officially information about conditions there? The information thus obtained will most assuredly do no harm and may result in our being able to give the American people, especially those whose loved ones are serving in the war in Russia, suffering the hardships of the winter, and meeting the dangers of battle—in my judgment, in violation of the Constitution of the United States and without the least semblance of authority of law—information which the Senate has a right to elicit from the President, which we hope will give some comfort and consolation to the mothers, fathers, wives, and brothers of the brave boys who are being sacrificed.

Mr. HITCHCOCK. The answer to that question is that this pending resolution calls for no answer from the President and in the very nature of things would receive no answer from the President. As the Senator has said, this resolution is merely an expression of opinion. It could do no possible good; it would not hurry by five minutes the return of any American boy from Archangel or from the Murman coast. It would simply be an expression of opinion of the Senate, which is not informed as to the military reasons for keeping the troops there. It would be an act of the Senate which would probably be subject to misconstruction on the other side of the ocean. It would seem to foreign statesmen to be an act of the Senate questioning the wisdom of the President. It would seem to be an act of the Senate apparently protesting against cooperation between the United States and the other nations with regard to the presence of troops in Russia.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived the Chair lays before the Senate the unfinished business which will be stated.

The SECRETARY. A bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. JOHNSON of California. I ask unanimous consent that the resolution shall go over without prejudice in order that we may have a majority determination of it.

Mr. HITCHCOCK. I object, Mr. President.

The PRESIDING OFFICER. Objection is made, and the resolution goes to the calendar.

THE REVENUE—CONFERENCE REPORT.

Mr. SIMMONS. I ask the Senator from Florida, who has charge of the unfinished business, if he will not agree to lay it aside temporarily in order that we may finish the consideration of the conference report?

Mr. FLETCHER. I was in hopes that the conference report would be concluded before this time. How much longer does the Senator think it will take?

Mr. SIMMONS. My impression and my assurance is that we shall probably be able to dispose of it in a little over an hour.

Mr. FLETCHER. I will then ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. The Senator from Florida asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none.

Mr. SIMMONS. I move that the Senate proceed to the consideration of the conference report on the revenue bill.

The motion was agreed to; and the Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill (H. R. 12863) to provide revenue, and for other purposes.

Mr. CALDER. Mr. President, I am in receipt of a letter from a business man of my city to which I ask the consideration of the Senate. It is as follows:

NEW YORK, N. Y., *February 10, 1919.*

Hon. WILLIAM CALDER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Now that you have passed the largest tax bill the world has ever known, taxing business to the limit of all it can stand, as, for instance, the candy company in which I am interested out of its earnings of $1,000,000 must pay $700,000 in taxes, and a few of us in interest must lend them a good part of this to enable them to do so, but in this instance I am not complaining for these profits were largely war profits, and, as you know, I am committed in favor of the 80 per cent excess-profit tax; but what we do object to is the unnecessary continuance of these extravagances.

As late as last December an automobile company in which I am a shareholder had trucks taken from it by the Government which it had sold to needed domestic buyers, and now we are told the Government has 60,000 trucks to sell. Well, by all means sell them and get it over with, if these and other merchandise are not salable abroad or can not be sold back on some reasonable terms and price to their manufacturers or arrangements made with them to be sold for account of the Government.

As a business man, as well as Senator, am sure you will agree with me that this merchandise should be disposed of as quickly as possible and not carried, accumulating expense, as a continual menace to business. This, I understand, is what Gen. Goethals thinks should be done and is asking for an appropriation for $60,000,000 for that purpose, which I hope will not be granted.

The public is greatly appreciative of what you have already done in calling attention to the scandalous use of public funds, and trusts this important matter of resales may have your attention in the hope that those in charge may show some part of the ingenuity in saving that they have in spending.

Yours, very sincerely, E. T. BEDFORD.

I call that letter to the attention of the Senate in connection with some observations I contemplate making on this measure.

Mr. President, it is impossible to enact a measure taxing the people that is equitable in all of its provisions, and this bill does not break the rule. In fact, because of its purpose to raise $6,000,000,000 it will work greater hardship than any tax bill ever enacted before. It is to be regretted that a revenue bill can not be passed that will deal fairly with all concerned, but with divergent views existing between the two Houses and the Treasury Department as to the methods of taxation that should be followed a situation has been brought about resulting in some of the provisions of this bill being so drastic as to be really destructive. In both the House and the Senate there has been a disposition, a natural disposition, to tax the war contractor and the so-called "profiteer." That there has been some war "profiteering" goes without saying; but in an effort to catch and tax the real profiteer we are running down the business man who has made no vast profits as a result of war.

There are men who have made some money manufacturing war supplies that this bill will bankrupt. There are other business concerns that have not been manufacturing anything for the Government, but upon whom this bill will bear very heavily.

In discussing the last revenue measure I proposed the enactment of a uniform sales tax on merchandise, and I know that in the preparation of this measure the senior Senator from Utah [Mr. SMOOT] advocated the enactment of legislation of this character, which, if properly worked out, would have relieved the business community from the almost destructive burden which will be imposed by this measure.

And, then, with an income tax levied justly, we would have a simple system of taxation which would have worked out equitably and would not stifle industry, as the pending measure will in many lines.

I am much concerned about preserving the business of the Nation. We hear much to-day of reconstruction and employment for our soldiers returning from Europe and our workingmen who have been laid off from their war employments. But we do not stop to reason out that in stifling business by overtaxation we take away from the soldier and the workingman the opportunity of employment. Is "reconstruction" to be nothing more than a theory, or are we to follow a sensible plan that will stimulate industry and make labor, not jobs, at a premium? The whole country to-day is alarmed at the business outlook. The demands of war have practically destroyed our business fabric, and many lines of industry must start all over again. Some Members of this very body have insisted that the war should be paid for within the next few years. I differ with these gentlemen. If this war is to be a lasting advantage to the Nation, then those who have not been asked to shed their blood must be called upon to make some contribution to the cost. I am certain there will be no great hardship for those who come after us if we extend over a period of many years the raising of the money to pay for war costs.

The profits of war made a few men rich. As a result of war, however, business generally suffers, and after such a great war as we have just come out of there is bound to be a readjustment of affairs that will pinch in some quarters.

Our bonded indebtedness on December 31 totaled $20,811,000,000 and all of our war obligations have not yet been canceled. It seems to me, Mr. President, that this Nation, if it hopes to avoid unusual business depression, must do everything in its power to stimulate the wheels of industry. The Senate has already voted during this present session an appropriation of $200,000,000 as a contribution to the building of roads. We will be asked in a few days to appropriate $750,000,000 for battleships and cruisers for our Navy. The Food Administrator has asked for $1,200,000,000 to make up the difference between the world price for wheat and the Government's guaranty. The Shipping Board will, I am informed, ask us for several hundred million dollars to continue its program. From every department of the Government there comes demand for increased appropriations.

I understand that for this calendar year at least $750,000,000 more will be asked, to be taken from the Public Treasury, to operate the railroads. Billions of dollars are yet to be expended to liquidate our war obligations. The Secretary of the Treasury indicates that $10,000,000,000 more bonds must be issued, in addition to the money to be raised from this tax bill, to pay our war debts.

Where will all of these immense expenditures leave us? Is there no stopping point? It seems to me that the time has come for the Congress of the United States to devote itself to conducting the Nation's business in a businesslike way. No private concern could long exist with such inefficiency in its management.

As an example: The other day I received a letter from a gentleman who had visited Nitro, the great ordnance plant at Charleston, W. Va. He informed me that over a million dollars' worth of lumber was lying out in the mud and fast being burned up or stolen by the people of the neighborhood. While he was there 15,000 bales of cotton were exposed to the weather without any apparent immediate need for it, and that more cotton was coming in every day by the trainload.

We hear these things every day. There seems to be a lack of intelligent appreciation of the fact that all of these things must be paid for by the taxpayers of the Nation. Mr. President, we have got to get down again to first business principles. We must see to it that a system is followed by which the greatest economy can be had in the management of our affairs.

Is it not possible for the executive departments of the Government to determine just how much will be needed to run this Government for a period of years, including the interest on our bonds, and then estimate just how much it will take to liquidate these bonds, extending their payment over 30 or more years? If this is carefully done, the cost of government can be materially reduced; and the business men of the Nation will appreciate the fact that we are endeavoring to meet conditions as they should be met, and will resume their business activities.

I think there is much cause, Mr. President, for apprehension, and I can not quarrel with the men who have helped to make this country what it is, when they stand aghast at the need of real intelligent appreciation of the country's needs. Our crops last year were far in excess of what we were able to consume, and this year's crops bid fair to be greater. It is also true that the bowels of the earth hold untold riches in coal, oil, and ore, and that the undeveloped portions of this country make it possible that under all conditions we can take care of a population in America many times the number of people we have here to-day.

But we have been through a great war, in which, because of the lack of a comprehensive plan, we have spent vast sums without regard to its real value; and, now that the war is over, we must take account of stock and go on to days of careful expenditure. Let me warn the Senate that the people of the country are bearing their limit in the matter of taxes, and that this measure, no matter what may be said in its defense, will be destructive of many lines of legitimate endeavor.

In the years to come the great political campaigns will be made upon economy in the conduct of the Nation's business. The American people are tired of inefficiency and indifference to waste, and wherever this is found in public office those responsible for it will be retired to private life. The country has a right to demand an understanding of its business problems on the part of those charged with management of the Government and a careful expenditure of the people's money.

The party which does not understand this sort of management of the Nation's affairs will not long remain in charge of the country's business.

Mr. SMOOT obtained the floor.

Mr. FRANCE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Gore	McLean	Smith, Ariz.
Bankhead	Gronna	McNary	Smith, Ga.
Beckham	Henderson	Martin, Va.	Smith, Mich.
Calder	Johnson, S. Dak.	Moses	Smith, S. C.
Chamberlain	Jones, N. Mex.	New	Smoot
Colt	Jones, Wash.	Nugent	Spencer
Culberson	Kellogg	Overman	Sterling
Cummins	Kendrick	Page	Sutherland
Curtis	Kenyon	Penrose	Thomas
Dillingham	King	Pittman	Thompson
Fernald	Kirby	Ransdell	Trammell
Fletcher	Knox	Saulsbury	Walsh
France	La Follette	Shafroth	Warren
Frelinghuysen	Lewis	Sheppard	Wolcott
Gay	McCumber	Sherman	
Gerry	McKellar	Simmons	

The PRESIDING OFFICER. Sixty-two Senators having answered to their names, there is a quorum present. The Senator from Utah will proceed.

Mr. SMOOT. Mr. President, if it were not for the fact that when this conference report passes, and I have no doubt but what it will pass, and the bill known as the revenue bill is signed by the President and becomes a law, there will be imposed upon the American people the heaviest burden of taxation and at the highest rate of taxation ever known in the history of our country, or of any country in the world, I would not rise to address the Senate. It also comes at a time, Mr. President, when the people have been called upon to subscribe most liberally to bond issues, not only for the purpose of paying the obligations and debts of our country but for advancing billions of dollars to other countries that with the United States have been engaged in the war.

If the bill, when it becomes a law, would raise sufficient money to pay the running expenses or indebtedness of our Government for the next two years, I would congratulate the American people and say to them, "It is the very best thing that could be done, irrespective of the injustices and discriminations the bill contains."

It is estimated that the bill will produce for the taxable year 1918, based on the business of that year, $6,000,000,000. Mr. President, I am positive that with the relief provisions as provided in the conference report that will be a part of the law it will not nor can it produce $6,000,000,000. If there is raised under the law $5,300,000,000, that is the limit that can be raised.

I say that, Mr. President, because I have to the best of my ability examined most carefully into the details of the legislation. It is true that we have to estimate as to what effect the relief provisions will have upon the bill, but with only a limited and small amount estimated for them, I am convinced beyond the question of a doubt that the amount I have named is all that the bill will raise.

This seems to me an appropriate time to analyze, in as brief a manner as possible, the financial condition of our country, to

let the people know just what obligations we are under as a Nation; just how we are to meet them and to prepare them for the demands that may be made upon them not only for this year but for years to come.

While the war was on and enthusiasm and patriotism were unbounded in all parts of the country it was easy to appeal to the people to save and to economize, and by that saving and economizing to purchase the obligations of the Government as they were offered by our Treasury Department. The people of America are to be congratulated upon their splendid responses. Never in all the history of the world have a people shown such generosity and such liberality as have the American people in donating to all the causes connected with this war. It was not one call on behalf of the Red Cross to which everybody responded most willingly, but we had calls for relief from England, from France, from Italy, from Roumania, from Poland, and from nearly every country in Europe, except the central powers, who were directly involved in war against this country. Those calls for assistance were for the blind, for the maimed, for the starving, for the babies, and hundreds of other causes. Untold millions of dollars were collected in this country for those purposes. All honor to the American people—not to one class, but to every class from the richest to the poorest, from the most exalted to the humblest—for their wonderful response.

Now that the war is over and people are beginning to settle themselves in the line of endeavor which they intend to follow hereafter, and as their obligations, which were mainly created through their liberality, become due, in many cases pressing them, I am fearful, Mr. President, that it is going to be somewhat hard in the future not only for the business interests of the country but for the people generally to meet the demands that must be made upon them.

Every endeavor should be made by every Senator and by every Representative to check legislation which may be extravagant or which will have for its object the spending of the people's money for any purpose whatever that can be safely postponed. I warn the Senate now that unless that is done the people of the United States are going to demand an accounting of us. And, unless we can clear our skirts, I do not think that we shall be in public life for many years longer.

Mr. McKELLAR. Mr. President, will the Senator from Utah yield to me?

Mr. SMOOT. I yield to the Senator.

Mr. McKELLAR. I agree with what the Senator from Utah has said; and in view of certain statements which were made yesterday I have taken occasion to look up the record, and I want to call the Senator's attention to what that record shows, in so far as his own course in reference to expenditures is concerned.

I find that the Senator from Utah has introduced in the Senate at this session bills calling for appropriations of $1,003,645,690, or as much as the entire expenditures of the Government before this war. I call the Senator's attention to the fact that if we are to practice economy it seems to me that we should do so in this——

Mr. SMOOT. Well, I thank the Senator for injecting that statement into my remarks; but seeing that he has done so, I desire to call his attention to the fact that the bill naming a billion dollars for road building was simply the lending of the credit of the Government of the United States to the States of the Union. It was not an appropriation, nor would it have cost the Government one cent in the end. The Senator from Tennessee, however, did not want such a plan; he wanted the money to be paid out of the Treasury of the United States with which to build roads. All I desire is that these roads shall be built by the States and that the Government shall lend the States its credit, and that credit within 50 years will afford returns sufficient to meet every dollar of the cost of the roads built, less the interest to be paid on State bonds issued for that purpose. There was not a single dollar to be advanced unless the bonds of the Government were sold and when advances of a similar amount should be placed in the Treasury of the United States of the bonds of the States to which the credit was to be extended——

Mr. McKELLAR. Mr. President——

Mr. SMOOT. Now, if the Senator will wait he will later have all the time he wants to discuss the bills I have introduced.

Mr. McKELLAR. I shall be very glad to do so. I agree with the Senator from Utah that we ought to practice economy; but it seems to me, in the light of the Senator asking for an appropriation of over a billion dollars, it would be well for him to consider——

Mr. SMOOT. The Senator from Utah has not asked for an appropriation of a billion dollars. He has asked that the Government should lend its credit to the States in order to enable them to build good roads.

Mr. McKELLAR. But they were to be obligations of the Government of the United States.

Mr. SMOOT. I decline to yield further. I am not going to be drawn into this controversy. I have something to say about the conference report.

Mr. McKELLAR. I want to put the figures into the RECORD.

Mr. SMOOT. The Senator may put them into the RECORD, if he desires to do so, but not in my speech.

Mr. McKELLAR. I did not want to annoy the Senator.

Mr. SMOOT. If the Senator wants to interrupt me upon any question that I am discussing, I am perfectly willing to yield.

Mr. McKELLAR. I understood that the Senator was discussing extravagance.

Mr. SMOOT. Mr. President, there will be maturing obligations of the Government between this and March the 15th of over $800,000,000. For that reason the pending revenue bill should become a law at the earliest date possible, in order that the returns may be made by March 15, and under the provisions of the law the first payment, or one-quarter of the amount to be collected, is to be paid when those returns are filed.

I notice that there are also outstanding certificates of indebtedness, which have generally been sold throughout the United States to banks for the purpose of paying the daily expenses of the Government, amounting to nearly a billion dollars. Those certificates of indebtedness will be taken up as soon as sufficient money is raised by taxation or by the sale of bonds.

It is estimated that the obligations of the Government for the fiscal year ending June 30, 1919, will be $18,000,000,000. Mr. President, I say now they will be more than $18,000,000,000. In order to meet those obligations with the sale of bonds already made, and calculating that we shall raise $6,000,000,000 from the pending revenue bill, we must of necessity, to meet them, have another liberty or victory loan, as it may be called, amounting to $6,000,000,000.

In this connection, Mr. President, I desire to say that the total expenditures, exclusive of the public debt, but including loans and investments, from April 6, 1917—the day that war was declared upon the Imperial Government of Germany—to January 31, 1919, but 13 days ago, amounts to $26,509,703,828.39. The total receipts from taxes from April 6, 1917, to January 31, 1918, amount to $6,040,355,523.17.

The bond issues, including the first, second, third, and fourth liberty loans, amount to $16,966,938,000, and the $6,000,000,000 that no doubt will be offered by our Government this coming April and which no doubt will be taken by the people and the banks of the country, will make the bond issue to June 30 of this year, in round numbers, $23,000,000,000.

I take it for granted that no one will question the fact that the obligations which the Government of the United States must meet for the year beginning July 1, 1919, and ending June 30, 1920, or the coming fiscal year, will be $10,000,000,000. How are we providing to meet those obligations? I digress here long enough to say that $10,000,000,000 will not cover the appropriations that will be made and the demands that will have to be met by our Government for that year. But what provision are we making to meet the same?

This bill, Mr. President, when it becomes a law, proposes to raise by taxation $4,000,000,000 for the fiscal year 1919–20. It will not raise that amount; it would not even raise that amount if business for the business year 1919 should be as good as it was for the year 1918. If profits should be as great in 1919 as they were in the year 1918, the bill will not raise $4,000,000,000; but is there a man in all the United States who would even suggest that the profits for the year 1919 will equal those of 1918? Mr. President, I know of whole lines of business which made exceptionally large profits in the year 1918 which will not make sufficient to pay ordinary dividends during 1919; and when this bill becomes a law, under the exemptions that are given and under the relief provisions incorporated, those whole lines of business in this country will not be compelled to pay one cent of taxes for 1919. Then, tell me that we are going to raise $4,000,000,000 from this bill. It is impossible.

How shall the necessary amount be raised? There is only one other way, and that is by selling bonds. I might add there is another way, namely, by amending the law, but I doubt whether that can be done in time. So I want the American people to know that when this impending proposed bond issue is disposed of, amounting to $6,000,000,000, it will only take care of the obligations under which the Government rests up to and including June 30, 1919, or the present fiscal year; and if the obligations of the Government for the coming fiscal year amount to $10,000,000,000, we might just as well know now—and better now, perhaps—that there must be sold for that year at least $6,000,000,-

000 worth of bonds or else we must convert the obligations of foreign countries to us into money, and with that money pay the running expenses of our Government.

Mr. President, I have prepared a bill for that purpose. I think action along that line should be taken, and I am going at this time to read the proposed bill—it is not long—so that the Senate may see just what I have in mind in the way of legislation. I say to Senators that we must begin at once to secure revenue from any and all sources that are within our power; and as we hold some $8,300,000,000 of foreign obligations, drawing the same rate of interest as our liberty bonds are drawing, if there is any way of converting them into liquid assets for our Government, that is one of the first pieces of legislation that ought to be passed by Congress. I think this proposed bill, if it should become a law, would accomplish that result. The proposed bill reads as follows:

Within 20 days after the passage of this act the Secretary of the Treasury shall negotiate and arrange with the Governments of Great Britain and France, Kingdom of Italy, Kingdom of Belgium, Kingdom of Roumania, and other governments whose obligations are held by the Government of the United States, through their duly accredited representatives to the United States, all of whom are indebted to the United States in large sums of money by reason of loans made to them from time to time by the United States, that such loans be converted into marketable and salable securities, either bonds or debentures, with coupons attached, negotiable in form, payable in dollars and in lawful money of the United States, either to bearer or the registered holder of same, having a maturity of not less than 5 years nor more than 25 years, and bearing a rate of interest of not more than 6 per cent per annum or not less than 5 per cent per annum, payable semiannually, payable in dollars in lawful money of the United States, which bonds or debentures shall be divided into denominations of $1,000, $500, $100, and $50, lawful money of the United States.

The Secretary of the Treasury is hereby authorized and directed to indorse on each and every such bond, debenture, or obligation, payable as aforesaid, a guaranty on behalf of the United States Government, guaranteeing to bearer or the registered holder of said bond, debenture, or obligation the payment of the principal of said bond, debenture, or obligation, together with the interest accrued thereon from time to time until maturity. Said obligation may contain a redemption privilege at par and accrued interest from and after a date agreed upon between the Secretary of the Treasury and the government or governments issuing such obligations through their accredited representatives; that the said bonds and debentures may be redeemed in the following manner:

When the Secretary of the Treasury shall receive from the foreign government or governments issuing such bonds, debentures, or obligations the principal and interest due, on or before the date fixed in the said bond, debenture, or obligation for its redemption, he shall advertise the fact that the said bonds, debentures, or obligations will be paid, together with the accrued interest, on a date mentioned in two newspapers published in the principal cities of the United States having a population of over 250,000, and on and after the date mentioned in such notice the interest on said bond, debenture, or obligation shall cease. The coupons only up to the date of the redemption period shall be attached to said bonds or debentures.

The Secretary of the Treasury is hereby authorized and directed to offer the said bonds or debentures for sale at a price of not less than par and accrued interest from the date of issue.

The bonds and debentures shall be printed and engraved in the United States of America, in the English language, at the expense of the foreign government or governments issuing the same, and shall be signed by the ambassador or an accredited representative of such foreign government to the United States having such power.

That no act of a foregin government shall relieve the United States from its guaranty.

Then, Mr. President, I provide a sum of money for carrying the provisions of the measure into effect.

I think that if such a measure or some legislation similar to it were enacted the obligations which the Government now holds in the form of notes—for that is all we have—could be sold in the open market, not only in this country, but in all the countries where there is money to invest in securities of this character. I take it for granted, of course, that now would not be a very good time to dispose of those obligations; but I think that many of our institutions would buy them, particularly so if our banking laws were changed so that they could be taken as security by the Federal Reserve Board and Federal reserve notes issued thereon, just the same as our own Government notes are treated. In this way, Mr. President—providing, however, that the obligations were all sold, and that from the pending bill we raised $3,000,000,000 instead of $4,000,000,000—it would be possible for the Government of the United States to pay their obligations for the coming fiscal year without issuing any further bonds of our Government. We must remember, however, that with the bonds that are to be sold in April of this year, together with the liberty bonds that have been already issued and sold, the total amount will be, as I said before, $23,000,000,000; and in case we do not dispose of these foreign obligations in the form I have designated, or some other form, there will be added to that $23,000,000,000 for the coming fiscal year at least $7,000,000,000 more.

I notice that there was in the Treasury of the United States on February 11, 1919—that is only two days ago—a credit of $1,325,862,440.73. When the President of the United States signs the urgent deficiency bill, the report on which was adopted here this morning, repealing certain appropriations that were made for the years 1917–18 and 1918–19, amounting to over $15,000,000,000, there will not be one single, solitary cent more in the Treasury of the United States than there is to-day.

Mr. KING. There will be less, because we will have spent some of the money that is in there now.

Mr. SMOOT. During the day; yes. But from the mail I receive from all over the United States I gather that the understanding has gone forth, and it is absorbed by all classes of people, that when we repeal the $15,000,000,000 of appropriations made that $15,000,000,000 goes immediately into the Treasury of the United States, and therefore there is no necessity of passing this bill. Why tax the people when $15,000,000,000 are immediately turned back into the Treasury of the United States? Mr. President, there is not a cent turned back.

I have received pleading letters from all parts of the United States to defeat the conference report on this bill and allow the taxes to be imposed under existing law. It was stated by one of the Senators the other day that these appeals came from the big interests of the country. Ah, Mr. President, I wish that that were true. We could dispose of it very quickly then. But I want to say to you that this bill is burdensome beyond measure upon the small institutions of this country. They are the ones that are pleading for its nonenactment. They are the ones that will suffer most. Yet I think it is best to have the country know the true financial situation of its Treasury, and then I believe that the people of the United States will with a great deal more readiness pay the taxes imposed.

I recognize the high cost of living to-day, and I have wondered how soon the scale of advance will cease and the downward tendency will come. Mr. President, it is not going to come until the circulation of money begins to decrease in the United States. Senators, do you know what it is to-day? Do you know why these inflated prices have mounted as high as they have? Take up a statement of the Treasury Department almost any day and see for yourself. I hold in my hand one dated February 1, 1919; and what do I find? Let us go back to 1880—we can all remember that far back—and what do we find our circulation per capita was? $16.92. What do we find to be the circulation per capita on the 1st day of January, 1919? $55.76—almost four times as much.

Where does this increased circulation per capita come from? How has it happened? Why, let me call your attention to this one fact alone—that at least $27.50 of that increase of the circulation on January 1 of this year comes from the fact that Federal Reserve notes to the amount of $2,630,662,112 have been issued. It is true that we held against those notes on that same date $910,731,705 in gold.

In answering my letters in relation to the pending revenue bill I have stated my attitude upon it. I am not going to repeat it to-day, because I stated my opinion of it, and the changes that I would have made in it, when the bill was under consideration in the Senate. I thought when the bill passed the Senate that the relief provisions were very broad and sweeping, as was referred to by the Senator from North Carolina [Mr. SIMMONS]. As it is reported now, they have been strengthened rather than weakened.

I now refer to the provision which imposes a tax of 80 per cent upon the net income of every corporation which derived in such year a net income of more than $10,000 from any Government contract or contracts between April 6, 1917, and November 11, 1918, both dates inclusive. That provision is entirely new. It was not acted upon by the House nor by the Senate, and when I first read it I could hardly believe my eyes. Why, Mr. President, this provision is not going to affect thousands of businesses in this country that ought to have paid, between the dates named, the highest possible rate of taxation. They have no contracts with the Government of the United States, but they have furnished the goods to a contractor, some of them, at prices that were unjustifiable, and their profits have been exceedingly high. Can you tell me why they should not be taxed, simply because they have no contract with the Government? I can not understand why that limitation was made.

The provisions as to amortization and net losses and obsolescence are about the same as they were when the bill passed the Senate. I notice that in a few cases they have been changed to make the bill, I think, plainer in terms, so that there could be no misconstruction on the part of the Commissioner of Internal Revenue in favor of the taxpayer. The Senator from North Carolina covered those questions quite thoroughly in his discussion, and therefore I shall not go into the matter further.

I thought that the Senate provision imposing taxes on insurance companies, as it finally passed the Senate, should have remained in the bill. Under the provisions of the Senate amendment to the House bill there could be no escape from taxation. It was so perfect a plan that it did not make any difference

whether it was a large company or a small company, they all paid in the same proportion. But the way it is reported there will be discrepancies between companies doing the same class of business, and in many cases where the same amount of business is done with the same profits, one paying nearly double what the other pays in taxes. That should have been avoided, and could have been, but we are told that the House conferees would not yield, and that Senate amendment was lost.

In the case of estate taxes I really thought that the plan adopted by the Senate could receive no objection from the House, unless perchance it was as to the rates imposed. The House provision penalizes the man who has a large family. The Senate provision provided that the tax should be imposed upon the amount received by each beneficiary. Suppose a man dies leaving his estate to five children, and his estate is valued at $500,000, or $100,000 to each of the heirs. Under the House provision the whole amount is taxed at the highest possible rate, yet it is to be divided among the five children. Why should those five children be taxed upon a combined estate, when each of them has only one-fifth of the estate? All that they ought to be taxed is upon the amount that they receive from the estate. In other words, the provision as it stands is penalizing the man who has a family. It is penalizing the children. It never ought to be. Some time or other it will be changed, notwithstanding it failed in conference.

There is one provision that has been put in the bill in conference that I think is a just one, and that is this: Partnerships doing business were not taxed the same as corporations doing the same business; and I have in mind now one partnership the members of which, if this relief provision had not been amended by the conference, would have been compelled to pay nearly $1,000,000 more in taxes than if they had been a corporation and had done the same business, sold to the same customers, and the profits were the same.

Mr. KENYON. How is that taken care of?

Mr. SMOOT. The Senator asks me how that is taken care of. I will say that the conferees inserted a provision in the bill allowing partnerships to incorporate within a certain limited time; and if they do, they are taxed the same as corporations are taxed doing a similar business.

Mr. President, I, of course, never was enamored of the consolidated returns. In some cases there is no doubt but that they ought to have been allowed to make, and an injustice would be done unless they were allowed to make, a consolidated return. But reflecting over the whole United States, and taking into consideration all of the business, I am afraid that there will be a greater injustice done by allowing these consolidated returns than there would be if they had been prohibited. The House provided a specific prohibition against them, but the House yielded to the Senate, and the provision reported in the conference report is a modification of even what the provision was when it passed the Senate.

I am not going to discuss the zone system, Mr. President. I had no faith from the beginning that it was going to remain in the bill. I saw it go in the bill, and at the same time I felt that it was going out before the conference report would be returned to the Senate. In fact, before ever the conferees met, before ever there was a date set for the meeting, I saw in the public press what purported, at least, to be a statement of one of the conferees that if it remained in the bill there would be no revenue legislation; or, in other words, every Senate amendment in the bill could be agreed to but that amendment must not. I suppose the conferee had a right to make that statement. I frankly admit that I am not in the least surprised that it is out of the bill.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. SMOOT. I do.

Mr. MOSES. That being the case, may I ask the Senator what has become of the sacred principle of majority rule, to which the Senator from Nebraska [Mr. HITCHCOCK] so eloquently referred this morning?

Mr. SMOOT. I will say to the Senator that in conference reports the majority do rule in what they yield to and what they do not. The Senate agreed to the amendment. A majority included it in the bill. Then a majority of the conferees allowed it to go out.

Mr. PENROSE. Mr. President, will the Senator permit me to interrupt him one moment on that point?

Mr. SMOOT. Yes.

Mr. PENROSE. Of course, the Senator from New Hampshire will realize that each side only has one vote in a conference, and it is not a question of a majority of 10 conferees; it is a question of an agreement on the point at issue.

Mr. SMOOT. The Senator will also admit, however, that if there are three conferees on the part of the Senate and three conferees on the part of the House, and two of the conferees of the Senate and two of the conferees of the House sign the report, the conference report can be made.

Mr. PENROSE. Oh, of course. That is a majority of each side; but it has to be either a complete agreement or a complete disagreement upon the point in controversy. It is not a vote of the majority of all present.

Mr. MOSES. I hope the Senate conferees are not making a confession here that they were terrorized by one of the House conferees.

Mr. SMOOT. No; I do not think they were terrorized, Mr. President. I think, however, that one of the conferees on the part of the House had made up his mind that the zone amendment should not remain in this bill, just as he stated to the public press, and it was sent broadcast.

Mr. MOSES. That furnishes an illuminating example of how to get legislation.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. Certainly.

Mr. SIMMONS. While I agree with what the Senator from Utah says about one of the conferees, I think it fair to say that that conferee, in his expression of opinion in opposition to this particular amendment of the Senate, was supported by two of the other conferees, making a majority of the conferees on the part of the House.

Mr. SMOOT. Mr. President, I do not doubt the statement made.

Mr. PENROSE. And further than that, if the Senator will permit a further interruption, as the Senate amendment was a change of existing law, when a deadlock was reached it was clearly the duty of the Senate to recede under all the rules governing a conference.

Mr. SIMMONS. That would have been the rule, provided it had been demonstrated that a failure to recede would result in the defeat of the bill.

Mr. PENROSE. Yes.

Mr. SMOOT. I was going to say, however, if the Senator wanted to pull that old rule on me, that I am perfectly aware that that is one of the understandings between conferees; but if that was the case I can pick up this bill, and I can go through it almost from the first page to the last and find that it was not put into force.

Mr. MOSES. Mr. President, may I suggest to the Senator that this particular amendment affecting second-class rates was an amendment which was more exhaustively debated in the Senate than any other amendment the Senate added to the bill? It was an amendment that produced a close division of opinion, and it was decided by a record vote, as I remember, not only by a division but by a call of the yeas and nays. It seems to me that the Senate might have had an opportunity to pass upon it again to determine whether the conferees should recede or not, inasmuch as this was an amendment which affected a very great number of interests, a very large number of people, and an amendment which provoked a sharper division than any other amendment which the bill contains. We are told that it went out because of a newspaper publication a few days before the meeting of the conferees, and that one conferee insisted that there should be no legislation at all if that particular amendment were retained.

Mr. SMOOT. I will say to the Senator that when the existing revenue law was being discussed by the Senate and when that bill was before the body the same identical amendment was offered to it, and the Senate overwhelmingly adopted the amendment. It went to conference, and it went out in just exactly the same way.

Mr. MOSES. Then it is apparent that the last expiring kick of some statesman is as effective as his most vigorous efforts when he is in full possession of his strength.

Mr. SIMMONS. I do not know that I fully appreciate the observation of the Senator from New Hampshire. So far as the conferees on the part of the Senate are concerned, there was absolutely no division between us as to this particular amendment. There was practically no division upon the part of the House conferees in opposition to the amendment. The two Houses locked horns on this proposition from the very beginning. The conferees on the part of the Senate exhausted every possible means of securing favorable action upon it.

I agree with the Senator from Utah in his statement that this was among the last provisions in the bill acted upon. The matter came up repeatedly during our deliberations, and we always found the same disagreement with respect to it. It was retained as one of three or four other amendments which were in ultimate dispute between the conferees; and upon those three or four amendments, upon which we had made but very little progress toward an agreement, we deliberated for a very long time. I think we consumed toward the close a day and a half in controverting those three or four amendments. Finally, we reached a conclusion as to all four of them at the same time.

So everything that it was possible to do on the part of the Senate conferees to save this amendment was done. I do not think there was a more ardent advocate of this proposition in the Senate in reference to this matter than I was myself, and I think I can say that with reference to every one of the other Senate conferees.

Mr. SMOOT. I thank the Senator for the statement he has just made. I never doubted but what he had done so. But, Mr. President, I knew that every one of our conferees wanted this bill to pass, and I believe I knew that the whole bill would be sent to the bone pile rather than to have the amendment incorporated into the law.

I would like to see the whole question of second-class mail matter taken up by the Post Office Committee, and I admit that that is the proper committee to handle it, and thrash out the whole question, and do it before the 1st day of July, 1919, if possible; and if not possible, at the earliest possible date thereafter.

Mr. President, I am not opposed to the imposition of additional taxes upon second-class mail matter, but I am opposed to the quoting of a report that was made some years ago showing the cost of handling it, and I say now that it was based upon a false calculation.

Mr. MOSES. Is the legislation attempted to be sustained by the Senate conferees also based upon that false calculation? Is the whole structure based upon a foundation that has no truth in it?

Mr. SMOOT. The report is based upon a foundation in which there is no justice. There is not a Senator who does not know that you can handle a ton of second-class mail matter for less than you can handle a ton of first-class mail matter, not only in the cost of transportation over the railroad lines, but in the distribution of it. If we are to raise the rates, let them be raised, but for heaven's sake do not chop this country up into zones. No other civilized country does it. I feel mortified as a citizen of the United States when I am told that from my own State a magazine can be sent to the farthest end of India for less money than it can be sent from my State to an adjoining State. You can not defend that.

As I said, if there is to be an increase, let the rate be increased, and let the policy of all other civilized countries and that our own country has followed up until July 1, 1918, be pursued, that the information carried through the public press shall be carried to all parts of the country and to all citizens thereof at the same rate.

Mr. President, I do not feel like taking the time of the Senate any longer. All I am going to do is to plead with the Senate to study the financial condition the United States is in, to study the obligations that our country must meet, and, if possible, learn how they are to be met and oppose any legislation proposed that has a tendency to place burdens upon the people by way of taxation, vote against it, and let us get back to normal conditions as quickly as possible.

Mr. SHERMAN. May I inquire of the Senator about the deliberation of the conference committee on a matter that I think affects very materially the revenue?

Mr. SMOOT. I yield to the Senator.

Mr. SHERMAN. There will be no war profits after a while. Just when they will cease no one can definitely state. The excess profits depend upon private enterprise, upon the returns that can be had upon invested capital, and the industry and the ability of the managers of the business.

Did the conference committee take into account the fact that the Government appears to be retarding private enterprise so as to reduce the excess profits? I have had a number of requests, some complaints, I can say to the Senator, from very large industrial centers in the Middle West, where they can not get freight rates that will enable them to live, where their business can not be conducted at anything but a loss, where they can not conduct some of their business at all, where crushed stone, building brick, and road material is to be used, because the freight rates are at a figure where they can not without losing money engage in the business, and sometimes they are unable to get any freight at all.

Then, again, on the seacoast, in certain port cities, the manufacturers find where they have an export business or are importing certain lines of what to them is raw material they can not bring from Spain or Cuba that material needed in their manufactories because they can not get freight rates. The freight rates were under contracts when the war began. Private steamship companies were commandeered, and the contracts were enforced. The contracts were made with an idea of transacting business at a fair margin of profit. Of course commandeering the ships ended the contracts. The ships are now in the hands of the Shipping Board of the Emergency Fleet Corporation, taken from private owners. These contracts are suspended. Now, in the coast cities the big manufacturers, some of one kind and some of another, can not get freight rates except at war figures. Great Britain has reduced her freight rates by one entire horizontal reduction of 66⅔ per cent.

Men come to me who are managers of large enterprises and say that unless the ocean freights are reduced they can not get their raw materials to make pay rolls or to make excess profit. So at both inland and at port cities we find the same difficulty.

Has the Senator or the conference committee considered—of course we can only approximate—that unless the Government shall do some of the things that will resurrect private enterprise some of the revenues are bound to turn up less than we think?

Mr. SMOOT. I will say to the Senator from Illinois that the conferees could not take into consideration the freight rates that would be imposed on the shippers of the country by the Railroad Administration. The Senator was out of the Chamber when I referred to what the profits, in my opinion, would be of the calendar year 1919, the present year, upon which the taxes would be imposed. The report upon the bill intimated at least, if it did not virtually state, that the bill would raise $6,000,000,000 on the business of 1918, then the amendments that were offered to the bill providing for the imposition of taxes the following year—1919—would raise two-thirds of that amount, or $4,000,000,000. If the bill should raise for 1918 $6,000,000,000, and, by the way, it will not raise it, but if it should, no man will say that it would raise $4,000,000,000 under the business that will be done for the year 1919.

I do not want to go over that question again, but unless business should be wonderfully improved from what it has been since last November after the signing of the armistice, unless it begins immediately to improve rapidly, we will not collect under this bill if it is the law much to exceed $3,000,000,000.

The Senator from Illinois points to the railroad rates as affecting some industries in his State. I received a telegram only yesterday calling attention to the fact that the rate upon low-grade ore from a certain mine in Utah to the smelter before the Government took the railroads over was $1.75 a ton and now it is $4 a ton. It was a low-grade proposition, and they find themselves now, with copper at 18 cents instead of 26 cents, in a position where they must close down entirely or have a change in the freight rate. They do not get enough out of it to pay the freight. That is only one instance. I can cite to the Senator hundreds of such cases.

There will have to be a rearrangement of the rates charged at present for freight, or else untold numbers of businesses will suffer. It was all very well, and nobody objected to them paying the higher rate while they were procuring for the products a high price. Not long ago they were paying 11 cents a pound for lead. What is it to-day? Five and one-fourth cents a pound, yet the freight rates are the same as when the price was 11 cents.

I do not know what is going to be the result in the end, but I do know that the business of the country can not go on as it has been going. I do know that the high cost of living in this country must change. I also know that the American industries can not pay the rates of freight nor pay the salaries they are paying to-day, with the taxes that are imposed upon them and will be imposed upon them, and compete for the markets of the world. I know there must be a reconstruction.

I hope that the loyalty and the patriotism of the American people as a whole will recognize the fact that capital and labor must be brought closer together, that one will take the other into their confidence and figure out just what can be done, and that all, if possible, yield a little, and let us get business again running under normal conditions and have a happy people and a prosperous country.

So, Mr. President, I think the statesman of to-day has before him questions of the most serious nature to solve. I think if the statesmen to-day bring this country through the perils into which it is passing they must think more of country than they do of party, and if ever wisdom was needed by mortal men it is needed at the present time.

Mr. SHERMAN. Mr. President, I have not followed the details of this measure, but there are certain features of the bill that seek to collect a large amount of revenue. That along the line mentioned by the Senator from Utah I have been very much interested in, because of the effect it will have on the Treasury, as it is directly connected with the bill.

Another and a much more important effect will be on the business enterprises of the country, not only what is ordinarily included in the term "business" but the agricultural and mining enterprises that are now finding it very difficult in many places to run at a profit.

What concerns me is the condition in which I find many business enterprises. I will take one that is not from my own immediate country. A very large manufacturer of fertilizer at an Atlantic coast port had been shipping from Europe a quantity of raw material. It developed that the supply could be obtained in one of the islands in the Caribbean Basin. That supply was developed by private enterprise until it furnished all the plant needed. They had a contract with a steamship company for the transportation of the material. Until the steamships were commandeered it could be done at a fair profit. It would justify the conduct of the business and would make some excess profits as a source of revenue. It belongs to that class of corporations in which all beyond a certain profit that is stipulated in the bill or in the old law would be considered excess profits, and it would contribute a very large sum of the money to the public receipts. With the commandeering of the ships the contract ended. The Government assumed operation of the boats, and it was no longer possible for the company to obtain its ocean carriage.

The Shipping Board still has all that tonnage. It and the Emergency Fleet Corporation acting together have authority to return the ships to the private owners. That is a matter of discretion. They could do so now, possibly, although technically the war is not ended and will not be until the peace treaty is ratified in this Chamber.

There is no way of obtaining anything like adequate ocean freight rates under present conditions. Those rates are maintained by the Shipping Board at the war figures, not the figures that were provided for under their contract, on which the company intended to do business in the future, but war figures of that high type that belong to all war figures. There is no readjustment possible unless by and with the consent of the Shipping Board.

So this and other enterprises situated in a like way find themselves disabled from transacting business. How many, if a census were taken, that are engaged in export or import business there would be I am unable to say. I know that coming to my table there are very large numbers of them that already have made their embarrassments known. So we are greatly concerned in finding whether the Shipping Board will be justified in returning the steamships to their private owners. If that were done, then freight rates become matters of private contract.

I purposely selected from a number of high-priced rentals and merchandise the letter which I had inserted in the RECORD this morning. The Housing Corporation, which is a Government agency, is returning to the private owners in the city of Washington property in order that the landlord may rent it out at war rents.

The extreme celerity with which property can be returned to landlords and the very great delay in returning steamships to their private owners, while one is of much greater interest than the other, indicates that the Government departments need coordination. The property is returned by the Government to landlords so rents can be raised. Merchant ships would be returned by the Government to the owners so rates could be lowered. They do not pull together; they do not think alike; they do not act alike. If there is a reason for returning property in Washington to the landlord and the owner to rent, then there is a reason why, in a much larger way, the shipping ought to be returned to private steamship companies in order that adequate rates may be made. In the last instance rates would be lowered, and the Government does not act. In the first instance the rent is raised, and the Government acts promptly. That is particularly interesting, Mr. President, when Great Britain has cut all her rates by 66⅔ per cent on ocean freights. If the company or companies along the Atlantic coast are to compete in the sale of their products with the countries of Europe, and especially Great Britain, they must have a freight rate on the ocean equal to that given by the English ships or by the English Government; otherwise it spells extinction in a very short time.

I wish to continue at some length on this subject, Mr. President; but in order to accommodate the chairman of the Committee on Finance [Mr. SIMMONS], if it is agreeable, I will yield the floor and continue my remarks under some other head.

Mr. PENROSE. Mr. President, the chairman of the Committee on Finance, for personal reasons, is very anxious to have final action upon this measure to-night if possible; and I should be very glad if the Senator from Illinois would now suspend his remarks until a later occasion, in order that we may dispose of this bill before adjournment to-day.

Mr. SHERMAN. I shall be very glad to do so.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. JONES of Washington. Mr. President, I think we ought to have a quorum present before disposing of a matter of this importance.

The PRESIDING OFFICER. The Senator from Washington suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Martin, Ky.	Sherman
Baird	Johnson, S. Dak.	Martin, Va.	Simmons
Bankhead	Jones, N. Mex.	Moses	Smith, Ariz.
Calder	Jones, Wash.	New	Smith, Ga.
Chamberlain	Kellogg	Norris	Smith, S. C.
Colt	Kendrick	Nugent	Smoot
Curtis	Kenyon	Page	Spencer
Fernald	King	Penrose	Sutherland
Fletcher	Kirby	Pittman	Swanson
France	La Follette	Pollock	Thomas
Frelinghuysen	Lenroot	Pomerene	Thompson
Gay	Lewis	Ransdell	Townsend
Gerry	Lodge	Robinson	Trammell
Gronna	McCumber	Saulsbury	Warren
Hardwick	McKellar	Shafroth	Weeks
Henderson	McNary	Sheppard	

Mr. LEWIS. Let me at this time announce the absence of the Senator from Delaware [Mr. WOLCOTT], the Senator from North Carolina [Mr. OVERMAN], and the Senator from Minnesota [Mr. NELSON], all three being engaged on committee work.

Mr. BANKHEAD. I desire to announce that my colleague [Mr. UNDERWOOD] is necessarily absent.

Mr. SAULSBURY. I desire to announce that the senior Senator from Maryland [Mr. SMITH] is still confined to his house by illness.

The PRESIDING OFFICER. Sixty-three Senators having answered to their names, there is a quorum present. The question is on agreeing to the conference report.

Mr. TOWNSEND. Mr. President, for fear that there will not be a record vote on the adoption of this report, I desire to state that I could not support the bill when it came from the committee; I voted against it in the Senate, and I shall be obliged to vote against the adoption of this report.

I recognize the importance of having a large sum of money with which to meet the expenses of the Government. I realize that those expenses are not going to be very materially lessened during the next year. I voted for some measures of the committee as emergency measures after we had practically completed the bill, containing many provisions which I did not like. Then, the new proposition of injecting the same system of taxation into 1920 was presented to the committee and passed by a strictly party vote. I think it is a most serious question. I think that all we have a right to do is to legislate for the present necessity; that is bad enough, and we know little enough about it. We have learned some things since we reported the bill and passed it through the Senate which would have influenced us in framing a new measure at this time. We shall learn a great many things before the expiration of the present fiscal year and in time to act more intelligently upon next year's revenue bill.

I know it is useless for me to occupy the time of the Senate in opposition to this report, but I feel that this is my only opportunity to express my views concerning and my opposition to the measure. I hope that there will be a roll call upon the adoption of the report, but, if there should not be, I desire it understood that I shall vote against the measure.

The PRESIDING OFFICER. The question is on the adoption of the conference report.

The report was agreed to.

Mr. SIMMONS. I send to the desk and ask to have read a resolution with reference to the printing of the revenue bill.

The PRESIDING OFFICER. The resolution submitted by the Senator from North Carolina will be read.

The Secretary read the resolution (S. Res. 453; S. Doc. No. 385), which was considered by unanimous consent and agreed to, as follows:

Resolved, That the bill (H. R. 12863) to provide revenue, and for other purposes, as agreed to in conference and passed by the Congress of the United States be printed as a Senate document, and that as many additional copies as can be obtained for $500 be printed for the use of the Senate document room.

STATEMENT OF BILLS INTRODUCED BY SENATOR SMOOT.

Mr. McKELLAR. Mr. President, in my colloquy with the Senator from Utah [Mr. SMOOT] this afternoon I referred to certain figures, which I ask unanimous consent to have printed in the RECORD as a part of the remarks I made at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER. Mr. President, I ask that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. FLETCHER. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, the amendments of the committee to be first considered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? The Chair hears none, and it is agreed to.

AMERICAN TROOPS IN RUSSIA.

Mr. LEWIS. Mr. President, the Senator from Florida [Mr. FLETCHER] yields to me for a moment, and I ask the attention of the senior Senator from Massachusetts [Mr. LODGE]. I wish to refer to him and comment on his remarks made a few moments past.

Mr. President, the morning hour closed at 2 o'clock, while the debate was on concerning the disposition of the resolution of the junior Senator from California [Mr. JOHNSON] touching our troops in Russia. During that debate the eminent Senator from Massachusetts, if I heard him correctly, made reference to matters that should have been responded to then and there, but which could not be for lack of time.

The Senator from Massachusetts, I fear without intending to do so, intimated to the country at large that the policy of the United States respecting the course in Russia had to be learned by American Senators from the premier of Britain, Mr. Lloyd George; and the able Senator said that, so far as he was concerned, he, for the first time, learned of the policy of his own country—this, our country—from these pronouncements of the English premier.

Mr. President, I fear that that statement, not being understood by the public as being an observation made rather parenthetically in a debate such as we had this morning, will be assumed to mean a charge on the part of the able Senator from Massachusetts that this country has to look to England to ascertain the foreign policy of the United States, particularly as to the present difficulties. If once those who have respect for the able Senator from Massachusetts and who attach importance to all utterances from him should really believe that we had ever gotten into such a position that we could not guide ourselves, and took our guidance from England or any other foreign land, there would arise in the United States from a most respectable quarter of our citizenship a revolt and feeling of resentment. Such a declaration, if accepted on its face, would rob the President of the United States of the confidence of his countrymen, which, above all times in the world, he needs now. It would infuse into the minds of thousands of very worthy people of this country the idea that the United States has surrendered its policy to England and allowed England to direct the course and to suggest the policy, and then, when suggested, and only when suggested by England, is it adopted by the United States.

Mr. President, I am sure the able Senator from Massachusetts will say to the country that in a matter where the allied council had authority to act, as, for instance, touching the sending of troops into Russia while we were at war, and for which, as the Senator from Massachusetts said, there was justification and legitimate reason, however much subsequent events might have changed his opinion as to what should be done now, he will admit, for instance, that when the allied council had taken a step in unity it was natural that any one of that council should thereafter speak as to what the united council did. That in the case of France, Britain, and the United States Lloyd George should assume to say what was the policy moving the council simply as spokesman of a trinity of powers equal one to the other, the United States, Britain, and France. If we know that Mr. Lloyd George has assumed to speak the policy as to Russia of the allied council, including these three countries, let us recall that President Wilson has been permitted to speak the policy of these three respecting the league of nations, and therefore on the basis of the charge of the Senator from Massachusetts might be charged in the Parliament of Britain with having directed the policy of England, which, certainly, I trust the President of the United States would never intrude himself to do or assume that this country every empowered him to do.

Sir, for himself, I freely say that if I thought Lloyd George, as an officer of the British Government, the premier of its legislative chamber, and the director of British governmental policy, had assumed to speak the policy of the United States ex cathedra of his own volition and held out to our country that he had been licensed to do so, here in my place I would dispute his authority; I would deny his power; I would repudiate his assertion. But I will not assume that he has ever done such, or that he could be so lacking in diplomacy or wanting in manners as to attempt such.

Therefore, Mr. President, as I know the eminent Senator from Massachusetts did not mean to have his country gain that impression, and feeling that they would gather it from his remarks, I think the correction is due to have it understood to what extent Mr. Lloyd George spoke. He spoke as one of the council, speaking of the policy of the council, and, while it comprehended the United States, it was not an assumption on his part to speak the sovereign policy of this country.

Again, sir, the President of the United States spoke the policy of this country in so far as he could, as read by the eminent Senator from Nebraska [Mr. HITCHCOCK] this morning; and that policy not having been changed by our country, the allied council was the only source anywhere to speak of any war policy now existing. It was the only source through which that policy could come.

I respectfully make these suggestions at this time that we might not have a misunderstanding on the part of any of our countrymen drawn from the remarks of the eminent Senator, who is too good a scholar in the affairs of his country not to know the facts, and too much of a patriot to mislead his Nation concerning them.

Mr. LODGE. Mr. President, I doubt if anybody misunderstood what I said. I did not say that we had to turn to Mr. Lloyd George. I said, as a matter of fact, we had learned from him what the policy of the United States was. His language as given in the paper was this:

"If troops were to be sent to Russia, who should send them? America," he said, "would send neither men, money, nor material."

He was not uttering the opinion of the allied council; he was telling us what the policy of America was, and I have no doubt he knew it—not that he was dictating it; I made no such suggestion—but that he had information which we did not have, and I was very glad to get information from any source.

Mr. LEWIS. Mr. President, I think it will be apparent that Mr. Lloyd George did, as I sought to point out, make denial of the charge that seems to have been made from some source that America singly was attempting to intrude itself into these affairs by sending men, troops, and money for such purpose of assault, such as the eminent Senator from California [Mr. JOHNSON] this morning drew from some matters he read. It is apparent that what Mr. Lloyd George did was to deny that America as America had done such thing, clearly conveying, I think, to all of us the knowledge that what was done, for whatever reason it was done, was, of course, the act of the allied council.

Mr. LODGE. He did not say what America had done and did not deny any charge. He said:

America would send neither men, money, nor material.

I suppose he got his information from the President when he was in Paris.

Mr. LEWIS. Of course, whatever supposition both the Senator and myself indulge is a matter for which we have to take responsibility to ourselves, but I think we now clearly understand the record.

I thank the Senator from Florida for yielding.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. FLETCHER. Mr. President, perhaps I may be permitted to do the unusual thing of referring briefly to the bill before the Senate. Before the reading of the bill is begun it may be appropriate to call the attention of the Senate very briefly to the nature of the bill; and in doing so, in order to save time, I will ask Senators to consider the report which is filed in connection with the bill, and which is quite full. It embraces the report of the House committee also on the same subject.

It will be seen that this is the annual river and harbor appropriation bill for the next fiscal year, and its enactment at this session is necessary in order to maintain existing improvements, to continue work upon improvements heretofore authorized and not completed, and to adopt new projects or modifications which are essential to meet the demands of transportation and commerce. The bill takes care, therefore, of the maintenance of projects already completed, so that the work will not go to waste and we will not lose the benefit of what has been done in respect to those projects which have been completed. Then it takes care of continued improvements upon projects which have already been adopted, which are under way, and which it is deemed necessary and advisable or needful, in any event, should be continued. There are some new projects included in this bill, all told about 75, I believe. There have been reported to Congress 200 projects which have been approved by the Chief of Engineers upon the recommendation and findings of the Board of Engineers for Rivers and Harbors, the district engineers, and the division engineers throughout the country. From that list of over 200, or thereabouts, the House committee selected some 70 projects. The Commerce Committee of the Senate has added, as I recall, about five projects to those selected by the House committee, and they were selected upon the basis as mentioned in the House report, as follows:

In the selection of new projects the committee have been particularly studious and critical. No new project is included which had not been reported by the Chief of Engineers. Each report was examined and supplemented usually by later information from the Chief of Engineers. Full and free discussion was encouraged during the committee deliberations. It is believed that a full investigation by the Members of the House will induce agreement with the conclusions of the committee.

It will be recalled that we have not had for the last two years a river and harbor bill that covered more than the maintenance and continued improvement of existing projects and such few additional projects as were considered necessary for the prosecution of the war. The two bills immediately preceding the pending measure were enacted during the stress of war. For obvious reasons, as the report shows, it was deemed necessary in those bills to curtail and reduce to the limit appropriations for maintenance and further improvement and to confine the new projects to such as were associated with the progress of the war. This policy was applied to both of the preceding bills. So that now we have extended the improvements to some extent so as to include new projects which, although not absolutely necessary for the prosecution of the war, are meritorious projects recommended by the engineers and needed for the proper development of our transportation facilities.

The Annual Report of the Chief of Engineers for 1918, comprised in three volumes, which I have here and which is accessible to every Senator, gives information as to all the items of this bill, in addition to others which have been heretofore adopted and are under improvement, together with a statement as to the financial situation respecting each item, the amount heretofore expended, the amount now available and still on hand, and the amount needed to prosecute the work for the next fiscal year.

This bill is intended to provide means for carrying on these public works for the year beginning next July and ending June 30, 1920. The amounts in the bill may be summarized under these heads, as follows:

For existing projects, for maintenance, the House bill carries $3,183,000. The amendments reported by the Senate committee change that to $3,707,300.

For further improvement and maintenance—that is, for prosecuting the work and for maintenance where the project has not yet been completed but is under improvement—the amount carried by the House bill was $6,840,200. The amount carried by this bill as reported from the Commerce Committee is $5,809,400.

On one project, that of the Delaware River, Pennsylvania, New Jersey, and Delaware, Philadelphia to the sea, we reduced the amount carried in the House bill $1,500,000. That was done for the reason that the amount already on hand, heretofore appropriated and now available, together with the amount which we provide in this bill of a million dollars, will be all the engineers can possibly use for the next year; so that we felt justified in reducing that item, not by way of diminishing the work or lessening the improvement or changing the project in any way at all, but because, as I have said, the amount already available and on hand for that project, together with the amount which we provide in the bill, will be all that the engineers can economically use. So that there is reduction in the item of improvement and maintenance made by that change in the bill.

For further improvement the House bill carries $8,028,300, while the amended bill carries $12,288,300.

As to the new projects I will say that these items are increased upon the recommendation of the engineers, because since the report came in in December, 1918, they have seen the need of additional funds with respect to certain projects, and have recommended an increase in the amounts they submitted in their report to the House.

The new projects are, generally speaking, modifications of existing or old projects. Some are entirely new, but most of them are of that character.

For maintenance, the House bill carried $187,000, and the bill as reported carries $187,000.

For improvements under the head of new projects, those I have last mentioned, the House bill carries $8,725,844, and the bill as we report it carries under that head $10,460,364.

For examinations, surveys, and contingencies, the House bill carried $150,000. The bill as we report it carries $250,000, upon the recommendation of the engineers that they will probably require more than this $150,000 to make the surveys provided by the bill. They are not sure that they will need the additional $100,000; but in order to be safe they have recommended it, and the committee has accepted it upon their recommendation. Of course, if they do not need the entire $250,000 for carrying out this part of the measure, making surveys and investigations and examinations, then it will not be used, and it is made available for the next year; but we thought it safe to do as they advised in that respect, because they better understand the nature and extent of the work which they will have to do, and it would be unfortunate if they found themselves, toward the latter end of their work, in a position where they did not have enough funds to prosecute the efforts to make these surveys and examinations as required in the bill.

So that the total carried by the bill as it passed the House was $27,114,344, and the bill as the committee reports it here now, with these amendments, carries $32,702,364. This, it will be granted, is a very moderate appropriation for this great work; and I trust that there will be no delay in passing it as soon as possible, in order that the bill may be completed and these appropriations may be provided for the work during the next fiscal year.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Minnesota?

Mr. FLETCHER. I yield to the Senator.

Mr. KELLOGG. I notice by the report that some $10,000,000 of this appropriation is for new projects. Did the committee consider the proposition of the present cost of making those improvements as compared with the estimates at the time they were made?

Mr. FLETCHER. I will say to the Senator that those are projects which have never been under way at all. They have never been adopted by Congress heretofore.

Mr. KELLOGG. There were estimates, I suppose, as to the cost of those projects?

Mr. FLETCHER. The estimates for them were made some years ago, and some of them several years ago. We have considered that under present conditions there would be an increase in the cost, perhaps, over those estimates, and the bill takes care of that.

Mr. KELLOGG. There must be an enormous increase over those estimates, if they were made several years ago.

Mr. FLETCHER. In some instances, according to the advices and recommendations of the engineers, that is not the case; they have not advised that it was necessary to increase the amounts beyond their former estimates. In other instances, they do advise that it will be necessary to increase their former estimates.

Mr. KELLOGG. Was any discretion given to the Secretary of War as to going ahead with a project if the increased cost was 100 per cent or more?

Mr. FLETCHER. The committee has considered that matter, and where that sort of a situation arose we have not attempted to adopt the enterprise; and I will state that the decreases recommended by the committee amounted to $2,000,000. The increases are shown by a comparison of the figures which I have mentioned; and a good portion of the increases recommended by the committee will be found under the two items of the Ohio River, construction of locks and dams, $3,000,000, and the Allegheny River, Pa., construction of locks and dams, $1,000,000, making a total increase as to those items of something like $4,000,000, which accounts very largely for the increase of the Senate provisions over the House bill.

Mr. KENYON. Mr. President——

Mr. FLETCHER. I yield to the Senator from Iowa.

Mr. KENYON. Will the Senator please tell us what the new projects are that were put in the bill by the Senate committee? As I understand, there were five.

Mr. FLETCHER. I think there were five. I have not taken the trouble to examine the bill in that respect.

Mr. KENYON. How are they shown? Are they shown in the bill by the italics?

Mr. FLETCHER. Yes. All the amendments put in here by the Senate committee are shown in italics.

Mr. KENYON. And how much does that amount to? Can the Senator say?

Mr. FLETCHER. As I glance over the bill before me, the new items added in the Senate bill are as follows:

First, the Passes at the month of the Mississippi River, some $550,000, which was recommended very strongly by the chief of engineers in the hearings before our committee. That item was not presented to the House because developments have occurred there at the mouth of the Mississippi which make this improvement necessary, and the engineer recommended it very strongly and insisted on it, and so we put it in the bill. Of course there is no need to say that the Mississippi River is a very important commerce bearer, and it ought to be taken care of. There has been some shifting of the channel there, and there will be some danger of erosion and destruction of former work unless this item can be taken care of.

Then the next new item, as I have it before me, is the Houston Ship Channel, Tex. That item is new, put in by the committee upon the recommendation of the engineers. These reports came in after the bill was under consideration by the Rivers and Harbors Committee of the House. We will deal with those in detail as we reach them, if it is desired; but I will state as to the Houston Channel that local interests are putting up just one-half of the entire cost of the improvement, which seems to be a very liberal contribution on the part of local interests. If the local community is willing to spend half as much as the entire improvement will cost, it would seem to be a pretty good indorsement of the merit of the project.

The other items added are the Ohio River, construction of locks and dams——

Mr. KENYON. Is that continuing work on the Ohio River?

Mr. FLETCHER. That is continuing work. I will say to the Senator that the total amount of the Ohio River project which has been adopted by Congress will be found to be as follows:

The total expenditures to June 30, 1918, amounted to $46,235,306. The amount estimated to complete the project is $23,265,488. The outstanding liabilities and contract obligations are $3,587,320.

Mr. KENYON. Was that to be carried along at the rate of $5,000,000 a year, or was any amount specified? My understanding of that in the past was that it was $5,000,000 a year. This amount seems to be $3,000,000. I am not urging that it be increased, of course.

Mr. RANSDELL. Mr. President, if the chairman of the committee will permit me, I will state that in the act of 1910 this project from Pittsburgh to Cairo was formally adopted, and it was understood that it would go on at the rate of about $5,000,000 a year until completed, and since then it has been carrying $5,000,000 a year. The only reason why we did not give it $5,000,000 this time was because there was a very large sum of money on hand; the engineers had not been able to expend the money, on account of the war, which had taken so many of their skilled men. They have quite a large sum on hand, and that is why we did not give them the full amount this time.

Mr. KENYON. That is the reason why it is now $3,000,000 instead of $5,000,000?

Mr. RANSDELL. Yes, sir; that is the reason. They wanted to go on particularly with three or four locks, and we gave them that amount. They urged it strenuously upon us. In fact, although at first they thought they could get along without anything, they came in finally with a supplemental estimate asking for $5,000,000.

Mr. KENYON. I should like to ask the Senator from Florida if the Ocklawaha River item was put in by the Senate or by the House?

Mr. FLETCHER. It was put in by the Senate.

In the case of the Allegheny River there is a new item of $1,000,000.

For Duluth-Superior Harbor, Minn. and Wis., there is an increase by the Senate committee of $9,000.

For Erie Harbor, Dunkirk, and Buffalo Harbors, there is an increase of $125,000.

The increases are shown on page 4 of the report. Just which ones of those are new projects, of course, can be readily ascertained where the item provides for the improvement in accordance with House Document So-and-so.

The item for Brunswick Harbor we increased so as to complete it, according to the recommendations of the engineers.

The Ocklawaha River item was inserted in the bill by the Senate committee amendment.

In the case of Sarasota Bay, Fla., there is an item of $92,000 to complete the project.

Hackensack River, N. J., is a new project calling for $88,000.

Point Judith Harbor of Refuge, R. I., $17,500, is a new project.

Pawtucket River, R. I., at a cost of $29,720, is a new project.

Beginning with Tenants Harbor, Me., which will be the first amendment we will reach, the committee increased the amount appropriated by the House so as to complete the project. It is a small item; and the committee, as they felt with regard to several other items in the bill, felt that it was not advisable to send a dredge there to partially do that work when the whole work could be completed within a very reasonable limit. The original estimate for that improvement was $12,500; but under present conditions the engineers thought it might require as much as $18,750 in order to complete it, and so we provided for that, and increased the House provision by the difference between $12,500 and $18,750. So with some of the other items as we go through the bill. In some instances the House bill would provide for the completion of certain projects on the basis of the estimates originally made, some of them three or four years ago. We changed the words "for completion" to the words "for improvement" where we kept the figures heretofore reported; and when we put in the words "for completion" we changed the figures to correspond with the estimate of to-day. That is the explanation of the change in the item of Tenants Harbor and some of the others.

Mr. KENYON. Can the Senator enlighten us a little as to the item on page 7, the Delaware & Chesapeake Canal? Is that a new item in the House?

Mr. FLETCHER. That is a new provision, but we made no change in that item in the Commerce Committee. It was adopted by the House. As the Senator will recall, the former bill carried a provision for an investigation and study of that canal, and its probable cost, and whether it would be the part of wisdom for the Government to acquire it.

Mr. KENYON. I remember that.

Mr. FLETCHER. The reports made to the House committee upon the subject, which are available—and I shall be glad to go into that matter in detail when desired—are in favor of the Government's acquiring that canal at the figure of $3,000,000, and the House therefore provided for it in the bill.

Mr. KENYON. Mr. President, I will ask the Senator if that report is found in House Document No. 196?

Mr. FLETCHER. I think that is the number.

Mr. SAULSBURY. Mr. President, the chairman of the committee has inadvertently made an erroneous statement. He states that this bill carries an appropriation of $3,000,000 for obtaining that canal. Of course, I only have to call his attention to the fact that the figures are $2,514,289.70, and practically $500,000 is for maintenance or for new work.

Mr. FLETCHER. Precisely. I meant to say that the total appropriation was $3,000,000.

Mr. KENYON. Is that exactly correct? The $2,514,289 is to be paid for the existing canal; but the appropriation of $3,000,000 is to cover that item, and also to bring about a depth of 12 feet. What I should like to know is, where is the report of the War Department to be found? Is it included in House Document No. 196, or was a separate report made to Congress?

Mr. SAULSBURY. Mr. President, I may say that I am very familiar with this project, as the Senator knows——

Mr. KENYON. I know the Senator is.

Mr. SAULSBURY. But I can not tell by the number. I have not just at hand here all the reports that have been made upon this particular project, but I will have them to-morrow morning. I have them all bound up, and I can refer to any document. There have been so many reports made favorable to this project that I am not able to distinguish them by number. From the wording of this clause in the bill I should say that that was undoubtedly the report of the engineer which favored the acquisition of that canal and its deepening to 12 feet.

Mr. KENYON. I will say to the Senator that the report I was interested in was the report of the War Department favoring the acquisition by the Government of this canal. Is there not such a report in existence?

Mr. SAULSBURY. There is; and I can refer the Senator to that, if he wants it, right now.

Mr. KENYON. I should like to have the Senator do so.

Mr. SAULSBURY. I think the report to which the Senator refers is Senate Document 14, Sixty-fourth Congress, first session. The letter transmitting the report, signed by the Secretary of War, is dated March 11, 1915. That was made pursuant

to a resolution introduced in the Senate and adopted by the Senate October 8, 1914.

Mr. KENYON. That will be found in Senate Document No. 14, will it?

Mr. SAULSBURY. I can not tell the Senator. I can furnish him with a copy of the report, if he desires it.

Mr. KENYON. I should be very much obliged if the Senator would do so.

Mr. SAULSBURY. I have a number of copies, and I shall be very glad to furnish one to the Senator.

Mr. LODGE. Mr. President, may I ask the Senator, now that he is on the floor, whether this canal as it now exists is in use?

Mr. SAULSBURY. It is; and about a million tons of commerce pass through it annually and pay tolls.

Mr. LODGE. What is its depth?

Mr. SAULSBURY. Boats of 9 feet draft, 23 feet beam, and 220 feet in length can pass through it. There is a double line of steamers, for example, through this canal, day and night steamers, in the summer time, and night steamers in the wintertime, between Baltimore and Philadelphia.

Mr. LODGE. So that it is in use?

Mr. SAULSBURY. Oh, absolutely; and about a million tons of freight a year pass through it.

Mr. FLETCHER. Mr. President, I ask to have the bill read, in accordance with the agreement.

Mr. KENYON. Mr. President, may I ask the Senator from Florida if he will be willing, as we reach different amendments that we may want to consider, to have them go over until to-morrow morning?

Mr. FLETCHER. I shall be very glad to have that done.

The PRESIDING OFFICER. The Secretary will read the bill for committee amendments.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Commerce was, on page 2, line 4, after the words "third session," to strike out "$12,500" and insert "$18,750," so as to make the clause read:

Tenants Harbor, Me.: Completing improvement in accordance with the report submitted in Rivers and Harbors Committee Document No. 12, Sixty-second Congress, third session, $18,750.

The PRESIDING OFFICER. Without objection, the amendment will be agreed to.

Mr. SMOOT. Mr. President, I understood the Senator to say that he would simply have the bill read at this time, and let all these amendments go over without taking action upon them.

Mr. FLETCHER. No; the understanding was that any amendments that it might be desired to have go over would be passed over.

Mr. SMOOT. In order to save time, I think the Senator had better allow the amendments to stand, and just have the Secretary read the bill, so that we can simply refer back to the amendments.

Mr. FLETCHER. The formal reading of the bill has been dispensed with, and we are reading it now for amendment, the committee amendments to be first considered.

Mr. SMOOT. Then I ask that this amendment go over, and I should like to ask that all the amendments may go over.

Mr. FLETCHER. Then there is no use in reading the bill now. The formal reading was dispensed with.

Mr. SMOOT. Yes; the formal reading has been dispensed with, but the third reading has not been. What I thought we would do was to read the bill through, and when we reached amendments just ask to have them go over, and then all we would have to do would be to refer to the amendments.

Mr. FLETCHER. Is there any objection to this first amendment, for instance? The House item calls for $12,500, and we find that in order to complete the improvement it is necessary to have $18,750. The whole purpose is to make one job of it. Instead of going there and doing a part of the work, at a cost of $12,500, we want to complete the job for $18,750.

Mr. SMOOT. Why, certainly; I know the object of the amendment. The amendment was made just the same as all the other amendments that the committee has put in. If it were a House provision, then we could discuss it; but if it is amended now we can not offer an amendment to it without reconsidering the action on it. I do not see that the Senator is going to gain any time by it. I would not ask that the bill be read again. I thought the Senator wanted to get the bill read to-night, let these amendments go over, and then simply take up the first amendment to-morrow morning and discuss it. It seems to me we would save time by doing that.

Mr. FLETCHER. I was hoping that we could dispose of certain of the amendments to which there would be no objection whatever as we went along and go through the bill to-night; but if the desire is——

Mr. SMOOT. I will say to the Senator that what I want to do is to save time. There is no need of commencing discussing this one little amendment here. What I have to say I will say about them all. I do not expect to get any of the amendments changed; but in what I have to say upon the bill I should like to discuss the whole measure, and I thought to-night we could get through reading the bill very quickly, so that all we would have to do then would be to take up the first amendment to-morrow.

Mr. FLETCHER. Very well; let us have the bill read, Mr. President.

The PRESIDING OFFICER. The bill will be read.

Mr. FLETCHER. Then if an amendment is objected to, or if it is desired to have it go over, let a Senator say so.

The reading of the bill was resumed.

The SECRETARY. The committee proposes, on page 2, line 10, to strike out the word "Completing" and to insert "For maintenance, $2,000; completing," so as to read:

Gloucester, Beverly, Salem, Lynn, Plymouth, and Provincetown Harbors, Mystic, Malden, Weymouth Fore, and Weymouth Back Rivers, and Dorchester Bay and Neponset River, Mass.: For maintenance, $2,000; completing improvement of Weymouth Fore River, $183,000.

Mr. LODGE. Mr. President, I should like an explanation of that amendment on lines 10 and 11. I do not exactly understand it. Some 12 harbors and rivers in my State are mentioned, and then come the words "For maintenance, $2,000." Is that supposed to be the entire sum necessary for all maintenance in all those harbors and rivers?

Mr. FLETCHER. That is all that the engineers reported as necessary to maintain them.

Mr. LODGE. That $2,000 covers them all?

Mr. FLETCHER. It covers them all; but some of them will not need any at all. By naming them all together the engineers will have the power to use this amount wherever it may be needed most, and the engineers reported to us that that was all that would be required to maintain all those improvements. Some of them will not need any, but there are probably one or two that will need the whole $2,000.

Mr. LODGE. As it was worded by the House, they named all those places first; and then there is one item reading "Completing improvement of Weymouth Fore River, $183,000." That is a very large and important improvement connected with those great yards there.

Mr. FLETCHER. Yes; that is quite an important project.

Mr. LODGE. But the House gave us nothing for those first harbors.

Mr. FLETCHER. Yes; quite true. They were simply lying there, but there was nothing given for them. The committee, upon consulting the engineers, were advised that some money might be required there for maintenance, and would be required for some of these projects, but that some of them would not need any, and a few might need a little; so that the entire amount was covered by the $2,000 for maintenance.

Mr. LODGE. They simply took a small sum so that they might have something if they happened to need any maintenance?

Mr. FLETCHER. Precisely.

Mr. RANSDELL. Mr. President, if the Senator will permit me, I think there was a considerable sum already to the credit of those items.

Mr. LODGE. That may well be.

Mr. RANSDELL. I know that there was a considerable sum to the credit of most of these items. I do not remember positively as to that one, but there was quite a good sum to the credit of most of the items.

Mr. LODGE. It was almost impossible to get labor at that time, and I dare say that there was a sum there.

Mr. RANSDELL. I think the Senator will find that there is quite a good sum to the credit of these consolidated items.

Mr. LODGE. And I suppose that money can be used as a continuing appropriation?

Mr. RANSDELL. It certainly can. Under the provisions of the general law it remains to the credit of these items, when once appropriated, until by act of Congress it is returned to the Treasury.

Mr. LODGE. Until it is covered back to the Treasury?

Mr. RANSDELL. Yes.

Mr. LODGE. I only wanted to understand that. I have no doubt it is quite enough. The important improvement is the Weymouth Fore River, which I see is provided for by the House.

Mr. FLETCHER. That is the principal item. The Senator will find, as suggested by the Senator from Louisiana [Mr. RANSDELL], that under Gloucester Harbor, Mass., for instance, there is $3,900 now available.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

Mr. LODGE. Mr. President, my attention was diverted for a moment. Was the amendment calling for $183,000 acted upon?

The PRESIDING OFFICER. All the amendments, under the agreement, have gone over.

Mr. LODGE. All right.

The Secretary continued the reading of the bill.

Mr. KENYON. I ask the Senator from Florida if the amendment of the committee regarding the Hackensack River, on page 5, line 17, has been agreed to.

Mr. FLETCHER. That goes over. I do not see why we can not act on amendments that are not objected to.

Mr. KENYON. Let that amendment go over.

Mr. SMOOT. Why not agree now that we will begin to-morrow morning and take up the amendments, and then the bill need not be read through? We can consider the bill as read now, and all amendments to be passed over, and then to-morrow morning we can take up the bill immediately and begin with the first amendment and let whatever discussion is to be had on it take place then. There is no need of taking the time here to-night to read the bill or the amendments. I understand that an executive session is desired.

Mr. FLETCHER. I think we can conclude the reading of the bill in a very few minutes.

Mr. SMOOT. Then I will ask that all the other amendments go over.

Mr. FLETCHER. Let the Secretary finish the reading of the bill.

The reading of the bill was continued, and was interrupted by.

Mr. LODGE. There appears to be some misunderstanding. Of course, this reading of the bill does not cut off amendment.

Mr. FLETCHER. No; it does not cut off amendment and it does not agree to any amendments of the committee.

The reading of the bill was resumed and concluded.

STATEMENT OF BILLS INTRODUCED BY SENATOR SMOOT.

Mr. SMOOT. Mr. President, I am informed that the Senator from Tennessee [Mr. McKELLAR] asked unanimous consent to insert some figures of some kind at a place where he indicated in my remarks. I understood the Senator to ask that the figures be placed in the RECORD. I have no objection to that. I do not know anything about the figures, and I do object to having them put in my remarks without knowing what they are. They can be placed in the RECORD in the regular order. The Senator's interruptions will appear in my remarks, but I do not know anything about the figures he desires to have put in the RECORD. I ask the Senator now to request that the figures be put in the RECORD, and not in my remarks.

Mr. McKELLAR. During the colloquy between the Senator from Utah and myself I had before me at the time a statement of the various bills that have been introduced by the Senator from Utah calling for appropriations. These bills aggregate $1,300,000,000, and then some more. In addition to that there is a bill proposing to appropriate 1,000,000 acres of land in Utah for those purposes.

The Senator from Utah had taken the Democratic majority very severely to task for extravagance in appropriations.

Mr. SMOOT. The Senator is wrong in that.

Mr. McKELLAR. Oh, yes; he did.

Mr. SMOOT. No; the Senator is wrong.

Mr. McKELLAR. He called attention in his speech to this extravagance and called upon everybody to join in having greater economy. I called the attention of the Senator to the fact that he had asked for appropriations during the present session of Congress in an amount practically as large as all the appropriations for all the purposes of the Government before the war. At that time I offered to read them and the Senator said that they could go into the RECORD, and I understood that they could go in the RECORD right there. There seems to be a difference of opinion about it. If the Senator does not want his own acts to go into the RECORD in his speech, that is a matter for him; I am not going to insist on it; but I want the facts to be understood.

I am not criticizing the Senator for introducing these bills. The Senator is a very vigilant Senator; he is a very active Senator; and I have no objection to his introducing the bills. I am sure he did it in the line of his duty. As I said, I do not criticize him, but the only thing that I did criticize was that the Senator himself ought not to be critical of others in the Chamber when he himself had asked for what I believed to be larger appropriations for his State and for matters in which he was interested than any other Senator in the Chamber. My recollection is that there are about a dozen considerable appropriations for public buildings in his State and for various other purposes, for all of which, it seems to me, the Senator should be commended; but while he is to be commended for looking after the interests of his State, he ought not to criticize other people under the same circumstances, who have not offended quite so much, as it seems to me, in the matter of asking appropriations of the National Government.

Mr. SMOOT. Does the Senator desire to have the statement inserted in the RECORD?

Mr. McKELLAR. I asked that. If he objects, and if he does not want the public to have the facts about it in his own speech, of course I am not going to insist that it go in at any particular place, but I ask unanimous consent that those figures may come in now as a part of my remarks. I have not them before me; I have sent for them; they are in the Reporter's office. I had no idea that there would be any trouble about it.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Senator SMOOT introduced the following bills, for the purpose and in the sums set opposite the number:

S. 84. Military academy, Utah	$2,000,000
S. 85. Government munition factory, Utah	1,250,000
S. 96. Granting to Utah 1,000,000 acres of land for public roads (not included).	
S. 974. Public building at Price, Utah	50,000
S. 975. Public building at Park City, Utah	10,000
S. 976. Public building at Nephi, Utah	50,000
S. 977. Public building at Cedar City, Utah	50,000
S. 1613. Publishing names of Revolutionary soldiers	10,000
S. 2702. Bill to reimburse Susan Sanders	18,000
S. 5073. Road bill providing for the issuance of bonds to the amount of	1,000,000,000
S. 5447. Public building at Spanish Fork, Utah	35,000
S. 5449. Public building at Eureka, Utah	35,000
S. 5450. Vernal, Utah	50,000
S. 5480. Park City, Utah	75,000
S. 8096. Indians	12,690
Total	1,003,645,690

Mr. SMOOT. Mr. President, I wish to say to the Senator that I never called attention to a single bill introduced by a single Democratic Senator. I called the attention of the Senate to the amount of actual appropriations made, not to bills introduced, and I appealed to all Senators and I appealed to Congress that from now on we should begin to save and to stop every appropriation it is possible to stop.

The Senator from Tennessee refers to the billion dollars for road building as an appropriation asked for. The Senator is unfair in such a reference. It does not do him justice.

As far as the appropriations for public buildings in my State are concerned, we have five public buildings in the whole State, and there were four or five where the amount appropriated was held up for some four or five years because of the fact that the appropriation was not large enough under the conditions to construct the building as planned by the Treasury Department. These were increases asked by the department.

I care nothing as to what bills may be entered into the RECORD that I have introduced. That is public property already. But the idea of asking to have inserted, without reading, into a Senator's speech some figures or a statement is something that has not happened before in the Senate that I am aware of. I have no objection at all to the Senator putting anything in the RECORD in his own speech. I never do object to that. I am perfectly willing to stand upon my record as to economy or any other public question that has been before the Senate since I have been a Member of this body.

Mr. McKELLAR. Mr. President, the Senator says that I am unfair. I think that is a little far-fetched in this matter, because I certainly tried to be entirely fair. I am not objecting to the Senator putting his remarks in my speech. The Senator declined to let me put this matter in at the time, and I asked then for consent to let them go in. If he did not want them given out to the Senate or spoken of in the Senate while I was on my feet and waiting to read them, he could decline to do that, but he stated that they might go in the RECORD. Of course I assumed that they could go in the RECORD then and there at that place, but if the Senator objects to it, very well; I will not ask that that be done.

Further than that, I am not criticizing the Senator about public buildings in Utah. If he introduced bills for that purpose, I have no doubt they needed them there; but what I did want to call attention to was that he was undertaking to show that the majority have been very extravagant, and if we had listened to all of the proposals of the Senator from Utah I think we would probably have been just a little over a billion dollars more extravagant than we have been.

The Senator mentioned the fact that I voted for the road bill, which I did; but that was for $200,000,000, and the road bill proposed by the Senator from Utah provided for an appropriation, or, rather, a guaranty, which is exactly the same, of just $1,000,000,000.

That is all I have to say.

Mr. SMOOT. Mr. President, I want the Senator from Tennessee to understand distinctly that I was not speaking in his time; and I have not injected anything into his speech. The Chair recognized me and I spoke in my own time, just the same as I am doing now.

The Senator knows that there is quite a difference between a guaranty of a bond and an appropriation. I introduced the bill referred to as a substitute for the $200,000,000 proposed to be appropriated, and the Government was not to advance the money except as upon the sale of bonds to be repaid by the States, which is quite a different proposition than an appropriation.

Mr. President, the Senator's interruption was not in answer to anything which I said. The Senator's interruption was in answer to what the Senator from Pennsylvania [Mr. PENROSE] said on the floor the day before.

Mr. McKELLAR. No; if the Senator will yield, it was purely in answer—and the record of his speech will show that it was purely in answer—to the charge that the majority had been extravagant.

Mr. SMOOT. I say to the Senator right now he can not find the word "majority" in the speech.

Mr. McKELLAR. You can not find the word "majority," but you can find the fact that you were charging those who were in power—and the majority in power—with extravagance; and that is what my interruption was aimed at.

Mr. SMOOT. Again I say that the Senator can not find in the speech that I mentioned the "administration" or "the party in power." Those words were not in the speech. I appealed, as I said, to all Senators, and not only to the Senators and to the Congress, but I appealed to the people of the country, to save, the only way by which we can meet the coming obligations.

EXECUTIVE SESSION.

Mr. FLETCHER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

RECESS.

Mr. FLETCHER. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate took a recess until to-morrow, Friday, February 14, 1919, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate February 13, 1919.

APPOINTMENT IN THE ARMY.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Maj. Gen. Enoch H. Crowder, Judge Advocate General, to be Judge Advocate General with the rank of major general for the period of four years beginning February 15, 1919, with rank from October 6, 1917. His present appointment will expire February 14, 1919.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 13, 1919.

APPOINTMENT IN THE ARMY.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Maj. Gen. Enoch H. Crowder to be Judge Advocate General.

REGISTERS OF LAND OFFICES.

Joseph T. Carruth to be register of the land office at Blackfoot, Idaho.

Frederick M. Hedger to be register of the land office at Walla Walla, Wash.

Nathaniel Campbell to be register of the land office at Portland, Oreg.

POSTMASTERS.

TENNESSEE.

B. Hampton Moore, Halls.
Gordon B. Baird, Obion.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 13, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Oh Thou, to whom our minds and hearts are known, cleanse us from selfishness, which is the root of all evil; that we may be wise, broad, generous, noble in all our intercourse with our fellow men; that the trend of our life may be toward the ideals in Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

DEPORTATION OF ALIENS.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Washington asks unanimous consent to address the House for not exceeding two minutes. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Speaker, will the gentleman withhold for a moment?

Mr. JOHNSON of Washington. Yes.

PRINTING OF CONFERENCE REPORT ON REVENUE BILL.

Mr. KITCHIN. Mr. Speaker, yesterday afternoon I asked a unanimous-consent order that 14,000 copies of the conference report on the revenue bill be printed in pamphlet form. The Speaker asked me if the conference report had been agreed to by the Senate. I said yes. I went over to the Senate just before I asked for that order to see whether the Senate had passed the revenue bill. The Senate had adjourned, but I met a distinguished Senator and asked him whether they had passed the conference report on the revenue bill, and he said yes, and that the Senate had then adjourned. I find that the Senate has not yet passed the revenue bill, but probably will do so to-day. Perhaps I should ask unanimous consent now to rescind that order until the Senate agrees to the conference report.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to rescind the order referred to. Is there objection?

There was no objection.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 15140. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

DEPORTATION OF ALIENS.

Mr. JOHNSON of Washington. Mr. Speaker, I wish to have read by the Clerk a telegram that I have received.

The Clerk read as follows:

ABERDEEN, WASH., *February 12.*

Hon. ALBERT JOHNSON,
House of Representatives, Washington, D. C.:

We urge upon you and all our Senators and Representatives the great necessity of congressional action, looking to the early deportation of all persons who surrendered first papers in order to avoid the draft. To such men the United States has no duty of protection. They unjustly hold positions and jobs to which soldiers, sailors, and other good Americans are entitled. Their continued presence in this country must have a very bad moral, social, and industrial influence on our people. Please deliver copy to other Senators and Representatives.

J. M. Bowes, L. L. Maley, A. Emerson Cross, Roy C. Sargent, C. E. Bartlett, M. D.; W. H. Tuckar, J. W. Young, Commissioner Second District; C. E. Ale, I. P. Callison, G. A. Solberg, John Tenwick, A. F. Douglas, R. H. Falconer, T. B. Darragh, W. G. Hopkins, John P. Morgan, J. J. Ryan, William Irvine, S. J. Stieglitz, E. F. Barker, T. J. Thomas, J. A. Johnson, Ed. R. West, Watson West, J. G. Kaufman, Charles Elmer, D. M. Bowes, R. Conrad, Emil Pfund, Tom H. Blyth, C. P. Blyth, Carl Beckehauer, John B. Orton, James A. Hood, Ed Dolan, S. K. Bowes, A. W. Barkley, W. J. Patterson, Frank Porter, J. B. Bridges, W. A. Rupp, J. W. Clark, John J. Carney, W. O. McCaw, E. A. Morck, John C. Lewis, P. A. Bertrand, A. M. Bendetson, J. S. Waugh, A. M. Middleton, E. C. Miller, C. M. Weatherwax, Neal Cooney, Chas. McDermott, L. G. Humbarger, J. J. Kaufman, W. J. Egerer, Dr. O. R. Austin, B. B. Averill, Dr. C. E. Chamberlain, Harry Phipps, T. B. Breuner, Dr. E. B. Riley, Tom Douglas, John Wilson, C. T. Scurry, L. P. Dudly, Wm. Donovan, T. J. Elson, F. G. Jones, Otis D. Hall.

Mr. JOHNSON of Washington. Mr. Speaker, in view of the fact that one person in every ten in the United States is not a citizen of the United States; in view of the fact that to avoid military service a great many of these aliens forfeited their declarations of intention to become citizens; and in view of the fact that neither the courts nor the people can in good faith

accept such persons in the future as citizens, I sincerely hope that Congress will enact legislation looking to their deportation. If the countries from which these undesirables came refuse to receive them back, then we can refuse henceforth admission to all persons from those countries.

I hope the Rules Committee of the House will quickly authorize consideration of the immigration suspension bill recently reported from the committee of which I have the honor to be a member. I hope that a clause covering in these first-paper draft evaders can be added. I hope that the deportation of undesirable aliens will proceed rapidly. I hope the United States will make progress with the house cleaning that the war has demonstrated we need. We should be rid of all non-Americans among us who either can not or will not become citizens. We should be through with their languages. We should be through with the philosophies they bring, the revolutions they preach.

An ounce of Ben Franklin's maxims is worth a ton of Karl Marx's theories. Mr. Speaker, I am not a brother to the Japanese and the Hindu, nor am I a brother to the anarchist and the nihilist, nor can all of the internationalism that can be preached from all the high places of the world make me one.

Mr. Speaker, the United States is a Government of the people and by the people, but it must be a Government directed by its own people, and not a Government directed in any part whatsoever by those who come among us not to help sustain our Government but to wreck and tear it down. Nor can we keep among us, to be citizens at some future time, those who declined the call to shoulder arms alongside our own true citizens, both native and adopted.

ARMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920; and pending that I ask unanimous consent that general debate be concluded within one hour, with the statement that those gentlemen who have asked for time and who have not yet been given time may have time extended to them liberally under the five-minute rule.

The SPEAKER. The gentleman from Alabama asks unanimous consent that general debate be concluded in one hour, and that in the meantime those who have asked time in which to make speeches can extend their remarks in the RECORD. Is there objection?

Mr. WALSH. Reserving the right to object, Mr. Speaker, unless it is understood that the extension of remarks shall apply to the bill, and shall simply be an extension of the Members' actual remarks, I shall object.

Mr. DYER. Reserving the right to object, I will not object if the last part of the request is not included in regard to extension of remarks. Others have spoken, quite a number of Members, and they have spoken on everything from socialism down, and if those who have not been privileged to speak and who have asked for time are permitted to print on anything they want to talk about, then I shall object to any extension at all.

Mr. KAHN. I tried to get the gentleman from Missouri yesterday.

Mr. DYER. I am not complaining. I was not able to be here after 6 o'clock.

Mr. KAHN. I said I would yield him time if he would come on the floor.

Mr. DYER. I was not able to be here after 6.

Mr. KAHN. It was before 6 that I sent for the gentleman.

The SPEAKER. It does not make any difference about that. The question is whether the gentleman from Alabama [Mr. DENT] is going to get unanimous consent.

Mr. DYER. If he will modify his request, I will not object.

Mr. DENT. In what way?

Mr. DYER. To confine it to closing general debate in an hour.

Mr. DENT. Then, I ask unanimous consent that the general debate be closed in one hour.

The SPEAKER. The gentleman from Alabama asks unanimous consent that general debate be closed in one hour. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Alabama moves that the House go into Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill.

The motion was agreed to.

The SPEAKER. Judge SAUNDERS of Virginia, who was presiding over this committee, does not seem to be here. The gentleman from Alabama [Mr. BANKHEAD] will please take the chair until Judge SAUNDERS gets here.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15835, the Army appropriation bill, with Mr. BANKHEAD in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the annual Army appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920.

The CHAIRMAN. The gentleman from California [Mr. KAHN] is recognized.

Mr. KAHN. Mr. Chairman, I shall not attempt at this time to speak of the wonderful victories won by the American soldiers in this war. Others have done that admirably on this floor during this debate. Suffice it to say that one of the brightest pages of American history has been written by the men of the Regular Army, the National Guard, and the National Army, cooperating together as the Army of the United States in the struggle now happily ended, I hope.

Americans will always be proud of the wonderful work accomplished by these soldiers, many of whom had been trained only six months before they entered the battle lines. I can remember, as a member of the Committee on Military Affairs, when general officers would appear before us and tell us without cracking a smile that you can not make a soldier inside of three years, and that if you could take a man and train him for five years it would be very much better than if you took him for only three. But in this war the United States showed the world that under a conscription law we brought such material to the ranks and to our colors that in six months the soldier could go up against the shock troops of the German Emperor and lick them to a finish. [Applause.]

Mr. LAZARO. Mr. Chairman, will the gentleman yield for a question in this connection—just for a question?

Mr. KAHN. Yes.

Mr. LAZARO. But the gentleman admits that while the boys can be trained and do the work it is necessary to have a certain number of men to keep up with the scientific side of it, such as the chemical and air service, liquid fire, gas, and so on?

Mr. KAHN. We must have commissioned officers, who must make military work a life study, and for our noncommissioned officers we must always have a fair number of trained enlisted men.

Mr. LAZARO. Yes; to keep up with the progress of military science.

Mr. KAHN. We must have a Regular Army force for the Philippine Islands, for Hawaii, for the Panama Canal Zone, for the Mexican border, for Alaska, and for those places where we have international agreements.

Mr. GORDON. Does the gentleman think it makes men any better to draft them than it does if they volunteer?

Mr. KAHN. No; I do not think it makes men any better; but you can raise armies under the draft and you can not raise them by volunteering.

Mr. GORDON. Well, we raised a million by volunteer enlistments.

Mr. KAHN. That is a matter that we fought out long ago. This war was finished by the people of the United States inside of a year after our soldiers got on the field of battle. We would not have had more than a million men on the field of battle if we had depended on volunteers.

Mr. CARTER of Oklahoma. Has the gentleman found that it makes men any worse to draft them?

Mr. KAHN. That question answers itself. We had as good an Army and probably a better Army than we have ever had before at any time in our country's history.

Mr. LAZARO. Just one more question.

Mr. KAHN. I can not yield any more.

Mr. LAZARO. Relative to the draft.

Mr. KAHN. I can not yield just now. I want to make my statement then I will yield. The American soldier needs no apologies. Indeed he has covered himself with glory, and we are all proud of him. The men in France have accomplished work that seemed impossible at the time they started in. The English and the French had had three years' start, and yet in the fighting that went on during the last months of the war the Americans had the difficult positions in the line. And at that I by no means want to be understood as disparaging the work of our cobelligerents. That fight through the Argonne Forest alone has probably never been equaled by any troops

of any country in the world. At Chateau-Thierry and at Cantigny the American soldier showed such valor and made such a terrific fight that it established a standard that all the men in our uniform in France felt that they would have to live up to, and they did live up to the standard that was set upon those early fields right to the end.

It is the wish of everybody in this country that the men shall be returned as speedily as possible. The question of shipping is a very important one in that regard. Even when we had the assistance of England and France in the matter of tonnage, we were able to take over at the very utmost 300,000 men a month. That was when our transportation facilities across the ocean were at their highest. England will have to transport the Canadians, the Australians, and the New Zealanders back to their homes. And there is no gainsaying the fact that she is putting back some of her ships into the usual channels of commerce. We can not have the same amount of English shipping for bringing our men back to this country that we had when we were taking them to the other side. And yet it is the hope of the Military Committee, and I believe of the War Department, that by the end of the next fiscal year practically all of our troops now in France will have been returned to this country.

Mr. MANN. By the end of the next fiscal year or by the end of this fiscal year?

Mr. KAHN. By the end of the next fiscal year. This bill provides the appropriations for the next fiscal year, and I feel confident that no effort will be spared to bring back the men from the European fronts by July 1, 1920. This bill appropriates for that force. It provides for their pay. This appropriation contemplates an average during the next fiscal year of 500,000 men. We have been told that we will have over a million men on the other side on the 1st of July of this year, and that gradually that number will be reduced, so that there will be an average of 500,000 men to pay during the year. Now, the bill provides for voluntary enlistments of 500,000 men, part of them for the Regular Army, part of them under the act of May 18, 1917; and I imagine that the War Department had in mind the very condition that arose in the Spanish-American War, when the men who had volunteered in the State organizations and were sent to the Philippines began to clamor to be returned to this country. After that war had been concluded there was an insurrection in the Philippines, as you all remember, and the maintenance of a temporary army there became a necessary matter. So Congress enacted a law allowing the formation of regiments of United States Volunteers. Many of the men who were then in the Philippines volunteered under that law, and decided to see the thing through before they returned to this country. I imagine that this law will have the effect of bringing to the colors voluntarily a great many men who will be content to remain on the other side to see this thing through. That, I take it, is the sole purpose of the temporary character of the legislation; namely, to bring back all those who want to come back to this country as speedily as possible, men who were drafted to go over there, men who were in the Regular Army and were sent over there, and those who volunteered to go over there; but the end that is sought by the provision in this bill is to let every man who wants to continue over there until definitive terms of peace are signed to remain there of his own volition.

Mr. McCULLOCH. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. McCULLOCH. But the effect of this bill is not to do that. This bill, as I understand it, provides for a volunteer Army of 500,000 during the next fiscal year. Is that correct?

Mr. KAHN. Yes.

Mr. McCULLOCH. Yet on the gentleman's own statement the conscripted army will probably not be returned to the United States until the end of the next fiscal year, so that there will be in France or in Europe American soldiers who were conscripted during that fiscal year. There is no provision in this bill requiring the return of the conscripted soldiers nor requiring the making up of the army of occupation from volunteers. That is left entirely to the War Department.

Mr. KAHN. The act of June 15, 1917, has a provision that the soldiers must be returned from the European front four months after peace has been declared.

Mr. McCULLOCH. Will the gentleman yield?

Mr. KAHN. I want to answer the gentleman's question. That is in another law, a deficiency appropriation bill, as I recall. Under that provision the army of occupation will have to be brought back four months after definitive terms of peace have been declared.

It may be some time before these terms shall have been agreed upon, but I can not conceive that it is going to take a full year and a half, or practically a year and a half, before that eventuates. My idea is, and it is only a guess, that definitive terms of peace will be agreed upon within the next three months. That is what I believe. I think after that the boys will be brought home in large numbers, because that will be at a time when it is easiest to transport men across the ocean. I feel confident that this present Army will be out of existence practically within seven or eight months after the next fiscal year begins; that is, in the early part of 1920.

Mr. McCULLOCH. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. McCULLOCH. I do not wish to bother the gentleman, but I want to develop one point. Does the War Department say that an army of 500,000 men for an army of occupation is sufficient for the fiscal year?

Mr. KAHN. The War Department does not know how many men they will have in France in the beginning, but probably a million and a half, and thereafter——

Mr. McCULLOCH. What I want to know is, Does the War Department say that an army of 500,000 men is sufficient for the next fiscal year?

Mr. KAHN. I think so; they state that an average of 500,000 men is sufficient.

Mr. McCULLOCH. If an average of 500,000 men is sufficient, what is to prevent the War Department from developing the voluntary army and bringing the conscripted soldiers back to their homes?

Mr. KAHN. Because there is no law at present on the statute books authorizing them to get volunteers. We are trying to pass this law for that purpose.

Mr. McCULLOCH. The point I want to develop is why not provide for the discharge of the conscripted army, if an Army of 500,000 volunteers is sufficient? There is no provision in the bill that does that. You are leaving it to the War Department, and I would like to have the gentleman tell the House why there is not a provision for demobilization of the conscripted army in this bill if 500,000 volunteers are sufficient?

Mr. KAHN. Because that has been enacted into law in another bill, and there is no use in enacting it twice.

Mr. McCULLOCH. It may be a year and a half before the treaty of peace is signed. The Senate may take six months on it, and you are going to keep an army over there until the treaty of peace is signed. The reason I am asking the gentleman these questions is that I expect to offer an amendment dealing with that subject.

Mr. KAHN. I am giving the gentleman the best information I have, and I for one feel that the War Department will respond to the sentiment of the people of this country that the boys should be brought back as speedily as possible and will carry out the law.

Mr. McCULLOCH. The gentleman's own statement is that it is going to take until July, 1920, to do it.

Mr. KAHN. It may take that time, but it may be possible to do it within that time. Of course, the amount of shipping will have a great deal to do with it.

Mr. McCULLOCH. I propose to offer an amendment requiring it to be done within two months, or that they be discharged within two months. I do it on the gentleman's statement that an Army of 500,000 men will be sufficient.

Mr. KAHN. Of course, nobody can prevent the gentleman from offering his amendment.

Mr. McKENZIE. Will the gentleman yield for a suggestion?

Mr. KAHN. Certainly.

Mr. McKENZIE. Is it not a fact that, as far as the Military Committee is concerned, and to no one else, has the War Department made a statement as to the number of men that will be required to be kept in Europe until the peace treaty is signed; that we have no information on that?

Mr. KAHN. I stated on the floor yesterday that the President of the United States is in Europe negotiating with the plenipotentiaries of the various countries of the world for a peace treaty. Our country leaves to the Executive the making of peace agreements. The Senate, of course, has to ratify, but does any gentleman on this floor undertake to say now to what policy the President of the United States is going to try to commit his country in this present state of affairs? I am not in his confidence, and I do not think any man in this House is in his confidence. We have to hope for the best, and we hope and hope again that he will see to it that our boys are brought home as speedily as possible.

Mr. DYER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. DYER. I want to suggest to the gentleman from California that while we are waiting and trying to find out what the administration wants in regard to bringing the boys home, they are dying like pigs from criminal carelessness of the War Department at Brest.

Mr. HARDY. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. HARDY. Does the gentleman realize that neither the President nor anyone else can tell us what the peace council is going to do; that that is a matter for the nations to agree upon?

Mr. KAHN. The gentleman is absolutely correct in that. Of course, we know in this matter the President is alone responsible until the treaty has been agreed upon. Then the Senate steps in and has to do its share of the work.

The purpose of this legislation, then, I say, is to give us a force of 500,000 men to do the work which will be necessary for our soldiers to do in the next fiscal year. The Committee on Military Affairs limited the force outside of the Regular Army to a one-year enlistment term. In the meantime we hope that we will be able to formulate an Army reorganization bill fixing a military policy for this country that we trust will stand for many years. There is no denying the fact that we were in no state of preparedness when this war began.

It has cost us billions of dollars and thousands—yes, tens of thousands—of lives. I sometimes feel that if we had been prepared we would never have been drawn into this war. It is cheaper to prepare in days of peace than to wait until an enemy defies your rights and practically makes war upon you. That is how we got into the war. I have stated that many a time on this floor. I did not vote for the war resolution primarily because we wanted to make the world safe for democracy or for humanity. That was an incidental consideration. I voted for the war because I wanted to protect American rights, and I am ready at any time, if need be, to fight for American rights. [Applause.] We can not maintain our position as a great nation unless we are prepared to do that. My opinion is that we can get along with a comparatively small Army if we will adopt the principle of universal training in our reorganization program. It is the most inexpensive system. Under a universal-training law we could train our young men when they arrive at the age of 18 years for a period of six months, from April to October. We showed in this war that a training of that length of time gives us a force that is effective, dependable, and valiant.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. KAHN. In just a moment, if my friend will permit me. Such a force would give us, in my humble opinion, a much more vigorous, a much more virile, race of young men. Reference was made in this debate yesterday, by one of the gentlemen, to the condition of the health of the young men of this country when they went to the cantonments. To my mind that is a serious matter, a very serious matter.

The statistics of the War Department show that out of a thousand young men who went to the training camps, young men who came from the homes and the firesides of this country, 271 out of 1,000 had venereal diseases. It was an appalling condition of affairs, and if that condition had continued for another 25 years it is probable that we would have become a nation of moral degenerates; physical incompetents, and cowards. This training will teach our young men to take care of themselves physically, if it does nothing else, and in that alone it will be worth every dollar that will be expended in the training. It will teach the young men of this country respect for law and order and constituted authority, and in that respect the training will make for a much better citizenship. It will teach the young men self-reliance, initiative, and how to cooperate in teamwork. It will do more than anything else to break down sectionalism in this country, and that is what we need mighty badly right in these United States. The men of the South do not begin to know the men of the North, and the men of the North do not begin to know the men of the South. They do not understand each others' difficulties, because they do not know them. By bringing the men from all sections together in the training camps they will come to know each other better than they ever have known each other in the history of the country. It will make for true democratization, because the rich man's son will be in the barracks with the poor man's son. They will begin to respect each others' views as they never can under present-day conditions. I yield to the gentleman from Missouri.

Mr. RUCKER. Mr. Chairman, I am inclined to think, although the gentleman is much better posted with reference to military affairs than I am, that the time for the propaganda of universal military training is passing. I think that the experience that the people have had recently is such that we do not want any more militarism in this Nation of ours.

Mr. KAHN. I deny that universal training will work for militarism.

Mr. RUCKER. Let me say——

Mr. KAHN. Oh, I can not yield for a speech. I thought the gentleman wanted to ask a question.

Mr. RUCKER. If the gentleman does not yield, I shall take my time after a while and pay my respects to his views.

Mr. KAHN. That is all right. The gentleman certainly has a right to do that; but I respectfully inform the gentleman that I have only a limited time——

Mr. RUCKER. Oh, I shall not press the gentleman. The matter will not stand argument, of course.

Mr. POU. Mr. Chairman, will the gentleman permit me to read two lines that bear on the subject the gentleman was being asked about, about bringing the soldiers home, from Secretary Baker?

Mr. KAHN. If the gentleman will permit me to develop this matter a little further, I will be glad to yield to him. I want to say to my friend from Missouri [Mr. RUCKER]—and I would like to yield to everyone—that there are a few matters that I desire to bring to the attention of the House at this time, and I only have a limited amount of time in which to do so. I deny that universal training will make for militarism. The gentleman probably believes that it will, and therein we differ.

Mr. RUCKER. Oh, the gentleman said that he believed it would.

Mr. KAHN. Oh, the gentleman said that he believed it would make for militarism. I do not believe it will. I believe it will give us a much more efficient citizenship. I believe, if anything, it will crush in this country the desire for militarism. I feel that the young men, when they get that training, will never feel that they want to go to war; but it will give them a training which will make for sturdier manhood in this country at all events, and it will be worth every dollar it will cost. And then, finally, there is no nation in the world that will ever want to try conclusions with us if we adopt such a policy. The trouble is and has been that we never have been prepared at any stage in our history for our wars. In this very war we were fortunate in that the French and English were able to hold the lines for us after we got into the war until we were able to get ready. That was our salvation. The enemy could not attack us, but countries do not generally wait until a nation prepares to defend itself; they make the attack when they think the time is opportune and the country to be attacked is least prepared. The safest way to prevent attack is to be able to repel it when it is made, in my honest opinion. I do not believe that this is the end of war, much as I should like to see it so. This war has made the entire world sick of war. But after every other great world war the people were heartily sick of war and hoped that there might never be another. We are simply passing through the same experiences that the other nations of the world have passed through at the end of every other great war. We hear a great deal of a league of nations these days. That is not a new proposition.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. KAHN. In a little while, if the gentleman will contain himself.

When we read history, we find that leagues of the cities of Greece that called themselves republics were formed so as to be able to defend themselves. And yet they were constantly attacked and made war. Coming down through the ages we find this idea of nations consolidating or confederating to prevent war a matter of common discussion. In 1623 the first serious proposition of which we have a record of modern nations combining to defend themselves was submitted by one Emeric Crucé. His plan was very complete and it challenged the attention of the world at that time. Only two years later Grotius, the great writer on international law, issued a treatise on the same subject, and later on, in 1634—and, mark you, practically during all of that time the world had been at war—the Grand Design of Henry IV, as it was called, was promulgated. It was hoped that nations could be brought together in a great league to avoid war. Nothing came of these propositions, and yet man did not stop. He wanted to avoid war, and he still hoped on and toiled on for universal peace. In 1713 the Abbe St. Pierre, who had been one of the peace commissioners at Utrecht in Holland, wrote a treatise which was taken up seriously by all the countries and was finally practically adopted by the Holy Alliance in 1815. That proposition had one idea that appealed to the monarchs of Europe, and that probably is why they considered it seriously. It undertook to keep them on their thrones and proposed to protect them against revolutionists. The reigning family of every State in Europe was to be kept on the throne of that State by his neighbors in case there should be a revolution.

They tried to carry out such a league. It miserably failed. Now, I do not know what the ideas of the plenipotentiaries at the present time may be on that subject. We read conflicting reports in the newspapers. Now you see it, now you do not; it is one thing one day and another thing another day.

There has been no concrete project put forth, so far as I can recall, by the President. I feel that most of the people of this country hope that war can be avoided by these negotiations, but I have an abiding faith that the people of this country will not agree to any treaty of that kind that will deprive this country of one jot or tittle or iota of its own sovereignty. [Applause.] I imagine that the people of this country will not agree to allow their sons to go to Turkey, for instance, to police that country and make the people of that nation behave themselves. [Applause.] As I take it, the American people want their sons to come back from Europe as speedily as possible [applause], and I take it for granted that the people of this country will not want to send another army into Europe if they can possibly avoid it.

Mr. GORDON. Will the gentleman yield?

Mr. KAHN. I yield to my colleague.

Mr. GORDON. Does the gentleman think that the provision in the peace treaty which is being strongly urged over there prohibiting compulsory military service in the nations would infringe upon the sovereignty of this or any other nation?

Mr. KAHN. Well, I frankly confess the proposition of compulsory military service is one that I do not know much about, so far as it is being treated over there. I know that England, which is reputed to have made the suggestion, had to come to compulsory military service in order to get men to fight this war. England's life was at stake, and she knew that she could only save her life by compelling men to serve in her army.

Mr. LAZARO. Will the gentleman yield for just one question?

Mr. KAHN. I yield to the gentleman from North Carolina [Mr. POU].

Mr. POU. Mr. Chairman, I did not want to interrupt the gentleman at an improper place, but the Secretary of War, with respect to bringing the Army back, used these words:

> Our Army is still 2,000,000 men abroad. We are bringing them home as rapidly as we can. The War Department is giving more attention to getting men home than to any other subject. Every available means of transportation is being acquired and used to its capacity.

Mr. MANN. That is a newspaper article——

Mr. POU. It is the statement the Secretary of War made before the Rules Committee. That statement is entirely gratuitous.

Mr. KAHN. He made a similar statement or a statement to that effect before the Committee on Military Affairs. Of course, the matter of tonnage is a very serious one, and upon the solution of that problem will depend in the final analysis our ability to bring the men back.

Mr. LAZARO. Will the gentleman yield?

Mr. KAHN. I will.

Mr. LAZARO. The gentleman from California [Mr. KAHN] is a very patriotic Member of this House and is one of the best posted Members we have. Now, the gentleman was for war against Germany and was for the draft, therefore this war is our war as well as theirs. Now, what I would like to have the gentleman tell us is this. The armistice has been signed, but the peace treaty has not been signed. Now, what should we do over there until the peace treaty is signed?

Mr. KAHN. Well, I can only give my opinion, and my opinion——

Mr. LAZARO. The gentleman stated the boys ought to come back as speedily as possible, and I agree with the gentleman.

Mr. KAHN. Yes.

Mr. LAZARO. What should we do over there, what is our duty over there until the peace treaty is signed?

Mr. KAHN. Frankly, I want to say to my friend from Louisiana that the newspaper dispatches which we see day after day do not seem to give much information. As I said at the outset, one day they tell us one thing and another day another thing. Now, I imagine that it should be the duty of this country at least to wait until the treaty of peace is signed before we finally determine our course, because during the period of the armistice we never can tell what is going to happen. We see in the papers now that Germany seems, through her commanders, to have expressed herself to the effect that she never will submit to a humiliating peace. Now, I do not know what that means. If it means they intend to resume fighting, I imagine it will be a small matter to lick them thoroughly and march our boys into Berlin. [Applause.]

But nobody can tell whether they will try it or not until they are put right to the test or the issue is raised. And, therefore, just as a policeman is necessary to guard the peace in our cities, we have got to have a police force in the shape of soldiers, who will be ready to take care of eventualities until the treaty of peace, at least, is signed.

Mr. LAZARO. The gentleman would not think much of a policeman who would arrest a man and say to him on the way to the jail, "You go and report to the jailer, and I will go home."

Mr. KAHN. That is not the question.

Mr. LAZARO. I was trying to get the gentleman's idea of what our duty is over there.

Mr. HARDY. Is not the gentleman trying to carry the idea that it is not best to hang up the hose until the fire is out, as was said by a gentleman the other day?

Mr. KAHN. I think so. I think, with as large a force as we have on the other side, there is not much danger. With the Germans deprived of their flying machines and their submarines, I doubt whether they are a serious menace. I take it for granted that Germany will not be much of a menace if she tries to violate the armistice. And yet it would be folly to remove all your force until definitive terms of peace are decided upon.

Mr. DENISON. Will the gentleman yield?

Mr. KAHN. I will.

Mr. DENISON. I understood the gentleman from California to state awhile ago that according to his idea of military training he would have the young men of the country go to camp and train for six months when they became 18 years of age.

Mr. KAHN. Exactly.

Mr. DENISON. Do I understand that is the gentleman's idea of military training, just for the six months?

Mr. KAHN. That is all. I should not have him called again until his country should call him to come to its defense. I do not think it would be necessary to call him again, because I believe that in the six months' training he would receive he would be so prepared that only a few weeks' training would be required to get him into the field in case of an attack upon us. In the meantime our Regular Army, such as we may have, could hold the line until those few weeks of training could be given to the boys who had passed through the military training school.

Mr. GORDON. Will the gentleman yield?

Mr. KAHN. I will.

Mr. GORDON. The gentleman, however, does favor a provision that would put these men after they are trained into the reserve.

Mr. KAHN. I would prefer that.

Mr. GORDON. Like the German system. That is all there is of it.

Mr. KAHN. The gentleman talks about the German system all the time. Now, I am not wedded to the German system. The gentleman knows——

Mr. GORDON. You have always advocated it. I do not know whether you favor it or not.

Mr. KAHN. I have advocated universal training for a period of six months, whereas the German system takes him for two full years. [Applause.]

Mr. RUCKER. Would the gentleman require every able-bodied young man over 18 years of age to take that training? Will the gentleman express himself on that?

Mr. KAHN. There would have to be some exceptions made, of course. The details of the system would have to be worked out, but I am trying to lay down the broad lines in this discussion, and hope sometime, if I am able to take it up, to discuss it even to the minutest detail.

Mr. RUCKER. The gentleman at this time is not prepared to give us an idea of what per cent of the 18-year-old men would be taken?

Mr. KAHN. No.

Mr. MILLER of Washington. I would like to ask the gentleman if the Committee on Military Affairs has any knowledge of the manner in which the English or French Army is being demobilized, in comparison to our Army over there?

Mr. KAHN. I have only this information: Gen. March, in one of his statements to the newspaper men, said that we were demobilizing about twice as fast as England. That is the only information I have on the subject.

Mr. FIELDS. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. FIELDS. The same statement was made in one of the hearings at the War Department one morning when the gentleman was not present, as I recall.

Mr. KAHN. I want to say to the gentleman from Ohio [Mr. GORDON] that the German military system has always required a two-year absolute service with the colors, and no man in this country has at any time advocated a system of that kind. The French system of compulsory training, as it was in force at the beginning of this war, required the French soldier to be three years with the colors, because Germany had so far out-

stripped France in population that the French people found it was necessary to hold their boys for three years in order to equalize their army with the German Army, where they were held for two years. But in this country the people who advocate military training do not intend to hold boys any length of time in our Regular Army. They intend to train them just for six months, and then turn them back into the body of the citizenship of the Republic.

Mr. GOODWIN of Arkansas. The gentleman from California, Mr. Chairman, is making a most interesting speech, as he always does, and it would be still more interesting if he were allowed to proceed. We would like to see the gentleman conclude his remarks without further interruption.

The CHAIRMAN. That is a matter entirely with the gentleman from California.

Mr. ALEXANDER. Will the gentleman yield just at that point?

Mr. KAHN. I yield.

Mr. ALEXANDER. The gentleman, if I understand his position, is in favor of universal military training not to exceed a period of six months.

Mr. KAHN. Absolutely.

Mr. ALEXANDER. Now, is it your view that after that is done the boy shall be returned to civil life without any obligation of military service resting upon him?

Mr. KAHN. My own preference would be that they should be put into the reserves; but not a necessary part of the program at all, because I feel that if we ever get into war again we could bring them all back into the Army by a selective-draft law. So that is not necessarily a part of the program. But the training, in my judgment, would be invaluable to the young men of this country.

I was speaking of the league of nations, I think, when I was interrupted, and I believe I was saying, as I recall, that the American people, in my judgment, will never agree to a plan that will keep our soldiers if we have to act as a mandatory—or "mandatary," I believe, is the correct word—for any country on earth.

The American people will not consent to allow their youths to go to such a country in order to maintain the peace there or in order to maintain order in such a country or in order to protect the rights of all the other powers signatory to such a league. I said awhile ago that the people of this country want their boys to come home as speedily as possible, and if the proposed league of nations shall contain any terms that are contrary to those two propositions I imagine it will have very hard sledding in the Senate of the United States.

Mr. Chairman, there are a few propositions in this bill that are matters of administration. The committee has seen fit to write into the proposed legislation a provision to remove all service chevrons. We have all seen a great many men walking our streets with silver chevrons and with gold chevrons. We hear a great deal of talk in this country about "democracy." All the soldiers of the Republic, whether they were fortunate enough to go to France or whether they performed their duty in this country, should be treated alike. [Applause.]

I am told that in some of the demobilizing camps the young men who come back from the other side will not salute an officer who has the silver chevrons. And yet those officers were compelled to stay in this country. There were thousands of officers who were clamoring for an opportunity to go to the other side. Their petitions, their requests, were turned down by the War Department. The department said, "You can perform the best work for this country right in this country," and it refused to send them across.

Mr. LAZARO. Based on the selective draft.

Mr. KAHN. Well, a soldier always has to go where duty calls him. That is the fact and has been the fact as long as there have been organized armies. A soldier is expected to perform the duty that he is ordered to perform.

The CHAIRMAN. The time of the gentleman from California has expired. All time has expired. The Clerk will read.

Mr. KAHN. Mr. Chairman, I ask unanimous consent——

Mr. FIELDS. Mr. Chairman, I ask unanimous consent that the gentleman from California be permitted to continue for 10 minutes out of order.

Mr. FOSTER. I ask that the first paragraph be read, and then let the gentleman be allowed to proceed.

The CHAIRMAN. The Chair will state, in reference to the request of the gentleman from Kentucky [Mr. FIELDS], that by uniform convention here the time has been fixed. It can not be extended by unanimous consent in the committee. The Chair will state further that, if the committee chooses to do it, the present occupant of the chair has never seen any way it can be stopped except by objection. What is the request of the gentleman from California?

Mr. KAHN. If the committee will indulge me for 10 minutes, I will ask unanimous consent to proceed.

The CHAIRMAN. It would be in contravention of the practice of the committee, but the Chair will put the request.

Mr. KAHN. I will withdraw that and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from California asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. HUMPHREYS. I suggest that the gentleman wait until the Clerk reads the first paragraph.

Mr. DYER rose.

The CHAIRMAN. For what purpose does the gentleman from Missouri rise?

Mr. DYER. To demand the regular order.

The CHAIRMAN. The reading of the bill is the regular order. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Army for the year ending June 30, 1920.

Mr. KAHN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. RUCKER. Does the gentleman want to proceed for 10 minutes?

Mr. KAHN. Yes.

Mr. RUCKER. Ask for that.

Mr. KAHN. I ask unanimous consent, Mr. Chairman, to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. KAHN. It may be information that the Members of the House have not had, but it is a fact that in this war only 40 per cent of the Regular Army officers who graduated from West Point were allowed to go to the other side. Sixty per cent were kept in this country. The latter are the men who organized and conducted the training camps at the different cantonments. They are the men who carried on the training at the National Guard camps. They performed an invaluable service to their country. Without the training given by those officers, the training they were able to give, I doubt if we would have been able to raise the armies that were necessary to win this war, and we certainly could not have done it in the remarkably short time that it took.

Of course, those officers all have to wear silver chevrons at this time. The great mass of the people of this country do not realize the condition, and they probably feel, every time they see a man with silver chevrons, that he was a "slacker" who tried to find a safety station for himself in this country. That, in my judgment, should not be permitted. [Applause.]

I imagine that every soldier and every officer—and there were practically 4,000,000 of them, all told—was willing to do his full duty to his country; that he was in very fact a soldier, and was ready to go wherever duty called.

Mr. LUNN. Mr. Chairman, will the gentleman yield?

Mr. KAHN. In a moment.

Mr. LUNN. On this very subject.

Mr. KAHN. In a moment. Some were more fortunate than the rest. Some were detailed and transported to the other side. There is no question about their valor, their bravery, or the splendid manner in which they performed their duty. But I feel confident that if it were put up to those men themselves as to whether they want to be distinguished in that way from all their fellows, who would have been glad to go over to the other side but were compelled to continue here by the War Department, they would unhesitatingly say, "No, take all the chevrons off except the wound chevron."

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. KAHN. I yield first to the gentleman from New York, from my committee [Mr. LUNN].

Mr. LUNN. I wanted to ask my colleague on the committee whether he would favor a change of the bill that would provide for the removal of the silver chevrons but would still allow those in the foreign service to wear the gold chevrons?

Mr. KAHN. I think that would be discriminating, for it would show that the men who did not have them on were not on the other side, and it would lead, in my humble opinion, to the same misunderstanding.

Mr. LUNN. May I ask my colleague a further question?

Mr. KAHN. Yes.

Mr. LUNN. Every one of us, when we meet a man, will naturally want to know whether he was on the other side. That is the first question we will ask him.

Mr. KAHN. The gentleman is privileged to ask that question, and the soldier is privileged to reply.

Mr. LUNN. But under the present regulation we would have to ask those men from the other side, those who have been in France, to take off that gold chevron.

Mr. KAHN. The Congress of the United States, by making a uniform law that would apply to all soldiers of the Republic, would probably meet the approval of the soldiers themselves and the approval of the country.

Mr. DYER. Will the gentleman yield?

Mr. KAHN. I yield to the gentleman.

Mr. DYER. Will the gentleman state whether he believes this should be carried to the extent of even refusing special decorations or medals of honor to men who have distinguished themselves?

Mr. KAHN. Oh, no, no. I believe that men who have signally distinguished themselves and who have been granted medals of honor by their country should be allowed to wear them, just as the men who fought in other wars now wear the congressional medal of honor and the other decorations which this country has heretofore been giving. I would not interfere with a single decoration.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. KAHN. I yield to my colleague on the committee.

Mr. SHALLENBERGER. Referring to the question which the gentleman from California has discussed so well—as to the disbandment of our Army and the size of the Army that we will maintain—I see in the RECORD of yesterday that under date of February 11, only three days ago, the number of enlisted men in the United States was 767,000 in the Army, in addition to the men in Europe. Now, the Chief of Staff, as I understand it, has given out the statement to the public press for information that this Army in this country is now down to its irreducible minimum. How are we going to reduce this Army, in line with what the gentleman has stated to us here, if it is the opinion of the War Department that at present we must maintain over 700,000 men in this country?

Mr. KAHN. As I understand the situation it is practically this: It takes a great deal longer to demobilize than it ever took before. It seems that when men are sent to the demobilization camps now they undergo a thorough physical examination to see whether a man has any disease that can be determined. I imagine that is done so that in the future men will not be importuned to come to the Government and to Congress for the passage of pension bills, with affidavits supporting the claim that they were taken with disease while they were in the service of this country. I am told that this medical examination of large units of soldiers takes three or four weeks time. Of course these men who are in the camps in this country have all, or nearly all, been ordered demoblized, and the demobilization is going forward just as quickly as the examinations can be made.

Mr. SHALLENBERGER. I should like to ask the gentleman, in his long experience, if he believes it requires 700,000 men to perform the demobilization for the small number of men, 100,000 a month, who are going out of our Army?

Mr. KAHN. That is a matter of military administration that I know nothing about.

Mr. SHALLENBERGER. Has the gentleman information that these men are being kept in idleness, being kept here apparently to maintain somebody in positions, rather than have the Army demobilized?

Mr. KAHN. I have heard such statements, but I want to say frankly to my colleage on the committee that I have been so very busy with different matters conected with my congressional duties that I personally have not been able to investigate this.

Mr. HULL of Iowa. For the information of the gentleman from Nebraska and the House, Gen. McIntyre this morning denies that newspaper statement absolutely. The demobilization is going forward.

Mr. DENT. The gentleman from Iowa [Mr. HULL] called at my office this morning, and while he was at my office I called up Gen. McIntyre's office, and they said that that was absolutely news to them, and that the demobilization is going on just as rapidly as they possibly can carry it on.

Mr. KING. Will the gentleman from California permit me to give a little light to the gentleman from Nebraska? Will he yield a quarter of a second?

Mr. KAHN. Yes, half a second.

Mr. KING. I can give the gentleman from Nebraska some evidence as to what is being done with the soldiers in these camps. Here is a letter from a man at Camp MacArthur, Tex., which I just received this morning, which says:

> We're still marking time and doing nothing to amount to anything. From present indications it will be late spring before I get away, even if I don't get sent to another camp. There is a lot of protest about keeping the men here. They took away their rifles about six weeks ago, and since that the men have been doing regular labor work. They have been wrecking a lot of the buildings, filling ditches and trenches, and at present are building a road for the county.

That is what they are doing with these men in these camps—farmers whose services are needed at home.

Mr. RUCKER. They are putting them on public works.

Mr. KAHN. I only yielded to the gentleman from Illinois for half a minute.

Mr. KING. I thank the gentleman from California.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. GORDON. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. GORDON. Mr. Chairman, I am constrained to ask the indulgence of the House because of the rather brusque reply that the gentleman from California [Mr. KAHN] made to me, in which he designated the inquiry that I put to him as asinine. [Laughter.]

Mr. KAHN. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. KAHN. The gentleman did not make an inquiry. He made a statement that I was advocating the German system, and what I said is what I consider that statement.

Mr. GORDON. I am going to prove that statement. That is the reason I have taken the floor. [Applause.] Mr. Chairman, the distinguishing feature of the German system is that it puts men in reserve, subject absolutely to the control of the central authority, to be called out by that authority. Now, that and not the period of training, which is purely a matter of policy and opinion, is the feature that distinguishes a military system. The gentleman's political party in the last campaign in its national platform declared in favor of a military system under absolute Federal control. Of course, at that time everybody supposed that the militia was not under the absolute control of Federal authority, either President or Congress, or both, but a good many people have changed their minds upon that subject. But that has nothing to do with the question of whether or not the gentleman from California is now and always has been in favor of the vital principle of the German system of military training. I undertake to say this without meaning any disrespect to the gentleman from California, and I do not know why the gentleman should be ashamed of the German military system——

Mr. KAHN. If the gentleman will permit, the German system requires that a man shall be trained in the army for at least two years. The system advocated here is simply that a man shall be trained six months and then go back to the body of the citizenship.

Mr. GORDON. In the reserve, however.

Mr. KAHN. I said, in answering a question that was put to me by one of my colleagues, that personally I believed it would be best to put them into the reserve. But that that was a matter of detail that could be settled when the proposition is up for consideration.

Mr. GORDON. Exactly; that is correct. I do not want to be placed in the position of misrepresenting the attitude of the gentleman. That was also the attitude of the Republican Party in its last platform, except that it refused to indorse compulsory military service. I do not know why there should be so much mystery about this. The training of a man and putting him in the reserve, to be called out on the touch of a button, is the German system. If you want a military system that will respond quickly to one central head, you can't find a better one than the German system, and it has been proved to be so in this war.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. PARKER of New Jersey. What does the gentleman say of the Swiss system?

Mr. GORDON. I have stated that it is the United States militia system supplemented by compulsory service under Federal authority.

Mr. PARKER of New Jersey. Are they not required under the Swiss system to come out on the touch of a button?

Mr. GORDON. No, sir; let the gentleman go and read the Swiss system. Anybody interested in knowing what the Swiss system is will find in a Senate document, introduced by Ex-Senator Blair Lee, of Maryland, that information. They will find that the Swiss system was copied verbatim from our State militia system. The Swiss system only trains them for six weeks per year.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. MILLER of Minnesota. Does the gentleman mean to say that the Swiss system is not compulsory?

Mr. GORDON. I say that it is.

Mr. MILLER of Minnesota. Is not that the very essence, the basic principle, of the Swiss system, and does not that differentiate it from our so-called militia system?

Mr. GORDON. It is not a law which allows a man to touch a button and call out a million population and throw them on their neighbors.

Mr. MILLER of Minnesota. I beg to differ with the gentleman; it does allow it.

Mr. GORDON. It does not, but I have not time to debate that.

Mr. MILLER of Minnesota. It did do it during this war twice.

Mr. GORDON. Oh, the Swiss Army never departed over their own borders since the European war commenced.

Mr. MILLER of Minnesota. No; but they mobilized the army twice.

Mr. GORDON. Of course they mobilized, but they never went out of Switzerland. There is precisely the distinction.

Now, if gentlemen will let me make a few remarks. This is the point I desired to make, and it really is a vital question in this country. If the people of the United States want a complete military system, a thorough military system, one that will do the business, then, of course, they will adopt the German system. I do not want to be understood as in any way discrediting the system, because I do think that this war has demonstrated that it is the most efficient, as well as the most dangerous, military system that has ever been devised by the brain or purpose of man. At the outbreak of the European war the standing army of the German Imperial Government was only 700,000 men, but I noticed that they called forth and threw onto France about 2,000,000 men. That is what was done. That is what makes the system dangerous. You train the whole population to arms, so that some fellow in the General Staff goes and touches a button and calls them out and sends them out of the country to attack some nation. That is the thing that the American people sought to prevent when they adopted the Federal Constitution. They thought they had made that thing impossible.

Mr. DENISON. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. DENISON. Would not that be impossible under our Constitution from the fact that Congress has to authorize it before the button can be pushed?

Mr. GORDON. That is a matter of opinion. The framers of the Constitution thought that they had placed it beyond the power of Congress to do anything of that kind, but we found out when we got into war that Congress was merely a rubber stamp and that the Constitution does not afford much protection to the people. [Applause.]

Now, Mr. Chairman, I think I have made my meaning plain in reference to the matter. I want to disclaim any intention of impugning the motives of the gentleman from California in the opinion which he has always entertained and advocated so long as I have been a Member of the House.

Mr. KAHN. Mr. Chairman, I wish to withdraw the remark that I made a while ago.

Mr. GORDON. The gentleman can do as he likes about that.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. SMITH of Michigan. In case of an invasion of the United States, or a threatened invasion, or a threatened attack on the United States, would not it be a good thing to have our system so prepared that we could touch a button and bring out 2,000,000 men instanter, already trained?

Mr. GORDON. I never have thought so and do not think so now. If the gentleman thinks that, he is entitled to his opinion. The trouble is that if you have 2,000,000 men trained and ready to be called out at the touch of a button the danger is that they will be used for some purpose outside of the United States. That is a thing that the framers of the Constitution sought to guard against.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. GORDON. Yes.

Mr. LAZARO. Of course, we were not prepared at all when the war was declared. Does the gentleman mean to convey the impression that the Members of Congress acted as rubber stamps when they declared war against Germany?

Mr. GORDON. Oh, no; we had not then reached the rubber-stamp point. That did not come for several months after we got into the war. It was several months, I will say to the gentleman in reply to his question, and during that time this Congress repeatedly in both branches voted down this press and speech-muzzling provision of the espionage law, and by roll call it was beaten by 44 majority in the House, and it was also voted down in the Senate, and now if a man criticizes it they threaten to put him in the penitentiary. Congress afterwards surrendered, did it not?

Mr. LAZARO. I do not agree with that.

Mr. GORDON. Of course it did, and the gentleman knows it.

Mr. LAZARO. Congress did not propose to let men at home shoot the boys on the firing line in the back.

Mr. GORDON. Oh, yes; of course that is the excuse that was given. You can call it whatever you please, but it was a rank violation of our Constitution, and as the gentleman from New York [Mr. LONDON] said yesterday, it ought to be repealed; it is a disgrace to this country to have it remain on the statute books even for the period of this war.

Mr. HULL of Iowa. Mr. Chairman, did I understand the gentleman rightly? Is he in favor of the present Swiss system?

Mr. GORDON. The gentleman has not heard me say anything on that subject, except to refer to it in a general way.

Mr. HULL of Iowa. I understood the gentleman was defending it, and I understood that he was in favor of it.

Mr. GORDON. I will say this to the gentleman, that if I had to make a choice as between the German system and the Swiss system I should take the Swiss system, because it is more nearly consistent with the theory of our Government, its institutions, and the Constitution. I do not know but that I would agree to vote for the Swiss system if we could adopt their constitutional provision which prohibits any standing army "under Federal control." This bellowing around here about universal training under absolute Federal control means, if it means anything, the German system and nothing else. I am opposed to that, and would accept the Swiss system as the alternative. I do not believe, and I think this war has demonstrated, that you do not have to train men two or three years in order to have them fight. The American troops in Europe did as good fighting as any troops that were there. We can fairly say that. They delivered the decisive blow that won this war.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GORDON. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GORDON. The truth about it is that you do not need any such time as has been talked about. According to the gentleman from California [Mr. KAHN] only 40 per cent of the officers of the Regular Army were sent to France, and I understand that only 40 per cent of the men of the Regular Army were sent to France, which would not indicate that they were very hard up for men who were well trained. Just why they put in a lot of men who had not been trained more than a few months and left hundreds of thousands of men here in the Regular Army who had been in the service from almost the beginning of the war I have never seen explained. Perhaps it is not the time to ask for that explanation, but I certainly would like to have it.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. GORDON. Yes.

Mr. KAHN. I do not think the gentleman wants to make a mistake.

Mr. GORDON. I do not.

Mr. KAHN. The first few divisions that went over were all made up of Regular Army men. The Rainbow Division was made up of National Guard men. Then there was the New England Division, made up of National Guard men. Of course, the units of the Regular Army divisions were rounded out or filled up by men who were only recently inducted into the Army; but I think if the gentleman will look up the statistics he will find that the Regular Army organizations were the ones to go over to the other side first.

Mr. GORDON. Mr. Chairman, I think the gentleman is partly right about that. As a matter of fact my understanding is that they used these draft divisions solely as replacement troops. The five leading divisions which did the greatest fighting in this war, which suffered the most casualties, were the three National

Guard divisions and the two Regular Army divisions, and those divisions, as fast as they suffered casualties, were replaced largely from the National Army divisions that were over there.

Mr. ROGERS. Mr. Chairman, I do not think the gentleman can have in mind the Seventy-ninth Division, which was a draft division, and which was trained over here at Camp Meade. That was wholly made up of draft men from Pennsylvania and Maryland and suffered more than 2,000 casualties in the course of the war.

Mr. GORDON. My understanding is that the large number of casualties among the Pennsylvania troops was among the National Guard troops. But I will ask my colleague on the committee [Mr. CRAGO] about that.

Mr. CRAGO. The First Division of the Regular Army suffered the greatest losses, and the Twenty-eighth Division, National Guard, was second.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. GORDON. Yes.

Mr. MILLER of Minnesota. I want to call the gentleman's attention to the fact that after the first three divisions of the Regular Army had been sent to France, or about that time, the Regular Army was enormously expanded in skeleton form and filled up by recruits and later by drafted men, so that within a very short time at least 70 per cent of the personnel in the Regular Army was absolutely raw and untrained, and had had much less training than the National Guard troops, and for that reason the National Guard troops were sent over first.

Mr. GORDON. I will say to the gentleman, not to prolong the controversy, that my recollection is wholly different from his. My recollection is they began by voluntary enlistments at the breaking out of the war and continued until they stopped in December, 1917, because they were out of supplies. They closed the enlistments in the Regular Army in December, 1917, and they had at that time something like four or five hundred thousand men, and only a small part of those, less than one-half, were sent across.

Now, Mr. Chairman, the gentleman from California [Mr. KAHN] has referred to the proposed league of nations and has undertaken to demonstrate that it will not work because it was tried back in the seventeenth century, or proposed at that time. Just on that subject I will say to the gentleman, as he himself hinted, those leagues which were proposed in those days were designed solely and entirely for the purpose of perpetuating the monarchies then existing. Of course, there were no republics in the world at that time, and the thrones of some of those monarchs were getting a little bit shaky, and these propositions were solely and entirely for the purpose of maintaining them upon their thrones.

Mr. KAHN. Will the gentleman yield?

Mr. GORDON. I will.

Mr. KAHN. I think the gentleman misunderstood what I said about it. I said the project had been tried many hundreds of years; that I hoped they would be able to work out something that would prevent war, but if this country was to be obligated to a proposition to send our boys into foreign lands to maintain the peace, if the league proposed that we should surrender our sovereignty, then the American people would have none of it. That is as far as I went.

Mr. GORDON. I agree with the gentleman, but I understood him to observe and got the impression from his remarks that he had not very much confidence in it. Now, I do say if this Congress of Nations in Paris would adopt the suggestion of the English delegates and adopt a treaty prohibiting compulsory military service on the part of all nations who are parties to it, that it would be a very long step in the direction of maintaining permanent peace.

Mr. KAHN. How about navies?

Mr. GORDON. Well, I think they ought to limit those, too, as far as that is concerned, but navies are not as dangerous as armies. The trouble about it is that this war was caused entirely by the fact that the nations in Europe, on the Continent of Europe, for years maintained their systems represented by the German system of compulsory military service. If they had not had that system of compulsion that they have maintained even since the organization of the German Empire under the central authority this war would never have occurred, and I do not believe there is an intelligent individual in this House or elsewhere who does not believe that is absolutely true. When you train your whole population to arms and put them under control of one man who can touch a button and call them out and throw them against any nation, I say to you you have a dangerous situation if it is put under the supreme authority of the man who is at the head of that army, who is the king, the monarch, or the kaiser, or anyone else with that power. Now, he is always advised by his general staff, of course, that remains in the background and is not in any way responsible, and whenever they get ready to attack somebody they can always find an excuse and pretext to do it, and one of the strongest incentives to do that is to train your entire population to arms and make them subject to the orders of your central authority.

Under the German and other European systems, it is true, it does not put men in the Army until they are 20 years old; my colleague proposes to put them in at 18. Of course that would permit the drafting into the military service of minors and to impose upon them the whole military burden, and, of course, I do not think that any self-respecting nation ought to do that in war or in peace. Of course we have a million boys in this country of 18 and a million at 19 and a million at 20 years of age.

Mr. KAHN. Will the gentleman yield?

Mr. GORDON. I do.

Mr. KAHN. Does the gentleman mean to infer that we are not a self-respecting Nation?

Mr. FIELDS. Places all the responsibility upon the boys.

Mr. GORDON. Congress passed a law, finally, permitting the military authorities to draft by classes or ages into service all ages between 18 and 45 and, of course, that does confer upon the War Department the authority to impose the whole military obligation upon minors. Rome, when she was on her last legs, resorted to drafting aliens into her military service, but she never got so low, until she disappeared from the face of the earth, never got to the point where it was seriously proposed to impose the whole military service of the Nation upon minors. I hope this Nation will never do a thing of that kind. The truth is military service is exceedingly strenuous and my own notion is it ought not to be imposed upon anybody until they are 20 years of age. I believe there is the danger of a breakdown——

Mr. EMERSON. Will the gentleman yield for a question?

Mr. GORDON. Yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GORDON. I ask unanimous consent, Mr. Chairman, for five minutes more.

The CHAIRMAN. Is there objection?

Mr. MANN. Reserving the right to object, the gentleman has now had 20 minutes and another gentleman 10 minutes since we commenced to read the bill. There are a lot of items in the bill that gentlemen want to consider. This has no relation to the bill. Now, I would like to ask the gentleman from Alabama [Mr. DENT] whether he proposes to give the House full opportunity to discuss the items of the bill after we get through with the buncombe talk about these general things?

Mr. DENT. I will state to the gentleman that I hope we can get down to the discussion of the bill. I do not understand that there are any questions of compulsory military training in this bill at all. But I have found that when you first start to read a bill it is best to let the general talk go on for a while.

Mr. MANN. I do not care how much talk there is if it is not shut off later. I have seen committees allow a great deal of talk about general matters in order to prevent talking on a bill.

Mr. DENT. There is no such intention as that so far as this bill is concerned.

Mr. GORDON. Mr. Chairman, has the request been put?

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio [Mr. GORDON]?

There was no objection.

Mr. GORDON. I will say to the members of the committee that when I was interrupted it was my intention to discuss one or two matters which I had not reached when my last extension of time expired, and I will endeavor to bring my remarks to a close at the earliest possible moment.

We were recently regaled by some very interesting newspaper comment inaugurated by an extended speech made in another body of the Congress of the United States upon the subject of the articles of war under which punitive justice in our Army has been administered, and I commend to the consideration of the House all of the information upon that subject which is contained in the CONGRESSIONAL RECORD.

I believe the New York World's write-up has been inserted in the RECORD under extension of remarks at the instance of Senator LODGE, and the chairman of the Committee on Military Affairs of the Senate made an extended speech on that subject. And the purport and effect of the contention, which, I am prepared to admit, was that instead of trying our men in the Army according to even military law the Articles of War are primarily designed, apparently, to carry out the arbitrary will of

the military commanders, instead of trying our soldiers according to regular rules. That is unquestionably true, and I will say for the information of the committee that in 1916, when it was proposed to revise these Articles of War and they were pending in the House and referred to the Committee on Military Affairs, I was a member of the subcommittee which was investigating and endeavoring to pull some of the fangs that are now being complained of out of those Articles of War. And you may recall that Gen. Crowder became impatient over the fact—impatient because our committee did not agree with his notions about what the Articles of War ought to contain—and he induced the President of the United States to use his influence to take that bill away from our committee. It was fastened onto the Army appropriation bill over in the United States Senate and passed through Congress as a rider. That is actually what occurred.

I simply want to remind the Members of the House of that incident and refer to the barbarities that have been perpetrated under those Articles of War, as again illustrating that it is unwise to legislate upon general subjects by riders to appropriation bills. Some 273,000 soldiers have been tried under these Articles of War and some 16,000 of them are now confined in Federal penitentiaries as the result of trials by general courts-martial.

Mr. SIEGEL. If the gentleman will yield, I will say that 370,000 cases have been tried and 22,000 men are now confined, and the Secretary of War is getting up a list of those names, the offenses, and the sentences.

Mr. GORDON. Yes. I am very much gratified indeed to know that the American Bar Association is interesting itself in this matter. It thus far appears to have the sympathy and cooperation of the Secretary of War. I hope this investigation will be carried through to a finish and that the Articles of War will be revised and amended in accordance with modern humane principles. [Applause.]

Much has been said upon the subject of conscientious objectors, Mr. Chairman, and I was just wondering whether it would not be worth while to insert in the RECORD something in regard to that. I will ask leave to extend my remarks for the purpose of inserting this and other documents in the RECORD, the general order under which conscientious objectors have been recognized under the laws of the United States—General Order No. 28.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to insert in the RECORD the document indicated.

Mr. MANN. Do the other documents relate to the same subject?

Mr. GORDON. There is just one relating to conscientious objectors.

Mr. MANN. That and other articles. I do not know what they are.

Mr. GORDON. It relates to this subject—the subject of my remarks.

The CHAIRMAN. Is there objection?

Mr. TILSON. Does the gentleman mean the others are orders from the War Department? Of course, there is no objection to the——

Mr. GORDON. Not orders from the War Department.

Mr. TILSON. If the gentleman is going to insert a lot of propaganda such as we receive in our mail, I shall certainly object. I would like to know what it is the gentleman intends to insert. I have no objection to the insertion of such as he has specified. Therefore I would like the gentleman to be specific in his request.

Mr. GORDON. I will reassure the gentleman by saying that I intend to insert nothing in addition to this order No. 28 that is not written by myself.

Mr. TILSON. Is that an order of the War Department?

Mr. GORDON. Yes.

Mr. ANTHONY. What is the nature of the matter the gentleman is going to insert? Does the order justify those conscientious objectors?

Mr. GORDON. I will insert the order in the RECORD to enable Members of Congress to determine whether or not it justifies what has been done. I do not intend to comment on that.

The CHAIRMAN. Is there objection?

There was no objection.

Following is the document referred to:

[G. O. 28.]

[GENERAL ORDER No. 28.]

WAR DEPARTMENT,
Washington, March 23, 1918.

The following Executive order is published to the Army for the information and guidance of all concerned:

EXECUTIVE ORDER.

1. By virtue of authority contained in section 4 of the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," whereby it is provided—

"And nothing in this act contained shall be construed to require or compel any person to serve in any of the forces herein provided for who is found to be a member of any well-recognized religious sect or organization at present organized and existing and whose existing creed or principles forbid its members to participate in war in any form and whose religious convictions are against war or participation therein in accordance with the creed or principles of said religious organizations; but no person so exempted shall be exempted from service in any capacity that the President shall declare to be noncombatant."

I hereby declare that the following military service is noncombatant service:

(a) Service in the Medical Corps wherever performed. This includes service in the sanitary detachments attached to combatant units at the front; service in the divisional sanitary trains composed of ambulance companies and field hospital companies, on the line of communications, at the base in France, and with the troops and at hospitals in the United States; also the service of supply and repair in the Medical Department.

(b) Any service in the Quartermaster Corps in the United States may be treated as noncombatant. Also, in rear of zone of operations, service in the following: Stevedore companies, labor companies, remount depots, veterinary hospitals, supply depots, bakery companies, the subsistence service, the bathing service, the laundry service, the salvage service, the clothing-renovation service, the shoe repair service, the transportation repair service, and motor-truck companies.

(c) Any Engineer service in the United States may be treated as noncombatant service. Also, in rear of zone of operations, service as follows: Railroad building, operation, and repair; road building and repair; construction of rear-line fortifications, auxiliary defenses, etc.; construction of docks, wharves, storehouses, and of such cantonments as may be built by the Corps of Engineers; topographical work; camouflage; map reproduction; supply-depot service; repair service; hydraulic service; and forestry service.

2. Persons ordered to report for military service under the above act who have (a) been certified by their local boards to be members of a religious sect or organization as defined in section 4 of said act; or (b) who object to participating in war because of conscientious scruples but have failed to receive certificates as members of a religious sect or organization from their local board will be assigned to noncombatant military service as defined in paragraph 1 to the extent that such persons are able to accept service as aforesaid without violation of the religious or other conscientious scruples by them in good faith entertained. Upon the promulgation of this order it shall be the duty of each division, camp, or post commander, through a tactful and considerate officer, to present to all such persons the provisions hereof with adequate explanation of the character of noncombatant service herein defined, and upon such explanations to secure acceptances of assignment to the several kinds of noncombatant service above enumerated; and whenever any person is assigned to noncombatant service by reason of his religious or other conscientious scruples he shall be given a certificate stating the assignment and reason therefor, and such certificate shall thereafter be respected as preventing the transfer of such persons from such noncombatant to combatant service by any division, camp, post, or other commander under whom said person may thereafter be called to serve, but such certificate shall not prevent the assignment of such person to some other form of noncombatant service with his own consent. So far as may be found feasible by each division, camp, or post commander, future assignments of such persons to noncombatant military service will be restricted to the several detachments and units of the Medical Department in the absence of a request for assignment to some other branch of noncombatant service as defined in paragraph 1 hereof.

3. On the 1st day of April, and thereafter monthly, each division, camp, or post commander shall report to The Adjutant General of the Army, for the information of the Chief of Staff and the Secretary of War, the names of all persons under their respective commands who profess religious or other conscientious scruples as above described and who have been unwilling to accept, by reason of such scruples, assignment to noncombatant military service as above defined, and as to each such person so reported a brief, comprehensive statement as to the nature of the objection to the acceptance of such noncombatant military service entertained. The Secretary of War will from time to time classify the persons so reported and give further directions as to the disposition of them. Pending such directions from the Secretary of War, all such persons not accepting assignment to noncombatant service shall be segregated as far as practicable and placed under the command of a specially qualified officer of tact and judgment, who will be instructed to impose no punitive hardship of any kind upon them, but not to allow their objections to be made the basis of any favor or consideration beyond exemption from actual military service which is not extended to any other soldier in the service of the United States.

4. With a view to maintaining discipline it is pointed out that the discretion of courts-martial, so far as any shall be ordered to deal with the cases of persons who fail or refuse to comply with lawful orders by reason of alleged religious or other conscientious scruples, should be exercised, if feasible, so as to secure uniformity of penalties in the imposition of sentences under Articles of War 64 and 65 for the willful disobedience of a lawful order or command. It will be recognized that sentences imposed by such courts-martial, when not otherwise described by law, shall prescribe confinement in the United States Disciplinary Barracks or elsewhere, as the Secretary of War or the reviewing authority may direct, but not in a penitentiary; but this shall not apply to the cases of men who desert either before reporting for duty to the military authorities or subsequently thereto.

5. The Secretary of War will review the sentences and findings of courts-martial heretofore held of persons who come within any of the classes herein described, and bring to the attention of the President for remedy, if any be needed, sentences and judgments found at variance with the provisions hereof.

WOODROW WILSON.

THE WHITE HOUSE, *20 March, 1918.*

[383.2, A. G. O.]

By order of the Secretary of War:

PEYTON C. MARCH,
Major General, Acting Chief of Staff.

Official:

H. P. MCCAIN,
The Adjutant General.

Mr. QUIN. Mr. Chairman, I ask unanimous consent to proceed for 15 minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for 15 minutes. Is there objection?

There was no objection.

Mr. QUIN. Mr. Chairman, I propose to speak the truth, just as I see it. I will tell you something. This committee has brought out a bill here which I will discuss in a moment. I can not agree to this thing. I am for an Army of 175,000 men.

I want to tell you, gentlemen, that I do not take any stock in all this severe and unjust criticism of the War Department and of the Army officials. Gentlemen on this floor have stated that these officers of the Army here, these bureaus, would not treat them with proper respect. I am sorry that any man has been treated disrespectfully. For my part, they have always shown the utmost courtesy to me, and I believe that they intend to do that to all Members of Congress.

Again, I do not take any stock in this wholesale criticism of the Army across the sea. Gen. Pershing, according to what the Secretary of War told our committee, had carte blanche in Europe, even to the ordering of shoes; and when you gentlemen criticize in vicious fashion all that is going on there and all that has gone on there, by so doing you have laid the blame on Gen. Pershing. I believe he has conducted this Army in Europe in the proper manner. [Applause.]

Further, gentlemen, I have looked over the signs of the zodiac and I have observed that the season is now propitious for altering this bill. I think the number in the proposed Army should be cut down from 500,000 to 175,000 men, with a proper number of officers to officer that Army. [Applause.]

We have raised an Army of nearly 4,000,000 men. We sent over 2,000,000 across the sea. These men that were called from the rank and file of the great body of the people went across the sea after having received only two or three months' training, and they fought as soldiers never fought before, and this, too, among people whose language they did not understand. Yet, after our soldiers have won this great war, after we have emptied the Treasury, after we have placed $30,000,000,000 of debt upon the American taxpayers, it is now proposed to float what they call a victory bond issue about April 9 of $7,000,000,000, and one for $5,000,000,000 will have to come a few months later, and one for $4,000,000,000 or $5,000,000,000 will be bound to come in 1920. And yet this Congress sits around, after having won this great war, talking about an Army of half a million men! You might just as well have a billion as half a million. It makes no difference in the final analysis.

The fact is, Mr. Chairman, this bill provides, as I understand it, a feature to the effect that you can even go out and conscript these men, because it comes under the provisions of the act of May 18, 1917. The gentleman from California [Mr. KAHN] may indorse that kind of business; but all this talk about compulsory training and compulsory service in this country in time of peace is rot, and the majority of the people will drive any party out of Congress that enacts such a thing as that in this country. [Applause.] We have won this war, and are called on now to raise the greatest Army that the United States has ever had in peace times.

Another alteration that should be made in this bill is to repeal what was done under the act to coordinate and harmonize the departments and other establishments of the Government. I will tell you what they did. They built up a General Staff, and the President delegated, as he ought to have done as the Commander in Chief and as President of this Republic, the authority to a body of expert military men; but they built up a General Staff that is a duplicate and replica of this hated and contemptible German system, and that staff has divested the Secretary of War of any real constituted authority which he formerly possessed. They absolutely took the virility out of the office of The Adjutant General and took the marbles away from The Adjutant General, until he is now in reality nothing but a chief clerk down there. [Laughter.]

Other bureaus have been treated in the same way. This bill proposes to take away part of that authority, but it fails to do it in whole. The General Staff is riding yet, because we have got the word "organizations" in here. My information is that you ought to cut the guts out of it and hang them up in the sun to dry. [Laughter.] We can not afford to let the General Staff have all that authority.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. QUIN. I can not yield. I want to say further that this bill has not only placed upon the American taxpayer, as the gentleman from California [Mr. KAHN] wanted the House to believe, a burden of over $1,000,000,000, because he claimed that that would pay all of our Army in France and it would maintain this Army in our country here at a strength of 500,000, but it has placed on the American taxpayer a burden nearly twice as big, because every man who has any sense knows that this Army costs $1,600 per man, and we would be called upon to pay a deficiency of nearly $1,000,000,000 more.

There is no use to fool ourselves. The American Congress has spent all of this money and is going ahead now when the taxpayers of this country are groaning and limping under the load that has been placed on them. I want to say that Congress is not to blame for all of it. The administration of this Republic is to blame for a great deal of it, some men from every department. Here is the Secretary of the Interior coming down and proposing to go out over this country and buy up a lot of old cut-over pine land, worth about six bits an acre, and pay the owners of that land valuable prices, and have the American Congress be fool enough to go out and dig up the stumps, and put up fine houses and waterworks and electric lights in them out of the American taxpayers' money. They are full of such schemes as that to take the money away from the taxpayers of this country. Are we, as true, honest representatives of the masses of the people of this country, going to stand and submit to it? Some men propose to donate to our soldiers a year's salary. Every kind of waste! We passed a law, and I voted for it, to fix up the wheat farmers, to pay $2.26 a bushel for their wheat. You are called upon now to put up $1,250,000,000 to make that good. You are called on to pay $750,000,000 more, after the railroad control has spent the $500,000,000 that you gave them. You are asked to pay out $750,000,000 more to go out and raise the salaries of everybody in this country to demoralize labor. You are called upon for every kind of a scheme to go out and grab money, with the Treasury already empty. And now you have only one place where we can call a halt. They are not going to halt any of these other things that I am talking about. You can call a halt on the Military Establishment in this country. I want my country protected. This bill has a provision in it which does that. If we will take the vitals out of that 500,000-men proposition, and cut it down to 175,000 enlisted volunteer men, with the proper officers, you have in this bill a provision for the National Guard, with about $32,000,000 worth of equipment, that we already have, and the balance in cash, making $50,000,000 to build up a strong National Guard in every State of this Nation. My friends, there is the hope of this Republic. With the National Guard, the States will have a proper force to quell riots and disturbances in any section of the State. Then there will be these 175,000 volunteers in the United States Army. By the way, according to my conception of this volunteer enlistment plan we can not get any more than that, but under those two provisions you will have a sufficient Army to guard properly the coast and the insular possessions and to be sent to quell riots and strikes in this Republic. What more should we want? Is the gentleman from California [Mr. KAHN] afraid that some one is going to come over and take us overnight? Why should we need 500,000 men after we have just won the great war, and the President over yonder around the peace table proposing a league that will prevent war? Why should 500,000 men, with 29,000 or 30,000 officers with shoulder straps be living off the people?

Mr. DENISON. Will the gentleman yield?

Mr. QUIN. I can not yield. What is the object of this? Do you believe that the American Government is in danger? Do you believe that 500,000 soldiers and 30,000 officers could save us? With the experience that we have had, do not you know that an army could be raised in a very short while if we should be suddenly attacked from any quarter? Do not you know that it has been demonstrated that all this talk is nonsense, that a great many of the officers said you had to have a great standing army in order to be prepared to fight a war successfully? All of that idea has passed away like the mists before the sun. Yet we have it urgently insisted that this Government should fasten upon itself now this great ball and chain to drag along and hold us down. In the name of heaven, let us get those soldiers that are now in the Army back home in civil pursuits. [Applause.] Let us have these men back on the farms and in the workshops. Across the seas there are still two millions of men. We may need some there, but the greater part of that great number of two millions of men should be transported back across the Atlantic Ocean and put out into the fields. Old Bossy and old Muley are calling for them. The bobwhites out in the cornfield are calling for the boys back on the farm, and here we are proposing to keep two millions of men standing almost in idleness, drawing salaries, and wasting money, and to have 500,000 more in this country. What are the people going to think about it? I will tell you what they are going to think. They are going to talk in 1920. They are going to talk at the ballot box. They are going to talk where it counts. The ballot is a mighty voice, and some of you in distress may tremble when you hear it in 1920.

With all of the talk and all the attempt to stir up trouble in this country and all the attacks that have been made against our Government, we may need some men to protect our country against bolshevism.

Some of them the other day hollered up in New York "to hell with the United States." We need some force to handle such bunches as that; but, my friends, do we need 500,000? Is there a man on this floor who believes that you can go out and get by volunteers 510,000 men for a standing Army? Of course, we can get the officers. There will be no trouble about that. That is why I think this army is wanted, to give a big crowd of officers a job for the taxpayers to maintain. Is Congress, representing 100,000,000 people from all stratas of society, going to proceed on the ground that this great Military Establishment after the war, after peace is virtually in sight, after the league of nations has been agreed to according to this morning's paper, and is virtually a success—is Congress going to say that we need 500,000 men? Are they going to call on the American taxpayers to sustain this heavy burden, to sustain this enormous force, while our country is in peace? We need the rehabilitation of industry and agriculture in this country. You need to bring these men back from the Army to do that. You can not raise corn, wheat, cotton, sheep, cows, and hogs without bringing these men back from the Army. You can not do it by the Agricultural Department sending out bulletins. You have got to do it by brawn and muscle, and it is going to be no 44 hours a week either. The farmers of this country do not believe that this Government should fasten upon the taxpayers of the Nation a great standing Army, and the large taxpayers have reached the point where they do not believe it. There is not a taxpayer within the Government to-day that is not feeling the pinch, and who is not calling a halt on the wild extravagance and waste of money. I want to say that I have voted against every raise of salary that has been proposed in this Congress. I have voted against expenditures which I did not think essential. I voted for the naval appropriation bill because I thought it was needed to protect the country under all the circumstances and because the President of the United States urged it as essential to his success at the peace congress. But no man has come forward to bring any evidence here that we need a great standing Army in a time of peace. No man has brought forth anything to prove that you can raise that army by voluntary enlistment. The ideals for which our Republic stands and the sentiments of the plain people will not tolerate this big army in times of peace. [Applause.]

Mr. LARSEN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LARSEN. We have read one paragraph of the bill and I would like to know how long it is possible for Members to go on discussing matters that have nothing to do with that paragraph in the bill.

The CHAIRMAN. Just as long as the members of the committee give unanimous consent that they may proceed.

Mr. LARSEN. I want to say that I shall have to object to any further discussion outside of the matters contained in the bill.

Mr. STEAGALL. Mr. Chairman, I wish to say a word in reply to the gentleman from Georgia. General debate on this bill was closed with the statement by the chairman that Members desiring further discussion might get time under the five-minute rule. I do not want to take any time myself, but I know of several gentlemen who do desire time and want to speak.

Mr. HUMPHREYS. Mr. Chairman——

Mr. MANN. Before the gentleman proceeds I would like to say that the gentleman from Georgia [Mr. LARSEN] has given notice that he will object unless debate is confined to the paragraph under consideration.

Mr. HUMPHREYS. If the gentleman from Georgia insists that debate be on the paragraph, I will take my seat as soon as the point of order is sustained. After I have consumed five minutes I am going to ask for more time, and if objection is made I will take my seat, but until we reach that bridge I will proceed in order, or, perhaps, out of order.

Mr. Chairman, I have taken the floor simply to say a word in behalf of the Regular Army. All of us are interested, of course, in the National Army; all of us are interested in the National Guard, especially in those units which come from our States and our communities. But nobody feels particularly called upon to say anything for the Regular Army, and proceeding, perhaps, on the same theory that Kipling proceeded when he was bragging on Fuzzy Wuzzy, because, as he said, "he 'asn't any papers of his own," I want to call attention to some facts touching the Regular Army as a fighting machine.

There were 30 combat divisions which engaged in fighting in France and sustained battle losses. Seven were from the Regular Army, 11 from the National Guard, and 12 from the National Army. The total killed in battle was 27,762 in the 30 combat divisions. The 7 Regular Army divisions out of the 30 lost 8,281 killed, or 30 per cent of the total. The total losses—that is to say, the killed, died of wounds, missing, and captured, not counting the other casualties—the total battle casualties of the 30 divisions was 56,592. The 7 Regular Army divisions out of the 30 lost 17,768, or 31 per cent of the total battle casualties.

Now, if we take the average battle losses which I have just enumerated—the killed, died of wounds, missing, and captured—the combat divisions engaged in the battles lost, on the average, 1,886 to the division. That average with the Regular Army divisions was 2,538.

Mr. CARAWAY. Will the gentleman yield?

Mr. HUMPHREYS. Yes.

Mr. CARAWAY. Was that owing to the inferior leadership?

Mr. HUMPHREYS. I do not think so. I am willing the gentleman from Arkansas should take that opinion.

Mr. CARAWAY. I expressed no opinion. I asked the gentleman.

Mr. HUMPHREYS. I presumed the gentleman entertained the opinion or he would not have asked the question to find out if I disagreed with him.

Mr. CARAWAY. I think it is fair, though.

Mr. HUMPHREYS. The gentleman thinks that is a fair inference. Then the Rainbow Division and the Wisconsin Division—the Thirty-second—and the Twenty-eighth Divisions, which have won immortal glory in this war, are properly subject to the criticism that they were badly led. I do not believe that. There were 23 divisions which sustained battle losses, as I have defined that term, exceeding 1,000 to the division. The average losses in such divisions was 2,354. The average loss in such Regular Army divisions was 3,464. The highest loss—killed in battle—of any regiment in the Army was in the Ninth Infantry, 547. The next was the Twenty-eighth Infantry, 517. The next, the Eighteenth Infantry, 512, and the next, the Twenty-third Infantry, 504, all Regulars.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUMPHREYS. Mr. Chairman, so that when it comes to the bloody business of the battle field the Regular Army has measured up not only to the expectations of its friends, but to the best traditions of the American Army. [Applause.] The total losses of the First Division—Regulars—highest of any in the Army, were 5,248. The Forty-second—the Rainbow Division—the division in which all of us take especial and thoroughly justifiable pride, because it was composed of National Guard units from 27 States, and every section of our country was represented, lost 2,950. The Thirty-second Division, made up, as I recall, from Wisconsin, Minnesota, and Michigan and possibly Iowa, the division in which I think everyone in the country who has real American blood in his veins takes great pride, lost 3,213; the Twenty-sixth Division, 2,868.

Mr. CARAWAY. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS. Yes.

Mr. CARAWAY. The gentleman from Mississippi seemed to rather resent a moment ago that I asked about the leadership.

Mr. HUMPHREYS. I did not resent it.

Mr. CARAWAY. Is it his inference, then, from citing the figures, that the Regular Army was superior to the National Guard and the National Army in courage, skill, and willingness to go into battle?

Mr. HUMPHREYS. It is not.

Mr. CARAWAY. Then what is the gentleman proving by his figures, other than possibly the opportunity to engage in battle?

Mr. HUMPHREYS. Mr. Chairman, it is very likely that I am wasting the time of the House, but I will state to my friend that I am thoroughly enjoying the pastime. [Laughter.] I put it in here because all of us naturally and properly sing the praises of the National Guard and the National Army divisions and point to their sacrifices on the battle field. I took the floor simply to show that in this bleeding business the Regular Army was doing its full share and shedding its full proportion of very precious American blood; that is all. As to the reasons for it, they are perfectly apparent. They were sent over there first. In October, 1917, for instance, the first division went into the trenches. The National Guard units, which were considered the best trained, were sent over first and were put into battle first,

and therefore they suffered the greatest losses. At Cantigny, where the marines won their first fame, the newspapers had little to say of the other units. Gen. Pershing, however, in his report of that battle, says this:

On April 26 the First Division had gone into the line in the Montdidier salient on the Picardy battle front. Tactics had been suddenly revolutionized to those of open warfare, and our men, confident of the results of their training, were eager for the test. On the morning of May 28 this division attacked the commanding German position in its front, taking with splendid dash the town of Cantigny and all other objectives, which were organized and held steadfastly against vicious counterattacks and galling artillery fire. Although local, this brilliant action had an electrical effect, as it demonstrated our fighting qualities under extreme battle conditions, and also that the enemy's troops were not altogether invincible.

Who can accurately measure the full significance of this last sentence? For four long and unhappy years the German hosts had been victorious. In the previous March drive they had utterly crushed the English Fifth Army and came perilously near winning the war. All of us remember Haig's Macedonian cry. Who, then, I repeat, can estimate the tremendous value of this long prayed for demonstration that "the enemy's troops were not altogether invincible"?

When this campaign had ended the following general order was issued by the commanding general, which tells its own story:

General Orders, No. 112.

GENERAL HEADQUARTERS,
AMERICAN EXPEDITIONARY FORCES,
France, July 9, 1918.

The commander in chief desires to record in the General Orders of the American Expeditionary Forces his appreciation of the splendid courage, service, and sacrifice of the officers and men of the First and Second Divisions of these forces during the recent operations in which these divisions participated and in which the enemy was checked by the resolute defense and counteroffense of the allied armies.

These divisions submitted fully for the first time to all the drastic tests of modern warfare, bore themselves always with fine valor; their cooperation with their brothers in arms of the unified command was prompt and efficient and brought from their allied comrades many expressions of sincere appreciation. The conduct of these brave men and that of their fallen comrades who made the supreme sacrifice has established a standard of service and prestige which every division of the American Expeditionary Forces will strive to emulate and preserve.

This order will be read to all organizations at the first assembly formation after its receipt.

By command of Gen. Pershing:

JAMES W. MCANDREW,
Chief of Staff.

Official:

ROBERT C. DAVIS,
Adjutant General.

On the 15th of July the other great offensive opened; the offensive which all Germany hoped and believed would win the war. Alas for their hopes. It was indeed to be the last offensive, but its failure was to spell their downfall. Here, too, the Regulars did their full share of the fighting. Reading again from Gen. Pershing's report:

The Third Division was holding the bank of the Marne from the bend east of the mouth of the Surmelin to the west of Mezy, opposite Chateau-Thierry, where a large force of German infantry sought to force a passage under support of powerful artillery concentrations and under cover of smoke screens. A single regiment of the Third wrote one of the most brilliant pages in our military annals on this occasion. It prevented the crossing at certain points on its front, while on either flank the Germans, who had gained a footing, pressed forward. Our men, firing in three directions, met the German attacks with counterattacks at critical points and succeeded in throwing two German divisions into complete confusion, capturing 600 prisoners.

I believe every State in this Union shared in the sorrow and the glory of what has come to be known generally as the victory of Chateau-Thierry.

I believe I am within the record when I say that the great drive of July 15 was stopped by the soldiers of this Republic and the tide of battle turned by them which was the forerunner of Germany's collapse.

The following general order is a fitting acknowledgment of the praise due to all our soldiers alike. It will be observed that the divisions named are four Regular and four National Guard:

General Orders, No. 143.

GENERAL HEADQUARTERS,
AMERICAN EXPEDITIONARY FORCES,
France, August 28, 1918.

(For official circulation only.)

It fills me with pride to record in general orders a tribute to the service and achievements of the First and Third Corps, comprising the First, Second, Third, Fourth, Twenty-sixth, Twenty-eighth, Thirty-second, and Forty-second Divisions of the American Expeditionary Forces.

You came to the battle field at the crucial hour of the allied cause. For almost four years the most formidable army the world had as yet seen had pressed its invasion of France and stood threatening at its capital. At no time had that army been more powerful or menacing than when, on July 15, it struck again to destroy in one great battle the brave men opposed to it and to enforce its brutal will upon the world and civilization.

Three days later, in conjunction with our allies, you counterattacked. The allied armies gained a brilliant victory that marks the turning point of the war. You did more than give our brave allies the support to which as a nation our faith was pledged; you proved that our altruism, or pacific spirit, our sense of justice have not blunted our virility or our courage. You have shown that American initiative and energy are as fit for the test of war as for the pursuits of peace. You have justly won the unstinted praise of our allies and the eternal gratitude of our countrymen.

We have paid for our success in the lives of many of our brave comrades. We shall cherish their memory always and claim for our history and literature their bravery, achievement, and sacrifice.

This order will be read to all organizations at the first assembly formation after its receipt.

JOHN J. PERSHING,
General, Commander in Chief.

Official:

ROBERT C. DAVIS,
Adjutant General.

There is glory enough for all surely in the record that was made. From the 18th of July to November 11 our boys in all branches of the service showed the mettle of their pasture. After this splendid division, the first to enter the trenches in October, 1917, had finished its great work with Cantigny, Chateau-Thierry, Belleau Wood, and Argonne upon its banners, the following general order shows how well the sequel held together:

General Orders, No. 201.

GENERAL HEADQUARTERS,
AMERICAN EXPEDITIONARY FORCES,
France, November 10, 1918.

(For official circulation only.)

1. The commander in chief desires to make of record in the General Orders of the American Expeditionary Forces his extreme satisfaction with the conduct of the officers and soldiers of the First Division in its advance west of the Meuse between October 4 and 11, 1918. During this period the division gained a distance of 7 kilometers over a country which presented not only remarkable facilities for enemy defense, but also great difficulties of terrain for the operation of our troops.

2. The division met with resistance from elements of eight hostile divisions, most of which were first-class troops, and some of which were completely rested. The enemy chose to defend its position to the death, and the fighting was always of the most desperate kind. Throughout the operations the officers and men of the division displayed the highest type of courage, fortitude, and self-sacrificing devotion to duty. In addition to many enemy killed, the division captured 1,407 of the enemy, 13 77-mm. field guns, 10 trench mortars, and numerous machine guns and stores.

3. The success of the division in driving a deep advance into the enemy's territory enabled an assault to be made on the left by the neighboring division against the northeastern portion of the Forest of Argonne and enabled the First Division to advance to the right and outflank the enemy's position in front of the division on that flank.

4. The commander in chief has noted in this division a special pride of service and a high state of morale, never broken by hardship nor battle.

5. This order will be read to all organizations at the first assembly formation after its receipt. [14790–A–306.]

By command of Gen. Pershing:

JAMES W. MCANDREW,
Chief of Staff.

Official:

ROBERT C. DAVIS,
Adjutant General.

Mr. Chairman, all of us have indulged in criticism of the Regular Army. I have listened to many gentlemen do it, and some gentlemen have listened to me do it. I have no doubt that I shall continue to listen to criticisms of the Regular Army, and if the House will be patient with me in times to come, I have no doubt that they will hear me indulge in similar criticisms. The conduct of the Regular Army, Mr. Chairman, in this war has been such, however, that, in my opinion, every American can take pride in.

The Regular Army men who went over to the other side, as I have shown, did their duty fully on the battle field. A great majority—62 per cent—of the officers remained over here; and for what purpose? In order to train the other boys from civil life who were necessary to go. Did they perform that service well? I think the answer to that question came at Belleau Woods, at Chateau-Thierry, and along that long and bloody trail which lead thence to Sedan. They trained the boys fresh from the walks of civil life and demonstrated that whatever our lack in guns and cannon, we were in the main essential element of preparedness—the spirit of the people and the quality of our boys—the best-prepared Nation in the world. To my mind they also demonstrated that there is no necessity hereafter to maintain as a permanent Military Establishment any considerable number of troops above that which was authorized before the war. They showed that they could train the boys in civil life to be the match of any soldiers beneath the sun.

Mr. Chairman, I felt that in justice to the Regular Army some one ought to present these facts to the House and possibly to the country, because whatever else may be said of them, they have demonstrated that they are first-class fighting men.

I append the following, taken from the Official Bulletin, so that Members may see the exact losses in all the divisions which had the luck, and it was only luck, to get into action:

Total casualties by divisions.

[Field signal battalions and trains not included.]

Division.	Killed in action.	Died of wounds.	Missing in action.	Prisoners.	Total.
1	2,303	1,050	1,789	106	5,248
2[1]	1,383	696	813	73	2,965
3	1,901	589	873	254	3,617
4	1,500	618	817	51	2,983
5	970	505	969	60	2,504
6	49	67	3	3	122
7	175	98	50	3	323
26	1,388	660	462	354	2,864
27	1,302	404	330	158	2,194
28	1,544	553	1,174	619	3,890
29	597	220	267	33	1,117
30	1,084	415	251	22	1,772
32	1,694	708	768	43	3,213
33	632	261	249	29	1,171
35	596	217	808	112	1,733
36	358	116	393	2	869
37	658	289	303	.....	1,250
42	1,702	723	440	85	2,950
77	1,275	552	529	336	2,692
78	915	339	508	63	1,825
79	880	352	1,142	15	2,389
80	636	337	286	96	1,355
81	203	86	79	2	370
82	808	324	271	189	1,592
88	20	33	7	6	66
89	838	427	256	4	1,525
90	936	327	287	35	1,585
91	934	275	470	23	1,702
92	109	50	47	5	211
93	372	105	8	4	489
Total	27,762	11,396	14,649	2,785	56,592

[1] Two regiments of marines not included.

Mr. BANKHEAD. Mr. Chairman and gentlemen of the committee, we are sitting to-day under our constitutional power to make appropriations for the maintenance of our Army, and I must confess that I approached the deliberations upon this measure with an open mind. I am one of those who have consistently supported the administration and the Government in the prosecution of the war and all measures that I deemed essential or vital for the successful and victorious termination of that cause. But hostilities have ceased; the war is to all intents and purposes ended, and we now, gentlemen, sit here as the representatives of the American people to meet the propositions of rehabilitation and reconstruction. Since the armistice was signed and the war ceased each one of us, I am sure, in his own heart and intellect, has begun to take stock of what his course and procedure should be in the future with reference to these bills which should come before this House. As has been pointed out here time and time again, and you gentlemen all know, the war has necessitated the piling upon the Federal Treasury a stupendous and almost unimaginable burden that has to be paid out of the labor, toil, and sacrifices of the American people.

I am not making complaint about the appropriations which were made to carry out and win this war. I voted for them, and I have no apologies to make; but we are now, gentlemen, approaching—and are, as a matter of fact—upon a status of peace, and here comes the Committee on Military Affairs of the House and presents an appropriation providing for the expenditure of $1,916,000,000 for the purpose of maintaining the Army during the next fiscal year. It contains a provision, gentlemen, authorizing, in all events and under all circumstances, a standing army of over 25,000 officers and 500,000 men. Now, we are responsible to the people. I am not standing here to-day in the capacity of a diplomat; I am not standing here in this forum in the exercise of any judicial power; I am here as a representative of 200,000 hard-working, honest, toiling Alabama people, just like you are the representative of such in your district. What do you think their feeling and their judgment are upon this new proposal and absolute departure from the traditional policy of our people for a large standing army in time of peace?

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. BANKHEAD. I will.

Mr. MOORE of Pennsylvania. Does the gentleman know that there are now pending before the Committee on Ways and Means and in expectation it will be shortly reported to the House a bill which proposes to increase our bonds from $20,000,000,000 to $25,000,000,000, with an additional issue of $10,000,000,000 of notes?

Mr. BANKHEAD. I am aware of that, and every Member of this House is aware of it; but, gentlemen, the pay day has got to come in the future. [Applause.] Yet here we are on both sides of this aisle voting daily huge sums of money for all sorts of purposes, and I particularly desire to take this opportunity to admonish my Democratic brethren that the responsibility is primarily upon us to cut out these unnecessary expenditures, because we are the party in power and the country properly is going to charge us with any undue and wanton extravagance in these expenditures of the people's money. Yes; that situation has to be confronted, and that is the reason why I for one—and I do not claim any particular virtue upon this situation—propose to call a halt. I have to be guided, gentlemen, by this monitor here in my own individual bosom, by what little intellect God has given me as to my individual course and procedure; that is the reason, after the war ended, as I have said, as far as I am concerned I am going to see to it by my vote that our appropriations are limited to our governmental necessities. [Applause.] I voted against the appropriation giving $100,000,000 away to feed the Germans and Austrians, Russians and Turks and Bolsheviki over yonder, and my vote on that question did not meet with the approval of the majority of this House, but it met the approval of my judgment and conscience and will meet the approval of my constituents. I voted against the naval appropriation because it authorized the spending of $750,000,000 of the people's money right at a time when we are hoping and believing that the peace treaty at Paris will provide for the disarmament of nations.

Mr. DENT. Will the gentleman yield for a question?

Mr. BANKHEAD. Yes.

Mr. DENT. I hope that my colleague from Alabama will not refuse to vote the money to pay the necessary number of troops before demobilization.

Mr. BANKHEAD. Oh, yes; that is the attitude my colleague undertakes to put us in. They want me hog-tied, as it were, for fear of criticism if I vote against a big standing Army. You can say, "Yes; he voted against an appropriation to pay boys still in the service——"

Mr. DENT. I think that is a fact.

Mr. BANKHEAD. What I want to do is to cut out the Army of half a million men in time of peace and have in the bill the necessary sums to pay and provide for the boys still left in the present Army. But that does not prevent us on the floor of this House from making an honest effort to cut down the expenditures provided in the bill, if it can be done. Now, what is the necessity of a standing Army? The proposed Army, as my friend from California [Mr. KAHN] called it, I believe, yesterday, a "stop-gap" Army of 500,000 men. I asked the distinguished gentleman from Illinois [Mr. MCKENZIE], a man of fine common sense and high patriotism, to give some reason for the necessity for this proposition, and what was his answer? I am sure it was the best that he could make. It was that they tell us—that is, the General Staff—that, in view of our colonial possessions, our insular possessions, and our long seacoast to defend, that, in their judgment, that is the minimum amount we should rely upon. Why? With what new menace are we confronted in reference to the safety of our insular possessions? Why, one regiment is a sufficient constabulary for the Philippine Islands. What war cloud is brewing over the Panama Canal Zone or Porto Rico or any other of our possessions that did not exist prior to our entrance into this war? Gentlemen, this is but the entering wedge for a permanent policy of a large standing Army that the people of the United States have opposed [applause] and to which conviction and sentiment I am unalterably opposed in time of peace. Why, it is admitted by members of the Committee on Military Affairs that the Chief of Staff, when he had a hearing on this proposition, advocated the adoption of this policy providing for a minimum Army of half a million men as a permanent peace policy, and when that proposition met with criticism in the committee finally Mr. KAHN suggested, or undertook to provide, a rider that would only provide for an emergency Army for the fiscal year of 1919–20. What is the necessity for keeping 500,000 boys in the Army if we can get them home this year? The boys in the Army from my district went to the war to lick Germany. They have done their part in finishing that job, and now they want to go home to their own people and get back into the useful and peaceful trades and callings.

We are told that our Army is being brought back home as fast as ships can be procured to bring them.

I trust that that is so. I pray to God that those in authority may exercise the same zeal, energy, and industry in getting them back as they did in getting them over there to the firing line when we sent them over there. [Applause.] I believe in good faith that they are making every effort to do so. I have scores of letters every day from my district from mothers, fathers, wives, and children asking when their soldier will get

back. The farms all over my district are vacant because the boys are over there in the Army. I think we ought to put some legislation on this bill, gentlemen, authorizing and directing the Secretary of War immediately to discharge from the service certain classes of men. [Applause.] I propose at the opportune time to offer an amendment authorizing and directing him, as soon as possible under the machinery provided, to discharge from the service those who have dependents at home, all of those for whom the Government of the United States pay the family allowance at home, and those engaged in agriculture. I do not know what support that proposition will get. But, gentlemen, we are proposing here an Army of, as I say, 500,000 men, without any necessity for its existence having been satisfactorily stated by the members of the committee.

I am sure that the explanation that has been offered by the committee on this proposition does not meet with your honest convictions upon the ground of governmental necessity. If we are going to spend money extravagantly, let us spend it for some useful and serviceable purpose. Why should we have half a million men in camps throughout the country in absolute idleness, doing nothing except to conform to regimen and military discipline, producing nothing, but consuming all the time, under constant daily burdens of the taxpayers and the people of the United States? I say, if we are going to spend the money, let us spend it for some instructive, useful, and humanitarian purpose.

The gentleman from California [Mr. KAHN] said that 270 soldiers out of every thousand enlisted were afflicted with some congenital or contracted disease. We could spend $10,000,000 upon that proposition and accomplish great results along that line. There are to-day in the United States of America 8,500,000 people who can not read or write or understand the English tongue, making a great problem of national illiteracy, which I think this Congress could well afford, by Federal aid and cooperation with the States, to meet and master. We could spend it much more profitably in aiding the States to build good highways for the people or in providing Federal aid, stimulus, and leadership in the great problem of retraining for some useful calling the victims of industrial accidents.

Gentlemen, we ought to remember the people back home. We are too prone to overlook, I fear, sometimes the plain people of our district. And they are nearly all plain people, because there are but few millionaires; there are very few of the bluestocking element in America as compared with the general population. That man back there is the fellow who has to go down in his pocket and foot these bills. He can not escape. He is penalized if he does not pay. And already the Treasury Department is getting out its return for every citizen of the United States who commands a salary or makes wages of more than $1,000 a year, and asking him to go down in his pocket and pay his tithe of these great tax burdens. We ought not to forget them and the business men of the country. While we are discussing sovereignty let us sometimes think of the private citizenship back yonder.

I want to illustrate that spirit and that purpose by a suggestion once made by that silver-tongued son of Georgia, the late Henry W. Grady, a comparison that I have used before:

> Not very long ago I stood out here in front of this Capitol and looked up at this magnificent structure, the Capitol of our Republic, magnificent in its architecture and design, the flag of our Republic floating above the Goddess of Liberty on its top, and I thought surely that if justice and wisdom and mercy and humanity abided here that the world should be indebted to this temple that had taught the world its best lessons of human liberty.

A few days after that I went back to my district and visited an old farmer friend. As I walked up the gravel walk to his home I could see the beegums out there in the peach orchard. I could see the pigeons fluttering down through the air. I could hear the drone of the bees and the poultry's gentle clucking. My old friend met me at the door and bade me into the sitting room. You have seen its type among your people. There was the clean counterpane on the bed; on the mantel the clock that had ticked the watches of the living and for the dead. There on the center table was the old family Bible, thumbed by fingers long since stilled and blurred by eyes now dimmed forever. He led me out on the porch and we looked down on his fertile fields. He was an American farmer, sowing in his own season and selling in his chosen market, the master of his land and the master of himself. He had a service star in the window for a son who had been taken from that farm and who was fighting for that flag. As I looked upon that picture the memory of this magnificent Capitol Building here in Washington faded from mind. I felt and knew then, as you do to-day, that here in the hearts and homes of the people is the ark of the covenant and the hope of this Republic. [Applause.]

Gentlemen, let us not forget the homes of America, the toil and the sacrifice that lies before them when we, I am afraid, are about unduly to hamper and burden them with unnecessary taxation. [Applause.]

Mr. STEAGALL. Mr. Chairman, it has been repeatedly stated in the debates on this bill that its provisions look to the maintenance of an Army of 28,579 officers and 509,909 enlisted men for the next fiscal year. When this feature of the bill was under discussion yesterday morning, having read it very hastily, I ventured to accept the same interpretation of its language, and so stated to the membership of the House. But since that time, after reading the act carefully, I am clearly of the opinion that it does not limit the program to the maintenance of an Army of approximately 500,000.

I ask you to read closely the provisions of the act at this point and see if the statement I now make is not amply substantiated by the language used. It provides:

> That in addition to the Regular Army now organized under the provisions of an act for making further and more efficient provisions for the national defense, and for other purposes, approved June 3, 1916, as amended, there shall be raised and organized under provisions of "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 8, 1917, as amended, a force sufficient to maintain an aggregate commissioned and enlisted strength of 28,579 officers and 509,909 enlisted men.

This language not only authorizes but instructs and requires that "a force sufficient to maintain an aggregate commissioned and enlisted strength of 28,579 officers and 509,909 enlisted men" shall be raised and maintained "in addition" to the force provided for in the act approved June 3, 1916.

Upon first reading the act I construed the word "aggregate" to apply both to the Regular Army organized under the act approved June 3, 1916, and the additional force required to be raised under the provisions of the act approved May 8, 1917, but a more technical construction seems to limit the application of the word "aggregate" to the additional force only. So if we adopt this measure as reported by the committee we not only require the establishment, in time of peace, of an Army of 175,000 men under the act of 1916, but we require that there shall be organized and maintained an additional force of 28,579 officers and 509,909 enlisted men.

If this interpretation is correct, this act would require the maintenance in time of peace of an Army of nearly three-quarters of a million men. Now, for my part, I am unalterably opposed to any such scheme. Whether limited to 500,000 men or not, I am opposed to authorizing in any event more than 175,000 men as provided in the act of 1916.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. Yes.

Mr. GREENE of Vermont. I understand you to say this force of 28,579 officers and 509,909 enlisted men is in addition to the Regular Army?

Mr. STEAGALL. That is the language of the act.

Mr. GREENE of Vermont. A strange thing about that is that the men who drew the bill meant it to read just the opposite, and all thought it did.

Mr. STEAGALL. Oh, if the gentleman will consult the various members of the Committee on Military Affairs regarding this matter, he will find at least one member of that committee, a very able lawyer, who construes it as I do.

Mr. GREENE of Vermont. I have been consulting them for the last two months on it daily, and we all seem to have the opinion that the Regular Army and temporary forces when put together would equal 500,000 approximately.

Mr. STEAGALL. That was the conclusion I reached yesterday upon a careless reading of the bill, but a strict examination of the language shows it does not mean that.

Now, I do not wish to criticize the War Department, but gentlemen on the committee have stated that the plans of the department look to the establishment and maintenance of an army of approximately 500,000 men in addition to the regular force.

Mr. SANFORD. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. No; I regret that my time is so limited; I prefer not to yield.

Mr. SANFORD. I want to help the gentleman to understand it.

Mr. STEAGALL. Well, I yield to the gentleman.

Mr. SANFORD. If the House should make a rule to the effect that in addition to the speech the gentleman is making there should be sufficient further speeches to make an aggregate of three, can the gentleman tell me how many speeches under that ruling there would be in all? Then he can express an opinion on the meaning of the paragraph.

Mr. STEAGALL. I thought yesterday that the word "aggregate" saved the point, but upon further reading of the bill I reached a different conclusion. The act provides that "in addition" to the Regular Army organized under the act of June 3, 1916, there shall be raised and organized under the act approved May 8, 1917, a force sufficient to maintain an aggregate commissioned and enlisted strength of 28,579 officers and 509,909 enlisted men. It is this force to be raised under the act approved May 8, 1917, that is to amount to an aggregate commissioned and enlisted strength of 28,579 officers and 509,909 enlisted men.

But, gentlemen, there is no use to spend further time discussing this feature of the act, because I think members of the Committee on Military Affairs are sincere in their position.

I have the highest regard for the ability and fairness of the gentlemen on this committee, especially my good friend and colleague, the able chairman of that committee, Mr. DENT. I am sure they want to be fair with the House. The gentleman from Illinois [Mr. MCKENZIE], a member of the committee, stated yesterday that he welcomed and courted discussion, and would welcome an amendment to this portion of the bill if necessary to accomplish what the committee intended. In my judgment, if it is desired to make this bill accomplish what the Committee on Military Affairs intended, it will be necessary to pass an amendment to make certain its provision. To say the least of it, if this is not done it will leave it open for construction by the War Department. I am not sure that the first word of the provision for this additional force of approximately 500,000 men does not have a peculiar significance. You will notice that this provision begins with a requirement that there shall be organized and maintained a force of 28,579 officers. Remember, gentlemen, that whoever wrote the bill puts the officers first, and if the bill is passed in its present language I venture to predict that when they go to construe it some interpretation will be found that will find places for all these officers for the next year. After that possibly the scheme advocated by the gentleman from California [Mr. KAHN] may be contemplated, a plan by which these officers can be used for purposes of instruction in a course of universal military training that efforts will be made to establish in this country.

Mr. LAZARO. Mr. Chairman, will the gentleman yield in that connection?

Mr. STEAGALL. My time is so limited that I prefer not to yield to the gentleman.

Mr. LAZARO. Just for a question?

Mr. STEAGALL. Well, I yield for a question.

Mr. LAZARO. Was that provision written by an officer or a private?

Mr. STEAGALL. I am not in possession of any more information than the gentleman is. Of course, he knows, as we all know in a general way, how this legislation originates—the way the various departments have of preparing legislation for our approval.

I am sorry this bill deals only with the creation and maintenance of the Nation's military force. I wish the committee would report some measure looking to the demobilization of the millions of men already in our armies. I think every man who has dependents and every man who was engaged in farming and desires to return to such work ought to be selected for discharge. I have introduced a bill, now before the Military Affairs Committee, which provides that all men who had dependents or who at the time they entered the military service were engaged in farming shall be discharged. I wish the committee would report that bill or some similar measure.

I think we ought to adhere to the principle of selection underlying the draft law, and demobilize our armies just as they were raised, with a view to obviating economic loss and industrial disturbance as far as possible. The task of finding employment for the vast number of men now in the Army is, indeed, a serious one. We are maintaining an employment bureau at an enormous expense to assist in this work. The Secretary of the Interior is seeking legislation authorizing the expenditure of $100,000,000 to purchase or improve lands for the use of soldiers to be discharged. Certainly in such a situation men who desire to engage in farming ought to be discharged with all possible haste. Not a day passes that every Member of this House representing agricultural districts is not flooded with appeals to assist in securing discharges for men who are begging to go home and begin the cultivation of crops, and it will be too late unless they get out in the next few weeks, because the planting season will soon be past. For reasons of public policy these men, and men who have dependents, ought to be given a chance to return to their former occupation in order to prevent the accentuation of economic difficulties that must follow the complete demobilization of our Army.

Gentlemen, I attach no importance to the provisions of this act which make this vast army only temporary. The gentleman from Illinois quoted a statement from the Secretary of War in which the Secretary said that all legislation was temporary, and that is true. This is the entering wedge, the beginning of a policy to establish a big standing Army in this country, and if the plan is countenanced by this House at this time there is no telling when we may hope to see it abolished. There has never been a time when such a plan was so unwise and inexcusable. This bill authorizes an expenditure of more than $1,000,000,000 for the support of the Army for the fiscal year beginning June 30, almost a year after the termination of the war. A year's expenditure for the support of the Army for any fiscal year before the war began was never over $100,000,000 or thereabout. How can we justify such a change at this time, at the end of the great war, when the only enemy constituting a serious menace to this Nation in a hundred years has been humiliated and crushed and when we are trying to establish universal peace?

The expense of the Navy before the war never ran in any fiscal year above $150,000,000, but we have just passed in this House a measure providing three-quarters of a billion dollars for the support of the Navy for the fiscal year beginning June 30 next—almost a year after the conclusion of the war—and the bill contains an authorization for additional ships that will add nearly a half billion annually whenever the completed program is set to going.

The vast increase proposed to be expended for the maintenance of the Army and Navy following the war, as compared with the expenditures made prior to that time, would in just a few years be sufficient to pay our entire national indebtedness.

I know it has been contended that the provisions of the naval bill for the additional program will never be put into effect, but I believe if the Congress passes that bill it, too, will be an entering wedge which will culminate in the policy of building the greatest Navy in the world. When it is admitted that our present naval strength is equal to that of the combined strength of any three nations on earth except Great Britain, with whom we have just been associated in the great war against the military autocracy of Germany, unless we are in danger of war with Great Britain, what excuse can any sane man offer for such a program? Of course, no man would dare say that there can be such danger after our recent effort to assist Great Britain in destroying the system of militarism which so recently attempted to destroy the freedom of the world.

We face already a public debt of nearly $25,000,000,000. We have just passed a revenue bill designed to raise approximately $6,000,000,000 for the next fiscal year; and yet, if I can remember correctly, the chairman of the committee in charge of that bill stated that the indications point to an expense of nearly $8,000,000,000 for the next fiscal year. How are we going to get the money?

Mr. Chairman, I do not propose to deliver any lecture on economy. I have usually voted with the majority of the House in making provision for the expenditure of money, and I am not censuring nor criticizing now. I know how it all comes about. Every measure that is brought in here for the unnecessary or unwise appropriation of money is always supported by the claim that it has some peculiar merit distinctively its own, just as was the case with the bill brought in by the Committee on Naval Affairs, and which was passed a day or two ago.

Each and every one of these schemes to take money out of the Treasury is always represented as having some merit peculiarly its own. But I voted against the naval bill, and I am going to vote against this bill if the provision is retained authorizing the maintenance of a standing Army of 500,000 or 700,000 men in time of peace. So far as I am concerned, from now on I am going to treat all alike and cast my vote against all useless expenditure of the people's money when they are burdened, as they are, almost beyond endurance. [Applause.]

Mr. Chairman, the truth is we have been doing many unusual things in this Congress since we entered the war. And every time we have been confronted by the people of the country with the suggestion that we were departing from well-established customs and ideals we have answered them by saying, "Yes, but we are in war, and we want to go about winning it; but as soon as it is over we are going to tear down the military machine being built up and undo many of the things now deemed essential and indispensable to the winning of the war." Now, gentlemen, we have right here the opportunity to make good our promise by returning to the established policies and well-known wishes of the American people in the matter of our regular Military Establishment. [Applause.]

Mr. TILSON rose.

Mr. STEAGALL. I decline to yield to the gentleman.

Mr. TILSON. I was going to ask for the floor in my own right.

Mr. STEAGALL. I have voted with the majority almost invariably during my service in this House. I voted for the declaration of war. I voted against the McLemore resolution. I have voted at all times, as I thought, for the assertion and for the defense of American rights, for the right of the people of this Nation to traverse the high seas, and for the right of the producing masses of the Nation to maintain commerce with the world and ship their products to every quarter of the earth. And when those rights were at stake and the welfare of humanity was involved I voted for every dollar of appropriation suggested from responsible sources, in order to maintain our Army and sustain the dignity and honor of the Nation.

But we are now practically at peace with the world. We should return to the policy of simplicity and economy, to the old ideals, and get back into the paths established by our fathers, and run this Government as it used to be run without so much centralization of power in Washington and without the burdens involved in the maintenance of so many bureaus to control business and regulate the activities of the people. Let us release the initiative and productive forces of the Nation, and let the country move forward along normal lines, to the end that we may develop our resources, discharge our obligations, and leave our children unhampered and unshackled by a staggering public debt and the expense and danger involved in a large standing Army. Let the Government take its hand off the citizen and out of his pocket. Let the Government umpire the game and give every man in this Republic an equal chance to fight out the battle for industrial success. [Applause.] These are the things we have promised the people during the war, and, so far as I am concerned, I intend to make good the promise. [Applause.]

But, gentlemen, it is not alone upon the idea of dollars and cents that I am opposed to the maintenance of a vast military organization in this country in time of peace. It is a matter that transcends any question of dollars and cents. It tends to the overthrow of American ideals of government. [Applause.] Ah, gentlemen, to-day the thoughtful men of this country are not concerned so much about the dangers that lurk in foreign lands or any menace of other powers. We face domestic questions the solution of which affect the peace and perpetuity of this Republic. Solomon said: "He that ruleth his spirit is better than he that taketh a city." The greatest task confronting American statesmanship is to work out the many problems of rehabilitation and readjustment following the great war in which we have been engaged; to correct evils inherent in our national life; to eliminate the dangers and weaknesses of our own Government; to preserve it as a blessing to our children and a light to the world.

While cherishing the sincerest friendship for the masses of humanity everywhere now bleeding from the wounds of war, let us look first to the restoration of normal economic conditions among our own people. Let us release to the fullest the prductive forces of the Nation, extend our trade throughout other lands, and discharge the enormous burdens recently imposed upon our people. Let us not arouse their fears nor dampen their loyalty by the maintenance of useless and expensive armies. Above all things, let us not forget that when the record of this war shall be written by the impartial historian its greatest and most unmistakable lesson will be that the German Government, after whom some of us on this floor wish to pattern, went to her doom through her effort to dominate the world by military force—that in attempting to live by the sword she perished by the sword. [Applause.]

Mr. TILSON. Mr. Chairman, the House well knows that I am no apologist for the War Department. I try to stand by the officials of that department when they are right and to criticize them when I think they are deserving of criticism. I think that in some things they have been worthy of criticism, and I have attempted to administer it on this floor. One thing I have criticized is the delay in discharging the men from the Army; but there is no harm in facing the facts as they exist. There is nothing to be gained by misrepresenting the situation in which we find ourselves placed. Gentlemen agitate themselves very much over the provision of the bill which calls for an aggregate of 500,000 men, properly called a stop-gap Army. There should be no trouble about that. If that language does not mean what the Committee on Military Affairs intended it should mean, it is an easy matter to insert a single word that will make it mean that, and there is not a member of that committee who will resist it. There is no use in agitating ourselves over that proposition. The truth of the matter is that it is the intention of the committee to provide pay, subsistence, supplies, transportation, and other necessities for an Army averaging 500,000 men during the next fiscal year, and that is the smallest number which the responsible officers of the executive department of this Government claim they can get along with.

Mr. CARAWAY. Will the gentleman yield?

Mr. TILSON. I yield to the gentleman from Arkansas for a question.

Mr. CARAWAY. The gentleman uses the word "average" as applied to the 500,000 men. The language of the bill has nothing to do with an average.

Mr. TILSON. The item for the pay of the Army tells the story. The pay of the Army is sufficient for 500,000 men and the requisite number of officers during the entire year. Therefore the Army may amount to over a million men on the first day of July, 1919, but on the 30th of the following June may not amount to 200,000 men; and that is what we mean by the average, and that is what we have provided for here.

Mr. STAFFORD. Will the gentleman yield?

Mr. TILSON. I yield for a question.

Mr. STAFFORD. If no substantive legislation is provided, will not the present Army continue in existence until the emergency is ended, and all that will be necessary will be a sufficient appropriation to provide for that Army until demobilization is completed?

Mr. TILSON. Yes, that will be so; but as a member of the committee I, for one, believe that it would be a great hardship upon these men who were either drafted or enlisted for the war to be kept for an indefinite time until peace shall be finally concluded. We believe it to be the better plan to enlist a volunteer force of men who are willing to serve in that Army during the next year.

Mr. KEARNS. Will the gentleman yield?

Mr. TILSON. No; I decline to yield, if the gentleman will excuse me. I do not wish to take any more time.

I should like to call upon some of these gentlemen who have had the floor and who have discussed this matter on the other side to state what items they would cut out of this bill. We have a large Army over in France, and we all wish to see every man brought back home.

What is the largest item of this $1,100,000,000? Nearly half of it is for transportation, $449,000,000. Would gentlemen cut that out? Our men over there must be brought home.

The supplies must be carried to them while they are over there. We must have the transportation.

Our soldiers must be fed. One hundred and twenty million dollars is for their subsistence. Would gentlemen cut that out? Would they let the men starve?

Then there is the pay. We are told that 500,000 men are the smallest number that can perform our part of what ought to be done in cleaning up the aftermath of this great war. This is the best opinion that we can get from the military advisers of the Government. Therefore we are providing for the pay of 500,000 men, and the pay item amounts to $303,000,000. Would gentlemen cut that out? We must provide the pay if we have the men.

Gentlemen are indulging in destructive criticism, but I would suggest that they tarry a moment and say what they are going to put in place of what they destroy. After having incurred these heavy burdens, after having voted for these expenses, it is all very well to say that we want to return to the old-time normal. All right; but we are not yet at the old-time normal, and we are not in sight of it. It is going to take a great deal of money to return to it; but the point is that having voted for these great appropriations, having incurred these great expenses, gentlemen must take their share of the responsibility in helping to get us out of the difficulties in which we have been placed by the aid of their votes. [Applause.]

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GOODWIN of Arkansas, having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12863) to provide revenue, and for other purposes.

ARMY APPROPRIATION BILL.

The committee resumed its session.

Mr. GALLIVAN. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. MANN. Is the gentleman from Georgia here?

The CHAIRMAN. The Chair hears no objection.

Mr. GALLIVAN. Mr. Chairman, for one I am not disturbed about the language of this bill on page 58. I think the argument that my friend from Connecticut [Mr. TILSON] has just made will clear a doubt in the minds of some of us as to whether or not the legislation is to be permanent. At any rate, I am not one of those who have believed that we can raise 500,000 men by voluntary enlistment. I might say that I am disturbed somewhat about the 28,579 officers that the bill provides for. If we are going to have 500,000 men, that will mean 20 divisions and 5 army corps, and, of course, it will require the 28,579 officers; but I do not believe that one single officer should be appointed or commissioned for this Army until the Army grows to the strength requiring that particular officer.

Mr. KAHN. Will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. KAHN. That very provision is in the bill.

Mr. GALLIVAN. Then it is a better bill than I thought for. [Laughter.]

Mr. KAHN. The officer can not be appointed until the men are in the unit he is to command.

Mr. GALLIVAN. The committee is in hearty accord with the gentleman from Massachusetts. [Laughter.] But I did not rise to discuss this bill in this particular feature. I listened to a discussion on the floor yesterday in which the gentleman from Maine [Mr. HERSEY] had something to say about what is colloquially known as the "canning factory" of the American Expeditionary Forces, and the gentleman from Texas [Mr. GARNER] asked the gentleman from Nebraska [Mr. SHALLENBERGER] what he knew about the "canning factory," and he said in his belief it never existed.

When I referred to the conditions at the reclassification camps at Blois twice in the past month, I think I gave the House substantial evidence that there was a "canning factory" at Blois, and if my good friend from Nebraska will read the Washington papers he must be familiar with the intelligent contributions of George Rothwell Brown, who went to France, who spent months in France, and who has given through the columns of the Washington Post a magnificent description of what he saw and what he knew about conditions in France. I commend to my friend from Nebraska that he read the Brown story of the "canning factory" at Blois.

Now, I am going to read a letter just received from France. Sunday's mail brought me 40 letters from France this time, every letter from a stranger, and they come from colonel down to second lieutenant. I am not going to read them all. I am going to read two. I am not going to say that what is conveyed to me in the first letter is the truth. I have only the evidence in this letter; but if it is the truth it is horrifying. Listen to this: It is signed by a major, and, of course, I shall not give the man's name, but he appends the number and location of his outfit, and he refers to having read some of my remarks on the floor of this House in the Paris edition of the New York Herald. He says:

FRANCE, *January 20, 1919.*

Gen. Hill, of Illinois, one of the most able and conscientious officers that the National Guard ever produced, was hailed before that tribunal, whose door should have upon it "All who enter here leave hope behind," and told he could accept a colonel's commission in the S. O. S. or a major's commission in the line, and he stated that he came over here to fight, and was going to fight if he had to fight as a private. He went to the line as a major, and every officer and man who knew him testified to his soldierly conduct and ability. I have visited his grave near Epionville, in an orchard, in that shell-torn Argonne Forest, and as I stood at that shrine I felt that if God ever cursed a human being he surely would trouble the consciences of that board, who never smelled powder, but who have broken the hearts of many patriotic American officers.

Col. Joseph Cavander, who left Wyoming with as good a regiment of husky westerners as was ever organized, and who was transferred from the Infantry to the Artillery, with no choice, and who took up the new work with vim and enthusiasm, and put together a regiment whose record has not been excelled, and who were on the fighting line for five long months, was detached from the regiment and sent to the same board, where he was informed that he could take a captain's commission or go home. Broken hearted he walked over to the hotel and fired a .45-caliber pistol bullet into his brain, and then the casualty reports showed him "killed in action," and I have in mind at least 50 generals, colonels, and lieutenant colonels of the National Guard who have met disgrace at this tribunal of injustice, and I will be glad to furnish the names and addresses if they are needed.

We stood this long without a murmur while the war was going on, for the reason that nothing mattered much if the boche won, and we were willing to suffer even these things, in order to maintain harmony in our own forces, but now we feel that justice must be done.

Sincerely, yours,

_____.

May I say here that before I read that letter I consulted with the gentleman from Wyoming [Mr. MONDELL], and he said that he knew Col. Cavander well, and that the earlier reports from the Expeditionary Forces did say that he was killed in action. Yesterday, only yesterday, the record was corrected to show that he died from a self-inflicted wound.

I may say that my correspondent is unknown to me except as he signs himself, and that he is not from New England but, I understand, from a Southern State.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. ROGERS. I have a letter from a member of the Expeditionary Forces in France, dated January 15, 1919, in the course of which he says:

Senator GALLIVAN—

And he simply anticipates [applause]—

of Massachusetts certainly put it up to them in the Congress about keeping you all in the dark.

I will not ask the gentleman to give up his time, nor shall I ask to take the time of the committee to read this in full, but I wish the gentleman would ask unanimous consent to extend his remarks in the RECORD, so as to include this letter, which is most interesting.

Mr. GALLIVAN. Mr. Chairman, I hope the gentleman will ask that permission for me now.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts may extend his remarks in the RECORD by printing this letter, or any other letters, in full to which he may refer.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that his colleague from Massachusetts [Mr. GALLIVAN] may be granted leave to extend his remarks in the RECORD by printing the letter referred to and such other letters as he may choose to include. Is there objection?

There was no objection.

Mr. GALLIVAN. Mr. Chairman, I shall include that letter to which the gentleman from Massachusetts refers at this point. It comes from a soldier son to his father, and is as follows:

VISERNY, FRANCE, *January 15, 1919.*

DEAR PA: I am sending this letter through the base censor, so that I may write more freely. I certainly feel that you people at home have a right to know the truth about what we are being forced to go through. What one reads in the papers is just the best of what is happening to troops in a big city. So much is written that, so far as we know, has no basis of fact that it would lead a person in the States to think that we were on a touring trip with the latest of every modern convenience at our command. This is good camouflage, but will be rudely destroyed when the troops get home.

The men located as we are, in a little village back up in the hills, are up against it. Probably 300 or 400 people inhabit the village. They are farmers by vocation. The only amusement they can offer the soldier is an abundant supply of red wine and rot-gut cognac. For those who can not stand the strain these two drinks have proven treacherous pitfalls. Many of the fellows, out of pure despondency, have taken to drink as a means of escape. When one has money he may occasionally get a supper cooked by some family. How can we do it with October, November, and December pay due us?

During the day we are drilled in elementary tactics, such as hand salute, squads right and left, facings, standing gun drill, etc. Most of the men have been in the service for upward of 12 months and do not need this. They even went so far as to try to give us tent pitching. Imagine that after we had traveled night after night across country with no tent poles and pins and had pitched our tents in the dark. Then we had struck camp in the dark, rolled packs, and all without the use of any light. To give us instruction in such things is pure nonsense. But what is worse, every day now men are detailed to crack stone for shed floors and to do "white wing" work in the town. One day a successful practicing lawyer from New York was on a detail cleaning up the streets while some of the Frenchmen stood and laughed at him.

Our billets are fairly comfortable, inasmuch as the weather here is mild. Being barns, however, it is practically impossible to keep the floors immaculate, as the authorities seem to demand. It was announced that if one "butt" was found on the floor at any time that thereafter no smoking would be allowed in the billet. It is becoming well-nigh intolerable living under such unreasonableness. If we hadn't seen a paper we would never have known the armistice was signed. Not a single thing are we told. We are just treated like so many serfs and ordered to do things without reason. What we would like to know is: Why are we kept over here?

Why are the authorities not picturing things as they are? Were we brought over here to fight Germany or clean these backwoods towns of France? How long does the law allow the National Army to be kept in France? Why do the people at home not find out some of the real facts?

We realize that all the troops can not be returned at the same time, for most of us have a reasonable amount of intelligence and are open to reason. But we do demand that our treatment be that that any self-respecting American should be accorded.

I wish that this might be brought to the attention of somebody who could use the material in presenting our side to the public. Of course you realize that an out-and-out publication with my signature might involve me in some difficulty, such are the regulations to suppress the truth from being known.

But we want to come home if our duty is done. If it is not, then we want to know about it and we will listen to reason.

Every single word of this is fact, and I do wish in some way something might be done. Every day is simply wasted and is costing the Government a large sum of money. It doesn't seem a very wise way to inspire patriotism toward the purchase of liberty bonds.

We are getting good food and plenty of it.

To-day classes in many subjects have been started, and this will, in some measure, help to lessen the tension; but we want to get back to civilian life, not to have beneficent charity forced upon us.

Outside of the depression caused by these conditions, I am well.

Please bear in mind that it would be unwise to publish the letter with my signature, but do try and use it in some way in behalf of us fellows so that we may get back.

Added a few days later:

I have purposely waited before sending this to see if possibly I had been in a supercritical mood when I wrote it. To-day I find myself in much the same condition mentally that I have been since coming into the town; but I have more facts at my command, with which I will not tire you. Our pay has not come, and yesterday, when one of the most-touted leaves was announced, scarcely anyone had any money at all. There is absolutely no excuse for this, for we have been out of the lines two months.

Senator or Representative GALLIVAN, of Massachusetts, certainly put it up to them in the Congress about keeping you all in the dark. Possibly a copy of this, minus the name, from a Massachusetts voter might help hasten the time when your two boys will be released from their idle occupation and be able to reenter a profitable civilian occupation.

Am trying to get a leave of absence to visit ———. Perhaps I will get it and perhaps I won't. I certainly want it.

Now that I have gotten some of this off my chest I will promise to write a cheerful letter next time.

Do try and do something for us.

With love, ——— ———.

I do not want to take up much more of the time of the House, but I have two short extracts from letters which I have which I desire to read.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GALLIVAN. Mr. Chairman, I ask unanimous consent to continue for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GALLIVAN. Mr. Chairman, I have two extracts here, one touching on what my colleague from Massachusetts has said, and this comes from a major of Engineers, who signs his name, who is at Tours. He says:

I also want to say to you that they are making our army here a regular mob; not soldiers. It is getting so that men have little respect for the officers, and if you knew all you would understand better why. It is getting so that officers are no better than enlisted men, as far as discipline goes, and the men know it. The papers seem afraid to publish the facts, if they have them.

In conclusion, I ask your attention to this short expression of opinion from a lieutenant colonel, who writes me from France:

No one in the American Expeditionary Forces over here would have had the attitude of Congress other than it has been during the active conduct of this war, but certainly every grant of an extraordinary power carries with it a strict accountability for the use of that power, and the National Guard and the Reserve Officers over here are glad to see that Congress at last is beginning to ask an accounting from the men who have been given extraordinary power.

Mr. Chairman, I simply rose to assure my esteemed friend from Nebraska that when we say something about conditions at Blois that it is not something that we have just dreamed of, but that it is an actuality, and that men have been wounded in pride and feelings and reputation at Blois almost as badly as on the fighting line at Chateau-Thierry. [Applause.]

Congress will get more of the truth when our valient boys get home. Suffice it for the present to say that I have given information to the House as it comes to me from the men who ought to know. I believe their statements. [Applause.]

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. It took the American people a long time to understand that we were at war. It seemed to take a long time for Congress to understand that we were at war. A man who rises now to make criticism of the War Department often brings down upon himself the condemnation of some Members of the House. It was not right to arouse the people of our Nation by calling attention to any mistakes that might have been made while the war was in progress; but it is now 90 days since the armistice was signed. Of course, legally speaking the war is not ended. But just criticism or criticism that is made for the purpose of righting wrong ought to be made, and a Member of this House who knows the conditions and refuses to call attention to them does not perform the duty that he owes to his people or to the people of the United States. The rôle of a critic is not a pleasant one, and a man who criticizes without offering some remedy does himself an injustice as well as the Members of the House.

I want to say a word in behalf of some of my people, because they can not speak for themselves, and it is in reference to the delivery of the mails to the soldiers in France, and I know that some Members here will say that they are getting very tired of hearing of that subject, and of hearing the matter referred to in this House. We are getting tired of that matter, but the thing that I am tired of is the fact that the mails are not delivered, and I am mightily tired of that. [Applause.]

In making this statement I appreciate the conditions under which the mails have to be handled. No sensible man who thinks but knows that it is a gigantic task, one that must take patience and time, and if I thought that my remarks here to-day would make my people more restless and dissatisfied and add to their distress I would desist from speaking. The War Department has stated that the mails were being delivered, and I think that the restlessness that is abroad among the people comes from the fact that the people know from returned letters properly addressed that their mail was not delivered to the soldiers. The War Department should take the people into its confidence and tell just what the facts are, giving the difficulty, because I know the American people have common sense, and that whenever any reasonable excuse is given them they will be patient, as they have been patient throughout this entire war. They are beginning to be impatient, however, because for 90 days the conditions, while improved, have not yet been corrected. Every man on this floor has received mail which has been properly addressed and which has been returned. That condition ought to be corrected, because I say to you that when you forget the breaking hearts of the fathers and mothers of these boys who won this war you forget the very foundation of patriotic sacrifice for our Government. Do not say these things do no good, for I have observed that criticism in this House calling the attention of the department to wrongs that are going on has attracted the attention of the War Department and efforts made to correct same.

I wish to refer to the proposition of working our American soldiers at $30 a month alongside of men who get $6 and $8 a day. Out there at Indianapolis, Ind., a private concern rented an old factory to the Government in which to store automobile trucks. When the men and officers arrived with the trucks to store them they found civilians clearing out the rubbish, and what happened? The civilian employees, whose business it was to clean out the rubbish for the private owner, were discharged and the American soldiers put in there to clean out the rubbish of that factory. That is not right; it is not fair. It is not fair to the boys, and I want to say here that there are other similar cases throughout the United States. This is not a criticism of the general policy of the Government, but it is simply calling attention to these facts in order that such things may not continue.

It is true we must not forget the wonderful achievements of our boys across the sea and the wonderful achievements of the War Department in this emergency, but because of that fact we should not shut our eyes or close our ears to those things that we ought to remedy. [Applause.]

Gentlemen of the House, there is another subject that I wish to discuss, and that is the demobilization of our Army. When the news came that the armistice had been signed the wives, fathers, and mothers of the men in France and in the Army in the United States immediately became interested in the return of the soldiers to their homes. To those not familiar with military methods it seemed just that the boys in France who had been engaged in the hard fighting should be the first to be returned home to America, and that those soldiers who were called under the first orders of the draft, according to their numerical numbers and who never had an opportunity to be classified under the selective-draft law, would be discharged early, especially those of them who were married and had dependent families and who, if they had had the advantage of classification, would not have been taken. I realize that it is a huge task to orderly demobilize an army, but I am convinced in my own mind that the officers having charge of the demobilization of the men should be compelled to give heed and act upon individual cases where the conditions demand the immediate return of the soldier.

Some say we are too impatient in this matter of demobilization; but, sirs, one can hardly be patient when he sees the daily exhibition of a purpose on the part of some officers not to give any attention to, but thrown in the waste basket, as it were, the applications of meritorious cases, and using the threat of court-martial to prevent the soldiers from requesting any assistance in the way of getting a discharge. Every officer that makes an order threatening court-martial proceedings against any soldier who desires to communicate with the Members of Congress or with his family ought to be cashiered and discharged from the service. Such procedure is un-American and should not be tolerated by this Congress. Every man who has a family that can possibly be spared should be immediately discharged. Every man who has employment on the farm, in the workshop, in the stores, and industries of the country waiting for him and can be spared should be promptly discharged. Some armed men, it is true, will have to be maintained for a while in Europe, but I imagine that it will not be necessary to maintain an extensive force there for many months. For military reasons many of the boys who did the fighting are with the occupation army in Germany guarding the Rhine, while there are many other soldiers who did not have the opportunity to reach the battle front are being first returned home. There

is evidently some sufficient military reason for this, but the people do not understand why this is done, and it causes unfavorable comment and criticism, and the point I am insisting upon is that the War Department in so far as it can to take the public into its confidence and explain the reasons for actions on its part that run contrary to the public idea of common sense, equity, and justice. Every mail brings complaint from the families of wounded boys in regard to the failure of the War Department to furnish them with any information as to the condition at the present time of the soldier. It is not sufficient to answer that there is no casualty or that the soldier was wounded in September or October with no further information as to his condition, and I insist that the War Department obtain the hospital reports and furnish this information or explain why the same can not be furnished promptly.

Mr. Chairman and gentlemen of the House, America helped win this war with the brave, heroic men who left their homes in this delightful and pleasant country and went overseas to fight and die on foreign soil; patriotic men and women at home toiled, saved, and sacrificed to sustain them in their hours of trial. Men in all walks of life who remained behind poured their money into the Treasury of the Government through the purchase of liberty bonds and war-savings stamps. They curtailed their business and conformed to all the orders in the regulations of the Government. The women of the cities, villages, and countryside vied with each other in the Red Cross work and other similar missions. Their contribution to the carrying on of the war can not be measured. Now, sirs, when our people have done all these things and are at this moment supporting fervently the Government of this country, I say that they have a right to have their heartaches receive due consideration at the hands of officers whose salaries they pay. In conclusion let me say, my prayer is that out of the peace conference may come a lasting peace and some system that will make impossible any great world war in the future.

Mr. OLIVER of Alabama. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I was very much interested in the speech of my colleague from Alabama [Mr. BANKHEAD], in which he objected to the temporary Army provided for in this bill of over 300,000 men, and unless the Committee on Military Affairs can show the need of such temporary Army I trust the House will not authorize it. By way of suggestion, may I call attention to the fact that the Committee on Naval Affairs, in providing a temporary naval force for the fiscal year 1920, required that they be shown what absolutely necessary service demanded this temporary force, and unless an essential service had been shown no temporary force would have been allowed. The bill as drawn and passed stipulated not only what service the temporary force should render but expressly provided that such temporary force should automatically be discharged when the need for their services ceased. In other words, a temporary naval force of 82,000 men for the purpose of manning cargo and transport ships for the oversea Army was expressly provided, and the bill further provides that when such transport and cargo service ceases, either in whole or in part, automatically the temporary force must be released. The same is true of the temporary increase provided for the Marine Corps. We gave them a temporary force equal to the number of men serving with the Army in France, and provided that when those men return from France automatically this temporary force shall be discharged. And it occurs to me that in providing a temporary force for the Army the duties of that temporary Army should be clearly shown and written into the bill. This House is entirely willing to provide adequate military force for the essential needs of the country, but unless the necessity can be clearly shown and unless provision is further made for the diminution of this temporary force as the needs disappear this House should not authorize the temporary force herein asked for.

Now, in connection with the duties the Navy is performing in bringing back our soldiers and in carrying supplies to them, the question was asked by Mr. GARNER, of Texas, how many naval vessels are employed for these purposes were being manned and operated by our Navy? A letter just received from Admiral Blue, Chief of the Bureau of Navigation, gives this information. The Navy at considerable expense, and with some question from an economic standpoint as to the wisdom of its course, after the armistice was signed, proceeded to prepare 16 battleships and 10 cruisers to bring back our troops, and these naval vessels are now engaged in that service. They have a monthly carrying capacity of about 27,000, and the number to date returned on these battleships and cruisers, including those to be landed in a few days, exceeds 35,000 men. In addition to these they are manning with naval crews 72 transport ships for the Army and 267 cargo ships. Personnel units are now organized for 22 additional American transports, soon to be fitted out by the Army, and 20 additional large German transports, all of which it is hoped will be added to the service within a few weeks. Careful surveys are being made of other vessels, and if found suited for transport service the Navy is prepared to supply the personnel to operate the same. For this important work we have provided a naval temporary force. The vessels now in service and soon to be added, operated by the Navy for the return of our soldiers, have a carrying capacity per month of more than 250,000 men, and it is thought that additional cargo ships can be converted into transports so as to increase the monthly carrying capacity to 300,000. You will recall that with the limited number of transport ships flying the American flag during the war, our Navy carried to France more than 46 per cent of our Army of 2,000,000 men and furnished 82 per cent of the destroyer and cruiser escort for the ships carrying the entire force. Not a ship convoyed by the American Navy was lost, a most remarkable record, and one never equaled by any navy in the world.

Mr. MASON. Will the gentleman yield?

Mr. OLIVER of Alabama. I will.

Mr. MASON. I am very much obliged and very glad to hear the report. I want to ask whether the gentleman knows of any rule in the War Department that prohibits or prevents the bringing of the boys home on first-class passenger ships? I ask the question because my colleague from Massachusetts, who came over on a first-class passenger ship, stated that there was room for a thousand more soldiers on that ship, which room was not occupied, and I wondered whether there was any departmental rule that they had to be brought back on battleships or some other sort of ships?

Mr. OLIVER of Alabama. I regret to say I know nothing of the rules of the War Department. I am only giving information obtained from the Navy Department as to what is being accomplished with the ships manned by the Navy.

Mr. MASON. I am very thankful to hear it.

Mr. OLIVER of Alabama. I recall the gentleman making a similar statement on yesterday, and I asked for information as to the ships manned by the Navy in bringing back troops—whether their full carrying capacity was being employed—and the answer was that in January, owing to the large number of wounded brought back, that the full carrying capacity of the ships was not utilized, for the reason that more room was required for the wounded.

It will doubtless interest the gentleman to know that it is now estimated that the seriously wounded will all be returned at an early day, and I am sure that then the carrying capacity of every ship can be used to the fullest.

Mr. MASON. I thank you.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARAWAY. Mr. Chairman, I have not criticized any department of this Government on the floor of this House, and I shall not do so now. First, I shall make a few observations in reference to the speech the gentleman from Mississippi [Mr. HUMPHREYS] made a few minutes ago, which tended, it seemed to me, to prove the National Guard and the National Army are inferior to the Regular Army. All comparisons are odious, and I regret to see them made on the floor. I fear the statement of my good friend from Mississippi when it shall be read in the RECORD will not convey the real intention of the gentleman. I fear that those whose sons served in the National Guard units or the National Army might feel that their services were disparaged here upon the floor of this House, and be hurt thereby. I am going to acquit the gentleman from Mississippi from any intention of doing it, but nevertheless that is the way it now reads.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. HUMPHREYS. Does the gentleman question the accuracy of the statements I put in the RECORD?

Mr. CARAWAY. I never saw them. I do not question them. I do not have any opinion about them one way or another. It is so common to attribute to men who have special training superior qualities. There is a kind of fetish in the minds of some people that military science is a peculiar science, and that men who have not had the professional training of the schools can not acquire this knowledge. The history of this country shows that is a mistake. We have to go no further back than the War between the States to learn this. Many officers who came to the front toward the conclusion of that war were men who had not the military training of the schools. In the beginning of that struggle most officers of high rank were professional soldiers. To the end some of those most renowned for military prowess were men who had come to the Army fresh from civil life. Forrest, Gordon, and many others who followed the Stars

and Bars are but examples. I mention this to say that comparisons of one branch of the service with another is wholly unfair. I am sorry that it has been indulged in on this floor. There is honor enough for all.

With reference to the bill itself, the gentleman from Connecticut [Mr. TILSON] has just come over and menaced us with his uplifted finger if we dare to touch one single provision in this bill. If we did so, the country, and he particularly, would hold us responsible for it; that the bill was a perfect product. It had come from the Committee on Military Affairs and therefore was sacred.

I have as much respect for the Military Committee as for any other 21 men on this floor, but no more. There is nothing in their history so far that shows they are supermen. The gentleman defied us to lay our hands on it. If we should we would pull down the temple or the ark of safety. [Laughter.] That sort of an argument does not impress us.

Mr. GORDON. Especially after the war is over.

Mr. CARAWAY. Well, if you would believe what you heard here to-day from some gentlemen we are but getting ready for a real war. We have had a little difference of opinion, in which millions of men have gone down to their death, but a real war is now looming over the horizon, and the gentleman from Connecticut [Mr. TILSON] and the gentleman from California [Mr. KAHN] are the first to see its coming. All others are lacking vision if they do not see this spectre as they see it.

What I want to say about this bill is this: These 500,000 men here sought to be provided for you say you intend to raise by voluntary enlistment, and I take it for granted that the committee in good faith intends that. I do not want to criticize them. I think the language is susceptible of two constructions, but the committee has expressed itself as willing to make it susceptible of but one—voluntary enlistment. If this army is to take the place of the army that we put in the field under the selective-draft act, and that army be brought home, I am willing to vote for this measure if we need that many men to make certain the fruits of our victory and the safety of our institutions. But if it is to be an army raised merely to commit us to a peace army of that size, I shall hesitate. If it is to be supplemental to the army we now have in the field I do not know why the threat of the gentleman from Connecticut ought to deter honest men from voting their honest differences of opinion.

Mr. TILSON. Will the gentleman yield to me?

Mr. CARAWAY. Certainly.

Mr. TILSON. The gentleman has expressed better than I could express just exactly the purpose of this bill.

Mr. CARAWAY. What is it?

Mr. TILSON. We intend to raise 500,000 men to take the place as rapidly as possible of the men who are already in the service.

Mr. CARAWAY. May I ask the gentleman a question? Is it the intention to send this newly raised army to Europe?

Mr. TILSON. To take the place of certain men over there.

Mr. CARAWAY. Are they going to Europe?

Mr. TILSON. If it is necessary.

Mr. CARAWAY. Is that the intention? Was that what the department told the committee?

Mr. TILSON. The department does not give directions to the committee.

Mr. CARAWAY. That is the first time I ever heard it; but let it go at that.

Mr. TILSON. That is as I understood it.

Mr. CARAWAY. What does the gentleman from Connecticut understand? Is it to take the place of the Army now in Europe?

Mr. TILSON. Yes.

Mr. CARAWAY. This Army is to go to Europe?

Mr. TILSON. As much of it as may be necessary. It is my hope that we will not need that many there. It is my belief that we will need comparatively few; but all that are necessary will go over there.

Mr. CARAWAY. And bring the others home?

Mr. TILSON. All that wish to come.

Mr. CARAWAY. The gentleman from California, who knows practically everything, shakes his head. [Laughter.] I yield to the gentleman from California to set us all right. [Laughter.]

Mr. KAHN. The soldiers in Europe will have to come home when their units are ordered home. The soldier has no volition in the matter.

Mr. CARAWAY. I knew that. He could not resist.

Mr. KAHN. But what is intended is this: It is intended to bring home all the boys who are in Europe as speedily as possible. But it is recognized that we will have to have some soldiers over there, at least until the end of the next fiscal year. Now, instead of keeping the drafted men in Europe, it is very desirable to give all our men an opportunity to return with their respective organizations. We ought not to keep them over there longer than is necessary. It is proposed by this legislation to send over the men raised under this law by volunteering, or to maintain over there by volunteering as large a force as may be necessary, up to the number of 500,000 men.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. KEARNS. Mr. Chairman, I ask unanimous consent for five minutes additional, to go to the gentleman from Arkansas.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KAHN. Now, I want to reply fully. As to the disposition of this Army and as to whether it is to be sent over there or not, that rests entirely with the Commander in Chief of the Army of the United States. He will have the right to dispose of the men as the needs of the country require.

Mr. CARAWAY. Now, will everybody who understood that stand up? [Laughter.]

Mr. KEARNS. Mr. Chairman, will the gentleman yield to me for a question?

Mr. CARAWAY. Yes.

Mr. KEARNS. I would like to ask the gentleman from California this question: Is it his opinion that we will need some of these men over in Europe until July, 1920?

Mr. KAHN. Yes.

Mr. KEARNS. Whose opinion is that?

Mr. KAHN. The officers of the War Department of this Government, who have been running this war.

Mr. KEARNS. What are they going to do over there until July, 1920?

Mr. KAHN. Well, that is a question that the Committee on Military Affairs has nothing to do with. That is a question of policy to be decided by the President of the United States and the military department.

Mr. KEARNS. Well, it is a question with Congress whether it wants to provide the funds or not.

Mr. KAHN. That, of course, rests with Congress.

Mr. CARAWAY. Now, Mr. Chairman, if I have any rights on the floor I shall exercise them. [Laughter.] The two leading authorities in the world on militarism, the gentleman from Connecticut and the gentleman from California, do not agree. [Laughter.] Now, what a layman shall do in that event I am at a loss to know. [Laughter.] But I will say this, that the statement of the gentleman from California—and I say it with all due deference to the gentleman—conveyed no information at all. It simply said that if it is decided to send them to Europe they will send them to Europe, and if it is decided to send them somewhere else they will be sent there.

Mr. WISE. Mr. Chairman, will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. WISE. In my judgment this is the process: It is the opinion of the War Department that they will need that many men. The Director of Finance submits all these estimates. He wrote to the different departments and asked the question: "Based upon this—that we would have 500,000 men in the United States and insular possessions—what are the requirements of your department?" The head of that department would reply: "Based on your assumption as to 500,000 men in the insular possessions and the United States, we need so much money."

Mr. CARAWAY. And they are not to go to Europe at all?

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. DENT. There seems to be some confusion as to the basis upon which we have proceeded to write this bill.

So far as I am concerned, and according to my information, as I tried to make it clear yesterday, it was this: There has been no recommendation whatever on the part of the War Department as to any army of occupation in Europe, but it was the opinion of the War Department that we were to have an average sized Army during the period of demobilization of 500,000 men, and we were asked to appropriate accordingly.

Mr. CARAWAY. Let me ask the gentleman from Alabama a question: Is it the gentleman's understanding that we are to raise this Army to take the place of the Army in Europe, or is it to be a supplementary Army to that which we now have?

Mr. DENT. The idea, as I think the language clearly shows, is simply this: To organize by voluntary enlistment an Army under the national-defense act of June 3, 1916, and to provide a temporary force by voluntary enlistment for one year such as may be necessary to take care of an average Army of 500,000 men.

Mr. CARAWAY. For what purpose are we to have an Army of 500,000 men?

Mr. DENT. The purpose was to put the men in during the period of demobilization. It would take that long to demobilize.

Mr. CARAWAY. The others are to be demobilized?

Mr. DENT. You can not get rid of an army in a short time.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. CARAWAY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. WILSON of Louisiana. Mr. Chairman, I want to ask the chairman of the committee whether it would be possible, if the authorities of the War Department should so decide, to still retain all the men in Europe that we have there and in addition to that have an Army of 500,000 men over here? Would we still have that Army over here?

Mr. DENT. I do not think so. I propose to offer an amendment, when we get to that section of the bill, providing that all the provisions of the act of May 18, 1917, for raising an Army by draft or conscription are hereby repealed, and that it is the sense of Congress that the Army organized under that act shall be demobilized as soon as possible.

Mr. CARAWAY. That is one amendment that I shall vote for. I shall, of course, have due regard for our necessities. We want to keep whatever force may be necessary to carry out and make sure the ideals for which we entered this war, but let us, as soon as consistent with that, return these boys to their homes.

Mr. WILSON of Louisiana. I do not like the idea that the War Department may keep everybody over there in Europe.

Mr. CARAWAY. Yesterday I saw in the paper a statement purporting to come from the War Department saying that practically no further discharges would be made from the forces now in the United States; that the men now in the cantonments would be kept in service and those discharged who are in Europe.

Mr. TILSON. The gentleman knows that that has been denied this morning by a high official of the War Department, and the statement has been made that there was no foundation for that. It has been so stated on this floor to-day.

Mr. CARAWAY. Does the gentleman know who first made that statement, which made it necessary for somebody to deny it?

Mr. TILSON. I do not know who first made it, but Gen. McIntyre has denied it.

Mr. CARAWAY. I am glad to know that, although I want the soldiers brought home from Europe.

I have indulged in no criticism of the War Department. I am not criticizing gentlemen who have stood here on the floor and criticized the War Department, but that course has never appealed to me. I have always felt if I had any criticisms to offer I should offer them to the man whose conduct I am criticizing. I have never taken advantage of a forum where I could be heard and the other party could not, and I shall not do it now. I want to say, however, that I sincerely hope that this Army that we sent abroad and this Army that we gathered to go abroad, if their services should be required, may be discharged as quickly as it is possible. I have not much patience with the theory that it takes longer to get a man out of the military service than it does to enlist and train him. Yet we are confronted with the statement of the gentleman from California [Mr. KAHN] that it will be July, 1920, before we can get the armies home from Europe.

In conclusion I shall say but this: I have never taken this floor to criticize or to eulogize men, but everybody agrees with me that it is the hope of the world that the men who are now gathered at Versailles to write a treaty of peace will make wars impossible in the future. [Applause.] I have no patience with the man who says, "We have had wars in the past; we will therefore always have wars." That is the doctrine of hopelessness, that the world can never be better than it is.

There are some of you gentlemen here who can remember when it was considered that certain offenses against the person or honor of individuals were of so grave a character that the individual could not keep his self-respect if he let a judicial tribunal right his wrongs. He had to kill his opponent, and he was denounced as a coward if he did not do it. A Vice President of these United States left the Chamber at the other end of the Capitol and went to New York and killed his opponent in a duel because, as he said, his adversary had assailed his honor. Members have left this floor and gone over to a little village yonder in Maryland, whose very name would be forgotten if it were not for the fact that men went there and killed each other to vindicate their honor. My particular section of the country was wedded to that practice up to the time of the Civil War, and until we wrote into the constitution of pretty nearly every Southern State a positive provision that no man who accepted a challenge or sent a challenge should be eligible to hold any office of honor or trust. That seems to have been the only means that could deter them. [Laughter.]

Mr. SHERWOOD. If the gentleman will go out to Bladensburg, to the old dueling ground, he will learn that 27 duels were fought there, 6 of them with fatal results.

Mr. CARAWAY. Yes; men thought they had to avenge their private wrongs. Now we have laid that doctrine aside, and we go to court with our differences or we do not say anything at all about them. I am satisfied nobody regrets that those old days are gone and that that custom no longer prevails.

The eyes of the Christian world—aye, of the whole civilized world—are centered upon one man. He carries in his keeping the destiny of civilization; and if God prospers his mission, all these armaments for which we are here providing in these the closing days of this great war will be permitted to rust in the arsenals. That man in Woodrow Wilson. [Applause.]

If he writes into the treaties of peace that are to conclude this gigantic war the promise that men may breathe once more without terror, that they may possess their own souls, and that never again shall nations of the earth be cursed with war, I do not care what may be said against him, that he has been inconsistent, that he has changed his opinion—God knows every man who has good sense changes his opinions—the whole world is going to say that he has been the greatest benefactor to mankind since Jesus Christ died 2,000 years ago. [Applause.] In the light of that sentiment I hope that gentlemen will find some way to reconcile this present gigantic military scheme with the desire of the world, with the hope of the world, that we shall not need it. I am willing to give this country all the force that is necessary to defend it, but I do not want to burden civilization with armaments at the very moment when we are praying that armies shall be called into the field no more. [Applause.]

Mr. TILSON. Will the gentleman yield for a question?

Mr. CARAWAY. I yield to the gentleman from Connecticut.

Mr. TILSON. Is not the gentleman willing to trust that man to use such force as he thinks he may need out of these 500,000 men during the next fiscal year?

Mr. CARAWAY. Yes; perfectly willing.

Mr. TILSON. He has control of them as Commander in Chief of the Army.

Mr. CARAWAY. Yes; but so far as I know he has not requested an army.

Mr. TILSON. His representatives have.

Mr. CARAWAY. I do not particularly like this way of having all my information come secondhand. The strange thing about it, the thing that gives me pause, is that those who want a program that seems inconsistent with the very ideals that the President is trying to establish, for the first time I discover gentlemen on that side of the House wanting to align themselves with the President.

Mr. TILSON. The information about the Navy was firsthand information, was it not?

Mr. CARAWAY. Well, I voted for that program. We have, however, no intimation from the President, or from those who have a right to speak for him, that he wants this program. If he does, and it is necessary to carry out his purposes in going to Europe, I shall support it. Unless that is true you but excite suspicion by failing to disclose your reasons. If you have knowledge, divulge it. I have an open mind. I do pray, however, that no mother shall ever again be required to mourn her dead if their death can justly be prevented. My hopes and faith are with our President beyond the seas. God prosper his mission.

Mr. SHALLENBERGER. Mr. Chairman, I move to strike out the last word. The gentleman from Massachusetts [Mr. GALLIVAN] referred to me in his remarks in connection with the efficiency boards in Europe. The statement I made on the floor, as Members will recollect, was that I did not believe there was a "canning factory," the imputation being that there was some sort of a board whose purpose it was to deal unfairly with the demotion of men in the United States Army. I think it is fair to the country and to Congress to know that under the law that Congress passed there is provided an Army Efficiency Board to pass on the efficiency of men to command men who are sent into battle.

No doubt a board has been acting there in France. It was a necessity, as everyone knows. We took 200,000 men into the Army as officers at the beginning of the war. It was impossible that all of these men would be found suited for the places they

were appointed to, and in the good judgment of Congress and the War Department boards were commissioned to sit and decide upon the fitness of these men for these places. They have been ordered for trial before this board by their commanding officers, and they had to come before them and stand trial. I do not doubt that some mistakes have been made in the decisions of these boards. I know that I, as executive officer for a short time, had the appointment of men who were commissioned in the National Guard. I know that I appointed men in time of peace, because they had been chosen by their different commands, that I would not have wanted to see lead their men in battle in such a great war as we have just gone through. These boards have passed upon the men who have been in command, and that is what they were established for.

But what I object to is the imputation that there has been unfairness, or some sort of chicanery, in their actions. But of that there has been no proof brought before Congress. If I had been an officer in the Army and had been tried before one of these boards and they decided that I was not fit to lead men into battle, and I think in view of my military experience that would be a correct decision, I believe I could sit down and write as good a letter that injusice had been done me as has been read here. And so the thing that I protest against is the constant attempts being made by reading the complaints of men who have been passed upon by a competent military authority that they have been unfairly used and not justly treated without submitting any disinterested proof of unjust action.

Mr. GALLIVAN. Will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. GALLIVAN. The gentleman does not mean to leave the imputation that I have read a single letter from any man who has been illtreated? My letters were from men still in the service, who have written about men who had been illtreated, some of whom can not now speak for themselves, because they are buried in France.

May I say this to the gentleman, that since I made my first speech on this floor with reference to the conditions at Blois, I believe that the commander in chief of the Expeditionary Forces did not know of all the conditions, and that since that speech a brigadier general and three colonels to whom I referred on the 14th of January in this Hall have been restored to their command last week by order of Gen. Pershing?

Mr. SHALLENBERGER. Which shows that we have the right man at the head of the United States Army. I want to say in reply to the gentleman, if I am permitted, that it was not the man who suffered the judgment that wrote the letter. Well, if I had a friend that I thought had been unfairly used, I could write as good a letter in regard to him as has been read here. So after all the thing comes down to this, that this board has had a disagreeable but a necessary duty to perform, and I think the performance of our Army shows that we had men ready to perform their duty in France.

Mr. MANN. Mr. Chairman, I make the point of order that all debate on the paragraph has been exhausted. If the gentleman from Georgia [Mr. LARSEN] will not exercise his right, I will exercise it. We have been now three hours making no progress on the bill.

The CHAIRMAN. The point of order is sustained.

Mr. DENT. I hope the committee will let us read awhile.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the section. I hope the gentleman will let some Members be heard a little while longer.

Mr. MANN. I have no objection, but let us read the bill a little while; let us make a litle progress.

The Clerk read as follows:

CONTINGENCIES OF THE ARMY.

For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the Office of the Chief of Staff; for all emergencies and extraordinary expenses, including the employment of translators and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices at Washington, District of Columbia, or in the Army at large, but impossible to be anticipated or classified; to be expended on the approval and authority of the Secretary of War, and for such purposes as he may deem proper, including the payment of a per diem allowance not to exceed $4, in lieu of subsistence, to employees of the War Department traveling on official business outside of the District of Columbia and away from their designated posts, $100,000.

Mr. HARRISON of Virginia. Mr. Chairman, I move to strike out the last word. I desire, Mr. Chairman and gentlemen of the committee, to make plain what I think was the view of the committee touching this bill. Under the Stone amendment of an appropriation bill, every man now in the Army will be discharged on the declaration of peace. Within four months they have to be returned to this country; but on the declaration of peace, as I understand it, every man that is now in the Army is discharged.

Mr. DENT. Except those who——

Mr. HARRISON of Virginia. I am coming to that—with the single exception of a few men who enlisted prior to the war whose terms of enlistment have not yet expired. The testimony before the committee was to the effect that there remain now but very few men of that character, so if we do not pass some legislation providing for an Army in this appropriation bill, immediately upon the declaration of peace we will find ourselves without an Army.

Therefore it is entirely impossible to view the fears of the gentleman from Arkansas that we intend to keep anybody in Europe contrary to their wishes, because their terms of enlistment expire with the declaration of peace. Another thing: The national-defense act, upon the declaration of peace, immediately comes back into full operation, except so far as the pending bill provides otherwise. The Overman Act, by its own limitation, ceases to operate with the emergency. It is true there is some reference to the emergency act of May 18, 1917, but that provision has reference more to the appointment of temporary officers than it has to the provision for enlisted men, because all enlistments must be voluntary. Those who want to go into the Regular Army, which will be limited by the national-defense act to 175,000 men, will enlist for three years, and those who are to be enlisted under the emergency act of May 18, 1917, will be enlisted under the one-year provision. It would be a very dangerous matter if before peace has been declared, before peace has actually been established, we were to leave this country without an adequate Army to deal with any possible contingency that might arise.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. HARDY. Is there anything now to prevent voluntary enlistments in the Regular Army up to 175,000 men?

Mr. HARRISON of Virginia. Yes. Under the provisions of the act of May 18, 1917, all enlistments from that time on became for the war only, so that no one can enlist at the present time for anything except for the emergency. The very purpose of this act is to give the right to receive under voluntary enlistments in the Regular Army for three years such as desire to enlist therein to the numbers defined in the national-defense act and to provide a temporary additional Army by the one-year enlistments.

Mr. HARDY. Has the gentleman thought of this solution—to reinstate the act of 1916?

Mr. HARRISON of Virginia. The law reinstates itself. It never has been repealed, but we have to provide for voluntary enlistments both in the regular and temporary Army, and that is what we are trying to do in this bill. Under the old law it was three years, and under this provision we are simply providing for a temporary force for one year after the Regular Army has been enlisted. Therefore we change the national-defense act so as to allow this temporary and this additional force by an enlistment for one year only.

Mr. HARDY. It seems to me that it would clear the atmosphere a good deal if the committee would authorize reinstatement of the law of 1916.

Mr. HARRISON of Virginia. Why reinstate that which is in full force and vigor? It has only been suspended by laws which expire upon the declaration of peace.

Mr. HARDY. And then a further provision authorizing the call for volunteers for the occupation of Europe as long as it is needed.

Mr. HARRISON of Virginia. We do not care for any occupation of Europe.

Mr. STAFFORD. There is a bill on the calendar providing for that very thing that should have been called up long ago.

Mr. HARRISON of Virginia. This does it. This is the very purpose of this provision, instead of having an independent act, which would take some time to get through the Congress. We have placed it here as a rider on this bill for that purpose, providing for the reinstatement of voluntary enlistment for a three-year term for the Regular Army and one year for a temporary Army.

Mr. SHERWOOD. The gentleman states that if this law is not passed we would have no Army. Would we not have the Regular Army?

Mr. HARRISON of Virginia. No; except for a very skeleton force, because of the expiration of the enlistment of the soldiers.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HARRISON of Virginia. Mr. Chairman, I ask unanimous consent to proceed for five minutes additional.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BARKLEY. Mr. Chairman, do I understand under the War Department regulations, or the law itself, that notwithstanding a man may have been in the Regular Army before the National Army was raised, if he had been transferred to the National Army, when he gets his discharge from that Army he is out of the Army entirely?

Mr. HARRISON of Virginia. Yes.

Mr. BARKLEY. And must reenlist in the Army in order to get back into it.

Mr. HARRISON of Virginia. The gentleman will understand that all enlistments prior to 1917 expired within three years, and a number of them had very nearly run out when the war was declared. There are very few of these soldiers now in the Army.

Mr. BARKLEY. And many of them have been transferred to the National Army.

Mr. HARRISON of Virginia. And the testimony before the committee was that there would not be a handful of an Army if we did not have this provision here for reenlistment. Another thing about this bill is that it only appropriates for 500,000 men. Gentlemen have asked on the floor whether this is to be in addition to the men over in Europe or if its to be supplementary to them. We appropriate for only 500,000 men altogether. We could not provide for an army over in Europe and an army here, supplementary to each other, because the entire appropriation is only for 500,000 men. The men now in the Army in Europe are virtually all released by the very terms of their enlistment upon the declaration of peace.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. WINGO. The gentleman stated awhile ago, in response to an inquiry, that under the act of May 18, 1917, voluntary enlistments in the Regular Army were stopped.

Mr. HARRISON of Virginia. Yes.

Mr. WINGO. What is the gentleman's opinion of this provision of the act——

Mr. HARRISON of Virginia. I do not know whether it is in that act or in an independent act.

Mr. WINGO. I think this is the one—section 7 of the act of May 18, 1917—and upon this language I desire to get the gentleman's opinion:

> All enlistments, including those in the Regular Army Reserves, which are in force on the date of the approval of this act and which would terminate during the emergency, shall continue in force during the emergency unless sooner discharged, but nothing herein contained shall be construed to shorten the period of any existing enlistments.

Does that mean that they can hold the men who, say, enlisted a few days before this act was passed?

Mr. HARRISON of Virginia. Yes; I think they can.

Mr. WINGO. For the full period?

Mr. HARRISON of Virginia. Before April 1, but the testimony before the committee was that there were very few men now who could be held under the original enlistment, which was before April 1, 1916. I am not prepared to say the provision to which the gentleman refers is the act I have in mind, but the existing law is that all enlistments after April, 1916, are only for the war.

Mr. WINGO. The gentleman gives it as his opinion that in order to enlist men in the regular standing Army there has to be affirmative action by Congress?

Mr. HARRISON of Virginia. Yes.

Mr. WINGO. Because in this act we stopped voluntary enlistments in the Regular Army?

Mr. HARRISON of Virginia. I do not know whether it is in that act.

Mr. WINGO. Some act?

Mr. HARRISON of Virginia. Yes.

Mr. DENT. Mr. Chairman, if the gentleman will permit, the gentleman from Virginia has made a very clear statement of this bill. I would like to make this suggestion: There is nothing in the law that stops enlistment, but there is something in the act that fixes the period.

Mr. HARRISON of Virginia. That is it.

Mr. WINGO. Will the gentleman yield a little further?

Mr. HARRISON of Virginia. Yes.

Mr. WINGO. Beginning section 7, the act to which the gentleman refers reads as follows:

> That the qualifications and conditions for voluntary enlistment as herein provided shall be the same as those prescribed by existing law for enlistments in the Regular Army, except that recruits shall be between the ages of 18 and 40 years, both inclusive, at the time of their enlistment, and such enlistment shall be for the period of the emergency, unless sooner discharged.

Is that the law to which the gentleman refers?

Mr. HARRISON of Virginia. That is the provision to which I referred.

Mr. KAHN. Will the gentleman yield?

Mr. HARRISON of Virginia. I will.

Mr. KAHN. My colleague will recall in this very proposed provision we also take care of that further condition permitting enlistment under the Regular Army act that a man who served four years in the reserves is wiped out by this proposed legislation.

Mr. HARRISON of Virginia. Yes. I want to say another thing, gentlemen, and that is that under the operation of this law we go right back to the national defense act and the General Staff has only such powers as are conferred by this act and consistent with the national defense act, so there is no ground for complaint. This bill confers——

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HARRISON of Virginia. I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia. [After a pause.] The Chair hears none.

Mr. HARRISON of Virginia. My own position was that we ought to get back to this national defense act for the standing Army in peace just as soon as practicable [applause], but I for myself am utterly opposed to stripping the War Department of the necessary permission that it thinks necessary to maintain during the period of uncertainty and of unrest. Now, the question comes up here, what are we going to do? For my part I advocated that we simply appropriate for 500,000 men, and then let the defense act operate, but after the hearing and statements before the committee I thought the wise thing to do was to do what the War Department asked us to do; that was to provide for a temporary force for a temporary period and a temporary enlistment for the period of one year. We must bear in mind that the National Guard, which the national defense act provided as a supplementary force, has been wiped out. [Applause.] We provide this temporary Army by a temporary appropriation, by a limited enlistment period, under language which defines its temporary character, and this will give us an opportunity to recruit the Regular Army to the strength authorized by the national defense act, and will give the States the opportunity to reorganize their National Guard, for which liberal appropriations have been made.

Congressmen will assume a very grave responsibility who deny to the War Department and the President the Army deemed necessary to bridge over this time. [Applause.]

Mr. HUDDLESTON. Mr. Chairman, on January 28 I presented to the House an order issued in the name of the commanding general at Camp McArthur which in substance forbade officers and enlisted men to attend the same social affair. Again, on the 7th of this month I referred to the matter and read a letter from the Secretary of War, in which he stated that the order had been revoked. During the last discussion of the matter the gentleman from Texas [Mr. BLANTON] interrupted me and said this:

> I want to commend the gentleman for getting this order of Gen. Buck out of the way, and I want to ask him if he would not go further and get the other regulation out of the way that makes a distinction between the private soldier and the officer in allowing the officer to give social attention to our nurses in uniform and forbidding the private soldiers to do likewise.

That statement of the gentleman from Texas excited laughter in the House, laughter of incredulity, and indeed I myself was inclined to smile at it because I did not dream that it had been well made or was founded upon actual facts. But I have to-day received a letter which is a verification of the statement made by the gentleman from Texas.

I received this morning an anonymous letter—of course all public men receive them occasionally, usually they are abusive—but we know they are from cowards and we pay no attention to them. But this letter was written on the stationery of the Y. M. C. A. at Camp Gordon and was signed "A Committee of Soldiers," and though no names were signed to it I know they were not cowards, for I understand why they could not sign their names. I am going to read it to the House:

> CAMP GORDON, GA., *February 9, 1919.*
>
> Hon. GEORGE HUDDLESTON, M. C.,
> *Washington, D. C.*
>
> DEAR SIR: Your speech of January 28, rapping at the system of caste in the Army, is certainly to the point and at the right time.
>
> At present down here in Camp Gordon there is an order to the same effect, issued by the colonel commanding the base hospital, stating that nurses (female) are not to speak to enlisted men.
>
> If only some more Members of Congress would only keep up the good work that you are doing to eliminate the caste system from the Army. It is no wonder there is Bolshevism in this world—it was just that same caste that caused a revolution in Russia. The only way to keep the soldiers from becoming socialists is to do away with that caste.
>
> Your good work in Congress is certainly appreciated by the soldiers; a few more men with your good judgment would certainly help the soldiers.
>
> Respectfully, yours,
>
> A COMMITTEE OF SOLDIERS.

Mr. Chairman, I can understand how soldiers would not care to write even to a Member of Congress a letter to the slightest degree reflecting upon the officer class, particularly their own commanding officer, because we all know well what would happen to those soldiers had they signed their names and the matter become known to the commanding officer. It is a shame to the spirit of our Army and violative of true American ideals that brave men serving their country as soldiers should be forced to resort to anonymous letters in order to present their grievances. But we all know what the situation is. These soldiers did not dare to sign their names.

This letter verifies the statement made by the gentleman from Texas the other day, and I believe such an order has been posted at Camp Gordon. I am hoping that if it is not true the Army authorities will take occasion to deny that, as they did the statement of the order at Camp McArthur. This is a very trifling matter in itself; it amounts to little, as I said the other day, but it bespeaks the spirit of the Army. Now, we know that the private soldier is just as much a gentleman as the officer—a gentleman in the true sense of the word—as brave, kind, self-sacrificing, and true, for those are the qualities of the real gentleman. We all know that these nurses could well afford to associate with enlisted men, and we all know that the reason for this order is the contamination which it was feared that these women would suffer from such association—was "social" contamination, so that thereafter they would not be good enough for the officers to mix with socially. The purpose of the order was to build up a wall around them and say to the enlisted men, "This is our private preserve, you shall not trespass thereon."

It is a part of patriotism not to indulge in time of war in general criticism of our Army, but even in time of war just and proper criticism, which will raise its standards and will give to it a higher morale, certainly would be justified. But let us remember that the war is over and this is in time of peace. There is nothing sacred about the Army. It is merely one of the institutions of our country. Of course, I know the militarists would like, even in times of peace, to have us bow our faces in the dust as the Army goes by, and to salute a man wearing straps on his shoulders with reverence and awe. That is the spirit. But that is no part for the patriot. It is rather a part for another individual whom I do not like to name in this House.

But now is a time of peace, and it seems to me we ought to correct these evils that we recognize as being in our Army. A strange thing about it is that those who seem to desire that the Army shall be regarded as sacrosanct, and that a man should reverently take off his hat when he goes into its presence, have little respect for some of our other institutions. That class has no respect for Congress. They have not even respected Congress while the war was on. They have not feared they would break down the morale of Congress, but more than ever have they taken advantage of the opportunity to point out the faults and the mistakes of Congress and its Members. Congress certainly is higher and should be more exempt from criticism than the Army. We are here as the representatives of the American people, chosen by their suffrage, and have some small dignity because of our representative capacity. But the Army has no such position. It is merely a collection of individuals brought together for a certain purpose, and in time of peace its duties are not nearly so important as the duties of many other people.

I would rather have respect for the great army of American workingmen, going each day with the rising of the sun, with little tin buckets in their hands, to do a day's honest work, and to bring home some wages to feed their wives and children—I would rather look upon the labor of America as a great and worthy institution before which every patriotic citizen would take off his hat and bow in respect. I would rather regard any class of people, following any kind of peaceful occupation, producing something, doing something that is worth while, going to and fro in the world, engaged in commerce, in the practice of a profession, in doing something that is useful to mankind, or which adds to the beauty or welfare of the world—I would rather regard any of those occupations with respect than the soldier's occupation in time of peace.

Let us lay aside any thought that we may have that the Army is above criticism. It is not. Whether soldiers are generals or privates, they are men like you and me. Many of the officers are engaged in the business merely as a profession, which is a loafing job in time of peace, as it might be considered, not doing anything useful, except perhaps giving a little of their time to fitting themselves for a duty that may never come and can come only when our Nation is in danger.

The CHAIRMAN. The time of the gentleman has expired. All debate on the amendment has been exhausted.

Mr. DENT. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto be now closed.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I wish to offer an amendment on page 2, line 11, by striking out all of the words after the word "War."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 11, strike out, after the word "War," the words "and for such purposes as he may deem proper."

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes in which to discuss the amendment, notwithstanding the order of the committee.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer this amendment for the purpose of calling the attention of the committee to these words and to the fact that similar words appear in a number of other paragraphs, each paragraph providing a very large amount of money for certain specific purposes, but placing it all at the disposal of the Secretary of War to be used just as he may please.

I submit that is not the proper way to legislate. No paragraph should contain those words. If the committee preparing the bill—and if the committee does its duty, it prepares the bill and does not permit somebody else to prepare it and place the bill in its hands and insist it shall be passed as presented—the committee that prepares the bill will designate specifically the purposes for which the money is to be used and will not find it necessary to use those words which I consider very improper, words that authorize the Secretary to spend the money just as he pleases.

Mr. WINGO. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. WINGO. The gentleman is now talking about the contingent fund?

Mr. McLAUGHLIN of Michigan. I am talking about this item and calling the attention of the committee to the fact that similar words are used in a number of other paragraphs in this bill.

Mr. WINGO. Does the gentleman contend that that is unusual language which is used in that place?

Mr. McLAUGHLIN of Michigan. I insist that it is improper language to be used in any place, and I insist that the committee should perform its duty and specify the purposes for which the money is to be used. It ought not to give the Secretary of War or any Cabinet officer or head of a bureau carte blanche to use large sums of money. During my service in Congress I have noticed that this practice of leaving the expenditure of money to the discretion of public officers has grown up and is growing alarmingly. There is a tendency on the part of committees and on the part of the House to shirk their duty. They are not willing to take the time and give proper attention to the preparation of the bills. They write "So and so shall be done in the discretion of the Secretary of War," and "So and so shall be done and the money shall be expended in the discretion" of some officer named. That is a shirking of duty. It is not a proper way to legislate. And we are growing more and more into the habit of accepting bills as they come from some one in a bureau or a department, instead of being willing to give the time necessary and put forth the effort necessary to draw properly the bills ourselves.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I yield.

Mr. DENT. If the gentleman's amendment were adopted there would be no traveling allowance whatever in the bill.

Mr. McLAUGHLIN of Michigan. If that relates to traveling allowance, why did not the committee put it in as such, and not permit the Secretary of War to have $100,000 for buying automobiles or motor boats or airships or something of that kind? The paragraph as it stands permits the use of money for any purpose in the discretion or according to the sweet will of the Secretary. In the next paragraph I notice, on the next page, there are the same words. There is $200,000 appropriated for "such other purposes as the Secretary of War may deem proper." Those words run all through this bill, aggregating millions of dollars. All through this bill are provisions to the effect that the money shall be expended just as the Secretary of War may deem proper.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. In a moment. If the money is intended to be expended for traveling expenses, the

committee should write it in the bill, so that we will know what the money is to be expended for, and take away the discretion of the Secretary of War. If it were always wisely used, that might not be necessary; but from my experience with departments and bureaus I know that frequently the laws are distorted and sometimes the money is misspent.

Mr. TILSON. The gentleman has had much longer service in Congress than I have had, but I ask the gentleman if that provision has not been in the law ever since he has been in Congress?

Mr. McLAUGHLIN of Michigan. It may have been in the Army bill, but not in bills that I have had to do with; but wherever found it is improper.

The CHAIRMAN. The time of the gentleman from Michigan has expired. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For expenses of the Army War College, being for the purchase of the necessary stationery; typewriters, and exchange of same; office, toilet, and desk furniture; textbooks; books of reference; scientific and professional papers and periodicals; printing and binding; maps; police utensils; employment of temporary, technical, or special services; and for all other absolutely necessary expenses, including $25 per month additional to regular compensation to chief clerk of division for superintendence of the War College Building, $9,000.

Mr. McCULLOCH. Mr. Chairman, during the colloquy this morning between the gentleman from California [Mr. KAHN] and myself it was developed that the War Department estimates that it will not be able to demobilize the conscripted army now in France and in this country until about July 1, 1920. This bill provides for a volunteer army of 500,000 men during the fiscal year from June 30, 1919, to July 1, 1920. Therefore, if this bill passes without amendment we will have two armies, the present army and the new army.

Now, I believe that we should make some provision for demobilizing the conscripted army before the end of the fiscal year 1920, or that we should not provide for a volunteer army of 500,000 men. Clearly the conscripted army should be demobilized.

Therefore, as I announced this morning, I shall offer at the proper time an amendment, which I desire to call to the attention of the committee; and, having spoken to the chairman about it a little while ago, I will furnish him with a copy of the amendment after I have read it for the information of the House. The amendment is as follows: On page 58, line 23, after the word "prescribe," add the following:

Provided, That all men who enlisted in the Army for the period of the war and all men inducted into the Army under the so-called selective-service act and all officers commissioned for the period of the war shall be discharged not later than July 1, 1919: *Provided further*, That any such soldier shall be immediately discharged upon the filing of an application with his immediate commanding officer, whether he be at present in service overseas or within the United States; that said soldier shall be discharged upon the filing of said application and shall continue to receive the same pay and allowances thereafter to the date of and be furnished transportation from the point where he is released from the Army to the point of his enlistment or induction: *Provided further*, That all such men discharged under the foregoing provision shall be granted the opportunity to enlist in the Volunteer Army under the provisions of this section until the voluntary enlistments provided for herein shall be filled.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. Yes.

Mr. RAMSEYER. In what place does the gentleman intend to offer that?

Mr. McCULLOCH. I thought on page 58, line 23, after the word "prescribe," would be the proper place.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. Yes.

Mr. TILSON. Does the gentleman seriously contend that 60 days after the passage of this act we should demobilize and discharge from the service our entire Army, so that we would be without any Army whatsoever, regardless of our obligations, 60 days after the passage of this act?

Mr. McCULLOCH. The gentleman was not listening to me carefully, else he would have known that I never intended or suggested such a thing.

Mr. TILSON. I so understood the gentleman.

Mr. McCULLOCH. What I said was that if you are going to provide for a volunteer army of 500,000 men, you should provide for the demobilization of the conscripted army. You should not hold, nor authorize or permit the War Department to hold, the conscripted army to the end of the fiscal year 1920 or for the time covering the period of enlistment of the volunteer army. Why leave it to the Secretary of War to enlist 500,000 volunteers and still keep an army of 2,000,000 conscripted men? The amendment only reaches those who enlisted for the period of the war and the conscripted men. The gentleman from California [Mr. KAHN] says that we only need the 500,000 men provided for in this bill.

Mr. TILSON. The gentleman means that they shall be discharged after we get the 500,000 men?

Mr. McCULLOCH. I mean that the War Department should go ahead at once and provide its volunteer Army which it says it needs, and then demobilize and release from the Army the men who were taken from their vocations of peace and were put into the Army for the period of the war. The war is in effect over now. It may take the peace conference six months or eight months yet to complete its labors, and it may take the Senate six months more to decide upon the treaty of peace and have it signed. These boys should be released and discharged as soon as possible.

Mr. DENT. I understand the gentleman is not offering that amendment now?

Mr. McCULLOCH. No; I am discussing it. Now, under the conscription law these men can be held, as I understand it, for four months after the signing of the treaty of peace. That may mean that the conscripted boys will have to remain in the Army for a year and a half or two years. This committee brings in a bill providing for a volunteer Army of 500,000 men for the next fiscal year, or from June 30, 1919, to July 1, 1920. Then the gentleman from California, on this side, comes forward and says we are not going to be able to demobilize the conscripted Army until the end of the next fiscal year, or July 1, 1920. I say it is absurd to think of raising the volunteer Army and still keep the conscript Army; but the best advice we have from the War Department is that they are going to keep them, if they see fit, until July, 1920. Now, my experience with this department has been that the officers are reluctant to let go of the men. A lot of the officers have better jobs now than they ever had before in their lives, and after the Army is demobilized they will have to go back to private life and a lot of them are going to be working for the privates.

So they are interested in keeping this Army business up as long as they can. I have a constituent at one of the camps who was making $15,000 a year as a physician, and who is now engaged in the important work of signing the name of a major to papers already approved, work that any boy would be able to do. Yet that man is deprived of his discharge, or the approval of his commanding officer which would enable him to be discharged, because they say that he is necessary to the service. We all know that such cases are numerous. They do not want to let them go.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCULLOCH. I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. DENT. I ask unanimous consent that at the expiration of that time the debate on this paragraph and all amendments thereto be concluded.

Mr. WINGO. I want to offer an amendment to this paragraph.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that at the expiration of five minutes debate on this paragraph and amendments thereto shall terminate. Is there objection?

Mr. WINGO. Reserving the right to object, I have a bona fide amendment that I should like to offer.

Mr. DENT. Make it seven minutes.

The CHAIRMAN. The gentleman modifies his request to seven minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Ohio is recognized for two minutes.

Mr. McCULLOCH. I would not want to be a party to any attempt to hamper the War Department in its efforts to demobilize these troops. I understand that the question of transportation enters into it, and all that sort of thing; but I believe that in order to be consistent Congress ought to go on record as being in favor of the demobilization of the conscript Army, and that a provision should be written into this law which will result in demobilization. The gentleman from Alabama [Mr. DENT] says he is going to suggest an amendment; but the suggestion of the gentleman from Alabama as he made it to me still leaves it up to the War Department to decide when it will act, and I think they have reasons of their own for keeping these boys in the Army just as long as they can. A lot of them, at least, have their own reasons. I believe Congress ought to be consistent, and that we should not provide for a volunteer Army of 500,000 men unless we intend to go about raising them, and the War Department ought to go about raising them. They

should provide the volunteer Army, and then they should be required to demobilize the conscript Army and let the boys come home and go back into the various positions and pursuits of peace from which they were taken. [Applause.]

Mr. HULL of Iowa. Will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Iowa.

Mr. HULL of Iowa. Does the gentleman understand that it was the theory of this legislation, as I understand it, that practically every man who enlists under this will come out of the present Army? He will have to be demobilized or transferred into the new Army.

Mr. McCULLOCH. Why, certainly, if they raise the Army; but they do not have to raise it.

Mr. HULL of Iowa. They will be demobilizing the one Army while they are raising the other.

Mr. McCULLOCH. Let them go ahead and demobilize. The way to resume is to resume, and the way to demobilize is to demobilize. This bill does not provide for demobilization. We are providing for raising 500,000 volunteers, but we are not providing for releasing these boys in the conscript army, and there is no law that will make the War Department do it until four months after the signing of the treaty of peace.

Mr. HULL of Iowa. This bill provides for it.

Mr. McCULLOCH. It does not provide for anything of the kind.

The provisions in this bill, which are to be found in the legislative section, on pages 57, 58, and 59, relative to the organization and strength of the Army, provide for a force of approximately 500,000 men for the fiscal year beginning July 1, 1919, and ending June 30, 1920. The declaration is made in the provisions that such organization shall be "temporary." It is further provided that "the enlisted force for the Regular Army shall be raised by voluntary enlistments for periods of three years, and for the additional forces herein authorized by voluntary enlistment for the period of one year." Under existing laws the conscripted army, which, according to my recollection, it has been estimated during this debate numbers approximately 2,000,000 men, a large proportion of whom are now in Europe, can be held for service by the War Department until the proclamation of the treaty of peace has been promulgated. They can be held during all the negotiations at the peace table, during the discussions of the Senate preparatory to ratification, during all the complicated procedure prior to the issuance of the proclamation, which anybody knows will consume many months.

Some have estimated that it will take more than a year to carry out all of these complicated negotiations and formalities. During all of that time under existing law the War Department can hold these boys for service. The gentleman from California [Mr. KAHN], the ranking Member on the Committee on Military Affairs on this side of the Chamber, made the statement this morning that the War Department did not expect to have the conscripted Army demobilized much before July 1, 1920. So that from the most authoritative source upon this floor next to the chairman of the committee, we are informed that this process of demobilization of the conscripted Army is going to take a year and four months or the entire fiscal year for which the volunteer force of approximately 500,000 men is provided in this bill. The gentleman from California in response to my question during the debate this morning, said that this force of 500,000 men was all that was necessary to make up the army of occupation. Now, this bill provides for the force they say they need, but there is no provision in it whatever requiring the demobilization of the conscripted Army, so that unless some amendment is adopted, the War Department is going to have a force of 2,500,000 men that they can do with exactly as they please and will not be forced to demobilize any part of it, if they do not see fit to do so until the treaty of peace has been proclaimed. We are asked to rely upon the statement of members of the committee who do not even say that they are speaking by authority of the War Department, but who have been content with the declaration that they have been told that the conscripted Army will be demobilized "as speedily as possible," and in the next breath the gentleman from California [Mr. KAHN] indicates what he means by "as speedily as possible" by saying that it will probably take until July, 1920. Now, if these soldiers are not needed and it has clearly appeared from this debate that they are not needed and that the force provided in this bill will be sufficient, then this conscripted Army should be immediately demobilized or as soon as it is possible to do so, and men who have patriotically responded to the call to the colors and who have done their part when their services were needed should not be required to depend upon the whim of some Army officers as to whether or not they will be relieved from service. These boys should be permitted to go home, if they are not needed, and it is the duty of this House which passed the legislation that took them from their homes, their avocations and their schools and placed them in the Army to serve during the war, to see to it that they are released and not leave these boys subject to the petty whims of Army officers, in order to get the justice that is rightfully due them.

The first section of my amendment provides:

Provided, That all men who enlisted in the Army for the period of the war and all men inducted into the Army under the so-called selective-service act, and all officers commissioned for the period of the war, shall be discharged not later than July 1, 1919.

There should be written into this bill a definite provision in regard to the demobilization of the conscripted Army.

Whatever the provision is, it should be definite and certain, and the War Department should be forced to live up to it.

The next section in the amendment only differs from the present orders of the War Department in that it takes away from the commanding officer the opportunity which the present regulations afford for him to play Army politics in the discharge of men. The regulations now provide that men shall be discharged upon application "if in the discretion of the commanding officer" such action should be taken. These conscripted soldiers should be discharged upon their application and permitted to come home if they desire to do so, and the officer should be required to fill their places by volunteers. The second paragraph of the amendment is as follows:

Provided further, That any such soldier shall be immediately discharged upon the filing of an application with his immediate commanding officer, whether he be at present in service overseas or within the United States, that said soldier shall be discharged upon the filing of said application and shall continue to receive the same pay and allowance thereafter to the date of, and be furnished transportation from the point where he is released from the Army, to the point of his enlistment or induction.

I feel that the foregoing provision is only just and fair to the soldier. If he wants to get out of the Army, since the war is over, he should be released upon the filing of his application and not be subject to the politics of the Army and the whims of commanding officers.

The last provision in the amendment is as follows:

Provided further, That all such men discharged in accordance with the foregoing provisions shall be granted the opportunity to enlist in the Regular Army, if he so desires, under the provisions of this section until the voluntary enlistments provided for herein shall have been filled.

If a boy who has been in the conscripted army wants to remain in the Army as a volunteer, he should have the opportunity to do so, and in my opinion he should have a preference.

Every Member of Congress is besieged with requests from soldiers, and the parents and friends of soldiers, to get them out of the Army. If this amendment is adopted, it ought to solve the problem, and the Congress at least will have done its part toward assisting our boys in getting out of the Army and back to the avocations of peace. Of course, the Army officers do not want to be shorn of any power; they want to be able to exercise their discretion, but unless the War Department can show reasons for holding these boys they should be demobilized and discharged, and it is up to this Congress before it authorizes another army to know something about what is going to be done with the present Army, and in the face of the statements made by the gentleman from California [Mr. KAHN] to-day upon this floor the conscripted army is not necessary, and the force of 500,000 men provided for in this bill will meet all the requirements.

Mr. WINGO. Mr. Chairman, I offer an amendment in lines 19 and 20, page 2, to strike out the words "typewriters and exchange of same; office, toilet, and desk furniture."

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WINGO: Page 2, line 19, strike out the words "typewriters, and exchange of same; office, toilet, and desk furniture."

Mr. WINGO. I should like to ask the chairman of the committee what provision, if any, is attempted to be worked out by which this furniture, including surplus typewriters which they now have in the War Department, can be utilized for these different branches as they may be needed?

Mr. DENT. I do not know about that.

Mr. WINGO. My information is from a Member of the House that we have a surplus of typewriters and desks, and I would like to ask if the War Department has authorized the sale of typewriters and desks?

Mr. DENT. That is my information.

Mr. WINGO. My information is that they are selling typewriters at $10 apiece; good typewriters. Instead of the War Department going ahead and disposing of them, why not work out some plan by which the typewriters can be distributed among those departments that need them, instead of authorizing them to buy new ones?

Mr. STAFFORD. Will the gentleman yield?

Mr. DENT. I am willing to accept a proviso that in the event that there is a surplus of typewriters in one branch they can be transferred to another. This is the language that has been carried in the bill for some time.

Mr. WINGO. If my amendment is adopted, I shall, of course, offer the same amendment at the proper places throughout the bill, because the bill is full of other provisions of a like character. The excuse for this is that it has always been carried. The fact is that they have been spending money like drunken sailors for office furniture—they have thousands and thousands, and I speak advisedly when I say thousands, of desks that they do not need. I am told by one Member of the House that he told his secretary to go and buy six typewriters at $10 apiece. That is an absolute waste of money. We ought to stop it and ought to turn this expensive furniture and office equipment over to other departments that need it, instead of sacrificing it and giving it away. If my amendment is adopted, I intend to offer it all through the bill, and then let it be transferred from one department to another where it is needed.

Mr. STAFFORD. They have already done that.

Mr. WINGO. Then why carry this here?

Mr. STAFFORD. If the gentleman had yielded to me, I would have told him.

Mr. WINGO. Then I regret not yielding to the gentleman. The gentleman is in favor of my amendment, is he not?

Mr. STAFFORD. I think it would be a hardship on the service to strike these words out.

Mr. WINGO. All right, if you have provided for it; but where is the provision carried?

Mr. STAFFORD. The President has issued an order, at the suggestions of the Committee on Appropriations, providing for transferring all unnecessary supplies that will not be needed by the departments to the control of the General Supplies Committee of the Treasury, and that that order also has a prohibition that no such supplies shall be purchased except under authority of the General Supplies Committee.

Mr. WINGO. Where are these typewriters and supplies being sold?

Mr. STAFFORD. That is news to me, that any supplies are being sold, because under the presidential order promulgated in December last, when it was first called to his attention, this order was issued.

Mr. WINGO. Well, Mr. Chairman, I hope my amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were 19 ayes and 22 noes.

So the amendment was rejected.

The Clerk read as follows:

For contingent expenses of the Military Intelligence Division, General Staff Corps, including the purchase of law books, professional books of reference; subscription to newspapers and periodicals; drafting and messenger service; and of the military attachés at the United States embassies and legations abroad; the cost of special instruction at home and abroad, and in maintenance of students and attachés; and for such other purposes as the Secretary of War may deem proper; to be expended under the direction of the Secretary of War, $200,000.

Mr. WINGO. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. CONNALLY of Texas. Mr. Chairman, some days ago the gentleman from Alabama [Mr. HUDDLESTON] called the attention of the House to an order, purporting to have been issued by authority of Maj. Gen. Buck, at Camp MacArthur, Tex., in reference to the attendance of officers and enlisted men at social functions. While I felt at the time that there must be some mistake about the matter on account of my belief that the order was absolutely at variance with the character and conduct of Gen. Buck, I did not feel warranted to speak about the matter until the facts could be ascertained. The gentleman from Alabama [Mr. HUDDLESTON] was good enough at a later date to place in the RECORD a statement of the Chief of Staff to the effect that the obnoxious order which purported to have been issued on the 6th of January was countermanded by Gen. Buck on January 8, just as soon as his attention was called to its existence.

The gentleman from New York [Mr. CALDWELL] on January 29, 1919, addressed to Gen. Buck the following letter:

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., January 29, 1919.

Maj. Gen. BUCK, United States Army,
Washington, D. C.

MY DEAR GEN. BUCK: I inclose herewith clipping from the CONGRESSIONAL RECORD of yesterday.

I am a member, as you probably know, of the Military Committee of the House and am anxious to know whether or not you caused the order to be published as therein stated; and if you did, by what authority, and what was the occasion therefor?

I am informed by several officers in the Army that this is in violation of the rules and regulations, and that if such an order was published, you are liable to punishment by a court-martial.

Before taking the matter up in the committee, I am writing this letter in the hope that you will be able to explain the circumstance.

Yours, sincerely,

CHAS. POPE CALDWELL, *M. C.*

The gentleman from New York received the following reply:

HEADQUARTERS CAMP MACARTHUR, TEX.,
February 10, 1919.

From: B. B. Buck, major general, United States Army, commanding.
To: Hon. CHARLES POPE CALDWELL, United States House of Representatives, Washington, D. C. (through The Adjutant General of the Army).
Subject: General Orders, No. 1, Headquarters Camp MacArthur, Tex.

1. I have the honor to acknowledge receipt of your letter of January 29, 1919. It appears to have been delayed in the mails. I hasten to answer.

2. The order in question was not authorized by me. I knew nothing of its preparation or contemplated issue until I saw it in the public print. Without waiting a moment, I hastened to my office at camp headquarters and summoned my executive officer, his assistant, the camp adjutant, and the provost marshal to come to my office.

These officers being assembled, I showed them the order and demanded who wrote it and by whose authority it was published, at the same time stating the fact that the subject had never been brought to my attention. Also, I repeated what they all knew full well, that it was only in matters of routine administration in which the policy of the camp was well known and which I had already approved that the staff was authorized to issue orders without first getting my approval. I called emphatic attention to the fact that this order did not have my approval; that it in no way reflected my sentiment or my wish; that no greater error could possibly be committed by the staff than had been committed in this case; that this order, by its inexcusable provisions, had at one stroke made me out as insincere in what I had said to my command in my Christmas address or as an overbearing snob, both of which I disclaimed. I then repeated, "Who is responsible for this order?"

Two of my staff, the executive officer and the provost marshal, at once desired to take the blame for its preparation. Whereupon I said, "However many may have been engaged in its preparation, there was only one who could be responsible for its issue—the executive officer. It is the executive officer who is responsible to me for its issue. It is wrong in substance, contrary to my wish, practice, and sentiments, and must be immediately revoked."

I thereupon turned to the camp adjutant and directed that the order be immediately revoked, and that messengers be dispatched to recover every possible copy of the order which had been distributed. This was done by the issuance of General Orders, No. 2, Camp MacArthur, January 8, 1919, copy herewith.

3. I regret exceedingly the issue of this ill-advised, unauthorized, unnecessary, harmful, un-American document. But its issue was not foreseen by me, had never entered by mind, and came as a complete surprise to me. It dealt me a severe blow, which I was powerless to parry, and at once placed me in the unenviable position of being forced to discredit my staff or acknowledge myself to be a snob.

4. During the few hours it was in effect, so far as I can learn, there was no action taken under its provisions, and consequently, so far as this camp is concerned, the order has operated to the disadvantage of only one of its members—myself.

5. Had the order expressed by views or my wish, or had I had an opportunity of passing upon it before its issue, I should have stood upon it. Under the circumstances I feel it my duty to repudiate it.

B. B. BUCK.

Accompanying the letter was the following order:

HEADQUARTERS, CAMP MACARTHUR,
Waco, Tex., January 8, 1919.

General Orders, No. 2.

I. Paragraph 1, General Orders, No. 1, current series, these headquarters, which prohibits officers and enlisted men attending the same social affairs, is hereby revoked.

All organization and separate unit commanders, this camp, will have all copies of paragraph 1, General Orders, No. 1, c. s. these headquarters, which have been furnished them returned to camp headquarters immediately.

By command of Maj. Gen. Buck.

W. H. WOOLWORTH,
Major, Infantry, United States Army,
Acting Executive Officer.

Official:
[SEAL.]
E. E. LAMBERT,
Major, A. G. D., Adjutant.

Ex. Off., 1; Den'l Inf., 2; F. T. & H. Co., 2; Personnel, 9; Camp Vet'n, 2; Personnel Co., 2; M. T. C. Hdqrs., 2; M. T. C. 348, 2; Cmp. Q. M., 7; Dev. Bn., 20; 1st Bn. 43d Inf., 7 Ordn., 2; Eng., 2; Labor Bn., 8; Ord Arm't, 2; Remt., 2; Med. Supp., 2; Post Off., 1; Cmp Surgeon, 1; Moral Off., 1; Lt. Thayer, 1; Supp Off., 1; Cmp Insp., 1; Judge Adv., 1; Capt. Harvey, 1; Ord. Room, 1; T. R. C., 115; Prov. Guard, 3; Prov. Marshal, 1; Bakers & Cks., 2; Bak'y Co. 986, 2; Util. Co., 2; Signal Supp., 1; Chap. Earle, 1; Y. M. C. A. Hg., 1; Med. Det., B. Hosp., 2; Clin. & Urology, 2; Q. M. Det., B. Hosp., 2; Serv. Pk. U. 324, 2; Comdg. Gen., B. Hosp., 5; Lt. Fullerton, 1; Intell. Off., 1; Cmp Sani. Insp., 3; Comdg. Gen., 1; Maj. Lambert, 1.

It will be noted that the gentleman from Alabama complained of the objectionable and offensive order on January 28, 1919, and that Gen. Buck had revoked the order on January 8, before knowledge of the order had reached either the gentleman from Alabama [Mr. HUDDLESTON] or the War Department. This fact should be sufficient evidence that Gen. Buck neither authorized nor had knowledge of the contents of the order until after its issuance, and that he at once vacated and recalled it.

For fear that some erroneous impression may be entertained by Members as to the personal character and sincerity of Gen. Buck, I desire to say that it was my privilege to serve under him as a cadet many years ago, and I believe I know something of the kind of stuff of which he is made. I learned to know him

well and intimately, and I can assure the House that he is an excellent man and a fine soldier. He is a native of the State of Mississippi and was appointed to West Point from the State of Texas and has been in the Army a great many years. He is a man of the highest integrity and character.

In 1898 he was a major in the Second Texas Infantry Volunteers. I was an enlisted man in that regiment and I have personal knowledge that he then displayed consideration and respect for enlisted men.

Gen. Buck went to France with the first contingent of Regular troops. He was in the First Division, whose gallant conduct and behavior have been so well discussed to-day by the gentleman from Mississippi [Mr. HUMPHREYS].

At this point I desire to insert in the RECORD an article appearing in the New York Times under date of February 9, 1919, which refers to the operations of the First Division, as follows:

[From New York Times, Sunday, February 9, 1919.]

COURAGE, DASH, AND VICTORY IN FIRST DIVISION'S RECORD—STORY OF AMERICAN REGULARS WHO LED THE WAY TO FRANCE AND WHOSE CASUALTIES OF ALL KINDS REACHED 23,974, INCLUDING 715 OFFICERS.

(By Maj. Gen. A. W. Greely, United States Army, Retired.)

There is no division of the American Expeditionary Forces that has failed to display in the face of the enemy the qualities of courage, discipline, and efficiency which are acknowledged attributes of the American Army. It is natural and commendable that war correspondents and local newspapers should loudly and proudly acclaim the achievements of the military organizations identified with and formed in their own communities. It would be an injustice to the rank and file of our citizen soldiery if their own sections failed to display pride, especially in the combat divisions.

Thus New England honors the Twenty-sixth Division, New York the Twenty-seventh and Seventy-seventh, Pennsylvania the Twenty-eighth, Michigan and Wisconsin the Thirty-second, Kansas and Missouri the Thirty-fifth, Ohio the Thirty-seventh, and the Pacific States the Ninety-first, to mention only those of greatest losses.

It should be borne in mind, however, that certain organizations are entitled to general recognition for their soldierly merits, as they present to the world by the men of their ranks a thoroughly homogeneous army, gathered from all sections and all races of our composite Nation. These troops are of the so-called Regular Army, whose ranks are now filled almost to a man by volunteers for service only in the great war. It is not generally known that the war casualties of these organizations—battle and disease—have depleted their ranks from 25 to 100 per cent of their original personnel. These vast gaps have been filled by drafts from the replacement divisions of selected men, thus making the Regulars truly national organizations.

That the public may appreciate the fiber and metal of these representative troops, formed by such a national consolidation, it appears desirable and of timely interest that the achievements of a typical regular division should be briefly, if somewhat inadequately, described.

For this purpose the First Division is selected, not that its bravery is superior, its discipline better, or its morale higher than mark the others, but because it was the first division to reach France, first to serve in trench warfare, first to fire a hostile shell, first to lose a man, first to capture a prisoner, first to repel a German raid, first to man an independent sector, and first to recapture a town (Cantigny) and hold it against all counterattacks.

THE OFFICERS IN COMMAND.

Sailing from Hoboken on June 24, 1917, the First Division reached St. Nazaire, at the mouth of the Loire, on the 24th of that month. The division, 27,000 strong, was trained by Gen. W. L. Sibert, of Alabama, but went into actual war service under Gen. Robert Lee Bullard, also of Alabama, with Col. Campbell King, of Georgia, as chief of staff. The First Brigade, Sixteenth and Eighteenth Regular Infantry, was commanded by Gen. John L. Hines, of West Virginia, and the Second Brigade by Gen. Beaumont B. Buck, of Texas. The Artillery Brigade, the Fifth, Sixth, and Seventh Regiments of Field Artillery, was finally put under Col. W. A. Holbrook, of Wisconsin. In addition, there were the First Regiment of Engineers, the First, Second, and Third Machine Gun Battalions, a headquarters troop of Cavalry, Signal Corps, field battalions, and medical units.

Unskilled in methods of modern war and unprovided with field artillery, the division was scattered to suitable camps, where they were intensively instructed by experienced officers from the French Army. That such training involved physical hardships, uncomplainingly endured, is evident from Maj. Palmer's statement that some of the men, in want of new shoes, drilled with their feet wrapped in sacking. The Field Artillery had to unlearn their own drill and acquire expert skill with the remarkable but novel French gun, the famous soixante quinze, 75-mm. A French officer commented on the high intelligence and extraordinary aptitude of his artillery pupils.

Three months later, with coming winter and almost continuous rains, the division was inducted in trench warfare, serving under French command, a short distance southeast of Nancy. The usual horrors of trench life were experienced, though their vitality and methods prevented any material increase in the sick. Here the first hostile shell was fired by Battery C, Sixth Field Artillery, on October 23, 1917. The Germans on November 3, by a barrage, cut off the advanced outpost and captured 11 prisoners. The command, rallying, repelled the enemy. Trench service, rendered by battalion detail for 10 days each, was marked by 56 casualties—3 killed, 43 wounded, and 11 captured. One German prisoner was taken. The casualties herein given include killed, wounded, gassed, missing, and prisoners, but not by disease, accidents, etc.

The trench apprenticeship was followed by independent service January 15 to April 3, 1918, about 12 miles northwest of Toul, in a sector near St. Mihiel. Here the First Division relieved the famous Moroccan Division, cooperating with the Sixty-ninth French. The Toul service entailed constant losses with small chance of reprisal. The front was dominated by the St. Mihiel hills, of which Mount Sec was the key, strongly held by German batteries within easy range. Maj. Palmer tersely describes the situation: "It was like sitting at the foot of the stairs and having the fellow at the top throw rocks at you from behind a curtain." Occasional incursions into no man's land were made, whereby 11 prisoners were captured with machine guns and flame throwers. In this quiet sector the First Division had 352 casualties—56 killed, 150 wounded, 127 gassed, and 19 missing.

HASTILY SHIFTED TO PICARDY.

The vast and dangerous offensive launched by the German command on March 21, 1918, called the division into extremely active service. On March 28 Gen. Pershing offered the American force in its entirety to Gen. Foch, and a week later the First made its great journey half across France to Picardy. It was a test of administrative ability, met successfully by Pershing's quartermasters, to move with its essential accompanying paraphernalia 27,000 men, 1,700 animals, and 1,000 wagons. Turning over its sector to the Twenty-sixth New England Division the First made this transfer of more than 300 miles and was in Picardy, near Beauvais, on April 18.

How it was done no one knows, for the railroads were swamped with ammunition, reenforcements, supplies, etc., for 3,000,000 men, while the roads—in awful condition—were jammed with ambulances, motors, fugitives, and troops. It was nearly confusion confounded between withdrawals before the enemy, the evacuation of the occupied provinces, and transfers of troops to meet exigencies. But the First got there, both fit and equipped to fight.

Kept for a time in reserve, the First occupied the Cantigny front—April 25–July 7—three miles west of Montdidier, then strongly held by the enemy. The operations of the division in this sector are popularly supposed to have been confined, as far as fighting went, to the capture of Cantigny, which was a mere episode involving only one-fifth of the casualties here suffered. The First was put in line opposite the very apex of the most advanced German salient, with orders to hold it at all costs. If the front gave way Amiens, a few miles to the northwest, would fall and its railway system be destroyed. The fatal effect would be the diversion to southern France of all the supplies needful for the British Army, which was then receiving from the channel ports everything needful for all forces north of the Somme.

Constant fighting, though on a small scale, continued almost daily until early June. The front had to be kept against preponderating and victorious enemies, who, holding both banks of the Avre, were within easy cannon shot of Amiens. The First not only gave no ground in the repeated attacks of the enemy, but it made them pay toll, capturing from its columns 60 prisoners and 3 machine guns. It paid dear, however, as its casualties—omitting those in the capture of Cantigny—numbered 140 officers and 4,183 men; killed, 199; wounded, 1,621; gassed, 1,999; missing, 49. The few missing show that the men fought to the last.

HOW CANTIGNY WAS TAKEN.

The division commander viewed with dissatisfaction the occupation by the enemy of the village of Cantigny. Admirably organized and strongly fortified by the Germans, its high ground dominated both the American front and also sections in the rear. Whenever another advance was made, and it was daily expected, Cantigny was an excellent jumping-off place for a great assault. If it could be captured and held its value for a counter offensive was strikingly evident. Preparations for its capture were systematically made.

At daybreak on May 28 the division artillery opened a terrific bombardment which drove the enemy to their shelters. At 6.30 a. m. the troops went over the top as the artillery fire pulled back to an initial barrage a hundred yards in advance of the moving line. Col. Ely, with the Twenty-eighth Infantry, and Lieut. Col. Theodore Roosevelt, jr., with a battalion of the Twenty-sixth Infantry, moved forward with clock-work regularity, 55 yards a minute. Each man had food for two days, ample water, much ammunition, and intrenching tools. The town was taken within an hour, when began immediately the consolidation so essential, as counterattacks were certain. The Engineer detachments wired under fierce fire the trenches occupied, while the men of the Signal Corps spread their cobweb lines to insure telephonic communication with the rear.

To take Cantigny was easy compared with holding it. Six counterattacks were made by the exasperated Germans, without success. Fierce artillery fire soon reduced Cantigny to a mass of formless ruins, but the Americans held fast, repelling the enemy, who ceased their efforts after losing over 1,300 men killed and wounded, besides 225 prisoners. The casualties of the first numbered 1,067—killed, 199; wounded, 652; gassed, 200; missing, 16. Heroically fighting after being wounded, Lieut. Col. Maxey, Lieut. Drum, and Corpl. Finnegan were killed.

IMPORTANCE OF CANTIGNY CAPTURE.

A small affair, seemingly, Cantigny's capture was a matter of great and international importance. There could not have been a more timely victory, for on that very morning the last German success was attained. Going over the top of the Chemin des Dames, their shock troops drove the allied forces down the Marne to Chateau-Thierry, and thus placed Paris in imminent danger of capture. At this critical and disheartening period it fell to the lot of the First Division of the American Expeditionary Forces to prove to the anxious allied nations that a counter-offensive was possible, and that victory was yet to be gained for the free men of the world.

For a few days a part of the First Division turned from scenes of war to parade in Paris on July 4.

Three days later urgent orders put the First Division on the march. For four days and nights it went on without any regular rest, now on trucks, now hiking. Of the men's physical condition near the end one of its officers writes: "The dismounted men would fall asleep in the gutter at every halt. The mounted men dozed in their saddles, and the animals could scarcely drag one foot after another. When a chance for food came most men hit the hay, though too tired to sleep." The afternoon found them 10 miles in rear of the battle line, which they were ordered to occupy so as to go over the top at daybreak.

Foch had perfected his plans for a counteroffensive. The march to their assigned positions had to be secretly made over unknown roads, through fields and forest, without a gleam of light, lest the enemy note the movement. To add to the troubles a thunderstorm soaked their clothing and made the shell-ruined roads veritable quagmires. In utter darkness thousands of men, hundreds of horses and of motor trucks jammed the road in almost inextricable masses. It was feared that some units could not reach the line in time to go over the top, fixed at 4.35 a. m. One unit barely reached the front at 4.30 and went over almost exhausted.

IN FOCH'S GREAT OFFENSIVE.

It was known that the fighting would be desperate, as it involved attacks on fortified heights held by an enemy flushed with victory and confident of continued success. Hundreds of camouflaged nests of machine guns, heavy batteries in positions of natural strength, caused the

enemy to believe their terrain impregnable. It rested on the courage and persistence of the American soldier to prove this a fallacy.

The division entered the counteroffensive under its new commander, Gen. Charles P. Summerall, of Florida, distinguished as one of the captors of Peking in 1900. I was sandwiched between the One hundred and fifty-third French on the left and the veteran Moroccan division on its right, with the Foreign Legion.

At 4.35 a. m. the First went over the top in extended order of five paces interval. The artillery, hitherto silent, started a rolling barrage which, systematically lifted a hundred yards a minute, drove the enemy to their shelters. Advancing as planned, and leaving small parties from time to time to clean up the snipers and machine guns, the main body attained its first objective and halted 20 minutes, as allotted. Night found them at the third objective, about 3 miles' advance, having smashed through the wire barricades and fortifications constructed the previous six weeks. Scarcely a thousand casualties, and more than that number of prisoners with many guns, were the record of the day. The Sixth German, Eleventh and Forty-second Bavarian Divisions were that night reinforced by the Thirty-fourth and Twenty-eighth Divisions, presaging warm work for the morrow.

On July 20 still another German division, the Forty-sixth, confronted the First. As it had outrun the One hundred and fifty-third French in advance, the First Division was asked to take the village of Berzy-le-Sec, which had been assigned as a French objective. This village was a fortified place, which dominated the Soissons-Outchy-le-Chateau Railway, and its capture meant the loss to the Germans of the entire salient. It involved desperate work, and that day failed. The fighting was intense, often at close quarters, when grenades, bayonets, knives, and even clubbed rifles were used. To and fro swayed the struggling masses, with slight and dearly gained advances by our men. The American casualties had now run up to 3,000, about the number of prisoners captured by them. With nightfall Berzy was still uncaptured, and the Moroccan division was relieved, which was also the orders of the First. Summerall, however, told the corps commander that he had promised his men that they should go on, and was unwilling to leave victory half gained.

VICTORY ON SOISSONS HIGHWAY.

The losses of the Second Brigade had been enormous among its officers, as nearly all had been killed or wounded. However, on the morning of the 21st, Gen. Buck paraded his exhausted and decimated command, and, walking down its front under heavy fire, led them in assault. They swept into Berzy-le-Sec, capturing its men, batteries, and machine guns, and winning the most important objective. Meantime the First Brigade had overrun the Soissons-Chateau-Thierry highway, leaving no hope to the demoralized enemy. Victory then and for the future was assured.

The perfidy and the contemptible methods of the Germans appear from a report by an officer of the division. The moans of a wounded German attracted the attention of an officer in the advance, and in response to his pitiful appeals first-aid treatment was given. The officer went on to join his command, and a few hundred yards further a companion officer called out that he had been shot from the rear. It developed that the German, refreshed by first-aid treatment, had crawled up to the shell hole, and, resting his machine gun on the edge, opened fire on our troops. Just punishment of the treacherous soldier was rendered needless. A German shell exploded and killed him.

One prisoner was brought in with his high leather boots full of grenades and his right arm adorned with a Red Cross badge.

The captures included 125 officers, 3,375 men, 75 guns (77 millimeter and 150 millimeter), 50 mortars, 300 machine guns, 2,500 rifles, with much ammunition and supplies. The price paid was the heaviest to date of any division, 7,840 in all—killed, 1,252; wounded, 4,771; gassed, 274; and missing, 1,543. One officer to every 16 men was killed—an extraordinary proportion.

Many officers and men were cited by division orders, and to others distinguished-service crosses were issued by order of President Wilson.

This victory of the First against six German divisions was naturally followed by recognition. Buck and Hines became major general and Holbrook a brigadier. The chief of staff, Campbell King, was made brigadier and succeeded by Col. John N. Greely, general staff, who, cited "for distinguished ability while performing duties of grave responsibility," served in that position until the armistice was signed.

Quiet service for assimilation of about 8,000 replacements was had in the Saizera sector during August, the casualties numbering only 21. The St. Mihiel operation, September 12–15, was not entirely the picnic that has been sometimes assumed. Familiar with this terrain from their earliest service, the First Division had an important share in the capture of the salient. Against resistance they advanced 8 miles in 19 hours, and their reconnoitering party 12 miles. Their casualties were 11 officers and 761 men. They captured 5 officers, 1,190 men, 30 77-millimeter and 150-millimeter guns, and much war material.

Moved up by easy stages, the First Division took station at Cheppy, awaiting its fiercest fighting between the Argonne Forest and the Meuse River. A serious emergency arose, and its orders came. Entering this sector, it fought continually from October 1 to October 12 under conditions of undescribable difficulties, over a terrain capable of easy defense and against the best German divisions, who knew that defeat there meant the absolute loss of the war. The situation is best set forth by Gen. Pershing in General Order 201, the only order devoted during the war to a single command. It begins:

"The Commander in Chief desires to make of record * * * his extreme satisfaction with the conduct of the officers and soldiers of the First Division in its advance west of the Meuse between October 4 and 11, 1918."

The First Division paid a fearful price for its Argonne victory, the casualties numbering 8,554, of whom 117 were officers. Killed, 851; wounded severely, 2,664; wounded slightly, 1,710; gassed, 1,614; missing (mostly dead, it is thought), 1,715. One of every three!

Ordinarily this would have been the end of a division for months, but the First answered promptly for an emergency in the operations against Nouzon and Sedan (November 3–8), where it sustained losses of 1,087, and captured 54 men, guns, etc.

Summarized, its war casualties, killed, wounded, gassed, and missing, aggregated 23,974, of whom 715 were officers. Its losses by disease are unknown, but the total replacements slightly exceed 30,000.

The armistice signed, the First Division left Abincourt, near Verdun, six days later, and by a march of more than 200 miles occupied the Coblenz bridgehead on December 24. It was the first American force to cross the Rhine.

The brigade of the First Division commanded by Gen. Buck participated in the battle of Cantigny on May 28, 1918, and captured that village. Here for the first time our allies and the enemy had opportunity to estimate the fighting qualities of American troops when fighting as a large American unit and under American leadership and direction. Had the conduct of the brigade been less gallant or heroic or its leadership less efficient or daring, despair would have assailed our allies and hope would have brightened in the hearts of our enemies. The brigade under Gen. Buck's command took a conspicuous part in the thrust toward Soissons, which began on July 18, 1918. At the battle of Berzy-le-Sec, July 21, 1918, after losing 75 per cent of his officers and 50 per cent of his men, Gen. Buck and his brigade continued to advance until the town and all objectives were captured.

For gallantry in action on that occasion he was decorated by the French, cited in orders, and awarded the distinguished-service cross by the commanding general, American Expeditionary Forces, and promoted by the President to the grade of major general. [Applause.] Since his return to this country he has received a second decoration from the French Government. He has been awarded the Croix de Guerre with two palms, which, as I understand it, is a superlative mark of distinction for gallantry in action.

In this connection I desire to insert the following clippings from the Waco Times-Herald of Waco, Tex.:

[From the Waco Times-Herald, Feb. 12.]

MAJ. GEN. BUCK HAS CROSS OF LEGION OF HONOR COMMANDER.

Gen. B. B. Buck, United States Army, at present commanding Camp MacArthur, has received through the War Department at Washington official notice of his appointment as commander of the Legion of Honor by the French Government. Last August Gen. Buck was made chevalier of the Legion of Honor, and he is now advanced in that order to the rank of commander.

When seen by a reporter to-day, Gen. Buck said he was very happy to have received this additional honor, and displayed with evident pride the beautiful decoration sent him by the French Government. He also received at the same time an additional Croix de Guerre from the French Government. Gen. Buck has been decorated with the distinguished-service cross by Gen. Pershing for his work on the battle front in France.

—

HOW BUCK LED MEN IS TOLD IN STARS AND STRIPES.

In that famous journal of the men overseas, the ever-popular "Stars and Stripes," are found many graphical tales of adventure and life on the battle front. In the edition of Friday, January 3, there appears the following article of local interest, in that it pertains to the actions of the present commandant of Camp MacArthur, Maj. Gen. Beaumont B. Buck:

"Against the most desperate opposition, the Americans were relentlessly approaching Berzy-le-Sec, the capture of which would mean to the Germans that the Soissons-Outchy-le-Chateau Railway and the Soissons-Chateau-Thierry highway could no longer be used for transportation into the Marne salient from the railhead of Soissons. It would mean, in short, the salient was lost.

"Knowing this only too well, the enemy during the night thrust into the line covering the village and its all important heights still another division, the Forty-sixth Reserve. On their part the staff of the Twentieth French Corps, finding that the One hundred and fifty-third Division was still some distance from it, directed the First United States to take Berzy-le-Sec at 2 o'clock next day, for which purpose the Second Brigade was reinforced by a battalion from the divisional reserve.

FORWARD TO FIERCE STRUGGLE.

"At the appointed time, following a furious barrage of two hours by the divisional artillery, the troops went forward. There followed a struggle as ferocious and protracted as any in the annals of the American Army. Time after time throughout the afternoon and night the lines surged back and forth in attack and counterattack; machine-gun nests were taken and the opposing infantry grappled one another with bayonets and trench knives, grenades, and clubbed rifles.

"At length, early on the morning of the 21st, when the officers had nearly all fallen, killed or wounded, and when his men, exhausted, but still determined, had dropped back for a brief respite, Gen. Beaumont B. Buck, the brigade commander, walking along his front beneath the hail of the enemy's fire, personally directed the formation of the line for a last supreme effort, and then himself led the first wave as it rose up and rolled toward and into and over the smoking ruins of the village, engulfing there a battery of field guns, dozens of machine guns, and hundreds of prisoners.

"The victory was won."

On January 16, 1919, the War Department received officially from the commanding general, American Expeditonary Forces, the insignia for commander of the Legion of Honor, and an additional Croix de Guerre for transmittal to Gen. Buck.

At this point may I call attention to the following extract from General Orders, No. 109, War Department, November 19, 1918, as follows:

General Orders, No. 109.

WAR DEPARTMENT,
Washington, November 19, 1918.

By direction of the President, under the provisions of the act of Congress approved July 9, 1918 (Bul. No. 43, W. D., 1918), the distinguished-service cross was awarded by the commanding general, American Expeditionary Forces, for extraordinary heroism in action in France, to the following-named officers and enlisted men of the American Expeditionary Forces:

Beaumont B. Buck, brigadier general, 2d Infantry Brigade, 1st Division. Before and during the attack on Berzy-le-Sec, France, July 21, 1918, he displayed conspicuous gallantry and heroic leadership of his command. When most of the officers of his brigade had fallen,

Gen. Buck, with contempt of personal danger and in spite of heavy artillery bombardment and machine-gun fire, traversed the front of his advancing forces, gave correct directions to his organization commanders, and led the first wave of the culminating attack which stormed and captured the town.

* * * * * * *

BY ORDER OF THE SECRETARY OF WAR:

PEYTON C. MARCH,
General, Chief of Staff.

OFFICIAL:
P. C. HARRIS,
The Adjutant General.

Could there be paid more eloquent tribute to the bravery and courage of an officer than that here solemnly written upon the records of the War Department regarding the conduct of this heroic Texan?

Can any of you hesitate to credit his statement that he not only did not authorize or sanction the issuance of the order forbidding the attendance of officers and men at the same social function, but that he abhors and repudiates the spirit of such an order? I entertain nothing but scorn and contempt for the spirit that would seek to establish social castes among those of the white race, in the armies of the Republic, or among the white citizens of the United States, and have no difficulty in believing that such a view is shared by a man of Gen. Buck's American birth and breeding, and who with an unsurpassed bravery fought on foreign shores to defend the principles for which the United States reluctantly but resolutely drew the sword.

Can you believe that this soldier of the Republic either claimed for himself or sanctioned the claim of other officers for social distinction when upon the battle field he neither sought nor would accept the privilege of safety that might have been his to claim, but with sergeant and corporal and private, in the equality and democracy of danger, he marched and mingled in and about the market place of death? He claimed for his general's stars no pride or prerogative in the red republic of the battle field.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, lines 11 and 12, after the word "attachés" in line 11, strike out the words "and for such other purposes as the Secretary of War may deem proper."

Mr. DENT. Mr. Chairman, I ask unanimous consent that all debate on that paragraph and all amendments thereto be now concluded, unless the gentleman would like to have five minutes.

Mr. McLAUGHLIN of Michigan. I would like to be heard.

Mr. DENT. How much time?

Mr. McLAUGHLIN of Michigan. Five minutes.

Mr. DENT. Then, Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto be concluded in five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this amendment is similar to the one I offered a few moments ago. The words I would strike out of this paragraph are practically the same objectionable words found in the former paragraph. I do not offer this as a criticism of the War Department. There has been a great deal of criticism, a great deal of fault has been found. I have not indulged in much criticism, although I can truthfully say I trust that some of these abuses I hear about and read about may speedily be corrected. I offer this amendment because I think they are improper words to be included in any paragraph of an appropriation bill. They give too much discretion and repose too much power, confer too much authority upon the officer named. When criticism of this kind is made the question is often asked, can not you trust the Secretary of War, can not you trust the Secretary of Agriculture, and so forth? It is not a matter of distrust at all, or if I were to reply directly to it I would say that rarely does the Secretary of War or the head of a department himself exercise discretion as to the expenditure of the money placed at his disposal. The discretion is exercised by some one down the line, perhaps almost if not at the foot of the line, somebody in whose hands we would not place a large sum of money, some one whom if we knew him we would not rely upon or trust discretion to in all matters. But I submit, gentlemen, this is an improper way to legislate. All possible safeguards should be thrown around the expenditure of money. And I wish again to call the attention of the committee to the improper and slothful methods into which it has fallen, the carelessness and unwillingness to give time or take the trouble of writing properly into the law regulations and restrictions as to how money should be expended,

Mr. CANNON. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. CANNON. This is for contingent expenses, Military Intelligence Division. If you strike that out it would be for contingent expenses. Now, it says "including the purchase of law books," and so forth, and then if you add the other you put in all that surplusage. It says here "and for such other purposes as the Secretary of War may deem proper." That is, for such other contingent purposes. If the gentleman would really like to have it, in my judgment, in proper shape, he would move to strike out all the paragraph after the words "staff corps," in the fourth and fifth lines, because if you strike out "and for such other purposes" you can not use this contingent fund for anything except what is specially mentioned. I am inclined to think so, but I just call attention to it.

Mr. McLAUGHLIN of Michigan. I think the words to which the distinguished gentleman from Illinois has called attention indicate the lines along which the Secretary must travel in spending that money. They are something of a direction with him; they are something of a limitation upon his discretion and authority; but if the words I object to are included there is absolutely no limit to what he may do.

Mr. CANNON. Suppose he wanted some ice. If the gentleman's amendment is adopted, could you buy it from that fund?

Mr. McLAUGHLIN of Michigan. The gentleman has prepared more appropriation bills than any other gentleman in the House, perhaps as many as all the rest put together, and he knows that item after item appear in bills coming from his committee that specifically provide for the purchase of ice, and I know no gentleman who objects more strenuously to unlimited authority than the gentleman from Illinois.

Mr. BAER. The gentleman remembers that we will be dry after July 1.

The CHAIRMAN. The gentleman's time has expired; all time has expired.

Mr. WINGO. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. WINGO. I reserved a point of order, and I want to make it on certain language in the paragraph. The language to which I direct the point of order is in lines 8 and 9. The language is "and of the military attachés at the United States embassies and legations abroad." That is for contingent expenses. It is not authorized by existing law. It is properly carried in the Diplomatic bill in the contingent expenses of the different embassies.

Mr. MANN. It is existing law.

Mr. WINGO. It is not authorized by existing law.

Mr. DENT. Is the gentleman sure he is correct in that statement? It has been carried in this bill ever since I have been a member of the committee.

Mr. WINGO. That may be true, but the statute of limitations does not run on a point like this.

Mr. DENT. But the gentleman's statement that it is not carried in the existing law, I think, is wrong.

Mr. MILLER of Minnesota. Would it be necessary that there be a specific law?

Mr. WINGO. I think so.

Mr. MILLER of Minnesota. These military attachés are Regular officers, members of the Regular Establishment, on special detail, and this is simply an appropriation to pay for their expenses. It is no different than if it were said "the Army officers who are in Alaska."

Mr. WINGO. But the contingent expenses of all attachés at every embassy are payable and provided for out of the contingent fund in the bill provided for the different embassies.

Mr. MILLER of Minnesota. I think the gentleman is in error. The Diplomatic bill does not pay their salaries.

Mr. WINGO. I am speaking of the contingent expenses.

Mr. MILLER of Minnesota. Or the contingent expenses.

Mr. SHALLENBERGER. As the gentleman from Minnesota states, this is for the contingent expenses of a military officer of the United States. The Military Intelligence Bureau, under which this item is carried here, is the particular bureau that designates and has charge of that officer, and this is to pay whatever contingent expenses that officer may be to in gaining military intelligence. He is not responsible to the embassy, but to the Military Intelligence Department here in Washington.

Mr. WINGO. That is a new statement to me. But this is not authorized by existing law at all. It very properly is carried under the contingent expenses of the embassies.

Mr. MANN. Does the gentleman know any provision of law authorizing any of the contingent expenses in any of the departments of the Government?

Mr. WINGO. No. I really think a point of order would lie against all these contingent items.

Mr. MANN. Well, if the gentleman is correct, nearly every item could be stricken out on a point of order.

Mr. WINGO. There are several items that I am going to try to get out on a point of order.

Mr. MANN. There are a number of items that are clearly subject to a point of order in the bill; but this is an appropriation for the maintenance of the Army. Now, everyone knows that every department of the Government must necessarily have various contingent expenses. And the creation of the department itself is, in my judgment, a sufficient warrant for an appropriation for the contingent expenses. It would be ridiculous, Mr. Chairman, to say that when we created a department or provided an army we should in detail describe the character of the buttons that the men had to wear.

Mr. WINGO. I agree with the gentleman that would be ridiculous.

Mr. MANN. It would be ridiculous to say that we can not appropriate for buttons because it is not authorized by law. Buttons are no more authorized by law than many various other contingent expenses necessary for the Army, which no one can foresee, in many cases, in advance. Here is a provision which provides for the payment of contingent expenses of officers of the Army abroad under proper provision of law. I do not see how the gentleman can contend we can not make an appropriation for the contingent expenses.

Mr. WINGO. Here is my contention. I agree with the gentleman that the only justification in law for contingent expenses, of course, is upon the theory that the act creating any bureau contemplates, and therefore by implication we are authorized to make, appropriations for all the expenses that are necessarily incident and understood to go with that kind of an establishment which has been created. This is an item for contingent expenses in a military establishment, to pay for contingent expenses, it is true, of a military officer, but while he is in another branch of the service, which has a contingent fund which is provided for by law and which is used by that embassy in paying the contingent expenses of that particular official.

Mr. MANN. Oh, no. While these military attachés are attached in a way to an embassy abroad, that is on account of our international relations. We are not authorized to send an Army officer to England unless he is accredited in some way and connected with the embassy. That is our diplomatic relation. That has nothing to do with our power in reference to the payment. And these military attachés must get their pay for contingent expenses out of the Army and not out of the Diplomatic bill. They are not a part of the embassy.

Mr. WINGO. They are so regarded under international law. They are under the control of the ambassadors.

Mr. MILLER of Minnesota. They are not.

Mr. WINGO. They are directed to report to an ambassador.

Mr. MANN. We have a lot of commercial agents abroad, accredited in a way, that are under the control of the Secretary of Commerce.

Mr. WINGO. Some of them are; but as to military attachés, they are attached to embassies.

Mr. MANN. They are all accredited in some way and connected with the Diplomatic Service. That is the only way you can get them abroad.

Mr. MILLER of Minnesota. Mr. Chairman, I simply wanted to add a word to that which the gentleman from Illinois [Mr. MANN] has just stated. These military attachés are in no wise a part of the diplomatic forces of the United States. As the gentleman pointed out, in order to send a military attaché or naval attaché to the Court of St. James, we send him there under the direction or under the roof of our ambassador. This man is gathering military information. It would not be of any value to this country to have him report that military information to the ambassador or to the Secretary of State here. That is not the place where it goes.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield to me?

Mr. MILLER of Minnesota. The place where it goes is through the military channels to the General Staff of the Army. While the military attaché may be at the embassy, or may have an office at the embassy, he may be in one sense attached to that embassy; but he is really a missionary of the Army, working for the Army, and he reports to the Army. All the information he obtains is placed in the possession of the Army and is for the benefit of the Army, and the allowances for contingent expenses are not to enable him to accomplish or perform any duties apart from that which customarily belongs to that position, but they are to enable him to perform the work which may be necessary in handling his position, which is one authorized by law.

Now, I yield to the gentleman from Wisconsin. I wanted to make that statement first.

Mr. STAFFORD. Then, as I understand from the statement of the gentleman, these military attachés are not appointed by the Secretary of State, but are under the jurisdiction of the Secretary of War?

Mr. MILLER of Minnesota. Certainly. This much must be admitted: A military attaché is an individual of such a character that foreign governments usually exercise some little discretion as to receiving him. They are consulted before he is appointed; ordinarily they are consulted before a man is appointed. For instance, if we contemplated sending a man to France at the present time as military attaché we would consult the French Government to see if such and such a man we desired to send was satisfactory to the French Government.

Mr. STAFFORD. Under whose jurisdiction are these officials?

Mr. MILLER of Minnesota. They are exclusively under the jurisdiction of the War Department to which they belong.

Mr. WINGO. Is that true—that the American ambassador has authority to send home a military or naval attaché?

Mr. MILLER of Minnesota. I have not heard of such a case.

Mr. WINGO. Has he not done it?

Mr. MILLER of Minnesota. I do not know as to that.

Mr. SHALLENBERGER. The head of the Military Intelligence Department states specifically that this sum is necessary to pay the extraordinary expenses of the attachés. He states specifically that these men are responsible, as the gentleman from Minnesota [Mr. MILLER] states, to the Military Intelligence Department, and this is his estimate of the amount they ought to have for their contingent expenses.

Mr. MILLER of Minnesota. The gentleman will recognize that these men are doing work that is not diplomatic at all. They are not spies, but they are skilled observers, sent out to get information of every possible and conceivable character that would be advantageous to obtain from a military standpoint.

Mr. WINGO. We have a separate force that we appropriate for as military observers?

Mr. SHALLENBERGER. The gentleman from Minnesota will admit, as the gentleman indicated here, that without doubt if an ambassador should report to the Military Intelligence Bureau here that a particular man would be objectionable to him, that man would be withdrawn. But that would not mean that in all respects the man was not answerable to the military department.

Mr. MILLER of Minnesota. Yes. This is work which the ambassador could not attend to at all, and therefore he, the military attaché, has expenses that are peculiarly incident to this work.

Mr. SISSON. Mr. Chairman, will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. SISSON. How much of this money is expended in that way?

Mr. SHALLENBERGER. We ask for $200,000. We reduced the entire estimate of appropriation from $800,000 to $200,000.

Mr. SISSON. The amount of this item before we got into the war was very much less than that, was it not?

Mr. WINGO. Yes. It was $11,000.

Mr. SISSON. Is there any particular reason why you allow such a large sum as this at the present time? Most of this sum, of course, will go to pay the military attachés.

Mr. SHALLENBERGER. The reply to that question, made by Col. Dunn, in charge of this branch of the service, was that this particular branch of the Government had been allowed to become practically inactive. We had one officer in charge of the Military Intelligence Bureau here in Washington, with these attachés acting without sufficient funds. The experience of the war has proven that the Military Intelligence Department is one of the most important branches of the Army, and we are attempting now to build it up to something like the proportions the country demands. The War Department thinks it should be vastly more than it is.

Mr. SISSON. I understand that in troublous times we must have military attachés, and I can understand the delicacy of such matters in war times, and therefore you put in this item, which can be expended with liberality. But what I am asking the gentleman is, Is not this item very large, even taking that fact into consideration?

Mr. SHALLENBERGER. The Committee on Military Affairs thinks this is a very moderate sum, upon the showing made before the committee by that department.

Mr. WINGO. Mr. Chairman, before the war, in former bills, this whole item only represented $11,000. Why should we change now and say that the contingent expenses of an embassy abroad or any of its staff, including the military and naval at-

tachés, should be appropriated for separate and distinct from the contingent fund of the embassy? There is no authority of law to do it. They never have been paid out of this particular fund, although they have carried this kind of an item for years in the Army bill, but the largest amount ever spent for all these purposes heretofore was $11,000 before the war.

The CHAIRMAN. The Chair would like to ask the gentleman a question.

Mr. SISSON. Very well.

The CHAIRMAN. The size of the item has nothing to do with the propriety of the item.

Mr. SISSON. The size of the item was referred to in reply to the suggestion that they have always paid the expenses of these military attachés out of this fund. But $11,000 would have paid the contingent expenses of very few of them at the rate they propose to allow them.

Mr. CANNON. Mr. Chairman, what is this? A point of order?

The CHAIRMAN. Yes. A point of order has been raised. The Chair is trying to get at the facts.

Mr. CANNON. It is on account of the military attaché?

The CHAIRMAN. Yes. The contention, as the Chair gathers it, is that this is an expense that is not carried in the Army appropriation bill.

Mr. CANNON. Where is it carried, then?

Mr. WINGO. In the Diplomatic and Consular appropriation bill.

Mr. CANNON. Oh, I am quite sure that the Diplomatic bill never has carried it. These people are in the military service.

Mr. FOSTER. It is not in the Diplomatic bill at all.

Mr. CANNON. It is not in the Diplomatic bill. When they are assigned to this duty as military attachés, they get the contingent expenses necessary for them to have. They are paid in this bill. They get their salaries from the Army bill.

Mr. McKENZIE. Will the chairman of the committee yield for a question?

Mr. DENT. I yield to the gentleman from Illinois.

Mr. McKENZIE. I do not have a copy of the current law before me, but, if the chairman will remember, the officers representing this branch of the Military Establishment asked for some new language enlarging the powers of this department, and in the committee I made a point of order against all new language that was proposed to be interjected into this item; and I now ask the chairman of the committee whether he struck out all the new language, and whether the language in the bill is the language of the current law?

Mr. DENT. It is. This language has been carried in this bill ever since I have been a member of the committee.

Mr. WINGO. It has been stated here that the contingent expenses are not carried in the Diplomatic bill. They are so carried to the tune of over $1,000,000.

Mr. FOSTER. For these men?

Mr. WINGO. It includes these men, and out of that fund they have been paid heretofore.

Mr. FOSTER. Oh, no.

Mr. MILLER of Minnesota. The gentleman is mistaken.

The CHAIRMAN. Let the Chair ask one or two questions, because a determination of the parliamentary status depends upon a question of fact. Does the Chair understand the gentleman from Arkansas to state that these expenses that are referred to here have been paid out of another appropriation and never have been paid out of this appropriation?

Mr. WINGO. My understanding is that heretofore, before the war, this particular branch of the service, which is sought here to be provided with a contingent fund, had a very small contingent fund of only $11,000, which covered everything; that while it carried the language of these military attachés, students, and interpreters, yet, as a matter of fact, all the contingent expenses of all attachés, clerks, and employees were paid out of the contingent fund of the different embassies and legations. Now it is sought to create a separate contingent fund. That is the position I take.

The CHAIRMAN. Is it the contention of the gentleman from Arkansas that this is not a proper military expense?

Mr. WINGO. That it is not authorized by law; that primarily it is an expense of the Diplomatic Service.

The CHAIRMAN. Why is the payment of a military attaché not a proper military expense?

Mr. WINGO. The payment of his salary is a proper military expense, but this is a contingent expense while he is acting as an attaché at a diplomatic post.

The CHAIRMAN. If he is an Army officer, drawing an Army salary, and incurs a contingent expense, why is not that an Army expense?

Mr. WINGO. He incurs these expenses as an attaché of a diplomatic unit, and his contingent expenses while acting with that diplomatic unit are properly payable out of the contingent expenses of that particular post.

The CHAIRMAN. If a particular Army officer, drawing an Army salary, is assigned to do a particular work, and in connection with that work incurs certain expenses, the Chair can not see why that is not an appropriate Army expense, to be paid out of the contingent allowance for Army expenses. So far as the Chair has been furnished with any information, it has been of an argumentative character; and, dealing with that, the Chair thinks this is clearly an Army expense, and the Chair overrules the point of order.

Mr. WINGO. The other point of order which I reserve is on this language, about which there can not be any question that it is not a proper charge against the Military Establishment:

The cost of special instruction at home and abroad, and in maintenance of students and attachés.

These students and interpreters are also cared for out of the contingent fund of the Diplomatic and Consular bill, a fund of over $1,000,000, and plainly that is not a part of the Military Establishment.

Mr. MILLER of Minnesota. If the gentleman will read the language in the Diplomatic and Consular bill he will see that the kind of students there provided for are not at all the kind of students provided for in this paragraph. They have no more connection than a Hottentot has with a New Yorker on Fifth Avenue.

Mr. WINGO. There is a very close connection; that is the kind of students they are.

Mr. MILLER of Minnesota. If the gentleman wants to have the facts right, the students provided for in the Diplomatic bill are student interpreters in China and Japan.

Mr. WINGO. Will the gentleman tell me what those students are?

Mr. MILLER of Minnesota. If the gentleman can read he can find them for himself. We provide for student interpreters attached to the legations or embassies in China, Japan, and Turkey. Here is a provision in the Diplomatic bill for 10 student interpreters in China and Persia.

Mr. WINGO. The gentleman misses my whole point of order. I am not talking about the pay of these students; I am talking about the contingent fund.

The CHAIRMAN. Let the Chair ask the gentleman, Do these students belong to the Military Establishment?

Mr. WINGO. No.

Mr. MILLER of Minnesota. Why, yes; they do.

Mr. WINGO. They are appropriated for in the Diplomatic and Consular bill.

Mr. ANTHONY. Mr. Chairman, it has been the custom for years, at least before the war, for the Government to send Army officers away for instruction to foreign schools of foreign Governments. They send them there for military instruction. That has not the slightest connection with the Diplomatic and Consular Service.

Mr. WINGO. That is provided for in a different fund. This is contingent expenses of the Military Intelligence Division and General Staff Corps.

Mr. ANTHONY. How do we pay the expenses of these students?

Mr. WINGO. They are paid out of a specific appropriation.

Mr. BARKLEY. Does the gentleman contend that the ordinary expenses ought to be paid by the War Department and the contingent expenses paid by the Diplomatic Service?

Mr. WINGO. The contingent expenses are not the same as salaries.

Mr. CANNON. What is the difference between paying salaries as such and the maintenance after you put them on duty? They have to have water; they have to have a place to live.

Mr. WINGO. There is absolutely no difference, but there is a distinction between salaries and a contingent fund, between the contingent fund and maintenance and the pay fund. You specifically provide for the maintenance, and then you undertake to provide that out of the contingency fund you may pay expenses that can not be foreseen.

Mr. CANNON. The expenses, every dollar, must come out of the Treasury Department. If these are to be paid at all, their salary can be paid from this appropriation in the Army bill, and then there must be, according to the gentleman's theory, a second audit of the contingent expenses. If it be true that the contingent expenses are chargeable to the Diplomatic Service, that would be audited by the State Department, so you would have two audits.

The CHAIRMAN. The Chair will ask the gentleman from Alabama if these students are a part of the Military Establishment?

Mr. DENT. That is my understanding; they are being detailed under the War Department.

The CHAIRMAN. And the Military Establishment provides for their pay?

Mr. DENT. Absolutely.

The CHAIRMAN. In other words, they are a part of the Military Establishment.

Mr. MANN. Mr. Chairman, I would like to have some member of the Military Affairs Committee tell us what these students and attachés are. Where is there any authority for the Military Department maintaining students that are not authorized by law?

Mr. ANTHONY. This Government is in the habit of receiving at its service school representatives of foreign governments as a matter of courtesy, and in return we send representatives of our Army to schools in foreign nations for the purpose of keeping up to modern ideas. That practice has prevailed for a number of years to my knowledge.

Mr. MANN. And a proper practice. Are the students referred to here, "maintenance of students and attachés," Army officers?

Mr. ANTHONY. All that I have ever known are Army officers sent over there for instruction, and they come back and bring new ideas.

Mr. MANN. It seems rather queer language, "maintenance of students and attachés." If he is an Army officer, he gets his salary and gets his allowance. How is he maintained in addition to that—out of the contingent fund?

Mr. ANTHONY. I want to say that practically all the military attachés we have sent abroad were the sons of rich men, men able to pay their own expenses.

Mr. MANN. I know; but these are not military attachés.

Mr. ANTHONY. They have their expenses paid.

Mr. MANN. We have already provided in this paragraph for the military attachés sent abroad, but here is an item for the maintenance of students and attachés. I presume, having been in the bill before, no one on the Committee on Military Affairs has asked for information about it.

Mr. ANTHONY. I do not know what additional information the gentleman wants.

Mr. MANN. But the gentleman "thinks, perhaps," and that is all. He has not stated as a fact that these are Army officers sent abroad and maintained by the Government out of the contingent fund.

Mr. ANTHONY. All I know have been Army officers.

Mr. MANN. I know; but I do not know whether the gentleman is talking about what this item refers to.

Mr. MILLER of Minnesota. Mr. Chairman, I would like to add that in my experience—and it is not particularly great, not any greater than that of any other Member—I have had opportunity to make inquiry, and I have received information respecting this item. The gentleman from Kansas [Mr. ANTHONY] tells the literal truth. While the term "students" is used, I do not think it is——

Mr. WINGO. As a matter of fact, you have no authority of law for it.

Mr. MILLER of Minnesota. Mr. Chairman, I am making a statement, and after a time may be glad to yield to the gentleman from Arkansas. These are officers who were in the capacity of students located in some foreign country. For instance, the gentleman from Kansas cited one. He might be in a school for cavalry in France or in Italy. I would like to especially mention that several of our officers had the very good fortune to be sent to France to study artillery some six years ago, and it was a godsend to America that they went there. That is this class of men. Rather than curtail the item, we ought to enlarge it, because they are the men who have kept our Army in touch with the progress of the military art.

Mr. MANN. Will the gentleman from Minnesota state from his own knowledge that this item of maintenance of students refers to that class of officers?

Mr. MILLER of Minnesota. I am sure that it does.

Mr. MANN. Will the gentleman be sure? This is all guesswork.

Mr. MILLER of Minnesota. I can not say that I know it of them all.

Mr. WINGO. The officers the gentleman is talking about are military observers.

Mr. MILLER of Minnesota. Not necessarily.

Mr. WINGO. But they have been.

The CHAIRMAN. The Chair will ask the chairman of the Committee on Military Affairs to answer this question: Can he refer the Chair to some authority which justifies this item? The point of order has been made, and the burden is upon the chairman of the committee to refer the Chair to some authority that supports it. This thing is taking up a disproportionate amount of time.

Mr. DENT. I can not put my finger upon it.

The CHAIRMAN. Then the Chair will sustain the point of order.

By unanimous consent, Mr. CARAWAY was granted leave to extend his remarks in the RECORD.

Mr. WINGO. Mr. Chairman, I offer the following amendment: To strike out "$200,000," in line 13, and substitute "$114,000."

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 3, line 13, strike out "$200,000" and insert in lieu thereof "$114,000."

Mr. DYER. Mr. Chairman, I demand the regular order.

The CHAIRMAN. What is the regular order that the gentleman is demanding?

Mr. DYER. A vote upon the amendment. Debate is exhausted upon this section and all amendments thereto.

Mr. WINGO. The gentleman is right about that.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offered an amendment a short time ago. Was it ruled out of order?

The CHAIRMAN. Did the gentleman get recognition from the Chair?

Mr. McLAUGHLIN of Michigan. Certainly.

The CHAIRMAN. Then the Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 3, lines 11 and 12, after the word "attachés," in line 11, strike out the words "and for such other purposes as the Secretary of War may deem proper."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. WINGO].

The question was taken; and the Chair announced that the ayes seemed to have it.

On a division (demanded by Mr. MILLER of Minnesota) there were—ayes 25, noes 12.

So the amendment was agreed to.

Mr. MILLER of Minnesota. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Minnesota makes the point of order that there is no quorum present. The Chair will count.

Mr. MILLER of Minnesota. Mr. Chairman, I withdraw the point.

The CHAIRMAN. The gentleman withdraws the point of order.

The Clerk read as follows:

MILITARY OBSERVERS ABROAD.

For the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign States at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, $25,000.

Mr. DYER and Mr. MILLER of Minnesota rose.

The CHAIRMAN. The gentleman from Minnesota.

Mr. DYER. Mr. Chairman, I did not know the gentleman from Minnesota was a member of the Committee on Military Affairs.

Mr. MILLER of Minnesota. I was on my feet before the gentleman, and for that reason I was recognized. Certainly I could not discuss it more intelligently than the gentleman. Mr. Chairman, I want to say a word in reference to this part of the bill upon which we are now engaged, and especially because of the action of the House a moment ago in an affirmative vote in view of the motion to reduce expenditures in the preceding paragraph from $200,000 to $114,000, and that in the face of the statement made by the chairman of the committee that the amount had already been reduced from the estimate submitted by the War Department from $800,000 to $200,000. It seems to me that this is perhaps the most important item in this bill, bar none. It is very difficult for us or for any people to throw off habits long formed, customs, ideas, established usages, and now we must recognize one thing, it seems to me, to start with, and that is that we have a Military Establishment. We have a Military Establishment that has cost a good deal of money. We have one that has just performed a signal service to the country and to the world. Now, we should do, it seems to me, one of two

things, either abolish the Military Establishment, because we do not want it any more and do not care for any service that it can render, or we should support this Military Establishment in a scientific, sensible, and, you might say, sane manner. If we are to do this latter, then we should give heed to the latest military thought and to the experience we have recently had. A fool perhaps can never get wisdom, but the membership of this House certainly represents a very high grade of intelligence, and I am sure we get wisdom from day to day. Officers of the Army, about whom we have heard so much to-day, likewise are a high grade of men, and they get wisdom, so that what they know to-day may be better than what they thought was knowledge yesterday, and so with ourselves. When we entered this war we had a General Staff which had been with us for several years and had done some conspicuously good work, but that which our military men stood aghast at was the fact that in the General Staff work they never recognized that part to which military intelligence belonged. Any observer, any student, any participant in the great war through which we have just passed knows that the most important part of any army, bar none, was the intelligence branch. The German Army had it developed to the highest possible point of efficiency. They indulged in activities and in ways that we do not approve and that we do not propose to imitate, but they had developed their branch of intelligence in their general staff until it was a marvel of efficiency and was the real reason why they were able to do such wonderful things, even though the world was pitted against them. The French, next to the Germans, had the most perfect intelligence branch of their general staff, and in some respects it was as good as the German. It was almost as good, on the whole, and in some branches perhaps superior. It was the bulwark of the allied army. The British Army had no general staff comparable with the German or the French, and in their general staff they had no military intelligence branch worthy of the name. The British Government and the British officers told you, I know, who visited there and studied, as they told me, that one of the things they first had to do was to build up an intelligence branch, and they would that they had started years back to do it; that before any movement, big or little, in offense or defense, could occupy the attention of a commanding officer up to a platoon commander, a battalion commander, or a brigade commander up to an army commander, prepared to do all and his best, the guide for that all was the work of the intelligence branch of the staff.

We have had nothing of the kind in this country. Our Army at the outset had nothing worthy of the name. We have during this war, by reason of appropriations and power in the hands of military officers, built up an intelligance branch that is splendid, to say the least.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER of Minnesota. Can I have five minutes more?

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent for five minutes more. Is there objection?

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Minnesota. I will.

The CHAIRMAN. The Chair hears no objection.

Mr. WALSH. Is it a fact that the greatest intelligence branch of any army in the world was maintained by the Russian Army?

Mr. MILLER of Minnesota. Not in the least degree. The gentleman is certainly misinformed.

Mr. WALSH. That is my information, gathered from reading.

Mr. MILLER of Minnesota. They had a spy system honeycombed with inefficiency and graft, and it was not worth a single kopeck that they ever paid for it. The German system was infinitely efficient; the French system infinitely efficient and patriotically superb.

As I was saying a moment ago, the British democracy had no intelligence branch on their staff. We had none. We have during this war built up one, and a good one, and now it should be maintained. I repeat it, if I may, for emphasis, that if we are to have an Army at all let us have an Army that is efficient; let us provide them with the instrumentalities they need in order to scientifically do their work. It may be again, as it has been time and again during the last two years, that the lives of many hundreds and even thousands will be saved by the intelligence work of that branch of the staff. We do not want to make war either for offense or defense, but the world knows we will fight if necessary. But if we are going to fight, let us fight with a superior intelligence, as we know we can fight with a supreme courage. And the way to equip ourselves is by the experience which we have had recently, and perpetuate the institution which they have built up—the intelligence branch of the Army, that requires ramifications out through the countries of the world; that requires a headquarters at Washington; that requires reasonable appropriation; and instead of $200,000—a paltry sum—they might easily use a million or more.

Mr. McKENZIE. Will the gentleman yield?

Mr. MILLER of Minnesota. I certainly will.

Mr. McKENZIE. The gentleman from Minnesota seems to be pretty well posted on this matter. I would like to have him explain to the committee what are the functions of the intelligence department in peace times?

Mr. MILLER of Minnesota. It certainly is a large contract to submit to me in the three or four minutes which I have at my disposal. I could give a catalogue of a great variety of activities. But let me cite the gentleman to this, that we are not now in peace times, quite. We hope to be soon. In peace times you build your military strength. It was in peace times that the intelligence branch of the German Army gathered the material that enabled the German Army to stagger the civilization of the world. It was the accumulation of military intelligence in peace times that enabled the French Army to beat the Hun, with all their efficiency and intelligence and strength. It seems to me the part of wisdom on our part that we should maintain this branch of the Military Establishment, this modern and most extremely important branch of our Army.

There is one other subject I want to say a word on, because I do not want to trespass on the time of the committee, before I leave. We have had a great deal of discussion in the past two days on military matters. It is not surprising that gentlemen will differ on many of the principles involved in our military system and our military life. I have noted, however, with some degree of concern, as others have, perhaps all of you, the general disposition to find fault and complain at this hour. The gentleman from Ohio [Mr. GORDON] entertained us with a very vigorous exposition of his views, and whether or not we agree with him, we are all ready to take off our hats to him and say, "GORDON, you always stand by your convictions and you let the world know where you stand." [Applause.] I like that kind of a fighter, and not the kind of man who in private will say a thing and come out in public and try to dodge it because he thinks somebody will not like his position. It seems to me if we are going to gather one further lessen from the war of recent times we have got to change another habit which we have.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I do not feel like asking the committee for an extension. So this nugget of wisdom I will postpone for some other time.

Mr. EDMONDS. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the gentleman from Minnesota may have five minutes more. Is there objection?

Mr. MANN. Reserving the right to object, I hope the gentleman from Minnesota will not take the time now.

Mr. MILLER of Minnesota. I am very grateful to my friend from Pennsylvania, but I do think the committee should read a while.

Mr. MANN. We have read scarcely three pages of this bill. It is much more important to pass the bill, from the point of view of the gentleman from Minnesota [Mr. MILLER], than to talk about it, although we always love to hear the gentleman talk.

Mr. MILLER of Minnesota. If the gentleman will permit, I was led to make the observations I made for fear some gentleman would move to strike out this item here. I thought some one would be encouraged to take the whole life, soul, and breeches out of it.

Mr. EDMONDS. Mr. Chairman, I withdraw my request.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. I want to know something about this item. This item is to pay the expenses of observing operations of the war abroad. Will the gentleman say it is submitted merely as an item for possible use, or is it submitted with the expectation that it will be actually used, the amount of the appropriation?

Mr. SHALLENBERGER. I think it is fair to state that it is a possible contingency. I do not think any money was used in the last two years of this war out of this appropriation.

Mr. MANN. I supposed it was an appropriation to be used if a situation arose where it would be necessary.

Mr. SHALLENBERGER. Yes.

Mr. WINGO. Mr. Chairman, I rise to oppose the amendment.

Mr. DYER. Mr. Chairman, I would like to ask the gentleman a question.

Mr. WINGO. Mr. Chairman, the gentleman from Minnesota always speaks interestingly, and usually accurate is the information that he gives. But I think his criticism is unjust when he accuses me of striking the life out of the item for the Intelligence Department. I think I have had occasion, perhaps, to know as much about the Intelligence Bureau as the gentleman. I have a dear friend who is connected with that bureau, and I suspect I know as much about it as the gentleman from Minnesota, and I admire the work of that bureau as much as he does; but when we give them ten times as much as they have had heretofore for the purchase of law books and books of reference and subscriptions to newspapers and periodicals, and things like that, I think we have been pretty liberal. We have not cut the life out of it when, where they had heretofore only $11,000, we give them for contingent expenses—not for salaries, but little expenses that can not be classified and appropriated for in advance—when we give them over ten times as much, or $103,000 more, than they ever had before. I think they can get along very well on that sum for contingent expenses, and I think they may be ready to cut down to such extent as may be necessary, the same as any other department.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. MANN. Does the gentleman suppose it will be possible at any place to make a reduction in the amount of a billion dollars or a hundred million dollars in this bill without somebody crying, even if it amounts to only 50 cents, that the whole country will be destroyed?

Mr. WINGO. No. I expect there will be a howl. The remarks of the gentleman from Minnesota remind me of the fact that it is hard to get away from old ideas. It is hard to get men in public office to cease thinking that the only way they can maintain the efficiency of their offices is to continue to add to their appropriations. That is a vital fault in men who have enthusiasm for their work, or for their bureau or department—to reach out and get more funds. Such men frequently think that the possibilities of good service to the Government are only limited by the amount which they can get out of the Treasury for their activities.

I do not complain of that. It is for us to pass upon the necessity of each case, and I, knowing what I do about the intelligence department, feel that I am about $100,000 extravagant when I favor giving them $114,000 for a contingent fund.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. GREENE of Vermont. I heartily agree with the philosophy of the gentleman, that he has stated so ably; but it is a peculiarity of the Military Intelligence Section that its work is largely contingent, is it not?

Mr. WINGO. No.

Mr. GREENE of Vermont. What we know as the Military Intelligence Section makes studies of various conditions—social, economic, political, and military—in the countries with which we may be at war. That is one of their functions.

Mr. WINGO. Well, you may name almost anything and I will agree that it is included in what the intelligence department believes are its functions. I know one of those gentlemen, and I love him, and he thinks he has authority to investigate and look into almost anything.

Mr. GREENE of Vermont. We have in this branch of work little that is distinctly routine, that can be foreseen and provided for to the last detail. It is to a large extent contingent, is it not? It is a diffusive study.

Mr. WINGO. No. I would be inclined to agree with the gentleman in his idea at first blush, but if you get down to it you will find that they can reasonably anticipate any expenditure by classification, if not by particular detail.

Mr. GREENE of Vermont. I thought that one of their functions was to follow the current of affairs that might unexpectedly develop in any country as to which we were interested in having information.

Mr. WINGO. They will do that, anyway.

Mr. GREENE of Vermont. They will have to do it, even if they incur a deficiency.

Mr. WINGO. Does not the gentleman think that $114,000 will give them all the law books and magazines and periodicals they need to read? Their traveling expenses are taken care of. Their automobiles are furnished. Their telephone and telegraphic bills are paid. Appropriations are made for everything—traveling allowances, subsistence, commutation of quarters, and everything else. What is there that you do not cover?

Mr. GREENE of Vermont. Do they not have some agents abroad?

Mr. WINGO. Oh, yes; they have agents abroad, and they are taken care of.

Mr. DENT. I thought we had disposed of that.

Mr. WINGO. I did, too; but my genial friend from Minnesota resurrected it after we had gone by it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

UNITED STATES SERVICE SCHOOLS.

To provide means for the theoretical and practical instruction at the Army service schools (including the Army Staff College, the Army School of the Line, the Army Field Engineer School, the Army Field Service School and Correspondence School for Medical Officers, and the Army Signal School) at Fort Leavenworth, Kans., the Mounted Service School at Fort Riley, Kans., and the School of Fire for Field Artillery, and for the Infantry School of Arms at Fort Sill, Okla., by the purchase of textbooks, books of reference, scientific and professional papers, the purchase of modern instruments and material for theoretical and practical instruction, employment of temporary, technical, or special services, and for all other absolutely necessary expenses, to be allotted in such proportion as may, in the opinion of the Secretary of War, be for the best interests of the military service. Not exceeding $300 per month may be used for the payment of $100 per month to a translator at the Army Service Schools, Fort Leavenworth, Kans., $100 per month to a translator at the School of Fire for Field Artillery and $100 per month to a translator at the Infantry School of Arms, Fort Sill, Okla., to be appointed by the commandants of the schools named, with the approval of the Secretary of War, $75,0000.

Mr. WINGO. Mr. Chairman, I move to strike out the last word for the purpose of getting some information. I will ask the chairman of the committee what is the necessity for the provision from lines 11 to 18, inclusive? It may be very proper, but I want to know what is the necessity for it. What is the need of these translators out at Fort Leavenworth, Kans.? Are they Indian translators, or what are they?

Mr. DENT. The testimony before the committee on that subject was that these men were doing very valuable service out there. I will ask the gentleman from Kansas [Mr. ANTHONY] to explain that.

Mr. WINGO. What translators are they?

Mr. ANTHONY. They are translators whose services are used in translating military books and publications in foreign languages for the benefit of the student officers who are detailed from various branches of the Army.

Mr. WINGO. I withdraw the pro forma amendment.

Mr. ANTHONY. While we are on this item I want to make a statement for the information of the House. If there is one branch of the military service that has demonstrated its great value and utility in the present war, it has been the service schools that are provided for in this paragraph. Some of the Members of the House have, thoughtlessly perhaps, made observations reflecting upon some of the graduates of these schools. The gentleman from Massachusetts [Mr. GALLIVAN] the other day, for instance, rather unfairly, I thought, referred to the "Leavenworth clique," meaning the graduates of the service school at Leavenworth, when he referred to some of the injustices that had befallen officers of the National Guard in France. The gentleman overlooked the fact that because of the operation of the service schools for the past 20 years, when this country finally got into the great war it found it had a considerable body of highly trained officers who were not only the peer and the equal of the high ranking officers of the armies of the other great nations of the world but that we had an abundance of men skilled in military strategy and the art of war who were the superiors of the men in any of the armies of Europe with whom they had to cope. And because they had received the benefit of the wonderful training provided by these service schools it happens that a very large percentage of the commanders of our army corps, of our divisions and our brigades, were graduates of the Leavenworth service schools, placed in these high commands because of their splendid qualifications, all the result of the advanced education afforded by these schools.

Mr. KREIDER. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from Pennsylvania.

Mr. KREIDER. How are the men appointed to these schools, or how do they enter the service?

Mr. ANTHONY. The men are detailed by the Secretary of War. It has been the custom to detail at least one officer from each regiment to attend the particular service school which covers the branch of the Army to which he is assigned.

Mr. KREIDER. Are these men limited to graduates of West Point?

Mr. ANTHONY. No; they are not. In fact, the service schools are partially intended to take in hand men who need brushing up, as well as men who have special qualifications for higher study, and who are given opportunities to broaden their military education at these institutions.

Mr. KREIDER. Are they chosen from the privates?

Mr. ANTHONY. Many of them have risen to commissions from the ranks. The gentleman understands that they are already officers of the Army before they are assigned to these schools.

Mr. KREIDER. Commissioned or noncommissioned?

Mr. ANTHONY. Commissioned officers. They are selected for the purpose of bringing them up to the very latest and most advanced methods of the art of war, so that they shall have a much greater knowledge of the handling of troops in larger bodies than the training with the ordinary organizations of the line with which they have heretofore been trained. They are given the very latest developments in the higher branches of military strategy, and it was due to this splendid education that these men were able to so satisfactorily solve the great problems they were called upon to face in Europe. Our service schools, and particularly the School of the Line and Staff College at Fort Leavenworth, have proven to have been tremendous assets and to have contributed largely to the splendid laurels achieved by American arms on European battle fields.

Mr. FIELDS. Of course, this may be properly termed a postgraduate course in military science, may it not?

Mr. ANTHONY. Absolutely; a postgraduate course in military tactics. It is brought to them from all corners of the earth. As I said, nearly 75 per cent of the men in the high command of our forces were graduates of these schools. They not only themselves were qualified, but immediately after the Army went to France they established a staff school at Langres, France, and practically every one of the instructors and directors and officers of the Langres staff school were graduates of the Leavenworth service schools. They there took charge of the advanced training of the officers of the National Guard and of the National Army who had no previous higher military education or experience in staff duties in handling large units of men, and in a comparatively short time they were fit for high command. When the history of this war is written these service schools will naturally be given credit for much of this great work.

Mr. FESS. Mr. Chairman, I move to strike out the last two words. At this juncture, when we have been talking about students, I think the committee will indulge me with time enough to tell—and it will only take a few minutes—of a brilliant student, the son of James D. Hughes, of Toronto, Canada. He was a very brilliant young man, who answered the call soon after the war broke out and paid the supreme sacrifice. Somebody in speaking of the war referred to the deaths as the feeding of the guns, and some one else spoke about not being willing to raise their sons for the Army. Dr. Hughes, with that in mind, wrote a few verses dedicated to his son. The verses were printed in the European edition of the New York Herald, and I would like to read them.

THE SON.

(By Dr. James D. Hughes.)

God gave my son in trust to me;
Christ died for him, and he should be
A man for Christ. He is his own
And God's and man's; not mine alone.
He was not mine to "give." He gave
Himself that he might help to save
All that a Christian should revere,
All that enlightened men hold dear.

"To feed the guns!" Oh, torpid soul!
Awake, and see life as a whole.
When freedom, honor, justice, right,
Were threatened by the despot's might,
With heart aflame and soul alight
He bravely went for God to fight
Against base savages whose pride
The laws of God and man defied;
Who slew the mother and her child,
Who maidens pure and sweet defiled.
He did not go "to feed the guns."
He went to save from ruthless Huns
His home and country, and to be
A guardian of democracy.

"What if he does not come?" you say?
Ah, well! My sky would be more gray,
But through the clouds the sun would shine
And vital memories be mine.
God's test of manhood is, I know,
Not "Will he come?" but "Did he go?"
My son well knew that he might die,
And yet he went, with purpose high,
To fight for peace and overthrow
The plans of Christ's relentless foe.

He dreaded not the battle field;
He went to make fierce vandals yield.
If he comes not again to me
I shall be sad; but not that he
Went like a man—a hero true—
His part unselfishly to do.
My heart will feel exultant pride
That for humanity he died.

"Forgotten grave!" This selfish plea
Awakes no deep response in me,
For, though his grave I may not see,
My boy will ne'er forgotten be;
My real son can never die;
'Tis but his body that may lie
In foreign land, and I shall keep
Remembrance fond, forever deep
Within my heart of my true son,
Because of triumph that he won.
It matters not where anyone
May lie and sleep when work is done.

It matters not where some men live;
If my dear son his life must give,
Hosannas I will sing for him,
E'en though my eyes with tears be dim.
And when the war is over, when
His gallant comrades come again,
I'll cheer them as they're marching by,
Rejoicing that they did not die.
And when his vacant place I see
My heart will bound with joy that he
Was mine so long—my fair, young son—
And cheer for him whose work is done.

The Clerk read as follows:

THE ADJUTANT GENERAL'S DEPARTMENT.

CONTINGENCIES, HEADQUARTERS OF MILITARY DEPARTMENTS, DISTRICTS, AND TACTICAL COMMANDS.

For contingent expenses at the headquarters of the several territorial departments, territorial districts, tactical divisions and brigades, including the Staff Corps serving thereat, being for the purchase of the necessary articles of office, toilet, and desk furniture, stationery, ice, and potable water for office use when necessary, binding, maps, technical books of reference, professional and technical newspapers and periodicals, payment for which may be made in advance, and police utensils, to be allotted by the Secretary of War, and to be expended in the discretion of the commanding officers of the several military departments, districts, and tactical commands, $15,000.

Mr. FLOOD. I would like to ask the chairman or some member of the Military Committee where the provision comes in for the purchase and maintenance of the automobiles used by Army officers.

Mr. SHALLENBERGER. There is an item for transportation for the Army later in the bill, on page 29, and all the automobiles under the new organization are purchased by one authority.

Mr. FLOOD. Does it provide that these generals and colonels shall have a separate automobile for their personal use?

Mr. SHALLENBERGER. No, sir.

Mr. FLOOD. How many passenger automobiles are assigned especially for the use of Army officers in the District of Columbia?

Mr. SHALLENBERGER. I asked that very question of an officer in charge of the Motor Transport Service of the Army, and he stated that the total number of automobiles assigned for the use of the officers of the Army in the District of Columbia were less than 200.

Mr. FLOOD. Less than 200! What use have they for 200 passenger automobiles?

Mr. TREADWAY. If the gentleman will yield, I had a letter to-day from Gen. Drake, who is the officer the gentleman from Nebraska refers to, and I am quite certain that the number he gives was 260 or 246 used in this city, 120 in use in New York, and various numbers in other places. I also asked Gen. Drake a few days ago what the consumption of gasoline was by these specially assigned cars in Washington, and he said it was 1,068 gallons a day for the use of the Motor Transport Service. It is nothing more or less than a free taxi service.

Mr. FLOOD. What I was asking about was the number of passenger automobiles that are paid for out of the appropriations made in this bill and used by Army officers.

Mr. TREADWAY. That is the information I am endeavoring to give the gentleman.

Mr. FLOOD. My information accords with the gentleman's.

Mr. KAHN. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. KAHN. The gentleman from Massachusetts does not mean to say that there are 260 passenger automobiles in The Adjutant General's Department?

Mr. TREADWAY. That is the inquiry the gentleman made.

Mr. FLOOD. No; I mean in the entire War Department.

Mr. TREADWAY. Yes.

Mr. FLOOD. I made a subsequent inquiry which the gentleman answered in reference to the number of automobiles used by officers in the War Department in Washington.

Mr. KAHN. In all the departments?

Mr. FLOOD. Yes. And now it seems there are two hundred and sixty-odd.

Mr. SHALLENBERGER. I presume the definite figures have been given by the gentleman from Massachusetts [Mr. TREADWAY]. When I asked the question in the committee hearing

evidently they had not been computed, for they said there were less than 200.

Mr. FLOOD. Is this bill going to carry an appropriation authorizing the use of any such number of automobiles by Army officers in the city of Washington?

Mr. SHALLENBERGER. This bill does not authorize nor does our committee attempt to determine the number of automobiles that shall be assigned to these different departments from the appropriation. We appropriate a certain amount of money for the Motor Transport Corps, and it is up to the departments to use those automobiles where they think they are essential to the conduct of the Army.

Mr. MILLER of Minnesota. Who is the officer who is responsible for assigning these automobiles as they have been assigned in the past?

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SHALLENBERGER. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SHALLENBERGER. The information that is given to the committee is that now the purchase of automobiles is concentrated in one department of the Army, called the Purchase, Storage, and Traffic Division, in which they purchase all of the automobiles and automobile trucks, and everything of an automobile character, for the Army, and any bureau requiring those vehicles must apply to that particular department for them. Then this particular division, the Purchase, Storage, and Traffic Division, as I understand it, passes upon the necessity for those vehicles for that particular bureau applying, and when it is to the satisfaction of the Division of Purchase, Storage, and Traffic, and it goes up to the Chief of Staff, and I suppose eventually may be approved by the Secretary of War, the automobiles are purchased.

Mr. FLOOD. Is there nothing in this bill to prohibit that?

Mr. SHALLENBERGER. I will say to the gentleman that I do not think this committee can undertake to say how many automobiles should be used, whether a certain officer shall have one or not. That is a matter for the administration of the Army.

Mr. FLOOD. I do not agree with the gentleman.

Mr. MILLER of Minnesota. I do not agree with the gentleman.

Mr. FLOOD. Does not the Congress appropriate for certain officials that it thinks should have automobiles?

Mr. SHALLENBERGER. No.

Mr. FLOOD. It does for the Secretary of War and other Cabinet officers, and if there is any reason why Army officers should have automobiles at Government expense, why should not an explicit appropriation be made for that purpose?

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. GREENE of Vermont. I think perhaps this may be giving a wrong impression if it gives the impression that each officer has an individual automobile——

Mr. FLOOD. A great many of them have. I have a list of them who have automobiles assigned to them individually.

Mr. GREENE of Vermont. That, of course, turns, just as my colleague says, upon the responsibility of those who are in command of the Army.

Mr. SHALLENBERGER. That they need them.

Mr. FLOOD. Congress ought to fix it so that no one, however high in command, can have the right to assign them.

Mr. SHALLENBERGER. Does the gentleman think that he or I can determine whether The Adjutant General of the Army ought to have an automobile?

Mr. FLOOD. I think I can determine it.

Mr. MILLER of Minnesota. I think I can determine it.

Mr. SHALLENBERGER. I have very great respect for the ability of these gentlemen, but I doubt if they can do that.

Mr. MILLER of Minnesota. Can not the gentleman say whether or not every morning from 9 to 9.30 o'clock the streets of Washington should be filled with automobiles carrying young officers, 26 or 27 years of age, who are lolling around the cars, whistling, smoking, being taken down to their offices, when God knows it would do them a lot of good to get out and walk? The streets are full of automobiles lugging these loafers down to their offices.

Mr. TREADWAY. Mr. Chairman, I have confirmed the statement I made a few moments ago by telephoning to my office in reference to the letter to which I referred. This letter states that in the District of Columbia there are 260 passenger automobiles in use by the Army. One hundred and fifty-two of them are in general service in this city, leaving a balance of 108, which, I take it, are especially assigned to particular officers. Just what he meant by that I am not certain, but 152 of them are in general service. The total in use is 260. The consumption of gasoline is 1,068 gallons per day, which would mean, at 25 cents, a cost of over $250 a day for gasoline alone, to say nothing of the upkeep of the cars and the paying of the men to drive them.

Mr. FLOOD. Will the gentleman state the cost of these automobiles to the Government?

Mr. TREADWAY. The upkeep of them is all I was referring to. The price of gasoline alone would be $250 a day for the convenience of men riding around the streets of Washington. Some of these men are assigned chauffeurs, and I think that we figure that the cost of each man is about $2,000 a year. Is it not?

Mr. SHALLENBERGER. The chauffeur draws the pay of his rank, whatever it may be.

Mr. TREADWAY. He is a private, probably, and he draws a private's pay, as well as the cost of his clothing and his board and general expenses.

Mr. SHALLENBERGER. But it costs the same as any other soldier.

Mr. TREADWAY. It costs the same as any other soldier. These cars cost the Government not less than $150 to $200 per month, and two-thirds of them are used as a convenience to certain officers, and they specify those that they care for or want. That is all they are good for.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

That purchase and exchange of typewriting machines, to be paid for from this appropriation, may be made at the special price allowed to schools teaching stenography and typewriting without obligating typewriter companies to supply these machines to all departments of the Government at the same price.

Mr. WINGO. Mr. Chairman, I make a point of order on the paragraph.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. WINGO. Well, I make the point of order on the paragraph. It is plainly subject to the point of order.

Mr. DENT. What is the paragraph?

Mr. WINGO. Purchase of typewriting machines; page 6.

The CHAIRMAN. What does the chairman desire to say?

Mr. DENT. I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. WINGO. Mr. Chairman, I offer the customary provision we put in other bills covering this very question.

Mr. STAFFORD. Before the Chair rules——

The CHAIRMAN. The Chair asked the chairman of the committee if he wished to say anything on the point of order, and he said he conceded it; therefore, the Chair sustained the point of order. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

After line 12 insert the following paragraph:

That no part of any money appropriated by this act shall be used during the fiscal year 1920 for the purchase of any typewriting machine at a price in excess of the lowest price paid by the Government of the United States for the same make and substantially the same model of machine during the fiscal year 1918; such price shall include the value of any typewriting machine or machines given in exchange, but shall not apply to special prices granted on typewriting machines used in schools of the District of Columbia or of the Indian Service, the lowest of which special prices paid for typewriting machines shall not be exceeded in future purchases for such schools: *Provided*, That in construing this section the Commissioner of Patents shall advise the Comptroller of the Treasury as to whether the changes in any typewriter are of such structural character as to constitute a new machine not within the limitations of this section.

Mr. DENT. Mr. Chairman, I reserve the point of order.

Mr. WINGO. If the gentleman makes the point of order, I am ready to be heard.

Mr. DENT. I make the point of order.

Mr. WINGO. Mr. Chairman, the provision is a limitation upon expenses. It was passed on about three different times in the last two years. It is the identical language which Mr. Fitzgerald and Mr. Courts, of the Committee on Appropriations, worked out several years ago to cover this question. It is carried in the legislative, executive, and judicial appropriation bill and it has been carried in other bills heretofore, and it is plainly in order on the ground it is a limitation that actually worked out a saving of thousands of dollars. Under the Holman rule it is plainly in order.

Mr. STAFFORD. Will the gentleman withhold the order for about three minutes?

Mr. DENT. Yes.

Mr. WINGO. If the gentleman is going to reserve the point of order—well, go ahead, we will save time.

Mr. STAFFORD. Mr. Chairman, the gentleman from Arkansas has just made a point of order against a paragraph that would have resulted in a distinct saving to the Government, but he now substitutes a provision that will entail additional expense on the Government. He has offered as an amendment a provision that has been carried for a number of years in the legislative appropriation bill granting a privilege to the Government in the purchase of its typewriting machines at a special price, but the provision which he offers does not extend the privilege of the lowest price for these typewriting machines that is granted to schools. That was the purpose of the paragraph carried in the report of the committee. It was intended that in this Coast Artillery school all typewriters which were to be used in that school were to be furnished at the special price accorded by manufacturers of typewriters to schools generally.

Now he proposes as an amendment a provision that does not grant to this school the rate that is extended to schools generally. I think the gentleman was under a misapprehension of the facts when he made the point of order and when he offered this new amendment. I know he is sincere in his desire to economize, but I think he should withdraw his point of order on the paragraph that is carried in the bill and withdraw the amendment.

Mr. WALSH. Why should this department have a provision in the bill and get a lower price on its typewriters than various other branches of the Government?

Mr. STAFFORD. The typewriting concerns have established a special price for typewriters——

Mr. WALSH. But that was not my inquiry.

Mr. STAFFORD. I am answering the gentleman in my own way. For typewriters when used by typewriting schools generally. Then the legislative bill carries a provision providing for the purchase of typewriting machines at a price that has been fixed for some years by the manufacturers. But that price is still higher than the price the typewriting machine companies supply the machines to schools for. This provision here was to sell to the artillery school these machines at the same price for which they agreed to supply them to the schools generally.

Mr. WALSH. What is the use of purchasing the typewriters? They have enough there now to build a fence with.

Mr. STAFFORD. I think the gentleman would have been consistent if he had made a point of order and had stood pat.

Mr. WALSH. I do not know what the gentleman means by "standing pat."

Mr. STAFFORD. The gentleman is young in politics, or otherwise he would be thoroughly versed in that technical phrase.

Mr. WINGO. Is the gentleman going to insist on his point of order? I am ready for the Chair to rule on it. I shall not take the time of the committee, except in reply to the statement of the gentleman from Wisconsin. The gentleman is in error when he thinks that the provision that went out on my point of order is a saving. It has been tried and found not to be a saving. The provision that I offered was a provision that was included in the legislative, executive, and judicial appropriation bill that we passed, and is in the identical language worked out by Mr. Chairman Fitzgerald of the Appropriations Committee several years ago. There is not any justification for the typewriter companies to refuse to furnish to every department of the Government typewriters at the lowest price that they furnish them to any department of the Government.

But if they furnish machines to one branch of the Military Establishment at a certain price, I can not understand why they can not furnish the same machines to every other branch of the Government at the same price. I think the gentleman was mistaken when he said that this item would have saved money.

Mr. STAFFORD. There is no question but what this would have saved money.

Mr. WINGO. I did not rely upon my own information, but I went to those whom I thought knew, and they said it would not.

Mr. STAFFORD. Will the gentleman state who those persons are?

Mr. WINGO. And it would nullify the provision I have offered, which is in the legislative bill.

Mr. STAFFORD. Who are those persons who said it would not?

Mr. WINGO. The gentleman can easily ascertain. I know what the typewriter companies have been trying to get. The Auditor of the Treasury has passed upon this question, and under his rulings we saved $5 a machine on every machine the Government bought.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. WINGO. I ask for a division, Mr. Chairman.

The committee divided; and there were—ayes 12, noes 22.

So the amendment was rejected.

Mr. MANN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. A point of order was made and sustained on the paragraph beginning with line 14 down to line 19. Does that include line 13?

The CHAIRMAN. The point of order, as the Chair has it marked in the bill, includes line 13.

Mr. WINGO. Thirteen to nineteen.

Mr. MANN. If the Clerk has it that way, all right; but the question has arisen lately, and has bothered the man in enrolling the bills.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE CHIEF SIGNAL OFFICER.

SIGNAL SERVICE OF THE ARMY.

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, adn signaling systems; signal equipments and stores, field glasses, telescopes, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk line, long distance, and leased line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting local telephone service for the various bureaus of the War Department in the District of Columbia and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, but not including payment for individual telegraph messages transmitted over commercial lines; electrical installations and maintenance at military posts, cantonments, camps, and stations of the Army; fire control and direction apparatus and matériel for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimentation and research for the purpose of developing improvements in apparatus and methods of signaling, including machines, instruments, and other equipment for laboratory and repair purposes; purchase, lease, construction, alterations, and repair for such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading; roads and walks, and other equipment required, $4,000,000.

Mr. MANN. Mr. Chairman, I make a point of order against the word "purchase," on page 6, line 22; and on page 8, in line 9, I make the point of order against the word "purchase" and the word "construction."

The CHAIRMAN. Does the gentleman from Alabama wish to be heard on the point of order?

Mr. DENT. No.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

Creating, maintaining, and operating at technical schools and colleges, and at established flying schools, courses of instruction for aviation students, including cost of construction, equipment, and supplies necessary for instruction and subsistence of students, and excluding pay of military instructors and extra pay allowed candidates for commission (cadets) while at flying schools; extra pay allowed candidates for commission (cadets) while at flying schools; vocational training in trades related to aviation, including the employment of necessary civilian instructors, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, and instruments and material for theoretical and practical instruction at aviation schools; purchase of supplies for securing, developing, printing, and reproducing photographs made by aerial observers; purchase of aviation supplies and equipment to be furnished Air Service organizations to be established during the year, and to maintain and replace the equipment of organizations already in service; establishment, enlargement, equipment, maintenance, and operation of aviation stations, balloon schools, fields for testing and experimental work, including the acquisition of land or any interest in land, by purchase, lease, condemnation, or otherwise; improvement of such land and making same suitable for the purpose intended; procuring and introducing water, electric light and power, telephones, telegraphs, and sewerage; purchase of stoves and other cooking and heating apparatus, kitchen and table ware, and furniture and equipment for kitchens, mess halls, officers' quarters, barracks, hospitals, and other buildings, screens, lockers, refrigerators, and all other equipment; purchase, manufacture, and installation of all kinds of machinery, tools, material, supplies, and equipment for repair and maintenance of aircraft, buildings, and improvements of aviation stations and balloon schools, and testing and experimental stations, or property or appliances used in connection with aviation at home and abroad; payment of mileage to officers of the Army traveling on duty in connection with aviation; salaries and wages of civilian employees in the District of Columbia or elsewhere as may be necessary, and payment of their traveling and other necessary expenses; actual and necessary expenses of officers and enlisted

men and civilian employees of the Army and authorized agents sent on special duty at home and abroad for aviation purposes, including observation and investigation of foreign military operations and organizations; experimental investigation and purchase and development of new types of aircraft; necessary expenses incidental to the administration of the Air Service; all damages to persons and private property resulting from the operation of aircraft at home and abroad, $10,000,000: *Provided*, That claims not exceeding $250 in amount for damages to persons and private property resulting from the operation of aircraft at home and abroad may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Director of Military Aeronautics: *Provided, however*, That the claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of $150,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order on the paragraph.

Mr. MANN. Mr. Chairman, I would like to inquire first as to the necessity, at the beginning of the paragraph, of "creating, maintaining, and operating at technical schools and colleges and at established flying schools courses of instruction for aviation students." Why should we provide here for sending Army boys to technical schools and colleges? How much of it is proposed to be done?

Mr. SHALLENBERGER. I will state to the gentleman that they have a practice of sending certain students to highly developed technical schools in certain mechanical lines, like the Massachusetts Institute of Technology, in Boston, to give certain instruction that those institutions give better and more cheaply to the Government than we could afford to establish ourselves schools to give that sort of instruction.

Mr. MANN. If it is limited to that, I can see a good reason for that.

Mr. SHALLENBERGER. That is the purpose stated.

Mr. MANN. The War Department some time ago entered upon quite a program of sending people to schools throughout the country, most of which was useless extravagance. Is it proposed to continue that through this item, or is it simply to take men who are already in the Army in the Aviation Corps and send them to technical schools?

Mr. SHALLENBERGER. That was the information given to the committee, that there were certain men in the service that might require this special technical instruction, and this was to give them the power and the authority to send them there.

Mr. MANN. Well, connected with the language in line 16, providing for "vocational training in trades related to aviation," of course, they might start to educate anybody they pleased, in or out of the Army. Now, what do they propose?

Mr. SHALLENBERGER. I have no information about that, I will say to the gentleman from Illinois. I do not think the committee was given any information as to what was contemplated there.

Mr. MANN. Of course, I know how these items get into the bill. During the war probably there was occasion for all this language, but now that the war is over there is probably no reason why the General Government should undertake to teach everybody in the country through the payment of tuition and expenses. It seems to me that where it is practicable we ought to begin to eliminate from the Army bill language which was expressly emergency language for the war.

Mr. SHALLENBERGER. I agree with the gentleman as to that.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. DEMPSEY. It seems to me that the language in the opening section does not refer to what the gentleman on the Committee on Military Affairs referred to at all. It refers to establishing, creating, and maintaining courses of instruction, not maintaining students at those places at all. It seems to be designed to support courses of instruction in these various institutions rather than to send students there for education.

Mr. MADDEN. What does the word "creating" mean here? Does it mean creating schools?

Mr. DEMPSEY. Courses of instruction.

Mr. MANN. Connected with the rest of the language, "including cost of construction, equipment, and supplies necessary for instruction and subsistence of students, and excluding pay of military instructors and extra pay allowed candidates for commission (cadets)," I could not understand what that meant after reading it over a good many times, because it is followed by "extra pay allowed candidates for commission (cadets) while at flying schools."

Mr. SHALLENBERGER. The reason for that particular language is, as I understand it, this: There had been at one time an allowance of pay of $100 a month to these cadets who were students in the schools learning to fly, and later that law was changed so that these cadets received only the pay of enlisted men, if that was their rank. The statement was made to our committee that these men, while they were being trained, were in the most hazardous position, that they were the men who principally got hurt.

Mr. MANN. The gentleman is now seeking to explain the reason for a part of the language in the bill. But here is what I direct his attention to:

Excluding pay of military instructors and extra pay allowed candidates for commission (cadets) while at flying schools.

And then in the next line:

Extra pay allowed candidates for commission (cadets) while at flying schools.

First, you exclude it and then you include it in identically the same language. First you say it is not, and then you say it is.

Mr. SHALLENBERGER. I know the reason for the appropriation was given to us, that those men should receive that pay for the reason I stated. Why it should also be excluded I can not say.

Mr. MANN. I should like to ask the gentleman in reference to giving authority to enlarge the aviation stations, to buy new land and improve it as they please, and construct all the buildings they may choose to construct upon it. Is it not time for us now to say to the Army, "If you want to buy new land for a station, tell us what it is and tell the committee what you want"? If they want to construct a lot of new buildings, instead of giving to them $10,000,000 to use as they please, when we know that as we now see it—possibly not as we would have seen it if the war had continued, but as we now see it—there have been cases of gross extravagance in the purchase of land which was not needed.

Mr. SHALLENBERGER. I will say to the gentleman that I think it was the intention of the committee to give no authority for the purchase of more land for these aviation training schools.

Mr. KAHN. Except in those cases, as I recall, where the negotiations for the purchase had been practically concluded.

Mr. MANN. But this is for the next fiscal year. If they have concluded negotiations for the purchase of land without any money to pay for it, they ought to come before Congress and ask for the money for that purchase and not try to slip it into the bill.

Mr. SHALLENBERGER. I will say to the gentleman that this appropriation of $10,000,000, as he can readily see, is simply an estimate or guess. The department came before us asking for this purpose $17,337,000.

Mr. MANN. Oh, of course, the original estimate, and probably the language in the bill, were drawn before the armistice was agreed upon.

Mr. SHALLENBERGER. Probably. Now, if I may state, the principal item which induced the committee to grant the money was the experiment and research item. That is, they represented to us that they needed a goodly sum to carry on research work in this great field.

Mr. MANN. I have no objection to that.

Mr. SHALLENBERGER. They asked for balloon research and building $1,600,000, and then they had a general item for the purchase of undeveloped types of balloons, $2,000,000. The sum of the items amounted to about $14,000,000. The committee decided that these items were such as should be given a rather liberal appropriation, so we fixed on a general sum of $10,000,000, thinking it would be sufficient to carry on this work.

Mr. MANN. I congratulate the Committee on Military Affairs. Aviation in the Army is more important than it is in the Navy. The Naval Committee brought in an item of $25,000,000, which the House reduced to $15,000,000. These two combined items will make $25,000,000 for experimental purposes, which is a very big sum of money.

Mr. SHALLENBERGER. A vast sum of money.

Mr. STAFFORD. It ought to be all under one head.

Mr. MANN. Now, on page 11 it provides that all damages to persons and private property resulting from the operation of aircraft at home and abroad may be paid out of the $10,000,000 appropriation. It uses the word "all." Then it includes a proviso that claims not exceeding $250 in amount for damages to persons and private property, resulting from the operation of aircraft at home and abroad, may be settled out of the funds appropriated in this bill. What object is there in having the first provision as to the payment of "all" damages to persons if the $250 proviso is to stay in the bill?

Mr. SHALLENBERGER. It seems to me that it is contradictory language; first, it gives unlimited authority and then limits it to $250 in each case.

Mr. MANN. Mr. Chairman, I make the point of order on page 10, line 2, against the word "enlargement," also against the language beginning in line 4, page 10, "including the acquisi-

tion of land or any interest in land by purchase, condemnation, or otherwise; improvement of such land and making same suitable for the purpose intended."

Mr. STAFFORD. Will the gentleman permit me before he makes the point of order? Would the general language "establishment, equipment, maintenance, and operation of aviation stations, balloon schools, fields for testing and experimental work," not grant authority to the department to purchase land? It says "establishment of aviation stations, balloon schools, fields for testing and experimental work."

Mr. MANN. I do not know. It may be that the comptroller would hold that it would, but my opinion—I had not thought about that part of it—was that they might establish some of these stations on land that the Government now owns, or at some military camp, and that might be a very proper thing to do; but they would not seek to enlarge them, except by the purchase of new land. I do not think we ought to start in on enlarging appropriations to give the department authority now to spend money as they please to buy land.

Mr. STAFFORD. Is it not a fact that the department has a large number of fields at this time?

Mr. MANN. I do not know.

Mr. STAFFORD. Mr. Chairman, I further reserve the point of order to make other points of order.

Mr. SUMNERS. Will the gentleman yield?

Mr. MANN. Yes.

Mr. SUMNERS. Under existing law the Government has leased the ground, where it has constructed very extensive improvements. In fact, I think most of the flying fields in this country are occupying leased ground, upon which the Government has an option of purchase. I presume the contracts of purchase are made under existing law. Does the gentleman think the point of order would lie against the proposed appropriation under which the Government would be permitted to purchase the land upon which it had taken an option under existing law?

Mr. SHALLENBERGER. The Secretary of War and the Assistant Secretary of War appeared before the committee and assured us that for all the existing training camps and aviation fields they have the money appropriated by this Congress to complete the purchases if they determine to do so. This money would be for the purpose of buying entire new projects.

Mr. MANN. I do not suppose, as a matter of fact, that when the language was drafted under certain conditions that under existing conditions they would ask it. But, notwithstanding, I do not think it is a good thing to keep it in the bill.

Mr. SHALLENBERGER. I think the committee will accept the gentleman's suggestion.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN. Mr. Chairman, I make a further point of order against the language on page 11, beginning in line 5, "All damages to persons and private property resulting from the operation of aircraft at home and abroad." I think the proviso ought not to remain in.

Mr. DENT. I think it is subject to a point of order.

Mr. HUMPHREYS. Just a moment, if the gentleman will yield. This is not an unusual provision to carry, or, at least, it is not unique.

Mr. MANN. If the gentleman from Mississippi will pardon me, I do not know that I should make the point of order if there was no other language in the bill, but it goes on to insert a proviso that is exactly contradictory.

Mr. HUMPHREYS. I think that came about in this way. This same provision with some limitation is carried in the river and harbor appropriation bill. It is for this reason: Sometimes they will, in the improvement and operations of the boats for the Government, smash a little boat, say, valued at $50.

Mr. MANN. We do not, if the gentleman will permit me, in the river and harbor bill carry an unlimited authority to any department to settle the claims for damages.

Mr. HUMPHREYS. This is not unlimited.

Mr. MANN. The language to which I have made the point of order is unlimited.

Mr. HUMPHREYS. I beg the gentleman's pardon; I see his point now.

Mr. MANN. I know how it came about; somebody wrote the first provision, and then somebody else put in a proviso without looking at the first provision.

Mr. HUMPHREYS. I was under a misapprehension.

Mr. GORDON. I think, Mr. Chairman, that these two provisions are not necessarily in conflict. In the first place, there is the damage claim. Then it limits the amount that may be paid on any one claim to $250.

Mr. MANN. First it says all damages, but the proviso covers the whole case.

Mr. GORDON. That is true; but it simply limits the authority of the department to settle any one claim.

The CHAIRMAN. The point of order is sustained.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. CURRY of California. Mr. Chairman, I make the point of order on the words "at technical schools and colleges and," to be found on page 9, lines 8 and 9.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard on the point of order?

Mr. DENT. If the gentleman will move to strike it out, I will accept such an amendment.

Mr. CURRY of California. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

By unanimous consent Mr. BANKHEAD and Mr. MCKEOWN were granted leave to extend their remarks in the RECORD.

Mr. MADDEN. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. STAFFORD. Oh, let us finish the paragraph.

Mr. MADDEN. You will never get through with it. When they get through with the points of order we propose to move to strike it out so as to have it rewritten and confine it to the work that should be done under the law.

Mr. DENT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15835, the Army appropriation bill, and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. DENT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. DENT. Mr. Speaker, I desire to serve notice now that it is my intention to-morrow morning to call up for consideration the conference report upon the war-contract bill.

The SPEAKER. The gentleman from Alabama gives notice that he will call up the conference report on the war-contract bill to-morrow morning.

ADJOURNMENT.

Mr. DENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p. m.), in accordance with the order heretofore made, the House adjourned until to-morrow, Friday, February 14, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Assistant Secretary of Labor, transmitting list of documents received and the number distributed by the Department of Labor during the fiscal year 1918 (H. Doc. No. 1789); to the Committee on Expenditures in the Department of Labor and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of State submitting deficiency estimate of appropriation required by the Department of State for the fiscal year 1919 (H. Doc. No. 1790); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a deficiency estimate of appropriation required by the Bureau of Education for traveling expenses, fiscal year 1919 (H. Doc. No. 1791); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of Commerce submitting a supplemental estimate of appropriation required by the Department of Commerce for the fiscal year 1919 (H. Doc. No. 1792); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting a deficiency estimate of appropriation required

by the Commissioner of Pensions for the purchase of metal file boxes for filing papers in pension claims, fiscal year, 1919 (H. Doc. No. 1793); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. BANKHEAD, from the Committee on Education, to which was referred the bill (H. R. 12880) to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment, reported the same with amendment, accompanied by a report (No. 1064), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DOREMUS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15551) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, reported the same with amendment, accompanied by a report (No. 1065), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on Irrigation of Arid Lands, to which was referred the bill (S. 3392) for furnishing water supply for miscellaneous purposes in connection with reclamation projects, reported the same with amendment, accompanied by a report (No. 1067), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TAYLOR of Colorado, from the Committee on Irrigation of Arid Lands, to which was referred the bill (H. R. 4187) authorizing Anton Hiersche to select other land in lieu of land now owned by him, required for reclamation purposes, reported the same without amendment, accompanied by a report (No. 1066), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CAMPBELL of Kansas: A bill (H. R. 15915) authorizing the Secretary of War to donate to the city of Arkansas City, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HOLLINGSWORTH: A bill (H. R. 15916) authorizing the Secretary of War to donate to the village of Toronto, Jefferson County, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. NICHOLLS of South Carolina: A bill (H. R. 15917) for the purchase of a site and for the erection of a post-office building, courthouse, and other Government offices at Spartanburg, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. SUMNERS: A bill (H. R. 15918) authorizing and directing the Secretary of War to cause survey to be made of the Trinity River and its tributaries in Texas, with a view to controlling the flood waters of said stream, and for other purposes; to the Committee on Flood Control.

By Mr. ROBINSON: A bill (H. R. 15919) to provide for the erection of a public building at Rockingham, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. MILLER of Minnesota: A bill (H. R. 15920) authorizing the Secretary of War to donate to the village of Grand Rapids, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ANTHONY: A bill (H. R. 15921) donating a captured German cannon and cannon balls to the city of Nortonville, Kans.; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 15922) to provide for furnishing information with respect to shares of stock offered to the public and prescribing penalties; to the Committee on the Judiciary.

By Mr. BARKLEY: A bill (H. R. 15923) for the erection of a public building at Murray, Ky.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15924) for the erection of a public building at Hickman, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. DELANEY: A bill (H. R. 15925) authorizing the Secretary of War to donate to the city of New York, borough of Brooklyn, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 15926) authorizing the Secretary of War to donate to the village of Rankin, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 15927) authorizing the Secretary of War to donate to the town of Wingate, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 15928) providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. OVERSTREET: A bill (H. R. 15929) for the extension, remodeling, and reconstruction of the present Federal building at Savannah, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. WATSON of Pennsylvania: A bill (H. R. 15930) authorizing the Secretary of War to donate to the borough of Norristown, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HEFLIN: A resolution (H. Res. 574) making in order certain new legislation in House bill 15796, notwithstanding the general rules of the House; to the Committee on Rules.

By Mr. JOHNSON of Washington: A resolution (H. Res. 575) requesting the President to furnish the Joint Committee on Printing with information relative to periodical publications; to the Committee on Printing.

Also, a resolution (H. Res. 576) directing the Public Printer to furnish the Joint Committee on Printing with information relative to periodical publications; to the Committee on Printing.

By Mr. BARNHART: A concurrent resolution (H. Con. Res. 69) authorizing the printing of the journal of the national encampment of the Grand Army of the Republic; to the Committee on Printing.

By Mr. WALSH: A concurrent resolution (H. Con. Res. 70) for printing address of Senator HENRY CABOT LODGE in honor of Theodore Roosevelt; to the Committee on Printing.

By the SPEAKER: Memorial from the Legislature of the State of Oregon, urging Congress to enact such legislation as will create, foster, and maintain an adequate merchant marine for the handling of products of the Pacific Coast; to the Committee on the Merchant Marine and Fisheries.

Also, memorial from the Legislature of the State of Colorado, urging the payment of six months' extra pay and all back pay to all honorably discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of California favoring the purchase of Lower California by the United States; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Ohio relative to the punishment of William Hohenzollern; to the Committee on Foreign Affairs.

By Mr. KETTNER: Memorial from the Legislature of the State of California, relative to the acquisition by the United States of that peninsula or country known as Lower California; to the Committee on Foreign Affairs.

By Mr. MAYS: Memorial from the Legislature of the State of Utah, favoring Federal aid for roads in sparsely settled communities; to the Committee on the Post Office and Post Roads.

By Mr. MILLER of Minnesota: Memorial from the Legislature of the State of Minnesota, urging Congress to provide means for purchasing and moving of the wheat still remaining in the hands of the farmers; to the Committee on Agriculture.

By Mr. RANDALL: Memorial from the Legislature of the State of California, favoring the acquisition of Lower California, the Coronado Islands, and those portions of the Republic of Mexico contiguous to the Colorado River; to the Committee on Foreign Affairs.

By Mr. SMITH of Idaho: Memorial from the State of Idaho, urging Congress to appropriate money for the construction of a wagon road up the South Fork of the Clearwater River, in Idaho County, State of Idaho; to the Committee on Roads.

By Mr. STINESS: Memorial from the General Assembly of the State of Rhode Island, protesting against the improper method of computing and the excessive charges on telephone calls to points outside local-service areas throughout the United States, which became effective on the 21st day of January, A. D. 1919; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII,

Mr. KNUTSON introduced a bill (H. R. 15931) granting an increase of pension to George W. Hook, which was referred to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of Milwaukee Garrison, No. 90, Department of Wisconsin, Army and Navy Union, United States of America, regarding discharged and disabled soldiers and sailors; to the Committee on Military Affairs.

By Mr. EMERSON: Petition of Cleveland Clearing House Association, urging change of terms of the next loan; to the Committee on Ways and Means.

Also, petition of Otto Pfister and others of Cleveland, Ohio, in favor of providing homes, etc., for returning soldiers; to the Committee on Military Affairs.

By Mr. GALLIVAN: Petition of parents and citizens of District of Columbia in mass meeting at Powell School, urging Congress to enact appropriation bill now pending in Senate increasing salaries of teachers of public schools 100 per cent; to the Committee on Appropriations.

Also, petition of Iron Trades Council of San Francisco and vicinity, representing 35,000 American citizens and workingmen in the metal and shipbuilding industries, protesting against the award of any contracts whatever to shipyards in China and Japan and asking for immediate cancellation of all such contracts; to the Committee on Interstate and Foreign Commerce.

Also, petition of Dorchester Mothers' and Homemakers' Club at their annual "guest night," with 600 present, urging United States to join league of nations; to the Committee on Foreign Affairs.

By Mr. HOLLINGSWORTH: Petition of Tenray Theater Co., Martins Ferry, Ohio, protesting against tax on rental of films; to the Committee on Ways and Means.

Also, memorial of Chamber of Commerce of East Liverpool, Ohio, favoring return of telephone and telegraph lines to owners at earliest possible date; to the Committee on Interstate and Foreign Commerce.

By Mr. KETTNER: Petition of Mrs. J. W. Newell, president Orange County Federation of Women's Clubs, Fullerton, Cal., asking Congress to pass Senate bill 4987, relating to Federal education; to the Committee on Education.

By Mr. MORIN: Petition of D. J. McCarthy, of Pittsburgh, Pa., urging continued Government control of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Jarry J. Cayle, of Pittsburgh, Pa., urging continued Government control of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of members of Local No. 608, Brotherhood of Railway Clerks, Pittsburgh, Pa., urging continued Government control of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of 225 citizens of Pennsylvania, urging national ownership and Government operation of all railroads within the United States and its possessions; to the Committee on Interstate and Foreign Commerce.

By Mr. PETERS: Petition of Leroy L. Webster and other citizens of Maine, for Government operation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Petition of Hilles & Jones Co., Wilmington, Del., favoring and commenting on House bill 15625, providing for further educational facilities by requiring War Department to loan certain machine tools not in use for Government purposes to trade and technical schools and universities, and for other purposes; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: Petition of citizens of the State of Rhode Island, urging Congress to enact bill similar to House bill 10550, providing for national ownership and Government operation of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHN W. RAINEY: Petition of Aldermen Clark, Kaindl, and Govier, representing city council of Chicago, urging Congress to make suitable legislation whereby each person who was a member of the armed forces of the United States in war with Germany shall be given six months' pay from date of honorable discharge; to the Committee on Military Affairs.

By Mr. RANDALL: Petition of Bean Growers' Association of Southern California, urging that a portion of the $100,000,000 food fund for Europe be used in purchase of beans; to the Committee on Appropriations.

By Mr. RAKER: Petition of citizens of Pleasant Valley, Fairplay, Plymouth, Red Bluff, Jelly, Auburn, Pittsville, Lookout, Vina, Fall River Mills, Chico, Susanville, and Westwood, Cal.; and Molin, Klamath Agency, and Portland, Oreg., urging repeal of zone system; to the Committee on Ways and Means.

Also, petition of Transportation Club of San Francisco, Cal., membership 750, protesting against increase of tax on club dues; to the Committee on Ways and Means.

Also, petition of Pictorial Review Co., of San Francisco, Cal., against the postal-zone law; to the Committee on Ways and Means.

Also, petition of Wholesale Coal Trade Association, New York City, asking for the return to private ownership of all vessels not needed for the movement of troops, etc.; to the Committee on Interstate and Foreign Commerce.

By Mr. SANFORD: Petition of citizens of Rensselaer and Albany Counties, N. Y., protesting against luxury taxes; to the Committee on Ways and Means.

By Mr. SMITH of Michigan: Petition of 178 citizens of the third Michigan district—Union City, 51; Coldwater, 10; Quincy, 1; Branson, 24; Montgomery, 1; Battle Creek, 10; Albion, 12; Kalamazoo, 5; Bellevue, 1; Charlotte, 18; Osseo, 1; Eaton Rapids, 20; Reading, 1; Grand Ledge, 7; Vicksburg, 1; Marshall, 11; Burlington, 5; Potterville, 8—for repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. SMITH of Idaho: Petition of board of trustees, village of Mountain Home, Idaho, urging appropriation of $100,000,000 for reclamation of lands in order to furnish employment and homes for the returning soldiers; to the Committee on the Public Lands.

By Mr. SNOOK: Petition of Farmers' Institute of Fayette, Ohio, protesting against the rules issued by the Postmaster General governing telephone service; to the Committee on Interstate and Foreign Commerce.

By Mr. STINESS: Petition of James P. Gibson Council, No. 181, Knights of Columbus, of Arctic, R. I., favoring self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. WATSON of Pennsylvania: Petition of the Board of Trade of the borough of Langhorne, Pa., favoring a reasonable period to allow for the necessary preparation and adjustment by the owners of the great wire systems under Federal control; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *February 14, 1919.*

(Legislative day of Thursday, February 13, 1919.)

The Senate reassembled at 12 o'clock noon, on the expiration of the recess.

Mr. FLETCHER. The first amendment of the committee to the river and harbor bill is in order.

Mr. WEEKS. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	McKellar	Sherman
Baird	Johnson, Cal.	McLean	Simmons
Bankhead	Jones, N. Mex.	McNary	Smith, S. C.
Beckham	Jones, Wash.	Martin, Va.	Smoot
Brandegee	Kellogg	Moses	Spencer
Calder	Kendrick	Myers	Sterling
Chamberlain	Kenyon	Nugent	Sutherland
Culberson	King	Page	Swanson
Curtis	Kirby	Pittman	Thomas
Dillingham	Knox	Pollock	Thompson
Fernald	La Follette	Pomerene	Trammell
Fletcher	Lenroot	Ransdell	Walsh
France	Lewis	Saulsbury	Weeks
Frelinghuysen	Lodge	Shafroth	Williams
Gay	McCumber	Sheppard	Wolcott

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent owing to illness.

Mr. PITTMAN. I desire to announce that the junior Senator from Nevada [Mr. HENDERSON] is absent on official business.

Mr. SHEPPARD. I wish to announce that the Senator from Arkansas [Mr. ROBINSON], the Senator from Nebraska [Mr. HITCHCOCK], and the Senator from Kentucky [Mr. MARTIN] are detained on official business.

Mr. SAULSBURY. The senior Senator from Maryland [Mr. SMITH] is absent on account of illness.

The VICE PRESIDENT. Sixty Senators have answered to the roll call. There is a quorum present.

CORRECTION—FOOD SUPPLIES FOR EUROPE.

Mr. BECKHAM. Mr. President, on January 24 when the Senate voted upon the bill (H. R. 13708) providing for the re-

lief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, I had a general pair with the Senator from West Virginia [Mr. SUTHERLAND], who was unavoidably absent that day. I was informed that if present he would vote for the bill. I had a transfer, but having been informed that he would vote for the bill if present I voted without making the transfer. I have since learned from that Senator that an injustice was done him, and that had he been here he would have voted against the bill.

I take this opportunity to correct the injustice that was done the Senator from West Virginia.

WAR EXPENDITURES (S. DOC. NO. 387).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of December 15, 1918, reports from the Director of the Geological Survey, the Director of the Bureau of Mines, the Acting Commissioner of Education, and the Superintendent of St. Elizabeths Hospital, showing war expenditures, which (with the accompanying papers) was ordered to lie on the table and be printed.

NATIONAL PROHIBITION.

The VICE PRESIDENT presented a resolution adopted by the Legislature of the State of Nevada, ratifying the proposed prohibition amendment to the Constitution of the United States, which was ordered to be placed on the files of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its chief clerk, announced that the House had recommitted to the committee of conference the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate a resolution adopted by the Legislature of the State of Ohio relative to the punishment of one William Hohenzollern. It will be printed in the RECORD and referred to the Committee on the Judiciary.

The resolution is as follows:

Joint resolution (H. J. Res. 4) relative to the punishment of William Hohenzollern.

Whereas it is charged by the press of the world, asserted by men of authority in a position to know, and believed by a large majority of the human race that William Hohenzollern, the former Kaiser and Emperor of Germany, actuated by a lust for world domination, was the instigator and cause of the recent world conflict of arms, which has drenched the fields of Europe in blood; entailed a sacrifice of millions of lives; maimed and crippled for life millions more; laid waste vast areas of cultivated lands with their happy homes; brought woe, want, and starvation to multitudes of innocent people; devastated thousands of villages and cities; and, with a ruthlessness hitherto unknown, has destroyed churches, cathedrals, and works of art held sacred for a thousand years; and

Whereas it is further charged and believed that said William Hohenzollern, disregarding international law, has violated solemn treaties made by his government; ordered his generals and soldiers to use brutal and inhuman methods of warfare never before used or known by civilized nations; that he commanded his officers and men to kill and murder defenseless men, women, and children; and that during said conflict he advocated such hellish designs and employed such infernal devices of warfare in order to overcome and destroy the cherished democracy of the world as to create himself the arch enemy of mankind and the greatest criminal of all times; and that his damnable acts finally constituted such a menace to the peace of the world that it challenged the sense of justice inherent in the United States, the friend and sponsor of human liberty, and caused her to enter the conflict, that she might assist in making the world safe for wide-world democracy;

Whereas tentative peace and safety has been obtained at such enormous cost and sacrifice resulting from the alleged acts of one man who, in a position of high authority, thirsted for world power to satisfy his vaulting ambition: Therefore be it

Resolved by the General Assembly of the State of Ohio, That it is the sense of this body that "punishment of crime must be made certain in order that society may be safe" and that nations may be secure in their rights and liberties, whether the criminal be of high or low degree, whether he be a king or a peasant, a ruler or a slave; that in the interest of the welfare of the human family and for the future safety of nations justice demands that William Hohenzollern should be apprehended, such formal charges preferred against him as the evidence warrants; that he be given a fair and impartial trial with full opportunity for defense, and, if found guilty, that he be made to suffer punishment commensurate with his crimes, the same as any other criminal; and

That the secretary of state of Ohio be instructed to prepare and forward one copy of this resolution to the Speaker of the House of Representatives at Washington, D. C., one copy to the President of the United States Senate, and one copy to the Department of the Secretary of State with the request that it be transmitted to President Woodrow Wilson at the peace conference at Paris as representing the sentiment of this general assembly.

CARL R. KIMBALL,
Speaker of the House of Representatives.
CLARENCE J. BROWN,
President of the Senate.

Adopted January 28, 1919.

UNITED STATES OF AMERICA,
STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE.

I, William D. Fulton, secretary of state of the State of Ohio, do hereby certify that the foregoing is a true and correct copy of house joint resolution No. 4 as adopted by the general assembly January 28, 1919, and filed in the office of the secretary of state February 4, 1919, and is now on file in this office and in my official custody.

Witness my hand and official seal at Columbus, Ohio, this 11th day of February, A. D. 1919.

[SEAL.] WILLIAM D. FULTON,
Secretary of State.

The VICE PRESIDENT presented a resolution adopted by the Legislature of the State of Ohio, petitioning Congress to investigate the origin and nature of the disease known as "influenza," which was ordered to be printed in the RECORD and referred to the Committee on Public Health and National Quarantine, as follows:

Joint resolution (H. J. Res. 12) petitioning Congress to take action for the suppression of influenza.

Whereas this country has been devastated recently by an epidemic of one of the most deadly diseases known to science; and

Whereas medical experts are not agreed either as to its origin nor the proper mode of treatment; and

Whereas those countries where it was first prevalent suffered more than one attack of the scourge and there is reason to fear that we will have a like experience; and

Whereas the public health can not be safeguarded on State lines but is a matter of national concern: Therefore be it

Resolved by the General Assembly of the State of Ohio:

SECTION 1. That we request the Congress of the United States to appropriate an amount not less than $5,000,000 to be devoted to an investigation of the origin and nature of the disease commonly called "Spanish influenza" and of the best methods of counteracting it and to the protection of our national life by the total eradication of the germ or germs to which such disease is traceable.

SEC. 2. That copies of this resolution be sent by the secretary of state to the Speaker of the House of Representatives at Washington, D. C., and to the President of the Senate of the United States.

CARL L. KIMBALL,
Speaker of the House of Representatives.
CLARENCE J. BROWN,
President of the Senate.

Adopted February 4, 1919.

UNITED STATES OF AMERICA,
STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE.

I, William D. Fulton, secretary of state of the State of Ohio, do hereby certify that the foregoing is a true and correct copy of House joint resolution No. 12, as adopted by the General Assembly of Ohio on the 4th day of February, 1919, and filed in the office of the secretary of state February 12, 1919, and is now on file in this office and in my official custody.

Witness my hand and official seal at Columbus, Ohio, this 12th day of February, A. D. 1919.

[SEAL.] WILLIAM D. FULTON,
Secretary of State.

Mr. NELSON. I present a resolution adopted by the Legislature of the State of Minnesota, which I ask to have printed in the RECORD and referred to the Committee on Education and Labor.

The resolution was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

MINNESOTA LEGISLATURE,
HOUSE OF REPRESENTATIVES, SESSION OF 1919.

A concurrent resolution to the House of Representatives and Senate of the United States.

Whereas the successful prosecution of the recent world-war would have been impossible without the staunch and loyal cooperation of the Nation's workers; and

Whereas many of these workers have while engaged in industry sustained injuries as serious and as enduring as those suffered by soldiers on the field of battle and are as greatly in need of rehabilitation in order that they may be restored to capacity for useful pursuits; and

Whereas there is now pending in Congress a bill known as the Smith-Bankhead bill, Senate 4922, House of Representatives 12880, which would make available for industrial and other cripples the same advantages of retraining that have been extended to soldiers wounded in the line of duty, granting aid from the Federal Treasury for the reeducation and placement of the disabled and giving the invaluable assistance of the Federal Government in standardizing, and developing such work: Now, therefore, be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That we earnestly and urgently petition your honorable body to give early and favorable consideration to the aforesaid Smith-Bankhead bill, both as an act of justice and as a fitting recognition of the splendid service of American labor during the recent world crisis.

That a copy of this resolution be forwarded to the Speaker of the House of Representatives, the President of the Senate and to each Senator and Representative from Minnesota.

W. I. NOLAN, *Speaker.*

Attest:

OSCAR ARNESON,
Chief Clerk.

Mr. NELSON presented a petition of sundry citizens of Otter Tail County, Minn., praying for the enactment of legislation guaranteeing $2.20 per bushel for the 1919 wheat crop, which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of Thomas H. Canfield, of the Minnesota State Fair Association, praying for the adoption of an amendment to the Agricultural appropriation bill to provide for transporting an exhibit of the various executive departments to fairs of the United States, which was referred to the Committee on Agriculture and Forestry.

He also presented a telegram in the nature of a petition from Local Union No. 43 Federal Employees' Union, of St. Paul, Minn., and a telegram in the nature of a petition from O. L. Davis, of Duluth, Minn., praying for the passage of the so-called Johnson-Nolan minimum wage bill, which were referred to the Committee on Education and Labor.

He also presented a memorial from George F. Clark, of West Plains, Mo., relative to reparation for the atrocities inflicted upon the Armenians by Turkey, which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Minnesota State Vegetable Growers' Association, remonstrating against the reenactment of the daylight-saving law, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the State entomologist of Minnesota, praying that the appropriation for the extermination of the corn borer be increased from $50,000 to $500,000, which was referred to the Committee on Agriculture and Forestry.

Mr. KENDRICK presented a petition of Local Lodge No. 757, Brotherhood of Railway Carmen of America, of Laramie, Wyo., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. TOWNSEND presented a petition of sundry citizens of Union City, Mich., praying for the repeal of the present zone system of postal rates, which was referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEE ON PUBLIC LANDS.

Mr. MYERS, from the Committee on Public Lands, to which were referred the following bills, reported them each without amendment and submitted reports thereon.

A bill (S. 4745) for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark. (Rept. No. 719); and

A bill (S. 5493) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation (Rept. No. 718).

He also, from the same committee, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 5492) granting to certain claimants a preference right to purchase certain public lands in the State of Arkansas (Rept. No. 721); and

A bill (H. R. 9897) to authorize the contesting and cancellation of certain homestead entries, and for other purposes (Rept. No. 720).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BORAH:

A bill (S. 5602) to authorize the sale of certain lands at or near Minidoka, Idaho, for railroad purposes; to the Committee on Public Lands.

By Mr. OVERMAN:

A bill (S. 5603) to prohibit extortion by any person, company, firm, corporation, or association upon soldiers and sailors, and for other purposes; to the Committee on the Judiciary.

A bill (S. 5604) granting an increase of pension to Elizabeth Smith Tennent; to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 5605) authorizing the Secretary of War to donate to the city of Humboldt, Nebr., one German cannon or fieldpiece; and

A bill (S. 5606) authorizing the Secretary of War to donate to the city of McCook, Nebr., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TOWNSEND:

A bill (S. 5607) to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public-park purposes; to the Committee on Public Lands.

By Mr. JONES of Washington:

A bill (S. 5608) granting an increase of pension to John N. Skidmore (with accompanying paper); to the Committee on Pensions.

By Mr. NEW:

A bill (S. 5609) granting an increase of pension to Michael Langneck; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment proposing to strike out the words "in interstate commerce" in the clause authorizing the Secretary of Agriculture to investigate and certify to shippers and other interested parties the quality of fruits, vegetables, poultry, butter, and hay, when received, at such important central markets as the Secretary of Agriculture may, from time to time, designate, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. SHEPPARD submitted an amendment proposing to increase the appropriation to investigate the relative utility and economy of agricultural products for food, clothing, and other uses in the home, etc., from $46,280 to $80,000, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for investigating the food habits of North American birds, etc., from $389,440 to $689,440, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. LENROOT submitted an amendment proposing to appropriate $1,000 for the purchase of subsistence supplies in relieving the cases of actual distress and suffering among those needy St. Croix Indians of Wisconsin whose cases are referred to in report of January 13, 1915, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

TRIAL BY COURTS-MARTIAL.

Mr. SPENCER submitted an amendment intended to be proposed by him to the bill (S. 5320) to promote the administration of military justice by amending existing laws regulating trial by courts-martial, and for other purposes, which was referred to the Committee on Military Affairs and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. JONES of Washington submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

INCOME-TAX RETURNS.

Mr. SIMMONS. I ask unanimous consent to have printed in the RECORD a letter from the Commissioner of Internal Revenue, directed to the collectors of internal revenue throughout the country, advising them that taxpayers can make their returns in an incomplete and informal way in case they find that they are unable to make a complete return by the 15th of March. I think this matter ought to be given as wide publicity as possible, and upon the suggestion of the Commissioner of Internal Revenue I wish to ask unanimous consent that it be printed in the RECORD.

Mr. GRONNA. Mr. President, in connection with the request of the Senator from North Carolina, I suggest that the letter to which he refers ought to be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SIMMONS. I wish it also to be printed in the CONGRESSIONAL RECORD.

The VICE PRESIDENT. The request of the Senator from North Carolina will be complied with.

The matter referred to is as follows:

BUREAU OF INTERNAL REVENUE,
Washington, D. C.

(Released Thursday, February 13.)

Although no general extension of time will be authorized for filing Federal income-tax returns due March 15, the Commissioner of Internal Revenue has approved a novel feature of tax collection which will serve for all practical purposes as a possible extension of 45 days for the filing of corporation income and excess-profits tax returns in cases where corporations are unable to complete and file their returns by March 15.

If a corporation finds that, for good and sufficient reason, it is impossible to complete its return by March 15, it may make a return of the estimated tax due and make payment thereof not later than March 15. If meritorious reason is shown as to why the corporation is unable to complete its return by the specified date, the collector will accept the payment of the estimated tax and agree to accept the revised and completed tax return within a period of not more than 45 days.

Under the plan adopted for corporation payments and returns, the Government will be able to collect approximately the amount of tax due on or before March 15, thus meeting its urgent needs, and corporations actually requiring further time for the preparation of their complete returns will be granted ample time in which to do so.

One of the advantages of this plan is that it relieves the taxpayer of one-half of 1 per cent interest per month that would attach to the payment of the taxes under an extension granted at the request of the taxpayer. The taxpayer will, of course, not be relieved of interest on such amount as his payment may fall short of the tax found later to be due on the basis of his final return.

Should the payment on March 15 of the estimated tax due be greater than the tax eventually found to be due on examination of the completed return, the excess payment will automatically be credited to the next installment, which will be due on June 15.

Provision for systematically handling this new feature will be made in the construction of the new return blanks for corporations. The new form will be a combined income and excess-profits blank, embodied in which is a detachable letter of remittance. Any corporation which finds that, for sufficient reasons, it can not complete its return by March 15 may detach and fill out the letter of remittance and forward same to the collector on or before March 15, together with a check, money order, or draft for the tax due on that date. If the exact tax is not known, the estimated tax due will be paid in this manner. A statement in writing of the reasons why it is impossible for the corporation to complete the return by the specified date must accompany every such remittance.

Individual taxpayers will be given similar privileges in cases in which it is made clear by the taxpayer that the time available is not sufficient to enable him to complete his return by March 15. No reason exists, according to the internal-revenue officials, for delaying the filing of the returns of individual incomes, except in unusually difficult cases.

Forms for returns of individual incomes up to $5,000 will be distributed by collectors within a few days. Forms for larger incomes will be available about February 24. Corporation blanks will be distributed by March 1. Regulations governing the administration of the new income tax will also be available before March 1.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The VICE PRESIDENT. The first amendment of the committee is pending.

The SECRETARY. The first amendment of the committee is, on page 2, line 4, to strike out "$12,500" and insert "$18,750," so as to make the paragraph read:

Tenants Harbor, Me.: Completing improvement in accordance with the report submitted in Rivers and Harbors Committee Document No. 12, Sixty-second Congress, third session, $18,750.

Mr. FLETCHER. This project is reported on favorably in House Document numbered 12, Sixty-second Congress, third session. It has the indorsement of the engineers in this language.

After a careful consideration of all data available the board reached the conclusion that the improvement of Tenants Harbor by the United States is now advisable in the interest of commerce and navigation to the extent of providing a channel 15 feet deep at mean low tide and 375 feet wide in the manner proposed by the district officer, estimated to cost $12,500, the full amount of which should be provided in one appropriation.

The House accepted the amount as specified in that report. Upon the hearing before the committee Gen. Taylor stated that that estimate was made in 1913, and that on account of increased cost of labor and material now it would require the sum of $18,750 to complete the improvement. Therefore the committee recommends that change, because it is advisable to complete the improvement rather than merely to start it.

Mr. KING. Will the Senator yield?

Mr. FLETCHER. Certainly.

Mr. KING. Did the Senate committee proceed upon the theory that the present prices of everything will continue indefinitely, and therefore increase the cost by practically one-third?

Mr. FLETCHER. It is not the belief, I think, of the Senate committee that the present high costs will continue indefinitely, but no one can tell, and at the present price of material and labor the engineers are of the opinion that it will cost $18,750 to complete this improvement. Of course, if it does not cost that amount they will have that much balance to go back into the Treasury.

Mr. KING. May I ask the Senator a general question, which will perhaps save my propounding the same question with respect to specific items? Have all these increases been based upon existing high prices, and has the committee not taken into account the fact that there may be and probably will be a reduction in prices before the execution of the projects?

Mr. FLETCHER. There are some items where the engineers think they could probably complete the project within the present estimate, but in other cases they have reason to think that the present prices require an increase. Of course, a work like this ought not to take very long to complete it; it ought to be completed in a very few months, and it is not likely that there will be any great decrease in prices of labor or material during the time required to complete this project.

Mr. KING. It seems to me it is unfair to the Government to make these appropriations based upon a standard which we know will not be maintained. As the days go by the standard will be reduced, and the cost will grow less. The appropriations it seems to me are entirely too large if they are based upon the standard of prices which now exists for products and labor.

Mr. KENYON. May I ask the chairman of the committee a question, more in the nature of a general question? Can the Senator tell us what the unexpended balances are on the various projects that are covered in the bill?

Mr. FLETCHER. I have the list, and I can give those items as to any matter in the bill.

Mr. KENYON. Take this one of Tenants Harbor.

Mr. FLETCHER. That, of course, is a new project and never has been undertaken.

Mr. KENYON. What would the unexpended balances amount to, in a general way? I do not mean to have the Senator take up each item, but do they run up to $40,000,000 or $45,000,000?

Mr. FLETCHER. Yes; I do not know that I have them all footed up, but I take it that that is quite true.

Mr. KENYON. I noticed a statement in the minority report of the House committee to the effect that the unexpended balances amount to about $45,000,000. Is that correct?

Mr. FLETCHER. I think perhaps that is about correct as to the entire bill.

Mr. KENYON. There are $45,000,000 that could be used for these projects now unexpended?

Mr. FLETCHER. I think that is about correct. I have not footed them up, but I think that is practically correct. I had them printed as a committee document, the entire list furnished by the engineers, and it is available to the Senate.

Mr. LENROOT. Will the Senator yield?

Mr. FLETCHER. Certainly.

Mr. LENROOT. I think Gen. Taylor stated to the committee that there were $50,000,000 on July 1 of last year.

Mr. FLETCHER. That would leave probably $45,000,000 now.

Mr. SMOOT. I will state to the Senator that I can furnish the list of items of unexpended balances, and they amount to a little over $45,000,000. The Senator is right in saying that there is an unexpended balance of $45,000,000.

Mr. FLETCHER. I think so, for the whole country, and for all the projects.

Mr. SMOOT. Of course, that means for all projects that are under way.

Mr. FLETCHER. I think that is true.

Mr. SMOOT. Of course, the Senator knows that that is more than the last appropriation bill and, in fact, if I remember correctly, it is more than the last two appropriation bills for rivers and harbors carried.

Mr. FLETCHER. It is more than the last appropriation bill, but is accounted for very largely because on account of war conditions they have not been able to go on with some of the work they might otherwise have proceeded with. We have taken into consideration, I will say to the Senator, every item of unexpended balance in dealing with the items of this bill.

Mr. SMOOT. But the Senator will also admit that there are appropriations here for projects that yet have on hand considerable unexpended balances?

Mr. FLETCHER. That is quite true, and in those instances we have inquired of the engineers as to what they will need for the next fiscal year in addition to what they have now available, and we have carried into the bill only the amounts which the engineers say are necessary to proceed with the work for the next fiscal year, beginning July 1 of this year and ending June 30 of next year.

Mr. SMOOT. Does the Senator mean to say, then, that the requirements for rivers and harbors for the coming fiscal year will amount to from forty-five to forty-eight million dollars?

Mr. LENROOT. To $80,000,000.

Mr. SMOOT. I am keeping within the House bill as it passed.

Mr. FLETCHER. Of course it will amount to that.

Mr. SMOOT. If we include the Senate amendments, it will amount to $80,000,000; but I am now speaking of the bill as it passed the other House, and, taking the unexpended balances, the amount at the disposal of the department will be about $76,000,000, and with the Senate amendments about $80,000,000.

Mr. FLETCHER. There are unexpended balances to the credit of the various projects which are not mentioned in the bill at all.

Mr. SMOOT. That is true.

Mr. FLETCHER. We are not dealing with those in this bill; but they enter into the sum which is available as reported here and are included in the $45,000,000; but many of those items are not mentioned in this bill.

Mr. SMOOT. The Senator from Florida is right in that statement. I can see from a list of the projects that have unexpended balances, and then comparing them with the items of the bill, that there are some projects that are not mentioned in the bill that have unexpended balances. The Senator is correct in that; but what I asked the Senator was, Is it possible to spend $80,000,000 on rivers and harbors for the coming fiscal year; or, in other words, I want to know if the unexpended balances due upon projects and the appropriations provided for in this bill amounting to $80,000,000, providing the Senate amendments are agreed to, can be spent within the year named?

Mr. RANSDELL. Mr. President, will my colleague on the committee allow me to interrupt him?

Mr. SMOOT. Just a moment until I finish the question, and then I shall be glad to have either one of the Senators answer the question, I do not care which. I want to know if it will be possible, under the conditions existing to-day, to expend all that money during the next fiscal year; and if not, why make these appropriations for projects that have an unexpended balance?

Now, I do not care which Senator answers my question.

Mr. FLETCHER. I see what the Senator from Utah has in mind. I will state that many of these projects have now available balances to their credit. Those balances will not be used up in the coming year, perhaps; the work may extend over a period of a good many years yet to come, but they are not included in this bill at all. For that reason it is not fair to suppose that the engineers propose to expend within the next fiscal year the amounts carried in this bill and the entire available balances as shown by the report of the engineers, because those balances in many instances will spread over a period of years.

Another thing is that some of the balances will not be spent at all; they will come back to the Treasury when the project has been practically completed. Those items enter into the available balances. We have only covered into the bill here with reference to specific items of the bill what the engineers say they will need for the coming fiscal year.

Mr. RANSDELL rose.

Mr. FLETCHER. I yield to the Senator from Louisiana.

Mr. SMOOT. I want to ask the Senator from Florida another question and then I shall be glad to have the Senator from Louisiana further explain the matter.

I have not separated these unexpended balances, showing the amount on projects that are not mentioned in this bill. What will be the amount of unexpended balances on projects that are not mentioned in the bill, to which the Senator from Florida has just referred? Can he, in round numbers, state what that balance will be?

Mr. FLETCHER. I have not separated the items.

Mr. SMOOT. Neither have I; and I simply desire to have the Senator state what, in his opinion, it would amount to.

Mr. FLETCHER. I shall have to ask the engineers to figure that up, for that would be a problem for them.

Mr. SMOOT. Perhaps the Senator from Louisiana can answer the question.

Mr. RANSDELL. Mr. President, I am sorry I can not answer that question. I simply rose for the purpose of explaining to the Senator from Utah that there is a large sum to the credit of some of the projects. I wish to illustrate that by speaking of the Delaware River, for instance. The report on page 11 shows, in a letter from Gen. Black, that on January 1, 1919, there were $4,110,778 to the credit of that item. That is a character of work which will require, perhaps, two or three years to finish.

There was nearly $9,000,000 to the credit of the Ohio River on the 1st of last October, if I recollect the way the figures were given to us. That work is lock and dam construction, and requires several years to complete it. The building of a lock and dam is a slow process. The work is authorized, but a great deal of the money, I am sure, has not yet been absolutely appropriated. The work has been contracted for; at least, it will be contracted for, and the Government will be obligated for the full amount by the 1st of next July. That goes to make up the forty-odd million dollars, which the Senator correctly says is to the credit of these various and sundry river and harbor works which have been authorized, but the money will not be expended nor will anything like all of it be expended during the next year.

I simply want to add that to the explanation of the Senator from Florida [Mr. FLETCHER]. We shall not begin to expend the $80,000,000 according to the showing.

Mr. FLETCHER. I will say to the Senator further, to illustrate what I endeavored to state, giving merely an illustration of the statement of unexpended balances, that on page 9, for instance, we have Baltimore, Md. For the Baltimore Harbor and channels $676,432.33 was the available balance on June 30, 1918; and on December 31, 1918, the available balance was $674,862.81. That enters into this total amount of $45,000,000 of available balances; but it is not referred to in this bill at all; it is not covered. There is no provision for Baltimore Harbor in the bill, but the available balance on hand includes the $674,662.81 for Baltimore.

Mr. SMOOT. The Senator from Florida is correct in that statement. All I wanted to get at was how much would the amount be if all such items were taken into consideration?

Mr. FLETCHER. I will try to get those figures for the Senator. I should have to consult the engineers about that, for I have not inquired of them concerning it.

Mr. SMOOT. In relation to the Ohio project, spoken of by the Senator from Louisiana [Mr. RANSDELL], he will remember, I think, that at the last session of Congress in the sundry civil appropriation bill, if I remember correctly, there was an appropriation of something like $3,600,000. I am speaking now only from memory. That, of course, was included in the amount that went to the credit of the Ohio project, was it not?

Mr. RANSDELL. I do not recollect the exact amount, but I have no doubt the Senator's statement is correct. I know that the last river and harbor bill authorized the work on the Ohio to the extent of $5,000,000. We have been trying to prosecute that great work at the rate of about $5,000,000 a year, but I will say to the Senator that I imagine the money carried in the last sundry civil bill would not have been expended because of the difficulty of getting laborers and of getting contractors to undertake the work on account of the war. We have been trying, as I have stated, to carry that work on at the rate of about $5,000,000 a year.

Mr. FLETCHER. The Senator from Utah will recognize that the improvement of the Ohio River is under a continuing contract.

Mr. SMOOT. I recognize that fact, but what I want to get at is how much money, if the Senate committee amendments are adopted and the bill becomes a law, we will have for the improvement and betterment of the rivers and harbors of the country for the coming fiscal year?

Mr. FLETCHER. The answer to that, it seems to me, is complete, for the engineers report to us, the House committee has found upon a thorough examination, and our own committee has found, that the engineers will need every dollar that is carried by this bill to use on these works for the coming year.

Mr. SMOOT. It may be possible to expend that amount of money, but I have my doubts whether or not it will be spent. What I had in mind was this: If it could be shown to the Senate that, without interfering with necessary work, $80,000,000 is too much, and the amount could be reduced, I think that this would be the very best time to make a reduction.

Mr. FLETCHER. The Senator understands that we can not use an appropriation made for a specific project for some other project. We can only take care of the projects mentioned and itemized in the bill. An appropriation applied to a particular project must be used on that project or else it goes back to the Treasury; it does not go somewhere else.

Mr. SMOOT. I am perfectly aware of that; but what I am trying to arrive at is this: This bill, we will say, when it becomes a law will carry $33,000,000——

Mr. RANSDELL. Thirty-two million dollars.

Mr. FLETCHER. Thirty-two million dollars.

Mr. SMOOT. I am speaking in round numbers. In the bill there are projects provided for that have already to their credit in the Treasury unexpended balances. If out of that $45,000,000 of unexpended balances there are projects mentioned in this bill to the credit of which there are balances amounting to, say, $25,000,000, or a little over half of the $45,000,000, then there would be a total of over $60,000,000 to be expended during the coming fiscal year. Does the Senator think that that amount can be expended?

Mr. FLETCHER. I think, beyond a doubt, the department can expend, should expend, and will expend, unless something unusual occurs, in the prosecution of these works the amount specified in this bill and for the purposes named in the bill. The Senator will remember that a good deal of the money provided is for maintenance of existing completed projects. They must be kept up; and there is carried in this bill for that purpose alone $3,707,300, while for improvements on projects already adopted and underway and for maintenance there is provided $5,800,000. For the new projects carried in the bill for maintenance there is provided $187,000 and for improvement of new projects only $10,460,000. That is all the bill carries for taking care of new projects. The unexpended balances available for other projects will be used, so far as the engineers can use them, in the prosecution of work on those projects for which the sums were appropriated. They say they can do that, and

should do it; and, in addition to that, we should take on these new projects which are needing improvement. The total amount for the improvement of new projects, I repeat, is only $10,460,000 in this bill.

Mr. SMOOT. The maintenance item, I will say, is a very small percentage of the amount of $60,000,000 which will be provided for under this bill in connection with the unexpended balances for the projects named in the bill.

Mr. FLETCHER. A good many of those unexpended balances which have been listed are for maintenance purposes.

Mr. SMOOT. But the percentage for maintenance purposes, of course, is small in comparison with the total amount. All I had in mind was, taking into consideration now that there are $45,000,000 of unexpended balances for this purpose, if we are appropriating more than is necessary, it would be very much better to hew close to the line, especially this year, and reduce the appropriations as much as possible, particularly if there are any special items in the bill for which it is known that the money can not be expended.

Mr. FLETCHER. I will say that generally I am in sympathy with the Senator's views about that; and the committee has had that in mind. We have only selected the projects which are most urgent and need improvement for the purposes of transportation, and we have endeavored to keep down the appropriations to the lowest possible limit. I think quite generally the committee believes that if we can reasonably and from an economical standpoint, everything considered, go on with these public works to-day, we ought to do it, because we are confronted, possibly, with a lot of idle men, and we ought to give them an opportunity to be employed on this public work where it ought to be carried on. Therefore we have felt that, notwithstanding high prices and notwithstanding the fact that expenditures seem to be large, we ought to take care of these public works which ought to be cared for, because of the fact that they are needed, and out of consideration of the fact that now is the very time when men need the work.

This particular project was, as I have said, reported on some years ago—in 1913—and has been awaiting the action of Congress for adoption. It is not a large project; it was recommended by the engineers and was provided for in the House bill. The report shows that there is commerce there, some 48,000 tons, principally of cut stone, paving stone, lime, and coal. Those and other conditions warrant the making of this channel. I think it is time to take it up and complete it, and in order to complete it and not make two jobs of it by going in there and spending $12,500 and then coming out and leaving it unfinished we thought we were justified in adding the necessary amount, even at present prices, to complete the project.

Mr. FERNALD. Mr. President, will the Senator from Florida yield to me for a moment?

Mr. FLETCHER. I yield to the Senator.

Mr. FERNALD. Mr. President, measured by the sinuosities of its bays, my State has a coast line of something over 2,600 miles. Like all States bordering on the ocean, my people are as anxious as anybody to have some improvements, and I have had letters and solicitations from very many sources asking that appropriations be made for new projects.

This one item calls for $12,500. In taking the matter up, after the House had completed the measure, I found that the improvement could not be completed for $12,500, but that it could be completed for the amount set forth in this bill, namely, $18,750. There are very many reasons why this project should be completed, a detailed account of which I might give, but which, it seems, is unnecessary. It is only a small amount.

In every instance I have opposed the beginning of new projects in my State, although many have been suggested. I am one of those who feel that the appropriations ought to be kept down to as low a limit as possible; but it does seem to me that this item is not unreasonable, and that the amount carried is a very modest sum, inasmuch as it will complete the project. I have been opposed to these measures which carried money from year to year for maintenance and carrying on work; but this will complete the project, and of all that has been asked for in my State this is the only one that I have recommended. I do feel that the reason for it is sufficient to justify its adoption by Congress.

Mr. KING. Mr. President, will the Senator yield?

Mr. FERNALD. I yield.

Mr. KING. Has the State made any contribution toward the completion or construction of this project, or has it proposed to make any contribution?

Mr. FERNALD. I do not know that it has.

Mr. KING. Has the State made any contribution for the completion of any of the projects that have been constructed or are under contemplation by the Government in connection with the waterways and harbors of the State of Maine?

Mr. FERNALD. This is the only one contemplated at this time.

Mr. KING. I should like to ask the Senator if a large number of projects have not been completed or undertaken by the Federal Government along the borders of the State of Maine?

Mr. FERNALD. I do not think there have been a great number. In the past I do not think that we have had large expenditures, considering our coast line—only a very modest sum.

Mr. KING. My understanding is that a number of projects in the State of Maine have been undertaken and completed by the Federal Government. Now, the question I ask is, Has the State of Maine made any contributions toward any of those projects which have been undertaken by the Federal Government?

Mr. FERNALD. I do not know about that.

Mr. KING. Many of these projects have been purely local in character. Is not that the fact?

Mr. FERNALD. Why, I suppose that most of these projects are local in character. Almost every item, I assume, is of interest to the particular place where the money is expended.

Mr. KING. And beneficial to a limited number of people, and primarily to aid them in the disposition of their local produce?

Mr. FERNALD. Without doubt it would accommodate the local people more than the people of other States or other parts of our State.

Mr. KING. Will the Senator say that this project has any reference whatever to interstate commerce? Is it not a purely local matter, which, if it is of any advantage at all, the State itself ought to undertake?

Mr. FERNALD. I think there is a considerable commerce there, Senator.

Mr. KING. I understood from the Senator having this bill in charge that perhaps there were 45,000 tons per annum that could or would utilize this project after it was completed.

Mr. FERNALD. Yes; and the passenger traffic is much larger, I assume, than the freight. It is considerable of a resort and people from all over the country go there.

Mr. KING. Does the Senator think that the Federal Government ought to construct projects for the accommodation of purely local commerce? And before the Senator answers that, let me ask, further, if the Federal Government constructs projects that are purely local in character for people who reside upon little creeks or bays or estuaries or upon the ocean, why, in justice, should not the Government provide instrumentalities of commerce for communities and districts in the interior?

Mr. FERNALD. Why, the Government is constantly spending money for local purposes. The establishment of a post office is for the advantage of the people living locally, and the Government is constantly spending money for projects of all kinds. Whether or not the Government should change its policy and spend money for various purposes only where the State government contributes is a matter which would have to be considered in general.

Mr. KING. Then, as I understand the Senator's position, it is that it is perfectly defensible for the Federal Government to make appropriations which are purely local in their character and effects and advantage only a limited number of people in their local domestic traffic?

Mr. FERNALD. Why, this accommodates people outside the immediate location of this project. People from all over the country go to this town. In the summer months, during the months of July and August, people from all over the country, and outside of the country, go there. It is a summer resort. It is not purely and entirely a local matter.

Mr. KING. Do they go by rail or by boat?

Mr. FERNALD. They go by boat, largely, to Tenants Harbor.

Mr. KING. Then this is largely for the purpose of benefiting pleasure seekers who may go there?

Mr. FERNALD. Not altogether. Pleasure seekers go there, too; but a very large number of people go there from all over the country during the summer months. That is a large part of our business in Maine. We have more people from outside the State during the months of July and August than we have as a local population of our State. It is a large part of our business.

Mr. KENYON. Mr. President, will the Senator yield for a question?

Mr. FERNALD. Certainly.

Mr. KENYON. Does this facilitate the industry of getting Poland water around the country? [Laughter.]

Mr. FERNALD. No; that is a little nearer to me than that. Permit me to ask the Senator if he favors the building of public buildings and post offices in the country?

Mr. KING. Is the Senator addressing that question to me?

Mr. FERNALD. Yes.

Mr. KING. I think the way that the Government has been induced by representations to construct public buildings all over the United States has been a positive scandal. The policy is vicious. It is wrong.

Mr. FERNALD. There are several bills now before Congress, I think, appropriating money for public buildings in the Senator's State. Is the Senator opposed to those bills?

Mr. KING. Mr. President, when I had the honor to serve my State in the House of Representatives I refused to present numerous petitions for public buildings within my State, because I thought it was improper for the Federal Government to erect them.

Mr. FLETCHER. Mr. President, may I interrupt the Senator for a moment with reference to public buildings?

Mr. FERNALD. I yield to the Senator.

Mr. FLETCHER. My recollection is that there has not been any public-buildings bill passed by Congress since 1913, so that it does not seem that we are very greedy on that subject. I think the last public-buildings bill passed Congress in March, 1913.

Now, with reference to this bill and this item, getting back to that, I call the Senator's attention to what the report shows—that a regular passenger steamer touches at this harbor, and having a greater draft than the depth of water available at low tide she is scheduled to stop only when tidal conditions will permit. It appears from the communications received that it is very important that the regular steamers shall be able to enter and depart at all stages of the tide, it being claimed that general business, as well as summer traffic, would be greatly increased thereby. So that it seems that they have a regular steamer stopping there, and it is desirable to make a channel so that she can get up to the dock for one thing, and then there is commerce besides the freight mentioned in the report.

Mr. FERNALD. Those are the facts.

Mr. SMOOT. Mr. President, in discussing this matter in his opening remarks the Senator from Florida said that this was a new project.

Mr. FLETCHER. It is a new project. It never has been adopted by Congress before.

Mr. SMOOT. Has the Government ever expended any money upon it before?

Mr. FLETCHER. None at all. It is an entirely new project, recommended by the engineers in 1913, and never has been adopted by Congress. It is an entirely new project.

Mr. SMOOT. What process is taken to get a recommendation of the Engineers on such projects as these?

Mr. FLETCHER. Usually a survey is ordered by Congress, and an estimate of cost is reported by the engineers in accordance with this order, with their recommendation. In this instance the engineers acted upon a resolution passed by the Rivers and Harbors Committee calling on them for a survey and recommendation respecting this harbor.

Mr. SMOOT. Then the survey of this project was ordered by Congress?

Mr. FLETCHER. Yes.

Mr. SMOOT. And that is how all of these new projects are initiated, is it?

Mr. FLETCHER. Precisely; that is the rule. I will say to the Senator that, all told, there have been in Maine 10 projects which have been under development and improvement and are practically completed now, I take it. Portland, Me., is one of them; and there is an available balance there for the maintenance of that harbor. Altogether 10 projects have been developed there, and this is the only new project that is proposed.

Mr. VARDAMAN. Mr. President, may I interrupt the Senator from Florida to suggest that appropriations for rivers and harbors improvements are never made until the projects have been thoroughly investigated by the Congress and the appropriation is thought to be necessary to promote the commerce of the country. These appropriations are not made to oblige the people living on the river banks or near by the ports. The Board of Engineers make a survey and estimate of the cost, and then Congress takes up the question as to the propriety and value to commerce of the improvements of the waterways project. That is the ground upon which all appropriations for rivers and harbors are made.

Mr. FLETCHER. The Senator is correct.

Mr. SMOOT. Mr. President, did I understand the Senator to say that Congress never made an appropriation unless it was recommended by the Engineers?

Mr. VARDAMAN. No; I did not make that statement. There have been instances where appropriations have been made against the findings of the Board of Engineers, but never until Congress has exercised its superior judgment and constitutional power in determining that it was to the interest of the American people that it should be done. I do not think absolute authority should be given the Engineers to determine whether appropriations should be made. That function belongs to Congress; but I do say that Congress never makes an appropriation until the engineers make a survey and estimate of the cost. Then, as stated above, Congress exercises its proper function of determining the question as to whether or not the appropriation will benefit the commerce of the whole Nation.

Mr. SMOOT. The reason why I asked the question was that I thought perhaps I had misunderstood the Senator, because I know that in many, many cases appropriations have been made for projects where the engineers have reported against the expenditure of the money for the purpose.

Mr. VARDAMAN. Oh, that is very true.

Mr. FLETCHER. I think that is very exceptional, however. I have never known it to be done since I have been chairman of the committee, and there is nothing in this bill that is not reported favorably and recommended by the engineers.

Mr. VARDAMAN. It has happened rarely; but it has never been done until the Congress or the committee has gone carefully into the investigation and determined that it was to the interests of the American people that it should be done.

Mr. SMOOT. Mr. President, I remember a river and harbor bill here a few days ago where the engineers reported against a project, and it was discussed upon the floor here for nearly a day, and then it went over for a day, and the following morning another report came in from the engineers approving the project. We all know how it happened; and all I wish to do at this time is to see that the record is kept straight, because projects that are reported against——

Mr. VARDAMAN. Mr. President, I think that is rather an unwarranted attack by innuendo upon the integrity of the Board of Engineers. I think the Senator will concede to the Board of Engineers the privilege of changing their estimates or opinions just as much as he would arrogate that privilege to the Congress or himself. I have known Congressmen to change their opinions. I have known Senators to discuss a measure and denounce it in the cloakroom and then come out here and vote for it.

Mr. SMOOT. Yes; but, Mr. President, an engineer who has made a survey and made an unfavorable report on a project is not very likely to change his mind overnight, without any further investigation.

Mr. VARDAMAN. The engineers have not changed their mathematical calculations. They may have changed their minds with reference to the business that is transacted at the port. I recall an instance down in my State, two or three years ago, where the engineers had recommended against the appropriation for Gulfport, and the matter was investigated, and I became thoroughly convinced that one great sawmill down there would have saved more to the people in that one little community than the entire cost to the Government of maintaining that port.

Mr. SMOOT. The Senator says there was another investigation made. Nobody is complaining of that. What I complain of is that the engineers change their minds overnight.

Mr. VARDAMAN. The Supreme Court does that. Are you going to abolish the Supreme Court?

Mr. SMOOT. They do not do it without some sort of an investigation.

Mr. FLETCHER. I will say to the Senator that sometimes this happens: After the report of the Board of Engineers has been made, there come storms, there come earthquakes, there come various things to change the data; and, not only that, but frequently there come additional data submitted by the district engineers which have a distinct bearing upon the findings of the Chief of Engineers here. Those data may be delayed. They may be in transit. We have had that occur even while the bill is under consideration by the committee. Information comes in additional to what we have had respecting Hawaii, for instance. It sometimes takes a long time to get here, and the report is sometimes changed by reason of those data, which are unquestioned.

Mr. SMOOT. I will say to the Senator that in the case of the project to which I have reference there was no storm. It was very near Washington, and I remember very well that it was in the hot days of summer, and no storm happened; and I want the Senator to understand distinctly that I believe that the importunities of Senators have more effect upon the changes made by the engineers than all the storms in the world.

Mr. FLETCHER. I have never found that to be so.

Mr. BORAH. Mr. President, it is a consolation to know that Senators have influence somewhere.

Mr. RANSDELL. Mr. President, will the Senator from Utah yield for a question?

Mr. SMOOT. Certainly.

Mr. RANSDELL. I should like to call the attention of the Senator from Utah to pages 10 and 11 of the report, which show that sometimes the engineers reduce their estimates instead of adding to them.

The House made an appropriation of $2,500,000 for work on the Delaware River near the great city of Philadelphia. This appears in the report. I read from page 10, at the bottom of the page:

> While these estimates were under consideration by the Rivers and Harbors Committee of the House, a letter was received from the district engineer recommending that the amount be increased to $2,500,000. Based upon the information therein given, the recommendation was made to the Rivers and Harbors Committee that the amount to be provided for the Delaware River below Philadelphia be raised to $2,500,000, which was done.
>
> Subsequent study of the data now available indicates that the amount of $2,500,000 will be more than can be advantageously expended in the next year and a half, and, taking all things into consideration, it is believed that $1,000,000 will be a sufficient amount to be carried in the pending bill.

Then, in accordance with that recommendation, we reduced the amount, which was $2,500,000, to $1,000,000 for that great harbor there at Philadelphia, following the engineer. Now, for the change between the passage of the bill in the House and the report on the bill in the Senate, surely I do not think anyone could impute any improper motive. We got more light on the subject, and, acting with all the light which we had, we followed his advice.

Mr. LENROOT. Will the Senator yield?

Mr. RANSDELL. I should be delighted.

Mr. LENROOT. Does the Senator recollect whether the original suggestion for the reduction of the item of which he now speaks came first from the engineers or from members of the committee?

Mr. RANSDELL. I rather think the suggestion came from the members of the committee. They asked him how much balance there was to his credit on that item, and whether or not the item could be reduced. I think the Senator states it correctly; but the Senator will also bear me out in saying that we asked him similar questions about a great many other projects, and he, in many instances, said, "No, Senators; we can not reduce it." Where he could reduce, he agreed to the reduction, and the reduction was made.

I must say in behalf of the engineers, they seem to me to be a very high grade body of men, and to be very, very fair. I suppose, like all human beings, they make mistakes, but I do not think they have made very many, and they are about as unprejudiced a band of men as you can find.

Now, then, one moment more in response to what the Senator from Utah has said. There have been very few items in the past in the river and harbor bills that have not received the full approval of the engineers. There was a little project in the State of Michigan, the pet project of Senator WILLIAM ALDEN SMITH, known as Arcadia, that we have up every year, as the Senator will recall. It is not a very big matter, but it was very dear to the heart of the Senator, and it was very dear to a number of his constituents, who were fruit raisers and could not get their fruit out in any other way, very well, than by that harbor. In spite of the fact that the engineers opposed it, Congress, on the strong insistence of the Senator, put it in every year, but I should like to say that it was the exception that proved the rule. The rule was to do nothing until the project had been approved by the Engineer Corps of the Army.

Let me review very briefly how the engineers begin to make a survey. Congress passes a law authorizing a survey to be made of some specific project. Let us call it Arcadia, in the State of Michigan. That project is then surveyed by men being sent into the field—engineers—trained men. They make what is called a preliminary survey and a report. If they find that it is a pretty good thing, that it looks all right, that it can be made at a reasonable cost, that there is a fairly good commerce in prospect, they recommend it for a survey.

That preliminary report comes to the Board of Engineers for Rivers and Harbors, sitting in this city. It is a board composed of seven men of high rank in the Engineer Corps. None are below the rank of major. They look into it as well as they can and determine whether or not on the preliminary showing a real survey should be made. They make their report to the Chief of Engineers, who decides whether or not a survey should be made, and if he decides in favor he orders a full and complete survey to be made. He then sends that back to the local or division engineer who has charge of the Arcadia district. That engineer makes an elaborate survey, renders his judgment as to whether or not it is worthy of improvement, makes an estimate of the cost, states fully about the commerce, gets all the facts that he can, and submits them in a very elaborate report to the Board of Engineers for Rivers and Harbors, the same board which acted first upon the preliminary report.

That board frequently has hearings. It invites the friends of the project, if they wish to be heard, and the enemies of the project, if they wish to be heard, to come before it, and, in fact, it sits as a court to determine whether or not a favorable report should be found on that project. After a full and fair hearing, it decides adversely or favorably. If it decides favorably, the matter is sent then to the Chief of Engineers, who in turn recommends it to Congress. If it decides adversely, it stops right there. I say to Senators that in ninety-nine cases out of a hundred, if the Board of Engineers for Rivers and Harbors and the Chief of Engineers decide adversely, that stops it. There have been exceptional cases, as I said before, when we overruled their adverse action. Now, I do not see how we can proceed much more cautiously than we do in those instances.

Mr. SMOOT. May I ask the Senator a question?

Mr. RANSDELL. I will be glad to answer it if I can.

Mr. SMOOT. Is it not true that when the river and harbor bills have been before the Senate, Senators have risen and offered amendments for a survey of this project, a survey of that project, and a survey of the other project, and it has been readily accepted upon the floor, and that then the survey is made, at whatever cost may be attached to it? Then after it is surveyed, of course, the rule has been to report favorably upon the project. Is not that true?

Mr. RANSDELL. I think there has been rather a liberal acceptance of the desire of Senators for surveys. Yes, I think the Senator from Utah states that correctly. There has been a disposition when a Senator asks for a survey to give him a survey, but when that was placed before the engineers the preliminary survey was made, and I am informed that about 60 per cent of the surveys are turned down on the preliminary survey by the local engineer; they never pass beyond the preliminary stage; he says they are unworthy, and the Board of Engineers for Rivers and Harbors never order the regular survey. That is the process. Only a moderate percentage of the surveys ordered are ever passed upon favorably by the Board of Engineers and the Chief of Engineers, though, as the Senator has stated, we have been rather liberal in ordering them, knowing that it will be a very small expense to make the preliminary survey.

I will tell the Senator how that is done. A preliminary survey is ordered for some stretch of a river, say a hundred miles. The engineer rides over that stretch in an auto if he can, if there are roads alongside the river. He will go in a skiff if there be no boat, and ride up and down in a skiff. If there are boats running he will go up and down the stretch in a boat. A few hundred dollars at the outside is all that the preliminary survey costs. As the Senator from Florida [Mr. FLETCHER] suggests to me, most of it is done from data which he has in his office.

Mr. SMOOT. I am rather surprised at the statement made by the Senator from Louisiana that 60 per cent of the surveys are turned down by the engineers.

Mr. RANSDELL. I can not give the exact figures, but that is my recollection. I will get the exact figures, if the Senator would like to have them, from the report of the Chief of Engineers, and put them in the RECORD. My recollection is that it is 60 per cent.

Mr. SMOOT. The Senator's recollection is perhaps not any better than mine, and my recollection is, as I stated, that a great majority of the cases were approved.

Mr. RANSDELL. No, Senator.

Mr. SMOOT. But let that pass without any further discussion.

Mr. KING. If the Senator will pardon me, I have had some investigation made and my information is that 2,096 projects within a given period were investigated and 1,890 of them have been accepted.

Mr. SMOOT. Of course.

Mr. RANSDELL. Where did the Senator get that information, please?

Mr. KING. My secretary made the investigation.

Mr. RANSDELL. I would rather have, if you please, the report of the Chief of Engineers. Your secretary undoubtedly is correct, but did your secretary have before him all the orders for surveys? I will state that your secretary had before him only such projects as had appeared in the book, and those that are turned down never appear in the book.

Mr. KING. That may be true.

Mr. RANSDELL. I am right about that, Senator.

Mr. SMOOT. I can not say whether there are 60 per cent or 70 per cent of them turned down, but I can say that I have understood that there was a majority of them that were approved, and I thought that the policy in the past of Senators getting up on the floor and moving that a certain project be surveyed, with no opposition whatever to it and no questions asked—and it was done just as long as a Senator requested that it be done—ought at least from now on to cease.

Mr. RANSDELL. I will state to the Senator, if he will pardon me, that a great many of the projects which have run the gauntlet of the Board of Engineers for Rivers and Harbors and the Chief of Engineers, and received their absolute approval, have been pending for years and years here without ever having been approved by Congress. They were reported favorably, but we never have adopted them. Take the one before us now—Tenants Harbor. That was favorably reported in 1912, nearly seven years ago, but we are just now acting upon it. Many of these projects were reported favorably years and years ago, but we did not include them in the bill; we did not make provision for them.

Mr. SMOOT. I felt that when Congress orders a survey the engineers would take that as an expression of the desire of Congress that something should be done upon the project, and I felt that that more than likely has swayed the judgment of the engineers in many cases. I hope it has not, I will say to the Senator, but I am fearful that it has done so.

Mr. RANSDELL. I will say to the Senator that that is only a preliminary survey. We have done that always with the understanding that there shall be first a preliminary survey. That is the policy of the statute and it is the practice.

Mr. SMOOT. Mr. President——

Mr. FLETCHER. May I interrupt the Senator with just a suggestion? The engineers would not venture to make a survey of any river or harbor or waterway unless it was requested to do so by Congress, and there would be no way at all of ever bringing the matter to their attention except through the action of Congress.

Take, for instance, a Senator who knows his own State, who knows the rivers and harbors there, the possibility of waterway development, and all of the advantages of transportation. Knowing those things the Senator says upon his responsibility here, "I know a certain river or waterway of my State, and I believe that it can be developed to the advantage of the commerce and the public. I want to have it investigated."

Now, why should we not accept the Senator's statement about his own State and the condition of a waterway in his own State to the extent of at least allowing him to have the engineers investigate that waterway? That is all the survey means. They investigate it. They can do that in their own office. They have plats and maps of all the rivers and harbors of a certain district. They can probably sit in their own office and tell exactly the depth of a stream, the width of it, the probable formation, whether it is rock or mud or sand underneath, and arrive at a pretty definite idea as to whether or not that project is worthy of improvement. Then they can, by correspondence from their office, obtain from the people along the waterway and in that vicinity a definite idea as to the amount of commerce that might pass over the stream or that would be developed by the improvement of the stream and furnish that information to Congress. I do not think it is unreasonable for us to take the statement of a Senator regarding a waterway in his State which he believes to be worthy of improvement and asks Congress to have an investigation made. That is all he does.

Mr. SMOOT. Is that what the Senator would call a preliminary survey?

Mr. FLETCHER. A preliminary survey.

Mr. SMOOT. Is that all the work that is done upon a preliminary survey?

Mr. FLETCHER. It is. Then, as the Senator from Louisiana has said, if the engineer reports favorably upon a preliminary survey and believes that there is merit in the project as a developed scheme he reports that to the Board of Engineers for Rivers and Harbors, and if they agree then they order him to make a further investigation and an estimate of the cost. In the first preliminary survey he has probably not made much of an estimate of cost, but then he goes into the field and makes soundings and makes an investigation on the ground and submits an estimate of the cost and ascertains what the commercial justification is and reports it to the Board of Engineers again, and they then in view of the expense of the project, in view of the conditions furnished by the data and the latest information, decide whether it is worthy of improvement or not, and so recommend to the Chief of Engineers. That is the process; and while we are liberal about these surveys we should consider that they merely call for an investigation, and the total amount carried in this bill for all these surveys throughout the country is, I think, $250,000.

Mr. KENYON. That was raised over the House amount.

Mr. FLETCHER. It was raised over the House amount because the Chief of Engineers advised us that he was doubtful whether he could get through with the surveys with $150,000, and that includes Hawaii and Porto Rico and every foreign possession.

Mr. KENYON. Were the surveys in the bill as it came from the House placed there in the way the Senator states by Members of the House asking for a survey?

Mr. FLETCHER. I think the usual way there is the usual way here, that a Member will submit an amendment and have it referred to the Committee on Rivers and Harbors, and here a Senator will submit an amendment and have it referred to the Commerce Committee, and then they pass upon the question. The Rivers and Harbors Committee of the House reports upon the surveys.

Mr. KENYON. The Commerce Committee of the Senate allows any survey that any Senator may desire. That is true.

Mr. FLETCHER. I can not say that that is absolutely true.

Mr. KENYON. Even though the river might be entirely within a State.

Mr. FLETCHER. I would not say that.

Mr. KENYON. It is an unwritten law.

Mr. FLETCHER. I would not say that it would allow any survey that anybody might suggest, but if a Senator states that, in his opinion, a survey should be made, and upon his responsibility urges it, and gives the committee information such as to make them believe there is not a waste of time and money in the project, the committee would adopt it.

Mr. KENYON. Has there ever been any refusal?

Mr. FLETCHER. I think there have been some.

Mr. SMOOT. I can not recall one.

Mr. FLETCHER. I think our committee rejected a few of them.

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Utah yield to the Senator from Florida?

Mr. SMOOT. In a moment. The plan as suggested I have no doubt is what has been the practice for years and years. But when I consider that that practice brought forth the expenditure of public moneys upon such rivers as the Big Sandy in Kentucky, for instance, that cost the Government of the United States for floating a tug on it $350 more than the whole tug is worth anywhere in the world, I rather lose faith in the survey, and in the judgment of the engineers who would pass upon such a proposition.

I have nothing more to say on this question until I discuss the cost of transportation on the different rivers of the United States.

COURT-MARTIAL SENTENCES.

Mr. BORAH. Mr. President, I see some members of the Committee on Military Affairs present. I do not want to delay the pending bill, but I want to ask for information. It will take but a moment. In the report in this morning's Washington Post with reference to the facts which were disclosed yesterday as to court-martial proceedings, I find some statements which must be a surprise to all who may read them.

What I desire to ask of the members of the Military Affairs Committee—the Senator from New Jersey [Mr. FRELINGHUYSEN] I see is present—is whether or not the names of the men who assessed these unconscionable judgments against the delinquents are to be given, so that we may know who they are? We may possibly have reason to deal with them hereafter.

Mr. FRELINGHUYSEN. Mr. President, the hearing yesterday before the Military Committee was on a bill introduced by the Senator from Oregon [Mr. CHAMBERLAIN] to reform the present system now carried on by the Judge Advocate General's Department, in order to give that department wider powers of review.

Mr. BORAH. Yes; I understand that.

Mr. FRELINGHUYSEN. Gen. Ansell, the Acting Judge Advocate General, appeared before the committee, recommending wider powers of review for the Judge Advocate General's office, and made some statements to the committee regarding a number of cases where he believed grave injustice had been done, but that, owing to the system, it was impossible for the Judge Advocate General to review, revise, or mitigate the sentences. The committee asked for the names of the soldiers who had been convicted, and it was decided by the committee that their names should be withheld from the record, but that they should be given to the chairman of the committee and that

information be held by the committee for the information of the committee or of any Senator who might desire to know the names. The names of the officers of the court-martial who imposed the penalties were not asked. I will say to the Senator from Idaho that undoubtedly, if that information is desired, it can be procured from Gen. Ansell, who is the Acting Judge Advocate General.

Mr. BORAH. Mr. President, I hope that the committee will ask for the names of these officers.

Mr. CHAMBERLAIN. May I say to the Senator from Idaho, in addition to what the Senator from New Jersey [Mr. FRELINGHUYSEN] has stated, that we have not yet finished with Gen. Ansell? We resume the hearing to-morrow. It is impossible to anticipate the questions which will be asked him, but it is our purpose to try to elicit that very information. I am very glad that the Senator from Idaho has suggested it.

Mr. BORAH. Precisely. I was not asking the question by way of criticism. I merely suggested it so that the committee would know that some Members of the Senate who are not members of the committee have desired the information and would like to have it when the committee finally gets through.

Mr. CHAMBERLAIN. I do not understand that the Senator from Idaho has indulged in any criticism. As a matter of fact, I am very glad to have any suggestions, and I know the members of the committee will be glad to have any suggestions from Members of the Senate as to the course that this investigation should pursue.

I think the Senator, when he reads the very able discussion of the legal side, the legal phases of the Articles of War, will be very much interested in Gen. Ansell's testimony. In the last analysis, one of the very great differences is a difference between lawyers as to the construction of a certain provision of the law. Gen. Ansell and those who agree with him insist that the Judge Advocate General's Department has power to revise and review the proceedings of courts-martial, while others in the same branch of the service still hold that the law does not give that power. It is the lack of proper construction, I think; and I am disposed to agree with Gen. Ansell's construction of it. The Senator from Idaho may agree with the other construction of it. It is the lack of putting the construction on the law that Gen. Ansell and those who agree with him have put on it that has led to these hardships.

Mr. BORAH. Mr. President, I am thoroughly in accord with the Senator's bill and the view which he takes in regard to revising the entire system of dealing with conditions such as are now dealt with under the old system.

Mr. NORRIS. Mr. President——

Mr. BORAH. Just a moment. But, Mr. President, there is lying back of this another proposition in which I am interested. When a man assesses a punishment, such as has been assessed in numerous instances for the slightest dereliction of duty, it is not all due to the default of the law; there is a default in the man.

I have information, which comes to me direct, and from an authority in the War Department who examined the record and who knows whereof he speaks, such as this: A boy was ordered to peel potatoes, which he declined to do, and was sent to the penitentiary for 20 years by a court-martial. The man or men who assessed that punishment are dangerous members of society. They would commit murder if the place were secret enough so that the miserable cowards would not be intercepted in the deed. Militarism in the United States is just as objectionable to me when it is based upon such infamous practices as it is in Prussia.

Mr. NORRIS. Mr. President——

Mr. BORAH. I yield to the Senator from Nebraska.

Mr. NORRIS. While the Senator from Idaho [Mr. BORAH] was on the subject, I wanted to ask the Senator from Oregon [Mr. CHAMBERLAIN] or the Senator from New Jersey [Mr. FRELINGHUYSEN], both of whom are members of the Military Affairs Committee, whether the summary of the testimony given yesterday before that committee is correctly portrayed in the Washington Post of this morning?

Mr. CHAMBERLAIN. I should not like to say. I have not read the Post's account of the hearing; I have not had time to read any of the newspapers; but the Senator from Nebraska knows pretty well that in the main, when these hearings are had, the newspapers get a pretty general statement of the salient facts. They may sometimes bring out that which is most human and which attracts the most attention, and not bring out some little matter that would measurably explain it; but, as a general rule, they get the facts.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. NORRIS. I do.

Mr. KNOX. If the Senator will permit me, I should like also to help answer that question. I have thoroughly read the article in the Washington Post, and, of course, I heard the testimony as a member of the committee. I desire to say that this is one case where the newspaper has not exaggerated at all. Some of the worst specific cases referred to by Gen. Ansell are not even referred to by the Post.

I remember one case in particular, where, for the most trivial offense, a boy was given a 40-year sentence. Another case which I think was mentioned in the Post I shall not repeat; but I reassert the statement I made a moment ago, that there is no exaggeration in the newspaper account.

My own personal attitude in the committee was that these names should have been disclosed. These court-martial proceedings are matters of public record; any Senator can send to the War Department and get a copy of the record, which not only discloses the name of the soldier who is tried but the names of the officers who tried him. I can see no reason why such proceedings should not be produced before the committee, and I think that ultimately the committee would have taken that action, whether its attention had been called to the matter or not.

Mr. NORRIS. Mr. President, since the Senator from Pennsylvania [Mr. KNOX] has stated that the report in the Washington Post of this morning is correct, or at least is not exaggerated, I think it would be very appropriate that what the Post said should be read in connection with his statement. So I desire to read a part of it.

Here are a few not isolated cases cited by Gen. Ansell as disclosing the system of punishment followed by the Army during the war.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from New Hampshire?

Mr. NORRIS. I yield.

Mr. MOSES. Doubtless there are some Senators present who have not had the advantage of reading the Washington Post this morning, and instead of having isolated cases picked out of the summary which is printed in the Post I ask that the entire article be read.

Mr. NORRIS. I think that is a good suggestion. I will send a copy of the Post to the Secretary's desk and ask that the entire article be read. Some of it does not pertain to the punishments, but I had just as lief as not have it all read.

The PRESIDING OFFICER. Is there objection?

Mr. FLETCHER. Mr. President, I dislike to object to the reading of this article, but everyone here can read it as well as the Senator, and what is the use of taking up time in reading articles from newspapers?

Mr. NORRIS. Mr. President——

Mr. MOSES. Of course, it is much more important to improve rivers and harbors than it is to get our boys out of prison.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Florida?

Mr. NORRIS. I do.

Mr. FLETCHER. I think if the Senator from Nebraska will read merely the part of the article which he desires to speak about that will be all that is necessary.

Mr. NORRIS. All I cared to read was a few of the cases mentioned in the Post; but if there is any question about it I am perfectly willing that the whole article shall be read.

Mr. FLETCHER. Of course, the Senator is willing that shall be done; but there is no use taking up the time to do it.

Mr. NORRIS. The fact is that, if this article is not read, the RECORD will not disclose just what these particular cases are, and a member of the committee has stated that the report in reference to them is not exaggerated.

Mr. FLETCHER. Well, go ahead.

Mr. CHAMBERLAIN. Mr. President——

The PRESIDING OFFICER. Is there objection to the reading of the article? The Chair hears none.

Mr. CHAMBERLAIN. Just a word, Mr. President. I wish to make a suggestion and not an objection.

Mr. President, I think it is hardly fair to put one side of this controversy in the RECORD now and have the American people measurably prejudge the case. I really do not know what Gen. Crowder's attitude is in reference to the matter. He is the chief; and it seems to me, without siding with either side further than what I have stated as to my construction of the law, it would be fairer to wait at least until Gen. Crowder makes his statement.

Mr. KNOX. But, Mr. President——

Mr. NORRIS. Just let me state in this connection that before I asked for the reading of the article I specifically inquired of members of the committee who heard the testimony as to whether or not the article was truthful. I would not have asked for its reading if it had not been substantiated in that way; but, being substantiated as it is by members of the committee, then it seems to me that it is perfectly proper to read it.

Mr. KNOX. Mr. President——

Mr. NORRIS. I yield to the Senator from Pennsylvania.

Mr. KNOX. Incidentally I wish to say in reference to the last remark that I did not intend to indicate that everything in the article was correct. I said it was not exaggerated.

Mr. NORRIS. Yes.

Mr. KNOX. There may be some inaccuracies in the article, but testimony given is not in the article; so that, upon the average, it is a nonexaggerated article.

I should like to call the attention of the Senator from Oregon [Mr. CHAMBERLAIN] to the fact that I do not regard the difference of opinion between Gen. Ansell and Gen. Crowder as to the appellate jurisdiction or the right to revise by the Judge Advocate General's office as at all involved in this matter. Gen. Crowder's construction of the law did not procure the excessive and barbarous sentences which were imposed upon our men in France and in this country. The whole question is whether those excessive sentences can be reviewed? That is purely and simply a question of law under the existing statute. The fact is that they were reviewed, and in all of the very extreme cases to which this paper has referred the sentences were very much reduced by the reviewing authority.

Mr. NORRIS. Yes; the article shows that on its face.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from West Virginia?

Mr. NORRIS. I yield.

Mr. SUTHERLAND. I should like to call the attention of the Senator to the fact that all the testimony in this hearing was taken down by stenographers, is now being revised by those who testified, and will soon be in print and available for every Senator's use. It may be more accurate to take out of the hearings, which will give accurately that testimony, such parts as would best illustrate the point the Senator wishes to make and spread them upon the RECORD, rather than to take a newspaper account which is not quite so accurately taken.

Mr. NORRIS. Mr. President, I repeat that I do not want to do anybody any injustice. I had read the article in the Post, but I did not ask for its reading at the desk until I had first obtained the testimony of Senators who were present in the committee and heard the testimony, and they are agreed, so far as I have been able to find out—and have so stated on the floor of the Senate—that at least this report is not an exaggerated story. When the testimony is all in, it will be in volumes. We could stop and read it all if we wanted to do so, but everybody knows we would not want to put that all in the RECORD. If, however, this testimony is correct—and Senators say it is not an exaggeration—then it ought to be in the RECORD in connection with the remarks that have been made by Senators on the subject.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Ohio?

Mr. NORRIS. I yield to the Senator.

Mr. POMERENE. I thought the Senator had yielded the floor.

Mr. NORRIS. No; I want the article read as part of my remarks.

Mr. POMERENE. I simply desire to make a brief statement. Like the Senator from Idaho [Mr. BORAH], I was very much shocked at the account in the Post this morning, and I confess I was a little disappointed when the Senator from Pennsylvania [Mr. KNOX] arose and said that it was not an exaggeration. I had hoped, for the sake of the Army, that it would prove to be an exaggeration.

Mr. NORRIS. So did I.

Mr. POMERENE. But in view of the statement that has been made this early in the consideration of this subject, I want to indulge the hope that the men who assessed those severe penalties will be dismissed from the service.

Mr. FRELINGHUYSEN. Mr. President——

Mr. NORRIS. I yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. The hearings are not as yet completed; there are many other witnesses to be called. I think the point that the Senator from Nebraska makes is whether the names of the officers constituting the courts-martial will be included in the RECORD, and whether they will be available.

Mr. NORRIS. No; I did not make that point; that is not included in what I am trying to get at. This article in the Post does not give any names except the name of the witness who was testifying; that is the only name given in connection, at least, with the punishments inflicted. I thought, since the matter was up in the Senate and we had a story in the Post that is correct, that the newspaper report itself ought at least to be printed in connection with the remarks that have been made. I therefore ask that the Secretary read the article in the Post.

The PRESIDING OFFICER. Is there objection to the reading of the article? The Chair hears none. The Secretary will read as requested.

The Secretary read as follows:

ARMY SYSTEM CRUEL—SENATORS AMAZED AT STORIES OF COURT-MARTIAL BARBARITIES—DEATH FOR MINOR OFFENSES—DISPUTE OVER PACKAGE OF CIGARETTES BRINGS 40-YEAR SENTENCE—PETTY OFFICER BRANDED "DAMN FOOL" BY SENATOR THOMAS—EXECUTION FOR MAN WHO VISITED DYING FATHER—FIFTEEN YEARS FOR GOING TO SEE SICK BABY—GEN. ANSELL BITTERLY COMPLAINS OF ABUSE OF POWER.

Amazing revelations of barbarous injustice done to American soldiers by courts-martial as a result of strict adherence to an obsolete and faulty system of "red tape" condemned by the United States Supreme Court were made yesterday by Gen. Samuel T. Ansell, Acting Judge Advocate General of the Army, testifying before the Senate Military Affairs Committee.

Urging prompt action on Senator CHAMBERLAIN'S bill to revise the procedure of courts-martial, Gen. Ansell arraigned the methods practiced during the war as "shocking" and "intolerable." The committee became fairly ablaze with indignation and disgust as the general recited case after case of inhuman penalties inflicted upon soldiers for the most trivial offenses.

DEATH FOR REFUSING TO DRILL.

Here are a few, not isolated, cases cited by Gen. Ansell as disclosing the system of punishment followed by the Army during the war:

The death penalty was imposed upon an American soldier in France who pleaded guilty to a charge of refusing to obey an order to drill. The soldier insisted he was ill and physically unable to obey. The military authorities in France demanded execution of the man, but he was saved by Executive clemency.

A court-martial sitting in this country ordered the death penalty inflicted upon a soldier who went to the bedside of his dying father without leave. He returned to duty as soon as his father died. The man was saved by interference from Washington.

FORTY YEARS OVER CIGARETTES.

A sentence of 40 years was imposed upon a young soldier in the Army only a few days ago because he refused to give up a package of cigarettes to his superior officer, a second lieutenant. "A company row" was the way Gen. Ansell characterized the incident, blaming the officer practically as much as the soldier.

A soldier convicted of having a pass in his possession was sentenced to dishonorable discharge, forfeiture of pay, and imprisonment for 10 years. This was later reduced to three years. The soldier has already served two months, and Gen. Ansell recommended the suspension of the remainder of his sentence.

Dishonorable discharge, forfeiture of pay, and 40 years' imprisonment, afterwards reduced to 10 years, was the sentence pronounced upon a man for absenting himself without leave.

15 YEARS FOR SEEING SICK BABY.

A private who went home without leave to see his wife and sick baby, in destitute circumstances, was sentenced to 15 years' imprisonment. This was later reduced to three years.

While the Secretary of War was insisting upon a strict adherence to the system which made such sentences possible, according to Senator FRELINGHUYSEN, of New Jersey, a policy of the utmost leniency was being applied to "conscientious objectors" who refused to fight.

Senator FRELINGHUYSEN told the committee he was receiving large numbers of letters from troops in the camps complaining that the conscientious objectors were being dealt with lightly; that they were being discharged and sent home with "a new suit of clothes and a bouquet in their buttonhole."

WANT BAKER TO EXPLAIN.

"What has been the policy of the War Department toward the conscientious objectors?" asked Senator FRELINGHUYSEN.

"May I be excused from answering?" asked Gen. Ansell. "It would be embarrassing."

"The Secretary of War can tell us about it; we'll have him up here and ask him," Senator CHAMBERLAIN said.

"Maybe he'll have objections," commented Senator KNOX, of Pennsylvania.

"Conscientious, I suppose," observed Senator FRELINGHUYSEN.

Gen. Ansell's testimony brought to light a bitter feud which has been raging in the War Department for many months over the powers of the Judge Advocate General's office to review and modify the findings of courts-martial.

DISPUTE OVER AUTHORITY.

Gen. Ansell asserted that the cases of injustice became so numerous and flagrant during the war that he made a careful reexamination of the powers of his office and discovered an old law, passed in 1862, which he interpreted as giving him authority of revision and review.

Gen. Crowder, the regular Judge Advocate General, disagreed with him in this view, holding that the Judge Advocate General had no such authority, and the Secretary of War sustained the position of Gen. Crowder. Gen. Ansell presented several briefs to uphold his contention and admitted that he had found it necessary "to break away from the practice which the strict ruling of the Secretary would have required."

ACCUSES STAFF OF ABSOLUTISM.

In one of his briefs he charged the General Staff with "professional absolutism" and called the system of dispensing justice "an anachronism."

"That is rather broad language," the general said to the committee, "but justice required that I fully state my views."

What finally forced the issue in the War Department over the powers of the Judge Advocate General's office in courts-martial cases was the instance of 12 noncommissioned officers dishonorably discharged and

sentenced to imprisonment of three to seven years each because of a minor dispute with a young lieutenant just out of West Point, the general explained. He declared the procedure in this case "unfair."

ANSELL SHOCKED BY SENTENCES.

The general told the committee that the Judge Advocate General's office was "full of strange inconsistences," and that its practices were "without thoughtful consideration of the law."

Gen. Ansell stated that he could recall several instances where his recommendations in courts-martial cases were turned down by the Genearl Staff and the Secretary of War. The courts-martial, he said were dominated by the commanding officer which convened them.

"Sentences have been imposed," said Gen. Ansell, "that have shocked my every sense of justtice. Some of them have reached the very height of injustice, bearing no reasonable relationship to the offense committed."

SYSTEM CREATES BOLSHEVISTS.

Gen. Ansell related the case of a young soldier, enlisted on October 28, who was tried by court-martial on November 23, less than 30 days after he had entered the Army. The soldier had been detailed to kitchen duty. A second lieutenant caught him smoking a cigarette, which is against the rules while a man is on kitchen duty. He ordered him to turn over the entire pack of cigarettes. The soldier demurred in rather vigorous language. He was tried by court-martial and sentenced to 40 years' imprisonment.

"Any system that will permit a thing like that is absolutely un-American," burst out Senator THOMAS. "It will make Bolshevists out of all that man's relatives."

OFFICER "DAMN FOOL," SAYS THOMAS.

Gen. Ansell held the officer largely to blame, "because he had not adjusted himself to the necessities of the situation." Senator THOMAS referred to the officer as a "damn fool."

"You do not want that to go into the record, do you?" inquired Senator CHAMBERLAIN.

"Yes; I do," said Senator THOMAS. "He was a damn fool."

Gen. Ansell said he hoped when the convening authority saw his recommendatiton in the case he would take some rather drastic action. But, he added, he knew of an equally flagrant case where the court refused to reduce below 10 years an original sentence of 40 years.

"I can well understand," commented Senator THOMAS, "why it is that in peace time we can not keep our Army complement up to requirements."

MEN EXECUTED WITHOUT APPEAL.

While the controversy was raging in the War Department over the extent of the Judge Advocate General's authority, men were actually being executed without the slightest opportunity for an appeal for clemency. As an instance of this, Gen. Ansell cited the case of the Houston riots. Negro troops were tried in several groups. The first group of 15 was tried and executed a few hours after sentence of death had been passed. No notice of the action of the court-martial was given to the Judge Advocate General's office.

The general was asked for a comparison between the American court-martial methods and those of the armies of other nations.

He declared they were much harsher than those of Great Britain and France; in fact, he said, they were harsher than any except the armies of Russia, Prussia, and Spain. He called the methods "intolerably severe."

Senator FRELINGHUYSEN asked the general about the advisability of a general amnesty to straighten out the injustice in the Army. Gen. Ansell didn't think this would be the proper course. The general also opposed any plan to delegate the reviewing authority to the President, inasmuch as the President, in turn, would have to delegate it to some subordinate. He thought the power should go to the Judge Advocate General's office. He wanted authority given so that action would be prompt and not delayed, as in the case of the Houston negroes, so that the finding of the court-martial was reviewed after the negroes were hung.

DEATH FOR VISITING DYING FATHER.

When Gen. Ansell gave his list of horrible examples of injustice in the findings of courts-martial, he was frequently interrupted by indignant outbursts from Senators. One convening officer, he told the committee, gave himself credit with great leniency, because he reduced from 40 to 10 years the sentence of a soldier convicted of being absent without leave for several days.

"Very tender-hearted gentleman," commented Senator THOMAS.

The general related in detail the case of a young soldier who went home without leave to see his dying father. He hurried back to camp as soon as his father died, and was sentenced to death. The sentence was not carried out, because of Executive clemency.

MOST INJUSTICES IN UNITED STATES.

"You should have court-martialed the court-martial," said Senator KNOX.

"The court-martial couldn't see the human facts behind that case," said Gen. Ansell.

"What ever became of that boy?" Gen. Ansell was asked. He didn't know.

"His mother probably has joined the Bolsheviki," said Senator THOMAS.

"And his father probably has, too—in another world," commented Senator FRELINGHUYSEN.

Most of the instances of injustice occurred in the United States, but the general cited some from France, too.

THIRSTED FOR MORE POWER.

He told the committee the American military authorities in France were dissatisfied with their powers in court-martial proceedings, and wanted the War Department to enlarge the number of cases under which the death penalty could be inflicted without reference to Washington.

Two men in France were tried for sleeping at the post of duty. They had been on duty all night for five consecutive nights, and could not sleep in daytime because wood was being chopped in their dugout for the commanding officer's quarters. They were sentenced to death, and were saved only by the narrowest margin, because of the insistence of the military authorities in France on carrying out the sentence.

DEATH SENTENCE ON OWN PLEA.

Two other men were sentenced to death because they refused to obey orders. One of them refused to obey an order to shoulder his rifle for drill. He declared he was physically unable to obey the order because of illness. The other man merely pleaded guilty and was sentenced to death on his own plea, the general stated.

The Judge Advocate General's office has examined between 18,000 and 20,000 court-martial cases. The committee is going to call upon the War Department for a complete list of cases and for a statement of the number of men now held prisoners in the Army. Gen. Ansell will resume his testimony to-day, and will be followed on the stand by Gen. Crowder and Secretary Baker.

Mr. THOMAS. Mr. President, inasmuch as the account published this morning has been read into the RECORD, I think it is desirable that I should call attention to just one or two statements which may be misleading.

The general account of yesterday's proceedings is correctly set forth, but reference is made by the writer of the article to what he terms the development of a bitter feud in the Judge Advocate General's office, or in the War Department, I do not recall which. I think that is stating it much too strongly. There is, of course, a serious difference between those who defend the present method of court-martial procedure and those who would modify it and make it more humane. It is, as far as the examination has gone, one of those natural differences which, when seriously advocated or defended, produce some little feeling; but I do not think it is correct to say that a bitter feud, or any feud, has developed in that department.

This is about the only comment I care to make in connection with the article.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. LENROOT. Mr. President, in the discussion of this bill which has gone on this morning some criticism has been directed against the Board of Engineers of the War Department for what is claimed to be its very liberal attitude in making favorable reports upon projects that have been submitted, and criticism has been directed elsewhere against the Board of Engineers for this practice upon its part. As a general rule, I do not think that the Board of Engineers is properly subject to this criticism, although very often as we read reports upon proposed projects we may believe that the benefits that may grow out of the prospective commerce to be secured through the expenditure of a given amount of money are not commensurate with the cost.

But, Mr. President, the question of how much commerce will justify a certain amount of expenditure is very largely a matter of public policy, and that public policy has been determined by the Congress itself; and so long as we find Congress, year after year, appropriating money for maintenance upon some of our rivers where the cost to the Government is sometimes several dollars for every ton of commerce that is carried upon that river, we are not in a very good position to criticize a board of engineers if they, to a certain degree, adopt the policy that has been adopted by Congress.

I have in mind, Mr. President, one river where, according to the report of the Board of Engineers, the amount expended by the Government for maintenance upon a certain portion of that river where there was no improvement going on amounted to $8 for every ton of commerce that was carried over that stretch of the river. Now, as long as Congress goes on and says that expenditures are justified where the benefits are so little, the Board of Engineers ought not to be criticized if it is somewhat liberal in making favorable reports, for it is following the policy of Congress, which it is the duty of the Board of Engineers to do.

Another reason for this is that Congress itself, in river and harbor bill after river and harbor bill, has gone upon the theory that if an expenditure of public money upon a river or harbor will result in a reduction of railroad rates the expenditure is justified, although not a ton of commerce may be carried over that river or harbor.

That has always been, it seems to me, Mr. President, an incorrect public policy. Commerce ought to take the channel that is most economical. To say that we will expend money upon a river for the sole purpose of reducing railroad rates, where those who live in the interior will have to make up for the loss to the railroad by reason of it, can not be defended for a single moment, especially as we have the Interstate Commerce Commission, a body created by law for the purpose of seeing to it that we have fair, just, and reasonable rates. It is true that the expenditure of money upon rivers and harbors has resulted in a reduction of railroad rates, and we thereby destroyed or prevented the commerce that otherwise would have come through improvements which we have made. But that ought not to be permitted. I think it will not be permitted in the future, in so far as the waterways of this country are concerned. Where naturally the cheapest way is for those

waterways to be utilized for commercial purposes the railroads ought not to be permitted, through reducing their rates to less than the cost of transportation, to prevent the utilization of those waterways.

But, here again, that is the policy which has been adopted by Congress, and in the report of the Board of Engineers upon every project in every one of these hundreds or more of projects we have a paragraph as to the effect upon railroad rates by reason of the improvement. When it is found that the expenditure of public money upon a river or harbor has resulted in a reduction of railroad rates, it is then taken for granted that therefore the improvement stands justified.

The Board of Engineers of the War Department is not to blame for that. Congress itself is to blame for that policy which has been undertaken. So I do not believe, as a general rule, criticism of the Board of Engineers is proper. The fault lies with us, and has always been with us, for inaugurating and continuing any such public policy.

So far as the present bill is concerned, I do not believe it will be possible, Mr. President, nor do I believe it an opportune time to attempt to reorganize this system and adopt a different and what seems to me a correct public policy.

So far as new projects are concerned in the bill, so far as improvements under existing projects are concerned, we have before us the problem of unemployment just as we had the other day upon the good-roads bill. I believe it is proper and right for the Government at this time to undertake desirable although not absolutely necessary public improvements, so as to furnish a reservoir for the unemployment that is upon us and which in all probability will increase. That reservoir, however, ought not to be such a reservoir as will furnish the most attractive employment in the land. It ought not to be such a reservoir as will attract men from private industry to Government work of this character. It ought to be just the reverse. We ought to furnish this reservoir; we ought to go on with these public improvements, but they ought to be so managed that, so far as unemployment is concerned, they will go from this public employment to private employment just as rapidly as it can be secured.

Later on, when we have concluded the committee amendments, Mr. President, I shall offer an amendment providing that no work shall be undertaken upon any new project appropriated for in the bill unless at the time of undertaking such work the Secretary of War shall be of the opinion that, based upon the then cost of doing the work, the project can be completed at a cost not greater than 40 per cent in excess of the original estimate of cost made in the report.

I shall do that because it is very clear that with the $45,000,000 of balance unexpended, and the $30,000,000 or more appropriated in the bill, we will have more Government work going on this next summer than contractors can well and easily take care of.

There are provisions in the bill which no doubt will be discussed later on for the construction of a certain number of Government dredges, a provision I am heartily in favor of. But it is a matter of some importance that members of the Dredge Owners' Protective Association after these amendments had been adopted came before the Committee on Commerce and asked for a change in these provisions, so that the department would not be compelled to construct those dredges. They stated as their reason that as to a particular project for which the dredges are proposed to be constructed, they could do it cheaper than the Government. I do not doubt for a moment that to prevent the construction of Government dredges to prevent coming into competition with the Dredge Owners' Protective Association they would complete the given project at a very much less cost than it would otherwise be constructed for, if thereby they could defeat the construction of Government dredges which would hold their prices down to a reasonable basis.

Unless we have some limitation upon the cost of these new improvements in the bill, we are going to find many contractors in the country continuing war profits out of the Government in the doing of this public work. It ought to be a matter of some interest that excessive profits should be prevented, and when we say that we will permit these projects to go on at a cost not greater than 40 per cent in excess of the estimates we have allowed, it seems to me to be a very reasonable and generous margin.

The Senator from New York [Mr. CALDER] a week or two ago made some statements coming under his own personal experience and observation as to the additional cost of building and construction now as compared with prewar times. He stated, as I recollect, that cement which prior to the war cost $1 per barrel now is selling for $3 per barrel. A great many thousand barrels of cement will be used in the construction of the dams and locks provided for in the bill. Will anyone say that the Government should encourage an increase of 300 per cent in the price of cement? What is the result if the Government shall do that? Are we going to encourage private building by keeping up these prices where there must be an enormous and outrageous profit to the makers of cement that enters so largely in building?

What is true of cement is true of many, many other materials. If we put a limitation such as I have suggested, of 40 per cent, it will not mean that the work will not go on; it will mean that some men will be cut down to a reasonable profit; that is all.

It is estimated by the Board of Engineers, Mr. President, that the labor cost in this river and harbor work, generally speaking, is about 50 per cent of the total cost. This 40 per cent estimate of increase would allow the payment of wages at the going rate. It would mean that the cost of material where excessive profits are being made will have to come down, and it ought to come down. It would mean that the profits of contractors taking these contracts from the Government will come down and ought to come down in many, many instances.

Mr. FLETCHER. What effect would that have on the wages of labor? How would they be affected?

Mr. LENROOT. As to that, I stated a little while ago that I would not go on with unnecessary public work, although desirable, unless it can be secured at a reasonable cost. I would not go on with this amount of public work, paying the high wages we are paying in our shipyards, for instance, because that can not be justified. I would go on with work paying a good living wage, treating it rather as a minimum wage than as a maximum wage, but such a wage that men just as soon as they can will go into private industry.

Mr. CALDER. Mr. President——

Mr. LENROOT. I yield to the Senator from New York.

Mr. CALDER. The Senator has not touched upon another matter, which I think is important in this connection, the efficiency of labor. The high basis of wages during the war has tended to decrease the amount of labor that men perform, particularly in war work, I regret to say. It is my judgment that with the war over competition in business will tend to increase the efficiency of labor and make up more than the difference between the 40 or 50 or 60 per cent, whatever the additional cost will be.

Mr. LENROOT. I think that is true.

Mr. FLETCHER. Will the Senator permit me an inquiry about the 40 per cent increase to be proposed under his amendment? As I understand it, he would allow an increase of 40 per cent, but not at the present prices.

Mr. LENROOT. Oh, no.

Mr. FLETCHER. Where would that begin? Upon what would the Senator base the 40 per cent increase?

Mr. LENROOT. It would vary in just this way. The reports upon some of these projects go back as far as 1912; I do not know but some of them go further back than that. As to those projects, of course, the estimate of cost would be lower than those coming later on after the European war began. It may be that as to those projects they could not go on with some of them with the limitation which I have suggested. But if a project reported on eight or nine years ago has not been adopted by Congress in a subsequent river and harbor bill, and is waiting until this time to be adopted, presumably such projects are not extremely necessary or essential from the public standpoint. As to the later projects that are more essential, 40 per cent would more than cover many of them, and especially those which have been reported since the beginning of the European war.

Mr. JONES of Washington. Mr. President——

Mr. LENROOT. I yield to the Senator from Washington.

Mr. JONES of Washington. Does not the Senator think it would really be wiser on the part of Congress, with reference to the projects that were reported upon 10 or 12 years ago, if we think that probably they should be taken up at this time, that a resurvey should be made and another recommendation should come in from the engineers as to whether or not, in view of changed conditions, it would be wise to continue or to begin the improvements?

Mr. LENROOT. I certainly would agree with the Senator if we are going on to build them irrespective of what it may now cost.

Mr. JONES of Washington. That is what I mean.

Mr. LENROOT. I heartily agree with what the Senator says.

Mr. President, having in mind the financial condition of this Government, having in mind the condition of the Treasury, I would not be in favor of going on with these new projects proposed in the bill, except for the purpose of furnishing employment to the unemployed and furnishing an example to the country to go on with public improvements and with building. But with the condition of the Treasury we are not justified in

going on with the improvements at an excessive cost. I will state, as I did a little while ago, that if we shall place this limitation of 40 per cent upon these new projects, and we will go on with this work, the result will be that contractors will be satisfied with a reasonable profit upon their contracts, whereas if there be no limitation contractors will expect and will be able to get profits at the hands of the Government upon unnecessary public works equal to the profits that war contractors have been making during the past year or two.

Mr. KING. Mr. President——

Mr. LENROOT. I yield to the Senator from Utah.

Mr. KING. The Senator, as I understand from his remarks, under certain circumstances justifies the embarkation upon new projects.

Mr. LENROOT. I do.

Mr. KING. Does not the Senator think that with the $45,000,000 now on hand, and the appropriations which the bill carries, less the new projects, the new projects amounting to approximately eight or ten million dollars, as I recall, there would be sufficient to keep the department or the River and Harbor Commission busily occupied during the coming year? Does not the Senator think that is about all that could be efficiently and properly performed and at the same time give employment to a large number of men who may be out of employment?

Mr. LENROOT. I will state in reply to the Senator that the question was very carefully gone into by the committee as to whether or not the Board of Engineers could take care in a proper way of the expenditure that is proposed by the bill, together with the available balance, and we were assured that with their organization they could take care of this expenditure. So it will simply mean that if we appropriate this additional amount of money that we can furnish that much more employment to men who are unemployed. That I am willing to do, provided it is not at too great and excessive a cost to the Government.

With reference to what I have said concerning furnishing a reservoir for unemployment, I do not wish, Mr. President, to be understood that I for a moment think the Government should be in the position of bearing down or attempting to reduce the cost of labor or the wishes of laboring men in this country. If Congress should in its wisdom impose such a limitation as I have suggested, it would not be fair to so construe as that Congress is attempting to do any such thing. If we go on with these new projects for the purpose primarily of taking care of unemployment and at the same time secure a reasonable return to the Government under the circumstances, it will not be the lowering of the price of labor in this country. If labor can not find employment, it will give that labor something to do at a moderate wage until employment can be found in private industry.

We can not safely go on and assume that all the expenditures we may make for good roads, for public buildings, for rivers and harbors, are necessary public improvements, and that we must pay the very highest wages that are being paid in this country, because if labor is well employed at good wages we ought not to undertake these improvements at all, and it is only for taking care of unemployment until labor can find better employment that we would be justified in going ahead with them at all.

Now, just one other word. I said this limitation which I propose would be confined to new projects. I propose to so confine it for this reason. We can not well apply it to projects that are now going on, because to make such a limitation upon projects that are now going on might mean a distinct loss to the Government. For instance, on the Ohio River we may have a dam and lock that are half completed. If we suspend work entirely upon that lock and dam, to take it up again a year or two from now would cost more than to complete it now, even at the higher cost. So I think that if this limitation is made it should be confined to the new projects that are named in the bill.

The PRESIDING OFFICER. The question is on the amendment.

Mr. KENYON. What is the pending amendment?

The SECRETARY. Page 2, line 4, strike out "$12,500" and insert "$18,750."

Mr. KENYON. I raise no objection to it.

The amendment was agreed to.

The next amendment was, on page 2, line 11, before the word "improvement," to strike out "Completing" and insert "For maintenance, $2,000; completing," and in line 18, after the words "in all," to strike out "$244,500" and insert "$246,500," so as to make the clause read:

Gloucester, Beverly, Salem, Lynn, Plymouth, and Provincetown Harbors, Mystic, Malden, Weymouth Fore, and Weymouth Back Rivers, and Dorchester Bay and Neponset River, Mass.: For maintenance, $2,000; completing improvement of Weymouth Fore River, $183,000; for improvement of Beverly Harbor in accordance with the report submitted in House Document No. 220, Sixty-third Congress, first session, and subject to the conditions set forth in said document as modified in the report printed in Rivers and Harbors Committee Document No. 8, Sixty-third Congress, second session, $61,500; in all, $246,500.

Mr. KENYON. Will the chairman explain this item to us?

Mr. FLETCHER. The amendment just reported was inserted by the committee because, as the bill came from the House, the Senator will observe that these different projects were all named, but there was nothing following the project. It was an omission, it strikes us, in the bill as passed by the House. What was meant to do was to provide for the maintenance of these projects, and the committee added the words "for maintenance, $2,000," which may be used by the engineers for any of this work.

Mr. SMOOT. I will ask the Senator if there is an appropriation in any other form to the maintenance of this project?

Mr. FLETCHER. No; none at all. There are some available balances for the maintenance of these projects already on hand. The engineers recommended that $2,000 would be all that would be needed to take care of all of them.

Mr. SMOOT. Then there is a fund they can draw from, the unexpended balance for maintenance.

Mr. FLETCHER. Yes; for these projects, that is true; but $2,000 was recommended by the engineers for maintenance.

The amendment was agreed to.

The next amendment was, on page 3, line 2, before the word "improvement," to strike out "Completing" and insert "For maintenance, $1,500; for"; in line 4, after the words "first session," to strike out "$61,440" and insert "$91,160"; in line 8, after the words "second session," to strike out "$35,000" and insert "$52,500"; and in the same line, after the words "in all," to strike out "$96,440" and insert "$145,160," so as to make the clause read:

Providence River and Harbor, Pawtucket River, Newport Harbor, harbors of refuge at Point Judith and Block Island, entrance to Point Judith Pond, and Great Salt Pond, Block Island, R. I.: For maintenance, $1,500; for improvement of Pawtucket River in accordance with report submitted in House Document No. 1283, Sixty-fourth Congress, first session, $91,160; completing improvement of Point Judith harbor of refuge in accordance with the report submitted in House Document No. 2001, Sixty-fourth Congress, second session, $52,500; in all, $145,160.

Mr. FLETCHER. That is the same situation as the one on page 2.

Mr. SMOOT. There is a difference, however, in this amendment from that on page 2.

Mr. FLETCHER. I am speaking with reference to the $1,500 for maintenance. That was inserted for the same reason that we observe with reference to the item on page 2. We propose to strike out the word "completing" and insert "for maintenance, $1,500; for," because the amount estimated for that project was sent in some time ago, and there was a question as to whether that would be sufficient for completion.

Mr. SMOOT. The Senator will notice that not only have the committee stricken out the word "completing," but now they have added for improvements of the Pawtucket River, but increased the amount the House passed from $61,440 to $91,160. In other words, the House thought that with $61,440 the project could be completed, but it is proposed that the Senate shall say now that $91,160 shall be appropriated for improvement, which is an increase of 50 per cent.

Mr. FLETCHER. I think the Senator is correct. That is a mistake. The word "for," in line 2, ought to be changed to "completing," so as to read "completing improvement of Pawtucket River," because we intended to make the amount sufficient to complete, which is more than the amount for continuing the improvement.

I am quite sure the Senator is correct, and I move to amend the amendment of the committee by striking out the word "for," in line 2 and inserting "completing" so that the total appropriation will be for the completion of this project. That is really a mistake in the print.

The amendment to the amendment was agreed to.

Mr. SMOOT. Now, will the Senator explain why this increase of $30,000 is asked?

Mr. FLETCHER. It is asked because, as I said, it is in accordance with the report which was submitted some time ago, and the engineers in reviewing it and considering the conditions to-day say the project can not be completed for $61,440, but it will be necessary to make the appropriation $91,160. With the $1,500 for maintenance, it would be $89,660. They considered that necessary to complete the improvements. The question was whether the committee would leave the bill with only $61,440 for continuing the improvements or whether we would appropriate enough to complete it.

Mr. SMOOT. No; the House thought $61,440 would complete it. Has an estimate come in since, I will ask the Senator?

Mr. FLETCHER. Some data have come in since, and I think there is no question but that the House committee was not convinced that that would be enough to complete the work; but they

considered that it might possibly do so; and if it did not, of course, the work would not be completed; that is all. But clearly we should have to do one thing or the other according to the facts in the case, on the data in hand; we must either make it merely an improvement proposition or a completion of the improvement. If we make it completion, we shall have to increase the amount.

Mr. SMOOT. What I was thinking was that, if this estimate had been made, for instance, before 1914, the cost of material, the cost of labor, and the cost of everything that goes into the completion of the project, would have greatly advanced; but this estimate contained in House Document No. 1283 was made in the Sixty-fourth Congress—that was the last Congress—and I can not see how the increase will amount to 50 per cent, as shown by the additional appropriation asked for. If the Senator has a statement from the engineers to the effect that that is the fact, I think the best way to do would be to make the full appropriation for the completion of the projects, and to get them out of the way. I really think that would be the proper policy to follow.

Mr. FLETCHER. That was the statement made by Gen. Taylor, and the action of our committee was taken after a very thorough inquiry into it. Gen. Taylor appeared before the committee, and we inquired specifically, "Will this sum complete that project?" and he said, "It could not be completed at that figure to-day." We then asked him to give us the figures necessary to complete it, and this is his statement. This, of course, is based upon that statement.

Mr. KING. Mr. President, will the Senator from Florida yield to me?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Utah?

Mr. FLETCHER. I yield to the Senator.

Mr. KING. Are there any elements which enter into this increase in the amount recommended by the Senate committee other than labor and materials? In other words, when this matter was before the House $61,440 was deemed adequate for the completion of this project. Now, within a few months the recommendation comes, if I understand the Senator, for $91,160. What elements were taken into account to swell that appropriation so enormously?

Mr. FLETCHER. If the Senator will allow me, I think I am justified in stating that when the House considered the item they simply took the estimate as it appeared in the document; they did not inquire of the engineers whether or not that estimate would hold good to-day. When the bill came to us we made inquiry as to that. I am not going too far, I am sure, when I say that the House did not inquire into that; they simply took the figures from the report and put the item in the bill in that way. When it came to us we inquired in order to ascertain whether that would be sufficient to complete the project, and whether we should change the word "for" to "completing," so that it would read "completing improvement" instead of "for improvement." That brought up the question as to how much would be necessary to complete it. So the engineer made a study of it and reported to us upon inquiry that he was sure the amount necessary to complete it would be the amount which we are providing.

Mr. KING. Will the Senator advise us whether the testimony, if there was testimony, was reported and is available?

Mr. FLETCHER. I will say to the Senator that we had no formal hearings, we had no reporter, and did not have Gen. Taylor's statement taken down. We went over the bill item by item in his presence, however, before the committee. I have no report of his testimony, but I am sure every member of the committee will bear me out in my statement. The Senator from Washington [Mr. JONES], I see, is present, and probably he remembers that we made the inquiry as to the amount that was necessary to complete this project and whether we should provide for completing it or merely for continuing the improvement. I am speaking with reference to the item on page 3, I will say to the Senator. We made no report of Gen. Taylor's testimony before the committee. Therefore I am not able to produce his statement, and I am saying to the Senator from Utah that upon the recommendation of Gen. Taylor and his statement that it was necessary to increase the amount carried by the House bill to the amount provided for in our bill in order to complete that improvement the committee acted.

Mr. KING. Will the Senator permit me to make an inquiry? Is it a coincidence or is it a matter of calculation that, at least in many of these increases over the House bill, the percentage of increase is substantially uniform, being about 50 per cent? For instance, on page 2 the appropriation is increased from $12,500 to $18,750. The item which is under consideration now is increased from $61,440 to $91,160. On the next page I find substantially the same, and so on through, a substantial increase of 50 per cent.

Mr. FLETCHER. The item in line 8 is increased from $35,000 to $52,500.

Mr. KING. I understood the Senator to say with respect to the item on page 2, increasing the appropriation from $12,500 to $18,750, that the elements which were taken into account and which led to that increase were the increased prices of labor and of material.

Mr. FLETCHER. Those, I think, are the principal items.

Mr. KING. Then, as to the item under consideration, the Senator would say the same elements, and only those elements, led to the increase?

Mr. FLETCHER. I think that is quite true.

Mr. KING. Mr. President, it seems to me, if this bill is based upon that theory, that we shall swell the House appropriations 50 per cent because of the increase in materials and in labor, this increase is entirely too much and would be very unwise and improper.

Mr. FLETCHER. I will say to the Senator that that has not been done generally. I doubt if there are any other items in the bill—there may be, but I do not recall any, and I do not for the present lay my eye on any other items of the bill—where we substitute the word "completing" for the word "for" or where we have actually changed the cost so as to complete the project. We have other items in the bill where we change the word "completing" to the word "for," but we have not changed the appropriation. Upon page 4 we substitute the word "for" for "completing," but we have kept the amount of the appropriation the same. I think those are about the only items where we have undertaken to complete the project instead of continuing the improvement. I do not recall any other; but, at any rate, the estimate of the Chief of Engineers was that, on account of the prices of labor and material to-day, they would have to increase the estimate which they formerly made and as shown in their report in order to complete these projects.

Mr. JOHNSON of California and Mr. JONES of Washington addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Florida yield; and if so, to whom?

Mr. JOHNSON of California. I thought the Senator from Florida had concluded. I do not wish to interrupt him.

Mr. FLETCHER. I had asked the Senator from Washington [Mr. JONES] to confirm my statement with reference to the recommendation of the engineers if his recollection accords with mine.

Mr. JONES of Washington. I was examining the league of nations constitution while the Senator from Florida was speaking about the item to which he now refers, and so did not catch what he said.

Mr. FLETCHER. I did not notice that the Senator from Wisconsin [Mr. LENROOT] was present at that time. Perhaps he will remember as to Gen. Taylor's statement.

Mr. LENROOT. My recollection accords with that of the Senator from Florida, that where amendments are made in the bill by the Senate committee, changing the word "completing" to the word "for," it was not expected that the appropriation would complete the improvement, but that there should be that much money spent upon it; and where the bill provides for completion, 50 per cent was added, as a general rule, to the old estimate; but there were, I think, some two or three provisions of the bill where the estimates were very recent and where that addition was not made.

Mr. JONES of Washington. Mr. President, I merely wish to say that my recollection is—and the Senator from Florida may have referred to it, though I do not know—that the engineers stated that they got the supplemental estimates or reports from their division or district officers after the bill was passed by the other House——

Mr. FLETCHER. That is true, but——

Mr. JONES of Washington. And that those supplemental reports showed that the amount which they had submitted to the House was not sufficient. It was upon the showing that they made with reference to that matter that we increased some of these items. We did not increase all of them, as the engineers requested. Where they thought there might be some doubt about the amount of money being sufficient to complete the project, and yet did not make a showing that warranted us in increasing the amount, we left the amount the same, but changed the word "completing" to "improving"; so that if they felt warranted in going on with the work they could do so. I remember that I asked the engineers representing the department with reference to several of these matters. They

said they found it to be true that the expenditure of money, even if it would not complete the project, would do substantial good and make substantial improvement, and even though it did not complete it the money would not at all be wasted; on the contrary, it would serve a good purpose.

Mr. SMOOT. Then the Senator agrees with my amendment striking out the word "for," on page 3, line 2, and inserting the word "completing." He will notice that the figures "$61,440" have been increased to "$91,160"; in other words, wherever the word "completing" has been substituted there has been an increase in the amount appropriated by the House. In each such case there is a 50 per cent raise.

For "completing improvement of Point Judith harbor of refuge in accordance with the report submitted in House Document No. 2001, Sixty-fourth Congress, second session," the appropriation has been increased from $35,000 to $52,500, which is an increase of just 50 per cent.

Mr. JONES of Washington. I am inclined to think that where we have raised the amount it is for "completion" instead of for "improvement."

Mr. SMOOT. With that change, striking out the word "for" and inserting the word "completing," the bill would be made harmonious so far as the increases are concerned.

Mr. FLETCHER. That is what was intended. The word "for" there is really, I think, a misprint.

AMERICAN TROOPS IN RUSSIA.

Mr. JOHNSON of California. Mr. President, I move that the pending measure be temporarily laid aside and that the Senate proceed to the consideration of Senate resolution 411.

Mr. FLETCHER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Jones, Wash.	New	Smith, S. C.
Calder	Kenyon	Norris	Smoot
Colt	King	Page	Spencer
Fernald	Knox	Pittman	Sutherland
Fletcher	La Follette	Pollock	Thomas
France	Lenroot	Ransdell	Thompson
Frelinghuysen	Lewis	Saulsbury	Trammell
Gay	Lodge	Shafroth	Vardaman
Gronna	McCumber	Sheppard	Williams
Henderson	McKellar	Sherman	
Johnson, Cal.	Martin, Ky.	Simmons	
Jones, N. Mex.	Moses	Smith, Ga.	

Mr. SPENCER. I wish to announce that the Senator from Wyoming [Mr. KENDRICK], the Senator from Idaho [Mr. NUGENT], the Senator from Kansas [Mr. CURTIS], and the Senator from Oregon [Mr. MCNARY] are absent on official business of the Senate in attendance on the Committee on Indian Affairs.

The PRESIDING OFFICER. The roll call discloses that 45 Senators are present, not a quorum. The Secretary——

Mr. LEWIS. Let me suggest a call of the absent Senators.

The PRESIDING OFFICER. The Secretary will call the names of the absent Senators.

The Secretary called the names of the absent Senators, and Mr. BANKHEAD, Mr. KELLOGG, Mr. KIRBY, Mr. NUGENT, Mr. POMERENE, Mr. SWANSON, Mr. TOWNSEND, Mr. WARREN, and Mr. WEEKS answered to their names when called.

Mr. DILLINGHAM, Mr. KENDRICK, Mr. CULBERSON, Mr. CURTIS, Mr. MCNARY, Mr. CUMMINS, and Mr. JOHNSON of South Dakota entered the Chamber and answered to their names.

Mr. MCNARY. My colleague, the senior Senator from Oregon [Mr. CHAMBERLAIN], is absent on official business.

The PRESIDING OFFICER. Sixty-one Senators having answered to their names, there is a quorum present.

Mr. FLETCHER. I ask for the yeas and nays on the motion of the Senator from California.

The PRESIDING OFFICER. The Senator from California moves that the Senate proceed to the consideration of Senate resolution 411, on which the yeas and nays are requested.

Mr. SHERMAN. Mr. President, before the motion is put I wish to submit some observations.

Mr. FLETCHER. I do not think it is in order to debate the motion at this time.

Mr. SHERMAN. Then I will submit my observations on the river and harbor bill.

Mr. JOHNSON of California. The motion is debatable.

Mr. FLETCHER. I do not think a motion to take up another matter at this time is debatable.

Mr. THOMAS. I ask to have the resolution read.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 411), as follows:

Resolved, That in the opinion of the Senate the soldiers of the United States as soon as practicable should be withdrawn from Russia.

Mr. SHERMAN. Mr. President, if it were in the morning hour I understand that then no debate would be in order; but the pending motion, made after 2 o'clock, is to lay aside temporarily the bill under consideration and to take up the resolution of the Senator from California.

The PRESIDING OFFICER. Does the Senator from Florida raise the point of order that no debate is in order?

Mr. FLETCHER. I should like to have the ruling of the Chair on that question. I am not sure that the point of order is well taken.

The PRESIDING OFFICER. The Chair will state that his memory of the rule and of the ruling of the Vice President is that after 2 o'clock a motion to take up for consideration another measure is debatable.

Mr. SMITH of Georgia. Mr. President, I think there is no doubt about that. I should be glad to see the resolution disposed of without debate; but I do not think there is a doubt about the fact that the rule makes such a motion debatable after 2 o'clock.

The PRESIDING OFFICER. If no point of order is raised, the Chair will recognize the Senator from Illinois.

Mr. SHERMAN. Mr. President, the motion of the Senator from California [Mr. JOHNSON] necessarily brings up the merits of the resolution, and I, therefore, do not need to apologize for not addressing myself to the bill which is the regular course of business before the Senate.

It has been remarked here a number of times that we are not at war with Russia. No formal declaration has ever been made declaring war or that a state of war existed; and, according to the relations that subsist between independent nations, there is in international law no state of war; but the Senator from California was quite correct, I think, yesterday when he said that actual war does exist. War is not always a question of diplomacy or passage of resolutions; it is not made on parchment; it is made by arms; and the ordinary methods of waging war prevail now in certain portions of northern Russia, where our military forces are found acting with certain forces of the allies, so that we are actually at war. Whatever may be said of the diplomatic relations that exist between this and other countries, there are several nations that we would be justified in dealing with quite as harshly as we are with Russia.

We have been asked a number of times why we did not prevent the massacres in Armenia. The reply always is that we are not at war with Turkey and we have no occasion, therefore, to enter Turkish territory or Turkish waters with our Army and Navy for the purpose of preventing the slaughter of those helpless people.

We are told that no war exists with Mexico. That, too, is true; but still for several years no American and no American property have been safe in Mexico.

I am in sympathy with the resolution or the initiatory stages of the movement made by the Senator from Arizona [Mr. ASHURST] leading to the acquisition of Lower California. I think we had just as well have that point of danger, and I am perfectly willing to enter into negotiations, so far as I have a voice in the matter, for the purpose of acquiring that strip of land with its marginal waters, not because we need it for the purposes of emigration, but it is a matter of safety; and we ought to have it to defend our coast. It is a place always where lodgments may be made, and harbors, coaling stations, or ports acquired that would be inimical to the peace and safety of the United States.

Several times in years past a question has arisen whether the leases of certain property there were not ultimately for the benefit of an independent nation, an oriental country. We have had to exercise sometimes rather strenuous diplomacy to defeat it. Therefore, the best way to safeguard ourselves would be, if it can be done peaceably, to acquire from Mexico, by negotiating with such Government as we are recognizing—the Carranza Government at present—to the end that we may acquire this territory.

We are not at war with Mexico. We would not be justified in seizing this territory. It is not the policy of the United States to seize territory anywhere. If we are to take it, we must acquire it by some treaty of an amicable character, exchanging value for value, and with the acquiescence of the people concerned.

On the 8th of January, 1915, the President, referring to conditions that prevailed in Mexico, in an address at Indianapolis, Ind., and at other places, announcing the same doctrine, said that any people had a right to frame such government as it saw fit; that it was no concern of the United States to undertake to thrust upon another people any form of government. I insert here a paragraph from President Wilson's Indianapolis speech:

I hold it as a fundamental principle, and so do you, that every people has the right to determine its own form of government, and until this recent revolution in Mexico, until the end of the Diaz reign, 80 per cent of the people of Mexico never had a "look in" in determining who should be their governor or what their government should be. Now, I am for the 80 per cent. It is none of my business, and it is none of your business, how long they take in determining it. It is none of my business, and it is none of yours, how they go about the business. The country is theirs. The Government is theirs. The liberty, if they can get it, and godspeed them in getting it, is theirs. And so far as my influence goes, while I am President, nobody shall interfere with them. * * * Have not European nations taken as long as they wanted and spilt as much blood as they pleased in settling their affairs, and shall we deny that to Mexico because she is weak? No, I say. (CONGRESSIONAL RECORD, Jan. 9, 1915, pp. 1281–1282.)

If the Government, whatever it may be, should interfere with us, either in our domestic or our foreign relations, it is time enough then for us to defend ourselves, either diplomatically or by war, against the nation so interfering. We have not yet reached that point either with Mexico or with Russia.

Mexico has adopted a constitution of a peculiar character. Rumor says that it was written in New York City by some very distinguished economists. Whether it was or not I need not stop to inquire, but a provision in the constitution that has worked considerable havoc in our country in substance takes from the owners, whether domestic or alien, all of the lands and everything connected with the lands, on the surface, in its mountains, beneath the surface in the mines, or oils. It reinvests the title in the Government, supposing the Government to have been the original source of title. It provides thereafter that neither mines, oils, nor lands shall be worked except upon a license from the Government. It returns to the days of the Norman feudal tenure. The license necessarily is revocable. It amounts to the leasehold or the occupancy of the Norman tenure in the hands of military chieftains.

The President or the Government of Mexico can lease out, on any terms it pleases, under licenses, the right to take oil or mineral from the soil or under the soil of Mexico. All of the mineral rights that have been acquired by aliens from this or any other country are thereby forfeited and vested in the Republic of Mexico. All the oils in that prolific region in and about Tampico and other parts of Mexico are taken from the private owners and reinvested in the Republic of Mexico. The interests of oil men in the United States are confiscated. The great holdings of the Pearson syndicate, an English concern, are vitally affected. A large part of the fuel oil burned upon the shipping of England and some of our own shipping has been drawn from Mexican sources; so that it became very material to this country, as well as to England, to know whether the oil lands were to be confiscated and were to be operated only by a license from the Carranza Government of Mexico.

That has brought up the question referred to in the resolution offered by my colleague [Mr. LEWIS], seeking to make an inquiry as to whether this property has been destroyed, in substance, and whether life is no longer safe to those who seek to take care of their property in that country.

These are matters of the gravest concern; and still, they do not justify war with Mexico—neither a declaration of war under a resolution of Congress, nor actual war by sending our Army and Navy to her waters or her territory.

The Armenian outrages have continued for many years. Almost from the time that the oldest man in this Chamber can remember there has been the slaughter of these helpless people. If anything would appeal to the sense of humanity, to the common sympathy of those in authority in our country, it would be to stop such outrages. They are perpetrated with the avowed intention of literally exterminating the Armenian people. Men, women, and children have been the helpless victims of brutal massacres for years. I care not, for purposes of comparison, what the vices of the Bolshevist government in Russia may be; they never, in their most brutal moments, have excelled the ferocity and cruelty of the Turk in his treatment of his Armenian subjects. We have remained at peace with Turkey, although she has been at war with our allies, during all these years. If it be a question of a reprehensible government, that of the Turk, for many centuries in fact, has been the most despotic and bloody known to human history.

For my part, I have neither apologies nor defense to make for the Bolshevist government in Russia. Like the Senator from California [Mr. JOHNSON], I may be misunderstood. I must assume whatever risk there is in that course. Senators who have been on the floor of this Chamber when the matter has been discussed could not assert, and would not intimate for a moment that I have any sympathy with the Bolshevist government, with their infamous creed, with their practices sought to be enforced on womankind, either by districts or by localities, or in the general government of Russia, or in their relations with the outside world. I consider it one of the worst possible forms. It is a libel on the name of government. I have no sympathy whatever with it. I believe it to be a menace.

I do not think, however, because the Bolshevist government is a menace, and ought to have no place nor law in any civilized people, that we are justified in sending our Army and Navy into Russia for the purpose of suppressing such an outrage upon the name of government, or for the purpose of setting up any other government in that country. It occupies a large part of Europe. It contains something like 200,000,000 people. It is unfortunate. It is unfortunate for the allies, who are nearer the scene of the conflagration than we are. It concerns, it is true, the whole civilized world.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Utah?

Mr. SHERMAN. Yes, sir.

Mr. KING. The Senator did not mean to state that the Bolshevists controlled in Russia 200,000,000 of people, did he? because the fact is that the Bolshevists are only in control of a strip of Russian territory from 300 to 500 miles northerly and southerly, and 1,000 miles or a little more easterly and westerly; that they dominate perhaps 40,000,000 of the Russian population; but that northern Russia, southern Russia, and other parts of Russia, and Siberian Russia are not under the control of Lenine and Trotzky and their government.

Mr. SHERMAN. The Senator is entirely correct in that. I was referring both to the territory and to the population of all Russia, without regard to that under the influence of the Bolshevists and otherwise. The Bolshevists, I think, control a very decided minority, and even a minority of the territory over which theoretically they have extended their dominion. I think it is a reign of terror, and not a reign of government.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from New Hampshire?

Mr. SHERMAN. Yes, sir.

Mr. MOSES. With reference to the statement just made by the Senator from Utah, I discover that two distinguished authorities are, apparently, in conflict, inasmuch as the Senator from Nebraska [Mr. HITCHCOCK], the chairman of the Committee on Foreign Relations, yesterday, in discussing this question, said:

From Vladivostok to the Ural Mountains—5,000 miles, inhabited by millions of people, and through which runs the great railroad of Russia—comparative peace and quiet prevail under the government of the Russian Soviets to-day, and they are at peace with the few soldiers of the United States and associated nations that are there.

Mr. KING. Mr. President, the Senator certainly does not want to do the Senator from Nebraska an injustice. The Senator from Nebraska in that statement did not mean to assert, and does not assert, that the territory east of the Ural Mountains is under the control of Lenine and Trotzky. There is an embryonic soviet east of the Ural Mountains, but it is not under the control of Lenine and Trotzky.

Mr. MOSES. Then, we are to believe that the embryonic soviet is more potential than the fully developed soviet?

Mr. KING. Well, the Senator can determine that for himself.

Mr. SHERMAN. Mr. President, a soviet can appear anywhere. It can appear either as a concerted outbreak or it can be entirely sporadic. There has almost been a soviet in Seattle, Wash., during the strike in that country. It has been dispersed by the action of the Government, which, I think, is entirely justified. The most effective and the most righteous action this Government ever took was when it collected 58 of these disturbers, who would make a soviet in any country where they landed, and took them across the continent and started them back to the respective countries of their origin. Such alien vagrants and disturbers, advocating violence, have no place in our country. I hope the immigration authorities and the Federal Government will continue that course until the germs of any possible soviet government in this country shall have been deported to the land where they belong. I can not refrain from reminding the Senate here that the greater part of the persons deported would be able to pass any educational test required in the recently enacted immigration laws. The educated firebrand is the most malevolent and dangerous of all.

In Russia, no doubt, a soviet government could break out in any locality. It confines itself, so far as it has the semblance of a government, to the immediate territory where, by force of arms or by terrorism, it subjugates the minds and the bodies of the Russian population.

In the Ukraine country there seems to be no element that could be worthy of the name of a soviet government. There is none in Siberia. I think this Government and others acted properly in giving support to the Czecho-Slovak forces that set

up there an independent country. Russia, however, in its entirety, territorially, is a very large part of Europe. The Russian people, speaking generally of that country, are approximately 200,000,000 in number. This part of Europe is in a state of tumult where there is any activity on public questions at all. How far in the interior the average person, the peasant, is interested in these questions no one here could accurately say; but for the soviet government or the government of the Bolshevist I have the utmost abhorrence. I regard it as an enemy to every civilized form of government. A part of its creed is that it shall carry its doctrines around the world, and subjugate, by fair means or foul, every other government to its creed.

I have continually—as other Senators have, no doubt—coming to me the documentary claims of this government. They claim that they propose a revolution in our country. I have no doubt that the Government authorities here are in possession of accurate evidence showing that a systematic crusade to that end is now in progress. Their entire system of government, taking it as written, upon its merits, has no justification for existing, according to my lights; but if the people of Russia see fit to adopt it, to tolerate it; if they do not rise in open rebellion and destroy it, that is their concern and not mine. It is not even socialistic. It is far worse. The domestic relations are invaded.

The rights of property are destroyed. The right of free speech long ago ended. There is no such thing under the Bolshevist government. Under it the last vestige of civil liberty has disappeared. Without going into the details of it, which, of course, I think every good citizen in this country would reprobate if he were called on to pass upon the question on its merits of whether we would set up such a government, or permit others to advocate setting up such a government here, we need not, however, decide that question now. The immediate purpose of this resolution is to withdraw our forces from such parts of Russia as they now occupy.

How did they happen to be sent to that far northern region, fairly under the Arctic Circle? I heard the chairman of the Committee on Foreign Relations [Mr. HITCHCOCK] explain why, in the first instance, they were dispatched to that quarter of the globe. I admit that his explanation made a most satisfactory impression upon my mind. In substance, it was that during the war, before the armistice, especially after there was difficulty in sending out submarines from a German port in the North Sea, they had taken some territory by force of arms in and about the White Sea in the vicinity of Archangel, on the Murman coast, and were there making preparations to fit out submarines to prey upon the shipping of their enemies, and our forces, joining with the allies, were dispatched to that point to prevent it.

That would be, possibly, a legitimate object in war. I mean actual war, not theoretical war, such as the condition we are now living under. It justifies us, likely, before the armistice in defending our rights there against German aggressions. It is a most unusual procedure, however, and something for which we criticize Germany, for a nation to dispatch its fleets and its armies to the territory or waters of a country with which it is not at war, even for the purpose of protecting itself because some of the people there join with Germany. On the ground of the law of necessity I can understand it.

It was the law of necessity that Germany invoked when she invaded Belgium. On the 3d day of August, 1914, when her armies crossed the Belgian frontier, when she was arraigned at the bar of international public opinion as to why she had done so, she replied that she had done so to reach her enemy, France, in the shortest possible time; that it was justified not by international law, not by the rules that prevailed among peaceable nations, but by the rule of warfare as she administered it—the law of necessity.

If it were the law of necessity that induced us to send our forces into Russia during actual war with the central powers, then we are reduced to the difficulty of claiming our right to act upon the same low, ignoble basis that Germany claimed it in 1914.

I can not justify my country by any such reason. It can not be justified in the law of nations, I fear, after an armistice otherwise than by that of supreme military force. So, taking it for granted, then, that as a matter of actual warfare we dispatched the forces joining with the allies for the purpose of preventing the Germans from establishing a submarine base on those coasts and to protect our supplies. It is questionable——

Mr. KING. Mr. President, will the Senator yield for a moment?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Utah?

Mr. SHERMAN. Yes, sir.

Mr. KING. Of course the Senator does not want to attack his country, I am sure, because he is too great a patriot for that; and he does not want to condemn his own country, when she was at war with the most formidable military powers in the world, for pursuing a course justified under the laws of war.

The Senator, if he will reflect a moment, will recall that at that time the northern part of Russia was under the control of Russians who still were true to the allies, and who were warring, so far as they could, against Germany. That part of Russia was being invaded by Germany and by a revolutionary body in Russia under the control of Lenine and Trotzky. It was not a government; it was a movement chiefly engaged in destroying the allies, and among them the United States. It conspired and confederated with our enemies, Austria and Germany; it joined with Germany in an effort to subjugate Russia, the part of Russia true to the allies, the part of Russia that was fighting for liberty. Our Government and the allies, at the request of Russians—not the revolutionary Lenine-Trotzky party—attempted to secure cooperation with those Russians, and at the same time to prevent supplies which had been sent to the northern coast by the allies, and which belonged in part to the Russian people, from falling into the hands of our enemies, and at the same time to prevent the German Government from making that part of the territory just described by the Senator a naval base for military operations and submarine operations against the allied Governments.

So that in going to Russia we were not invading territory. We were there by invitation of loyal Russians who were fighting for liberty, fighting against the central powers, the same as we were. It was not an invasion of territory at all.

Mr. SHERMAN. The Senator states the facts accurately, so far as he has covered them. We, however, are in this condition, or were at that time, and the status has not been changed since: The regular Government of Russia, that was an ally of this country and an ally of the other entente powers at the time the war broke out and afterwards, had been overthrown. The Czar and his government toppled to their fall in a very short time.

Immediately there sprang into being a variety of powers. They were all revolutionary in character. They succeeded the brief reign of Kerensky. Following his overthrow came Lenine and Trotzky. As opposed to the latter there were the sympathizers with the Kerensky government, those who were identified with what the Bolshevists called the middle, or bourgeoise, class. Against them the present Bolshevist power made war. It was civil, internal commotion. It was one faction of the Russian people struggling with yet another faction for supremacy in domestic affairs.

At one time Huerta was dictator or governor of Mexico. He had shot Madero, through his agents, while he was trying to escape. That is a mere euphemism in that country. It is an ornamental gentleman's way of saying, "I assassinated my enemy." But immediately civil commotion in Mexico reached its climax. This country refused, it is said, because we had no concern in the affairs of Mexico, to recognize either the one faction or the other. Huerta's representative was denied recognition; and while this domestic struggle was in progress this country refused to recognize any of the elements, leaving it to that country to set up their power with an army and a navy and a capital and an established government, having all the organism of a government, and then they might send to us their representative, and we would decide whether we would recognize that government. This was done, although Americans by scores were murdered by some of the factions in that country. We did not intervene in our neighboring Republic across the Rio Grande River.

In Russia, after the succession of troubles had come and gone, there were two elements at last struggling for mastery. The Lenine-Trotzky revolutionary government made war upon their enemies. The allies and ourselves recognized the enemies of the Bolshevist government as our allies. That was in effect repudiating the doctrine laid down in Mexico.

The only way we could have lawfully been, according to the rules of international law, upon the territory of Russia was to have recognized a government in Russia, which I understand was never done, and then having recognized it joined with them as their ally, and we would have lawfully been upon the soil of Russia according to the established rules not only of war but of diplomacy. We never recognized the Kerensky government nor any other in Russia. We joined—and perhaps there ought to be some liberality of judgment in the stress of war—with the enemies of the Bolshevist government for the purposes the Senator from Utah has stated. Since the armistice we have continued military operations there without right. If we were fighting Germany there, we might have some ground,

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Illinois yield to the Senator from North Dakota?

Mr. SHERMAN. Yes, sir.

Mr. McCUMBER. The Senator recognizes our right to be upon Russian soil with our friends in Russia while we were still engaged in a war. I think the Senator would also recognize our right to be upon Russian soil for the purpose of fighting our enemies who were upon Russian soil. I would like to know then, inasmuch as the Senator has declared so emphatically that Lenine and Trotsky and their Bolshevist followers are not only enemies of the entente powers and enemies of the United States but friends of Germany in our war, and who betrayed Russia and the Russian armies for German gold, to state why we were not there lawfully and properly for the purpose of destroying them—the enemies of our country and the friend and abettors of our enemy. Inasmuch as the war has not yet actually ceased, why are we not justified in still making war against those enemies, and especially while they are committing the worst atrocities ever known in the history of the world, while they have got their grip upon the throats of our real friends in Russia, whom we had agreed again and again and assured again and again we would assist in this great struggle to establish and maintain a real Russian government?

Why are we not justified even to-day in protecting not only them but also the band of noble Czecho-Slovaks, that little army that refused to surrender to Germany, that dared the long trip across the Siberian plains that they might still fight for this world's cause, and who are even to-day endangered and their lives threatened by the Lenine and Trotzky organization if they ever get control of all Russia.

I want to ask the Senator whether he does not think that there is a duty still imposed upon us to defend our friends and those who fought with us in that battle against those enemies who treacherously surrendered our cause?

I state it sincerely because I know the deep patriotism of the Senator and I know his own fighting qualities; I know his belief in standing by our allies and standing firmly. It does seem to me when we, by any kind of a resolution, declare that we should get our soldiers out of Russia just as soon as it is possible or practicable to do so, we ought to question ourselves whether there is any moral duty upon the part of this Government to sustain that part of Russia which is still fighting though not strong enough to release the strangle grasp of these robbers and murderers upon its throat.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Idaho?

Mr. SHERMAN. I yield.

Mr. BORAH. May I ask the Senator from North Dakota whether he has observed that the Russians who are not members of the Bolshevik organization are declining to support the American troops?

Mr. McCUMBER. Mr. President, they have no way of supporting the American troops. They are not declining; they merely can not do it, simply because they are bound hand and foot by the Bolshevist element now in control. I believe if they had the means, if they had the ammunition, if they had any capacity for organization, they would do so.

Mr. BORAH. But those, Mr. President, who have been called into service, who were actually organized, and who had been furnished with means by the American soldiers, refused to abide by the orders of the commanding general and refused to support the American forces even after they were given an opportunity by arms, ammunition, and means, and so forth, to do so.

Not only do those particular people who have been gathered up and organized and placed in a position where they could act refuse to do so, but the Russian people generally, whether Bolshevists or not, resent the fact that we are there.

Has the Senator heard of any uprising or any flocking to the American forces or any great support of the American forces? Has the Senator heard or read of any demonstration upon the part of the Russian people indorsing our presence there? On the other hand, he has read the very opposite if he has read what the Senator from Idaho has read.

Mr. KING. Will the Senator yield?

Mr. SHERMAN. I yield.

Mr. KING. If the Senator means by that statement to say that the Russians are not supporting the allied troops who are in Russia, with due deference to the superior knowledge of my friend from Idaho, I want to dissent from that position. On the contrary, the northern part of Russia, in Archangel and vicinity, about one-third of the troops there—or a considerable number, at least—are Russians, and there would be more, but there are not sufficient arms for them.

Mr. BORAH. I observed in the press dispatches day before yesterday that a portion of those who are associated with our troops had actually been punished by the forces for refusing to take part in the service.

Mr. KING. And the Senator will recall that the governor of that territory, of the part of Russia to which I am referring, and who is also associated with the Omsk government, has been in constant liaison with the American troops and aiding in every possible way. Of course, on the eastern front we have no troops in Russia nearer than the eastern part of Siberia, but it is a matter of common knowledge that the Russians aided the allied troops who were with the Czecho-Slovaks in every possible way. We did not furnish them guns or munitions, and the Czecho-Slovaks for months fought with their bare hands until they wrested guns from the Bolsheviks, whom they defeated, and contrary to the promises which were made by the allied government to give military aid and financial aid to the Czecho-Slovaks they have not done so. They are there now devoid of arms, without munitions, without sufficient resources to prosecute the war. If we had furnished them arms and munitions and money, as the allies ought to have done, there would have been no bolshevism now.

Mr. BORAH. Mr. President, of course I do not know from what sources the Senator gets his information. I may be wholly in error, but I do know that the press dispatches carried the news, I do know that people who have come from Russia carried the fact that the Russian people are not supporting the allied expedition, and that does not apply to Bolshevists, but it applies to the Russian people generally. They feel that the allies are not sufficiently definite as to their purposes in Russia as to what they propose to do. Suspicion accompanies the expedition. Therefore the Russian people, according to my information, are not supporting the allied troops. I may be in error and the Senator may be correct. I am simply stating what I hear and what I read. That is the only way we get information these days.

Mr. McCUMBER. If the Senator will allow me——

Mr. SHERMAN. Certainly.

Mr. McCUMBER. I will agree with the Senator from Idaho that we ought to be more definite. I agreed on the resolution of the Senator from California [Mr. JOHNSON] that the Government should say why we are there, what we purpose to do, and what we purpose not to do in Russia. I agree with that resolution, which has never come out of the Committee on Foreign Relations.

But, Mr. President, the very fact that we have but a few thousand soldiers in a land of 200,000,000 souls, that those soldiers are able to take care of themselves, and wherever they have come into conflict or contact with the Bolshevists have defeated them, is of itself evidence to me that there is surrounding our soldiers a friendly feeling in Russia; that while they have not the arms, while they have not the munitions, and while they have not the organization to assist them in any way, and while it may be true that they suspect our motives, or do not know whether we will stand by them if they do the organizing, it is evident to me that generally those people who do not belong to the organized Bolsheviki are friends of the allies and friends of this Government.

I not only would not take away those soldiers to-day, but I would put an army of one hundred or two hundred or five hundred thousand there if necessary, and I would soon put an end to the rule of Lenine and Trotsky and their brutalities and then give the Russian people, the real people of Russia, an opportunity at least to demonstrate whether they could organize a government when we have relieved them from the assassins who now hold them in subjection.

Mr. BORAH. Mr. President, there was a time when Lenine and Trotsky were not in power. Suppose that we should drive them from power, and suppose the Russian people should not organize a government, would we leave them in utter chaos, or would we establish a government there, and would we stay there and see that that government was properly stabilized and kept in existence? Where will we end in this matter if we start in to drive out the only form of government that there is, assuming it is as bad as it can be? When will our duty end? When will our task be finished?

Mr. McCUMBER. Does the Senator call the Bolshevist control a form of government? I would like to read from papers here a few of the acts committed under the form of government they are administering and have the Senator say whether he believes that is any kind of government or whether it is simple anarchy or an organized mob to destroy every semblance of civilization.

Mr. BORAH. Now, let us assume that it is anarchy or an organized mob to destroy civilization. The Senator goes into Russia with his 500,000 soldiers and kills the two leaders who represent it. He does not do anything to establish a government in the place of those, whether they are anarchists or whatever they are; what will be the condition when he comes out?

Mr. McCUMBER. Mr. President, I have got to lose my faith in humanity entirely before I believe that the whole Russian people are of the type of anarchists that we are reading about to-day in the press of the country concerning these Bolshevist beasts. I do still believe that there is enough good, enough character in the great mass of the Russian people to-day, that ignorant as they are, easily duped as they are, if you can protect them even a few months until they can organize a government by the law-abiding class in Russia they could then hold the upper hand, and it would not be necessary for us to keep an army there for an unlimited length of time.

Mr. BORAH. The government which the Bolshevist displaced, which represented what was called the liberal democrats of Russia, were in power and were displaced by Lenine and Trotzky. What right have we to assume that if we go there and destroy two individuals the people who are in sympathy with them will not replace them by some one else?

Mr. McCUMBER. We have the right to assume, Mr. President, that there are a sufficient number of law-abiding and patriotic people in the territory of Russia to constitute a government. Of course, if we are mistaken in that, if we must learn sometime hereafter that that is an impossibility, then it would seem to me our duty would be to use our influence for an autocratic government to govern Russia the same as we would put a superintendent over a madhouse. I do not believe the whole nation has gone mad.

Mr. BORAH. That is precisely what the Russian people are afraid of. They are afraid that it is going to lead to the re-establishment of an autocratic, bureaucratic government, such as they had for the last 300 years.

There is no doubt, Mr. President, but what the best information that comes from Russia carries the news that the Russian people as a whole are entirely suspicious of the ultimate object which the allies have in view in regard to this intervention. Hundreds of thousands of Russians who are not in sympathy with the Bolsheviks at all have great fear that there is ultimately to be established an autocratic form of government and that the Romanoffs are to be called back into power.

Mr. McCUMBER. Mr. President, we could disillusion them in a week if we sent an army to Petrograd to take care of these archbeasts who are controlling Russia to-day and then give the Russian people an opportunity to elect a congress to control. They had a congress there before Lenine and Trotzky took possession. That congress was dissolved, or, more accurately, forcibly dispersed, in order that these archfiends might have a better opportunity to work out their devilish ideas of government, one of which is illustrated by their order apportioning young girds between 16 and 20 years of age and turning them over as the property of a soldiery, whose savage brutalities have been a hundredfold more atrocious than any crimes committed against the peoples of Belgium or France or Armenia.

I do not believe that the Russian people as a people are satisfied with that kind of a rule in Petrograd. That city, which contained more than 2,000,000 inhabitants, is now left with less than 800,000 to-day. I can not believe, as between the danger that they might feel from the United States military control and the atrocities that they are suffering every day from Lenine and Trotzky and their soldiery, that they would have any difficulty in deciding that if there was a danger in submitting to the rule of the allies for a moment they would choose that rule, rather than stand by and see their own children murdered and their daughters ravaged by this gang of brutes.

Mr. BORAH. The thing I do not understand about the Senator's position, if there are a vast majority of people in Russia in favor of his program, is why they do not proceed to put it into execution.

Mr. McCUMBER. Because, as I tried to answer the Senator, they are helpless.

Mr. BORAH. No; Mr. President——

Mr. McCUMBER. That is the first reason; secondly, because they have not the capacity, without some assistance and some defense, to organize a government. My opinion is that if we would defend them and call upon them to elect a Congress they would be capable of doing it and would be able to establish a real government in Russia.

Mr. BORAH. Does the Senator really contend that America should go to Russia with some 250,000 to 500,000 troops and stay there until the Russian people demonstrate that they are capable of organizing and maintaining a sane form of government such as the Senator would believe in?

Mr. McCUMBER. No; Mr. President, I am really doubtful if they would ever maintain a government of the character I would believe in, but I would go there and stay long enough to get rid of Lenine and Trotsky.

Mr. BORAH. I understand that; but——

Mr. McCUMBER. And I would then allow the people of that nation to at least attempt self-government. I would give them the opportunity under the protection of the United States and the allied powers.

Mr. BORAH. This is really then a posse comitatus to arrest and try and execute Lenine and Trotsky?

Mr. McCUMBER. The Senator can consider it in any light he sees fit. If it were to try and execute Lenine and Trotsky I would say that we had done a mighty service in Russia. And these murderers deserve it a thousand times over, if we were capable of inflicting it upon them. We should relieve Russia from that control to-day. Then, if she can not control herself that is for her.

I want to beg the pardon of the Senator from Illinois for having taken so much of his time.

Mr. SHERMAN. That is all right.

Mr. President, to resume, the atmosphere about the allies and our own forces in Russia, I think, is accurately described by the Senator from Idaho [Mr. BORAH], whom I thank for the facts given. There is not that amicable feeling that ordinarily ought to prevail between the friendly people or forces of one country and another.

Let me recur to what I think is elemental in the question raised by the Senator from North Dakota [Mr. McCUMBER]. In substance, it is that our friends in Russia were in a struggle against the Bolsheviki government; that we, joining with our Russian friends, originally had a right to go there, were justified both in international law and in morals; and having gone there properly we may properly stay there until such time as another government is established satisfactory to us or until we are willing to withdraw.

I have not stated, and I wish particularly the Senator to keep this in mind, that we properly had ever gone, according to our own practices and creed, to northern Russia. I said, as the transcript will show, that in the exigencies of war we ought liberally to judge the conduct of our own country in sending its forces there in a time of emergency. The submarine warfare referred to by the Senator from Utah [Mr. KING] and myself as well, with other urgent demands, justified, it is thought, the allies and ourselves in sending our forces to that point.

But, Mr. President, what authority do we have to send our forces into the territory or waters of any independent nation unless we have recognized a government there and have joined with that government as our ally, and gone there by their consent? If the Germans, through the connivance of part of the Russian people, menaced us there, we ought to have declared war by Congress. The President had no power to invade Russia. It will not be claimed, I think, by any Senator that our friends in northern Russia had there set up a government; that they had a capital, an army, a navy, a department of government answering to an executive or legislative body; that all the political organs of a government were existent and that we recognize our friends in northern Russia as a government. If we had done so, then we properly could have joined with the government of the friendly nation that we have recognized there and gone upon their soil.

That is why we were right in sending troops into Siberia. The Czecho-Slovaks have organized a separate government; they with their fellow countrymen in Hungary and Bohemia, in more westerly Europe, have joined with the captives taken in war, returning to their original hope of self-government and have set up one. They have a capital. They seized the Siberian Railway. They had their communication with Hungarians and Slovaks in more western Europe. They not only had a capital, but they had an army. They established a legislative department. They had all the vital organs of an independent nation. The great Bohemian representatives were on our shore, and sojourning in our city was Dr. Masaryk, the great moving mind of this combination. It was in his care and under his protection that these formalities, if they be called formalities, were attended to, the details of erecting an independent empire out of the people in the territories concerned.

When this was done we recognized that far-distant point of Siberia as an independent government. They have their friendly representatives in this Government. We hesitated because of Japan's interest in the Orient, but finally with her consent we sent our forces to the help of that independent country.

They had seized the Siberian Railway. They had kept the Bolsheviki government from entering this part of Asia. They had stopped the shipment of supplies and military forces. Not only that, they had gone further. They had equipped troops, they had fought battles, they had won victories, they had established their right to exist and be recognized among the independent nations of the earth.

When we sent our troops into Siberia we sent them there with the consent of the new government. They were our allies. We violated none of the proprieties or laws existing between nations. We observed the rules of diplomacy. We followed the international law that governs between nation and nation.

In northern Russia, Mr. President, we observed none of these necessary incidents. Instead of setting up an independent goverment our friends only expressed their detestation and horror at the atrocities of the Bolsheviki government. With those expressions we sympathize. They did not or could not set up an independent government. When our forces went into northern Russia they went upon the soil of a country that was neither our ally nor our enemy. The President sent our military forces upon the soil of a country against which Congress had never declared war. The President had not even asked Congress to declare war. He assumed a power not belonging to the Executive.

Why did Germany say, in justifying her course in Belgium, that it was because the Belgians were friends of the French people and they could no longer trust them? I believe the claim was false, but it was urged. We know the Bolshevist government was friends to Germany, and without declaring war we invaded Russia for that help or sympathy given our enemy, the same ground on which Germany tried to justify her invasion of Belgium.

Why are we now in northern Russia? It is because the Bolshevists are the friends of Germany and we can no longer trust them. That is the argument. Even our country must be consistent in such instances and it must be right. I do not subscribe, save in war, to the Decatur doctrine, that I am with "my country, right or wrong." I am, without question, with her when she is at war, but in time of peace I will not follow public authority if I think it wrong. Since the armistice we have no reason to be there, even if we admit it before the armistice. I will endeavor to correct the errors of my country before it advances far in that course. So, Mr. President, if it is an argument for the German in Belgium it is an argument even for the hated Bolshevists in northern Russia to say that we have reduced our international conduct to the low level of the brute force of the Hun. We have ignored our own creed.

There is no escaping the verdict of history. We may declaim for months; we may issue proclamations by the score; communiques may come from the peace conference; stately phrases may emanate from the absent Executive; but history, with unerring verdict and with impartial pen, will write the record for the future years.

If we remain in Russia under present conditions, without a new government being set up there, with all the characteristics that belong to civil government, and we do not recognize such a government, and enter or remain there by its consent, we have no business in northern Russia under the rule of international right. We can justify it only by brute force; by the law of necessity, that admits there is no other law, we can invoke in our defense. So there is a distinction ever to be kept in mind.

I do not say, save by the law of necessity, that we are rightfully or ever were rightfully in northern Russia. We went there with our allies by the exigencies of war for the purpose of preventing the Bolshevist government from either submitting or voluntarily consenting to the establishment of a submarine base in the neighborhood of Archangel and to protect our allies' military supplies. The Germans would have seized such supplies; it would have been a military loss. So the forces were dispatched there to protect them. Those are two good military reasons, but they savor too much of the Hun.

If we declare war against the Bolshevist government it can be done only by Congress. Let a resolution be introduced here; let it pass both bodies upon a hearing; and if Congress declares a state of war existing, then it is the act of the established authorities of this country. There is no power in the Executive to declare war. It is an act of Executive usurpation for him to send troops into northern Russia. It was as complete an assumption of dictatorial power as that of Napoleon when he was first consul and seized the reins of authority. It must, therefore, I say to the Senator, be kept in mind that, before we can lawfully be upon Russian soil or in Russian waters, we must have recognized the Government there, declared war by an act of Congress, and have joined with them to fight our enemies on their own soil. That we have not done; it will not be pretended that he have done so.

Mr. McCUMBER. The Senator states that there was no government there; but the Senator will admit that there was an enemy there, and that the enemy was assisting our enemy.

Mr. SHERMAN. That is precisely what Germany said as to Belgium; that the Belgians would not resist French movements, French influence, and because of that she was justified in putting the iron heel upon that country and destroying it. I detest such a doctrine. I deny the German claim. I abhor the German course in Belgium.

Mr. McCUMBER. Does the Senator claim that the conditions existing between Germany and Belgium furnish a parallel case with those existing between our allies and ourselves and Lenine and Trotzky?

Mr. SHERMAN. Not a parallel case in fact and cruelty, but a parallel case in principle. The atrocity or mere degree of evils does not change the application of the basic principles, and the fact that the German was greater and more comprehensive in his cruelty and in his power than the Bolshevist in northern Russia in treating his own domestic enemies does not change the application of the principle in the least.

Mr. BORAH. Mr. President——

Mr. SHERMAN. I yield to the Senator from Idaho.

Mr. BORAH. Will the Senator permit me to call attention to a paragraph in the Chicago Daily Tribune of February 11 with reference to the subject matter to which I called attention a few moments ago in the colloquy with the Senator from North Dakota?

Mr. SHERMAN. I will.

Mr. BORAH. This article is by Frazier Hunt, the correspondent of the Chicago Daily Tribune, who is now or has been for weeks in Russia, and who is writing uncensored articles to the Chicago Tribune. An uncensored article in these days is worth listening to.

Mr. JOHNSON of California. If the Senator will yield for an instant, permit me to say that Mr. Frazier Hunt was sent to this particular territory at Archangel by the Chicago Tribune for the purpose of making investigations concerning our situation there and concerning what was transpiring with regard to the Russians and ourselves. The first of his articles appearing yesterday I read and put in the RECORD. The second, I think, is the one that is now in the hands of the Senator from Idaho.

Mr. BORAH. I read a paragraph or two from this article, as follows:

> The things expected of the expedition failed. It was believed that great masses of Russian volunteers would flock to the colors. Instead, the few who responded to the call came to be clothed and rationed.
>
> CONSTANT CAUSE OF TROUBLE.
>
> The Russian troops in north Russia have been constantly in hot water. They have refused to go to the front and fight. They have been hotbeds of the spirit of unrest. A few weeks ago a revolt occurred in one unit which was ordered to go to the front, and was not settled until a number of the leaders were taken out and executed.
>
> The local peasant volunteers will fight to regain their own villages; but that is all.
>
> The whole of the anti-Bolshevik army system in north Russia is being told about how the great all-Russian armies will kick down the Moscow government if only given a chance.
>
> In the Archangel district, under the allied domination, there is 300,000 population, but only a couple of thousand actual fighting troops can be recruited.
>
> WHERE THE FAULT LIES.
>
> Deeper than anything else has been the failure of the foreign troops and the public to understand the real spirit of political unrest that has spread over Russia. Here are 180,000,000 persons who have been crushed for generations by the iron heel of a stupid and cruel autocracy. Suddenly this heel is lifted and every restraint, every old bond that has held them, is broken. They have done the natural thing, which has been to swing to the other extreme.
>
> This other end has been a spirit of dangerous radicalism which expressed itself in bolshevism.

That is all with reference to the particular point that I had in mind when I called attention a few moments ago to the fact that the allied troops were not being supported by the anti-Bolshevik people of Russia.

Mr. SHERMAN. That seems, I regret, to be such information as comes to us from various parts of the district affected.

There is another difficulty in addition to the one that the Senator from Idaho properly mentions, and which I have been endeavoring to urge upon the Senate. It is that with from 180,000,000 to 200,000,000 people in Russia, if we persist in obtruding ourselves with the allies and our Army and Navy into their waters and country, we shall finally evolve in Russia a disturbing or dangerous condition. It is already dangerous. The infamous cult that calls itself a government there is a menace to the whole civilized world. I have no defense or apology or anything but words of reprobation for them; but that is not the question before this Senate.

If we persist, I repeat, in obtruding ourselves into Russia without the invitation or consent of some established government there, we shall do what all the rest of Europe did with the French in the early days of their revolution. Far removed, as we are, from that troublous period, it is difficult now to understand why Napoleon and his legions fought all Europe so long before he was overwhelmed. The greater part of France, beginning in 1788 or 1789, up to the days when Napoleon found himself emperor, was in a state of continual civil commotion. Practically the rebellious Frenchmen organized by Napoleon fought all Europe during those years, because Napoleon declared and they believed other European nations sought to thrust upon them a government dictated from outside France. Their answer was Napoleon. They won some of the greatest victories known, save of the present war. That was because of the avowed purpose of the rest of Europe to invade France, and to impose upon her a form of government not framed or consented to by the French people. Let us be forewarned and forearmed here, that we do not finally mold the Russian people into a homogeneous nation, armed against all Europe and ourselves.

Ever on their western border lingers the wreck of the central empires; ever there remains in Europe the Hun and his spirit to join with Russia if she shall find her power and organizes it under some great military leader. Some time an Alexander I; some time a Metternich; some time a Talleyrand; some time another captain of artillery will appear, and some great military forces will be molded in Russia that will really become, with the assistance of the Germans, a menace to all Europe, ourselves on this side of the ocean included.

I believe it is not only correct in principle and as a matter of right, but that it is acting with the highest degree of prudence to withdraw our forces from Russia and let the Russians establish the kind of government they will. Whether we shall recognize it and establish diplomatic relations is not now the question.

It is said that that government is extremely obnoxious and that their creed is one of destruction and one of systematic crusade against every government in the world. That is so. I detest such an atrocious criminal system; but to a former monarchist, to a head that used to wear a diadem, it may be thought that republican principles of free government are a menace to all the monarchies of the world. So they are regarded; so some of the governments that opposed Napolean regarded it. It was the death knell of despotism. The kings knew that their thrones were upon unstable foundations if he prevailed. Whether his reasons were good or bad, we need not stop to inquire, but we must avoid that danger. The Russian people must not be misled. It is an ever-present menace to be dealt with, and to be dealt with with prudence and discretion.

Mr. President, if we are to inquire into the virtues or the vices of governments, I have read the Mexican constitution from which I quoted a while ago some obnoxious features, and I now read one from the Russian Bolshevist constitution.

DIVISION 1.

ARTICLE 1. All property rights in the land, treasures of the earth, waters, forests, and fundamental natural resources within the boundaries of the Russian Federated Soviet Republic are abolished.

ART. 2. The land passes over to the use of the entire laboring population without any compensation, open or secret, to the former owners.

ART. 3. The right to use the land belongs to those who till it by their own labor, with the exception of special cases covered by this decree.

* * * * * * *

ART. 5. The subsurface deposits, the forests, waters, and fundamental natural resources are at the disposition (according to their character) of the county, provincial, regional, and federal soviet powers, and are under the control of the latter. The method of disposition and utilization of the subsurface deposits, waters, and fundamental natural resources will be dealt with by a special decree.

Another portion of this document relating to credits and personal property repudiates the entire national debt of Russia under all former governments. There could not be a more wholesale destruction of private property. A section, which I will not stop to read, treats all personal property, live stock, and values of a personal character in the same way; in substance, it confiscates them; takes them from the hands of the present owners, as the land is taken from the present owners. No one can be surprised that famine resulted. The constitution confiscates and distributes, but holds out no incentive to production.

This, in substance, is no worse a condition than is found in Mexico. It has been operated in Mexico by a form of license that that Government now permits, under which mining and oil rights are regulated. No one can operate or use his own property under such a plan. In practice it became confiscation. Why not declare war on Mexico? Why not make practical war on Mexico for the same thing? Our Executive and Great Britain both notified Carranza to modify his practices that interfered with fuel oil. Their brutalities in some instances are equal to those of the Bolshevists, and the confiscation is practically the same. Carranza suspended his plan of operating the Mexican constitution on such notices. There is, therefore, no reason why we should make war on a country because we do not agree with her form of constitution or with her methods of administering it or with the conduct of civil government in their domestic affairs.

I have heard as another argument why we should remain in Russia—and heard it quite potently advanced in some editorials and by certain gentlemen in conversation—that German influence is paramount in northern Russia and that it will be extremely dangerous if we remove our forces from Russia, because that part of the country will immediately fall under the influence of Germany; that all the resources and the population will be used against us in building up a hostile influence there. If that is to be our creed in the peace conference, then we must bar Germany from all parts of the earth. I candidly confess I wish she were. I am perfectly willing, for my part, that she stay out of all the rest of the world except where it suits us; but I am not willing to announce that doctrine as a matter of international law or of military occupation. Whatever we may think or wish, there is no way of doing so. That is a matter to be worked out by moral influences and not by military force.

The whole peace congress and the peace league have now reached a condition where there is no longer left anything but a mixture of moral suasion and economic pressure. It abrogates vital articles of our Constitution. It takes from Congress the power to declare war and raise and support armies. Those powers pass to Europe. We supposed here when the President started on his distinguished services abroad that we would voluntarily contribute to an international police force, that we would be concerned, if we willed it, in every difficulty in Europe, and that, if a disturbance broke out there, domestic or foreign, we would land our forces to quell the insurrection. Where is it to-day? It is vested in nations in Europe. Our sovereignty in honor and national integrity leaves us the accident of foreign ambitions.

There is now nothing in it, I repeat, Mr. President, but moral suasion and economic pressure, save our embarrassing entanglements and loss of independence. Close our ports, deny their rights to trade with us, boycott their merchandise, close their exchanges for the transfer of credits and money, bar them from the market—that is economic pressure. Moral suasion! Send them what George Creel says he sent the Hun. In a copy of a magazine extant and found upon the news stands our beloved friend Creel tells us it was a mistake about the military forces of the allies and ourselves conquering Germany; that it was his own fountain pen and ever-present typewriter that did it. Mr. Creel sent propaganda of the most devastating character to the Germans. He dropped it, or was instrumental in having it dropped, from aircraft; he shot it out of guns; he threw it from the trenches; he sent it by spies, afoot and on horseback, and in every way on the earth, through the air, and on and under the water he transmitted moral suasion to the Hun, until finally the morale of the Hun was so sapped by George Creel that he could not stand it any longer, and between surrender and the presence of the moral suasion of Creel he quit!

Mr. FRANCE. Mr. President, will the Senator yield?

Mr. SHERMAN. Yes, sir.

Mr. FRANCE. I should like to ask the Senator if he would consider that to be a cruel and inhuman form of warfare?

Mr. SHERMAN. I do. I consider it an inhuman form of warfare, for the same reason that I consider the reading of his article, "Around the Clock with Baker," something that exceeded all human punishment heretofore devised. To anybody with any sensitiveness or with any feeling of fitness or standards about the literary character of anything, his article was of the type prohibited by the Constitution as being "unusual and cruel punishment" if a person were compelled to read it in Congress or solitary confinement. Even the German, inured to brutality and trained butcher as he was, dropped his poison gas and gun and cried "Kamerad" to escape the torture.

He tells us, in substance, that he defeated the Hun by his literary assaults. I have not the article here, but I intend at some time—possibly not at this session, as the time is short—to take up, analyze, and present to this Chamber what I think is the most remarkable article of any of the various ones appearing in the press, sensational or otherwise, in the lifetime of our country.

The German influence, however, in northern Russia may be friendly to the Bolshevists. Concede it. I think it is. Why, I do not know. I know of no court before which we can cite

nations to prove mercenary motives, but I think that Mr. Trotzky and his outfit were bought by good German gold. There are a number of authentic documents, the genuineness of which is not disputed up to this time, to show that Germany's crusade in Russia was backed up by her money. Trotzky was in San Francisco when he lived in this country and was actively engaged in trying to bolshevise the United States. If his trail be gone over from beginning to end, it will be found that he is as agile a hunter for the coin of the realm as any sordid grafter in the world. Wherever Trotzky goes or stops you may there expect to find somebody's funds.

It is said that he sent an emissary or a representative to this country, who abode for a time in New York, and who sought to obtain recognition for the Bolsheviki government. He was met by a sturdy refusal. That is a matter for this country to determine through its constituted authorities. So far as I am concerned, I am willing to acquiesce in what the authorities did around the executive department in that instance and likely to approve it. Possibly our distinguished fellow citizen from Chicago, Raymond Robins, came here armed as minister plenipotentiary from the Bolsheviki government to secure recognition. That, too, was a matter of discretion. I understand that our President did not see him. Whether he was forewarned of his mission and desired to avoid what would be an embarrassing scene, or whether he was otherwise engaged, history saith not. At any rate, I am sure that the Senator from California is well within the truth when he says that Mr. Robins did not see the President.

Let it be granted that he was here for the purpose of opening friendly relations between the Bolshevist government and this country, the fact remains that we have not recognized the Bolshevist government, nor have we recognized any other government in northern Russia, or any part of Russia outside of Siberia. There we have done so; there we have sent some of our forces; and there can be no criticism by the future impartial historian of our course in that respect. The mere fact that the Russian may be disposed to be friendly to the Germans could not of itself be a reason for us to send our forces into northern Russia and undertake to subjugate the Bolshevist government. Much less could we be at war there since the armistice. When the Bolshevist government undertakes to interfere with our lawful rights, then I believe in fighting, but our lawful rights no longer lie in Russia. We can not justify ourselves longer to remain there.

I understand, through some press reports at least coming by way of London, that the English are willing to withdraw their forces. It is a peculiar comment upon our domestic situation that most of the accurate information we have of our foreign relations must come by way of cable from the capital of Great Britain. If I am to learn anything that is authentic, I wait until Mr. Balfour speaks; I wait until a cable has been sent to us from London. I do not seek information in the Capital of our country, much as I love it; I do not ask for information from those in authority in the executive department, much as they have, for I know I would not get it. I read the cablegrams that come from England in order to inform myself what my country is doing in Europe. It is possible that the Committee on Foreign Relations are treated with greater confidence; I hope they are; they deserve it; they are men eminent in their professions and occupations and entirely worthy of any confidence that may be reposed in them by the Executive; but unless conditions have changed since the last cloakroom gossip that I heard, they themselves have no advance information that would lead them seriously to question much of what the Senator from California has said or what I will say or have said on the floor of this Chamber.

I now, in order to show the condition in which we find ourselves, shall refer to the $100,000,000 appropriation to feed starving Europe, which passed this body—a most gracious act. Of course we have money to throw away. With about $18,000,000,000 of bonded indebtedness, with $18,000,000,000 or $20,000,000,000 of appropriations, and how much more in the future we know not, we go blithely along. Pay day is yet many, many years away apparently. We are thinking about the limit of the first 3½ per cent loan that falls due under an option in 1932, and by that time many things may happen, so a little matter of $100,000,000 was a mere bagatelle, and we passed it almost without a question. Some few niggardly souls, it is true, objected to this $100,000,000 appropriation and thought it was not necessary, thereby earning the hearty contempt of many distinguished persons. The credit has been established, and some of it no doubt by this time has been cabled to various points for relief. We are engaged in distributing food, some of it possibly in Russia, some in Belgium, some in part of the Polish Provinces, Lithuania, the Balkan countries, and at times it seems some in the territory that the Germans have under occupation. Some of our money is going in there out of this $100,000,000, I believe.

Here is a cablegram dated at Warsaw, Poland, February 11. It shows how thankful the Hun is. It leads me to entertain a lurking suspicion that if the Hun had ample supplies of food, if he had stores of sausage and many gallons of beer, if he had an abundance of arms hidden away, he would again be the Hun as in 1914. Hindenburg is not dead. He is not even sleeping. The Kaiser is not dead, although sundry efforts to work up sympathy for him are proved by cablegrams from Holland almost every day. He is described as being tottering in form, gray haired, starting at every sound. Every time he sees anybody coming he anticipates trouble. For him, it is said, the ghost walks continually day and night, and that he has been punished beyond all human deserts. Let it be so, but he has six uninjured sons, every one of them a lusty representative of the House of Hohenzollern. Not one of them has abdicated; not one of them has been wounded; not one of them has suffered any privations during the war. They traveled in state. They protected their precious persons in steel-clad limousines all the time when they were upon the scene of battle.

When the storehouses of Potsdam, after the Kaiser took leg bail, were distributed there were found vast stores of sausages and preserved meats and canned foods and pickles and cereals and breads and all forms of nourishment dear to the Hun heart; and porter—to continue the inventory that I had, and examined with great pleasure—and wines and sauerkraut galore. They were furnished for a siege; so these six uninjured sons are thrifty and forehanded. Hindenburg lives. He has 600,000 men now under arms. The delegates at the peace conference in Paris have not disarmed the German people or the German Army. They are calling for volunteers. Notices are posted in Berlin and in Frankfort for volunteers for the Hindenburg army, ostensibly to protect the eastern borders of Germany. It does not make any difference why an army is mustered into the field. We know very well if the German has an army what he will do with it. It is no wonder that at the peace conference already it is anticipated that when the treaty shall be prepared in its tentative form and submitted to the German he proposes again to reenact the saber rattling as of old; that he intends to fight because its terms do not suit him; and still we, a race of good Samaritans, have been sending food to these gentlemen. Sometime we will regret the armistice as a substitute for unconditional surrender when the German faced at last some of the hardships of war in his own country.

When will we ever learn anything? It seems that we ought to have had enough experience by this time to have learned the character of the nation with which we have been dealing. Go up in northern Russia and fight? What good would it do? Our continued presence there, I fear under present conditions, only increases the danger of welding the Russian people into a solid mass, of turning their sympathies toward Germany—Germany, with yet her resources for infinite trouble in her hands.

Now, in connection with this $100,000,000, this cablegram says:

> The Germans gave another exhibition of high-handedness last Thursday by refusing for a second time the passage of allied officers into Lithuanian districts held by them. This time the officers were American, and though acting in behalf of that very food commission which elsewhere is provisioning Germany, and though their object was to discover the needs of the population in the district around Grodno, they were none the less stopped by German sentries.
>
> They were conducted before a junior German officer in the village of Baciuty, and Lieut. Col. Grove, the senior of the two American officers, with great self-restraint and courtesy, insisted on his right of passage, and explained anew the nature of his mission. The German officer telephoned to Bialystok and gave Col. Grove's message.
>
> An answer came from Capt. von Schroder, of the Hussaren Regiment in Bialystok, who, speaking in behalf of the German command, declared all he had to say was that the American officers were to go back to Poland. When asked for his reason, he blankly refused to give any. This is the second time allied missions have been treated with similar insolence. If the Spa council does not rapidly punish these impertinences, such impressions as exists in these parts of the allies having won the war will quite fade away.
>
> Even if prestige is not considered of any importance, there is ample reason for action because of the manner in which the Germans are withdrawing large quantities of supplies into east Prussia from Lithuania, thus evading the armistice. It is undoubtedly in order that their sleight of hand should remain unrevealed that they have prevented the American and British officers from penetrating among them on two occasions.

These people, it is said, have a predominant influence in northern Russia. They will continue to have that influence in parts of southern Russia so long as they are able to reach and deceive the people concerned. We can not by war break up or destroy that influence. If we undertake to do that, we must renew the war on Germany and include in that the whole Bolshevist government. I do not anticipate that that is even contemplated at this time.

Governments, therefore, in a country must be set up by the people concerned. It is a domestic problem. It is not one in which we can impose our will upon any of the peoples of the world, however barbaric or cruel they are. Therefore, Mr. President, I think the resolution of the Senator from California [Mr. JOHNSON] ought to be adopted. I believe our forces ought to be withdrawn from northern Russia. Either that or we ought to recognize and support an opposition government there and send a force strong enough to destroy bolshevism and support a fit Russian substitute. I have no sympathy whatever with any of those who are opposed to our forces there. I repeat this: I have the utmost abhorrence of bolshevism and its creed anywhere in the world, but that does not blind me to the fact that we are in northern Russia with our forces utterly without right.

Mr. KING. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	Moses	Sherman
Brandegee	Jones, Wash.	New	Smoot
Chamberlain	King	Norris	Spencer
Cummins	Kirby	Page	Swanson
Fletcher	Knox	Penrose	Thomas
France	La Follette	Pomerene	Trammell
Frelinghuysen	Lenroot	Ransdell	Vardaman
Gay	Lewis	Robinson	Wadsworth
Gore	Lodge	Saulsbury	Warren
Hardwick	McCumber	Shafroth	Watson
Johnson, Cal.	McKellar	Sheppard	Williams

The VICE PRESIDENT. Forty-four Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. PITTMAN, Mr. SMITH of South Carolina, Mr. SUTHERLAND, and Mr. THOMPSON answered to their names when called.

Mr. BECKHAM, Mr. CURTIS, Mr. GRONNA, Mr. KENDRICK, Mr. JONES of New Mexico, Mr. NUGENT, and Mr. MCNARY entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present.

Mr. FLETCHER. Mr. President, I move to lay on the table the motion of the Senator from California [Mr. JOHNSON].

Mr. JOHNSON of California. On that I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MOSES (when his name was called). On this question I have a pair with the junior Senator from Nevada [Mr. HENDERSON]. In his absence I withhold my vote.

Mr. SAULSBURY (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT], which I transfer to the senior Senator from Nebraska [Mr. HITCHCOCK], and vote "yea."

The roll call was concluded.

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I transfer my pair with the Senator from Connecticut to the Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the junior Senator from Washington [Mr. POINDEXTER] and vote "nay."

Mr. CALDER. I have a pair with the junior Senator from Rhode Island [Mr. GERRY]. I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. MOSES. I transfer my pair with the junior Senator from Nevada [Mr. HENDERSON] to the senior Senator from Maine [Mr. FERNALD] and vote "nay."

Mr. HARDING. I note the absence of the junior Senator from Alabama [Mr. UNDERWOOD], with whom I have a general pair. I am unable to secure a transfer and therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. TOWNSEND. I desire to announce the absence on account of sickness of my colleague, the senior Senator from Michigan [Mr. SMITH]. He is paired with the senior Senator from Missouri [Mr. REED]. This announcement may stand on all votes for the day.

Mr. KENDRICK (after having voted in the affirmative). I transfer my pair with the senior Senator from New Mexico [Mr. FALL] to the senior Senator from Virginia [Mr. MARTIN] and will let my vote stand.

Mr. BRANDEGEE (after having voted in the negative). I am paired with the senior Senator from Tennessee [Mr. SHIELDS]. I thought the Senator from Tennessee had returned, but I understand he has not, and I therefore withdraw my vote.

Mr. SAULSBURY. I desire to announce that the senior Senator from Maryland [Mr. SMITH] is absent on account of illness, and that the Senator from Nevada [Mr. HENDERSON] is detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Maine [Mr. HALE] with the Senator from California [Mr. PHELAN]; and

The Senator from Minnesota [Mr. KELLOGG] with the Senator from North Carolina [Mr. SIMMONS].

The roll call resulted—yeas 33, nays 33, as follows:

YEAS—33.

Ashurst	Kirby	Pomerene	Swanson
Bankhead	Lewis	Ransdell	Thomas
Beckham	McCumber	Robinson	Thompson
Fletcher	McKellar	Saulsbury	Trammell
Gay	Myers	Shafroth	Williams
Johnson, S. Dak.	Nelson	Sheppard	Wolcott
Jones, N. Mex.	Nugent	Smith, Ga.	
Kendrick	Overman	Smith, S. C.	
King	Pittman	Sterling	

NAYS—33.

Borah	Hardwick	Moses	Townsend
Calder	Johnson, Cal.	New	Vardaman
Chamberlain	Jones, Wash.	Norris	Wadsworth
Cummins	Kenyon	Page	Warren
Curtis	Knox	Penrose	Watson
France	La Follette	Sherman	Weeks
Frelinghuysen	Lenroot	Smoot	
Gore	Lodge	Spencer	
Gronna	McNary	Sutherland	

NOT VOTING—30.

Baird	Goff	Martin, Ky.	Simmons
Brandegee	Hale	Martin, Va.	Smith, Ariz.
Colt	Harding	Owen	Smith, Md.
Culberson	Henderson	Phelan	Smith, Mich.
Dillingham	Hitchcock	Poindexter	Underwood
Fall	Hollis	Pollock	Walsh.
Fernald	Kellogg	Reed	
Gerry	McLean	Shields	

The VICE PRESIDENT. On the motion to lay on the table the motion of the Senator from California [Mr. JOHNSON], the yeas are 33 and the nays are 33. The Chair votes "yea," and the motion is laid on the table.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of a bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The next amendment of the Committee on Commerce was, on page 3, line 4, to strike out "$61,440" and insert "$91,160."

Mr. KENYON. I should like to inquire of the chairman if he has made any explanation of that item. If he has done so I shall not ask him to explain it again.

Mr. FLETCHER. The explanation is that the Chief of Engineers stated that $61,440 would not complete the improvement and that the required amount would be $91,160.

Mr. KENYON. Does that complete the improvement?

Mr. FLETCHER. That completes the improvement.

The amendment was agreed to.

The next amendment was, on page 3, line 8, to strike out "$35,000" and insert "$52,500."

Mr. KING. Mr. President, I hope this amendment will not be agreed to. I have made some little examination of the records in this case, and I do not think the improvement itself warrants any expenditure. The tonnage is wholly inadequate to warrant an appropriation for this project. It occurs to me that the proper motion would be to strike out the item entirely, but that motion perhaps would not be in order at the present time. I sincerely hope that the Senate will not agree to this amendment.

On a division the amendment was agreed to.

The next amendment was, on page 3, line 8, after the words "in all," to strike out "$96,440" and insert "$145,160."

The amendment was agreed to.

The next amendment was, on page 4, line 2, before the word "improvement," to strike out "completing" and insert "for," and in line 11, before the word "improvement," to strike out "completing" and insert "for," so as to make the clause read:

Duck Island, Branford, New Haven, Milford, Bridgeport, Southport, Norwalk, Five Mile River, Stamford and Greenwich Harbors, Westport, Harbor and Saugatuck River, breakwaters at New Haven, and Housatonic River, Conn.: For maintenance, $23,000; for improvement of Bridgeport Harbor in accordance with the report submitted in House Document No. 898, Sixty-third Congress, second session, $111,300; for

improvemtnt of Norwalk Harbor in accordance with the report submitted in House Document No. 1143, Sixty-third Congress, second session, $88,000: *Provided*, That no part of the latter amount shall be expended until the Secretary of War shall have received satisfactory assurances that local interests will construct such public wharfage facilities as, in his opinion, are required in the interest of commerce; for improvement of Stamford Harbor in accordance with the report submitted in House Document No. 1130, Sixty-third Congress, second session, $183,000: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement: *Provided further*, That no part of the latter amount shall be expended until the Secretary of War shall have received satisfactory assurances that local interests will construct a suitable public wharf; for improvement of Greenwich Harbor in accordance with the report submitted in House Document No. 289, Sixty-third Congress, first session, $35,000; in all, $440,300.

Mr. KING. I should like to ask the chairman of the committee why this amendment has been submitted. The House, evidently after investigation, considered that the sum of $183,000 was sufficient for the completion of the project. The Senate committee evidently deemed it insufficient, and gives the same amount merely for improvements. The House must have had ample evidence before it to justify the conclusion which finds expression in the appropriation which they recommended.

Mr. FLETCHER. The reason for the amendment is that in inserting the items the House adopted the estimate as originally made and as shown by the original document. We are not certain that that will enable the engineers to complete the project, and in order not to mislead at all we recommend to change the word "completing" to the word "for," so that if it should not be completed within that figure the improvement could be made so far as it will go. We would not do that except in cases where the engineers tell us that beyond question money can be advantageously spent, whether it completes the project or leaves some of it yet to be attended to later on.

As I said, the House simply took the original estimate. It is possible it will require some further appropriation to complete the project. We are not certain about that. At any rate we feel sure that $183,000 will not complete it, and therefore we have asked to change the word "completing" to the word "for," so we will be in good faith with Congress and at the same time carry out the work on the project as far as possible. We have done the same thing as to the item in line 11, and for the same reason.

Mr. KING. I should like to ask the Senator if he deems it a wise policy for the Government of the United States to enter upon these projects without acquiring the land that may be necessary for the consummation of the improvement, because I find in a part of the item these words:

Provided, That no expense shall be incurred by the United States for acquiring any land required for the purpose of this improvement.

It is obvious that the United States must acquire land for the purposes of this improvement. My recollection is that the record shows some expenditure has already been made, apparently without having made provision to acquire the needed land.

Mr. FLETCHER. The Senator will see that we do not go on with the work until the lands are provided and without expense to the Government.

Mr. KING. I wish to ask the chairman of the committee if it would not be a wiser policy for the Government, if the project is deemed necessary, to acquire the land before authorizing this expenditure?

Mr. FLETCHER. I think the project need not wait until the land is acquired. They are required to do that, but they can go on with the work. That is a matter of detail which will be taken care of by the time they get ready to call for bids and make arrangements for letting contracts for doing the work, as they may see fit. At any rate, there is no expense on the part of the Government in acquiring the land.

Mr. KING. If the Senator will pardon me, this project is not new. My recollection is that considerable money has been expended upon the project. I remember reading in one of the reports referring to this project that the entire tonnage was only about 200,000 per annum, and that it consists of a little coal and a little lumber hauled upon barges. If it is a new project, the stream is being utilized already for commerce. If it is not a new project, then the Government has been proceeding without having acquired the land, a very dangerous and a very unwise policy.

Mr. FLETCHER. I do not think the Government is taking any chances on that. The Senator is right in saying that it is not a new project. This is for the purpose of continuing the improvement.

Mr. RANSDELL. I should like to say, if the Senator will permit me, that the engineers' report shows, on page 225, that the commerce of the Stamford Harbor for 1917 was 315,159 short tons, valued at $19,258,529. So it is a pretty considerable harbor with a very valuable commerce. This is a modification, I would say, of an existing project.

Mr. KING. I have before me the report of the Board of Engineers for Rivers and Harbors dated June 30, 1914, in which it is stated that the commerce in recent years has ranged from 165,000 to 175,000 tons in the east branch and from 67,000 to 95,000 tons in the west branch, making a total of from 260,000 to 300,000 tons, having a total value of about $12,000,000 to $15,000,000.

Further on the report says that "coal is the principal item of commerce, and the larger coal barges," and so forth. It goes on to describe them, and says they are utilized for carrying coal. So evidently that is an old project, upon which the Government entered without having acquired the necessary land.

Mr. RANSDELL. Not at all. It is an old project, of which the Government is going to make a modification. If you will let me have that report I will find it and show it to you. I have not the project before me.

Mr. KING. It will be necessary to acquire additional land in order that the project may be carried out according to the terms contemplated in the recommendation of the committee.

Mr. RANSDELL. It is the modification that we recommend. It will be necessary to get further land.

Mr. FLETCHER. That was all made clear in the report.

Mr. RANSDELL. The report shows that the Chief of Engineers recommends:

After due consideration of the above report, I concur with the views of the Board of Engineers for Rivers and Harbors, and therefore report that further improvement by the United States of Stamford Harbor, Conn., is deemed advisable to the extent of providing an entrance channel 12 feet deep at mean low water and 200 feet wide, channel in the east branch 12 feet deep at mean low water and from 85 to 125 feet wide, and a channel in the west branch 9 feet deep at mean low water and 100 feet wide, following the new alignment, with a basin at the head of the same depth and 200 feet wide, approximately as shown on the accompanying map. Total cost, $183,000 for first construction and $5,000 annually for maintenance, provided that no expense shall be incurred by the United States for acquiring any land required for the purpose of this improvement.

It is an old project, as stated. It has been in existence for many years; but the new project proposes to extend it and enlarge it, and in the enlargement and extension it will be necessary to acquire some additional lands, and the engineers recommend that those additional lands be not acquired by the Government. In other words, the local people must furnish the lands or else the money will not be expended by the National Government.

I will state to the Senator that that frequently is done, and the local community is sufficiently interested to contribute in someway a dumping ground. Frequently you have to do a great deal of dredging. It is necessary to have ground on which to place the dredged material. If you have not got that ground, you have to haul the material out to sea at a very considerable expense, and the very point of furnishing a dumping ground for the dredged material is often a material item. I imagine it is something of that kind here.

Mr. FLETCHER. I would also draw the attention of the Senator to the statement of the commerce. It is a very considerable harbor. The original project of Stamford Harbor was adopted away back in 1886, and then the present project was adopted in 1892. This is now a recommendation for a modification of the project so as to give greater depth and width of channel.

The commerce is shown by the report. In 1913, for instance, the tonnage was 332,576 short tons, value $15,984,034; in 1915, 356,768 short tons, value $17,843,810; in 1916, 401,359 short tons, value $22,708,426; and in 1917, 315,159 short tons, valued at $19,258,529. That is a pretty considerable commerce and seems to be a very worthy project. I hope the amendment will be agreed to.

The VICE PRESIDENT. The question is on the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 5, line 3, before the word "improvement," to strike out "completing" and insert "for," so as to make the clause read:

Newark Bay, N. J.: For improvement in accordance with the report submitted in House Document No. 2110, Sixty-fourth Congress, second session, and subject to the conditions set forth in said document, $105,600.

The amendment was agreed to.

The next amendment was, on page 5, after line 16, to insert:

Hackensack River, N. J.: For improvement in accordance with the report submitted in House Document No. 728, Sixty-fifth Congress, second session, $88,000.

Mr. KENYON. Mr. President, some of us would like to get a little information about this item. I notice House Document No. 728, to which reference is made in the bill. I am not

quite clear whether there are two distinct propositions as to this river or not. On page 2 of the report is the following:

This stretch of the river is about 4½ miles long, and a draft of about 2 feet at mean low water can now be carried to New Milford. The improvement desired for local interests is a channel 12 feet deep and 50 feet wide. The district engineer states that the commerce is confined to vessels of very light draft, and the benefits from an improvement would be limited to pleasure boats and the shipment of coal and building materials. He believes that the desired improvement would not result in adequate benefits, and therefore expresses the opinion that it is not advisable for the United States to undertake the improvement of this part of the river at the present time. The division engineer concurs in this view.

The query that arises in my mind is whether this is the proposition for which we are appropriating.

Again, on page 4 of the report of the Board of Engineers——

Mr. FLETCHER. I will state to the Senator that paragraph 3, to which he refers, is not the project intended to be covered by this bill.

Mr. KENYON. That is what I wanted to get at.

Mr. FLETCHER (reading)—

This stretch of river is 1 mile long and connects the 20-foot channel in Newark Bay with deep water in the Hackensack River above the Central Railroad bridge.

Mr. KENYON. That is the part that is agreed to—paragraph 4, on page 2.

Mr. FLETCHER. Paragraph 4, on page 2, and paragraph 7, on page 3.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Iowa yield to the Senator from New Jersey?

Mr. KENYON. If the Senator will wait for just a moment, I will yield.

This is for the deepening of a channel to 16 feet, with a width of 300 feet, at an estimated cost of $88,341.

Mr. FLETCHER. I did not hear the Senator.

Mr. KENYON. I was trying to get fixed just what this improvement is. Is this correct? It is the deepening of a channel for 1 mile to 16 feet, with a width of 300 feet, at an estimated cost of $88,341. Is that what this proposition is?

Mr. FLETCHER. The project is the further improvement by the United States at Hackensack River, New Jersey, with a view of obtaining a depth of 16 feet up to the Central Railroad Co. of New Jersey bridge. It is stated in the report that—

The improvement is deemed advisable to the extent of providing a channel 16 feet deep at mean low water and 300 feet wide from the Passaic River Channel to deep water above the Central Railroad Co. of New Jersey bridge, as shown on accompanying map.

That is the project that is covered by this item.

Mr. KENYON. What is the pressing necessity of the project? Perhaps the Senator from New Jersey [Mr. FRELINGHUYSEN] is familiar with it.

Mr. FLETCHER. The Senator from New Jersey is more familiar with the details, and I shall be glad to have him explain the matter.

Mr. FRELINGHUYSEN. Mr. President, as I understand, at the present time there is a bar, or hump, as they call it, near the Central Railroad bridge along this 1-mile stretch, which connects the 20-foot channel in Newark Bay. On the inside of that channel along the Hackensack River there are a large number of industries, including the Federal Shipbuilding Co., the Seaboard By-Products Co., and several others that have considerable traffic along this channel. The report of the engineers states that—

The deepening of this part of the channel to 16 feet is now desired in order to permit barges and other vessels carrying coal, ore, and lumber to discharge their cargoes at their docks above the bridge without lightering. Estimates are submitted by the district engineer for channels 16 feet deep and 200, 300, 400, and 500 feet wide. He states that 696,391 short tons of commerce, valued at $3,731,867, were carried over the river during 1916 in vessels drawing up to about 15 feet, and that about 72 per cent of this originated in the stretch directly affected by the proposed improvement. He believes that the demands of existing commerce justify the deepening of this part of the channel to 16 feet, with a width of 300 feet, at an estimated cost of $88,341, with $5,019 annually for maintenance. The division engineer concurs in this opinion.

* * * * * * *

6. These reports have been referred, as required by law, to the Board of Engineers for Rivers and Harbors, and attention is invited to its report herewith, dated September 25, 1917, concurring in the views of the district engineer and the division engineer.

As I understand, this matter was considered when the bill was pending in the House, but it was not included. Mr. Sweet, the Assistant Secretary of Commerce, has said that that was a mistake; that this was a project which was extremely necessary, and which should have been included in the bill. The Committee on Commerce, after hearing that and considering the matter, decided to insert the item in the bill, and they approved the amendment. I wish to read to the Senate a letter from the Federal Shipbuilding Co. in regard to this improvement. It is as follows:

DEEPENING OF HACKENSACK CHANNEL.

FEDERAL SHIPBUILDING CO.,
Kearny, N. J., January 30, 1919.

Hon. JOSEPH FRELINGHUYSEN,
United States Senate, Washington, D. C.

MY DEAR SENATOR FRELINGHUYSEN: We note with pleasure your deep interest in the above improvement, which we consider absolutely essential for the development of this part of New Jersey. The Federal Shipbuilding Co. are building for the United States Government 30 steamers of 9,600 tons dead-weight capacity, 5 of which have been delivered to date. This plant occupies about 190 acres, and is one of the largest permanent plants in the country and represents a very heavy investment. We also own property on the east side of the Hackensack River opposite our present works, which will be utilized in the near future for the construction of dry docks and repair facilities.

At the present time we employ about 9,000 men, and when the dry docks are completed will have at least 15,000 men on the pay roll.

The present channel of the Hackensack River, which is only 12 feet at low water, has proved a serious handicap in delivering the completed steamers, causing delay as well as great risk, as we have to wait until the very top of high water. Although 16 feet at low water will be of assistance to us, we strongly feel that both the Passaic and Hackensack Rivers ought to have a channel to the open sea at least 30 feet deep, as Newark Bay in this vicinity is the natural place for development, with the view of accommodating the already overcrowded conditions of the maritime industry in the port of New York.

Although we can manage under great difficulty to deliver new vessels built at the yard, the dry-dock business is much different, and any draft of water below 25 feet at mean low tide would cut us out of a large part of our business.

Thanking you for your strong efforts in this matter, I am,
Very sincerely, yours,

ROBERT MCGREGOR,
Vice President and General Manager.

I have several other letters here from industries along there which will be affected by this improvement, which I will read if the Senator from Iowa desires me to do so.

Mr. KENYON. I should like to ask the Senator from New Jersey how this shipbuilding business has been carried on without this improvement—by lighters?

Mr. FRELINGHUYSEN. As was stated in the letter, it was with extreme difficulty that the ships which have been launched have been carried across the bar.

Mr. THOMAS. Mr. President, I have no doubt this bill will pass, as all river and harbor bills since I have been here have passed, but I have been so constantly in opposition to them that I propose, as concisely as I can, to give the reasons why I shall not vote for this bill, and then give way to the roll call, as usual.

For the first time in my life I can commend this bill in one respect, when compared with other bills making appropriations from the Public Treasury for local expenditure—it is extremely modest and moderate. There was a time when it occupied unenviable prominence as the "pork-barrel" bill of Congress, but that was before the war. Since then it has become of nominal consequence; indeed, it may be said that any bill whose aggregate appropriations are less than $50,000,000 in these degenerate days is a minor proposition, and Congress perhaps should weigh the value of its time against the amount of the appropriation when its total sum is less than $50,000,000; but in other respects the bill is just as objectionable to me as it ever was.

Of course, the appropriations which it carries are spread pretty generally over the various States of the Union which are fortunate enough to have waterways of sufficient importance to give respectability to an application for money from the National Treasury for their improvement. It has, therefore, the support, collectively, of a majority of the Members of both Houses, obtained by pooling their issues, so to speak, and, upon the old principle of "you pat my back and I will pat yours," the common purpose is accomplished, the money is obtained, the hearts of our constituents are made joyous, and the prospect of a circulation of Federal money in the various sections of the country becomes an assurance.

Mr. President, I venture the prediction that 100 years from now 95 per cent of the projects and schemes which are included in this bill will be as unused to transportation and to vessels as they are now, however great the aggregate appropriations made for their improvement between now and then may be. It is a remarkable fact, but one that can not be too often reiterated, that the more money we spend in improving our rivers the less freight is carried over them. There seems to be a constant relation between the process of improvement and the decadence of transportation, with here and there an exception. Last year the Department of Commerce published an itemized statement, which I have been unable to find even a reference to in these voluminous books upon the subject, which showed a startling decrease in the business upon the waterways of the country between that year and the preceding one. If my recollection serves me right, it was more than 50 per cent.

It would seem that an object lesson of that sort would be sufficiently serious to bring some realizing sense of the futility of these appropriations to those who administer the finances of the country. They may do it at some time, but I am unable at

present to perceive any prospect in that direction. It is said that the old ship captain who was trying to navigate a boat which had an 8-inch whistle and a 6-inch boiler, and which stopped every time the whistle blew, finally perceived that he could not make much progress and abandoned his craft. We do not seem to act in the matter of river and harbor appropriations with as much wisdom as his experiences brought to that old seaman. So we are going on with these appropriations, and also authorizing the investigation of new schemes, which in due course will in all probability fasten themselves upon the Public Treasury and become barnacles forever thereafter.

There are many good appropriations in this bill, Mr. President, small, relatively speaking, but unquestionably beneficial. I refer to those appropriations which are made for the maintenance and the improvement of harbors and of rivers which are actually used in transporting the commerce of the country. If they stood alone, I could support them cheerfully; but I presume it is as impossible to secure a substantial appropriation for the harbor of New York or the harbor of Boston or the harbor of New Orleans as a separate measure, standing entirely upon its merits, as it would be to pass a general appropriation bill in these days without amending it by riders carrying sums which upon their own merits would never be considered at all, or at least would not be considered favorably. That—and I do not think I speak extravagantly—is one of the curses of national legislation. No measure of merit and importance can become effective in legislation unless it becomes the vehicle or agency for a large quantity of legislation that is not desirable. I remember when a young man reading about the appearance of omnibus bills in the Senate and the House. They were so unusual as to figure in the scare heads of the press dispatches. They were not the rule but the occasional exception. Now a bill that is not an omnibus bill stands a chance of being considered as no bill at all. They are all omnibus bills, and they are all appropriation bills. Massachusetts and South Carolina, the ancient rivals in our Government, but more recently united in the bonds of antisuffrage sentiment, join hands when the subject of appropriations for local purposes is considered, and so do Colorado and Florida, California and Wisconsin, Texas and Minnesota. You scratch my back and I will scratch yours; and, while the scratching process is agreeable, nobody is hurt except the taxpayers of the country.

Now, Mr. President, is it wise at this time, or wise at any time, to continue this needless, unnecessary, and impracticable scheme of financial expenditure? Does the country get a substantial improvement from it? Are the reasons substantial upon which the legislation is based?

It is said that when the waterways, properly improved and deepened and furnished with landings and the other conveniences essential to transportation, shall have been developed into a system, the returning benefit to all the people will be measureless in its value. The Senator from Wisconsin [Mr. LENROOT] to-day punctured the fallacies of these and other claims; notably, that which depends for its success upon the consideration of the effect of potential competition upon railroad rates. I merely wish to emphasize the unanswerable character of his assertion by directing attention for a moment to the recent history of the Erie Canal.

That canal, constructed about 100 years ago from the city of Buffalo to the Hudson River, virtually gave to New York City a commercial and economic advantage which has made her not only the metropolis of the United States but the great financial center of the world. The value of that canal in days past is beyond controversy. It was so manifest until the days of railroad competition, and the falling off of business after that so great, as to justify the State of New York in expending over one hundred millions on its own account for the deepening and reconstruction, in many parts, of that great canal. The idea was that by deepening and widening the channel, by decreasing the number of its locks, by making it available for larger boats, and by the utilization of improved agencies of power, the glory of the canal could be reestablished; that it would again become indeed a great artery of commerce, and would not only potentially but actually affect the rates of railway transportation.

A writer in the Saturday Evening Post two or three months ago, under the heading "Do the People Want Canals?" directed public attention to the fact that although the canal had been improved, and the improvements completed at a cost of nearly $130,000,000, as I remember, the business, the transportation, was decreasing so rapidly that it virtually amounted to nothing; that instead of inviting and stimulating a great business, the investment was about to prove a completely disastrous one, leaving the people to pay the interest upon its bonded indebtedness contracted for that purpose, to keep up the canal itself out of funds from the public treasury, and practically to write off the whole enterprise to profit and loss. In other words, Mr. President, after the State of New York had made this expenditure of money on its own account—because it did not come here asking the Government of the United States to subscribe money for that purpose, which would have been quite as proper and, I think, more desirable than many of these schemes—the strange fact is developed that the people still prefer to use the ordinary methods of communication for their freight; and that great ditch, costing nearly half as much as the Panama Canal, is not utilized for the purpose for which it was designed.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER (Mr. MARTIN of Kentucky in the chair). Does the Senator from Colorado yield to the Senator from New York?

Mr. THOMAS. Certainly.

Mr. WADSWORTH. It might be well for the Senate to understand one phase of the subject which is now under discussion, the New York Barge Canal. The canal was opened for traffic last summer. The State of New York, through its properly constituted authorities, in a spirit of the utmost patriotism, offered the use of the canal to the Federal Government. The Federal Government, acting through the Railway Administration, accepted the offer of the State of New York, and then proceeded to charge railway freight rates for canal traffic, and, of course, there was hardly any traffic upon the canal.

Mr. THOMAS. Does the Senator attribute the falling off of the traffic to that fact? The article to which I refer did not do so. It did not even mention it.

Mr. WADSWORTH. Yes; but it is exceedingly important that it be mentioned.

Mr. THOMAS. Yes; I concede that.

Mr. WADSWORTH. This action coincided in point of time with the opening of the canal. The citizens of New York therefore have thus far had no opportunity, under the peculiar conditions now surrounding the operation of the canal, to try it out; for the Railway Administration, being in control of all freight consignments, could upon its orders send all freight that it desired to send over the railways, and for whatever it sent over the canal on boats operated under the supervision of the Railway Administration it charged railway rates. The purpose of the people of New York when they dug that canal and spent the $130,000,000 was to make it free of toll. The Federal Government, as soon as it takes it over, imposes a toll in the shape of a freight rate.

If the Senator will permit two or three sentences more in the way of interruption, because it is rather interesting——

Mr. THOMAS. Surely.

Mr. WADSWORTH. I have not complete confidence in the future myself; but it can not be said that this thing has yet been tried out sufficiently for us to reach a conclusion. So long as the Federal Government has that degree of supervision over traffic through the New York Barge Canal, no citizen of New York or any other State will ever build a barge; and, as my information goes, not one barge—or scarcely any barges, I will say, to be a little safer—has as yet been laid down by private citizens or private corporations. The Government is now engaged in building barges for the New York Barge Canal on its own account, and is going to tow them through the canal, charging the rates which it is now charging, I assume, although it is now in negotiation with the Superintendent of Canals of the State of New York, the superintendent, I assume, taking the ground that the people of the State can never use that canal, can never build barges to operate on the canal, so long as the Government behaves in that way.

Mr. RANSDELL. Mr. President, will the Senator from New York yield for a question?

Mr. WADSWORTH. The Senator from Colorado has the floor.

Mr. RANSDELL. Will the Senator from Colorado permit me to ask the Senator from New York a question?

Mr. THOMAS. Certainly.

Mr. RANSDELL. I will state that I am under the impression that the arrangements in regard to the Erie Canal have been modified very recently. The Railroad Administration has been putting boats on the Mississippi River from St. Louis to New Orleans, and I understand that the rates there are somewhat less than the railroad rates; if I mistake not, about 20 per cent less. My impression is that the rates on the New York Barge Canal have been made the same as those on the Mississippi River. I believe it was done very recently, but I am not absolutely certain that it has been done. I know there was considerable complaint, as stated by the Senator from New York. It was said that the rates fixed by the Railroad Administration,

exactly the same that the railroads themselves charged, were preventing any traffic from using the barge canal; but it was thought that that was only a temporary arrangement, that it would be corrected, and that a very considerable commerce would pass through the canal.

I should like to ask the Senator if he does not believe that if traffic were permitted, under the ordinary laws of supply and demand, to use that canal freely, as it did in the past prior to the time when you undertook to enlarge it, a very considerable commerce would be carried on it; and would not that commerce, in all probability, be carried very much cheaper than it is carried by rail?

Mr. WADSWORTH. My own opinion is that there will be considerable traffic on the barge canal as soon as the Federal Government takes its hands off, but not while the Federal Government has anything to do with it under the present arrangement. The rates charged on the canal were the same rates that were charged on the railways prior to the recent gigantic advances in railway rates; but even under those circumstances the average shipper preferred to ship by rail rather than pay the old freight rates by water, and no one will build a barge so long as the Federal Government stands there and says, "We are about to build one." Neither the Senator from Louisiana nor myself will ever compete with our own Government.

Mr. THOMAS. Mr. President, I know nothing of a personal character about the New York Barge Canal. The facts set forth by this writer in the article to which I referred were so startling in their nature as to surprise me beyond measure. If my recollection is not at fault, the writer also stated that during the construction of the new canal very little activity was observed in the construction of barges to be operated as soon as it was completed. In other words, there seemed to be no preliminary activity evidencing a spirit of enterprise and having reference to the use of the canal subsequent to its completion. I can readily understand—and I think that will be the case—that without the cooperation of the lines of railway with the management of the canal it will not be used to any considerable extent. I have contended, and I do not believe the proposition can be successfully disputed, that until some such coordination is brought about between the railway system and the waterway system of this country as prevailed in Germany prior to the war you may spend all the money that can be wrung from the people upon river and harbor improvements and you will get no return from it.

In Germany the two systems are so correlated and the character of the freight carried by each is so distributed and the connection between the waterways and the railways is so perfect and so thoroughly adapted to the transfer of freight from one system of transportation to the other that the improvement of the streams of the empire was undoubtedly of great benefit and value to its economic interests and conditions.

It goes without saying, however, that if a railroad company has lines extending from the Missouri River to New York and from the Lakes to New Orleans it is not to its interest nor to the public interest to break freight and send part of its business to its destination by water and the remainder by rail. On the other hand, the harmony of interests and consequent sympathetic cooperation between the two necessarily takes to the waterways the heavy freight, which does not require rapid transportation and which is sent in enormous bulk, while the railways take the remainder.

Mr. SMOOT. Mr. President, is the Senator referring to the Rhine?

Mr. THOMAS. Not to the Rhine particularly, but to the entire waterway system of Germany.

Mr. SMOOT. Of course the Senator is well aware that the only way they can keep the freight on the rivers is to compel the railroads to make a higher rate than the river rate.

Mr. THOMAS. Yes; I am aware of that. I am aware, also, that the Government there, being in control of both systems of transportation, can very easily so operate both as to make each pay. That is what we lack here. That is what we will continue to lack here until we reach the point where public opinion will sustain the view that through some sort of public control the same system of interchange of freights over the country will be inaugurated.

In the meantime we pour money like pouring water into rat holes into these various systems, and hug to our breasts the delusion that we are creating a great waterway system which will soon bless the people with a vastly increased system of transportation at a vastly decreased expense to the consumers of the country.

Mr. President, I have expressed these views heretofore. I shall not now elaborate them. I have not had occasion to change them; I do not suppose I ever will. I may be wrong, but I do not think that a dispassionate consideration of the subject will do otherwise than justify those conclusions. I wish, however, before taking my seat, to direct attention to two or three items in the bill. I will first refer to one on page 7:

> Inland waterway from Delaware River to Chesapeake Bay, Del. and Md.: For improvement to a depth of 12 feet at mean low water, in accordance with the report submitted in House Document No. 196, Sixty-third Congress, first session, $3,000,000: *Provided*, That of the foregoing amount so much as shall be necessary, not to exceed $2,514.289.70, may be paid for the existing Chesapeake & Delaware Canal and all the property, rights of property, franchises, and appurtenances used or acquired for use in connection therewith or appertaining thereto.

In other words, there is an appropriation for the purchase of the Chesapeake & Delaware Canal by the Government of the United States. Mr. President, that project has been knocking at the doors of the Treasury for years, and finally it has secured recognition in the pending river and harbor bill. I do not know that any report has been made from the engineers on this subject. I have only had a chance to superficially examine the three immense volumes of this report.

Mr. SAULSBURY. If the Senator will permit me to inform him, here [exhibiting] are a few of the reports, which I have had bound together.

Mr. THOMAS. I had reference to the printed report, which consists of three volumes. I know the Senator has been one of the proponents of this measure. Let me ask him who owns the Chesapeake & Delaware Canal now?

Mr. SAULSBURY. The Chesapeake & Delaware Canal Co.

Mr. THOMAS. Who owns the stock of the company?

Mr. SAULSBURY. I have a complete certified list of the stockholders of this company here, which was obtained by me in an investigation of this very question a few years ago. It has been printed as a public document and it can be obtained by the Senator. Here is the original list obtained by me and put in this record under sworn testimony.

Mr. THOMAS. Is it not a fact that the Chesapeake & Delaware Canal has been practically put out of business by the railroads?

Mr. SAULSBURY. That is not the fact at all, Mr. President. The Chesapeake & Delaware Canal is now paying out of its net earnings 4 per cent on a bonded indebtedness of $2,600,000, and has ever since 1887, for example. Before that it made a great deal of money.

Mr. THOMAS. What have the stockholders received?

Mr. SAULSBURY. Nothing.

Mr. THOMAS. Why does the company want to sell it to the Government?

Mr. SAULSBURY. The company does not want to sell it to the Government, and I have had a great deal of trouble in trying to get the company and Government in accord on this very question. It was not until the last river and harbor bill I obtained the insertion of a power of condemnation by the Government that they came anywhere near reaching an agreement.

Mr. THOMAS. Why does the Government need it?

Mr. SAULSBURY. I shall be very glad to furnish the Senator, if he will do me the honor to read them, with copies of a number of speeches I have made on it and with a great number of reports made by the engineers to the Government, these reports running from I know as long ago as the early eighties. I can give the Senator the exact date. I have the document here.

Mr. THOMAS. I listened, I think, to two speeches of the Senator, or two arguments——

Mr. SAULSBURY. I may have been unfortunate in not being able——

Mr. THOMAS. And my recollection of the dominant note in the argument was that the acquisition of the canal was desirable that it might form a part of an inland waterway reaching, I think, from New England to somewhere in the cotton States.

Mr. SAULSBURY. The Senator is entirely wrong on that point.

Mr. THOMAS. I may be mistaken about it.

Mr. SAULSBURY. The Senator is wrong. If the Senator will permit me, on the 8th day of October, 1914, the Senate adopted a resolution directing the Secretary of War to furnish all information and all recommendations of military authorities regarding the acquisition of this canal and its use to the Government. On the 11th day of March, 1915, in response to that resolution, he transmitted to the Senate the report which was made. There is collected in it a great deal from the various reports that had been made on this subject, and all, I may say, to the Senator, favorable to the acquisition of the canal by the Government. This report was signed by the chief of the War College Division, Gen. Macomb; by Gen. Bliss, who was the Acting Chief of Staff; and by the Secretary of War. If the Senator has not seen that report, he will find that it is a very valuable contribution to knowledge on the subject.

Mr. THOMAS. I will be very glad to read it.

Mr. SAULSBURY. I will be glad to give the Senator a copy.

Mr. THOMAS. If I draw the correct inference—and if I do not the Senator will set me right—the acquisition of the Chesapeake & Delaware Canal seems to be a military proposition, judging from——

Mr. SAULSBURY. No. If the Senator will permit me to make a suggestion, I began the examination of this subject practically from a purely commercial side. I supplied myself with the facts in the case, looked over the ground and found out everything I could about it, and I became very thoroughly convinced that it would be a great work of public utility and of national importance.

Commercially, I may say to the Senator that I think the report of the engineers will show on the matter of traffic through that canal and the prospect of it that it will pay somewhere from 15 to 20 per cent on the cost of its acquisition and enlargement to the people of this country in the saving of freight. It will save, incidentally, lives lost on the outside course. It will shorten the distance between Baltimore and New York 180 miles. It will shorten the water distance between Baltimore and Philadelphia, over the outside route for ships of good size, something like 300 miles.

Mr. THOMAS. Then it must be either in itself an inland waterway which the Government is to acquire or part of a larger contemplated inland waterway.

Mr. SAULSBURY. May I say to the Senator, as I have said in some of the addresses which unfortunately have not come under the Senator's observation, my belief is that the acquisition by the Government and the completion of this canal as a deep, sea-level canal will absolutely demonstrate the utility and great advantage of the further extension of a waterway system between the upper Delaware above Philadelphia and New York Bay. The great military value is due to the easy and quick transportation of military supplies and munitions through this system of waterways and as a defense against an attack by foreign forces.

Its great naval value is demonstrated by the ease with which our fleets could be assembled anywhere between Narragansett Bay and the Virginia Capes, which would multiply many times the efficiency of that fleet.

Its commercial value is practically demonstrated by the reports which have been many times made upon it and as to the commercial value of the canal very recently by a report made by the Secretary of Commerce.

All these facts really have been so familiar to me and have been reiterated so many times I feel that I am imposing on the Senate when I make this statement. But the Senator will find that practically every fact has been proven as near as it could be proven that it should be made a deep, sea-level canal and ships taken through it in procession, which will be the case. For example, let me tell the Senator there are 50,000,000 tons of commerce on Delaware Bay annually and 50,000,000 tons on the Chesapeake Bay. A little 14-mile stretch separates that great commerce, and the only boats you can get through are little barges drawing 9 feet of water, with only 23 feet beam and 220 feet length.

Mr. THOMAS. The Senator spoke about using it for the passage of our naval vessels. Will the Senator tell me how much that canal will have to be enlarged and deepened in order to permit such a use?

Mr. SAULSBURY. Absolutely, I think I can. It has all been demonstrated in the reports which the engineers have from time to time made.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Washington?

Mr. THOMAS. I yield.

Mr. JONES of Washington. I rise to a question of order. This is a very important matter, and I suggest the absence of a quorum.

Mr. THOMAS. Of course, I must submit to that, but if I had known that was the Senator's purpose I would not have yielded.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gay	Lodge	Pittman
Beckham	Henderson	McKellar	Pollock
Colt	Jones, N. Mex.	Martin, Ky.	Pomerene
Curtis	Jones, Wash.	Moses	Ransdell
Fletcher	King	Nugent	Saulsbury
France	Lenroot	Overman	Shafroth
Frelinghuysen	Lewis	Penrose	Sheppard
Smith, Ariz.	Spencer	Wadsworth	Wolcott
Smith, Ga.	Swanson	Warren	
Smith, S. C.	Thomas	Weeks	
Smoot	Trammell	Williams	

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. HARDWICK, Mr. LA FOLLETTE, and Mr. STERLING answered to their names when called.

The PRESIDING OFFICER. Forty-four Senators have answered to their names. There is not a quorum present.

Mr. SMITH of Georgia. I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. SUTHERLAND entered the Chamber and answered to his name.

Mr. SWANSON. I desire to state that my colleague [Mr. MARTIN of Virginia] is detained from the Senate on account of sickness. I will let this announcement stand for the night.

Mr. MYERS, Mr. GORE, Mr. MCCUMBER, and Mr. ROBINSON entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators having answered to their names, there is a quorum present.

Mr. THOMAS. Mr. President, I shall defer further comment upon the Chesapeake & Delaware Canal section of this bill to another occasion, perhaps to-morrow. I want now to direct the attention of the Senate for a moment to the last amendment of the committee, which reads:

SEC. 7. That the International Joint Commission created by the treaty between the United States and Great Britain relating to boundary waters between the United States and Canada, signed at Washington January 11, 1909, under the provisions of article 9 of said treaty, is requested to investigate what further improvement of the St. Lawrence River between Montreal and Lake Ontario is necessary to make the same navigable for ocean-going vessels, together with the estimated cost thereof, and report to the Government of the Dominion of Canada and to the Congress of the United States, with its recommendations for cooperation by the United States with the Dominion of Canada in the improvement of said river.

So far as the immediate purpose of that section is concerned, it is, perhaps, not particularly objectionable; but every man who has even the most superficial acquaintance with the St. Lawrence River knows that to make it navigable between Montreal and Lake Ontario is to undertake a task the magnitude of which is, perhaps, not more than equaled by any other waterway improvement, plan, or scheme that can be imagined.

Mr. LODGE. Would it not involve the construction of an enormous canal to go around the Lachine Rapids?

Mr. THOMAS. It would involve either an enormous canal or a system of locks which would perhaps cost as much, if not more. If we embark upon that enterprise, which I presume is contemplated because of the report—otherwise it would be useless—the expense that would be entailed upon the Government of the United States, in my judgment, can not now be conceived.

Mr. LODGE. And, then, the improvement when built would be wholly beyond our control.

Mr. THOMAS. That would depend upon which side of the river it was constructed. Of course, this is an international river, which forms part of the boundary between the United States and Canada.

Mr. LODGE. For only a comparatively short distance is it an international boundary.

Mr. THOMAS. It is an international river only for a comparatively short distance. The remainder of it is entirely within the geographical boundaries of the Dominion of Canada.

I imagine, Mr. President, that the cost will, of course, be divided, that it must be divided, between the Canadian Government and our own. The matter of joint control would be essential even if it were constructed upon the American side of the river, but I think, so far as we are concerned—and when I say "we" I mean the people of the United States—it would be far better to double the capacity of the present New York Barge Canal and divert the commerce of the Lakes to the Hudson River, instead of diverting it to a longer river route, but perhaps a shorter route, to Great Britain and to Europe. I am apprehensive that as a consequence of the improvement of this river, if it were made effectual for navigation by modern vessels—and they are growing larger all the time—the effect upon the commerce and the business of our Atlantic ports might be extremely serious; in other words, we might be expending untold millions of American money for the purpose of constructing a water highway to the ocean, with a disastrous result or a serious result to the commerce of the great cities of Boston, New

York, Philadelphia, Baltimore, Charleston, Savannah, and Norfolk.

If we are going to make these expenditures upon a continuously large scale, let us make them in the United States, provided the expenditures can be made within our own boundaries with equal success; and I feel very sure that, if the State of New York can construct a barge canal of the dimensions of the present one, the Government of the United States, by lending its powerful aid, can very easily make that navigable for ocean-going vessels, keep our commerce from the interior to the ocean within our boundaries, and add to the prosperity, the wealth, and the welfare of our own people. But, if that were not so, I again protest that this is not the time for such an experiment as is here contemplated.

I observe that this is a Senate committee amendment. Of course, I presume it is susceptible of intelligent explanation and that there may be some good reason for going ahead with the work that I am unable to perceive; but I certainly hope that the Senate will not, without a full consideration of the consequences of such an enterprise, vote to retain the amendment in this bill.

I know, Mr. President, that if I should talk all the evening I could subtract nothing from the bill or change a single vote upon it. I reserve the right to further discuss the Chesapeake & Delaware Canal project; but I shall not, beyond that, offer any further opposition to a vote upon this measure.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). The question is on agreeing to the amendment reported by the committee. Those in favor of the amendment will say "aye."

Mr. LODGE. I should like to have the amendment stated.

Mr. WADSWORTH. Just a moment, Mr. President.

Mr. FLETCHER. It is the Hackensack River item.

Mr. WADSWORTH. Several Senators here would like information as to what they are voting on.

The PRESIDING OFFICER. It is the committee amendment, the Chair will say, and the Senator from New York is recognized.

Mr. WADSWORTH. The Senator from New York does not want recognition to speak; he wants to know what we are voting on; that is all.

The PRESIDING OFFICER. The pending amendment is that on page 5, after line 16.

Mr. RANSDELL. Including lines 17 to 19, on page 5.

Mr. WADSWORTH. Things are done so suddenly that one has to be quick to ascertain what is going on.

Mr. FLETCHER. The amendment has been before the Senate for about an hour and a half now.

Mr. SMOOT. Mr. President, this item of $88,000 for the Hackensack River, N. J., as I understand, was presented to the House and was thoroughly discussed there before the committee. The House did not feel justified in putting it into the bill upon the report that was made by the engineers, and I should like to ask the Senator if there has been any additional report received by the Senate committee upon this item beyond what the House committee had?

Mr. FLETCHER. I will say to the Senator that I am not advised as to any full hearings on the subject before the House committee. I know that the members of the Rivers and Harbors Committee of the House, after the bill was reported over there, felt that this item ought to have been included in the bill. So the matter was taken up by the Commerce Committee, and Gen. Taylor, representing the Chief of Engineers before our committee, recommended this improvement. A number of people interested in the improvement came before us, and we reached the conclusion that it was a very meritorious project, and that the improvement ought to be made. The one development there has been the shipbuilding industry, and there is need for this 16-foot channel.

There were three investigations made; that is, investigations for the same depth, but one for a channel 200 feet wide, another for a channel 300 feet wide, another for a channel 400 feet wide, and the last for a channel 500 feet wide. The engineers recommend this project for a channel 16 feet deep and 300 feet wide, to cost $88,341 and $5,000 per annum for maintenance. The local interests wanted the 400-foot project, but the committee did not feel justified in recommending that. That would cost $125,873 and $7,152 annually for maintenance. The 500-foot project would cost $178,845, and the annual maintenance charge would be $10,161. The engineers recommended the 300-foot channel, and it is considered by the committee as quite an important improvement in the interest of commerce and one that is needed especially by reason of the shipping interests and the development of shipyards which require this depth of water.

The Senator from New Jersey is thoroughly familiar with the details in connection with the project, and I am sure that if the Senator from Utah will examine the report carefully he will be satisfied that it is a worthy project. The item is for the improvement of the Hackensack River, N. J., with a view of obtaining a depth of 16 feet up to the Central Railroad Co. of New Jersey bridge at mean low water, and 300 feet wide from the Passaic River channel to deep water above the Central Railroad Co. bridge. The estimated cost is $88,000, and is appropriated in one item in order to complete the project. It is not a continuing project, but this appropriation finishes the entire improvement.

Mr. RANSDELL. Mr. President, I should like to add to what the chairman has said that there is a pretty considerable commerce now on the river. The report shows that in 1916 it was 503,984 tons, valued at $1,992,000, practically $2,000,000. The river was only 12 feet deep, and the channel was 200 feet wide. The project is to make it 16 feet deep by 300 feet wide; and it certainly seems justified, in my judgment, by the value and importance of the commerce, and, as the chairman has said, by the shipping interests connected with it.

Mr. SMOOT. Mr. President, does the Senator know how much money the Government has already spent upon this river?

Mr. RANSDELL. I can not tell the Senator. Perhaps I can find it in this report.

Mr. SMOOT. I have looked in the report, and unless it is found in some other part of the report than Part I, there is no estimate given.

Mr. RANSDELL. I will look and see if I can find it for the Senator. I do not recall.

Mr. SMOOT. It may be in one of the other parts of the report.

Mr. FRELINGHUYSEN. I think the Senator will find it in House Document 728.

Mr. RANSDELL. I will say to the Senator that if he will look on the top of page 347, Part I, I think he will find what he is asking for.

Mr. SMOOT. I was just reading that.

Mr. RANSDELL. According to the first paragraph there, the total amount expended for new work was $81,066.68, and for maintenance $10,612.16, a total of $91,678.84. I think that is what the Senator was asking.

Mr. SMOOT. It says, under the head of "Condition at end of fiscal year":

> The project was completed in 1914, except for obstructions in the draw of the highway bridge at Little Ferry. The controlling depth on June 30, 1918, was 12 feet up to the highway bridge at Little Ferry, where shoals in the draws of this bridge limit the navigable depths to between 8 and 9 feet. The total amount expended was $81,066.68 for new work, and $10,612.16 for maintenance, a total of $91,678.84.

What I was wondering was this: This appropriation of $88,000 is more than was expended on the project when the engineers reported it completed. In other words, this appropriation asks for $88,000, and the appropriations heretofore made were $81,066.68.

Mr. RANSDELL. As I understand the matter, this is a very considerable modification of and addition to the existing project. It will make it 16 feet in depth instead of the former depth, and will make it about 300 feet wide, making it a very much more valuable waterway. The report which I have before me says that—

> The further improvement by the United States of Hackensack River, N. J., with a view of obtaining a depth of 16 feet up to the Central Railroad Co. of New Jersey bridge is deemed advisable to the extent of providing a channel 16 feet deep at mean low water, and 300 feet wide.

As the Senator will see, that is more than double the former capacity.

Mr. SMOOT. Is the Senator reading from House Document 728?

Mr. RANSDELL. I am reading from House Document 728, on page 3.

Mr. SMOOT. I did not have that document before me.

Mr. RANSDELL. That is the latest. It is dated January 2, 1918.

Mr. SMOOT. I should like to ask the Senator from New Jersey [Mr. FRELINGHUYSEN] if he has stated to the Senate why the widening of this river, and deepening it from 9 feet to 16 feet, is required? What has happened there that we should expend that amount of money?

Mr. FRELINGHUYSEN. Mr. President, I have an hour's speech on this subject.

Mr. LEWIS rose.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Illinois?

Mr. SMOOT. No; I will not yield. I have the floor, and I will not yield for an hour's speech.

Mr. LEWIS. Mr. President, I appreciate the suggestion. I thought I should be able to harmonize difficulties to the extent of getting a recess agreed to, so that Senators could get their dinners, if the able chairman of the committee should find it agreeable.

The PRESIDING OFFICER. The Chair is open to a proposition of that kind.

Mr. SMOOT. I should like to have the Senator from New Jersey answer my question, at least, before we vote upon this item. The Senator may have made that statement before; but I was down at lunch for a few moments, and I suppose he made that statement when I was out.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Jersey?

Mr. SMOOT. Yes; I yield to the Senator for that purpose.

Mr. FRELINGHUYSEN. Mr. President, I think the Senator was out of the Chamber when I explained this amendment. It contemplates dredging a bar at the mouth of Hackensack River, which is tributary to the Kill van Kull and the Newark Channel. The Federal Shipbuilding Co. is located above this sand bar, and there are being built there for the United States Government 30 vessels of approximately 6,000 tons each. Now, it is found that in order to float those hulls over this bar, in order to get the coal for that shipbuilding plant, and in order to get the coal for the public-service corporation, and the various other industries along the line of the Hackensack River, carrying a tonnage amounting in value, I think, to some three and a half million dollars a year, this project is absolutely necessary; and it was approved by Mr. Sweet, the Assistant Secretary of Commerce.

Mr. SMOOT. Let me ask the Senator if this is a temporary shipyard or a permanent shipyard?

Mr. FRELINGHUYSEN. It is a permanent shipyard; it is a Government shipyard; and not only that, but there are other shipyards and other projects along the bank of that river. Not only that, but the Hackensack River is practically tributary to the Kill Van Kull; and the Senator, with his vast experience in these measures, having studied them year after year and knowing them, knows that the Kill Van Kull is one of the very important highways for water-borne traffic along the New Jersey coast. The Hackensack and Passaic Rivers, fed by the industries of Newark and Passaic and Paterson, make this one of the most important waterways in my State.

Mr. SMOOT. I will say that I never yet have objected on the floor of the Senate to an appropriation that would in any way increase the commerce of this country, and that is my position now. If there is an appropriation, no matter whether it has been acted upon by the House or by the Senate, as to which it is shown that the expenditure of the money will return to the district through which the river runs sufficient compensation by increase of commerce, no one in the Senate will vote money for that purpose any quicker than I will. I understood, however, that this appropriation was refused by the House; and, being refused, I thought it ought to be discussed in the Senate now.

Mr. RANSDELL. Mr. President, I should like to say to the Senator, if he will permit me, that the chairman of the Rivers and Harbors Committee of the House was before us, and told us that if we took on any new projects at all, of all that the House rejected the Hackensack River was the best. He made that statement to us.

Mr. SMOOT. Then I have no objection to that amendment being agreed to.

The PRESIDING OFFICER. The question is upon agreeing to the amendment of the committee on page 5.

The amendment was agreed to.

The SECRETARY. The next amendment——

Mr. JONES of Washington. Mr. President, I understood——

Mr. FLETCHER. I am going to ask for a recess, but let us finish this page.

Mr. SMOOT. I want the next item to go over. That is the Delaware River, Pa., N. J., and Del. I recognize the fact that that is reduced by the committee from $2,500,000 to $1,000,000, but upon reading the report I feel that I want a little more information. I will say to the Senator that it will not take long, so far as I am concerned.

Mr. FLETCHER. Very well, then, Mr. President. I will not ask the Senate to stay in session longer to-night. We have spent the whole day and have gotten through with nearly five pages of the bill, but we have made some progress.

Mr. SMOOT. In justification of the Senator from Illinois, I want to say that when the Russian question was up for discussion yesterday, when 2 o'clock came, and the unfinished business was put before the Senate, the Senator wanted to follow immediately at that time with the speech that he made to-day. The Senator from North Carolina [Mr. SIMMONS], having the unfinished business in charge, told me that he was not feeling well; that he was a sick man; that he wanted the report to be agreed to; and that the Senator from Illinois could make his speech upon the river and harbor bill, and that it would make no difference; and he asked me to see the Senator from Illinois and find out if he would not consent to do that. Upon that request I spoke to the Senator from Illinois, and he did not make his speech then; and the reason why it was made to-day was because it was distinctly understood yesterday that it could be made to-day.

Mr. LEWIS. The Senator from Utah means the junior Senator from Illinois, Mr. SHERMAN?

Mr. SMOOT. Yes; I should have said the junior Senator from Illinois.

Mr. FLETCHER. In answer to what the Senator says, I will say that if we have much further trouble with this bill I think I will get sick, and see if I can not secure the passage of the bill by that means. [Laughter.]

Mr. JONES of Washington. Mr. President, I want to suggest that there are not more than 15 Senators on the floor now.

RECESS.

Mr. FLETCHER. I move that the Senate take a recess until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 6 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 15, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 14, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father who art in heaven, we thank Thee for all the great, the generous, the pure, the noble, whose lives were for the uplift of humanity.

May we emulate their example, that the world may be a little better that we have lived and wrought; and Thine be the praise through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

PENSIONS.

Mr. TILLMAN. Mr. Speaker, this is pension day in the House, but I have no thought of asking to displace the supply bill now before this body; but I do ask unanimous consent that at the conclusion of debate on the Army bill this evening that we have 10 minutes to take up a pension bill.

The SPEAKER. Does the gentleman think that the Committee of the Whole is going to get through with the Army bill to-day?

Mr. TILLMAN. I ask this if they do. If not, I shall not ask it.

The SPEAKER. How many of these pension bills has the gentleman?

Mr. TILLMAN. We have only one; a very short one.

Mr. STAFFORD. The gentleman can make that request this evening. The House may run late.

Mr. TILLMAN. This is pension day in the House, and I ask to be allowed 10 minutes at the conclusion of the consideration of the Army bill——

Mr. FOSTER. Take it up now.

Mr. TILLMAN. Well, I ask unanimous consent to take it up now.

Mr. MANN. Will there be any debate on it?

Mr. TILLMAN. No; I think not.

Mr. MANN. Why not make the request to take it up now?

PRINTING COPIES OF REVENUE ACT.

Mr. KITCHIN. If the gentleman will permit, Mr. Speaker, day before yesterday I got unanimous consent of the House to print 14,000 copies in document form of the bill as reported by the conference committee, the revenue bill. I had the impression then that the Senate had passed the bill. Yesterday morning I found that they had not passed it, and by unanimous consent that order was rescinded, but I understand in the meantime before the order was rescinded they executed the order for printing at the Government Printing Office and already had printed the bill. So I ask unanimous consent that 15,000 copies of the bill reported by the conference committee be printed, 7,500 to go to the document room and 7,500 copies to the folding room. The first order was for 14,000.

Mr. MANN. This is within the limit that the House can print at a cost of not more than $500?

Mr. KITCHIN. It is. The first number was 14,000.

Mr. STAFFORD. Why not make it 8,000 for the folding room?

Mr. KITCHIN. It is already put in.

Mr. STAFFORD. Seven thousand only, I thought, had been placed at the disposal of the document room.

Mr. KITCHIN. No; half has been placed at the disposal of the document room and half at the disposal of the folding room.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to have 15,000 copies of the conference report on the revenue bill printed, 7,500 for the folding room and 7,500 for the document room. Is there objection? [After a pause.] The Chair hears none.

CORRECTION IN A REFERENCE.

Mr. TAYLOR of Colorado. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Colorado rise?

Mr. TAYLOR of Colorado. To correct the record and ask for a change of reference of a bill.

The SPEAKER. Correct the record first. Take one thing at a time.

Mr. TAYLOR of Colorado. Mr. Speaker, I filed a report yesterday from the Committee on the Irrigation of Arid Lands on a departmental bill (H. R. 4187) authorizing the Secretary of the Interior to convey to a man named Hiersche about 90 acres of land in exchange for some land he owns. It is a matter which I think ought to go on the Union Calendar, but it was referred to the Private Calendar, and I ask to have it transferred.

The SPEAKER. What is it about?

Mr. TAYLOR of Colorado. There is a man named Anton Hiersche who owns about 40 acres of land that the Reclamation Service wants for a part of the reservoir site of the North Platte irrigation project in Nebraska. The Interior Department does not want to incur the expense of condemning this land, but wants to exchange another piece of vacant land for it, and Hiersche is willing to make the exchange. This bill authorizes the Secretary of the Interior to issue a patent to a definitely described tract of land to Hiersche in consideration of Hiersche deeding to the United States Government the land that is needed for this reservoir, No. 2 of that project.

Mr. STAFFORD. That is a private bill.

Mr. TAYLOR of Colorado. No; I do not think so. This is not a private relief bill. Mr. Hiersche is not asking for anything. He owns the land that one of the Government's reservoirs is now situated upon. The Reclamation Service wants to flood that land, and the Interior Department wants by mutual consent to convey to him about 90 acres of public domain for his about 40 acres within the reservoir site. Now, it seems to me that is a bill of a public character directly appropriating public property belonging to the United States under Rule XIII of the rules of the House, section 720.

Mr. STAFFORD. There are plenty of bills on the Private Calendar providing for transfer to separate individuals. They are private bills, not public.

Mr. TAYLOR of Colorado. I beg to differ with the gentleman. My impression is that whenever a tract of public land—whether it is 90 acres or 90,000 acres—is to be conveyed by patent by act of Congress directing the Secretary of the Interior to issue a patent to somebody for the land, it makes no difference whether the Government gets money or other land or something else or nothing in exchange for it, my impression is that is an appropriation of public property and should be put upon and considered on the Union Calendar. That is the way I understand the rule, and it seems to be supported by section 3115 of volume 4 of Hinds' Precedents.

Mr. STAFFORD. There is a statute which describes private bills which was called to the attention of the House by myself some weeks ago, and I ask the gentleman to withdraw the request until I can give that authority.

Mr. TAYLOR of Colorado. I will withdraw the request temporarily, but it is a departmental measure that is very plain and simple and ought to be passed at this session.

Mr. STAFFORD. That does not make it a public bill.

Mr. TAYLOR of Colorado. Secretary Lane's letter transmitting a draft of the bill to me explains the situation and the importance of the bill as follows:

DEPARTMENT OF THE INTERIOR,
Washington, May 2, 1917.

MY DEAR MR. TAYLOR: During the last session of Congress I requested Hon. W. R. SMITH, the former chairman of the Committee on Irrigation of Arid Lands, to introduce a bill authorizing Anton Hiersche to select other land in lieu of lands now owned by him and required for reclamation purposes in connection with the North Platte project—Nebraska. The bill was introduced and became H. R. 17743. I am now advised by the Reclamation Service that the bill as then presented was not in strict accordance with conditions involved. I am therefore submitting another draft with the request that you introduce the same. Mr. Hiersche has agreed to the plan proposed by the bill.

Mr. Hiersche gives up his title to a tract of about 25 acres below the 6-foot contour now flooded and gives the United States a right to flood about 32 acres additional below the 11-foot contour to which 32 acres Mr. Hiersche retains title. In lieu thereof he is to be allowed 90 acres, of which about 67 acres will eventually be irrigable under the project.

While Mr. Hiersche is allowed to take a larger area than he gives up, there is practically no discrepancy in value, because a considerable part of the land taken is very apt to become seeped or partly so whenever irrigation is practiced on the adjoining ground. Besides, the agricultural quality of the land given up is better than the land to be taken, and there is a corresponding difference in market value.

I would therefore be pleased to have you introduce this bill in lieu of the other, as it will doubtless save the project a very large amount, because if it were necessary to purchase the lands and flowage rights from Mr. Hiersche a considerable cash outlay would be required.

Cordially, yours, FRANKLIN K. LANE,
Secretary.

Hon. EDWARD T. TAYLOR,
Chairman Committee on Irrigation of Arid Lands,
House of Representatives.

I have not the slightest personal interest in the bill. I am merely trying to handle it at the request of the Secretary of the Interior and the Reclamation Service. It is a Nebraska matter, and I feel that the bill should be placed where I think it belongs, on the Union Calendar, where it can be disposed of at this session of Congress, and not on the Private Calendar, where it will be chloroformed forever. However, I will withdraw the request for the present and confer with the gentleman and the House parliamentarian.

The SPEAKER. What is the other part that the gentleman wants?

Mr. TAYLOR of Colorado. My other request is to correct an error in printing. The bill in the report is given as H. R. 187 instead of H. R. 4187. Moreover, the report shows that it is referred to the Committee of the Whole House, while the CONGRESSIONAL RECORD of yesterday, page 3457, shows it on the Private Calendar.

The SPEAKER. In the RECORD?

Mr. TAYLOR of Colorado. It is an error in printing the report. The RECORD is correct.

The SPEAKER. Without objection, the correction will be made.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3123. An act for the relief of the owners of the schooner *Henry O. Barrett;*

S. 2902. An act for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer;

S. 2124. An act to fix the salary of the United States district attorney for the eastern district of New York; and

S. 5471. An act for the relief of John A. Gauley.

The message also announced that the Senate had passed without amendment the bill (H. R. 8625) to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2902. An act for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer;

S. 5471. An act for the relief of John A. Gauley; and

S. 3123. An act for the relief of the owners of the schooner *Henry O. Barrett;* to the Committee on Claims.

S. 2124. An act to fix the salary of the United States attorney for the eastern district of New York; to the Committee on Expenditures in the Department of Justice.

EXTENSION OF REMARKS.

Mr. LONDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of my work in Congress.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD on the subject of his work in Congress. Is there objection? [After a pause.] The Chair hears none.

SPEAKERS PRO TEMPORE FOR SUNDAY, FEBRUARY 16.

The SPEAKER. On next Sunday there will be held memorial exercises for gentlemen from Wisconsin, Virginia, Maryland, and Pennsylvania. The Chair usually appoints the senior Member of a delegation to preside. In this case the Chair will appoint Mr. BUTLER, of Pennsylvania, to preside, and request him that when Wisconsin is reached that Mr. COOPER of Wisconsin shall be called to preside, when Virginia is reached that Mr. FLOOD shall be called, and when Maryland is reached Mr. LINTHICUM.

PENSIONS.

Mr. TILLMAN. Mr. Speaker, I desire to call up the bill H. R. 15706, the pension bill, and ask that the same be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent to call up the bill H. R. 15706, and that it be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Mr. TILLMAN. Mr. Speaker, I move that the first reading of the bill be dispensed with.

The SPEAKER. The gentleman moves that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 15706) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and the widows of such soldiers and sailors.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Charles A. Wilkerson, late of Company E, Fiftieth Regiment Iowa Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George C. Williams, late of Company A, Thirty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frank A. James, late of Company F, Sixth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Dillard Pliman, late of Company C, Twenty-sixth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Edward A. Ward, late of Company F, Twenty-fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Herman Platz, late of Company H, Third Regiment Volunteer Engineers, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles N. Benson, late of Company F, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Noah Collins, late of Company I, Second Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Michael S. Kane, late of Battery A, First Battalion Maine Volunteer Heavy Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John H. Caldwell, late of Company K, Twenty-second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of James P. Kennedy, late of Company M, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Taylor Hubbard, late of Company I, Eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Jacob C. Wright, late of Company C, Fourth Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Charles H. Jackson, late of Company M, First Regiment South Dakota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Floyd L. Green, late of Company K, Thirty-fifth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James E. Kennedy, late of Company C, Thirty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Sylvester P. Martin, late of Company K, Fifth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John J. Camac, late of Company H, Fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Phoebe J. Lincoln, former widow of Matthew Carlos, late of Company B, Twenty-first Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Howard L. Burnett, late of Troop L, Fourth United States Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Rufus Adamson, late of Troop M, Sixth United States Cavalry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Oliver Freeman, late of Company E, Fourth Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Grover Colter, late of Company G, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Albert W. Ankney, late of Companies B and G, Eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George Hall, late of Company H, Second Battalion Engineers, United States Army, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of James Lee, late of Company D, Twenty-fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William H. Hill, late of Troop K, Eighth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Orville H. Mills, late of Company B, Thirty-third Regiment United States Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James Lynch, late a member of the United States Marine Corps, United States Navy, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of John W. Smith, late of Company K, Ninth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James M. Conner, late of Company A, First Regiment Nebraska Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of William S. Whitley, late of Company B, Tenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Charles H. Jessee, late of Company A, Fifth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Arthur D. Warden, late of Company M, Nineteenth Regiment United States Volunteer Infantry, and Quartermaster Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $17 per month.

The name of Carl N. Nelson, late of Company B, Thirty-third Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Jeremiah H. Worthley, late of Company L, Twenty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Silas Clyde Whitcomb, late of Company I, Fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of James W. Smith, late of Company B, Second Regiment Nebraska Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of John F. Hazelrigg, late of Troop D, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Andrew J. Briggs, late of Company F, First Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John A. Falvey, late of Company L, Thirty-first Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Thomas J. Cook, dependent father of George C. Cook, deceased, late of Battery G, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Katherine Cotter, dependent mother of Thomas J. Cotter, late of Troop A, Sixth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of William J. Walker, late of Hospital Corps, United States Army, and Company E, Second Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Marion Rosser, late of Company C, First Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Nels Christensen, late of Company C, First Battalion Wyoming Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Clark P. Hoskins, late of the Hospital Corps and Fifth Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of John J. Ludwig, late of Company L, Third Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John F. Mossberg, late of Company D, Fifteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Herbert B. Holloway, late of Company H, Third Regiment Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Harold A. Salisbury, late of Capt. John L. Sperry's company, Umatilla Guards, Oregon State Militia, Bannock Indian War, and pay him a pension at the rate of $20 per month.

The name of Wedding Colgate, late of Company C, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George Plewacki, late of Company K, Twenty-third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Charles E. Keck, late of the Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $40 per month.

The name of Isaac F. Lanham, late of Company I, Second Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George W. Burchard, late of Company B, Twenty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Edward Stephens, late of Company K, Nineteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of William T. Murphy, late of Company G, Thirtieth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Charles F. Gilroy, late of Company F, First Regiment Rhode Island Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William Ellison, late of Company B, Ninth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Eli Gusdonowicz, alias Eli Guedonowicz, late of Company L, Fifteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Robert Heukel, late of Company E, Fifth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of William F. Fogarty, late of the United States Marine Corps, United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of James T. Breen, late of Troop I, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $24 per month.

The name of Jacob Copeland, late of Company F, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Isaac J. Burk, late of Company E, Sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Jonathan F. Titus, jr., late of Battery F, Fifth United States Light Artillery, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Ellis O. Greely, late of Company H, Fourteenth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of George Casseboom, late of Company A, First Regiment California Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month.

The name of Henry Simpson, late of Company L, One hundred and fifty-eighth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John Weiss, late of Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Walter W. Brunn, late of Company E, One hundred and sixtieth Regiment Indiana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Nicholas Vincent, late of Company E, First Regiment Montana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William D. Mickley, late major Fourth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Eleanora Sharpe, widow of Andrew Sharpe, late of Company E, Ninth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month.

The name of Louis E. Wiechman, late of Troop D, First Regiment United States Cavalry, and Ordnance Department United States Army, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Frederick W. Duden, late of Troop D, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of McDonald Wells, late of Company M, Twenty-seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William E. Davis, late of Company D, Twenty-sixth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Maloy, late of Company E, Seventeenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Greer T. Neal, late of Company L, Eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $40 per month.

The name of Ellsworth G. Beers, late of the United States Navy, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Tony Verrosso, late of Company H, First Regiment Delaware Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of William V. Richardson, late of Company I, Forty-first Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Michael Levi, late of Troop A, Fourth Regiment United States Cavalry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Jobe C. Walton, late of Company I, Thirty-third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Charles Michener, late of Battery F, First Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of George Polleti, late of Troop D, Seventh Regiment United States Cavalry, Regular Establishment, Indian wars, and pay him a pension at the rate of $20 per month.

The name of Roscoe W. Barker, late of Company A, Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Frank J. Brolley, late of Company D, Second Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of James Grantham, late of Battery I, Third Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month.

The name of General G. Burris, late of Company C, Forty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Loue Thompson, late of the United States Navy, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Irven P. Cammarn, late of Company B, Second Regiment Ohio Volunteer Infantry and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Christine Neubert, dependent mother of Herman Steinfurth, late of Company K, Second Regiment Wisconsin Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Eliza L. Ellis, helpless and dependent daughter of William West, late of Capt. M. Huntington's company, North Carolina Militia, War of 1812, and pay her a pension at the rate of $12 per month.

The name of Fred E. Kies, late of Company G, Third Regiment Connecticut Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Katharina Bamberg, widow of Nicholas Bamberg, late of Company G, Thirty-first Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $12 per month and $2 per month additional on account of the minor child of the said Nicholas Bamberg until she reaches the age of 16 years.

The foregoing bill is a substitute for the following House bills referred to the Committee on Pensions:

H. R. 407. Charles A. Wilkerson.
H. R. 595. George C. Williams.
H. R. 610. Frank A. James.
H. R. 1138. Dillard Pliman.
H. R. 1579. Edward A. Ward.
H. R. 1773. Herman Platz.
H. R. 1815. Charles N. Benson.
H. R. 1911. Noah Collins.
H. R. 1958. Michael S. Kane.
H. R. 3481. John H. Caldwell.
H. R. 4087. James P. Kennedy.
H. R. 4153. Taylor Hubbard.
H. R. 4174. Jacob C. Wright.
H. R. 4221. Charles H. Jackson.
H. R. 4407. Floyd L. Green.
H. R. 4421. James E. Kennedy.
H. R. 4544. Sylvester P. Martin.
H. R. 4590. John J. Camac.
H. R. 4708. Phoebe J. Lincoln.
H. R. 5038. Howard L. Burnett.
H. R. 5041. Rufus Adamson.
H. R. 6217. Oliver Freeman.
H. R. 6393. Grover Colter.
H. R. 6767. Albert W. Arkney.
H. R. 7123. George Hall.
H. R. 7528 James Lee.
H. R. 7717. William H. Hill.
H. R. 7954. Orville H. Mills.
H. R. 8035. James Lynch.
H. R. 8122. John W. Smith.
H. R. 8200. James M. Connor.
H. R. 8407. William S. Whitley.
H. R. 8514. Charles H. Jessee.
H. R. 8603. Arthur D. Warden.
H. R. 8741. Carl N. Nelson.
H. R. 8810. Jeremiah H. Worthley.
H. R. 8842. Silas Clyde Whitcomb.
H. R. 8908. James W. Smith.
H. R. 9025. John F. Hazelrigg.
H. R. 9040. Andrew J. Briggs.
H. R. 9074. John A. Falvey.
H. R. 9351. Thomas J. Cook.
H. R. 9398. Katherine Cotter.
H. R. 9522 William J. Walker.
H. R. 9651. Marion Rosser.
H. R. 9740. Nels Christensen.
H. R. 9986. Clark P. Hoskins.
H. R. 10016. John J. Ludwig.
H. R. 10062. John F. Mossberg.
H. R. 10328. Herbert B. Holloway.
H. R. 10488. Harold A. Salisbury.
H. R. 10490. Wedding Colgate.
H. R. 10546. George Plewacki.
H. R. 10684. Charles E. Keck.
H. R. 10809. Isaac F. Lanham.
H. R. 10951. George W. Burchard.
H. R. 11224. Edward Stephens.
H. R. 11286. William T. Murphy.
H. R. 11380. Charles F. Gilroy.
H. R. 11469. William Ellison.
H. R. 11474. Eli Gusdonowiecz, alias Eli Guedonowiecz.
H. R. 11509. Robert Heukel.
H. R. 11821. William F. Fogarty.
H. R. 11959. James T. Breen.
H. R. 12005. Jacob Copeland.
H. R. 12121. Isaac J. Burk.
H. R. 12181. Jonathan F. Titus, jr.
H. R. 12243. Ellis O. Greely.
H. R. 12291. George Casseboom.
H. R. 12398. Henry Simpson.
H. R. 12475. John Weiss.
H. R. 12482. Walter W. Brunn.
H. R. 12494. Nicholas Vincent.
H. R. 12500. William D. Mickley.
H. R. 12570. Eleanora Sharpe.
H. R. 12593. Louis E. Wiechman.
H. R. 12675. Frederick W. Duden.
H. R. 12678. McDonald Wells.
H. R. 12689. William E. Davis.
H. R. 12745. John Maloy.
H. R. 12792. Greer T. Neal.
H. R. 12828. Ellsworth G. Beers.
H. R. 12993. Tony Verrosso.
H. R. 13218. William V. Richardson.
H. R. 13292. Michael Levi.
H. R. 13314. Jobe C. Walton.
H. R. 13336. Charles Michener.
H. R. 13476. George Polleti.
H. R. 13489. Roscoe W. Barker.
H. R. 13490. Frank J. Brolley.
H. R. 13668. James Grantham.
H. R. 14211. General G. Burris.
H. R. 14744. Loue Thompson.
H. R. 14805. Irven P. Cammarn.
H. R. 14815. Christine Neubert.
H. R. 15069. Mrs. E. L. Ellis.
H. R. 15070. Fred E. Kies.
H. R. 15680. Katharina Bamberg.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. TILLMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

VALIDATION OF CERTAIN WAR CONTRACTS—CONFERENCE REPORT (NO. 1057).

Mr. FIELDS. Mr. Speaker, I call up the conference report on the bill H. R. 13274, and ask unanimous consent that the statement be read in lieu of the report.

Mr. STAFFORD. Mr. Speaker, I think the report is more informing than the statement.

Mr. FIELDS. Very well.

The SPEAKER. The Clerk will read the report.

Mr. GARRETT of Texas. Mr. Speaker, this is a very important matter, and I make the point there is no quorum in the House.

The SPEAKER. The gentleman from Texas makes the point that there is no quorum present. The Chair will count. [After counting.] Evidently there is no quorum present.

Mr. DENT. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Almon	Drukker	Kennedy, R. I.	Sanders, Ind.
Anthony	Dupré	Kettner	Sanders, La.
Ashbrook	Eagan	Key, Ohio	Sanders, N. Y.
Barkley	Eagle	Kiess, Pa.	Saunders, Va.
Birch	Esch	Kinkaid	Schall
Bland, Ind.	Estopinal	LaGuardia	Scully
Booher	Farr	Langley	Sears
Borland	Ferris	Lobeck	Sells
Bowers	Fess	Longworth	Shackleford
Brumbaugh	Flynn	Lundeen	Shouse
Burnett	Fordney	McAndrews	Sims
Butler	Francis	McCormick	Smith, C. B.
Caldwell	Gandy	McLaughlin, Mich.	Smith, T. F.
Campbell, Pa.	Gillett	Maher	Snook
Cantrill	Godwin, N. C.	Miller, Minn.	Snyder
Caraway	Goodall	Montague	Steenerson
Carlin	Graham, Pa.	Moon	Stephens, Nebr.
Carter, Mass.	Gray, N. J.	Mudd	Strong
Chandler, N. Y.	Greene, Vt.	Neely	Sullivan
Cleary	Griest	Nichols, Mich.	Swift
Coady	Hamill	Norton	Tague
Costello	Hamilton, Mich.	O'Shaunessy	Taylor, Ark.
Cox	Hamilton, N. Y.	Padgett	Templeton
Curry, Cal.	Haskell	Park	Tinkham
Dallinger	Haugen	Parker, N. J.	Vare
Darrow	Hayes	Phelan	Venable
Davey	Heaton	Pou	Waldow
Davis	Heintz	Pratt	Walsh
Decker	Helm	Price	Walton
Delaney	Helvering	Rayburn	White, Ohio
Denison	Hensley	Reavis	Wilson, Ill.
Dewalt	Husted	Riordan	Winslow
Dill	Hutchinson	Roberts	Wood, Ind.
Dooling	Igoe	Rowland	Woods, Iowa
Doremus	Johnson, Ky.	Rubey	
Drane	Kelley, Mich.	Russell	

The SPEAKER. On this vote 286 Members—a quorum—answered to their names.

Mr. FOSTER. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Illinois moves to dispense with further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors, and the Clerk will report the conference report.

The Clerk read the conference report.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment, insert the following:

"That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into in good faith during the present emergency and prior to November 12, 1918, by any officer or agent acting under his authority, direction, or instruction, or that of the President, with any person, firm, or corporation for the acquisition of lands, or the use thereof, or for damages resulting from notice by the Government of its intention to acquire or use said lands, or for the production, manufacture, sale, acquisition, or control of equipment, materials, or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, when such agreement has been performed in whole or in part, or expenditures have been made or obligations incurred upon the faith of the same by any such person, firm, or corporation prior to November 12, 1918, and such agreement has not been executed in the manner prescribed by law: *Provided*, That in no case shall any award either by the Secretary of War or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a reasonable remuneration for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order: *Provided further*, That this act shall not authorize payment to be made of any claim not presented before June 30, 1919: *And provided further*, That the Secretary of War shall report to Congress at the beginning of its next session following June 30, 1919, a detailed statement showing the nature, terms, and conditions of every such agreement and the payment or adjustment thereof: *And provided further*, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall exist against the executors, administrators, heirs, successors, and assigns, of any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statute of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That in all proceedings hereunder witnesses may be compelled to attend, appear, and testify, and produce books, papers, and letters, or other documents; and the claim that any such testimony or evidence may tend to criminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person in the trial of any criminal proceeding.

"SEC. 2. That the Court of Claims is hereby given jurisdiction on petition of any individual, firm, company, or corporation referred to in section 1 hereof, to find and award fair and just compensation in the cases specified in said section in the event that such individual, firm, company, or corporation shall not be willing to accept the adjustment, payment, or compensation offered by the Secretary of War as hereinbefore provided, or in the event that the Secretary of War shall fail or refuse to offer a satisfactory adjustment, payment, or compensation as provided for in said section.

"SEC. 3. That the Secretary of War, through such agency as he may designate or establish is empowered, upon such terms as he or it may determine to be in the interest of the United States, to make equitable and fair adjustments and agreements, upon the termination or in settlement or readjustment of agreements or arrangements entered into with any foreign government or governments or nationals thereof, prior to November 12, 1918, for the furnishing to the American Expeditionary Forces or otherwise for war purposes of supplies, materials, facilities, services or the use of property, or for the furnishing of any thereof by the United States to any foreign government or governments, whether or not such agreements or arrangements have been entered into in accordance with applicable statutory provisions; and the other provisions of this act shall not be applicable to such adjustments.

"SEC. 4. That whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor with respect to any portion of his contract which he shall have sublet to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to such prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, before payment of said award the Secretary of War shall require such prime contractor to present satisfactory evidence of having paid said subcontractor or of the consent of said subcontractor to look for his compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent, the Secretary of War shall pay directly to said subcontractor the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditor of said prime contractor.

"SEC. 5. That the Secretary of the Interior be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis the amount or amounts of money heretofore invested or contracted to be invested and obligations incurred in good faith by any and all persons, firms, or corporations for producing or in good faith acquiring property for producing, within the United States, for the purpose of supplying the urgent needs of the Nation during the war, any ores or mineral substances mentioned and enumerated in the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply;" approved October 5, 1918, the production of which was requested or demanded by the War Industries Board, the War Trade Board, the Shipping Board, the Emergency Fleet Corporation or the Department of the Interior and which has been performed in whole or in part by any such person, firm, or corpora-

tion prior to November 12, 1918; and that said Secretary ascertain, determine, adjust, liquidate, and, out of the moneys provided and appropriated by said act, pay to the parties justly entitled thereto the amounts of such losses and damages as he, the said Secretary shall find and determine to have been sustained by reason of having made said investments for said purposes, and that in each case he shall make such determination, provision, settlement, advancement, or final payment, or by agreement with claimants take such other action as he shall find and determine to be just and equitable; that the decision and action of said Secretary in each case shall be conclusive and final; that all payments shall be made, and all expenses incurred by the said Secretary shall be paid from the funds appropriated by the said act of October 5, 1918, and that said funds and appropriations shall continue to be available for said purposes until such time as the said Secretary shall have fully exercised the authority hereby granted and performed and completed the duties hereby provided and imposed: *Provided*, however, That said Secretary shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the Department of the Interior within three months from and after the approval of this act.

That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year.

That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States.

Amend the title so as to read: "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes."

And the Senate agree to the same.

W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEO. E. CHAMBERLAIN,
DUNCAN U. FLETCHER,
C. S. THOMAS,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The conferees agreed upon the general language of the House bill, so far as section 1 is concerned, together with the provision adopted by the House requiring presentation of claims not later than June 30, 1919. The Secretary of War is required to report to Congress in detail a statement of the settlement made. No settlement shall bar the Government of the right of review and recovery for fraud, and no officer or agent of the Government shall be relieved of liability for fraud or criminal conduct. This section contains a provision that witnesses may be compelled to attend and testify.

Section 2 gives the Court of Claims jurisdiction in the event the settlement of the Secretary of War is not accepted.

Section 3 authorizes settlements with foreign Governments and their citizens upon the same terms and conditions as such Governments themselves settle their own contracts.

Section 4 authorizes the adjustment of the claims of subcontractors.

Section 5 provides for the settlement of mining contracts by the Secretary of the Interior.

W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

Mr. STAFFORD. Mr. Speaker, can some arrangement be made as to the time between those who favor and those who oppose the conference report?

Mr. FILEDS. Time will be given to those in opposition; and if I control the time on this side, I shall follow the policy of alternating between those opposed and those favoring, if that is desired, so that we can divide the time equally between the two sides.

Mr. STAFFORD. Will the opposition have half of the time with those who favor the report?

Mr. FIELDS. Yes.

Mr. CARTER of Oklahoma. Mr. Chairman, is a motion to recommit now in order?

The SPEAKER. No.

Mr. CARTER of Oklahoma. At the proper time I want to offer a motion to recommit if no one else does.

The SPEAKER. It would be in order to make the motion to recommit——

Mr. MANN. If you can get the floor.

The SPEAKER. Yes; if you can get the floor.

Mr. CARTER of Oklahoma. I would like to get the floor for that purpose.

Mr. STAFFORD. Can we not have an agreement as to the time before the discussion begins?

Mr. FIELDS. As to the control of the time or as to the length of time?

Mr. HAMLIN Both.

Mr. FIELDS. This general proposition has been discussed in the House, and the particular item upon which the opposition here seems to be centered was discussed for over an hour, or an hour and a half, in the House.

Mr. GORDON. Yes; and the House rejected it 3 to 1.

Mr. FIELDS. Well, I differ with the gentleman.

Mr. GORDON. Well, it did.

Mr. FIELDS. I will say to the gentleman that the gentleman from California [Mr. KAHN] and myself both asked to be sent to the conference uninstructed and voted against the instructions of the conferees.

Mr. MADDEN. A man on the conference goes into the conference to represent the House which sends him.

Mr. HAMLIN. The vote which the gentleman from Ohio [Mr. GORDON] refers to was not on the question of instructing the conferees. It was on the question of concurring in the Senate amendment.

Mr. FIELDS. Mr. Speaker, I think an hour on each side would be sufficient.

Mr. GORDON. No; I would like to have a little time on this.

Mr. DENT. Mr. Speaker, I desire to suggest that the gentleman from Kentucky [Mr. FIELDS], who has charge of the conference report, may be allowed to proceed with the debate for an hour, and then there may be other gentlemen who wish to be heard pro and con on it, and then there will be time to extend it.

Mr. GORDON. I want to be heard on the "con" side.

Mr. STAFFORD. Will the opposition have half of the time, to be equally divided with those who favor the report?

Mr. FIELDS. I ask unanimous consent, then, Mr. Speaker, that the debate on this conference report be confined to one hour, one-half to be controlled by the gentleman from Wisconsin [Mr. STAFFORD] and one-half to be controlled by myself, and at the expiration of that time the previous question shall be considered as ordered.

Mr. FOSTER. Reserving the right to object, Mr. Speaker——

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects. The gentleman from Kentucky [Mr. FIELDS] is recognized.

Mr. HAMLIN rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. HAMLIN. I desire to submit a unanimous-consent request, if I may. If the gentleman from Kentucky will yield, I would like to submit a unanimous-consent request.

Mr. FIELDS. If the gentleman will make his request briefly, I will yield.

Mr. HAMLIN. This is a very important matter. It involves millions of dollars. The proposition involved has never really been considered by the House, and I think the House can well afford to take two hours upon it.

Mr. FIELDS. I can not yield to the gentleman to make a speech.

Mr. WINGO. Regular order, Mr. Speaker.

The SPEAKER. The gentleman from Arkansas demands the regular order. The regular order is that if these gentlemen are going to debate this thing they had better start. [Laughter.]

Mr. HAMLIN. I ask that the debate be limited to two hours, one half to be controlled by the gentleman from Kentucky [Mr. FIELDS] and the other half to be controlled by the gentleman from Wisconsin [Mr. STAFFORD], at the end of which time the previous question may be considered as ordered and a vote taken.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the debate on this conference report shall not exceed two hours, one half to be controlled by the gentleman from Kentucky [Mr. FIELDS] and the other half by the gentleman from Wisconsin [Mr. STAFFORD]. Is there objection?

Mr. WINGO. And at the end of that time the previous question is to be considered as ordered.

The SPEAKER. Yes. And at the end of that time the previous question is to be considered as ordered. Is there objection?

Mr. FOSTER. I object.

Mr. GARRETT of Texas rose.

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. GARRETT of Texas. To submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FIELDS. Mr. Speaker, is this being taken out of my time?

The SPEAKER. No. What is the parliamentary inquiry of the gentleman from Texas?

Mr. GARRETT of Texas. I would like to know if at the end the gentleman from Oklahoma [Mr. CARTER] shall be recognized to make a preferential motion?

The SPEAKER. The Chair will recognize the gentleman from Oklahoma.

Mr. MANN. The gentleman from Wisconsin [Mr. STAFFORD] is entitled to be recognized.

The SPEAKER. No. The first man who gets up in opposition to the bill is entitled to it. The Chair has always given preference in making the motion to recommit to the Republican side of the House—the minority. Still, the rule is for the man who qualifies to oppose the bill to have that right. That is the end of it.

Mr. MANN. I do not care who is recognized to make the motion.

The SPEAKER. The Chair will recognize the gentleman from Oklahoma if he qualifies. Is the gentleman from Oklahoma opposed to this bill?

Mr. CARTER of Oklahoma. Yes; with this amendment in it, I am.

Mr. FOSTER. That is not a proper qualification.

Mr. CARTER of Oklahoma. I am opposed to this conference report with this amendment in it.

The SPEAKER. If the gentleman will qualify without any limitation, the Chair will recognize him.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

The LONDON. What is before the House now is the conference report and not the bill?

The SPEAKER. Of course it is.

Mr. LONDON. And therefore the qualification goes to the conference report, and the question is, Is the gentleman opposed to the conference report?

The SPEAKER. Of course the qualification goes to the conference report. There is no trouble about that.

Mr. WINGO. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Arkansas demands the regular order. The gentleman from Kentucky [Mr. FIELDS] is recognized for an hour.

Mr. CANNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CANNON. Is the motion to recommit in order before the gentleman from Kentucky has his hour?

The SPEAKER. The Chair thinks it is.

Mr. MANN. Mr. Speaker, under the rules the motion to recommit can be made only when a Member gets the floor, except where the previous question has been ordered, and then it is a matter of right to make the motion. Before the previous question is ordered the gentleman must be able to get the floor in his own right in order to make the motion.

The SPEAKER. Here is the situation: It is the habit of the House to consider the motion to adopt the conference report as pending. Now, another gentleman gets up and makes a preferential motion. The Chair does not see that it makes a particle of difference when the motion to recommit is made. The gentleman from Kentucky [Mr. FIELDS] will please proceed.

Mr. FIELDS. Mr. Speaker, I have been waiting very patiently for this opportunity.

I wish to explain briefly the report, and I trust that I may not be interrupted until I have concluded my brief explanation.

The first section of the report vests in the Secretary of War authority to settle claims contracted by the War Department. The conferees used the House language as the basis of the bill.

Section 2 of the conference report confers upon the Court of Claims jurisdiction to consider the petition of the claimants if they are dissatisfied with the adjustment made by the Secretary of War.

Section 3 deals with foreign contracts. This amendment was put in by the Senate, and then, at the request of the War Department, was revised by the conferees, for the reason that it seemed proper to settle with foreign contractors in the same way that their governments were settling with them, and the provisions of the House bill would not permit such settlements.

Section 4 deals with subcontractors. It may be that there are five subcontractors in a particular case. Probably settlements can be had with four of them. This provision provides that payments may be made to those with whom settlements can be reached. It would be manifestly unfair to hold up a part of the subcontractors because, forsooth, an agreement had not been reached with one of them. It would also give that subcontractor a long lever if he believed that by holding out he might get the terms demanded because he had the whole situation blocked.

That is briefly the substance of the report down to section 5, which seems to be the basis of the controversy here.

Mr. Speaker, the obligations that were incurred by the Government in the production of war materials were not incurred by the War Department alone. Some men were called upon to furnish ores or minerals of different kinds. They were called upon by the Department of the Interior, by the Shipping Board, by the War Trade Board, by the War Industries Board, and by the Emergency Fleet Corporation. These men responded to the call and invested their money. I understand that many of them are bankrupt to-day. These materials were war materials. Though their production was not requested by the Secretary of War, it was requested for the same purpose and the same uses as were the materials the production of which was requested by the Secretary of War. The Senate amendment would have included production made upon request through the public press, through advertisements, or, in fact, would have covered every character of production of this kind. When we were discussing this question a few days ago I stated to the House that I was opposed to including claims based upon that sort of request. So the conferees agreed to confine these claims to production demanded or requested by the Department of the Interior, by the War Trade Board, by the Shipping Board, by the Emergency Fleet Corporation, and by the War Industries Board.

Mr. LEVER. Will the gentleman yield for a question?

Mr. FIELDS. Let me conclude my statement first, please. Now, Mr. Speaker, it seems to me that when these agencies of the Government that were the chief organizations which were instrumental in promoting production for the prosecution of the war called citizens of this country to Washington or sent their agents to see them and requested them to engage in production for the prosecution of the war, the Government thereby incurred a moral obligation, whether there was any statute authorizing it or not. A bill passed this House some three months prior to October 5 which would have legalized all these claims had it passed the Senate in time, and I think it is fair to assume that these agencies of the Government, acting in anticipation of the enactment of that law, incurred these obligations.

Now, men put their money into these materials, and, as I said a moment ago, they are bankrupt in the event that the Government does not take care of them. I think it would be unfair to desert these men now. I think it matters not whether these requests were made through the Secretary of War, through the Department of the Interior, through the War Trade Board, through the Shipping Board, or the Emergency Fleet Corporation. They came from the Government of the United States, and whether there was a law upon the statute books at that time or not those agencies had the moral support of the people of the United States, and any individual who had refused to meet the request of one of these agencies would have been charged with being a slacker and almost a traitor.

But men did not refuse. They responded to the request of the legally constituted agencies of their Government, invested their money, and produced the goods, and I believe that the Government thereby incurred a moral obligation that it should now meet.

The question will be asked probably as to the amount of these claims. Mr. Manning, of the Department of the Interior, appeared before the conferees and stated that they would run from four and a half to eight million dollars. The bill provides that these claims must be filed within three months after the enactment of the law, which removes the fear that in years to come some man will come up under the provisions of this act and say that he engaged in industry for the support of the Government and has a just claim.

So I feel, Mr. Speaker, that the Government of the United States should at this time, considering the way that the people of the country came to the support of the Government and considering the position that any man would have been placed in had he refused to comply with the requests of these agents—I say the Government should meet this moral obligation. I will reserve the balance of my time.

Mr. McKENZIE. Before the gentleman yields the floor, will he yield for a question?

Mr. FIELDS. Yes.

Mr. McKENZIE. The gentleman has been talking about the moral obligation of the Government connected with these different claims. I want to ask him if it is not a fact that the

administration, particularly the Secretary of Agriculture and many of his agents, not only requested the farmers of the country, but went out and talked to them, wrote to them, and urged them to plant wheat, and that previous to that time the Congress of the United States had passed a law guaranteeing the farmer the price of $2.26 a bushel?

Mr. FIELDS. Yes; guaranteed in advance.

Mr. McKENZIE. Under that request is it not possible that many of the farmers of the West went out and bought seed wheat, seed drills, and machinery, sowed his wheat, the drouth came and he lost his labor, he had the money invested in the machinery, and do you think that there is a moral obligation resting upon the Government to pay these men the $2.26 a bushel for whatever wheat they might produce, but that it should now pay them for the machinery and the efforts they made in planting wheat with the expectation of getting $2.26 a bushel, but where no grain was raised?

Mr. FIELDS. I will answer the gentleman's question by asking him one. If we had the right to guarantee to the farmer in advance the $2.26 for the production of wheat, is it morally right for the Government to bankrupt these gentlemen——

Mr. McKENZIE. Will the gentleman yield further? I would simply say to the gentleman from Kentucky that if a man actually in the mining proposition had produced any manganese or pyrites under the request of these agents of the Government that the Government would be under a moral obligation to pay these gentlemen for the products which they had produced.

Mr. GORDON. But they have not produced any.

Mr. LEVER. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. LEVER. I want to say that the Secretary of Agriculture and every agency of the Secretary, and even the President of the United States, called upon the farmers of the country to produce foodstuffs, oats, rye, barley, pork, hogs, and they have done it in great abundance. We have more hogs in the country to-day than at any time in our history. More than that, the President called upon us, every agent called upon us, to buy liberty bonds, and they are selling at 94. Would the gentleman carry his theory so far as to ask the Government to pay these losses which were met in pursuance of a patriotic duty?

Mr. FIELDS. Oh, the gentleman can go on and on and on, but I am speaking of the investment and production of these gentlemen who were requested to make it.

Mr. SHERLEY. Will the gentleman yield?

Mr. FIELDS. I yield to my colleague.

Mr. SHERLEY. I would like to ask the gentleman, assuming his premises, which I do not agree to, why you should have thrown around section 6 of the conference report none of the safeguards you throw around other sections as to the contracts you were attempting to validate? In other words, why in one class it is wide open, with the decision of the Secretary of the Interior final, and in the other——

Mr. FIELDS. It gives to claimants under the Secretary of War a right that is not extended to these claimants, because if a claimant under the first provision does not care to accept the settlement of the Secretary of War he can appeal to the Court of Claims. But, under this provision, if the claimant does not accept the settlement of the Secretary of the Interior he can not go to the Court of Claims.

Mr. SHERLEY. Why not let them in both cases go to the Court of Claims? Is not that proof that he has no standing even in a court of equity?

Mr. FIELDS. He has not the right extended to others in this bill. Mr. Speaker, I reserve the balance of my time.

Mr. GORDON. Before the gentleman yields the floor will he yield to me for a question?

Mr. FIELDS. I yield.

Mr. GORDON. Where does the gentleman get the authority for saying that there will only be $8,000,000 of these claims?

Mr. FIELDS. I stated where I got my authority; the Secretary of the Department of the Interior appeared before the conferees and made the statement.

Mr. GORDON. Under section 5 anybody who went out prospecting for manganese will have a claim against the Government.

Mr. FIELDS. I am glad the gentleman raised that question, because I overlooked it. They stated that the only claims would be on manganese, pyrites, chromium, and probably a little on phosphates.

Mr. GORDON. I know, but they are not all in yet; wait for the returns.

Mr. FIELDS. They know how much they requested and they based it on that. Mr. Speaker, I suggest that it would be agreeable to me for the gentleman from Wisconsin to control one-half the time.

Mr. STAFFORD. Mr. Speaker, I submit the following motion to recommit.

The SPEAKER pro tempore (Mr. WINGO). Does the Chair understand the gentleman from Kentucky to yield the floor?

Mr. FIELDS. No; Mr. Speaker, I am not yielding the floor.

Mr. GORDON. I would like to speak in opposition to this.

Mr. FIELDS. I will yield five minutes to the gentleman from Georgia [Mr. HOWARD]. I do not yield to the gentleman from Wisconsin to make a motion to recommit.

Mr. STAFFORD. I understood the gentleman from Kentucky had yielded the floor.

The SPEAKER pro tempore. The Chair understood the gentleman from Kentucky to yield to the gentleman from Wisconsin a part of his time.

Mr. FIELDS. I have not reached an agreement as to that, and I understood that the gentleman from Wisconsin wanted to debate the motion, but I did not agree to yield to him, nor do I yield to him to offer a motion to recommit.

Mr. STAFFORD. I was not endeavoring to take advantage of the gentleman under any circumstances. The gentleman stated in effect that he yielded the floor.

Mr. HAMLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from Georgia yield for a parliamentary inquiry?

Mr. HOWARD. I do if it is not taken out of my time.

The SPEAKER pro tempore. The gentleman's time is running.

Mr. HOWARD. Then I refuse to yield.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for five minutes.

Mr. HOWARD. Mr. Speaker, the House has had this matter under consideration now three or four times. It passed what was known as the war-contracts bill on a previous occasion by a very large majority. That bill itself as it left the House and went to the Senate and section 5 of the present conference report are in identical language. For instance, let me read two lines of each one of these sections to show that the same safeguards, the same limitations, the same care, the same judicial scrutiny are imposed upon the Secretary of the Interior under section 5 as are imposed upon the Secretary of War under the original bill:

That the Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis that has been entered into in good faith—

And so forth.

Now, let us see what section 5 provides.

Mr. HAMLIN. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. Just a moment. I want to get something in an intelligent, coherent way before the House, and you can not do it by answering questions every half minute. Therefore I shall have to refuse to yield. Let us see what section 5 says. Let us look this thing in the face as it exists. They are talking here about the farmers being induced to produce. Yes; they were induced to produce some, and they did produce, and they got the best prices that they ever got in the history of agriculture for what they did produce, and they had a general, stable market, whereas these men who were induced to produce had only one customer; and who was that customer? The Government of the United States. When the armistice was signed that customer ceased to exist, and what these men had produced had practically no intrinsic value for the purposes for which it was produced and under the conditions under which it was produced. Let us see about the safeguards and the limitations which are thrown around section 5 that gentlemen here are preparing to strike from this conference report by a rereference of it to the conferees. Section 5 provides:

That the Secretary of the Interior be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis, the amount or amounts of moneys heretofore invested or contracted to be invested—

And so forth. That is exactly the same langunge.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. No, I will not. The gentleman can debate the matter in his own time. I have only five minutes. Let us see what you do by your vote when you vote to disagree to the conference report and strike section 5 from it. You make flesh of one and fowl of the other. You say that you repose the greatest confidence in the Secretary of War and you say by your vote in striking out section 5 that you do not repose the same confidence in the Secretary of the Interior—that you are willing to trust the Secretary of War in the adjudication of $1,680,000,000 worth of claims, but you are unwilling to place that same degree of confidence in the great Secretary of the Interior and permit him to settle four and a half million to eight million dollars' worth of claims upon undertakings that were entered into at the solicitation, at the suggestion, at the impor-

tunity of the Secretary of the Interior, and for what? What did he say to these men? Gentlemen here talk about running around and paying a lot of prospectors. You are not paying a lot of prospectors, you are paying a lot of patriotic citizens who invested their cold money at the earnest solicitation of the great Government of the United States, who had to have these deficits made up in the importation of pyrites to this country, in order that we might make munitions, to make up the deficit in the importation of chrome into this country with which to line our guns that won the battle on the western front. You are paying men who produced manganese to harden the steel in the guns that we used in the great victory that this country and our allies obtained.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. HOWARD. Mr. Speaker, I will ask the gentleman to give me two more minutes.

Mr. FIELDS. Mr. Speaker, I desire first to submit a request for unanimous consent. I renew my request that the time be extended 30 minutes, making the time of debate in all one and one-half hours, one-half of that to be controlled by the gentleman from Wisconsin [Mr. STAFFORD] and one-half by myself.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent that the time be extended for 30 minutes——

Mr. FIELDS. And that at the expiration of that time the previous question shall be considered as ordered.

The SPEAKER pro tempore. Making the total debate one hour and a half, one half of that time to be controlled by himself and the other half by the gentleman from Wisconsin, at the end of which time the previous question shall be considered as ordered.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, do I understand that no opportunity will be given to offer a motion to recommit?

The SPEAKER pro tempore. The Chair would suggest to the gentleman from Wisconsin that after the previous question is ordered, as the present occupant of the chair understands, the right to offer a motion to recommit still exists.

Mr. STAFFORD. With that understanding I have no objection to the previous question being considered as ordered, but I should like to have it distinctly understood that we have the opportunity under the arrangement to offer a motion to recommit.

Mr. CANNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CANNON. The previous question being ordered, if it is by unanimous consent, at the request of the gentleman from Kentucky, when the time comes to move to recommit, does the previous question operate upon that motion?

The SPEAKER pro tempore. Yes. The Chair would say that under the proposed agreement this is the situation—that the previous question having been ordered upon the report, then a motion to recommit comes, as the present occupant of the chair understands, under the rule as a matter of privilege; but it would not be debatable, the previous question having been ordered.

Mr. STAFFORD. Will the gentleman embody in his request the right for a motion to recommit to be offered?

Mr. HEFLIN. Without debate.

Mr. CANNON. If it is a right, you do not have to agree.

The SPEAKER pro tempore. The present occupant of the chair is not the Speaker of the House, but the present occupant will state to the gentleman from Wisconsin the Speaker so advised the present occupant of the chair that that was the parliamentary law, and that was the opinion of the present occupant of the chair and the opinion of the parliamentary clerk.

Mr. STAFFORD. May we have an understanding that the motion to recommit may be offered?

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent that debate proceed to the extent of an hour and a half in all, one half to be controlled by the gentleman from Kentucky and the other half by the gentleman from Wisconsin [Mr. STAFFORD], at the end of which time the previous question shall be considered as ordered on the conference report. Is there objection?

Mr. STAFFORD. Reserving the right to object, as I understand, if that request is granted the hour and a half is to be from the time the discussion began?

The SPEAKER pro tempore. It is an extension of 30 minutes of the hour originally existing under the rule.

Mr. DYER. Mr. Speaker, reserving the right to object, about what time will that close debate?

The SPEAKER pro tempore. It will close it about 1.33, roughly estimating.

Mr. DYER. Now, another question——

Mr. KINCHELOE. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The gentleman from Kentucky demands the regular order, and the regular order is: Is there objection?

Mr. DYER. Mr. Speaker, I object, if I can not ask a question and get some information.

Mr. FIELDS. I yield three minutes additional to the gentleman from Georgia.

Mr. JUUL. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia may proceed for two minutes further. He is making a statement, and I would like to hear the end of it.

The SPEAKER pro tempore. Does the gentleman from Georgia yield?

Mr. HOWARD. What particular portion of that statement does the gentleman wish to inquire about; there has been so much said——

Mr. JUUL. I want the gentleman to continue with his speech, and I would like the gentleman from Georgia to state where he finds the limitation upon the amount involved.

Mr. HOWARD. Now, let us see what the limitations are. We had some dollar-a-year statesmen down here in the War Department and in these other boards. I have in mind now contracts that they let in one instance—transport wagons—where they let a contract to one manufacturer that was a competitor of theirs before they went into the business at one price and let the contract to their old concern at another price. You place confidence in the Secretary of War to settle these claims; now let us see what the condition is in the country. The Labor Department is complaining all over the country that there is a great unemployment in this country. Why? Because the business men who want to receive what they have honestly earned from this Government and place it in reconstruction work are unable to do it, because they have got practically every dollar that is now due them by the Government of the United States liquidated in the great banking institutions of the country and are paying rates of interest that are equivalent to 6, 6½, and 7 per cent. Every day that you delay the payment of these claims there is assessed against the Government of the United States $300,000 in interest—and gentlemen sit around here and try to bring in the farmer. Oh, great God, the iniquities that are committed in legislation in the name of the farmer! Somebody wants to play the demagogue with the farmer all the time, and he is ridden from one year's end to the other by some fellow who does not know which end of a mule to hitch up. [Laughter.] You are talking about——

Mr. JUUL. Now, Mr. Speaker——

Mr. HOWARD. In conclusion——

Mr. JUUL. I asked for the additional time for the gentleman in order to get him to answer a question.

The SPEAKER pro tempore. The time is in the control of the gentleman from Kentucky [Mr. FIELDS].

Mr. HOWARD. Now, let us see what are the limitations—that is what the gentleman wants—put on section 5. I repeat what I said in the very outset, that the same limitations and restrictions legally are placed around the war-minerals section as are placed around the section by which you confer power upon the Secretary of War. Now, then, the question comes up, and my distinguished friend from Ohio [Mr. GORDON], a great constitutional lawyer and a great lawyer and a great and good legislator, objects because the Supreme Court of the United States at one time passed upon this question. I got that decision and read it. The only difference between the gentleman from Ohio and the Supreme Court in that instance is that the Supreme Court held there and reversed the finding in the Cramp case and said that the amount due to the Cramp people was just and stated the amount that should be paid, and that was on a proposition that under the peculiar terms of that particular contract the Court of Claims had jurisdiction and they went there and got compensation; and the point involved in this case is that if these gentlemen are made to go through the Court of Claims and payment is delayed to them, it means absolute bankruptcy for every one of these men who responded to the call of their Government. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Speaker, will the gentleman from Kentucky kindly submit his unanimous-consent request again?

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that the time be extended for 30 minutes, making one hour and a half in all; that one-half of that time be controlled by the gentleman from Wisconsin and one-half by myself, and at the expiration of that time that the previous question be considered as ordered.

Mr. OLIVER of Alabama. Do I understand the time already consumed is chargeable on the respective sides?

Mr. FIELDS. Yes.

The SPEAKER pro tempore. Let the Chair state the question. The gentleman from Kentucky asks unanimous consent that the time be extended for 30 minutes, one half of the time to be controlled by himself and the other half by the gentleman from Wisconsin [Mr. STAFFORD], and at the end of that time the previous question shall be considered as ordered on the conference report. Is there objection?

Mr. LARSEN. Reserving the right to object, do I understand that this request for the extension of time confines the debate to the conference report?

Mr. STAFFORD. Under the rules of the House it must necessarily be confined to the report.

The SPEAKER pro tempore. The present occupant of the chair so understands the rule.

Mr. LARSEN. If that is the understanding, I will not object.

Mr. DYER. Mr. Speaker, the regular order.

The SPEAKER pro tempore. The regular order is, Is there objection?

Mr. GARRETT of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GARRETT of Texas. Does unanimous consent preclude the motion to recommit?

The SPEAKER pro tempore. Oh, no. The Chair will state for the information of the gentleman from Texas that in the opinion of the present occupant of the chair there is no way by which the motion to recommit can be prevented from being offered on this conference report.

Mr. GARRETT of Texas. Then the gentleman making the motion to recommit would have an hour?

Mr. KINCHELOE. Mr. Speaker, I demand the regular order.

Mr. GARRETT of Texas. If the unanimous-consent agreement is agreed to, at the end of the hour and a half the previous question will be ordered, and a motion to recommit may be made, but no further discussion on the motion to recommit will be in order.

The SPEAKER pro tempore. That is the understanding of the Chair. Is there objection?

Mr. JUUL. Reserving the right to object——

Mr. KINCHELOE. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The regular order is demanded, and the regular order is, Is there objection?

Mr. DYER. I object.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. FIELDS] is recognized.

Mr. FIELDS. Mr. Speaker, I yield 30 minutes of the time to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman will have six minutes left after the time yielded to the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Speaker, at the conclusion of eight minutes I wish the Chair to advise me.

Mr. Speaker, when this mining bill first passed the House it provided for an authorization to the Secretary of the Interior to fix a minimum price for all the minerals included in the bill. It passed the House as early as April, hibernated for five months over in the Senate, and then was revived into a different bill entirely, providing merely for the contract feature rather than for the minimum-price feature. That is disclosed by the report of the Senate, in which Senator HENDERSON uses the following language:

> The minimum-price principle had the approval of the House, but the attention of your committee was called to the possibility of the Government thereby incurring onerous obligations which might be avoided by an elaboration of the contract principle approved by the House, thus lessening the Government's liability. By the contract system the Government would know definitely just what the obligation would be, whereas the minimum-price feature might so stimulate production as to place it in a most embarrassing position.

The bill as it finally passed Congress also provided for the incorporation of a Government institution with a capital of $50,000,000 to go into the business of developing these minerals. The bill as it left the House provided for an appropriation of $10,000,000. As it came back from the Senate it provided an appropriation of $50,000,000. Under the bill as it was approved on October 5 no authority whatsoever was vested in anyone to fix the price. The President was only authorized from time to time to purchase such minerals. In fact, the Senate bill took away the authority from the Secretary of the Interior, because the opposition recognized it was too great a power to be lodged in a Cabinet officer, and vested the authority exclusively in the President. From October 5 to the signing of the armistice no authority was exercised whatsoever under this act.

Under this act it was required on the 25th of each month to file with the Clerk of the House and the Secretary of the Senate reports of all expenditures and operations under it. I have called upon the Clerk of the House and find that not one report has been filed and no operation ever undertaken under this bill.

Now, what is proposed? Because persons, in anticipation of a rising market, went in and developed their mines it is now proposed to compensate them for the full investment. I know of many men in industrial lines who invested hundreds of thousands of dollars in the steel industry in anticipation of getting Government orders, and whose investments became a complete loss at the time of the armistice; and yet you intend to compensate these mine owners and refuse to compensate the men who took the same risk of business in anticipation of the war continuing. If you pass this conference report, it vests in the Secretary of the Interior full authority as to implied contracts——

Mr. GORDON. No contracts at all.

Mr. STAFFORD. No contracts at all, but implied contracts, to recompense them, and we will be burdened down if this report is adopted, not to the extent of four or five million dollars, but hundreds of millions of dollars. You will be obliged to compensate all, because long before this bill was introduced there were persons insistent that there should be some legislation passed, but if they did not receive the authorization of Congress they would go ahead with these investments. They went ahead, as any business man would go ahead, in anticipation of high prices for their products and that there would be sale for these products if the war continued.

Mr. FIELDS. It is limited to $50,000,000.

Mr. STAFFORD. Even then, if there are claims presented of hundreds of millions, though the conference report says only $50,000,000 will be available, you will be obliged to pay the maximum of the claims that will be presented. There is no escape from that.

Mr. WELLING. Will the gentleman yield?

Mr. STAFFORD. I can not. My time is limited.

This section 5 is different entirely from the other provisions of the conference report. The others relate to conditions where a contract really had been entered into but it was irregular as to form; but here you are going to grant compensation or remuneration to everyone who happens to have gone into mining development. Under the law as enacted October 5, the respective bureaus, the Shipping Board, the War Trade Board, and the like, were given no authority, as described in this section 5, to encourage development. They had no authority to encourage the development. Naturally they were anxious and interested in having further production. They were calling upon the mine owners to produce from the very beginning of the war, but they did not exercise any authority under the act as passed. The President refused to exercise the authority, and for good reasons. He knew, as we all know now, that when this bill was approved on October 5, 1918, the war was coming to a close, and he used his good judgment not to impose the obligation of $50,000,000 or $1,000,000 upon the Government. Prior to the passage of this act perhaps the War Industries Board had called upon mine owners to produce more. They naturally called upon steel manufacturers to produce more; they may have called upon bronze manufacturers to produce more; and they may have called upon other manufacturers to produce more. But if you pass this provision for settlement of claims, without any basis of legal obligation, then you should reward every manufacturer who has increased his plant and who has suffered a loss by reason of the change of price and the refusal of the Government to purchase the output which their enlarged plant was capable of producing. [Applause.]

Mr. Speaker, I reserve the remainder of my time.

Mr. FIELDS. Mr. Speaker, there will be only one more speech on this side.

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. HAMLIN].

The SPEAKER. The gentleman from Missouri is recognized for five minutes.

Mr. HAMLIN. Mr. Speaker, the gentleman from Georgia [Mr. HOWARD], I think, was not entirely fair with the House when he made the statement that the provisions in section 5 were identical with the provisions in the first part of this bill, applicable to the so-called war-contract claims to be adjusted by the Secretary of War. He did not read all of the provisions of section 1. He only read this part:

> The Secretary of War be, and he is hereby, authorized to adjust, pay, or discharge any agreement, express or implied, upon a fair and equitable basis, that has been entered into in good faith during the present emergency and prior to November 12, 1918.

Then he read from a portion of section 5 which was identical, but the trouble was he did not read quite enough of section 1.

If he had read a little further he would have found this significant and important provision in section 1, which is not in section 5: The agreement mentioned in section 1 must have been entered into "by any officer or agent acting under the authority, direction, or instructions" of the Secretary of War "or the President of the United States." This specifically limits the settlement to only such claims as the President or Secretary of War had a right to make contracts for.

Now, that provision or anything like it is not in section 5. Why? Simply because they knew that the Secretary of the Interior or the President had no authority to make any agreements with these mineral producers, and therefore could not delegate authority to anybody else to make a contract. So the difference between the two classes of claims is apparent. They are in no sense identical.

The gentleman from Kentucky [Mr. FIELDS] and the gentleman from California [Mr. KAHN], two members of the conference committee, told this House the other day that they wanted this matter to go back to conference so that it could be safeguarded. If I can understand language, instead of safeguarding the interest of the Government they have thrown open wider the gates to the Treasury. The provision which they report is not nearly so good and the interest of the Government is not nearly so well safeguarded under this conference agreement as under the original proposition.

Mr. FIELDS. That is a difference of opinion. I differ with the gentleman on that. I think it is much better.

Mr. HAMLIN. Well, let us see. Under the original proposition a man to sustain his claim had to show that he was personally solicited by the War Industries Board, the Shipping Board, or the Interior Department. Under the provision brought in now——

Mr. FIELDS. By publicity or advertisement.

Mr. HAMLIN. I have not yielded to the gentleman. Yes; both under that provision and this provision as you have brought it in now. But under the provision that is brought in here now, all you have got to show is that they were requested or demanded by advertisement in a newspaper or in any other way, not only by the War Industries Board, the Shipping Board, or the Department of the Interior, but they have added the War Trade Board and the Emergency Fleet Corporation. I presume that they were afraid that some poor fellow might be left out under the other provision as written in by the Senate, so they extended the agencies of the Government in order to give all a chance to get in on the grand distribution of funds.

Now, there is another very radical difference between section 5 of this report and the balance of the bill. Let me call your attention to this proposition. Under the provision applying to the Secretary of War there is this safeguard written in:

That in no case shall any award, either by the Secretary of War or the Court of Claims, include prospective or possible profits—

And so forth.

Now, there is no such provision in section 5 applying to these mineral claims, and yet they tell us that the provision relating to the two classes of claims are identical. They tell us that the amount that can be expended is limited. Let us see if that is true. They say it is limited to $50,000,000. I tell you, as a lawyer, that there is great doubt in my mind as to whether that is true or not. It is true that there is a provision in section 5 that says that these claims and the expenses of this adjudication shall be paid out of the $50,000,000 appropriated by the act of October 5, 1918; but it does not say that the Secretary of the Interior, if this becomes a law, may not adjudicate claims and thereby legalize them and make them legal claims against the Government of the United States amounting to more than $50,000,000, and that Congress will then be forced to make such additional appropriation as shall be necessary to pay them.

So I say that while I think it was the intention of the conferees to limit it to $50,000,000, there is really a very serious doubt whether they have in fact so limited it.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Speaker and gentlemen of the House, there is no difference, I take it, in the desire of Members of the House; all of us want to do justice to the citizens of America, and men who have a real claim against the Government ought to have that claim liquidated by the Government.

But the problem that confronts a legislative body is not what it desires to do, but what it is doing when it proposes specific legislation; and notwithstanding the statement of the gentleman from Georgia [Mr. HOWARD], I submit that there is no comparison between the powers that are conferred in the section that relates to contracts made by the War Department and those that relate to matters to be adjusted by the Secretary of the Interior. Anyone reading the bill with care will see the distinction very plainly. The Secretary of War is expressly limited, as has just been suggested, from doing certain things. By the proviso he is prohibited from including "prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States"; and here is what he can affirmatively allow: "A reasonable remuneration for expenditures or obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order."

Now, the Secretary of the Interior is given the right to make a final adjudication, with the power "to ascertain, determine, adjust, and liquidate, and out of the moneys provided and appropriated by said act pay" the amounts of such losses and damages as he, the said Secretary, "shall find and determine to have been sustained by reason of having made such investments for said purposes." Now, go back and see what "said purposes" are, because that is the important provision in this particular language. Said purposes are these:

For producing or in good faith acquiring property for producing within the United States, for the purpose—

Here comes the purpose—

for the purpose of supplying the urgent needs of the Nation during the war, any ores or mineral substances mentioned and enumerated in the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply"; approved October 5, 1918, the production of which was requested or demanded by the War Industries Board, the War Trade Board, the Shipping Board, the Emergency Fleet Corporation, or the Department of the Interior, and which has been performed in whole or in part by any such person, firm, or corporation prior to November 12, 1918.

Now, the difference is this: The war contracts which the Secretary of War is going to deal with, whether made formally or informally, are contracts relating to the procurement of a given thing for a given purpose. What is attempted is to validate those contracts when they have been made informally. The matters that the Secretary of the Interior is to deal with are wherever a person, at the suggestion or the invitation, or, if you please, a general order of the enumerated Government agencies, has gone to work for the purpose of developing a given mineral with the idea of increasing the general supply that the Nation may have need for. In other words, if a man undertook to open up a mine, not for the purpose of supplying the Government with a given quantity of manganese but for the purpose of stimulating and increasing the general production of manganese because of a need that the Nation might have, that claim can be recognized without limitation, in the discretion of the Secretary of the Interior.

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired.

Mr. STAFFORD. I yield to the gentleman one more minute.

Mr. SHERLEY. Now, the difference between the two is very wide. I believe we ought to legislate to take care of some cases that may have arisen in connection with the bill that we passed in regard to the stimulating of mining; but it ought to be so narrowed as not simply to throw the matter wide open and to invite every man who can persuade the Secretary of the Interior—because he is made the final judge—that he has made an investment for the general purpose of increasing the production of a given mineral. I think that is very much further than the Congress can afford to go, and I again submit that if any lawyer in this House will take the two paragraphs and sit down by himself for 10 minutes and read them he will come to the conclusion that they are not identical or similar, and that they do not throw around the action of the Government the same restrictions in each case. [Applause.]

Mr. STAFFORD. Mr. Speaker, how does the time stand?

The SPEAKER pro tempore. The gentleman from Wisconsin has 15 minutes and the gentleman from Kentucky 6 minutes.

Mr. STAFFORD. I yield four minutes to the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. Mr. Speaker, my objection to this conference report is that it sets a precedent that will absolutely paralyze this Congress. In my question to the gentleman from Kentucky I called attention to the agricultural situation, where production had been stimulated, where prices are now falling, and I asked him if his theory went to the extent of taking care of that kind of a situation. The gentleman from Georgia [Mr. HOWARD], interesting, brilliant, sometimes right, sometimes wrong, thoroughly wrong on this, refers to that as demagogy and shakes his locks in the face of the House to prove it. Well,

I did not intend it as demagogy, and that is something about which I do not know very much. It may be demagogy, and I am willing to sit at the feet of the gentleman from Georgia when it comes to exercising that gentle art. I do not know much about it. [Laughter.]

But let us see the situation. It is a dangerous one. There is not an industry in the United States that has not responded to the patriotic appeal made to it and increased its production. I can speak more of agriculture, because I know more about it. The President in a proclamation, as I recall it, called upon the farmers of the United States to increase the food supply of the world. They did it. They did it with reference to corn, one of the greatest of agricultural products. They did it with reference to oats; they did it with reference to poultry; they did it with reference to hogs; they did it with reference to cattle; they did it with reference to rye; they did it with reference to barley; they did it with reference to everything. Corn had been selling at $1.45 a bushel, and yet within the last two or three weeks it has fallen 40 cents a bushel. They produced this enormous crop to feed the peoples of the world. They went to the expense of added machinery, of added tractors, of added horsepower, of added everything else that was necessary.

Mr. HARDY. Will the gentleman yield for a question?

Mr. LEVER. I am sorry I can not. I have only four minutes. The principle of this bill, carried to its logical conclusion, would be to confer upon the Secretary of Agriculture the power to ascertain those losses and to make them good. If you pass this conference report in its present form, I say to you that, as the chairman of the Committee on Agriculture, I would feel disposed when the wheat bill comes on the floor of this House to include in it a provision for taking care of the losses of the farmers of this country who, responding to patriotic impulses, increased their production and must thereby suffer for it. [Applause.] I yield back the balance of my time.

Mr. HARDY. Will the gentleman yield for a question now?

Mr. LEVER. If I have the time.

Mr. HARDY. Does not the gentleman recognize the vast difference between a general appeal and a straight agreement?

Mr. LEVER. I do not regard this as an agreement.

Mr. GORDON. There never was any agreement.

Mr. HAMLIN. The gentleman from Texas [Mr. HARDY] must concede that they could not make any agreement.

Mr. GORDON. They had no authority to do it.

Mr. HAMLIN. They had no authority, and they could not make an agreement.

Mr. HARDY. The difference is that there was an agreement, and the gentleman talks about a general appeal.

Mr. HAMLIN. There could not be an agreement.

Mr. STAFFORD. I yield four minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Speaker, during the four minutes I ask not to be interrupted. Now, gentlemen, these two propositions are as wide apart as the poles. Under the national-defense act the President of the United States had the right to go out and buy munitions, had the right to go out and order munitions, had the right to go out and order munitions without limit, and he did so. Some of these contracts were not entered into as required by law and therefore they came to Congress with a proposition to authorize the Secretary of War to settle up certain claims which had arisen in the attempt to produce munitions under authority granted to the President, and by order of the President and his subordinates, and thereupon the bill goes over to the Senate and they tack on section 5, which proposes to make the Secretary of the Interior a distributing agency for paying a lot of mining prospectors who went into the business without authority from any person on the face of the earth. Of course, it would authorize them to pay if ordered by the Shipping Board, or the War Trade Board, or the Emergency Fleet Corporation, or all the different other agencies, not one of whom had any authority to authorize anybody to go out and prospect for manganese or pyrites. And furthermore the attempt to settle and adjust munitions contracts was to settle any just contract with the Government for supplies which the Government had authorized to be purchased, that they intended to purchase and in fact did purchase. These minerals were not to be provided for the Government. The Government never intended to acquire any minerals.

The bill that was introduced and authorized that sort of thing to be done was pulled and hauled around the Senate and the House, and when finally enacted into law on October 5, 1918, it limited and restricted the power necessary to provide the minerals to an actual shortage which must be found to exist and announced by proclamation of the President. The President had no authority to enter into a contract for mining unless he issued the proclamation, and there never was any proclamation issued by the President, because no shortage was found to exist, so that the President never had authority to make any contracts.

Mr. STEAGALL. Was there ever any agreement made by the Government under that bill?

Mr. GORDON. No.

Mr. STEAGALL. Did anyone ever have the power to make an agreement under that bill?

Mr. GORDON. No; no one had the power, not even the President of the United States, because he did not find any shortage, and, as a matter of fact, there was no shortage. They claim that they have a lot of these minerals that they can not sell, and that is the reason that the President never authorized these contracts.

Mr. ROSE. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. ROSE. If section 5 is of any value at all, does not the gentleman think that it should be unlimited?

Mr. GORDON. They talked about limiting this to $50,000,000. But if the Secretary of the Interior is authorized to favor any mining prospector who comes in, the blue sky will be the limit. [Laughter.] Of course, Congress is not going to pay $50,000,000 of these claims and then turn down other claims that are exactly as good. Why, all the fellows that did not go to war will have a claim. [Laughter and applause.]

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, in five minutes all one can do is to say I indorse—where you do indorse—what has been said. I indorse the statement of facts that the gentleman from Ohio [Mr. GORDON] has made, and I indorse his gesticulations. [Laughter.] I also indorse what the gentleman from Kentucky [Mr. FIELDS], the gentleman in charge of the conference report, has said—namely, that it was advertised in the newspapers and they were appealed to for months and months to do that and this and the other.

Mr. FIELDS. Will the gentleman yield? I know the gentleman does not want to misrepresent me.

Mr. CANNON. Certainly.

Mr. FIELDS. I stated that no provision based on such advertisements was provided for in the bill.

Mr. CANNON. Where is it provided for by law? I have here the law of October 5, 1918. It does not confer power on any fleet corporation or any other commission or upon the Secretary of the Interior. The only paragraph conferring power is one conferring it on the President. Has the President ever given power to anybody? [Applause.]

It is not proclaimed that he has. There was no necessity for it. Why, you take the development of coal and everything that went with it—all kinds of things during this war—and it has been remarkable. It has come by leaps and bounds, to be paid for by the Government when the Government gets the coal, and by you and me when we want to keep warm.

Now, mind you, the first part of this bill up to section 5 of the conference report is guarded. There must be a contract by somebody who is authorized to make it. The statute provides for certain things to be done before the contract should be signed—that was in normal times; but under pressure the contract was made by wire or by letter. This bill only waives on proper proof the formal execution of the contract in writing.

Where the contract is established in point of fact, then the Secretary of War has the power to fix the amount, and if the party, after full investigation, does not accept that amount, he can go to the courts. The courts are utilized. You can bring suit in the Court of Claims if you choose. You would have to establish your contract if you did. But how about this? The Secretary of the Interior—a very excellent gentleman, and I have great admiration for him and for his great ability—will find himself up a stump when he comes to consider the fore part of this section 5 as agreed upon. There does not have to be any contract, but if a fellow has been encouraged——

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. CANNON. Yes.

Mr. HARDY. Does not this provide that there should be an agreement? Is not that a contract?

Mr. CANNON. It does not provide that there shall be an agreement.

Mr. HARDY. It so reads.

Mr. CANNON. Oh, express or implied.

Mr. HARDY. That is still an agreement, is it not?

Mr. CANNON. With whom? Who has the authority to make it? Nobody but the President has the authority to make it, and now you are going to say——

Mr. HARDY. But, Mr. Speaker, the gentleman——

Mr. CANNON. Oh, the gentleman will have to excuse me, as I have only a moment longer. If somebody would go on his own

motion, somebody from the Bureau of Mines, or would write a letter to Sam, Tom, Jim, or Jake that we are going to need pyrites and manganese and all that kind of thing under the law of October 5, 1918, the President, and the President only, had the power to make contracts, and I am informed that he never made a contract under that act and never authorized the Secretary of the Interior or any other person to make contracts for him.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. CANNON. Let us cut this thing off right behind the ears. [Applause and laughter.]

Mr. FIELDS. Mr. Speaker, how does the time now stand?

The SPEAKER pro tempore. The gentleman from Wisconsin has one minute remaining and the gentleman from Kentucky six minutes.

Mr. BLACK. Mr. Speaker, will the gentleman from Kentucky yield to me for a moment?

Mr. STAFFORD. Mr. Speaker, I reserved one minute in which to offer the motion to recommit, but I believe I have that privilege anyway, and I yield three-quarters of a minute to the gentleman from Texas.

Mr. BLACK. Mr. Speaker, what I wanted the gentleman to yield for was to ask him a question. I see in this section 5 that it authorizes the Secretary of the Interior to adjust these contracts, express or implied, but it does not say with whom those contracts must have been made. If that provision of the section should state that the contracts must have been made with the United States Government, or with some authorized agent of the United States Government, then it would be hedged about with some desirable restrictions, but if the gentleman will read the language he will find it is broad enough to cover any express or implied agreement made with anybody in the United States.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. FIELDS. Oh, no; it would not. I now yield five minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, there has been a great deal of discussion here predicated upon a false premise. Many gentlemen do not seem to understand the situation in which the owners of mining properties find themselves. These gentlemen who had properties containing manganese and chrome and pyrites had not been operating them for many years, because they could not operate them profitably against the competition of the producers in foreign countries. We were getting all those ores from Rhodesia and New Caledonia. The foreign supply was cut off or in danger of being cut off. I am informed that the Secretary of the Interior sent for the men personally who owned these properties and said to them that there was danger to the country if we did not continue to procure those ores so necessary to the production of ordnance and munitions. They replied to him: "We can not produce them in competition with the foreign producers," and were told that if they would go ahead and help save the country in that regard they would be taken care of by the Government. It was an implied agreement with the men who owned the mining properties when they were asked by authorized officers of our Government to put up their money to produce these ores. They knew that they could not produce them in competition with foreign producers. They were informed that every pound of chrome produced in this country would help release tonnage that was so necessary for the transportation of soldiers and supplies. They declined to go ahead until they were assured that if they did go ahead they would get remuneration from the Government, whose needs they were trying to supply. The entire amount involved in this matter is about four and a half million dollars. These people in good faith followed the request of an executive officer of this Government. They came to the aid of the Government, and in all decency, in all equity, and in all good faith they ought to be treated fairly by the Government.

Much sympathy is expressed for the farmers of the country. I believe that when any producer in any line of production in this country was told by the Government officials to go ahead and produce for the use of the Government in its efforts to win the war, an adjustment of his claim ought to be made. It is not fair to say to these men, after they have put up hundreds of thousands of dollars, "You have no claim, you must pocket your loss." I know one concern out in my community that put up many hundreds of thousands of dollars in developing a manganese plant. They had no need to do it; they did not have to put their money for that purpose, but they were requested by the Interior Department to do it; and now to deny them a fair compensation for the money they expended or even the return of their money in their investment, seems to me to be dishonest, even if it be done on the part of the Government of the United States.

Mr. BAER. Mr. Speaker, will the gentleman yield?

Mr. KAHN. No; I can not yield. I was one of the conferees, and we heard a great deal about advertisements inducing men to put up their money. In order to prevent that class of claims being presented we expressly provide that there must have been an agreement, either express or implied, with the men who had the mining properties. Not a single case can be adjudicated unless there has been that kind of an agreement.

The SPEAKER. The time of the gentleman from California has expired.

Mr. FIELDS. Mr. Speaker, I move the previous question on the conference report.

Mr. STAFFORD. Mr. Speaker, I offer the following motion to recommit, and on that I demand the previous question.

The SPEAKER. The Chair promised to recognize the gentleman from Oklahoma [Mr. CARTER] unless somebody more fully qualified demanded the right of recognition.

Mr. STAFFORD. Mr. Speaker, this is satisfactory to the gentleman from Oklahoma.

The SPEAKER. Is the gentleman from Wisconsin against the bill?

Mr. STAFFORD. I am against the conference report.

The SPEAKER. Dead against it?

Mr. STAFFORD. Dead.

The SPEAKER. The question is on the motion of the gentleman from Kentucky on ordering the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The gentleman from Wisconsin offers a motion to recommit, and on that demands the previous question. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. STAFFORD moves to recommit the conference report on the bill H. R. 13274 to the committee of conference, with instructions to the managers on the part of the House not to agree to section 7 of the Senate amendment in any form.

The SPEAKER. The question is on ordering the previous question on the motion of the gentleman from Wisconsin to recommit.

The question was taken; and the previous question was ordered.

The SPEAKER. The question is on agreeing to the motion to recommit.

The question was taken; and the Speaker announced the ayes seemed to have it.

Mr. WINGO and Mr. HOWARD. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 100, noes 47.

Mr. KAHN and Mr. RAKER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The two gentlemen from California make the point of order that there is no quorum present, and evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken, and there were—yeas 214, nays 117, answered "present" 6, not voting 92, as follows:

YEAS—214.

Alexander	Cooper, Wis.	Fuller, Ill.	Johnson, S. Dak.
Anderson	Copley	Fuller, Mass.	Jones
Anthony	Crago	Gard	Juul
Bacharach	Cramton	Garner	Kearns
Baer	Crisp	Garrett, Tenn.	Kelly, Pa.
Beshlin	Crosser	Garrett, Tex.	Kennedy, Iowa
Birch	Currie, Mich.	Glynn	Key, Ohio
Black	Dale	Good	Kincheloe
Blackmon	Davey	Gordon	King
Blanton	Davis	Gould	Kitchin
Brand	Decker	Graham, Ill.	Knutson
Britten	Dempsey	Gray, Ala.	Kraus
Brodbeck	Denison	Green, Iowa	Kreider
Browne	Dent	Greene, Mass.	Larsen
Buchanan	Dewalt	Greene, Vt.	Lehlbach
Burnett	Dickinson	Hamilton, Mich.	Lesher
Burroughs	Dies	Hamlin	Lever
Butler	Dillon	Harrison, Va.	Little
Byrnes, S. C.	Dixon	Hastings	London
Byrns, Tenn.	Donovan	Haugen	Lonergan
Campbell, Kans.	Doughton	Heaton	Longworth
Candler, Miss.	Dowell	Hersey	Lufkin
Cannon	Dunn	Holland	Lunn
Cantrill	Eagan	Hollingsworth	McCulloch
Carter, Okla.	Elliott	Hood	McFadden
Cary	Ellsworth	Houston	McKenzie
Chandler, Okla.	Essen	Huddleston	McKinley
Clark, Pa.	Fairfield	Hull, Iowa	McLaughlin, Mich.
Claypool	Fess	Hull, Tenn.	McLaughlin, Pa.
Coady	Focht	Humphreys	McLemore
Collier	Foss	Igoe	Madden
Connally, Tex.	Frear	Ireland	Magee
Cooper, Ohio	Freeman	James	Mann

Mansfield	Quin	Slayden	Venable
Mason	Ragsdale	Snell	Vestal
Mondell	Ramsey	Snook	Vinson
Montague	Ramseyer	Stafford	Voigt
Moon	Rayburn	Steagall	Volstead
Moore, Pa.	Reed	Stedman	Walker
Morgan	Robinson	Steele	Walsh
Mott	Romjue	Steenerson	Ward
Mudd	Rose	Stephens, Miss.	Wason
Nelson, A. P.	Rubey	Stephens, Nebr.	Watson, Pa.
Nelson, J. M.	Sabath	Sterling	Watson, Va.
Nicholls, S. C.	Saunders, Va.	Stevenson	Webb
Oliver, Ala.	Scott, Iowa	Stiness	Whaley
Olney	Scott, Mich.	Sumners	Wheeler
Paige	Sells	Sweet	Williams
Parker, N. J.	Shallenberger	Temple	Wilson, Tex.
Parker, N. Y.	Sherley	Thompson	Woodyard
Peters	Sherwood	Tilson	Young, Tex.
Polk	Siegel	Towner	Zihlman
Porter	Sims	Treadway	
Pou	Sisson	Van Dyke	

NAYS—117.

Aswell	Fields	Lee, Ga.	Rowe
Austin	Fisher	Linthicum	Sanders, N. Y.
Ayres	Flood	McArthur	Sanford
Bankhead	Foster	McKeown	Schall
Barkley	French	Mapes	Shouse
Beakes	Gallagher	Martin	Sinnott
Bell	Gallivan	Mays	Slemp
Benson	Gandy	Merritt	Sloan
Bland, Va.	Godwin, N. C.	Miller, Minn.	Small
Campbell, Pa.	Goodwin, Ark.	Moores, Ind.	Smith, Idaho
Caraway	Griffin	Morin	Smith, C. B.
Church	Hadley	Nichols, Mich.	Switzer
Classon	Hardy	Nolan	Taylor, Colo.
Connelly, Kans.	Hawley	Oldfield	Tillman
Cooper, W. Va.	Hayden	Oliver, N. Y.	Timberlake
Curry, Cal.	Hayes	Osborne	Walton
Denton	Heflin	Overstreet	Watkins
Dill	Hicks	Padgett	Weaver
Dominick	Hilliard	Platt	Welling
Doolittle	Howard	Powers	Welty
Doremus	Jacoway	Rainey, H. T.	White, Me.
Dupré	Johnson, Wash.	Rainey, J. W.	Wilson, Ill.
Dyer	Kahn	Raker	Wilson, La.
Eagle	Kehoe	Randall	Wingo
Elston	Kettner	Rankin	Wise
Esch	Kinkaid	Riordan	Wright
Evans	La Follette	Roberts	Young, N. Dak.
Fairchild, B. L.	Lampert	Rodenberg	
Fairchild, G. W.	Lazaro	Rogers	
Ferris	Lea, Cal.	Rouse	

ANSWERED "PRESENT"—6.

Edmonds	Keating	Reavis	Rucker
Emerson	Littlepage		

NOT VOTING—92.

Almon	Drukker	Johnson, Ky.	Russell
Ashbrook	Estopinal	Kelley, Mich.	Sanders, Ind.
Barnhart	Farr	Kennedy, R. I.	Sanders, La.
Bland, Ind.	Flynn	Kiess, Pa.	Scully
Booher	Fordney	LaGuardia	Sears
Borland	Francis	Langley	Shackleford
Bowers	Garland	Lobeck	Smith, Mich.
Browning	Gillett	Lundeen	Smith, T. F.
Brumbaugh	Goodall	McAndrews	Snyder
Caldwell	Graham, Pa.	McClintic	Strong
Carew	Gray, N. J.	McCormick	Sullivan
Carlin	Gregg	Maher	Swift
Carter, Mass.	Griest	Miller, Wash.	Tague
Chandler, N. Y.	Hamill	Neely	Taylor, Ark.
Clark, Fla.	Hamilton, N. Y.	Norton	Templeton
Cleary	Harrison, Miss.	O'Shaunessy	Thomas
Costello	Haskell	Overmyer	Tinkham
Cox	Heintz	Park	Vare
Dallinger	Helm	Phelan	Waldow
Darrow	Helvering	Pratt	White, Ohio
Delaney	Hensley	Price	Winslow
Dooling	Husted	Purnell	Wood, Ind.
Drane	Hutchinson	Rowland	Woods, Iowa

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. LITTLEPAGE with Mr. BOWERS.
Mr. CAREW with Mr. DALLINGER.
Mr. SCULLY with Mr. BROWNING.
Mr. MAHER with Mr. DARROW.
Mr. CLEARY with Mr. FORDNEY.
Mr. SULLIVAN with Mr. GARLAND.
Mr. THOMAS F. SMITH with Mr. GRIEST.
Mr. ASHBROOK with Mr. HASKELL.
Mr. BOOHER with Mr. HUTCHINSON.
Mr. CLARK of Florida with Mr. KENNEDY of Rhode Island.
Mr. LOBECK with Mr. KIESS of Pennsylvania.
Mr. MCANDREWS with Mr. LANGLEY.
Mr. MCCLINTIC with Mr. MILLER of Washington.
Mr. NEELY with Mr. PURNELL.
Mr. OVERMYER with Mr. SANDERS of Indiana.
Mr. PARK with Mr. SNYDER.
Mr. PHELAN with Mr. TINKHAM.
Mr. SEARS with Mr. WOOD of Indiana.
Mr. CARLIN with Mr. LAGUARDIA.
Mr. DOOLING with Mr. BLAND of Indiana.
Mr. SANDERS of Louisiana with Mr. SMITH of Michigan.
Mr. JOHNSON of Kentucky with Mr. WINSLOW.
Mr. HAMILL with Mr. HUSTED.
Mr. RUSSELL with Mr. STRONG.
Mr. BRUMBAUGH with Mr. COSTELLO.
Mr. WHITE of Ohio with Mr. NORTON.
Mr. HARRISON of Mississippi with Mr. REAVIS.
Mr. ESTOPINAL with Mr. EMERSON.
Mr. O'SHAUNESSY with Mr. GRAHAM of Pennsylvania.

On this vote:

Mr. RUCKER (for) with Mr. HENSLEY (against).

The result of the vote was announced as above recorded.

LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ASHBROOK, for two days, on account of illness.
To Mr. ALMON, for to-day, on account of illness.

VALIDATION OF CERTAIN WAR CONTRACTS.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. What has become of the conference report?

The SPEAKER. The conference report goes back to the conferees.

Mr. WINGO. Is the report sent back or the bill?

The SPEAKER. The report is sent back.

Mr. WINGO. That is all I wanted to know.

EXTENSION OF REMARKS.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from South Carolina makes the same request. Is there objection? [After a pause.] The Chair hears none.

Mr. YOUNG of North Dakota. Mr. Speaker, I would like to make the same request.

The SPEAKER. The gentleman from North Dakota makes a similar request. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks on this motion to recommit.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks on the motion to recommit. Is there objection? [After a pause.] The Chair hears none.

THE ARMY.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15835, the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15835, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920.

The CHAIRMAN. When the committee rose on yesterday, a point of order had been reserved by the gentleman from Wisconsin [Mr. STAFFORD] to this paragraph——

Mr. DENT. Mr. Chairman, I want to submit a request if I can get the attention of the committee. I ask unanimous consent to pass for the present the items on the subject of Air Service and the Bureau of Aircraft Production, beginning on page 9 and ending on page 15, with the idea that I propose to offer a substitute a little later.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to pass by the portions of the bill indicated for the present.

Mr. MANN. Mr. Chairman, we could not hear what the gentleman indicated.

The CHAIRMAN. The Clerk will report the sections proposed to be passed over.

The Clerk read as follows:

Mr. DENT asks unanimous consent to pass the paragraph headed "Air Service (Aeronautics)," page 9, lines 6 to 25, inclusive, all of page 10, and lines 1 to 16, inclusive, on page 11; and "Bureau of Aircraft Production," beginning on line 17, page 11, and ending in line 10, page 15.

Mr. MOORE of Pennsylvania. What is the request, Mr. Chairman?

The CHAIRMAN. That the sections indicated may be passed for the present. The chairman of the committee indicated that a substitute would be offered hereafter.

Mr. MOORE of Pennsylvania. What does "the present" mean? I am obliged to go away to attend a conference, and I would like to be here at the proper time.

The CHAIRMAN. Does the gentleman from Alabama mean after we have completed the bill?

Mr. DENT. I am perfectly willing to wait until the end of the bill and then return to it.

Mr. MOORE of Pennsylvania. I would like to be here when it comes up. I am obliged to be away.

Mr. DENT. I will agree not to bring it up until we complete the reading of the bill.

The CHAIRMAN. The gentleman enlarges his request that the sections be taken up at the conclusion of the reading of the bill. Is there objection?

Mr. MANN. Reserving the right to object, I understand it is the purpose of the gentleman to pass over the language so as to formulate it in different shape?

Mr. DENT. Yes; to meet the objections made yesterday.

The CHAIRMAN. Is there objection?

Mr. WALSH. Reserving the right to object, I desire to reserve points of order on the matter asked to be passed over.

The CHAIRMAN. The gentleman reserves all points of order on the matter asked to be passed over. Is there objection to the request of the gentleman from Alabama [Mr. DENT]?

There was no objection.

The Clerk read as follows:

PROVOST MARSHAL GENERAL'S OFFICE.

COMPLETION, PRESERVATION, AND TRANSPORTATION OF THE RECORDS.

For all expenses necessary for the completion, preservation, and transportation of the records pertaining to the draft under the act of May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," $25,000.

LEAGUE OF NATIONS.

Mr. HARRISON of Mississippi. Mr. Chairman, I move to strike out the last word. There has just come over the wire and received by the press gallery the first draft of the constitution of the new league of nations. All of it has not been received, but a large portion has. I desire in my time to have read just two articles, the one touching arbitration and the other touching disarmament.

The CHAIRMAN. Without objection, the Clerk will read the matter sent to the desk.

The Clerk read as follows:

ART. VIII. The high contracting parties recognize the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations, having special regard to the geographical situation and circumstances of each State; and the executive council shall formulate plans for effecting such reduction.

The executive council shall also determine for the consideration and action of the several Governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the program of disarmament; and these limits, when adopted, shall not be exceeded without the permission of the executive council.

The high contracting parties agree that the manufacture by private enterprise of munitions and implements of war lends itself to grave objections, and direct the executive council to advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of these countries which are not able to manufacture for themselves the munitions and implements of war necessary for their safety.

The high contracting parties undertake in no way to conceal from each other the condition of such of their industries as are capable of being adapted to warlike purposes or the scale of their armaments, and agree that there shall be full and frank interchange of information as to their military and naval program.

ART. IX. A permanent commission shall be constituted to advise the league on the execution of the provisions of Article VIII and on military and naval questions generally.

ART. X. The high contracting parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the executive council shall advise upon the means by which the obligation shall be fulfilled.

ART. XI. Any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties reserve the right to take any action to safeguard the peace of nations.

It is hereby also declared and agreed to be the friendly right of each of the high contracting parties to draw the attention of the body of delegates or of the executive council to any circumstances affecting international intercourse which threaten to disturb international peace or the good understanding between nations, upon which peace depends.

ART. XII. The high contracting parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy, they will in no case resort to war without previously submitting the questions and matters involved either to arbitration or to inquiry by the executive council and until three months after the award by the arbitrators or a recommendation by the executive council; and that they will not even then resort to war as against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council.

In any case, under this article the award of the arbitrators shall be made within a reasonable time, and the recommendation of the executive council shall be made within six months after the submission of the dispute.

ART. XIII. The high contracting parties, whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration, and which can not be satisfactorily settled by diplomacy, will submit the whole matter to arbitration. For this purpose the court of arbitration to which the case is referred shall be the court agreed on by the parties or stipulated in any convention existing between them. The high contracting parties agree that they will carry out in full good faith any award that may be rendered. In the event of any failure to carry out the award, the executive council shall propose what steps can best be taken to give effect thereto.

ART. XIV. The executive council shall formulate plans for the establishment of a permanent court of international justice, and this court shall, when established, be competent.

ARMY APPROPRIATION BILL.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

QUARTERMASTER CORPS.

PAY, ETC., OF THE ARMY—PAY OF OFFICERS.

For pay of officers of the line, $36,910,264.

For pay of the officers of staff corps and departments, $31,775,053.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. I wish to inquire whether this item was carried in former bills. I yield to the gentleman from Connecticut [Mr. TILSON]. He may have the information desired. The item is, "For pay of the officers of staff corps and departments, $31,775,053."

Mr. TILSON. I am not sure as to the form that was carried in. I thought the gentleman had reference to the pay of warrant officers in the mine-planter service.

Mr. KAHN. I want to call the attention of the gentleman to the fact that there are two classes of officers—officers of the line, who have charge of the fighting forces of the Army, and the officers of the staff corps and departments, having charge of the administrative and supply branch of the Army. I am under the impression that we have appropriated for them heretofore separately.

Mr. STAFFORD. I am quite advised as to the distinction between the line and the staff. I did not find this item in last year's bill, and I am inquiring whether they were heretofore carried under a lump-sum appropriation in general phraseology.

Mr. DENT. They were appropriated for under a lump-sum appropriation, and the committee adopted this plan for this year.

Mr. STAFFORD. I withdraw the reservation of a point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

Mr. SISSON. Mr. Chairman, I would like to ask a member of the committee who knows how many staff officers we have as compared with line officers. I know that you have pay for officers of the line $36,910,264, and pay of the staff corps and departments $31,775,053, nearly as much money for the staff officers as for the officers of the line.

Mr. DENT. I can give the gentleman the figures in one moment. Or I will supply them later.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For pay of the officers, Bureau of Insular Affairs, $15,000.

Mr. WATSON of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. WATSON of Pennsylvania. Can the chairman of the committee inform me how the $15,000 on page 16, lines 5 and 6, is distributed in that office? There are three—a chief, an assistant chief, and a chief clerk. How is the $15,000 divided between those three?

Mr. DENT. There is the chief of the bureau, who gets the pay of a brigadier general. There is an assistant chief, and there is a clerk.

Mr. WATSON of Pennsylvania. That does not define what the clerk gets. It is divided. I want to know what the clerk is paid.

Mr. DENT. The pay of a brigadier general is $6,000. The assistant chief, as I recollect, gets the pay of a colonel, which is $4,000. That makes $10,000. The remaining $5,000 goes to the clerk.

Mr. WATSON of Pennsylvania. The balance goes to the clerk?

Mr. DENT. That is my recollection. I think I am right about that.

Mr. KAHN. The brigadier general gets $6,000 as base pay, but he is entitled to longevity pay, which would probably increase that amount somewhat.

Mr. DENT. In other words, we simply take care of the pay of a brigadier general, a colonel, and a clerk in the office.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment. I wish to inquire of the chairman of the committee whether he can inform the House as to how many instances there are in the War Department where officers are detailed to perform the work of chief clerk or to any other civilian position?

Mr. DENT. As to how many instances?

Mr. STAFFORD. Yes.

Mr. DENT. No. I can not inform the gentleman how many instances

Mr. STAFFORD. It is the usual practice with other departments and bureaus to provide for a chief clerk and employ a chief clerk from the civilian roll. Even in the War Department we have a chief clerk provided for in the Inspector General's office and in the Judge Advocate General's office and in the Signal Office at salaries ranging from $2,000 to $2,500. Why should the distinction be made that in this office they detail an officer who draws a salary, maybe, of $5,000?

Mr. DENT. Will the gentleman please repeat what particular section or paragraph he is calling attention to?

Mr. STAFFORD. In response to the inquiry made by the gentleman from Pennsylvania [Mr. WATSON], I understood the gentleman to say that in the office of the Bureau of Insular Affairs there is an officer, a colonel or a general, detailed to the position of chief clerk.

Mr. DENT. Oh, no. I did not say that. I said that we provide for the pay of the chief of the bureau, who has the detail rank of a brigadier general, and an assistant, who has the rank of a colonel, and then a clerk in addition; and that covers the $15,000.

Mr. STAFFORD. What does the clerk receive?

Mr. DENT. The clerk would receive the difference between $15,000 and the aggregate pay of a brigadier general and a colonel.

Mr. STAFFORD. Does the gentleman think it is good legislative practice to provide for a departmental clerk in one bureau in this bill when we provide for most of the civilian force in the legislative appropriation bill?

Mr. DENT. I will state to the gentleman that that has been carried in this bill for so many years that I am surprised that somebody has not raised this question before. But it has been carried for years and years in this bill.

Mr. STAFFORD. It has been carried in a form that was not detectable except to the eagle eye of perhaps some member of the Committee on Military Affairs who is advised in advance.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I will be glad to.

Mr. KAHN. The Chief of the Bureau of Insular Affairs, as I recall, is a member of the General Staff, and the General Staff has always had its clerks supplied in the Army appropriation bill. On the next page of the bill, on page 17, the gentleman will find near the bottom of the page a provision for the pay of those clerks, and I presume that the clerk in the office of the Insular Affairs Bureau is paid under the provisions of the bill.

Mr. STAFFORD. Mr. Chairman, with all due respect to the very learned gentleman of the Committee on Military Affairs, the gentleman from California [Mr. KAHN], I beg to say to him and to the House that that is hardly an explanation of why a clerk should be carried in this Army appropriation bill. I wish to inform him, although I doubt whether this is information to him, even, that the office force of the Bureau of Insular Affairs consists of a law officer, chief clerk, and many clerks of class 4 and many clerks of class 3 and of class 2 and of class 1, and some at $1,000 are carried in the legislative appropriation bill.

The legislative appropriation bill covers all the civilian employees connected with the War Department. Here is an instance where you are paying for a civilian employee out of a lump sum, without any control by Congress as to the amount—none whatsoever. I hardly think the gentleman has given a reason why that should be continued.

Mr. MANN. Does this authorize the payment of a civilian? It says "officers."

Mr. STAFFORD. That is the explanation made by the chairman of the committee [Mr. DENT], as I understood it.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. STAFFORD] has expired.

Mr. STAFFORD. I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. McKENZIE. Will the gentleman yield to me for a question?

Mr. STAFFORD. If the gentleman can answer the query propounded by the gentleman from Illinois [Mr. MANN].

Mr. McKENZIE. As I understand it, and I believe I am correct in my understanding, this paragraph provides for the pay of officers of the staff in the department and has no reference to or anything to do with civilian employees, but is absolutely confined to the pay of officers.

Mr. STAFFORD. Then I will direct the inquiry anew to the chairman of the committee, whether any amount of this money is paid to civilian employees?

Mr. DENT. I was mistaken about that. There are three officers.

Mr. STAFFORD. Then let the chairman explain why he changes the phraseology so as to provide generally for the pay of officers when last year he specified for the pay of three officers.

Mr. DENT. I have no objection to making it three. I offer an amendment, in line 5, page 16, to strike out the word "the" and insert the word "three."

The CHAIRMAN. The pro forma amendment is withdrawn, and the gentleman from Alabama offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 16, line 5, after the word "of," where is occurs the first time, strike out the word "the" and insert the word "three."

Mr. HUMPHREYS. Mr. Chairman, may I ask the gentleman a question about that?

Mr. DENT. I yield to the gentleman from Mississippi.

Mr. HUMPHREYS. It was explained that the chief is a brigadier general, getting $6,000, but that, in addition to that, he is entitled to longevity pay, and no doubt that is true of the other officers there. Now, it will not necessarily be the same officers all the time.

Mr. DENT. No.

Mr. HUMPHREYS. Another officer coming in would not have the same longevity pay.

Mr. DENT. I do not think this includes the longevity pay. That is provided for in a separate item.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. DENT.]

The amendment was agreed to.

Mr. HUMPHREYS. Mr. Chairman, I want to ask the chairman of the committee a question, for my information, about line 1, pay of officers of the Officers' Reserve Corps. Do the members of the Officers' Reserve Corps draw pay in time of peace?

Mr. DENT. Only when they are called into the service.

Mr. HUMPHREYS. Is this for those officers of the Reserve Corps who were called into the service and are now in the service?

Mr. DENT. When they are detailed for some particular duty.

Mr. HUMPHREYS. They do not draw any pay otherwise?

Mr. DENT. No; not at all. They can not under the law.

Mr. SHALLENBERGER. The explanation was made of that item that the law contemplates that every year there will be a certain amount of training of reserve officers, and they may be called in for service in reconstruction during the year, and during that time they will be paid. That item was put in there to pay them in that event.

Mr. DYER. Mr. Chairman, I desire to inquire in reference to the Aviation Service, and I move to strike out the last two words for that purpose.

First, I will say that I note that this bill provides for an Army of 28,579 officers. From my calculation and what little I know about the military service—I do not claim to have any special information—I can not figure out how they need that many officers for an Army of that size—28,579 officers for an Army of 509,909 enlisted men. I want to direct the attention of the committee to what I believe is growing up in the Army—the practice of having it top-heavy with officers. A minute ago the inquiry was made by the gentleman from Wisconsin as to

whether there are not now in the War Department, holding strictly clerical positions, commissioned officers in uniform. Of course, we all know that the War Department is full to overflowing at this time with men sitting around in uniform, and in most cases doing very little, if any, work. In fact, they are interrupting the stenographers and taking their time, and they are not doing much work either but entertaining the officers, as a general rule.

Mr. KNUTSON. Will the gentleman yield?

Mr. DYER. Yes.

Mr. KNUTSON. Is the gentleman aware of the fact that a great many bands are being maintained in different places down there that have nothing to do except play for the officers?

Mr. DYER. That may be true. I do not know about that. But, Mr. Chairman, I want to invite the attention of the committee to some figures that I have had prepared by the department itself with reference to the Bureau of Aeronautics.

I do not know whether they have too many officers, but it looks to me as though they have more officers than they need. I think the Committee on Military Affairs, in asking us to vote for an Army of 500,000 men with all of these officers, ought to be able to tell us whether they need all of them or whether or not they think some of them should not be left off.

Mr. SHALLENBERGER. The only information which the Committee on Military Affairs have is that we have a table of organization, and that a certain organization requires a specific number of officers. The statement was made to us by the Chief of Staff that an Army of 509,000 enlisted men, organized under the table adopted by the United States Army, requires exactly that number of officers.

Mr. DYER. I have no doubt the information was given to the committee, but I believe that if the committee will take the trouble to investigate the situation it will find that this is 6,000 or 7,000 more officers than they need for the strength of that sized Army.

Mr. McKENZIE. Will the gentleman yield?

Mr. DYER. Yes.

Mr. McKENZIE. Let me say for the information of the gentleman that we have now in the Regular Army 10,664 officers. These men are permanently in the service. If the House should decline to appropriate for, or to enact this legislation providing for the establishment of officers for an Army of 500,000 men, and stand squarely on the national-defense act they would only provide for 10,654 officers.

Mr. DYER. Then the committee does not expect us to authorize the commissioning of 28,570 officers, but they only ask for the difference between what they have and what they want. Is that the fact?

Mr. McKENZIE. Yes.

Mr. DYER. I think still if you add them up you will find that you have too many officers. Now, with reference to aviation, I have a statement here showing the number of officers and number of men in some of these fields of aviation. I do not know whether the proportion is right or not. I am not a military man, and I know little about it. The gentlemen on the committee are all military men and understand, no doubt, whether there are too many or not. We have a little field over here called the Bolling Field, in Anacostia, where there are 34 officers and 189 enlisted men. Is that too many officers, or should we have an officer for every enlisted man? In Brooks Field, San Antonio, Tex., there are 44 officers to 249 men. Probably at this place there are not enough officers. I would be glad to have the committee investigate and say whether or not we have fields full of officers and whether or not the few men that are being kept there are to give these officers a chance to hold their commissions.

Mr. ANTHONY. Will the gentleman yield?

Mr. DYER. Yes.

Mr. ANTHONY. The gentleman is aware that in aviation most of the fliers are officers?

Mr. DYER. Are not the cadets fliers?

Mr. ANTHONY. Most of the fliers are officers.

Mr. DYER. The gentleman from Kansas is a very well posted man on this matter and I want to ask him a question. Take for instance the aviation general supply depots. Do they fly there?

Mr. ANTHONY. No; I agree with the gentleman that many of these branches are largely over-officered.

Mr. DYER. Aviation general supply depots—they do not do any flying, but they are supposed to look out and guard the little Government property which they have there. Now, down here at Little Rock, Ark., they have, according to the report of the War Department, 17 officers and 274 men. Most of those boys down there, or many of them, are from my home section of the country. I have had occasion, and others have had, to make inquiries in reference to their discharge, and they tell us that they can not let those boys go under any conditions until they are replaced by men enlisted under the new reorganized Army.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. DYER. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DYER. Now, take this field at San Antonio, Tex. There are 13 officers and 299 men. Los Angeles has 5 officers and 45 men. I do not think there are enough officers there. There ought to be one for every man.

Mr. IGOE. Will the gentleman yield?

Mr. DYER. Yes.

Mr. IGOE. Has the gentleman any information as to the character of the work being done by these enlisted men at Little Rock?

Mr. DYER. They are doing mostly laboring work. As I understand it—I may be misinformed—but my information is that they are not doing any work except to look after and guard the property, clean up the grounds, and so forth, that the Government has there. They keep them there for that purpose only. The Government could hire laborers for that purpose. I do not know what else they are doing and why they are keeping them there is a question, unless it is to keep these officers in their positions. These men did not enlist for doing laboring work, but to fight the Germans.

The table I have here shows that at all these fields they have a total of 4,330 officers and 34,859 enlisted men. In other words, there are aviation fields of all kinds, including supply depots, where they are guarding property—soldiers working as common laborers—air-service depots, schools of military aeronautics, and so forth; at all of them they have an average of one officer to six men.

I ask the chairman of the committee or any other member of the committee if that is not too few officers for so many men? Only one officer is provided for each six men in the Bureau of Aeronautics. Should they not have more officers there?

Mr. DENT. I did not quite catch the question.

Mr. DYER. The table I have here of the Bureau of Aeronautics shows that in all the depots and stations and flying fields scattered throughout this country, there are 4,330 officers, 1,644 cadets, and 24,859 enlisted men. That provides one commissioned officer outside of the cadets for every six enlisted men. Are there enough officers in the Bureau of Aeronautics? Should there not be one officer for every enlisted man?

Mr. DENT. The gentleman from Missouri knows that this whole paragraph is comparatively a new proposition in this country. I can not tell the gentleman whether that is too many men or not. He can answer the question just as well as I can.

Mr. DYER. Let me ask the gentleman about lines 7 and 8, which have just been read. It is provided there that for aviation increase there shall be $1,000,000 appropriated. Why is it necessary to vote an increased amount of money? What is the necessity for that?

Mr. DENT. I will ask the gentleman from Nebraska [Mr. SHALLENBERGER] to answer that question.

Mr. SHALLENBERGER. Mr. Chairman, the military law provides that aviators who fly and are commissioned as military aviators, shall receive 25 per cent additional pay, because of the hazard of flying, and this million dollars is supposed to take care of that additional pay.

Mr. DYER. Can the gentleman tell me in how many fields in the United States now there is any flying going on?

Mr. SHALLENBERGER. The law would not be affected by that proposition anyway. I could not tell the gentleman. I presume that flying is going on more or less in all of the fields.

Mr. DYER. If we are going to increase the pay of those who fly, we ought to know whether anybody is flying.

Mr. SHALLENBERGER. When a man is once commissioned as a military aviator he receives his pay just the same as he would receive the pay if commissioned as any other officer.

Mr. DYER. Mr. Chairman, I do not want to be understood as offering any criticism of the Bureau of Aeronautics or the War Department or the Committee on Military Affairs of the House. Like a great many other Members I have very little information about military matters. We are called upon to vote for these appropriations and for increases in the Army, and we ask for information from the War Department and get figures showing that in this bureau concerning which the item has just been read there is one officer now commissioned for every six enlisted men.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. DYER. Mr. Chairman, I ask for five additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DYER. I have asked for information as to what these fields are costing the Government at this time to maintain. Figures at Love Field, Tex., show that the cost per month now, since the armistice was signed, amounts to $100,312.72. They have there 50 officers and 700 enlisted men. I do not know whether they are doing any flying or not. Park Field, Tenn., is another one of these fields, but they do not give us the number of officers and men. I do not know why. Perhaps it is because of the comparison, which is worse than the one given above. The cost of maintaining Park Field, Tenn., to-day, since the armistice was signed, with a very few men, amounts to $94,856.48. They say they have 75 planes at Park Field, 75 at Love Field, and out in California, at Mather Field, where they have 75 planes, it is costing the Government $96,710.22 a month for operation. I call upon gentlemen representing those States to tell me whether or not in these days, when we are passing these enormous tax bills, they think we are justified in calling on the people, who are almost paying with blood these taxes, to maintain these expensive fields, where they have 50 officers to 700 enlisted men. Mr. Chairman, it is my judgment that there ought to be some investigation and inquiry by the Committee on Military Affairs to inform the House as to the Bureau of Aeronautics, whether they are operating economically now, as well as the other divisions of the War Department. We ought not to be asked to appropriate money with our eyes shut and with no information as to the needs touching these important matters.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. DENT. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DENT. The gentleman from Missouri understood that my request was that both the paragraphs here in regard to aeronautics should go over until the conclusion of the bill.

Mr. DYER. Yes.

Mr. MOORE of Pennsylvania. Would not the gentleman let this go over also?

Mr. DYER. I was addressing my remarks to lines 7 and 8, where it provides for aviation increase, believing that in view of the facts that I have received from the Bureau of Aeronautics in the last two days we are not justified in voting that increase for the pay of officers. How many officers there are in Washington sitting around at desks I do not know, but in the camps, in the field there is one officer for every six men, and they are keeping the enlisted men there to do laboring work and will not discharge them.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. MOORE of Pennsylvania. The gentleman makes the point that we are overofficered in the Army?

Mr. DYER. Yes.

Mr. MOORE of Pennsylvania. And it may be due to that fact that there is so much hesitancy in discharging the men who serve under those officers.

Mr. DYER. That is my judgment.

Mr. MOORE of Pennsylvania. The inference being that the officers would like to remain and hold their jobs, and therefore they do not like to lose the Army.

Mr. DYER. That seems to be the trouble with the aviation camps. I am seeking light on the subject.

Mr. SHALLENBERGER. This million dollars to which the gentleman is objecting, as I have endeavored to state, is a matter fixed by law. When an aviator has proved that he is entitled to that flying pay, he gets it. If he does not prove that he is a flyer, he does not get it.

Mr. DYER. There is money already available for paying aviators.

Mr. SHALLENBERGER. There is no money available for that extra pay unless you put it in the bill.

Mr. DYER. Have they not been paid all of the time?

Mr. SHALLENBERGER. They have been paid by an item carried in the general appropriation bill, the same as we are doing here.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. DYER. Mr. Chairman, I include the memorandum referred to and furnished me yesterday by The Adjutant General of the Army, as follows:

Distribution of officers and men, Division of Military Aeronautics, week ending Jan. 30, 1918.

	Officers.	Cadets.	Enlisted men.
Flying fields:			
Bolling Field, Anacostia, D. C.	34	.....	189
Brooks Field, San Antonio, Tex.	44	.....	269
Call Field, Wichita Falls, Tex.	17	.....	212
Carruthers Field, Benbrook, Tex.	43	.....	576
Chanute Field, Rantoul, Ill.	17	1	199
Chapman Field, Miami, Fla.	4	.....	250
Dorr Field, Arcadia, Fla.	24	.....	619
Eberts Field, Lonoke, Ark.	46	3	563
Gerstner Field, Lake Charles, La.	57	1	326
Langley Field, Hampton, Va.	127	.....	668
Mather Field, Sacramento, Cal.	23	.....	455
Payne Field, West Point, Miss.	67	1	755
Rich Field, Waco, Tex.	46	1	409
Selfridge Field, Mount Clemens, Mich.	58	.....	202
Scott Field, Belleville, Ill.	21	.....	203
Souther Field, Americus, Ga.	28	.....	462
Taliaferro Field, Hicks, Tex.	91	.....	295
Taylor Field, Montgomery, Ala.	49	2	238
Barron Field, Everman, Tex.	78	172	624
Carlstrom Field, Arcadia, Fla.	213	8	1,105
Ellington Field, Houston, Tex.	519	147	2,275
Kelly Field, San Antonio, Tex.	388	316	4,673
Love Field, Dallas, Tex.	94	233	560
March Field, Riverside, Cal.	87	204	601
Park Field, Millington, Tenn.	94	140	559
Post Field, Fort Sill, Okla.	180	120	1,231
Rockwell Field, San Diego, Cal.	275	.....	1,501
Total	2,724	1,349	20,019
Balloon schools and firing centers:			
A. B. S., Fort Omaha, Nebr.	63	.....	1,150
A. B. S., Lee Hall, Va.	34	.....	819
A. B. S., Arcadia, Cal.	76	25	747
Camp John Wise, San Antonio, Tex.	53	6	768
Camp Donlphan, Fort Sill, Okla.	2	.....	.....
Twenty-ninth B. Col., Fort Monroe, Va.	7	.....	198
Camp Jackson, Columbia, S. C.	23	.....	348
Camp Knox, West Point, Ky.	20	.....	335
Camp McClellan, Anniston, Ala.	9	.....	169
Total	287	31	4,534
Insular possessions:			
Panama, Seventh Aero Squadron	13	.....	91
Hawaii, Sixth Aero Squadron	13	.....	129
Total	26	.....	220
Schools of military aeronautics:			
University of California, Berkeley, Cal.	5	66	22
Cornell University, Ithaca, N. Y.	10	.....	5
University of Texas, Austin, Tex.	23	156	51
Total	38	222	78
Provisional wings:			
First Provisional Wing, Mineola, Long Island, N. Y.	106	.....	541
Second Provisional Wing, Houston, Tex.	22	.....	267
Total	128	.....	808
Air Service depots:			
Garden City, Long Island, N. Y.	453	.....	1,899
Morrison, Va.	15	.....	431
Total	468	.....	2,330
Aviation general supply depots:			
Americus, Ga.	10	.....	318
Buffalo, N. Y.	6	.....	151
Dayton, Ohio	4	.....	150
Detroit, Mich.	14	.....	150
Houston, Tex.	7	.....	132
Little Rock, Ark.	17	.....	274
Los Angeles, Cal.	5	.....	45
Middletown, Pa.	18	.....	602
Richmond, Va.	10	.....	199
San Antonio, Tex.	13	.....	269
Wilbur Wright, A. S. D.	71	.....	2,124
Total	175	.....	4,414
Department depot squadrons:			
General Department, Chicago, Ill.	3	.....	75
Eastern Department, New York, N. Y.	3	.....	81
Southern Department, Fort Sam Houston, Tex.	2	.....	5
Southeastern Department, Charleston, S. C.	2	.....	4
Western Department, San Francisco, Cal.	2	.....	.....
Total	12	.....	165
Radio schools:			
Columbia Univeristy, Radio, N. Y.	11	27	14
Penn Field, Austin, Tex.	15	.....	63
Carnegie Institute of Technology, Pittsburgh, Pa.	8	.....	22
Total	34	27	99
Ports of embarkation:			
New York, Hoboken, N. J.	14	.....	34
Newport News, Va.	1	.....	7
Total	15	.....	41

Distribution of officers and men, etc.—Continued.

	Officers.	Cadets.	Enlisted men.
Aviation repair depots:			
Speedway, Indianapolis, Ind.	20	15	454
Dallas, Tex.	22	.....	490
Montgomery, Ala.	27	.....	513
Total	69	15	1,457
Miscellaneous:			
Aberdeen (Md.) Proving Ground	19	.....	310
Camp Alfred Vail, Little Silver, N. J.	1	.....	6
St. Paul, Minn.	40	.....	40
Detroit, Mich., Fort Wayne	16	.....	261
Washington, D. C., O. D. M. A.	278	.....	77
Total	354	.....	694
Recapitulation:			
Under control of training section	3,237	1,629	25,758
Under control of supply section	1,093	15	9,101
Total in United States	4,330	1,644	34,859

Estimated monthly expenditures since Nov. 11, 1918.

LOVE FIELD, TEX.

Motor transportation	$2,166.66
Rental of grounds	379.25
Maintenance of buildings	5,666.66
Maintenance of equipment, planes, engines, and shops	7,000.00
Pay of officers (50 officers)	7,950.15
Pay of enlisted men (700 enlisted men)	30,850.00
Subsistence (700 enlisted men)	10,500.00
Gasoline, 90,000 gallons—10 gallons per hour, 4 hours per machine per day	[1] 31,500.00
Oil, 9,000 gallons—1 gallon per hour, 4 hours per machine per day	[1] 6,300.00
	102,312.72

PARK FIELD, TENN.

Motor transportation	1,666.66
Rental of grounds	756.34
Maintenance of buildings	500.00
Maintenance of equipment, planes, and shops	4,833.33
Pay of officers	7,950.15
Pay of enlisted men	30,850.00
Subsistence	10,500.00
Gasoline, 90,000 gallons—10 gallons per hour, 4 hours per machine per day	[1] 31,500.00
Oil, 9,000 gallons—1 gallon per hour, 4 hours per machine per day	[1] 6,300.00
	94,856.48

MATHER FIELD, CAL.

Motor transportation	2,166.66
Rental of grounds	.09
Maintenance of buildings	4,166.66
Maintenance of equipment, planes, and shops	3,276.66
Pay of officers	7,950.15
Pay of enlisted men	30,850.00
Subsistence	10,500.00
Gasoline, 90,000 gallons—10 gallons per hour, 4 hours per machine per day	[1] 31,500.00
Oil, 9,000 gallons—1 gallon per hour, 4 hours per machine per day	[1] 6,300.00
	96,710.22

[1] 75 planes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the paragraph, unless the gentleman will consent to have it go over and be considered with the other aviation paragraphs. I take it that this paragraph, increase of aviation officers, Signal Corps, $1,000,000, is in anticipation of the two $10,000,000 appropriations that have gone over for further consideration?

Mr. DENT. I do not think this has anything in the world to do with it.

Mr. SHALLENBERGER. This is pay fixed by law for aviators.

Mr. MOORE of Pennsylvania. They are already in the service?

Mr. SHALLENBERGER. They are commissioned as aviators. They do not get this pay unless they prove they are competent military aviators.

Mr. MOORE of Pennsylvania. This $1,000,000 is to pay men who are already enlisted?

Mr. SHALLENBERGER. For the extra hazard of flying.

Mr. MOORE of Pennsylvania. And not in anticipation?

Mr. SHALLENBERGER. No; the gentleman is correct.

Mr. MOORE of Pennsylvania. Mr. Chairman, I withdraw the motion and move to strike out the last word. There is a great deal in what the gentleman from Missouri [Mr. DYER] said a moment ago about these aviation fields in Texas. I have been getting considerable information on that line also, and had some difficulty in getting enlisted men released because the officers were obliged to keep an army in order to hold their status. Some of the tales which have been brought up from the Texas camps remind us of Hoyt's pretty comedy, "The Milk White Flag," where every man who came into the club and who drank Scotch was an officer, and only one private held the army of officers together. We are all in sympathy with what the Army as a whole has done and is trying to do, but when the mothers and the wives of our soldiers are crying out for them to return to their duties at home, and we find in many cases that some lieutenant or captain or major who desires to remain in the service in spite of the fact that the Government is incurring the greatest burden ever imposed upon it in all history, is standing in the way to hold down his job, we have reason to complain. If this were a new appropriation, contemplating new service, I certainly would move to strike it out, because, as I indicated the other day, in my judgment the time has come to stop these excessive appropriations for maintaining new and expensive establishments for war, now that we approach a time of peace.

Mr. DENT. May I interrupt the gentleman?

Mr. MOORE of Pennsylvania. Yes.

Mr. DENT. The gentleman voted for the conscription bill?

Mr. MOORE of Pennsylvania. I did.

Mr. DENT. And you have got that Army?

Mr. MOORE of Pennsylvania. Yes.

Mr. DENT. And you have got to get rid of that Army?

Mr. MOORE of Pennsylvania. Yes.

Mr. DENT. Will the gentleman suggest any way by which we can get rid of it more rapidly than the War Department is doing?

Mr. MOORE of Pennsylvania. I have been thinking over that very seriously, and, after reading the testimony taken by the Senate committee yesterday with regard to the barbarity of certain American officers, shame upon them, those of their kind, who have no regard for the flesh and blood of the sons of America! I would go so far as to impeach some of those in power [applause], and as one Member of Congress I pledge myself to keep an eye upon this situation, so that we may say to human brutes, those who are parading in the uniform of the United States, that we shall take them by the neck, even as they have taken our soldier-citizens——

Mr. DENT. I agree with the gentleman.

Mr. MOORE of Pennsylvania. And, if need be, incarcerate them or give them the same kind of punishment they have been dealing out to these helpless men, these true, courageous young Americans whose lips have been shut because of military restrictions, and who will have no voice against inhuman treatment until the President proclaims peace or until they are discharged and can tell their Members of Congress what happened to them under a system which seems to have prevailed under the direction of certain brutal commanders. [Applause.] Of course, I do not say that this spirit of brutality, this inconsiderate autocracy, prevailed throughout the Army of the United States—that would be unfair and unjust—but I do say that when I voted a boy into the service of the United States through the conscription bill I did not vote him into voluntary slavery where he would be so controlled by the fellow who happened to be temporarily in command. I voted him into the service for his flag and for his country, where I expected the man in control, the man who wore the shoulder straps, to respect the sentiment and traditions of the United States and to give that boy a fighting chance. [Applause.]

Mr. LAZARO. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes; I yield to my friend from Louisiana.

Mr. LAZARO. I fully agree with the gentleman from Pennsylvania that officers who illtreat soldiers in the service ought to be punished.

Mr. MOORE of Pennsylvania. I am glad the gentleman indorses——

Mr. LAZARO. I also agree with the gentleman when he says the boys ought to come home as soon as possible. Now, the question I want to ask the gentleman is this: The gentleman voted for war and for the draft, did he not?

Mr. MOORE of Pennsylvania. Yes; because the President asked for it and said it was necessary to have our support.

Mr. LAZARO. Was the gentleman right in voting for war and for the draft?

Mr. MOORE of Pennsylvania. I would not have voted for it if it had not been right.

Mr. LAZARO. Is the war over?

Mr. MOORE of Pennsylvania. It is not—legislatively.

Mr. LAZARO. What is the gentleman's judgment as to what our duty is over there as to bringing the men back?

Mr. MOORE of Pennsylvania. Let me ask the gentleman this: The gentleman and those who think as he does have an idea that they will put the "gentleman from Pennsylvania" on the rack by an interrogation like that. Let me ask the gentleman from Louisiana if he sat in a committee day by day, where he observed that as boys were being held in the ranks to bolster up the financial and internal differences of other nations while his own country was being gutted of its resources, would he stand for keeping American soldiers over there, or would he attempt to get them back to their own country to attend to their own business? What would he do under the circumstances? Would he stand for his own country or for the chimera of a world democracy?

Mr. LAZARO. Will the gentleman permit me to anwswer his question now?

Mr. MOORE of Pennsylvania. Of course.

Mr. LAZARO. I would not keep a boy in the service a minute longer than is necessary; but after having voted for the war and a draft I would not slander my Government and the War Department until this thing was settled right.

Mr. MOORE of Pennsylvania. If the gentleman thinks I am slandering the War Department when I pick out human brutes in it, the gentleman is shooting over the mark. If an officer—a whisky-soaked colonel, for instance, having the American flag wrapped around him and with all the protection it affords him in a foreign clime—deliberately sends young men to the front under circumstances that mean certain death, while he runs to the rear, and then refuses promotion to those who were brave enough to do their duty, I think we might take that colonel to task. Or if good officers are held back and incompetent——

Mr. LAZARO. I would go as far as the gentleman——

Mr. MOORE of Pennsylvania. Then the gentleman would go as far as impeachment when the times comes?

Mr. LAZARO. I would certainly do so.

Mr. MOORE of Pennsylvania. I would not stop at the lieutenant over there, but I would go right up the line.

Mr. LAZARO. But I do not believe in indicting the whole Government or the War Department because some man does not do his duty.

Mr. MOORE of Pennsylvania. Neither do I, and I have not done so. The gentleman, however, seems afraid to criticize. I am not afraid, and I will continue to do it when I think it proper in justice to the fighting man.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, we are under the general subject of the pay of officers of the Army, which is followed by the pay of enlisted men of the Army, two items containing a number of different paragraphs each. I would like to get a little information, if I can, upon what basis the appropriations proposed in the bill are made. What is the size of the Army as to officers on which is based $36,000,000 of an appropriation for line officers, $31,000,000 for staff and department officers and various other officers, and $137,000,000 for pay of enlisted men of the line and $61,000,000 for enlisted men of the staff corps and departments?

What is the basis as to the size of the Army and the number of officers and enlisted men upon which this appropriation is founded? Is it contemplated that there will have to be a large deficiency in the end to supply deficiencies in the pay?

Mr. DENT. I will state to the gentleman, as I thought I stated in the report and in my opening speech——

Mr. MANN. I read the report and the gentleman's statement on the floor——

Mr. DENT. That there are to be 28,579 officers and 509,909 enlisted men.

Mr. MANN. Very well. Let us see. No one pretends, so far as I can learn—and I will be glad to be advised differently—that the Army will be reduced to the number of 28,000 officers and 509,000 men by the 1st of July.

Mr. DENT. That is true.

Mr. MANN. Well, then, if the appropriation proposed is based upon an Army of 28,000 officers and 510,000 enlisted men for the next fiscal year, and you have more than that at the beginning of the fiscal year, one of two things is quite evident—either that you will not appropriate money enough, or there will not be this number of officers and men at the end of the fiscal year.

Mr. DENT. That is very true, and that is the theory upon which the War Department has suggested that we make this appropriation.

Mr. MANN. Ah, not at all. Let us see if that is correct or not. If it is conceded that at the beginning of the fiscal year in the demobilization of the Army you will have more than 28,000 officers and more than 510,000 enlisted men, then if you are going to make this appropriation sufficient you could not have that many at the end of the year, and hence ought not to provide for that many at the end. If the Army is to be reduced, so that in the course of the fiscal year 1920 the average of officers shall be 28,000 and the average of enlisted men shall be 510,000, as is suggested by the appropriation offered, then there is no need of authorizing that number of officers and men to be in the Army at the end of the year, and yet that is what the legislative provision of this bill does. Now, how many officers and men are expected to be in the service at the end of the fiscal year?

Mr. DENT. Of course, nobody can answer that question.

Mr. MANN. Well, somebody has answered it by making an appropriation here which they say is sufficient. Of course, it may be a guess, but it is, nevertheless, an answer. Here is an appropriation based upon an average of 28,000 officers and 510,000 enlisted men. Now, we know that there will be more than that to begin with, and if there are more than that to begin with, the appropriation assumes that there will be less than that to end with. Now, it does not need an authorization to cut off a lot of the officers now in the Army and then gradually to have that number at the end of the fiscal year. It does not need this authorization to have them at the beginning of the fiscal year.

What I want to know is what is the proposed size of the Army? The two parts of this bill do not agree. If we are to have an Army with 28,000 officers and 510,000 men authorized and then fill the Army full, they will have that number at the end of the fiscal year, in which case the appropriation here is not sufficient. Hence, it is not a candid statement to the House. It would lead the House to believe that appropriations are being made here that will be sufficient to cover the expenses of the Army when it is supposed that it will not be sufficient in another provision of the bill.

Mr. HARRISON of Virginia. Mr. Chairman, will the gentleman allow me to answer?

Mr. MANN. Yes. I am trying to get information from some gentleman who knows.

Mr. HARRISON of Virginia. You will understand that 500,000 enlisted men and so many officers are to be made up of voluntary enlistments. The men now in the service go out of it.

Mr. MANN. I understand all that.

Mr. HARRISON of Virginia. Now, here: As soon as the men are enlisted under the voluntary enlistment the officers are called into the service, and not until then.

Mr. MANN. Oh, the officers are already in the service.

Mr. HARRISON of Virginia. No; you are mistaken.

Mr. MANN. They will have to be reappointed; but that is not material.

Mr. HARRISON of Virginia. Under the voluntary enlistment plan, just as these men volunteer and are taken into the Army the officers are furnished to furnish that Army. This is providing for the volunteer Army after the men now in the service are discharged by the expiration of their enlistment. Of course, you can not tell how many you have at the beginning of that period.

Mr. MANN. You can tell how many you authorize.

Mr. HARRISON of Virginia. We authorize 500,000, and they are to be got just as fast and as rapidly as they can be got.

Mr. MANN. Then the gentleman will admit that if we get 500,000 the appropriation here is not sufficient to pay them?

Mr. HARRISON of Virginia. Yes; because we can not go beyond 500,000.

Mr. MANN. The gentleman knows that there will be more than 500,000 at the beginning of the fiscal year.

Mr. HARRISON of Virginia. Not at all.

Mr. MANN. If the gentleman does not know that, he is not so well informed as I supposed he was.

Mr. HARRISON of Virginia. Let me call the gentleman's attention to the fact that this is providing for the voluntary enlistment after the men in the Army now are discharged.

Mr. MANN. This bill provides for the period after this bill passes. It will be long before the Army now in existence is discharged. If they are discharged, they will never reenlist. The purpose of this bill is to induce men now in the service to enlist instead of being discharged—a proper purpose, I think. The gentleman knows that, although that is wholly beside the question that I raised.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. I do not often do it, but I will ask for five minutes more, to see if I can get the information or the defense of the committee.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield to me?

Mr. MANN. Certainly.

Mr. SHALLENBERGER. I think the error or disagreement, rather, in the interpretation of this bill has arisen from the fact that the War Department based their estimates upon one proposition, and the committee is asking an appropriation upon another idea.

Mr. MANN. I think very likely that is the case; but both propositions, which are conflicting, are carried in the bill.

Mr. SHALLENBERGER. The War Department came with a proposition asking for 509,000 enlisted men and twenty-eight thousand and odd officers, as the gentleman from Alabama [Mr. DENT] has stated, and asked for that number of men, with that program for a permanent organization. The committee did not see fit to grant that.

Mr. MANN. In the appropriation.

Mr. SHALLENBERGER. In the appropriation.

Mr. MANN. But they did in the legislation?

Mr. SHALLENBERGER. They did, in a certain way, in the legislation.

Mr. MANN. That is what I am calling attention to.

Mr. SHALLENBERGER. The statement of Gen. Lord in the hearing is very definite. Asked if this appropriation was to pay for the Army in this country, he stated that it was. Asked if there would have to be provision for the Army that is now enlisted in Europe, if we did appropriate this money, he answered that this bill did not provide for the payment of the Army overseas, and he said:

If a larger force than 500,000 men are kept in service here or overseas, it means that there will be a deficiency later.

Mr. MANN. Now, let me make a remark in passing. The distinguished gentleman from Nebraska reads from the hearings before the committee, but he knows, and I know, that perhaps that is not what the officer stated before the committee, because these gentlemen who testify before the Military Committee have their testimony written up and sent to the War Department, and there it is gone over and censored. It never comes to the House the way it is given before the committee. They assume the right in the War Department to cut out what they do not like. After an officer has stated frankly before the committee what he knows, they do not permit it to go into the printed hearings unless somebody in the War Department wants it to go into the hearings. They assume the right to cut out what they do not want known publicly, a practice which ought to be frowned on and forbidden. But that is in passing. Nobody denies it.

Mr. DENT. That is done with every committee.

Mr. MANN. No, sir; not on your life, it is not. I have had experience enough in committees to know that that is not the case or the practice.

Mr. SHERWOOD. Will the gentleman yield?

Mr. MANN. I yield to the gentleman from Ohio.

Mr. SHERWOOD. With 28,000 officers for 500,000 men, how many men will that be to an officer—about 1 officer to 16 men?

Mr. MANN. That is a mere matter of computation. Probably the gentleman from Ohio knows how many officers they need. I do not know; but I want to know whether the committee is correct when I hear repeated statements made on the floor of this House that the committee is basing its appropriation and its authorization upon an average army of 500,000 men. That is what the appropriation is, but the legislation proposes not an average army of 500,000 men but an army at the end of the year of 510,000 enlisted men and at the beginning of the year of over 2,000,000 men. It makes a great difference.

Mr. DENT. If the gentleman will permit an interruption, I will state that if the legislative feature means that, then I am not in favor of it.

Mr. MANN. That is what the legislative feature means, as it seems to me, and it certainly says that. Why, the legislative feature authorizes the enlistment of 510,000 men to serve for a year. After they have raised that number you can not cut it down to less at the end of the year. Now, it may be desirable—I do not undertake to say—to have an army of 500,000 or 1,000,000 men at the end of the fiscal year 1920, but I never like to have my intellect imposed upon. I would like to know what we are doing while we are at it; and when they say in an appropriation bill, "We will appropriate so much money, which will cover the whole expense," and anybody with a pencil and paper can figure in a moment's time that it will not cover much more than half the expense, then I want to know about it. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For pay of the officers, Philippine Scouts, $624,004.

Mr. FIELDS. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FIELDS: Page 16, at the end of line 9, insert:

"*Provided*, That no part of the funds herein appropriated shall be applied in payment of the salary of any officer of the Army of the United States who shall promulgate or cause to be promulgated any order prohibiting social intercourse between officers and enlisted men of the United States Army while not on military duty, or that will in any way establish or attempt to establish social or class distinctions between officers and men or between officers of different ranks while not on military duty: *Provided*, That this limitation shall not apply to an officer whose only connection therewith is in obedience to an order of a superior officer."

Mr. DENT. I reserve a point of order on that.

Mr. MANN. I suggest to the gentleman that he offer that amendment at the end of the pay provision, instead of right following the Philippine Scouts.

Mr. FIELDS. I have inquired of some gentlemen who are better parliamentarians than myself, and they suggested that at the end of the pay of officers was the proper place, because it applies to officers only.

Mr. MANN. It might be all right there, but the gentleman does not offer it at the end of the pay of officers.

Mr. TILSON. If the gentleman will turn to page 22, he will find a basket clause, which puts into one fund all the pay of the Army, and that seems to me to be the proper place. It says there:

All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage to commissioned officers, contract surgeons, expert accountant, Inspector General's Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, shall be disbursed and accounted for as pay of the Army, and for that purpose shall constitute one fund.

If the gentleman wishes to offer his proviso at that point, it would cover all the pay items.

Mr. FIELDS. Mr. Chairman, at the suggestion of the gentleman, I will withhold my amendment until we reach line 11, page 22, of the bill.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to withdraw his amendment. Without objection, that will be done.

There was no objection.

Mr. STEAGALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STEAGALL. I desire to offer an amendment to require the discharge of the men in the Army who prior to entering the Army were engaged in agricultural pursuits or on the farm, who make proper application for discharge on that ground. Would that sort of an amendment be in order if offered as a portion of the legislative portion of this bill?

The CHAIRMAN. The Chair can not answer that question under a parliamentary inquiry.

Mr. WINGO. I suggest to the gentleman that he attach it to the seed item in the bill.

Mr. STEAGALL. I want to know if I will lose the right to offer that amendment if we pass this portion of the bill?

The CHAIRMAN. The Chair can not undertake to answer that on a parliamentary inquiry.

Mr. McKENZIE. Mr. Chairman, the gentleman from Illinois raised an interesting question in his discussion in regard to the number of men appropriated for in this bill. It is a matter that gave the members of the committee a great deal of difficulty in trying to arrive at some satisfactory conclusion. I want to read a few paragraphs from the hearings, so that you can get the idea that the members of the committee were thinking about this matter. Gen. Lord was before the committee, and I asked him this question:

Mr. McKENZIE. Do you think we could properly provide an appropriation for a very much smaller Army in this country than 500,000 men, estimating on the pro rata basis you use, and then in addition make a lump-sum appropriation providing for the payment of men and officers in Europe? And use so much thereof as may be necessary. Would that be a proper thing to do if the committee saw fit to take that course?

Gen. LORD. That is, provide definitely for a fixed number——

Mr. McKENZIE (interposing). In this country.

Gen. LORD. And then provide for a contingent appropriation which shall be expended only for the particular purposes you enumerate, and that only such portions as were absolutely required by law for those purposes shall be expended?

Mr. McKENZIE. Yes. That would accomplish two things, the way I reason it out. First, it would limit the size of the Army in the country and require demobilization. Second, it would avoid bringing in a deficiency appropriation in order to take care of our troops in Europe. Would either of those purposes, in your judgment, meet with your approval?

Gen. LORD. I do not think I would wish to express approval or disapproval of a proposition of that sort.

Of course the general, knowing conditions in the War Department, declined to give the information on that subject. I

want to say frankly to the Members of the House in regard to the question raised by the gentleman from Illinois that the Staff of the Army asked, hoped for, and desired that we fix the number of officers in the Regular Army for peace times at 28,579, and that we can provide for as many men as we see fit; but that number of officers will take care of an Army of 500,000 men.

The committee, in struggling with this proposition, fully realized that the country does not favor an Army of 500,000 men in peace times, and the members of the committee not favoring that proposition have undertaken in some way to provide temporarily for this force of 500,000 men, which they contend are necessary for the number of officers to take care of such an Army. But for one member of the committee, and I think I express the sentiments of the majority of the committee, we have undertaken, and I hope we have, such language as will limit the number of officers of the Regular Establishment to 10,664, the number now in the Regular Army as permanent officers of that establishment. If we have not, I am ready to take the suggestion of the gentleman from Illinois, or any other man in this House, who can bring to this committee any proposition that will make this subject so clear and definite that there will be no mistake as to what we are doing, so far as the size of the Army is concerned.

Mr. KAHN. Mr. Chairman, I move to strike out the last word. The Secretary of War came before the committee, as I now recall, in the early part of January and suggested that we would require an average army of 500,000 men for the fiscal year 1920 to keep up our engagements with foreign countries who cooperated with us in the war, and protect such fronts as are required to be protected, and for the forces needed in our insular possessions and the mainland of the United States.

The chairman of the committee and other members of the committee frequently called upon the officials of the War Department to prepare for the committee a complete statement and an estimate of what was required for the coming fiscal year. There was delay and delay and delay, and it was not until about the middle of January when we began to receive the estimates from the department. At that, the information that we received was exceedingly meager and indefinite. The committee spent hours in trying to arrive at results from the meager information we had. The committee discussed the matter of the size of our Army for the next fiscal year. It was the consensus of opinion that we ought to allow the War Department to have the 500,000 men they asked for, but only as a temporary force. Finally, I suggested to the committee that we raise such a force as the national-defense law authorized—that is, 175,000 men in peace times under the provisions of that law. That is to say, they could enlist volunteers for three-year periods of enlistment with the Regular Army to the extent of 175,000 men. The other soldiers who might be necessary to round out the number of volunteers to 500,000 could be brought into the service by volunteering under the act of May 18, 1917. I went to two men, one an active officer of the Army and another a retired officer of the Army, and told them of the suggestion. I do not think there are two men in this country familiar with military affairs who are better qualified to draft military legislation. After I had explained what I thought was the wish of the committee, the provision as we have it in the bill, or part of it at least, was drafted by one of those two officers. It was thereupon that the committee finally agreed to that provision of the bill. I think there is no difference of opinion in the committee as to what the language does. In my opinion it will be impossible to raise at any time in this country an army of 500,000 men by volunteering. I do not think it is possible to raise such an army.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. MANN. If it is not possible to raise it, what is the necessity for authorizing it by legislation?

Mr. KAHN. Simply this: We will have to have a certain number of men to perform our share of the work of policing the German front for some time to come. It is the desire to bring home those men who are over there under existing laws as speedily as possible. To take their places we want volunteers. We feel that probably 200,000 or 300,000 of the men who are now on the other side of the ocean will volunteer to remain over there until this emergency is seen through, but I doubt whether we can get more than that at any time by this legislation.

Mr. MANN. If we can not get more than 200,000 or 300,000 enlisted men, is there any need of authorizing the larger number, and will there be any difficulty in getting any number of officers that we authorize, no matter if we make it 150,000?

Mr. KAHN. Oh, you can get all of the officers you want; there is no doubt about that. But under the provisions of this rider you can not appoint an officer to command until you have the men. That is one of the provisions of this legislation. It may be that we will get the entire number by volunteering. I have my doubts; but in the meantime you have got to provide their pay in this legislation, because it will be impossible to bring back from France enough men within the next two or three months to reduce the number we have over there below 1,200,000 men; and you have got to pay them in the next fiscal year. You will have to pay large numbers of our men for some time to come. We hope finally to get down to a low number of men, and the average will be about 500,000 for the year.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes?

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. If I may pursue the inquiry a little further, if the average is to be 500,000 men, and if the War Department is correct in assuming that it will have at least a million men in the service on July 1, and I think they are very much lower than what the number will be, is there any need of having 500,000 men on that basis at the end of the fiscal year; and if it is not expected to have them at the end of the fiscal year, is it desirable to authorize one-year enlistments for the whole number?

Mr. KAHN. The Secretary of War, as I recall, told the committee that the average would be 500,000 men during the fiscal year, and that the pay of that average will be about the amount provided in this bill. It may be that we would not be able to continue our work on the other side at all unless we allowed volunteers to remain over there, because undoubtedly under the law of June 15, 1917, known as the Stone amendment, the War Department is bound to bring back to this country within four months after the definitive terms of peace have been agreed upon, all the men we have on the other side.

Mr. MANN. I would like to ask a further question, and I have not been able as yet to get any gentleman to frankly answer my question.

Mr. KAHN. I want to answer it frankly, if I can.

Mr. MANN. I know the gentleman does, but the gentleman knows so much about the subject, and so much more than I do, that he gets off on something that I do not understand. The War Department in making its request to the Committee on Military Affairs said it based its request for the amount of appropriation upon the average of 500,000 men in the Army, and that it based its request upon the supposition that during the last three months of the fiscal year there would be only 200,000 enlisted men. If that be the case——

Mr. KAHN. Two hundred thousand?

Mr. MANN. Two hundred thousand; I hold the figures in my hand.

Mr. KAHN. Yes; but they would be drafted men.

Mr. MANN. Any kind of men in the Army, enlisted or drafted men, whatever you call them. If the Army is to be only 200,000 men a year from the coming April, what is the necessity of authorizing the enlistment of 510,000 men to serve for not less than a year?

Mr. KAHN. Mr. Chairman, the only reason that I can give the gentleman is this: That during part of that time there will probably be many more than 200,000 under the flag of the Union, and that finally, at the end of the fiscal year, there will be only 200,000, but in order to carry out the plans of the department it will be necessary at the beginning of the fiscal year to have many more than 1,200,000 men.

Mr. MANN. Mr. Chairman, I think all of the members of the Committee on Military Affairs are so well posted about the provisions of this bill that they naturally confuse the appropriations and the legislative provisions. No one has as yet proposed to reduce the amount of the appropriation, which is based upon an average of 500,000 men, but if that is to be the pay for the Army and it is not to be supplied by a deficiency, what I want to get at is the necessity for authorizing an enlistment of 510,000 men to be in the service at the end of the year, when the appropriation is based on only 200,000 at that time.

Mr. TILSON. Mr. Chairman, I believe that I can give a little information there, or at least my idea on one point. If we proceed now to enlist a number of men toward this 500,000, their one year would run out long before the end of the fiscal year 1920, and it may be that we shall never get the 500,000 here authorized. Now, there may be a number of drafted men or enlisted men who will serve beyond the 1st of July. We shall not be able to bring all of them home or to have other men take their places until after the 1st of July, 1919, and they will have to be paid out of this appropriation. If we get only a part of

the full strength of 500,000, they will help make up the average. If we could get the 500,000 to-morrow or the day after this bill is passed, then having the 500,000 men, we should gradually discharge them as their time runs out and thus average up to 500,000 for the whole year and——

Mr. MANN. If we could get them to-morrow, which, of course, nobody believes we can—we know we can not get them to-morrow—and if we could get them the day after this bill becomes a law, which will not be before 12 o'clock on the 4th of March, and if we can get 500,000 within 30 days' time, which we know we can not do, what is the use of dealing in such idle terms? Then we would make an Army in excess of the average proposed by the War Department.

Mr. TILSON. We probably would——

Mr. MANN. It certainly would.

Mr. TILSON. Nevertheless we should be in a position so that if the men came forward we would be able to do it, and——

Mr. MANN. Whether the committee admits that the appropriation is not sufficient for the Army we propose to raise, or whether they admit that they propose to raise an army larger than the average of 500,000 men——

Mr. TILSON. No; neither of those, but we propose to be able to raise the entire Army that we have proposed——

Mr. MANN. Then the appropriation is utterly insufficient.

Mr. TILSON. I do not believe that we shall be able to raise that number, but we should be ready if they should come.

Mr. MANN. When you authorize a thing to be done you proceed on the theory that it is to be done as far as appropriations are concerned. If you do not expect it to be done, what in the world is the use of authorizing it? If you do not want it to be done, why do you permit somebody to do it? As legislators we proceed on the theory that when we authorize a department to do something it wants to do it will do it. I do not know whether they will, and nobody else knows.

Mr. TILSON. We have authorized a certain army for many years, and yet we have never had an army up to the authorization. We have paid the Army year after year by appropriations in the Army bill, but we have never made the appropriation sufficient to pay the entire authorized Army, at least not since I have been here.

Mr. MANN. We have frequently refused a large increase of the Regular Army, although it never came quite up to the authorization. We have increased the authorization; we have increased the size of the Regular Army and the number of enlisted men until it comes pretty close to the top.

Mr. TILSON. We have never appropriated pay in full for the authorized strength of the Army.

Mr. MANN. That has nothing to do with this question. We propose now to authorize an army of half a million men, and if we do let us put a provision in here sufficient to pay them.

Mr. TILSON. We propose to authorize such an army, but not a permanent army, only a temporary, stop-gap army.

Mr. KAHN. For one year.

Mr. TILSON. Not over one year.

Mr. KNUTSON. Mr. Chairman, I move to strike out the last two words. I want to ask a question. I would like to ask the gentleman from California if any money this bill seeks to appropriate will be used to pay the present Army and will be used to pay an Army of 500,000 men?

Mr. KAHN. It will pay those men who are in the present Army after the 1st of July, 1919.

Mr. BAER. Will the gentleman yield to me for a question? I would like to ask the gentleman from California——

Mr. KNUTSON. I will yield to the gentleman.

Mr. BAER. If the War Department says that 200,000 are all that are necessary at the end of the fiscal year, why is it necessary to have 500,000 after that? What are you going to do with them—what is the purpose?

Mr. KAHN. We will not have 500,000, because you only enlist for one year, and their term of enlistment will expire at the end of the fiscal year.

Mr. BAER. There are the 200,000——

Mr. KAHN. The 200,000 will be part of that enlisted force. Now, the idea of the War Department is this: The War Department is anxious, just as the committee and membership of this House are anxious, to bring back as speedily as possible the men who are on the other side. In fact we have to bring them back under the Stone amendment——

Mr. BAER. When the treaty is signed.

Mr. KAHN. Four months after the treaty is signed. Now, it is generally believed that it is a physical impossibility to do that because we have not the tonnage. We have not the ships to do it, and therefore it is hoped by this legislation to induce a sufficient number of men over there to enlist by voluntary enlistment, so that the enlisted man will continue a little longer than the man who has been over there in the drafted Army. The hope is that those volunteers will continue their services to the country till the last man can be brought home. Under the provisions of the bill you can only enlist 325,000 of them for one year; that is, for one year at the latest with the beginning of the next fiscal year.

Mr. COOPER of Wisconsin. Will the gentleman yield for one question?

Mr. KAHN. One moment. I want to answer this question first.

And this Volunteer Army practically goes out of existence, or the greater part of it—that is to say, all in excess of 175,000, who would be enlisted under the——

Mr. KNUTSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KNUTSON. Who has the floor?

The CHAIRMAN. The Chair can hardly say.

Mr. BAER. I am using the time of the gentleman from Minnesota.

The CHAIRMAN. The gentleman from Minnesota had the time, and the Chair understands that he yielded to these other gentlemen.

Mr. KAHN. The gentleman from North Dakota [Mr. BAER] asked me a question, which I was trying to answer.

Mr. BAER. Pardon me; but I asked the gentleman from Minnesota [Mr. KNUTSON] if he would yield the time to me.

Mr. KNUTSON. I gave up the balance of my time. I yielded the rest of it back, Mr. Chairman.

Mr. HUDDLESTON. Mr. Chairman, I want to vote for every dollar that it takes to pay and maintain the soldiers that we have now in Europe and to bring them home. I would like to express the desire that they be brought home as quickly as ships can be provided to bring them. I want to vote to look after those soldiers and take care of them in every way that is desirable, if I am given a chance, but I do not seem to be given a chance under this bill. A cloud of words has been emitted on that point, but I do not think very much can be gathered from what has been said, at least it is not binding on the War Department. We have got to look at the bill to find out what the money is going to be used for, and I am unable to learn from the bill that a single dollar that is appropriated by it is going to pay and maintain our soldiers that are now in Europe.

Now, what are the circumstances under which the bill is drawn? The War Department is asked to estimate for 500,000 men and the necessary officers. This is the new Army that the department desires—the Volunteer Army which they say is to take the place of our boys in Europe. They are asked to make an estimate for this Volunteer Army of 500,000 men, and they go out and they bring in these figures that we have in this bill. And that is all they have estimated for. It is all they had in calculation; it is what the money will be spent for, and that is absolutely everything that there is to it.

As the gentleman from Illinois [Mr. MANN] well says, we must assume that the War Department will do the thing that we are instructing and authorizing them to do by this bill, and that is to proceed to enlist an Army of 500,000 men under the volunteer system. And if they do that thing they will consume every dollar carried by this bill in taking care of that Army, and there will not be a dollar left to take care of our soldiers in Europe. If they do not do that thing, they will evidently do all they can toward it, and will enlist a greater or smaller number—how many I can not tell, and nobody else can. We do know, whether they enlist anybody or not, that we will have 1,200,000 men in Europe at the beginning of the next fiscal year. Only 270,000 soldiers have been brought home since the armistice was signed, over three months ago; and we also know that, proceeding as they have in the past, they will not bring back more than 100,000 to 150,000 men each month hereafter. The average up to this time is not 100,000 a month. That is my understanding. I noticed last month that it was less than 100,000.

Now, if they bring back 150,000 a month it is going to take them eight months to bring back the soldiers we will have over there on July 1, without regard to any more, and it will take an average of two months longer to discharge them out of service. So it will be 10 months that some of these men are going to be in service, without any regard to the new Army.

There is not a man among us who does not know that the appropriation made by this bill is not half enough to pay our soldiers and take care of them in Europe and raise this new Army and transport it over there to take their place when they are discharged. Why, everybody knows that. There is not a Member that will deny that fact. Are we to stultify ourselves and vote for this bill under the pretense of taking care of our

boys in Europe and provide for the new Army when we know it will not half do it? And do we not further know that there is nothing in this bill that requires the discharge of anybody that is in Europe before the expiration of his enlistment under the conscription law? We know that perfectly well, and we know that they will be kept in service, if there is any need for them, until their enlistments do expire under that law. And we know they have got to be paid. Do we contemplate that a deficiency bill will be brought in here for a billion and a half dollars for taking care of our Army in Europe? Is it possible that we propose to pass an Army appropriation bill knowing in our hearts that it is only half enough and that at the next Congress there must be a deficiency appropriation of at least an equal amount in order to take care of the Army?

Mr. HULL of Iowa. Will the gentleman yield?

Mr. HUDDLESTON. I will.

Mr. HULL of Iowa. Does the gentleman know the expectation is that the largest proportion of these enlistments of 500,000 men will come from the men that are at present in Europe, and therefore we simply take and put them in another place?

Mr. HUDDLESTON. Whose expectation is that? It certainly is not mine. I do not think anybody who knows much about the feeling of the boys in Europe, and reads the letters the boys are writing back from over there, that knows the sentiments of the people at home, of the fathers, mothers, and wives that have been bereft during this year and a half—I do not think anybody that understands those sentiments can have any such absurd expectation.

Mr. HULL of Iowa. You want to get the boys back?

Mr. HUDDLESTON. I do, and I want to say to the gentleman that these boys will not reenlist in Europe. It may be if you bring them back here and let them go home and stay a while and see the folks, and when they stay around a while and see that they can not get jobs, as I very much fear they can not, a good many of them will go back in the Army. But the gentleman should not indulge the foolish expectation that these boys, homesick as they are, clamoring to get back, as they are, wanting to see father and mother and sweetheart here in America—do not let anybody cherish the foolish expectation that they are going to consent, for the pittance of a soldier's pay, to stay longer in Europe to police the Rhine, or go into Russia, or on some other wild-goose chase.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. If any man entertains such an expectation, it is time for him to wake up. What have you been taking, gentlemen? What have you been smoking? [Laughter.] Wake up, gentlemen. If you have any such idea, you are in an unnatural sleep, such as would indicate that you have been taking something. [Laughter and applause.]

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. I will.

Mr. DYER. Does the gentleman believe that by this provision a year's voluntary enlistment is meant, or a year more of conscripted service of the soldiers in France?

Mr. HUDDLESTON. I believe that the Army authorities want to conscript the boys in Europe, to make them stay a year longer.

Mr. DYER. I think the gentleman is right.

Mr. HUDDLESTON. I think there is considerable sentiment in certain militarist circles in this country backing up that proposition, and I think it is time for it to be uncovered here in this House. I want to say to you, gentlemen, that if there is such an idea, the plain people of the United States, the fathers and mothers of the boys, are not going to tolerate it.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. DENT. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman can move to strike out the paragraph.

Mr. DENT. Very well. I rise in opposition to the proposition. Mr. Chairman, it seems that there is no disagreement among the members of the committee who have been considering this bill as to the proposition that we should proceed to appropriate a sum of money sufficient to support an Army of 500,000 men. I believe I am correct in stating that proposition, after listening to the different remarks that have been made upon this subject. The only question that seems to be disturbing the Members of this House—and we have not yet reached that provision of the bill—is the language in the legislative provision. I have repeatedly stated, and other members of the Committee on Military Affairs have agreed with me, that if the language of the bill was such as to provide for a standing Army of 500,000 men, we would not be in favor of it; that that was not the intention of the committee. Personally in the committee I thought that the best thing we could do would be to provide for the pay of an Army of 500,000, and then provide for the restoration of voluntary enlistments, and stop.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DENT. Let me make my statement first, because every time I start to make a statement somebody stops me and asks me a question, and then I never get my statement completed.

Personally those were my views. If we had done that we would have accomplished the purpose that was necessary in order to demobilize the Army during the next fiscal year. The proposition that the committee finally adopted, on the motion of the gentleman from California [Mr. KAHN], which was prepared in the Judge Advocate General's office, I thought could not possibly do any harm. The committee therefore finally agreed to it. That is to have a temporary force, purely by voluntary enlistment—because the language is so plain that he who runs may read—in the event that we needed a larger regular force than was provided for under the national-defense act.

Now, I can not see, to save my life, how any harm can be done in providing that men may voluntarily enlist in a temporary force which shall not exceed a certain number of men. You can not get that number unless the men are willing to enlist. I can not see how any harm can be done if we adopt the method of the gentleman from California, although my own view was that if you appropriated for just an Army of 500,000 men and provided for the restoration of voluntary enlistment, you would have accomplished everything that was desired.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. GOOD. Does the gentleman feel that, irrespective of the adoption of the legislative program provided for in the bill, the Army can possibly be reduced below an average of 500,000 for the next fiscal year?

Mr. DENT. I do not; and the provision for the pay of an Army of that size would take care of that, if nobody makes a point of order on it.

Mr. GOOD. I was wondering what would become of the 100,000 or more men who had enlisted before the war under the regular provision of law, whose term of enlistment in most cases would not expire until after the close of the year.

Mr. DENT. The committee is in possession of information on that subject which leads them to believe that the number of men enlisted under the provisions of law prior to the declaration of war would amount to only about 30,000 men.

Mr. HUDDLESTON. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. HUDDLESTON. Does not the gentleman admit that this bill does not provide for more than half enough money to cover 500,000 men?

Mr. DENT. Does my friend from Alabama desire to increase the appropriation by another billion dollars?

Mr. HUDDLESTON. I am not in favor of providing for an expenditure without making an appropriation for it. I do not want a deficiency appropriation to come in here of a billion and a half dollars.

Mr. DENT. I will state now to my colleague from Alabama, that of course in fixing the amount of the appropriation it is to a large extent guesswork. It is bound to be guesswork, especially under these circumstances. We know how much it costs for officers. We make an average. The pay of the officers used to be about $2,300, but in this bill about $2,100. We know the average pay of an enlisted man.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. DENT. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. DENT. We know that the average pay of a man under this increased pay that we have provided for in the bill is about $394, so that we can figure accurately on that. But when it comes to subsistence, when it comes to general supplies, when it comes to the amount of equipment under the Engineer Department, you have got to guess more or less as to the sum of money necessary for that purpose. We have made the very best guess we could under the circumstances, demobilizing the Army as we do; and I do not think that the Committee on Military Affairs, with the information that we have, should be abused further by the House upon the proposition unless some Member of the House is willing to give us a little more information and make it a little more accurate than we have made it.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. GORDON. Another answer, and most important of all, is that nobody knows how long it will be necessary to keep this Army in Europe, because nobody knows when the treaty of peace will be ratified and its ratification proclaimed. There is an uncertainty that no one can answer.

Mr. KNUTSON. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. KNUTSON. Would it not make a great deal of difference whether the nations had combined themselves together in the form of plunderbund or a league of nations?

Mr. GORDON. We are not appropriating upon the theory that there is going to be any plunderbund. We are appropriating here, and attempting to guess at the average number of men that will be in the Army for the period of the next fiscal year; and the number of men in the Army and the period of their service is entirely dependent upon the date of the ratification of the treaty of peace.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. HUDDLESTON. My understanding of this bill was that it was to relieve the soldiers who are now in Europe and bring them home, and put these other men in their places, without regard to the date of the signing of the treaty of peace.

Mr. GORDON. Oh, no.

Mr. HUDDLESTON. Does the gentleman intend to keep them there, peace or no peace, and to send these others over there, too?

Mr. GORDON. No; but if it becomes necessary to bring these men back before their terms of enlistment expire, then we are providing an Army to replace them.

Mr. HUDDLESTON. The gentleman says "an Army to replace them." What does the gentleman mean by that?

Mr. GORDON. Almost everybody is demanding that that Army be brought back, regardless of when this war ends.

Mr. HUDDLESTON. Is not the war ended now?

Mr. GORDON. No; not exactly, and it will not be, either, until the treaty of peace is ratified; and by the terms of the enlistment contract of the men they can be held four months after the ratification of the treaty of peace.

Mr. HUDDLESTON. Will the gentleman yield again?

Mr. GORDON. Yes.

Mr. HUDDLESTON. This bill is based on an average Army of 500,000 men.

Mr. GORDON. Yes.

Mr. HUDDLESTON. Then it must be that the Army will average 750,000 or 1,000,000 men.

Mr. GORDON. It must not be any such thing. The size of the Army under the old law will depend entirely upon the time when the period of enlistment of these men expires and when they can be brought home.

Mr. HUDDLESTON. If peace were signed to-morrow, still the Army for the next fiscal year would average in excess of 750,000 men under this bill.

Mr. GORDON. How do you know?

Mr. HUDDLESTON. Because we can not get them back here from Europe fast enough.

Mr. GORDON. You do not know that.

Mr. HUDDLESTON. I do know it.

Mr. TILSON. Will the gentleman from Ohio yield?

Mr. GORDON. I yield to the gentleman from Connecticut.

Mr. TILSON. Will any man who is enlisted under this provision of this bill increase the number of men actually in the Army by one single individual? Is it not the intention simply to replace the men who come out, or at least to take out one man anyway from the number of men now in the service for every one that we enlist under this provision?

Mr. GORDON. Of course that was the theory upon which this legislation was recommended, that these men were intended to take the place of the men now in the service who would be discharged.

Mr. HUDDLESTON. There is nothing in the bill that calls for that.

Mr. GORDON. The draft law by its terms expires with the signing of the treaty of peace, and it provides that the men in the service must be discharged within four months if they can be returned.

Mr. DENT. If the gentleman will allow me, it is a little stronger than that. Everybody is discharged immediately upon the signing of the treaty of peace.

Mr. GORDON. Yes, except that although all men who enlisted or were drafted since the declaration of war are by the terms of the law "for the period of the war, unless sooner terminated by discharge or otherwise," the same act declares that within four months after the date of the President's proclamation of peace, or as soon thereafter as it may be practicable to transport the forces then serving without the United States to their home station, compulsory service shall cease.

Mr. GOOD. Will the gentleman yield?

Mr. GORDON. I yield to the gentleman from Iowa.

Mr. GOOD. Suppose this plan fails?

Mr. GORDON. Which plan?

Mr. GOOD. The plan to raise an Army of 500,000 men by enlistments for one year to take the place of men now in Europe. Suppose that fails and you do not get any enlistments?

Mr. GORDON. Then we will not have any.

Mr. GOOD. How are you going to do the necessary policing over there?

Mr. GORDON. If the terms of enlistment of the men who are over there have not expired and their services are needed, they will have to be kept there; that is all there is about it.

Mr. FIELDS. Mr. Chairman, the chairman of the committee has well said that it was not the intention of the committee to provide for a permanent Army of 500,000 men and 28,000 officers. I am confident, as a result of personal contact and of discussion on this subject with the members of the committee, that there is not one member of the committee who advocates a permanent standing Army of 500,000 men. For myself, it was my opinion that it was unnecessary and unwise to carry a legislative provision in this bill. When peace comes the act of 1917 becomes inoperative. It dies. The men who are in the Army under that act go out of the Army. And here is the situation before us: There will be left about 20,000 men in the Regular Establishment whose terms will not have expired. I think that number is correct. If I am not stating the number correctly, I stand to be corrected.

Mr. SHERWOOD. It was stated yesterday on the floor by a member of the Military Committee—I think the gentleman from Arkansas—that we would not have any Regular Army. It was stated by the chairman of the committee a few minutes ago that we would have an Army of 30,000 men. Now the gentleman says we will have a Regular Army of 20,000 men. I would like to have some information as to which of those statements is correct.

Mr. FIELDS. It is a guess as to just exactly how many men we would have at any given time. We might have 30,000 men one month, and the next month we might have 20,000, because of the expiration of the terms of enlistment of men in the service.

I would say from information that it would run from 20,000 to 30,000 men, but we have a commissioned personnel, provided for under the act of 1916. It seemed to me that all that was necessary was to restore the voluntary enlistment, because when the present emergency defense act goes out of existence the act of 1916 automatically becomes operative, and will be in full force and effect. The act of 1917 does not go out of existence so long as the country is at war. It can not go out of existence until peace comes. But the act of 1916 provides for a peace establishment, and, as I have said, will again become effective as the current temporary act goes out of existence.

Mr. IGOE. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. IGOE. Has the committee any information from the War Department as to how many hundred thousand men they will require in the United States, without any regard to Europe?

Mr. FIELDS. At what time?

Mr. IGOE. During the next fiscal year. They have seven hundred and some odd thousand now.

Mr. FIELDS. No.

Mr. IGOE. Did the committee inquire about it?

Mr. FIELDS. Yes.

Mr. IGOE. What does the War Department say about it?

Mr. FIELDS. They say a good many things with regard to the demobilization of the Army that I do not agree with. They claim, of course, that it takes time to subject men to physical examinations that they must necessarily undergo before they are discharged, and that is correct. As to whether it requires as much time as gentlemen in charge of these examinations claim I do not know, but, in my opinion, examinations could be made more rapidly. They claim that the cantonments throughout the country must be maintained for demobilizing purposes, and I agree with them, but I do not agree with them on the number that it takes to maintain the cantonments. Fort Thomas, Ky., is not used extensively for demobilization, as Camp Taylor is on the one side and Camp Sherman on the other.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FIELDS. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FIELDS. There is Camp Taylor on one side and Camp Sherman on the other, where there will be large demobilization of the forces, and at Fort Thomas I am informed that they have 25 men in the hospital and 100 men in the medical branch of the service looking after them. I do not believe that it is necessary to keep 100 men there, and, to be frank with you, I believe there are commissioned officers of the lower ranks throughout the continental United States who have better positions now, many of them, than they ever had before, and who are doing everything in their power to delay demobilization and hold the organization intact for the purpose of perpetuating their commissions.

Mr. KEARNS. The gentleman says he believes it is a fact. Does not he know it is a fact?

Mr. FIELDS. The gentleman heard what I said. No; I do not know it.

Mr. KEARNS. It is common knowledge all over the country.

Mr. FIELDS. Mr. Chairman, I have consistently supported the War Department, and I am still doing it when it is right. I have raised no question about bringing the men back from Europe.

I have two boys there and would be glad to see them return, but I realize that gentlemen might be made to blush by the record if they should advocate the return of the men from Europe before the war is over and then have some condition develop because of the rapid demobilization that would cause hostilities to reopen. But so far as the forces in this country are concerned, I maintain that it is not necessary to hold in the camps the large numbers that they are maintaining. It is not necessary to hold them for the maintenance of the camps, I know, because if that were true we would never have had any fighting forces from the men now in the cantonments. If that were true, these men now being held to maintain the cantonments would never have been considered fighting forces. They would have been held as repair gangs and as upkeepers of the cantonments.

So now that we are not going to send them across they should be demobilized and demobilized speedily and sent back to the farms and industries.

Another thought. In 1917, prior to the reclassification, a great many men were drafted into the service who had wives and children or other dependents. I have asked the Secretary of War to make a blanket order dismissing from service all men in this country who have dependents at home. But the Chief of Staff says that to do so would interfere with demobilization. I do not understand how a blanket order that every man in the country who has dependents at home should appear for his medical examination and be discharged would interfere with demobilization. As constant as I have been in my support of the War Department, I can not support them in such a doctrine as that, and I refuse to do it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. IGOE. Mr. Chairman, I offer the following amendment as a separate paragraph.

The Clerk read as follows:

Amendment offered by Mr. IGOE: Page 16, after line 9, insert the following as a new paragraph:

"Immediately upon the approval of this act every man in the Army service within the United States, who shall have entered the service since April 6, 1917, shall be permitted to file an application for discharge from the military service. If such application is disapproved by the superior officer authorized to grant such discharge, the application shall be forwarded immediately by such superior officer with the reasons of such disapproval to the Secretary of War for review."

Mr. DENT. Mr. Chairman, I make a point of order on the amendment.

Mr. IGOE. Mr. Chairman, I hope the gentleman will not make the point of order. Members of the Military Committee have been asking us what we can do to bring about the discharge of these men in the United States. I stated to the chairman of the committee that I thought that many of them could be relieved if we would appropriate enough money to employ civilians in some of these positions. But there is another difficulty about securing the discharge of men in the United States. First, let me say that I want to see all of these men brought back from Europe as soon as possible, but I realize that transportation and other questions stand in the way. The chairman of the committee inserted in the RECORD as of February 11 the figures showing that on that date there were in the United States in the Army 48,676 officers and 767,000 men. It was stated at the same time that the department was down to bedrock, but that statement was afterwards corrected by one member of the committee upon the floor yesterday. No member of the committee can tell this House how many men we really need to take care of these cantonments and do the other necessary military work in this country. The trouble about the thing is, as far as my observation and experience go, that under an order of the Secretary of War the commanding officers are in complete authority to act on these applications. I do not blame the commanding officers personally, but I do blame some of their subordinates, for the action that has been taken in many of these cases. One Member of this House inserted in the RECORD an order that was promulgated in one of these camps, stating that letters from outsiders, particularly politicians, would result to the detriment of the applicant. I have a letter from a young man up in one of these places in New Jersey, who was told by his captain, the whole organization was told, that they could file applications, but that if they had any letters sent from the outside, particularly from men who were politicians, as he called them, the application would go to the bottom of the list, and that was the last that would be heard of it. In other camps when applications have been filed they have absolutely been ignored. I have a letter from an officer, saying that an application could not be granted because the regulation provided for the discharge only of men where there was the greatest distress in the family. The order made by the Secretary of War did not read in any such way. The Tenth Division was ordered demobilized at Camp Funston. A regiment of Engineers belonging to that division at the time the armistice was signed was up here at Camp Merritt, or some place, ready to go across. The regiment was sent to another camp, and, as far as the Tenth Division was concerned, that regiment is lost. The order for the demobilization of the Tenth Division is not in existence, as far as these men are concerned, and they are being transferred to some other organization.

Out in another camp when an application was filed and a letter written by some one on the outside, the sergeant told the mother that because influence was being brought to bear that that was the last that would be heard of that application. I have gone to the department and have had them send to find out what has been done with certain of these applications, and I say that when this Congress adjourns on the 4th of March, unless we pass some legislation in respect to it, if we do not have an extra session before July, in my judgment there will be hundreds of thousands of these men in the service, and the Lord help the men, for they will get no assistance from anybody; and I want to have some amendment written into the law under which these applications can be filed as of right, and directing these commanding officers to indorse their reasons for disapproval, and to send them to the Secretary of War, so that the officials of the department may know what is going on. If these men are needed, I am in favor of their being retained, but I do object to some subordinate pigeonholing these applications. Let me tell you what happened in a case that I had the other day.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. IGOE. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. IGOE. A young man from my city happens to be up here in one of these camps, assigned to the fire department. I think they had about 8 men there when the armistice was signed, but they need 15 now, since the war is over. He filed an application for discharge. He has a wife. They could not release him because he was needed. His wife has been employed, but became physically incompetent to work, for she was about to give birth to a child. When the man went to the officer and told him the situation, the officer said, "Well, you are neither a midwife nor a doctor."

Mr. FIELDS. Mr. Chairman, I wish the gentleman would put that officer's name in the RECORD.

Mr. IGOE. I will see to that some other time. In another camp there was a young man who had a brother who was killed in France. The word came to that effect shortly after the signing of the armistice. When I saw him in the latter part of November the young man had asked for a furlough, but was told by an officer that he could not do any good at home, that his brother died in France. He wanted to go home to see his widowed mother and to comfort her.

He was refused. He filed an application for discharge. Both of these boys had been making allotments. The officer certified that his services were necessary and that he could not be discharged. I wrote and wanted to know why he could not be discharged, and they simply said that he was necessary. I had seen the young man, and his duties consisted in taking care of an officers' club. That was the necessary duty he had to perform. I went up and had the case investigated, and the man was discharged.

The other day down in a field in Texas—and by the way it seems that they must have a lot of men from St. Louis down in Texas, and a terrible time they have getting out, from the correspondence I have—a case came to my attention. A man who

was married had himself inducted into the service. He would never have been drafted. His wife went to work, but she became ill with tuberculosis and had to quit. He filed application and supplied the affidavits in January, and the officer at that field said that they were going to send some 600 cadets there, and while the first lieutenant and the second lieutenant approved the application the commanding officer would not approve it. The man was held. When I went up the other day and had them wire about it, word came back that the man had been discharged. I sent word to the woman, and got a letter back that she had not seen her husband. I do not know whether the man has been discharged or not. The Secretary of War is trying to find out, but in any event he was not discharged for a month after this proof was supplied that his wife, who had been employed and was working, trying to support herself, was ill with tuberculosis and was unable to work. I hope this committee will not make the point of order against this amendment.

I do not want to have the Army turn men out if they need them; but when Members of Congress can not get satisfaction from these camps, what satisfaction can parents or wives get from them? [Applause.]

Mr. DENT. Will the gentleman yield?

Mr. IGOE. I do.

Mr. DENT. From a practical standpoint, as I understand the gentleman's amendment, all that it will accomplish is that the papers in each case shall be filed in the office of the Secretary of War?

Mr. IGOE. If they are disapproved, the officer must send his reason, and that is what I want.

Mr. DENT. But from a practical standpoint, the effect of the gentleman's amendment will simply be to have the papers filed in the Secretary's office?

Mr. IGOE. They are to be sent to the Secretary of War for review.

Mr. DENT. It does not necessarily mean it is going to get the man discharged?

Mr. IGOE. Oh, I will tell you what it means. It means the commanding officer will have to certify the reasons for holding him.

Mr. DENT. I am not going to make the point of order.

Mr. IGOE. I hope the gentleman will not.

Mr. BLANTON. Will the gentleman yield?

Mr. IGOE. I will.

Mr. BLANTON. Does the War Department hold that a private soldier has no right to appeal to his Representative to see that his application gets just attention?

Mr. IGOE. The War Department does not say that, but I will tell you the practice. Some of these subordinate officers say that Members of Congress have no right to send letters to a camp; it takes up too much of their time.

Mr. DENISON. Will the gentleman yield?

Mr. IGOE. I will.

Mr. DENISON. A young man came into my office who had made application to be discharged from St. Elizabeths Hospital, where he was a guard. The subordinate officer there told him when he came to town not to go and call on any of his Congressmen at all.

Mr. IGOE. I will tell you what happened here the other day. I went to see about the discharge of a young man—he is not doing a blessed thing right now, not a thing—and the officer said, "I am working 15 hours a day, and I do not let anybody out." That is the spirit. I want these applications to come to the Secretary of War, so that they may be open to Members of Congress and to the Secretary. [Cries of "Vote!"]

The CHAIRMAN. Does the gentleman from Alabama insist on his point of order?

Mr. DENT. I withdraw the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

Mr. DYER. Mr. Chairman, I ask to have the amendment again reported.

The amendment was again reported.

Mr. PLATT. Mr. Chairman, I want to speak in opposition to the amendment.

Mr. DENT. Mr. Chairman, I ask unanimous consent that at the expiration of five minutes debate on this amendment and all amendments thereto be closed.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that at the expiration of five minutes debate on this amendment and all amendments thereto be closed. Is there objection?

Mr. LITTLE. Mr. Chairman, reserving the right to object, I wish the gentleman would make it 10 minutes. I would like to speak for five minutes.

Mr. DENT. I will make it for 10 minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, will the gentleman consent to my offering an amendment to this amendment if I so desire?

Mr. DENT. I do not intend to cut off any right to offer amendments, but simply to close up debate on this amendment and all amendments thereto at the expiration, say, of 11 minutes.

Mr. MOORE of Pennsylvania. I wish to confer with the gentleman from Missouri about it while debate goes on, and I should like to have opportunity to offer an amendment to the amendment.

Mr. DENT. I do not want to cut off any right to offer an amendment, but simply to close debate on this amendment and all amendments thereto.

The CHAIRMAN. What is the present request?

Mr. DENT. At the expiration of 11 minutes, that all debate on this amendment and all amendments thereto close.

Mr. LITTLE. And I will get five minutes?

Mr. DENT. Yes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that at the termination of 11 minutes all debate on this amendment and all amendments thereto shall be terminated. Is there objection?

Mr. DYER. Mr. Chairman, reserving the right to object, will the gentleman from Alabama permit me, I desire to offer an amendment which will take four or five minutes to explain. It does not have to do with this amendment, and is an amendment to line 9, with reference to the Philippine Scouts.

Mr. DENT. I hope the gentleman will wait until we read that.

Mr. DYER. If the unanimous-consent request is granted I would not have opportunity. It only applies to this item.

Mr. WINGO. Mr. Chairman, this is a very important amendment, and we ought not to shut ourselves off. We have spent a great deal of time on things which are not practical, and now we have got a practical matter that is very important, and I do not think we ought to shut all debate off. Some amendment might be offered which ought to be voted down, but some amendment might be proposed which will be practical, and therefore I object.

Mr. DENT. Then I move at the expiration of 11 minutes all debate on this amendment and all amendments thereto be closed.

Mr. WINGO. The gentleman will not make time by that.

The CHAIRMAN. The gentleman from Alabama moves to terminate debate on this amendment, and all amendments thereto at the expiration of 11 minutes.

Mr. DYER. Mr. Chairman, will that prevent the offering of an amendment now?

Mr. DENT. Not at all.

The CHAIRMAN. The question is on the motion.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. WINGO) there were—ayes 40, noes 3.

Mr. WINGO. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The gentleman from Arkansas makes the point of no quorum. The Chair will count. [After counting.] Ninety-seven Members are present, not a quorum.

Mr. TILSON. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Connecticut moves that the committee do now rise.

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. TILSON. Mr. Chairman, I ask for tellers.

Tellers were ordered; and Mr. DENT and Mr. TILSON took their places as tellers.

The committee again divided; and the tellers reported—ayes 5, noes 103.

So the motion to rise was rejected.

The CHAIRMAN. A quorum is present, and the committee refuses to rise. The question now recurs on the motion of the gentleman from Alabama [Mr. DENT].

The question was taken, and the motion was agreed to.

The CHAIRMAN. The gentleman from New York [Mr. PLATT] is recognized for five minutes.

Mr. PLATT. Mr. Chairman, I have been very much amazed to hear members of the majority party, who are supposed to be supporting the administration, get up here and denounce the War Department, one after another, and not only amazed at that but amazed that here is an amendment that has been offered from that side of the House which would give the Secretary of War infinite embarrassment if it should be passed; and yet nobody on that side of the House has the guts to raise a

point against it, not even the chairman of the committee in charge of the bill.

The proposed amendment would give the Secretary of War more embarrassment than anything else you could do. We all get these complaints from the boys who want to be discharged, but a lot of men——

Mr. DENT. Will the gentleman permit an interruption?

Mr. PLATT. Yes.

Mr. DENT. Of course, it would be subject to a point of order, and if the gentleman wants to take care of the Secretary of War why does he not make the point of order?

Mr. PLATT. I hold no brief for the Secretary of War, and I want to get an opportunity to say a few words first, as the chairman of the committee did not raise the point of order——

Mr. GORDON. What is your objection to it?

Mr. PLATT. It is perfectly obvious that if you require the applications for discharge of a million men to the commanding officers, to be sent to the Secretary of War, he would be overwhelmed with them, and there would be a whole lot more employees in the War Department than there are now, as the Secretary of War could not give them his personal attention. The Secretary of War already has thousands of letters, whole sacks of them, on this subject.

What was the matter with Circular No. 77, allowing individual discharges for specific reasons of necessity at home? If it had been properly guarded, it would have been a very good circular and a good general order, but it was apparently given out that anybody in the Army could get his discharge by making application and stating that he could get a job. The result was that all the commanding officers in all the cantonments were overwhelmed with applications for discharge, and the thing defeated itself. Then the Secretary of War tried to take it back and said, as I understand his attitude, that he did not see why a married man with a job should get out ahead of an unmarried man without a job, his position being that an unmarried man has got to hunt both a job and a wife, and therefore ought not to be handicapped. That may seem humorous, but, after all, a man with a job, whose job will wait for him, is perhaps more entitled to a discharge immediately than others. The whole question is whether the country needs the services of these men. If it does not, they should be let out.

Mr. HASTINGS. Does the gentleman think they need them?

Mr. PLATT. If it does need them, Members of Congress ought not to be interfering all the while. If gentlemen, particularly Democrats, want to criticize the War Department, why do they not criticize the Commander in Chief and his Secretary of War, who make the policies under which these things are done?

Gentlemen get up here in the House and say that subordinate officers, lieutenants, and so forth, are getting more money in the Army than they ever got in private life, and that they are interfering with the discharge of soldiers, so as to hold their own jobs. That is absurd, and they know it. I do not know how it is with other Members of Congress, but I get more letters, far more in proportion to the number, from officers who want to be released than I do from enlisted men.

Mr. IGOE. This includes officers as well as men, as I will say to the gentleman.

Mr. PLATT. Officers can resign.

Mr. IGOE. They can not get out when they want to.

Mr. PLATT. Of course, they can not all get out when they want to, but their applications come to the War Department, anyway.

Mr. IGOE. Just recently the War Department made an order that any man in the service abroad could file an application for discharge, and that the papers were to be sent to Gen. Pershing. Is he not as busy as the Secretary of War?

Mr. PLATT. That order is pretty carefully guarded. It refers only to cases of severe illness and extreme necessity at home. It can properly apply only to very few men. If they are going to allow everybody to make application for discharge, you might as well disband the Army at once and say to the Germans: "Come on back. We are going to get out at once. We are tired of defending democracy, and we are going to disband our Army."

The war is not over. It is over in one sense, but not in another. Obviously we have got to have an Army for some time yet. I do not think our liberties would be seriously in peril if we had a standing Army of one-half of 1 per cent of our population, 500,000. I do not think we ought to denounce such an Army as if it were going to upset the liberties of the country. As a matter of fact, these men who are importuning us to get out of the Army now and out of the Navy, quite a proportion of them, when they get out will turn around and enlist. How do I know it? Because they are doing it now. Men coming out of the Army are reenlisting in the Marine Corps,

Mr. DYER. And that is the best place to enlist.

Mr. PLATT. That is the only place they can enlist at present, except in the Navy, which is said to be enlisting 1,600 men a week. Many of the complaints of the soldiers are just, but many of them should not be taken too seriously. We do not want to create the impression that Congress is in favor of disbanding the whole Army all at once, and that is just what many Members are doing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PLATT. I will ask for two minutes more.

Mr. DYER. I ask that the gentleman have three minutes more.

The CHAIRMAN. The time agreed upon was 11 minutes, and the gentleman from New York [Mr. PLATT] was to have 5 of that, and the gentleman from Kansas [Mr. LITTLE] was to have 5.

Mr. LITTLE. Mr. Chairman——

Mr. WINGO. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. That agreement was objected to, and the debate closed on the motion, without any limitation at all.

The CHAIRMAN. The gentleman is right about that. It was closed by vote. The Chair had in mind what the agreement was. The Chair will recognize the gentleman from Kansas [Mr. LITTLE] for five minutes. That is making effective what the Chair understood the agreement would be if it were carried out.

Mr. LITTLE. Mr. Chairman, we have just heard it stated that a great many soldiers are leaving the Army and going into the Marine Corps as fast as they can get out of the Army. The reason for that, I suspect, is because the officers of the Marine Corps have more sense of appreciation of the demands and necessities of the American people than have the officers in charge of the organization of the Army. If you make out a good case with the Marine Corps you can get your man out. The trouble in the Army is that the final power to decide whether a farmer needs his boy worse than the Army does is lodged with some little chap somewhere who thinks he is an irresponsible autocrat and who is going to decide for himself that question without regard to consequences unless we enact the consequences. They have gone so far as to issue orders, some of which I read here January 29, that if any boy who wanted to get out had the support of a Member of Congress that knew him and certified to the facts in his case he would be the last one on the list, and he would have more trouble than anybody else. That is the kind of trouble we are up against.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. DEMPSEY. I received a letter from a lieutenant colonel a day or two since in which he stated that it was his observation that all applications that were indorsed by Members of Congress and other prominent men were very poorly founded; that they had submitted very poor grounds for relief in such cases.

Mr. LITTLE. The reason why Congress ought to pass this provision is that the men whose discharges they recommend are discriminated against by these irresponsibles. The case out in the naval training station near Chicago I called attention to, and in a few days the Bureau of Navigation issued an order to the effect that all men desiring to get out should be discharged upon their applications, providing they are in certain detachments named. Now, I find to my regret that that order is not obeyed. Twice I have received letters from officers who had not evidently heard of it, officers who wrote to me that the man's application was on file and would be examined, and if the facts warranted it the man who had made the application would be discharged.

A law should be made and the officers called to its obedience. There is no reason on earth why a little petty officer in a little or big place who writes from down in New York that anybody who has the recommendation of a Congressman has a bad case, should be allowed to hold his place. The war is over, and every boy in the United States who has a job, whose father needs him, or whose school is open for him ought to be discharged on his application, as the Navy has indicated. And yet we find fellows like this lieutenant colonel writing to the gentleman, a Member of Congress, that he can not think of such a thing as giving his reasons consideration. There is one remedy in such a case, and that is to have a review somewhere. That review should probably rest with the Secretary of War.

If he needs more clerks to perform the clerical work involved in such reviews, he could command the services of some of these soldiers who are going around and doing nothing. I would rather have these petty officers, who have no sense of responsibility, relieved anyway. The law should reach these feudal despots. The other day a boy was acquitted by a court-martial, and when the acquittal went before Maj. Gen. Thomas

Barry, up at Chicago, who is about the best example of the typical autocrat we have, he disapproved it, although the law and the evidence said it ought to be sustained. But he could not help himself, and the boy was released. That is the class of people that we are up against—petty autocrats, with no idea of the necessities of the American farmer or the boy in the shop or the schoolboy.

Now, gentlemen, we ought to have a review by somebody with some sense of responsibility, with some views broader than those of a petty officer or even of an officer higher up. Let the Secretary of War review these cases. He is an American civilian citizen, at least, and he ought to understand these things. Let him have a proper board of review before a body of civilians.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. LAZARO. I fully agree with the gentleman that in the case of an officer who acts as the gentleman stated officers did a while ago, he ought to be called down.

Mr. LITTLE. This is the only way to do it.

Mr. LAZARO. But I do not think you ought to undertake to indict the whole War Department because some officers do not do their duty. The gentleman said the war is over. Is it over?

Mr. LITTLE. It is over over there, even if it is not over over here. [Laughter.] We are not indicting the department. We are reposing confidence in it instead of in the irresponsibles.

Mr. LAZARO. Do you mean to say that the peace treaty is signed?

Mr. LITTLE. No. We have nearly 2,000,000 men over there, and to-day they are arranging to raise 500,000 more men in order to let them out over there. I am not in favor of quitting before the end is reached, but this bill arranges for that. Why should these men be held unnecessarily? It is not necessary to keep those who are ready to go to school or work. We have been informed a few moments ago that often boys released from the Army in the United States go right away and enlist in the marines. The marine officers have generally seemed to realize that the needs of civil life now are superior to theirs for the moment. They have comported themselves with reason instead of insulting our taxpayers and their Representatives. If you treat these boys well and act with comprehension of the country's needs you will have no trouble in filling up the ranks, as the experience of the Marine Corps shows. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. JONES. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES to the amendment offered by Mr. IGOE: In line 9 of said amendment, after the word "application," insert the following: "together with any affidavits and all other proofs which may have been submitted with such application," so that as amended the amendment will read, "If such application is approved by the superior officer authorized to grant such discharge, the application, together with any affidavits and all other proofs which may have been submitted with such application, shall be forwarded immediately by such superior officer, with the reasons for such disapproval, to the Secretary of War for review."

Mr. JONES. Mr. Chairman, I do not care to make a speech on that. I think the amendment is self-evident and should be adopted along with the other.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The question was taken, and the amendment to the amendment was agreed to.

Mr. BAER. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from North Dakota offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Mr. BAER offers the following amendment to the amendment of Mr. IGOE: At the close of the amendment add:

"That it shall be the duty of officers to notify and instruct men under their commands as to the method of procedure prescribed by the regulations for securing an honorable discharge from the service."

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The amendment as amended was agreed to.

Mr. JOHNSON of South Dakota. Mr. Chairman, I have two or three amendments for which I desire recognition. I will read the first one and then send it to the Clerk's desk. It is as follows:

Page 16, after the figures "$624,004," insert:

"All officers and enlisted men who in actual combat or while in actual service at any front shall have performed the duties of an officer or enlistment man of higher grade or rank shall, for the period during which such duties were performed and until relieved by competent authority, receive the same pay and allowances as the officer or enlisted man of the grade or rank whose duties were assumed. Such payment and record of service shall appear on the discharge certificate of each officer and man affected. For pay of such officers and enlisted men, $2,000,000."

Mr. KAHN. I reserve a point of order on the amendment.

Mr. STAFFORD. It has not been offered yet.

Mr. JOHNSON of South Dakota. I offer the amendment.

Mr. WINGO. I suggest that the amendment be reported at the Clerk's desk.

The CHAIRMAN. The gentleman from South Dakota offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Page 16, after the figures "$624,004," insert:

"All officers and enlisted men who in actual combat or while in actual service at any front shall have performed the duties of an officer or enlisted man of higher grade or rank shall, for the period during which such duties were performed and until relieved by competent authority, receive the same pay and allowances as the officer or enlisted man of the grade or rank whose duties were assumed. Such payment and record of service shall appear on the discharge certificate of each officer and man affected. For pay of such officers and enlisted men, $2,000,000."

Mr. JOHNSON of South Dakota. Mr. Chairman, I must admit that if the point of order is made against this amendment it is well taken, but I hope that the gentleman may be induced not to make it. It is a well-known fact that two things in combat at the front during the late war were always present and expendable and need not be accounted for. One was the supply of first and second lieutenants and the other was ammunition. A great percentage of the lieutenants and officers were incapacitated for service. Many of you may not have realized that immediately upon the incapacitation of those officers, sergeants, corporals, and enlisted men at once assumed command of the different companies and performed the duties of the officers. No provision has ever been made for recognition of their services, and no provision has ever been made for their payment. The payment amounts to nothing for the services that were performed. It is the recognition that should be given. I can call to mind one particular case in a company with which I am personally familiar, and could mention many other cases, where every officer was either killed or wounded. In this company immediately after disappearance from the field of action of the officers seven sergeants in succession assumed command of that company. The sergeants were killed or wounded, and the company was taken from the line with a corporal in charge, with 90 men. Now, something should show upon the records that those inducted or enlisted men did the work that officers had been performing and did it just as well, performed the service just as well, as any officer could have performed it.

Mr. LITTLE. Will the gentleman yield there?

Mr. JOHNSON of South Dakota. For one question.

Mr. LITTLE. Was not that second lieutenant a Member of Congress.

Mr. JOHNSON of South Dakota. Not at that time.

Mr. KAHN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will.

Mr. KAHN. I agree with the gentleman that something ought to be done for these men, but can the gentleman give the House or the committee any information as to how many of these men there were who took this advanced rank and led their men?

Mr. JOHNSON of South Dakota. I will say to the gentleman that there is no man in the world that could give him the complete information he desires. All of it could not be secured perhaps for 15 years, because all of the cases will not develop by that time. There are many thousands of cases where some buck private or first-class private or corporal or sergeant performed the duties, and I desire that they may receive one day's payment and have the record made, and have it appear on their discharge certificate, so that their parents may know that they performed services of the highest rank and performed them well.

I want to call the gentleman's attention to the fact that my amendment provides and applies only to men who performed these services under actual battle conditions at the front. It does not apply to any man or officer who did not perform the services under actual battle conditions.

Mr. KAHN. May I ask the gentleman another question? Does not the gentleman know that there are claims now pending growing out of exactly that kind of condition in the Civil War? There was some legislation of this kind passed, without information, and claims are coming up now, fifty-odd years after the war is over—claims for additional pay. Does not the gentleman candidly think that this matter ought to be investigated

and full information given to the House before he proposes an amendment of this kind?

Mr. JOHNSON of South Dakota. I would say not. The matter is of little expense for the pay for each man for a day or two. It makes little difference, and I would accept an amendment providing that all of these claims must be presented within six months or one year, if the gentleman desires to propose one.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. MILLER of Minnesota. In view of the statement made by the gentleman from California, let me say that those claims mentioned by the gentleman from California are not claims at all of the character the gentleman is now discusing. Those claims, and I think I speak advisedly, are of men who commanded companies, not under battle conditions, but during the period after the war was over.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I ask that the gentleman's time be extended five minutes.

Mr. DENT. Mr. Chairman, I believe we are all in sympathy with the gentleman's proposition, but I do hope that this bill will not be loaded down with too much legislation, and for that reason I make the point of order.

Mr. MADDEN. Will not the gentleman reserve his point of order and let the gentleman from South Dakota have five minutes more?

Mr. DENT. I will.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the time of the gentleman from South Dakota be extended five minutes. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Now will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. MILLER of Minnesota. I understand the gentleman's amendment provides simply this, that these men who in actual battle, by reason of the incapacity of the superior officer, takes the position of the superior officer and performs his duty, limited to battle conditions, are to be recognized by having the pay of that officer whose duties they assume, for a short period of time and that that would in most cases be a day or two days or two weeks?

Mr. JOHNSON of South Dakota. I thank the gentleman for his observations, which are helpful in the presentation of the facts. I am not familiar with the claims growing out of the Civil War, because I had very little to do with that particular war. [Laughter.]

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. COOPER of Wisconsin. Are the cases that the gentleman has in mind those in which the commanding officer have in their reports commended the soldiers for performing services of that kind?

Mr. JOHNSON of South Dakota. Yes. The records will show that captains were incapacitated and the lieutenant had gone and the sergeant or corporal took his place.

Mr. COOPER of Wisconsin. And the official reports of the battle show it?

Mr. JOHNSON of South Dakota. Absolutely, and they will show that corporals and sergeants have had charge of companies, and they never will get the recognition unless the gentleman abstains from making the point of order and allows this to go into the bill. There is no great amount of money involved.

Mr. COOPER of Wisconsin. Will the gentleman permit another question? That meets the objection raised by the gentleman from California, because the reports of the general commanding the battle that they rendered the services ought to be ample proof of the fact?

Mr. JOHNSON of South Dakota. I think so.

Mr. COOPER of Wisconsin. One other suggestion. The gentleman from California turned to me and said that the general would not make such a report. The gentleman from California forgets the historic case in which Gen. Gibbons, in his report after the Battle of Gettysburg, says that after he was wounded and Gen. Hancock was wounded, Lieut. Col. Frank Haskell, of a Wisconsin regiment, performed the duties of a general in command of the division, and as such rendered heroic and vitally important service on the third day at the Bloody Angle and clump of trees. His name is mentioned in the report of the general.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. KAHN. The reports the gentleman speaks of were undoubtedly made by the captains of the companies where the sergeant performed the services of the second lieutenant.

Mr. JOHNSON of South Dakota. Not necessarily by the captain of the company, but by the commanding officer.

Mr. KAHN. Of the immediate unit.

Mr. JOHNSON of South Dakota. Yes.

Mr. KAHN. That would not probably be the general, would it?

Mr. JOHNSON of South Dakota. As a matter of fact, the reports would not be necessary, because the casualty lists as they came out would show that certain men were incapacitated, and therefore the next junior man in rank must have taken charge of the company.

Mr. KAHN. That is true; but who would make the report? Would it be the general in charge of the division or of the brigade, or would the report be made by the captain of the company or the lieutenant of the company, or the major of the battalion, whichever the case may be?

Mr. JOHNSON of South Dakota. It would be made by the commanding officer of the company through military channels to the major of the battalion and the colonel of the regiment.

Mr. KAHN. Exactly so.

Mr. JOHNSON of South Dakota. Exactly. We agree upon that proposition entirely. The report would be forwarded to the general of the brigade and then of the division, but I want to emphasize this fact, that if you do not recognize these enlisted men, these privates, corporals, sergeants at this time in this bill they will never get the recognition. I should dislike myself to be the man who would take the attitude that these enlisted men who performed this service should not secure the little three or four dollars a day and the statement on their record that they were big enough to take command of a company in some of the greatest battles of this war, and I plead with the Members of this House not to make the point of order, because I know of my own personal knowledge that they are entitled to that recognition, and they ought to receive it. [Applause.]

Mr. REED. Mr. Chairman, is my colleague's amendment so phrased that it will be retroactive?

Mr. JOHNSON of South Dakota. Yes. It is so phrased. It says, "who shall have," and so forth.

Mr. REED. I wanted to be certain of that.

The CHAIRMAN. The time of the gentleman from South Dakota has expired. Does the gentleman withdraw his reservation of the point of order?

Mr. KAHN. I do.

Mr. FIELDS. Mr. Chairman, the chairman of the committee made a point of order, or reserved it, and left the floor in my charge.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. FIELDS. It has already been made by the chairman.

Mr. JOHNSON of South Dakota. Oh, no; the point of order has not been made. I ask the gentleman not to make it upon the theory that the chairman desired it, when he is not present.

Mr. HUMPHREYS. If it is the gentleman's intention to make the point of order, before he makes it I would like to make a request of him.

Mr. FIELDS. Mr. Chairman, I am unwilling to assume the responsibility of making the point of order. I understood the point of order was made, and I was about to call the Chair's attention to that fact; but if the point of order has not been made I am unwilling to assume responsibility for making it.

Mr. MANN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The Chair understands the situation to be this: The gentleman from Alabama [Mr. DENT] said that he would make the point of order——

Mr. GORDON. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Ohio makes the point of order.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman reserve it for a moment?

Mr. GORDON. I will reserve it for a moment.

Mr. HUMPHREYS. If the gentleman will so amend his amendment as to strike out the money feature, so that the fact of this particular service may be indorsed upon the man's discharge, would the gentleman then withdraw the point of order?

Mr. GORDON. No. The money feature is not material with me, but the point is this, that in such an important matter I believe it ought to be done in the regular way by legislation. The reason that makes this subject to the point of order is the reason why a bill ought to be introduced by the gentleman from South Dakota, and referred to a committee, and that it ought to be sent to the War Department for their recommendation, so that it will be done properly. This evidence is all retained, as the gentleman from South Dakota has pointed out, in the reports of the officers of these different units, and the fact that it is not tacked on this appropriation bill as a rider does not necessarily preclude its being enacted into law.

Mr. LITTLE. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Ohio makes——

Mr. MANN. Will the gentleman reserve his point of order for a moment?

Mr. LITTLE. Mr. Chairman, I raise the point of order.

The CHAIRMAN. What is the point of order?

Mr. LITTLE. My point of order is that the gentleman from Ohio reserved no point of order, and he gets in too late after discussion.

Mr. GORDON. The chairman of the committee made it and then he reserved it and went out.

The CHAIRMAN. The gentleman from Ohio did not lose any right, because the moment it was apparent that it would not be made by the gentleman from Alabama, the gentleman from Ohio made the point of order and reserved it——

Mr. GORDON. I reserve it at the request of the gentleman from Illinois.

Mr. MANN. Mr. Chairman, I am going to make an appeal to my friend and our friend from Ohio, and I am sorry he is not going to be with us in the next House. [Applause.] Here is the situation: These enlisted men—and this applies in the main to enlisted men; it may apply to some officers—are soon all to be discharged from the Army. I was disposed to feel when the amendment was introduced that a point of order ought to be made upon it, because I fully sympathized with the position of the gentleman from Ohio and the gentleman in charge of the bill that legislation of this sort really ought to be brought before the appropriate committee at the appropriate time and considered, but, after all, that can not be done at this session of Congress. The Committee on Military Affairs if they wanted to would have no opportunity to pass a bill on this subject at this session of Congress now apart from the appropriation bill, so that practically the only way we can do this at all is to do it now on this bill. After they receive their discharges it is probably too late to show anything of this sort on the discharge. Now, there is this feeling in the Army to-day, and I think we all know it. The enlisted men are sore very largely at the officers and at the Government, a natural condition produced probably by natural causes, not intentional. It seems as though we might at this time, when comes the only opportunity when we can do it, to do this little tribute to the enlisted man in the Army who in the face of fire marched to the front and took command of his company and led them probably in many cases to his own death. I hope, sympathizing as I do with the position of the gentleman from Ohio, being very much opposed to the average piece of legislation being offered as an amendment to an appropriation bill, that under the circumstances the gentleman from Ohio and the gentleman from Alabama will feel at liberty to let the House express itself upon the merits of the proposition. [Applause.] I think it would be a graceful and a gracious attitude to take and would very much help the morale and spirit in the Army. [Applause.]

Mr. GORDON. Mr. Chairman—well, I made the point in the absence of the chairman who has returned——

Mr. DENT. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, after the figures "624,004" insert: "In all cases where officers or enlisted men have been promoted to higher grade or rank and through no fault of their own have not received notice of such promotion for a period of more than three days after the date of the order thereof, the pay, and allowance of the officer or enlisted man so promoted shall in the higher rank or grade commence on the date of the issuance of the order of promotion. For the pay of such officers and enlisted men, $2,000,000."

Mr. DENT. Mr. Chairman, I reserve the point of order on that. I hope the gentleman will withhold that and offer it when we reach the legislative portion of the bill, where it would more properly come in.

Mr. JOHNSON of South Dakota. Mr. Chairman, I will say to the gentleman from Alabama that one amendment has been adopted, one of my amendments has been offered at this place, and I feel that an amendment of this kind fits as well into one place in the bill as another, and in the congestion that will come at the close of debate on this bill it will be impossible to be heard, and I would like to have the gentleman allow the committee to express itself on this amendment.

In a very few moments, if the gentleman will permit me, I could give him the reason for this amendment.

Mr. DENT. I reserve the point of order.

Mr. JOHNSON of South Dakota. Owing to the defective mail service in the American Expeditionary Forces, a great many officers and enlisted men who had been promoted and had been wounded did not receive the notice of their promotion for two or three months.

I have been careful about criticizing the administration or the War Department about anything that occurred during the course of this war, as I shall continue to be. It is very easy to criticize, and I notice that many of the men who indulge in criticism do not mention names, dates, or places. If I have any criticism now or at any other time I shall give the names and the dates and the places. I simply want to call attention to the fact that through the fault of some one, I do not know who, we did not get any mail in the American Expeditionary Forces. Many men went into action; they were wounded; they were promoted on the field and then wounded; and they did not get notice of their promotion from sergeant to second lieutenant for, say, two or three or four months, and they never received the pay that they should have received. I can name some of them. There was Lieut. Evern Jones, from Mississippi. I can not remember the place in which he lives, but I can find it. There was Second Lieut. Arthur Smith, of the Thirty-seventh Division, who was wounded in the Argonne Forest with a machine-gun bullet, and who for two months never received notice of his promotion; there was Lieut. Towson, of the Three hundred and thirteenth Infantry, who was wounded in action at Verdun, was promoted on the field, and after his promotion, because he was wounded, sent to a hospital, and did not receive any mail, he never had a chance to accept the commission. And there were perhaps 5,000 or 6,000 cases of wounded men who, because of the fault of the War Department or the Post Office Department, did not receive notice of their promotion and did not receive the increased pay, and they are equitably entitled to it. [Applause.]

Now, the only way they will get this pay for the next 10 or 15 years will be by the adoption of this amendment. And I say at this time that if the Military Committee of this House, representing this administration, want them to get the pay they will only have to give this House an opportunity to vote, because I know the feeling of the House in this matter.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Certainly.

Mr. GREENE of Vermont. Is the state of the military records such that very likely by consulting them they could arrive at a way of adjudicating these matters?

Mr. JOHNSON of South Dakota. Absolutely, because there is the date the men were promoted. They are mailed a notice of promotion. These notices followed these men all over France. They are at the hospitals, and I suppose some of those notices have not been received yet. The men were performing the duties of the higher grades and they were entitled to receive the pay, and the records are clear and plain. There can be no dispute about the facts in the case.

Mr. GREENE of Vermont. I did not mean by my question to doubt the proposition of the gentleman, but merely to ascertain whether the facts were available so that the intent of the amendment could be carried out.

Mr. JOHNSON of South Dakota. Absolutely.

Mr. HUMPHREYS. And that condition does not become effective until the man accepts?

Mr. JOHNSON of South Dakota. Until the man accepts; and he can not accept until he receives a notice, and men did not receive it because of the defective mail service. I would say, in conclusion, that my proposal is that the promotion of each man shall become effective on the date where, through no fault of his own and that is expressly provided in the enlistment, he did not receive notice of his promotion. It applies to enlisted men and sergeants who were promoted, and second lieutenants who were promoted to first lieutenants, and so forth. The amendment is aimed to meet the needs of the lower grades only.

Mr. DENT. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. LITTLE. Is it not a fact that there is an appropriation to pay men from the time they are promoted?

Mr. GORDON. A man is entitled to it as a matter of law whether it is received by him or not.

Mr. LITTLE. If that is true, this is not subject to a point of order. There is merely an appropriation.

Mr. JOHNSON of South Dakota. He does not get his pay until he files his acceptance of the commission, and the action of the chairman of the committee in not allowing this to go through means that thousands and thousands of young officers and enlisted men who were wounded and sent back to the hospitals will not get their pay.

Mr. GORDON. The gentleman is incorrect about that. It can always be corrected by subsequent legislation.

The CHAIRMAN. All of this discussion is out of order.

Mr. JOHNSON of South Dakota. I will say to the gentleman that the rule I have given was the one in force in our Army.

The Clerk read as follows:

For pay of the officers, Philippine Scouts, $624,004.
Additional pay to officers for length of service, $4,506,933.

Mr. DYER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DYER. What part of the bill have we read?

The CHAIRMAN. We have just finished lines 10 and 11.

Mr. DYER. I called the attention of the chairman of the committee to an amendment I desire to offer at the end of line 9, which I could not offer until the discussion was finished on these other amendments. I have an amendment that goes directly to that line, and I ask permission to present it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 16, at the end of line 9, insert:

"*Provided*, That captains and lieutenants of Philippine Scouts who are citizens of the United States shall hereafter be retired in the grade held by them at the date of retirement and shall be retired for disability under the same conditions, including pay, as officers of the Regular Army, and that they shall receive as retired pay 2½ per cent a year for each year of service, to a maximum of 75 per cent of the active pay of their grades at date of retirement and retired pay being increased for the additional years of service up to the maximum of 75 per cent of the active pay: *Provided*, That hereafter when an officer of Philippine Scouts has served 20 years he shall be eligible for retirement under the provisions of this act: *Provided further*, That all officers of Philippine Scouts on the date of the passage of this act be commissioned, by and with the advice and consent of the Senate, and not examined after entrance except upon promotion to the next higher grade: *And provided further*, That all officers of Philippine Scouts now borne on the retired list as such shall be transferred to the retired list created by this section and shall thereafter receive the retired pay and allowances provided by this section for other officers of Philippine Scouts: *And provided further*, That any former officer of Philippine Scouts who vacated his office in the Philippine Scouts by discharge or resignation on account of disability contracted in line of duty shall be placed on the retired list created by this section and shall thereafter receive the retired pay and allowances authorized by this section: *And provided further*, That officers of Philippine Scouts retired under the provisions of this act shall not form part of the limited retired list now authorized by law."

Mr. DENT. Mr. Chairman, I reserve a point of order on that.

The CHAIRMAN. The gentleman from Alabama reserves a point of order on the amendment.

Mr. WINGO rose.

The CHAIRMAN. For what purpose does the gentleman from Arkansas rise?

Mr. WINGO. Every time we have anything really important before us, the gentleman from Alabama [Mr. DENT], in charge of the bill, tries to drive through. I am one of those who want to have full consideration of these matters. When we had up a proposition involving 750,000 men an attempt was made to shut off debate. The gentleman wants to shut out amendments.

Mr. DYER. Mr. Chairman, is this to come out of my time?

The CHAIRMAN. It is not to come out of the gentleman's time. None of this is in order.

Mr. WINGO. Does the gentleman think that this amendment will be considered and voted on?

Mr. DYER. I trust so. The gentleman from Alabama, in charge of this bill——

Mr. WINGO. If the gentleman from Alabama is going to play this way, fast and loose——

The CHAIRMAN. The gentleman from Missouri [Mr. DYER] has the floor.

Mr. WINGO. I know it, and I want him to have a sufficient audience to hear him. Therefore I make the point of no quorum.

The CHAIRMAN. The gentleman from Arkansas makes the point of order that there is no quorum present. The Chair will count. [After counting.] Ninety-three gentlemen are present—not a sufficient number, not a quorum.

Mr. DENT. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. DENT. I demand tellers, Mr. Chairman.

Tellers were ordered; and the Chairman appointed Mr. DENT and Mr. BARKLEY to act as tellers.

The committee again divided; and the tellers reported—ayes 6, noes 93.

The CHAIRMAN. A quorum is present. The Chair counts himself, as he has the right to do, and that makes 100, a quorum.

Mr. KEARNS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEARNS. When a point of no quorum is made and the vote is being taken by tellers, if there are gentlemen in the Chamber who do not pass through the tellers, can the Chair count those?

The CHAIRMAN. Oh, yes. If the gentleman has in mind anyone who did not pass through the Chair will count him. But that is not relevant in this connection. There is a quorum present.

Mr. KEARNS. I wanted to know the parliamentary fact.

The CHAIRMAN. The Chair has stated the parliamentary fact. A quorum is present. The gentleman from Missouri [Mr. DYER] is recognized for five minutes.

Mr. DYER. Mr. Chairman, I regret that the chairman of the Committee on Military Affairs has reserved a point of order on this amendment. I trust that he will not make it. The officers of the Philippine Scouts have long sought from the Congress relief that they are, in my judgment, thoroughly entitled to. The amendment which I have presented is a bill that is now pending in Congress. I trust that in case a point of order is made and granted to this amendment in the House that the Senate will add it as an amendment to this appropriation bill when it reaches the Senate. A favorable report has been had upon it by the Committee on Military Affairs of the Senate, and which is as follows:

It is assumed that the Members of the Senate are familiar, in a general way, with the organization and history of the Philippine Scouts. For the proper explanation of this bill it is sufficient to say that since the substantial withdrawal of the Army from the Philippine Islands the Philippine Scouts have been the armed force, or constabulary, for the maintenance of order in the islands. Their duties have been important, their work severe, and they have always been noted for both fidelity and efficiency. The officers of the scouts have been in the main citizens of the United States taken from civil life. They are not permitted to go above the rank of captain. Above that rank command has been with the officers of the Regular Army. These captains and lieutenants have been appointed after rigid examination, and they are required to be examined at stated periods, whether promoted or not. Barring short leaves of absence at long intervals, they are required to live continuously in the islands, although Regular Army officers have short tours of duty on account of the climate and other unhealthy conditions. These captains and lieutenants of the Philippine Scouts are very competent men, for no others could take the natives of the islands and train them into an orderly, effective soldiery.

At this time there are about 165 scout officers. The bill under consideration relates to the conditions under which these officers may be retired, their retiring pay, and suitable provisions for appointment, confirmation by the Senate, and commission.

Under the existing law scout officers are retired under the conditions which govern the retirement of enlisted men of the Regular Army, except in the case of disability, and are given the retiring pay and allowances of master signal electricians of the United States Army. The present bill seeks to change the existing law, as follows:

First. These officers are to be permitted to retire after 20 years of service, instead of 30.

Second. The retired pay is fixed at 2½ per cent per year for each year of service, not exceeding, however, 75 per cent of the active pay.

Third. The officers now on the retired list are to be given the pay and allowances provided in this bill.

Fourth. That any such officer who has heretofore been discharged or resigned on account of disability contracted in the line of his duty is to receive the pay and allowances authorized by the bill.

The justice of awarding this further recognition to these men has been established to the entire satisfaction of the committee. It is not necessary to recapitulate the showing, for everyone who is acquainted with conditions in the Philippine Islands, and who knows the value of the service which these men have rendered, will at once concur in the conclusion we have reported.

Mr. Chairman, for the further information of the committee regarding the Philippine Scouts, I beg to call attention to the following memorandum, to wit:

Retired for disability (law of 1916)	12
Retired, due to Philippine service (no retirement law)	46
Total on retired list	58
Number back on active duty	51
Unfit for active duty	7
Total	58
On college duty	4
On recruiting duty	15
On quartermaster duty	22
Promoted (major, Signal Corps, National Army)	4
On other duty	6
Total	51
Commissioned 1901	30
Commissioned 1902	5
Commissioned 1903	3
Commissioned 1904	3
Commissioned 1905	10
Commissioned 1906	2
Commissioned 1907	2
Commissioned since 1907	3
Total	58
Appointed from officers of volunteers	3
Appointed from volunteers	2
Appointed from civil life	2
Appointed from noncommissioned officers of the Regular Army	49
Total	58

Mr. Chairman, I earnestly pray that before this Congress ends we will take favorable action touching the relief that the Philippine Scouts are entitled to. They are a splendid lot of officers, and they have rendered excellent service. There is no justification for denying to them that which this amendment would grant. I shall continue my efforts as best I can to secure its enactment into law, and I hope that the Committee on Military Affairs of the House will grant to it the earliest possible favorable consideration and thus aid me and other Members who are working for this small measure of justice and right for the officers of the Philippine Scouts.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. DENT. Mr. Chairman, I make the point of order on the amendment.

The CHAIRMAN. The point of order is sustained.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. Here is an item—

Additional pay to officers for length of service, $4,506,933.

I should like to ask the chairman of the committee what estimates were submitted to justify that expenditure?

Mr. DENT. Does the gentleman wish me to go through the details?

Mr. WINGO. No; I want the gentleman to state whether there was any estimate furnished.

Mr. DENT. The information that the committee had was that it was based upon the law.

Mr. WINGO. In other words, the committee took the estimate of the Department, without checking it up to see whether this was a sufficient amount. They simply took the estimate of the department.

Mr. DENT. Yes.

Mr. WINGO. While I have the floor, so as to save time in the future, can the gentleman explain why he includes in the transportation section of this bill authority to purchase certain articles in unlimited quantities?

Mr. DENT. I do not know what the gentleman is talking about when he says we give authority to purchase articles in unlimited quantities.

Mr. WINGO. Under the item for the purchase of animals they may purchase, under this bill, not to exceed in value $449,000,000 worth of animals.

Mr. DENT. This is just the language that has been carried in the bill for years.

Mr. WINGO. That is the trouble. The military appropriation bills have always been, and this one is, like the ways of God, past all understanding. If there ever was a mockery it is the effort of the House of Representatives to consider military appropriation bills as they have been framed for years past. The pending item shows it, and the explanation of the chairman of the committee shows it. No particular criticism should be made of this committee, because they are but pursuing the custom that has existed for years. So far as Members of Congress are concerned, and the information that they have, and taking the phrases that are in this bill, you might as well save a lot of stationery and a lot of time by simply sitting down and writing—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $1,100,000,000 be, and is hereby, appropriated for the support of the Army for the fiscal year ending June 30, 1920, to be expended in the discretion of the Secretary of War.

[Applause.]

Because that is what you do by this and every Army bill that I have been able to get hold of during my short term of service in this House.

Now, gentlemen, the war is over. There is not a man within the sound of my voice who can explain one-fifth of this more than $1,000,000,000 that you authorize to be expended during the fiscal year, which will be the peace year of 1920. We are all familiar with the fact that for weeks we asked, "Where is the Army appropriation bill?" The members of the committee are not to blame, because the War Department did not bring it down here until just a short time ago.

How much seed can be purchased under this bill? It may interest some gentlemen, who come in here like horses out of a burning barn when appropriation for seed is made for the American farmers, to know that it is possible for the War Department to purchase $100,000,000 worth of seeds under provisions of this bill.

Mr. FOSTER. How will they be distributed?

Mr. WINGO. If they were to be distributed by Members of Congress you would hear a howl go up.

Mr. Chairman and gentlemen of the committee, in this bill you have an authorization for the erection of electric light plants that may run into the millions. In this bill you will find an authorization and if this bill passes a plant costing $2,000,000 may be erected and one plant which the Government already has will be discarded and put in the scrap heap and salvaged. I challenge you to search through this bill and find where there is any well-defined——

Mr. BARKLEY. Where is the seed provision that the gentleman alludes to?

Mr. WINGO. Let the gentleman read the bill. It is so plain that a wayfaring man, though a fool, can not err therein. What else do you find? Here is an Army post that has been trying for years to get authority to build an expensive water plant costing millions where the post ought to be abolished. And yet under this bill they can erect a water system at that post costing not exceeding $5,000,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. Will the gentleman state the name of that post?

Mr. WINGO. Let gentlemen stay on the floor all the time. I challenge any man to match me in the attendance on the House and the attention given to items. Let some of these gentlemen ask for information and consideration, and men who are seldom seen on the floor, self-constituted battle-ax guardians of the Treasury, rush in here and talk about guarding the Treasury, talk about contracts without authorization. Where are these guardians of the Treasury when you want information about these items? They are as silent as the tombs of the Cæsars. Where are they? I do not see any on the floor. They have gone "where the woodbine twineth and the doolittle mourns." [Laughter.] But when we pull them in here in their dress suits from the clubs, they come in and say, "Who in the hell did this?" [Laughter.] Ah, gentlemen, you can not camouflage the American people. You are not discharging your duties if you do not say to the Military Affairs Committee the time has come to call a halt. Make the committee go back and say to the War Department, "Bring in estimates by classification and by items. Do not provide for buying typewriters, ice machines, and electric plants in one paragraph." Why, they can purchase, and I have heard it said here by gentlemen who investigated it, that they contemplate purchasing, $1,000,000 worth of automobiles, and God only knows what they want to do with them. Men howl about the expenditure for seeds for the farmers, and yet one gentleman yesterday on the floor called attention to the fact that you are burning up $250 worth of gasoline each day to provide for automobiles for these officers in the city. Where are these guardians of the Treasury? You have got gentlemen on this floor who open their mouths like a nest full of young jaybirds and swallow any worm that the War Department sticks down their throats. [Laughter.]

I for one am sick and tired of it, and I am going to say to you that you are not going to pass this bill by my vote unless the committee tells us something about the estimates, tells us what the War Department expects to do with this billion dollars—facing, as we are, another liberty loan, facing a fixed annual interest charge of nearly $2,000,000,000 in the future, with men advocating a commodity tax, so that whenever a little child goes to buy a book to go to school it will have to pay a tax on it—men advocating that the man who toils and who earns not more than $500 a year ought to be made to pay an income tax; and I talked with a man the other day who advocated that. You are going to tax the life out of the American people, to have the money squandered in bills that are not itemized, and not even the committee can tell you anything about it. It is a disgrace to the American Congress to do any such thing. Oh, but gentlemen say we are tired; we do not want to hear you; we want to go home; and we do not like to hear you talk. Well, you do not have to sit here and hear me talk. I do not have to get this floor by the condescension of any man. I know more about the rules of this House than these little whippersnappers who complain about my taking up time, who want to know how much time I want whenever I do want to get time, and there is not a member of the Committee on Military Affairs who knows enough about the rules to prevent my getting the floor. They do not know any more about the rules of the House than

they do about the bill they have brought in here. What are we going to do about it? We are going to vote to accept a lot of it, with no estimates, but just proceed upon the theory that the War Department says this is what they want, and we will give it to them.

If you do not call a halt on this thing, you may just as well bring in a bill and say, "Here is the key to the United States Treasury," and turn it over to the War Department. This bill is for the first year after peace, for 1920, and it carries more than the total annual appropriation for the support of the entire Government prior to the war. It is time to call a halt. [Applause.]

Mr. JAMES. Mr. Chairman, I have read the very clear and concise report of the Committee on Military Affairs, and I have heard the speeches of the gentleman from Alabama [Mr. DENT], the chairman of the committee, the gentleman from Illinois [Mr. MCKENZIE], and others, and I have tried to find out from the hearings and from their speeches how many men are going to be used in this standing Army of 500,000 men over here and how many of the 500,000 men will be over there. And of the men in the Army over there, I would like to know how many are going to be used as "crusaders" and how many are going to be used for police duty in Germany. If they are going to be used as policemen in Germany, does the United States or Germany foot the bill? It seems to me that a committee representing the American Congress should be able to tell us, as American Congressmen, and tell the American people where these men are going to be. But I see from the temporary headquarters of the American people over in Paris, in the Washington Post this morning, that we are going to use them over there, because, the Post said this morning, the United States, under the society-of-nations plan as it now has been amended, will maintain an army of not less than 500,000 men, which, after authorization by the United States Senate, shall be used whenever necessary.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. JAMES. I will not. The gentleman from Iowa [Mr. HULL] said they expect to get those men over there. You are not going to get many men over there, because the average man over there does not figure that he is fighting for democracy.

I had a letter from a friend of mine—a volunteer in two wars—that tells of what some of the boys are thinking over there:

I am afraid that there is a storm brewing, and that you fellows in Congress will have some very hard problems to settle from now on. To say that the boys are dissatisfied is putting it mildly. Some things could not be helped, but there is a lot that could be avoided—one thing is certain, the sooner you get some of the boys home the better, especially those who have been over here for the last 12 to 18 months. We are losing too much money, now that the war is over. I would like to say more, but guess it will keep. But there is one thing I want to impress on you, and that is that the American Army will have a hard time living down the feeling created against it. Talk about "fighting for democracy," why we are the most autocratic army in the world—don't think the Germans have anything on us. I have said more than I intended, but you will find more to it than you fellows over there realize. Your friend and comrade.

Had another letter the other day from one of my friends inclosing a letter from one who had been across. He complained of conditions at the United States Naval Station at Pelham Bay, N. Y.

I wrote to the Navy Department that it had been reported to me that men at the camp were "roped in," and that the men could not even "go to the Y. M. C. A." I stated that it was further reported that in case they wanted paper and stamps they had to get men "that pass by from other camps" to get it for them. I also stated that it was reported "they sure are sore at the overseas boys."

I told the department that I could not believe that these reports could be true and asked him to investigate, as I did not and could not believe that men from overseas were treated like men "in a prison camp."

Was informed that the matter would be investigated at once, and yesterday I received a letter from the Navy Department inclosing one from W. B. Franklin, commander, United States Naval Reserve Force. It reads as follows:

NAVAL TRAINING CAMP,
PELHAM BAY PARK,
New York, N. Y., February 7, 1919.

Hon. JOSEPHUS DANIELS,
Secretary of the Navy,
Navy Department, Washington, D. C.

MY DEAR MR. SECRETARY: Statements contained in the letter inclosed in yours of the 4th instant from Hon. W. FRANK JAMES are due to the fact that some of the men who have returned from overseas have either sold or lost certain portions of their uniforms and can not therefore appear in the designated uniform of the day. Pending their release, such men are placed in the Second Regiment and are not allowed to wander at large about the camp between colors in the morning and colors in the evening. During most of this time the Y. M. C. A. is closed, as during the drill period we allow no man except those on the sick list admittance to the building.

The report that the men at this camp are sore at the overseas boys is, to the best of my knowledge and belief, untrue. Some few of our men consider that the giving of preference in releases to the men who have been overseas is unjust, but they are not "sore at the overseas boys."

Every effort is being made here to maintain discipline at its highest standard as consistent with conditions prevailing after the armistice, and to some who have had but little military discipline conditions may seem irksome.

Very truly, yours, W. B. FRANKLIN,
Commander, United States Naval Reserve Force.

Now, let us see what Chaplain Mark has to say in the "Weekly Bulletin of Activities at all Y. M. C. A. Huts," week beginning January 19, 1919:

[Naval training camp, Pelham Bay Park, N. Y. William B. Franklin, commander the disciplinary regiment.]

"He that deviseth to do evil shall be called a mischievous person." (Proverbs xxiv, 8.)

Emphasis needs to be placed on the misfortune of transfer to the disciplinary regiment. This regiment needs no introduction. It is known among the men as the hades or gehenna of the camp, and those who constitute it, although wearing no stripes on the back or ball or chain around the ankle, are known as and are called mischievous persons.

Hence you are asked to avoid this disciplinary regiment as you would a plague, for entrance into its gates brings sorrow and unhappiness. Instead of the joyful task which fills the heart with cheer, the unfortunate one shall shovel coal on the proverbial coal pile; when the call of the jitney comes to this wearied one at 1 on Saturday he shall feel like a bird in an ungilded cage; the job, full of prospect and romance, which awaits the unlucky one on the outside shall wait in vain, for his cries for release shall only find an echo on the walls of his prison house.

To sum up in a few words the misfortunes of the unlucky members of this regiment, they would be: "No liberty," "no release," and "all the dirty work to do." Now, when a sensible man realizes what the penalties are for breaking the rules and regulations he is going to be mighty careful about getting into trouble.

Remember, men, you are not at Eastleigh, of Killingholme, or Brest, or Pauillac, whatever these places may mean to a man in the matter of discipline. You are stationed at Pelham, which has been noted for its strict adherence to discipline, which has efficiently trained thousands of seamen, which has been one of the biggest and best naval training stations in our country.

That bridle on the tongue, that finish to the uniform, that strict observance of salute and of orders in general, will keep you on the straight path, will prevent you from falling into error's ways, will keep you from entrance into the disciplinary regiment, which to know is to avoid.

This is a little bit of friendly advice, which I hope you will take in a friendly way.

The same day I wrote this man and asked him to send full particulars of their discharge. Here is what he sends me from the chaplain of that post.

Upon looking over the next page, I find that the gentleman is Chaplain John N. Mark, United States Naval Reserve Force.

On the same page we find:

Camp motto for the week: A test of character is patience under trial.

This is by Camp Pastor Bowers.

On the next page, under the heading of Chaplain's notices, we find the following:

You are urged to take particular notice of the front page editorial. Read it carefully and let it be a guiding word to keep you from an undesirable experience.

After reading the above, one can hardly believe that the Second Regiment is used entirely for men who have lost or sold part of their uniform.

On the next page we read:

YOUR CASE AND MY CASE.

Camp Pastor Bowers has provided our motto for this week, and it is a good one. "A test of character is patience under trial." Patience is a much-needed virtue among release seekers who are expecting the Government to do in a few weeks what can only be accomplished in months. From a mathematical standpoint it is impossible to release all members of the Naval Reserve in a short time; yet there are thousands at Pelham and elsewhere who expect to get out of the service simply by waving a fairy wand. It just can't be done, and it would be well for all of us to remember that.

Patience is a good thing to practice right now, and the man who waits with a smile is the man known to have character.

(Signed) CHAPLAIN MARK.

I presume when he says "your case and mine," he means that the boys are anxious to go home, and his case is he is anxious to have them stay in, so that he can hang onto his job.

If all the Y. M. C. A. huts print such piffle as that and such reflections on the boys, it is not strange that they are not very popular with the soldiers, sailors, and marines.

Now, let us see what the enlisted man says. He is now out of the service:

I received your welcome letter last week and was glad to see I still had a few friends. I would have written to you sooner, but as I received your letter Thursday afternoon and was mustered out on Friday, my time has been well taken up.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JAMES. Mr. Chairman, I ask unanimous consent for five minutes more. I want to read this soldier's letter.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. LARSEN. Mr. Chairman, I object.

The Clerk read as follows:

PAY OF ENLISTED MEN.

For pay of enlisted men of the line, $137,861,770.72.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. There has been considerable reference ever since the bill was under consideration as to the number of men that this bill in its appropriations sought to provide for. Here we are appropriating a lump-sum amount of $137,000,000 for pay of enlisted men. Will the gentleman give us an estimate of the number of men that will pay?

Mr. DENT. That would pay the number of men, 509,000 men.

Mr. STAFFORD. So if there is a larger number than that on the average during the year there would necessarily have to be a deficiency appropriation to pay them?

Mr. DENT. Well, I can not say that; the average pay would be for 905,000.

Mr. STAFFORD. No; my question was, if there was a larger number during the fiscal year than the average number of 509,000, it would necessarily require an additional appropriation?

Mr. DENT. Oh, I did not understand the gentleman; that is true.

Mr. STAFFORD. I withdraw the pro forma amendment.

Mr. JAMES. Mr. Chairman, I move to strike out the last word. I want to read a letter if the gentleman from Georgia will consent.

Mr. LARSEN. I have no objection to the gentleman extending his remarks and putting any paper in the RECORD, but I do object to his speaking on a matter not related to the paragraph.

Mr. JAMES. Mr. Chairman, I have moved to strike out the last word. On the same date——

Mr. LARSEN. I make the point of order, if the Chairman pleases, that the gentleman's remarks are not confined to the paragraph under consideration.

Mr. BAER. The gentleman has not made any remarks.

The CHAIRMAN. If the point of order is made, the gentleman must speak to the paragraph.

Mr. CRAMTON. Mr. Chairman, I have an amendment to offer.

The CHAIRMAN. If the gentleman moves to strike out the last word, he must speak to the last word, and the last word in this case is "a hundred and thirty-seven million and odd dollars."

Mr. JAMES. Mr. Chairman, I move to strike out the whole item. I do not think, Mr. Chairman, any part of this money should be used for pay of men about whom I am going to talk. "I received your welcome letter last week"——

Mr. LARSEN. I make the point of order that that is not germane to the amendment.

Mr. LITTLE. The gentleman moved to strike out the whole item.

Mr. JAMES. Mr. Chairman, it seems to me if part of this money is going to be used for the pay of these people about whom I desire to say a few words——

The CHAIRMAN. Of course, the gentleman can speak to his motion, but he must speak in a parliamentary way.

Mr. JAMES. "You ask me to give conditions at Pelham Bay"——

Mr. LARSEN. Mr. Chairman, I make the point of order that the gentleman's remarks are out of order.

Mr. JAMES. I was just going to get to the part of the letter where this man says that this camp is a real hell hole for the men who are there.

The CHAIRMAN. The gentleman must proceed in order and speak to his motion.

Mr. JAMES. I will get it later.

You asked me to give full conditions of Pelham Bay. That which I will say is not about the whole camp but of the Second Regiment, which was a real hell hole while we were there.

Well, we landed in New York the 16th of December and were taken to Pelham Bay camp and placed in this Second Regiment.

You will note that they were placed there immediately upon landing, while the genial chaplain would give us to understand it was for "mischievous persons."

He then states further:

Part of the boys were placed in the isolation camp, and the same night they were made to fill out requests for releases. They were worked on at once. We had to wait a week before they would let us put in a request. We all were about to turn them in when they said we would have to have two affidavits signed by our notary public. That put it off for another week and a half. When we turned them in they would put them in a drawer and say they were "no good," but we would have to wait and be mustered out automatically. We were there a week when they gave us a chance for a furlough, with the understanding and signing of papers that we would not go near Washington, D. C., or talk with any naval officers. The only thing we could see for that was they were crooked and were afraid we would report them. One of the boys lives in Washington, D. C., and he had to swear his head off and sign three or four papers that he wouldn't go near the place before they would let him go. As soon as most of us had in our requests they made our regiment into a disciplinary one. We had done all they gave us to do, and did guard duty, worked on the coal pile, and all that was to be done. So we couldn't see why our regiment should be treated that way.

They put ropes all around the places and would not let us go to the Y. M. C. A. for even paper or stamps to write a letter home. We had to get a chief petty officer to go out and get it.

We went to headquarters to see what we had done, and they would kick us out. They tried every way they could to get a few of us in trouble. When they couldn't get any of us they brought boys from other regiments that were caught out of the uniform of the day so it would not look so bad to us. They were giving us food not fit for a dog to eat, and when six of the boys showed it to the officers they put them on restriction and extra duty for two weeks. They were after us every day to try and catch us in something, so they could put us on report, that it almost set us crazy, and there were many nights that the bunch would sit in the hammocks and ask one another which were willing to stick it out another day.

We had a few of those "overnight" ensigns, and the way it looked to us was that if they mustered us out they would lose their good jobs. I can give you the addresses of a dozen boys, and they will tell you the same story and even more. There are a thousand and one things I could tell you about those fellows. They were sure sore at the overseas boys, and they got their revenge. I am sending you a bulletin, which has a little of the chaplain's idea of us. I thank you for writing to me and being willing to see what you could do for me. I hope if any more of the Michigan boys get in that camp they won't be treated like I was. Thanking you again for your kindness.

Mr. KEARNS and Mr. KEATING rose.

The CHAIRMAN. For what purpose does the gentleman from Colorado rise?

Mr. KEATING. For the purpose of pouring oil on the troubled waters. I desire to submit a unanimous-consent request. I request that the gentleman from Michigan [Mr. JAMES] be allowed five minutes to proceed out of order.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that the gentleman from Michigan shall be allowed to proceed for five minutes out of order. Is there objection?

Mr. LARSEN. Mr. Chairman, if the purpose is to permit the gentleman from Michigan to read to the House letters which he has received and which can do nothing but bring criticism on our Government, then I shall object.

The CHAIRMAN. The gentleman from Georgia objects.

Mr. KEARNS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEARNS. The gentleman from Michigan [Mr. JAMES] has the floor in his own right, and moved to strike out the last word. As I understand, he has a letter there that he wishes to read and show to the House why we ought not to appropriate $137,861,770.72 to pay men who are in a camp of that kind to which he refers.

Mr. LARSEN. Mr. Chairman, I make the point of order the gentleman is not making a parliamentary inquiry. If that is the object of the gentleman from Michigan, as he says, I think he could better argue it and be in order than to make a speech of this kind.

The CHAIRMAN. The Chair will just state this, that no one who occupies the chair is more disposed to see that Members obtain freedom in the matter of debate than the present occupant. Of course, gentlemen understand the rules of the House. The motion is to strike out this paragraph: "For pay of enlisted men of the line, $137,861,000." Anything that may be fairly considered as an argument in support of that motion the Chair is certainly not going to interfere with.

Mr. CURRY of California. Mr. Chairman, we all want to get through with this bill as soon as possible, and very few have taken up the time of this House. In the interest of economy of time I move that the gentleman from Michigan [Mr. JAMES] be given five minutes in which to proceed out of order.

The CHAIRMAN. The gentleman can not do that.

Mr. FOSTER. That is not in order, Mr. Chairman.

Mr. WINGO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. That was done just three days ago by the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. That was in respect to an entirely different situation.

Mr. WINGO. Will the Chair, for my benefit, as I am very anxious to obey the rules, explain the difference in the situation?

The CHAIRMAN. At that time there was no other business before the House.

Mr. MANN. And that was in the House.

The CHAIRMAN. That was in the House; and the Chair stated then that he was not so sure that even that was permis-

sible, but the Chair put the motion, because evidently the House wanted that to be done for a short time in arriving at the matter.

Mr. DENT. I ask unanimous consent that the gentleman from Michigan be allowed to proceed for five minutes. I trust the committee will help us expedite the reading of this bill.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the gentleman from Michigan may proceed for five minutes. Is there objection?

Mr. HARDY. Reserving the right to object, let me say that we have been here worrying a long time. It was suggested that the gentleman from Michigan might put this in the RECORD. We have heard so many letters read. Would it not answer every purpose, and can not the gentleman yield that much to the comfort and feelings of the House?

Mr. JAMES. I want to call the attention of the House to the fact that when they ask for discharge papers the soldiers have to make an affidavit to the fact that they will not see the Members of Congress and any officers. And these men had to attach affidavits of that kind before they could get discharged. One had to make out three or four affidavits in order to have his application come here.

The CHAIRMAN. Is there objection?

Mr. LARSEN. Mr. Chairman, I presume almost every Member of Congress has a lot of letters similar to the ones the gentleman wants to read to the House, and if he will insert his in the RECORD under an extension of remarks we will all have time to read them before the House meets to-morrow morning or at such hour as may be agreed upon.

Now, I submit that it is not fair to the Military Establishment of this country for letters to be read here in the House——

Mr. WINGO. Mr. Chairman, I make the point of order that the gentleman is not confining his remarks to the pending question.

Mr. LARSEN. The gentleman from Arkansas has spent a good deal of the time to-day in making speeches himself.

Mr. BAER. The gentleman has already taken up more time than would have been taken by the reading of the letters.

The CHAIRMAN. Does the gentleman from Georgia object?

Mr. LARSEN. Yes; I object.

The CHAIRMAN. The gentleman from Georgia objects.

Mr. WINGO. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WINGO. The gentleman who has the floor [Mr. JAMES] moves to strike out the last word of the item covering the pay of enlisted men. He has some letters in regard to enlisted men. He has the right to read what he has there on the proposition, on an item providing for enlistment. A mere tyro in parliamentary law would not deny that he could do that.

Mr. MOORE of Pennsylvania. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Pennsylvania makes the point of order that there is no quorum present.

Mr. MOORE of Pennsylvania. It is just in the interest of saving time.

Mr. CURRY of California. Mr. Chairman, I hope the gentleman will not make that point of order. When I was up I knew that my proposition was out of order.

The CHAIRMAN. The Chair will count. [After counting.] Sixty-five gentlemen are present, not a quorum. The Clerk will call the roll.

Mr. DENT. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. DENT. I demand tellers, Mr. Chairman.

Tellers were ordered; and the Chairman appointed Mr. DENT and Mr. DARROW to act as tellers.

The committee again divided; and there were—ayes 15, noes 67.

The CHAIRMAN. The committee refuses to rise. A quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Almon	Borland	Caldwell	Classon
Ashbrook	Britten	Cantrill	Claypool
Aswell	Browne	Carew	Cleary
Ayres	Browning	Carlin	Coady
Bacharach	Brumbaugh	Carter, Mass.	Connelly, Kans.
Birch	Buchanan	Chandler, N. Y.	Copley
Bland, Ind.	Burroughs	Church	Costello
Booher	Butler	Clark, Fla.	Cox
Dallinger	Griest	McKinley	Slemp
Delaney	Hamill	McLaughlin, Pa.	Smith, C. B.
Dewalt	Hamilton, N. Y.	McLemore	Smith, T. F.
Dill	Hamlin	Madden	Snell
Dooling	Harrison, Miss.	Maher	Snyder
Doremus	Harrison, Va.	Mason	Stedman
Doughton	Haskell	Mays	Steele
Drukker	Haugen	Merritt	Steenerson
Dupré	Heaton	Miller, Minn.	Stephens, Nebr.
Eagan	Heintz	Montague	Stiness
Edmonds	Helm	Mudd	Strong
Essen	Helvering	Neely	Sullivan
Estopinal	Hensley	Nelson, J. M.	Swift
Evans	Hersey	Norton	Tague
Fairchild, G. W.	Hicks	O'Shaunessy	Taylor, Ark.
Farr	Hilliard	Overmyer	Temple
Ferris	Hood	Padgett	Templeton
Fess	Howard	Park	Tinkham
Flood	Husted	Peters	Towner
Flynn	Hutchinson	Phelan	Van Dyke
Fordney	Ireland	Porter	Vare
Foss	Johnson, Ky.	Pou	Venable
Francis	Johnson, S. Dak.	Powers	Vinson
Frear	Johnson, Wash.	Pratt	Waldow
Freeman	Juul	Price	Walton
Gandy	Kelley, Mich.	Randall	Webb
Gard	Kennedy, R. I.	Rankin	Whaley
Gillett	Key, Ohio	Riordan	White, Me.
Glynn	Kiess, Pa.	Roberts	White, Ohio
Godwin, N. C.	Kreider	Rowland	Williams
Goodall	LaGuardia	Russell	Wilson, Ill.
Goodwin, Ark.	Langley	Sanders, Ind.	Wilson, Tex.
Gould	Lesher	Sanders, La.	Winslow
Graham, Ill.	Linthicum	Scully	Woods, Iowa
Graham, Pa.	Lobeck	Sears	Woodyard
Gray, Ala.	Lundeen	Shackleford	Young, N. Dak.
Gray, N. J.	McClintic	Sims	
Gregg	McCormick	Sisson	

The committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the Army appropriation bill, H. R. 15835, found itself without a quorum, whereupon he caused the roll to be called, when 247 Members, a quorum, answered to their names, and he reported the names of the absentees to be printed in the Journal and RECORD.

SPEAKER PRO TEMPORE.

The SPEAKER. The Chair assigns the gentleman from Illinois [Mr. FOSTER] to preside for the rest of the evening, and assigns the gentleman from Georgia [Mr. CRISP] to preside to-morrow morning until I can get back from the State Department. The committee will resume its session.

ARMY APPROPRIATIONS.

The committee resumed its session, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The gentleman from Michigan had the floor at the time the point of no quorum was made. If he does not desire to resume the floor the Clerk will read.

The Clerk read as follows:

For pay of enlisted men of the Staff Corps and departments, $61,534,421.28.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I do not recall that any prior appropriation bill appropriated for enlisted men in departments. I know there are a great many men who are being used in the departments for clerical services, and it has been the effort of the legislative subcommittee to correct that.

Mr. DENT. I can settle the gentleman's trouble by moving to strike out the words "and departments." I offer that amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The Clerk read as follows:

Amendment by Mr. DENT: Page 16, line 14, strike out the words "and departments."

The amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Will the gentleman inform the House as to the number of enlisted men who are detailed for service with the Staff Corps? Here we are providing over $61,000,000 for the enlisted men of the Staff Corps.

Mr. DENT. Yes; I can give the gentleman that, but I do not recall the figures right now. They were given in the hearings.

Mr. STAFFORD. What corps are included in the designation "Staff Corps"?

Mr. DENT. The Corps of Engineers, the Medical Corps, the Signal Corps, the Adjutant General's office, the Quartermaster Corps——

Mr. STAFFORD. The gentleman can not give the amount of appropriation that was carried prior to our entrance into the war for these respective services?

Mr. DENT. The clerk of the committee has the bill here. I can give the gentleman the figures by looking it up.

Mr. STAFFORD. I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Additional pay for length of service to enlisted men, $5,055,126: *Provided*, That the provisions of section 10 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, in so far as it increases the pay of the enlisted men of the Army, be, and the same hereby are, continued in force and effect from and after the date of the approval of this act.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph and wish to inquire of the chairman of the committee as to the interpretation under the conscription act about the wording that this increased salary, which was carried by the amendment of the gentleman from Iowa [Mr. GOOD], of $15 additional to the regular pay should continue in effect until the termination of the emergency. Will the gentleman inform the House as to what the hearings disclose as to how long this increased pay to our enlisted and inducted force will continue under that phraseology?

Mr. DENT. I really do not understand the gentleman. I will have to ask him to repeat that, because there is so much confusion.

Mr. STAFFORD. We have here a paragraph providing for making permanent the temporary provision to increase the pay of the enlisted men, which under the draft act was to continue only until the termination of the emergency. I am asking the gentleman whether he can inform us as to when it will be considered that the emergency is terminated and this bonus of $15 will end?

Mr. DENT. The gentleman is asking me a legal proposition.

Mr. STAFFORD. I do not know whether it means until the treaty of peace is signed or whether it means a certain time after that.

Mr. DENT. The gentleman is asking me a legal question which he or any other good lawyer can answer as well as I can.

Mr. STAFFORD. I thought perhaps the hearings had disclosed the answer when it was presented for the consideration of the committee.

Mr. DENT. The gentleman knows that in no hearings would they settle a legal proposition like that.

Mr. STAFFORD. The Judge Advocate of the Army might construe it in making a request for the continuance of this increase of pay.

Mr. DENT. The gentleman does not expect me to answer a legal question. It is not a question of fact.

Mr. STAFFORD. Mr. Chairman, I recognize that perhaps there should be some increase of pay as was originally provided to continue while the temporary force is in existence, but I do not think we are in a position to burden the Government with an annual expense of $50,000,000 or $75,000,000 before we know what the conditions are really going to be.

Mr. KAHN. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. KAHN. In answer to the gentleman's question, I will say that the War Department has been construing the end of the existing emergency as happening four months after the definitive terms of the treaty of peace are proclaimed.

Mr. STAFFORD. That is the information I desired. Mr. Chairman, I hardly think it is a proper time, under the present conditions of the Treasury, to raise the pay of the soldier force as was provided merely for the duration of the war. This will cast a burden on the Government of $50,000,000 to $75,000,000 annually. We are getting men in the Navy at the rate of 1,600 a week, and everybody recognizes that there is a business depression throughout the country. Men are seeking employment and can not find it. I think it a good time to postpone the raising of pay until we know more about the conditions, and I make the point of order on the proviso.

Mr. DENT. It is subject to a point of order.

The CHAIRMAN. The point of order is sustained.

Mr. BANKHEAD. Mr. Chairman, I offer the following amendment as a new paragraph.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 17, at the top of the page insert a new paragraph, as follows:

"The Secretary of War is hereby authorized and directed, immediately upon the approval of this act, to discharge from the military service any soldier or enlisted man who was drafted or enlisted for the duration of the war with Germany upon the application of such drafted or enlisted man supported by his own affidavit upon any one or more of the following grounds:

"1. Dependents at home wholly dependent upon his labor or assistance.

"2. In all cases where the United States is now paying dependents a family allowance.

"3. To those soldiers who at the time of entering the military service were engaged exclusively in agriculture for a livelihood."

Mr. DENT. Mr. Chairman, I reserve a point of order on it.

Mr. BANKHEAD. Mr. Chairman, if the point of order is going to be made, I do not care to argue it unless we can have a vote on it.

Mr. DENT. I make the point of order. I think that we have taken care of that by the amendment offered by the gentleman from Missouri [Mr. IGOE].

Mr. BANKHEAD. Mr. Chairman, I want to say just a word. If this amendment is germane to the bill and in order, it would be so under the subdivision 2 of Rule XXI, under what is commonly known as the Holman rule. That rule is as follows:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

I desire to call the attention of the Chair to a ruling made by the present occupant of the chair, on page 507 of the Manual:

There are a few general principles heretofore announced for the interpretation of the Holman rule proper to be stated in this connection. I quote again from Mr. Chairman Wilson, concurring with Speaker Kerr.

The purpose of the rule (the Holman rule) is most beneficent and proper, and it should have a liberal construction in the interest of retrenchment.

The Chair will further say that it is not enough for the Chair to think that an amendment may reduce expenses, or that it is likely to reduce expenditures.

The precedents say in this connection that the amendment, being in itself a complete piece of legislation, must operate ex proprio vigore to effect a reduction of expenditures. The reduction must appear as a necessary result—that is, it must be apparent to the Chair that the amendment would operate of its own force to effect a reduction. But it is not necessary for this conclusion of reduction to be established by the rigor and severity of a mathematical demonstration. It is enough if the amendment, in the opinion of the Chair, will fairly operate by its force to retrench expenditures in one of the three ways indicated. The result must be a necessary result—not a conjectural result or a problematical result.

In the spirit of that decision, it seems to me—construing it liberally for the purpose of securing retrenchment in expenditures—that the Chair would take notice of the fact that there are hundreds and thousands of men in the Army still in the service, seeking to be discharged by this amendment, who have dependents at home, though I do not know whether it is the rule here that the Chair takes judicial notice of parliamentary situations or of existing law. It must be apparent to the Chair, however, that there are thousands of men in the Army now seeking to be covered by this amendment who are the beneficiaries of family allowances, and that a number of them were engaged in agriculture at the time of their enlistment in the service. In view of the liberal spirit which the Chair said on a former occasion should be invoked, it seems to me that under these decisions, and under the two precedents with reference to striking men from the pension rolls and reducing the number of Cavalry regiments in the Army, the point of order is not well taken.

Mr. DENT. Mr. Chairman, all that I would like to say on this proposition is to ask the gentleman to what section this is germane?

Mr. BANKHEAD. To the section just read, respecting the pay of enlisted men.

Mr. DENT. But that has been stricken out on a point of order. That is the whole proposition. I have nothing more to say.

Mr. BANKHEAD. I think it is germane as the general paragraph of the bill, because the Chair will remember that in the construction of the Holman rule it is said that it relates to any item of the bill, wherever it may be offered.

The CHAIRMAN. The Chair recollects very well the ruling cited by the gentleman from Alabama [Mr. BANKHEAD]. It was a ruling made in connection with the Army appropriation bill about eight years ago, and the Chair thinks the principles announced in that ruling are sound.

Referring to the ruling, it will be noted that it announces that the operation of the amendment must necessarily reduce expenses, not theoretically reduce them, not make it highly probable or likely that they will be reduced, but that sufficiently and necessarily by its own force it will operate a reduction of expenditures. It is not necessary, however, to show that that reduction would be $1,000, or $5,000, or any particular indicated amount. The amendment under consideration gives discretion to certain officials. It does not effect an automatic or certain reduction of the Army. The cases cited by the gentleman, to wit, of the Cavalry regiments, and the pension cases, were cases where a definite elimination was effected. No power of discre-

tion was given to any official in the Pension Bureau, but certain names were stricken from the pension rolls. That was true, too, in the case of the Cavalry regiments. They were eliminated, and while one might not be able to figure to the last dollar what the reduction would be, of necessity the elimination of several Cavalry regiments would effect a reduction in the general cost of the Army. On this case discretion is given to certain officials.

Mr. BANKHEAD. Oh, I direct the Secretary of War shall do certain things.

The CHAIRMAN. If this amendment means that when a soldier files the affidavits referred to there is no discretion left in the superior officers, but that automatically the soldier filing the affidavits must be discharged——

Mr. BANKHEAD. That is the purpose of it.

The CHAIRMAN. The Chair does not so understand the amendment. The Chair does not understand that the superior officers are to be left without discretion and that the filing of the affidavits will effect an automatic discharge. If the gentleman will so word his amendment as to give it that effect, namely, that when a soldier files his affidavits thereupon, ipso facto he will be discharged, the Chair would have no difficulty in finding that the amendment in that form would effect a reduction in expenses and therefore would be in order.

Mr. BANKHEAD. I do not desire to offer the amendment in the attitude suggested, but I thought the language made it a mandatory duty to the Secretary of War.

The CHAIRMAN. The Chair does not so understand the amendment. As he understands the amendment, it leaves discretion in the official with whom the papers shall be filed. If the Chair properly interprets the amendment, then these applications for discharge will be passed on by officials having authority to approve or deny the leave. It is not possible for the Chair to forecast how that discretion will be exercised, and therefore there is too much of the problematical about the results of the amendment to justify the Chair in saying that of necessity this amendment will necessarily operate to reduce expenses.

The Chair considers that a ruling sustaining the point of order comes within the principles announced in the ruling cited and is in conformity therewith. The point of order is sustained.

The Clerk read as follows:

Seventeen clerks, at $1,200 each per annum, $20,400.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. It appears that this clerical force is being increased apparently over what was provided during the emergency. Is that so?

Mr. DENT. No; on the contrary, the clerical force, or rather the committee agreed to the clerical force as of the appropriation bill of 1917 with one exception, that during the war we did increase; no, not even that; it is the same.

Mr. WALSH. As prewar?

Mr. DENT. We continued the provisions of the appropriation act of 1917.

Mr. WALSH. They are the same practically as they carried before?

Mr. DENT. Yes; in the appropriation act of 1917. That is what the committee agreed to.

The Clerk read as follows:

Eleven clerks, at $1,800 each per annum, $19,800.

Mr. SIEGEL. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee how he expects to demobilize the Army with 170 Army field clerks, when The Adjutant General asked for 1,200, based on an Army of 500,000 men?

Mr. DENT. I will state to the gentleman that I think we will have to offer an amendment to that. I have a letter from the Chief of Staff.

Mr. SIEGEL. We have reached that point now. I suggest that we pass over the section, or at least pass line 17 to line 25.

The CHAIRMAN. Without objection, that will be passed over temporarily.

Mr. DENT. I will ask consent that it be temporarily passed.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Chairman, the gentleman from New York was speaking of Army field clerks. A little while ago I had a very distressing case of an Army field clerk, I think located up here at Hoboken or New York or some seaport town, who was asking for his discharge, and The Adjutant General informed me that they could not discharge him; that they had to have somebody to do that work, and that an order had been issued of some sort forbidding them to put anybody in his place. Does the gentleman know anything about such an order as that?

Mr. DENT. I do not.

Mr. SIEGEL. I will say to the distinguished gentleman from Illinois that an order was issued at the port of debarkation, which is Hoboken, to the effect that no man should be discharged there until some orders came from Washington in each particular case. I have seen the order. I have read it, and the reason for it was that Gen. Pershing had cabled over several weeks ago asking for additional Army field clerks; that he needed them on the other side, and they had declined to return any Army field clerks from Europe, regardless of their condition, because they needed them badly.

Mr. MANN. Well, the case I had occurred, I think, in December—more than two or three weeks ago—and I might add that I could not find anyone around the War Department who would defend the order that had been issued. Yet there it stood; nobody defended it; everybody said it was a wicked proposition.

Mr. SIEGEL. I do not. I do not want the gentleman to understand I am defending the order.

Mr. MANN. I am not speaking of the gentleman from New York, but I am talking about the War Department.

Mr. SIEGEL. I will say this, however, in justice to the men at the port of debarkation, that they are handling at that place one of the biggest jobs that has ever confronted any man. Men are coming back to that port in thousands, and they have not a sufficient number of the Army field clerks to check up the men and their belongings. They can not do the work there properly, because they can not get more field clerks; because under the law you can not employ any more than you have at the present time. I say this in justice to Gen. David C. Shanks, Col. Watts, Maj. Robbins, Capt. Townsend, and the other officers and men at Hoboken, who are working untiringly to facilitate the landing and movement of the returning troops. They deserve credit and should receive it.

The Clerk read as follows:

Additional pay while on foreign service, $8,000.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. I should like to know of the committee why this item is increased over the same item for last year, during the war, providing for the same number of clerks and employees that you had in the appropriation bill for 1918? What is the necessity for the increase?

Mr. DENT. I did not understand the query exactly. Does the gentleman wish to know why it is increased over the appropriation of last year?

Mr. WINGO. Yes.

Mr. DENT. I have just asked that the item be passed for the present in order to look into a letter which I have just received from the General Staff on the subject.

Mr. WINGO. I thought that was the paragraph at the bottom of page 18. I understood you had the question of numbers passed. You have the same number that you had for 1918.

Mr. DENT. Does the gentleman refer to additional pay for those on foreign duty?

Mr. WINGO. Additional pay and additional commutation.

Mr. DENT. It is a pure guess. That is all it is. If the gentleman wants to strike it out, he can do so. We can not tell exactly.

Mr. MANN. Of course, the men who have been on the other side have been increased.

Mr. WINGO. Why the increase in the other item in commutation of quarters?

Mr. FIELDS. The statute provides for pay for foreign service.

Mr. WINGO. You have items for the same number of men and the same item and the same amount as in war times.

Mr. FIELDS. The men are still there.

Mr. WINGO. There is no doubt that the same number of men are still there. Why increase this item? Are their quarters enlarged?

Mr. FIELDS. There are more men than at the time the appropriation was made.

Mr. WINGO. I beg the gentleman's pardon. Identically the same number is carried. I have both bills before me. The appropriation of 1918 and the present bill have the same item. Of course, if the gentlemen have no information, I will withdraw my pro forma amendment and pass on.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For commutation of quarters and of heat and eight for field clerks, Quartermaster Corps, $76,800: *Provided*, That said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve: *Provided fur-*

ther, That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau of the War Department.

Mr. WALSH. Mr. Chairman, I move to strike out the last word, and direct the attention of the gentleman to the word "eight" in line 4.

Mr. DENT. I was just about to offer an amendment on line 4, page 18, to strike out the word "eight" and insert the word "light."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 4, strike out the word "eight" and insert the word "light."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WALSH. Mr. Chairman, what is this last proviso? What is the purpose of it? It says:

That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau of the War Department.

Mr. DENT. This was in the law for some time, and the purpose of it is plainly expressed in the language itself. It is to keep these bureau chiefs from assigning the men to work for them.

Mr. WALSH. That means that a clerk that is assigned to the office of the Chief of Staff can not be assigned to the office of The Adjutant General or of the Assistant Secretary of War?

Mr. KAHN. Yes. If the gentleman will allow me, the clerks in The Adjutant General's office and the other offices are provided in the legislative appropriation bill. The Army appropriation bill provides for the clerks in the tactical divisions or the various divisions, and also the clerks in the office of the Chief of Staff. The purpose of this is to prevent such clerks from being transferred into other branches of the War Department and paid out of this fund.

Mr. WALSH. Uniformed clerks are not provided for in the legislative, executive, and judicial appropriation bill, are they?

Mr. KAHN. No. Uniformed clerks are not provided. Civilian clerks are provided.

Mr. WALSH. This only applies to the field clerks?

Mr. KAHN. No; this applies to the clerks, say, at department headquarters in Chicago, department headquarters in San Francisco, or department headquarters in New York, or clerks in the office of the Chief of Staff here in Washington. They are the only clerks that this committee appropriates for. And the purpose is that the clerks from other branches of the War Department shall not be transferred to these places or the clerks in these places should not be transferred to the various branches of the War Department.

Mr. WALSH. It is the gentleman's opinion that such transfers have been made?

Mr. KAHN. Exactly; and this is to prevent them.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

For expenses of courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, and expenses of taking depositions and securing other evidence for use before the same, $500,000.

Mr. WALSH. Mr. Chairman, in this item for courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same there is a substantial increase. Now, is that because these courts-martial have become so busily involved and engaged in sentencing men to 20 or 25 years in prison for forgetting to salute a superior officer or some other minor offense that they have got to have a large increase in the appropriation?

Mr. DENT. No. That was another guess, merely on account of the increased size of the Army. You can not tell how much it should be increased.

Mr. WALSH. In case there have been a lot of additional cases to try, as the gentleman from California [Mr. KAHN] suggests, it would seem to me that, now that the war is over, to give the men who will compose these courts of inquiry and military commissions and courts-martial such a substantial increase as that will rather encourage the holding of courts-martial for these minor offenses.

Mr. GREENE of Vermont. They do not get any money out of it.

Mr. WALSH. As the gentleman from Vermont says, they do not get any money out of it, but it will keep them occupied in spending the money. I think these minor infractions might be taken care of otherwise.

Mr. WINGO. I call the gentleman's attention to the fact that it also includes military commissions, and the words "military commissions" as used in the Army do not always mean inquiries and courts-martial.

Mr. GREENE of Vermont. Of course, the amount of money set opposite that item must necessarily be a guess; but that item is predicated upon a condition of affairs that may be expected to exist at the end of the war, involving several millions of soldiers and involving many activities on both sides of the ocean. Nobody can know what the normal expenditure will be, but it is known that many cases have not as yet been forwarded for review. They must go through that process of review, and the completion of the records and the assembling of the papers generally will take a great amount of labor.

Now, so far as its being an inducement to Army officers to hold courts-martial, I do not think any officer ever solicits the job, and nobody who has ever sat on a court-martial wants to do it again.

Mr. WALSH. Why is that?

Mr. GREENE of Vermont. Because it is a disagreeable and onerous duty, apart from the natural functions of a military officer. It is a disagreeable task, and the officer does not like to perform it. I do not think there is any inducement in the Army itself to call men to try to get service on courts-martial.

Mr. WALSH. Will the gentleman state how they set this machinery in motion whereby a man is sentenced for 20 or 25 years for some minor infraction of the military regulations? How is that set in motion? Is it not set in motion by some officer who will have something to do with the court-martial?

Mr. GREENE of Vermont. It can be set in motion by any responsible officer who makes complaint.

Mr. CRAGO. But he can not be a part of the court-martial.

Mr. WALSH. He can not be a part of the court-martial, but he becomes a part of the machinery that prosecutes.

Mr. GREENE of Vermont. There is an analogy in that to cases in civil life. Every man who makes a sufficient complaint in civil life starts a case in the courts, and it is the same way in the Army, and that is a matter that no law can prevent.

Mr. WALSH. After that machinery is started is there any way that the proceedings can be terminated, where the man against whom the complaint is made can be simply reprimanded or be deprived of his liberty for a little time, or has that to be gone through with and wind up with these unusual and unjust punishments?

Mr. GREENE of Vermont. It all depends upon the character of the offense, and as the gentleman from Pennsylvania [Mr. CRAGO], sitting near me, says it is like any other machinery in court in civil life; it has to go through to some determination. If the respondent is found guilty——

Mr. WALSH. He may be compelled to plead guilty.

Mr. GALLIVAN. Mr. Chairman, I hope the gentlemen will give the House the benefit of the colloquy that is going on over there.

Mr. GREENE of Vermont. If he is found guilty and sentenced, and the sentence is above a certain grade, it has to be reviewed. It is not a question of appeal so much, but certain things have to go up to appeal, and a death sentence in particular has to go up to the Commander in Chief.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MANN. Mr. Chairman, I had occasion some time ago to make a little investigation in regard to the work that is being done in the office of the Judge Advocate General, reviewing these court-martial proceedings. I learned privately some of the things which were narrated before a Senate committee the other day by Gen. Ansell, though I did not talk with Gen. Ansell himself. I did talk with him years ago, before he was in this responsible position, and he is one of the brightest men I ever met.

From what I learned I gathered that some legislation by Congress on the subject of these courts-martial is very much needed. No one can believe, unless he gets it in the most accredited form, what idiotic judgments some of the courts-martial have been guilty of. It is beyond belief, if we did not know the sentences that have been imposed in some cases. Here will be two cases, as nearly alike as two peas in the same pod, arising in different places. One man may receive a reprimand and another man a sentence of 20 or 40 years in the penitentiary. And in many cases it is entirely beyond the power of the Judge Advocate General's office to change the sentence without getting action by the President. And it is ridiculous to impose upon the President, or even on the Secretary of War, action in a great many of these cases. I hope that the Committee on Military Affairs in the next House will take up the subject and give us the necessary legislation to do away with the present

anachronism, which is clear out of date. When were the articles of war enacted?

Mr. WALSH. About two years ago.

Mr. CRAGO. On an appropriation bill.

Mr. KAHN. They were put on by the Senate.

Mr. MANN. That means that the present articles of war were enacted then, but that they are a heritage from the seventeenth century.

Mr. GREENE of Vermont. Mr. Chairman, right in line with what the gentleman from Illinois has said, I do not believe anybody will approve for a moment some of the very inconsistent things that have been done through the proceedings known in the Army as courts-martial during the last two years. But apart from the abuses which have certainly arisen there, and apart from some of the instances which might very properly and with moderation be called outrages, there is a reason for a part of the trouble which ought not to be charged against the Regular Army Establishment. I do not think these cases of injustice were so common by any means during the long term of peace in which the Regular Army in its garrison routine administered justice much as it did everything else, after a code which was generally as well understood in one part of the service as in another. There were not the same opportunities for differences of judgment about the same offense in different parts of the country when the offenses themselves were tried by the officers of the Regular Establishment, more experienced in such matters, and who had learned by observation and by their professional experience about what the accepted standard was in the way of punishment for such offenses in the service. They held to some pretty generally recognized code. But when the Army was suddenly enlarged by the taking in of civilians, who outnumbered its original proportions thirty or forty times, men who had had no previous professional experience as soldiers, and who knew little or nothing of the code and the standards that had been established, were called upon to try these cases. It is very easy to see how all the discrepancies that can now be pointed out and how all the differentiations and all the very unjust practices could arise.

Mr. RAYBURN. Will the gentleman yield?

Mr. GREENE of Vermont. I yield to the gentleman from Texas.

Mr. RAYBURN. What is the minimum penalty in the Army for desertion?

Mr. GREENE of Vermont. I can not give the gentleman the precise law.

Mr. CRAGO. It depends on conditions. Desertion in the presence of the enemy is punished by death.

Mr. GREENE of Vermont. As suggested by the gentleman from Pennsylvania [Mr. CRAGO], my most admired mentor, desertion in the presence of an enemy is punished by death. Desertion under other circumstances becomes largely technical and is punished according to the facts in the particular case.

Mr. RAYBURN. I mean under any circumstances. I do not mean desertion in extreme cases, but I mean the minimum in any case.

Mr. GREENE of Vermont. I do not know what that minimum is.

Mr. CRAGO. If the gentleman will yield, I will explain partially the system in vogue. When a man is absent for a few days they usually prefer a charge of absence without leave—A. W. O. L. After so many days this becomes desertion. Now, at first they treated these cases of absence without leave with great leniency, but when they were trying to give the men their intensive training they found they did not have the men there. They would comb every passenger train and every freight train, they would watch every avenue by which men could leave the camps, but they could not keep them in the camps, and in these camps containing generally the best young men of the country it was very discouraging to see how men would forget themselves, would desert their posts, and make it absolutely impossible for an organization to become efficient.

And these officers, National Guard officers, I have talked with were frantic about the absence-without-leave men. They wanted to use more drastic measures than the law would allow. They had to, in order to curb this abuse. In regard to the men around their own home towns, while the organizations were being mobilized, if these men were absent a day or two without leave there was little thought about it. The captain would reprimand the man and try to tell him that he was not a good soldier; but when it got to the intensive training it was a different proposition; and when it got to the embarkation port, if men were absent, then they adopted drastic measures. I think you will find few cases where the officers exceeded their authority.

Mr. MANN. I think if the gentleman will get somebody from The Adjutant General's office to talk confidentially with him he will change his mind.

Mr. CRAGO. I have talked with men who were responsible for the training of these men, and they were training men who were to stand up against the enemy and win the war. I know there are cases where I would probably have acted in a different way from what the court-martial did, but there had to be examples set and it saved the lives of many men in the end.

Mr. BURNETT. Will the gentleman yield?

Mr. CRAGO. Yes.

Mr. BURNETT. Did the gentleman read the statement of Gen. Ansell in this morning's paper?

Mr. CRAGO. Yes.

Mr. BURNETT. Is that true? If it is true, it is an enormity that no Hun would perpetrate on his own people.

Mr. CRAGO. There may have been cases of that kind. These men composing the courts-martial generally were taken from the body of our citizenship and were not Regular Army officers. They were taken from civil life, and you know that sometimes a man with a little authority goes too far.

Mr. GREENE of Vermont. Now, Mr. Chairman——

Mr. WALSH. Will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. WALSH. Does the gentleman think, with the process of demobilization of the Army about to be initiated, that as we reduce our forces we ought to increase the amount available for courts-martial?

Mr. GREENE of Vermont. I do not know that the increase in appropriations is to apply in any likelihood to new cases. My impression is that this is like settling up any row—there is a good deal of work to be done to clean up and complete the records and put them in shape to be put into the archives.

Mr. WALSH. I think the gentlemen who have imposed these unjust penalties on soldiers ought to be court-martialed themselves.

Mr. GREENE of Vermont. Now, Mr. Chairman, I want to say just this: We are getting into a period of reaction. We have been so liberal in appropriations during the period of stress of the war. We have done it unquestioningly at the instance of the military authorities. But now that we are relieved by the present situation so that we can let down a little the result is, I am afraid, that we may, in a measure, permit the pendulum to swing too far the other way, and that we will be as extreme against the Army as we have been liberal for it.

I suggest in this connection, when talking about the court-martial system, that the experience of the country with that business during the last year and a half has been largely created by men, however honest and faithful in doing their duty as soldiers as they understood it, who were not professional soldiers instructed in the standards of the Regular Army for many, many years.

Mr. SIEGEL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 19, line 22, after the "$500,000," insert:

"*Provided*, That article 11 of the Articles of War is hereby amended to read as follows:

"'ART. 11. Appointment of judge advocates.—For each general or special court-martial the authority appointing the court shall appoint a judge advocate. No person shall be appointed judge advocate for a general court-martial unless at the time of his appointment he is an officer of the Judge Advocate General's Department, except that where an officer of that department is not available the authority appointing the court shall appoint an officer of the Army recommended by the Judge Advocate General as specially qualified, by reason of legal learning and experience, to act as judge advocate. The officer appointed as judge advocate for a general court-martial shall not be a member of the court, but shall sit with it at all times in open session and shall fairly, impartially, and in a judicial manner perform the following duties and such others not inconsistent herewith as may be prescribed by the President in virtue of article 38 of the Articles of War:

"'(a) Rule upon all questions of law properly arising in the proceedings;

"'(b) Advise the court and the convening authority of any legal deficiency in the constitution and composition of the court or in the charge before it for trial;

"'(c) At the conclusion of the case and before the court proceeds to deliberate upon the finding sum up the evidence in the case and discuss the law applicable to it, unless both he and the court consider it unnecessary;

"'(d) Take care, equally with the court, that the accused does not suffer any disadvantage in consequenc of his position as such, or of his ignorance or incapacity to present his own case, and for that purpose the judge advocate, with the permission of the court, may call and examine such witnesses as may appear to him necessary or desirable to elicit the truth.

"'His rulings and advice, given in the performance of his duties and made of record, shall govern the court-martial.

"'If the judge advocate dies, or from illness or any cause whatever is unable to attend, the court shall adjourn and another judge advocate

shall be appointed by the proper authority, who shall act as judge advocate for the residue of the trial or until the judge advocate returns.'

"SEC. 2. That article 17 of the Articles of War is hereby amended to read as follows:

"'ART. 17. Appointment of prosecutors.—For each general or special court-martial the authority appointing the court shall appoint a prosecutor, and for each general court-martial one or more assistant prosecutors when necessary. The prosecutor of a general or special court-martial shall prosecute in the name of the United States and shall, under the direction of the court, prepare the record of its proceedings. Such prosecutor may be an officer of the Judge Advocate General's Department. In all court-martial proceedings the accused shall have the assistance of and be represented by counsel of his own selection. Such counsel may be either a civilian lawyer or an officer of the Army. If military counsel be not selected by the accused, the court shall assign military counsel to assist in his defense if such counsel be reasonably available.'"

"SEC. 3. That articles 22, 30, 33, and 116 of the Articles of War are hereby amended by substituting the word 'prosecutor' for the words 'judge advocate' wherever they appear in the said articles, and by substituting the words 'prosecutor or any assistant prosecutor of a general special court-martial' for the words 'the judge advocate or any assistant judge advocate of a general or special court-martial' wherever they appear in the said articles.

"SEC. 4. That if the authority authorized to appoint general courts-martial has an officer of the Judge Advocate General's Department present for duty on his staff, he shall not refer any charge to a general court-martial for trial unless the said officer of the Judge Advocate General's Department shall indorse in writing upon the charge that in his opinion an offense made punishable by the Articles of War is charged with legal sufficiency against the accused, and that it has been made to appear to him that there is prima facie proof that the accused is guilty of the offense charged.

"SEC. 5. That article 18 of the Articles of War is hereby amended to read as follows:

"'ART. 18. Challenges.—Members of a general or special court-martial may be challenged by the accused, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time: *Provided*, That if the accused at any time before the arraignment shall file in the proceedings an affidavit of prejudice alleging specific grounds to show that the court by reason of matters touching its constitution or composition can not do justice, the court shall proceed no further in the case, but shall report the matter to the appointing authority for his decision.'

"SEC. 6. That when a court-martial shall find the accused not guilty upon all charges and specifications it shall not reconsider, nor shall the appointing authority direct it to reconsider, its findings; but the president of the court or the summary court shall immediately inform the accused and the officer by whose authority he may be in custody of his acquittal, and such officer shall thereupon immediately release the accused from custody, unless he is in custody for reasons other than the pendency of the charges of which he has been acquitted.

"SEC. 7. That section 1199, Revised Statutes of the United States, is hereby amended to read as follows:

"'SEC. 1199. The Judge Advocate General shall receive, revise, and cause to be recorded the proceedings of all courts-martial, courts of inquiry, and military commissions, and perform such other duties as have been performed heretofore by the Judge Advocate General of the Army. The power to revise the proceedings of courts-martial conferred upon the Judge Advocate General by this section shall be exercised only for the correction of errors of law which have injuriously affected the substantial rights of an accused, and shall include—

"'(a) Power to disapprove a finding of guilty and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when the record requires such finding;

"'(b) Power to disapprove the whole or any part of a sentence;

"'(c) Power, upon the disapproval of the whole of a sentence, to advise the proper convening or confirming authority of the further proceedings that may and should be had, if any. If upon revision, under this section, all the findings and the sentence be disapproved because of error of law in the proceedings, the convening or confirming authority may lawfully order a new trial by another court-martial.

"'Sentences involving death, dismissal, or dishonorable discharge from the service shall not be executed pending revision. If in any case a sentence though valid shall appear upon revision to be unduly severe, the Judge Advocate General shall make a report and recommendation for clemency, with the reasons therefor, to the President or the military authority having power to remit or mitigate the punishment.'

"SEC. 8. That the Judge Advocate General of the Army shall prepare and submit to Congress, at the earliest practical date, a revision of the Articles of War consistent with the provisions of this act, and shall also prepare and submit to Congress a draft of regulations providing for the procedure of general courts-martial.

"SEC. 9. That all laws or parts of laws inconsistent with this act are hereby repealed."

Mr. DENT (interrupting the reading). Mr. Chairman, I make the point of order upon this amendment.

Mr. SIEGEL. Mr. Chairman, I want to ask the gentleman to reserve the point of order.

Mr. DENT. I do not object to the gentleman having this in the RECORD, but I make the point of order. We will never get through with this bill if everybody tries to amend the articles of war.

Mr. SIEGEL. Mr. Chairman, I ask the gentleman to reserve his point of order. This is a bill that was offered in January. It is the same bill that has been offered in the Senate, and is a bill prepared by a number of lawyers, and some of the gentlemen connected with the Judge Advocate General's office know its contents. It is not a new bill.

Mr. DENT. Then what is the use of reading it?

Mr. SIEGEL. I want to have it in the RECORD.

Mr. DENT. I make the point of order that this is new legislation.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent that the amendment may be printed in the RECORD as though read, and I ask the gentleman to withhold the point of order, so that I can discuss it for five minutes.

Mr. DENT. Oh, I hope the gentleman will not ask me to do that. I have been very liberal here to-day.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the amendment offered by him, partially read, may appear in the RECORD as though read. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Alabama makes the point of order against the amendment. Has the gentleman from New York anything to say on the point of order?

Mr. SIEGEL. Mr. Chairman, I submit that it is in order. It is germane to the appropriation of $500,000 for courts-martial. This puts limitations upon the expenditure of the money.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SIEGEL. Mr. Chairman, I move to strike out the last word. On January 23, 1919, I discussed on the floor of this House the question of courts-martial, and at that time stated that there had been 22,000 courts-martial and about 370,000 summary cases tried. I called attention to House bill 14883, which I had introduced and which would remedy the conditions of which the country was complaining.

Mr. GORDON. Mr. Chairman, I make the point of order that the gentleman is not discussing the bill before the House. This has already been ruled out on a point of order.

Mr. MANN. Mr. Chairman, the gentleman from Ohio does not know what is before the House. This appropriation is for half a million dollars for courts-martial. The gentleman is discussing the subject covered by the appropriation.

The CHAIRMAN. The gentleman will proceed in order.

Mr. SIEGEL. Mr. Chairman, I repeat that I said at that time that there had been 22,000 cases tried by courts-martial and about 370,000 summary cases since the war had commenced. Many gentlemen doubted that we had had such a large number. I also said that in the cases tried in Texas there had been executions held before there had been any review of the cases, and yesterday before a committee of another body the gentleman in command of the Judge Advocate General's office testified to the truth of both those statements. What are the facts? How is a court-martial proceeding started, and how does it work out? The general in command of a division selects the men to make up the court-martial, and the officer making the complaint appears before it. The defendant is usually represented—as occurred in France, where two men were permitted to plead guilty to having slept on their post, a death sentence—by a second or a first lieutenant.

Then what happens? After the testimony has been taken the soldier defendant is not informed whether he has been found guilty or what the judgment of the court is. He is kept in the dark and weeks and months will elapse before the defendant, who is a soldier, will know exactly what took place. We know very well what occurs when an officer is under a general in a division and he happens to be one of the court-martial. They usually are. If the general in command of the division desires a conviction to be had you will find that there is a conviction, and then who reviews it? The general selects the officers composing the court-martial, and if he is not satisfied with the findings or sentence he directs the court-martial to reconvene, and then, usually, the court follows exactly what he wants.

Mr. RAGSDALE. Mr. Chairman, surely the gentleman does not mean to say that the officers who compose the Army that has just been in France, and who are still there, after trying a man vote conviction because the superior officer wants them to convict an innocent man?

Mr. SIEGEL. Let me say to the gentleman that the records tell their own tale—that there have been cases which have been brought to public attention lately where the President himself had to interfere, where men were allowed to plead guilty and the death sentence was even imposed; but I am not discussing theories now, I am discussing facts.

Mr. RAGSDALE. No; but if the gentleman will pardon me, he has been charging here that where commanding officers selected officers under him to have a court-martial that if a superior officer wanted a conviction that these officers would give it to him.

Mr. SIEGEL. I want to say right now to my friend from South Carolina that I am not discussing theories; I am discussing facts. Gen. Ansell testified before the committee, and the records down at the Mills Building in Washington tell their own tale. No matter how it may have happened, these things did happen.

The most humiliating part of the story of this war is that 22,000 men were convicted, and the impression I have stated

exists. I do not pretend or claim that they were all innocent, but there was a sufficient number of innocent men to warrant a change of procedure. Gen. Ansell himself understood the injustice of these courts-martial. I want to say to the gentleman further if he wants a series of cases all he has to do is to read the testimony that has been taken here only yesterday. I regret exceedingly that under a point of order my amendment to relieve conditions can not be considered.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SIEGEL. I ask unanimous consent to extend my remarks in the RECORD on this quetsion.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. SIEGEL. I hope that the Members of the House will read very carefully the following, from one of our daily newspapers:

Brig. Gen. Ansell's office has passed on some 18,000 or 20,000 cases. The charge of extreme harshness resulting in cruel and unjustifiable sentences was based on a sufficient number of cases, he said, to justify the general indictment. His plea to the committee carried conviction. He declared that the method of administering justice is the greatest weakness in the Army system and endangers the success and efficiency of the establishment. The American method of administering justice is more severe and less judicial than that of European armies, and is fundamentally wrong, he declared.

The witness asserted that the continuation of the system would bring into disrepute the sacred functions of justice and law administration. * * * *

As outlined by the Judge Advocate, the following is a brief summary of the mode of procedure and the status of the courts through which thousands of American soldiers have received sentences so harsh that Congress is called upon to see to it that a great many of them are revised in the interest of mere justice, if not for humane reasons.

Any military commander can order a court-martial. He selects the officers who sit on it. The accused is given a counsel, who may be a second lieutenant who has no knowledge of the fundamentals of the common law or judicial procedure. A sentence of guilty is handed down on the finding of the court. The soldier has no appeal. The Judge Advocate General has no power whatever to revise. He may advise the Secretary of War or the Chief of Staff, but neither of these is bound to accept his advice, even when he and every lawyer of his staff are sure that there has been a grave miscarriage of justice.

Apparently the views of Brig. Gen. Ansell were not favorably received by the War Department, but the brief he submitted to the committee was absolutely convincing in fact and in logic. The War Department takes it for granted and acts on the assumption that courts-martial are "executive agencies" to carry out Army orders. The contention of the Judge Advocate was that if these courts are mere executive agencies, the men tried in them are convicted under these orders applied by professional soldiers and not by men who understand the fundamental principles of the common law.

The committee was urged to have Congress remedy a grave evil in the national system. If a court, he said, can try a man for life and limb, then the trial should be conducted along lines which guarantee to the accused every protection and eliminate the personal element and the caprice of a military commander. It is a travesty on justice, he declared, that the Chief of Staff or the President should be called upon to reverse a judgment or lessen the penalty when that sentence or penalty in the first instance was not based on law and reason. In the latter case, he said, it should never have been imposed. In too many instances the court, he said, merely registers the wishes of the commander who convened it.

The witness agreed with members of the committee that the final tribunal to dispose of and revise all cases where the lives of soldiers should be put in jeopardy is not a Chief of Staff or a Secretary of War, but a tribunal independent of these officials, and with full discretionary powers for the administration of justice. This could be secured by giving the Judge Advocate's office not merely power to advise some military chief ignorant of legal procedure and evidence, but power to carry out its decisions. This is precisely what the Chamberlain bill proposes to do.

Cases were submitted to the committee which appeared almost unbelievable to the members if it were not for the fact the Judge Advocate had examined them. Sentences of 40 years, 30 years, 20 years with hard labor and a dishonorable discharge were frequently imposed in cases where the penalty in peace time never went beyond months. Often these sentences were cut down, but the very fact that they should be imposed here in the United States for offenses which were not heinous in view of all the circumstances illustrated, the Judge Advocate said, the weakness of the system under which it was possible.

A special case in which the soldier was dishonorably discharged, forfeited all pay, and received a sentence of 30 years in the penitentiary (a sentence afterwards reduced), revealed the following facts composing the human equation: A raw country boy, the only son of parents in humble circumstances, absented himself without leave, staying away for several months. He returned to his command, was court-martialed, and punished severely for desertion.

Heavy sentences for trivial offenses, dishonorable discharges, which meant a yellow sheet for life, occurred with such frequency that the judge advocate said the very value of a dishonorable discharge as an instrument of discipline had been impaired. The penalty for sleeping on duty is the firing squad, but, as Brig. Gen. Ansell pointed out, there is a difference between sleeping while guarding Government canvas in Texas and guarding a line of trenches 30 yards from the enemy.

Mr. BURNETT. Mr. Chairman, I have no doubt but what the gentleman from New York [Mr. SIEGEL] has stated the facts, and Gen. Ansell, when he made the statement credited to him in the Washington Post to-day, showed that he himself was a party to the crime. Any man who would sit by as an Assistant Judge Advocate General and see men convicted under the circumstances that Gen. Ansell detailed must either be a coward or an incompetent weakling. [Applause.] Now, there is no use talking about it. I think he stated facts about it, and there have been committed the enormities and atrocities by men on courts-martial which have been winked at by Crowder, and perhaps by the Secretary of War himself. These outrages are only equaled by the atrocities that the Huns themselves committed. It is infamous. The statement of Ansell shows the wickedness in the War Department among these petty officers, some of whom no doubt were men from civil life who never made $50 or $100 a month, and who tried men and sent them to Leavenworth Penitentiary for years, and yet the men higher up of this department are the ones who are responsible and ought either to be impeached or court-martialed themselves.

Mr. GALLIVAN. Will the gentleman yield?

Mr. BURNETT. I do.

Mr. GALLIVAN. I do not believe for a shadow of a moment the gentleman means to do Gen. Ansell an injustice. I understand that Gen. Ansell discovered these outrageous things that the gentleman discusses, and which we all believe were outrageous, and that Gen. Ansell is entitled to the thanks of the people of this country instead of condemnation. He is the man who brought this thing out in the open.

Mr. BURNETT. When did he do it?

Mr. GALLIVAN. He did it when the cases came to the department.

Mr. BURNETT. Why did he not appeal to the President——

Mr. GREENE of Vermont. Perhaps he could not get a passport to get to the President. [Laughter.]

Mr. BURNETT. Why did he not appeal to Gen. Crowder, why did he not appeal to the President to vindicate him, why did he go on here until he was called before a committee of the Senate to do it? Now, if he had been a brave man and an honest man, he never would have held the place that he held with these atrocities and wickedness being perpetrated by men in high life. You can not get around it, gentlemen. He is a party to the crime; there is no doubt about it.

You can not dodge it. Only within the last few days I received a letter from a constituent in my own district stating that his son had been sent to Leavenworth for 20 years because he was absent for eight days to be at the bedside of his dying mother. Those things are done, gentlemen. But who has done it? Gen. Ansell is responsible; Crowder and the whole bunch of them; Crowder, no doubt, more than any of them. Do not try to throw it on one man, but hold the whole lot of them responsible. Let the responsibility fall where it ought to fall, gentlemen, and not upon any one man.

My son was a "buck private" at Camp Pike, and he said that he would rather risk his chances with West Point officers than with the insignificant little lieutenant, captain, or major that had not made $50 a month in civil life, in order to make a show and hold his position as a petty officer in the ranks.

There is where the responsibility lies, gentlemen, and these little tyrants ought to be dismissed. They ought to get rid of these captains and these colonels and these majors, and these men like the ones my friend from Mississippi [Mr. HUMPHREYS] talked of the other day, who felt it was beneath the dignity of an officer to allow a private to ride by their side in an automobile.

Let us place this responsibility on the men in high life. Pershing, on the other side, is responsible. You Republicans talk about running him for President [laughter] when he is primarily responsible for the infamies that are being committed in France by those martinets over there. My friend from Massachusetts [Mr. TREADWAY] has talked about the mails not being delivered to the soldiers. Pershing could have seen that they were delivered. He is responsible at last, and let the blame fall where it ought to fall. He could have had fair treatment to our brave boys over there if he had wanted to.

Mr. Chairman, I wanted to deliver myself of this little speech that has been in my system for several days. The Huns never treated their soldiers as brutally as some of our Army officers have treated some of ours. [Applause.]

Mr. KEARNS. Mr. Chairman——

The CHAIRMAN. The gentleman from Ohio [Mr. KEARNS] is recognized.

Mr. DENT. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. DENT. How much time does the gentleman from Ohio desire?

Mr. KEARNS. Five minutes.

Mr. DENT. Then, after the expiration of five minutes I ask that the debate on this paragraph and all amendments thereto be closed.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] asks unanimous consent that at the expiration of five minutes

the debate on this paragraph and all amendments thereto shall be terminated. Is there objection? [After a pause.] The Chair hears none. The gentleman from Ohio [Mr. KEARNS] is recognized for five minutes.

Mr. KEARNS. Mr. Chairman, I think the gentleman from Alabama has unjustly attacked Gen. Ansell. It is my advice that Gen. Ansell is responsible in a great part for the amendment that the gentleman from New York [Mr. SIEGEL] has introduced here as a part of this bill. Gen. Ansell is in a position to recognize that the ordinary court-martial is worse than a travesty upon justice, and for that reason he was instrumental in preparing this or assisting in the preparation of this amendment. And it seems to me that if anybody should be censured we ought not to go farther than the floor of this House, but censure the man who makes the point of order against this, when all men who have made any investigation of the courts-martial that have been carried on during this war know that they are an absolute disgrace to the Army.

I had occasion to read the testimony in a court-martial the other day. There was only one witness who took the stand. He was a major. A young officer was appointed to defend. After the major testified for the prosecution the defense rested its case. I read the speech that he made in defense of his client. In substance, it was like this: "When I undertook the defense of this man I thought I would be able to prove his innocence. I was told by the defendant a story that, if true, would have shown that this boy was absolutely innocent of the charge against him, but when the major testified I would not insult an officer of this Army by putting in testimony the word of a private soldier that would dispute the testimony of that officer, and for that reason I did not allow the defendant to testify, or his three or four companions, who would have testified to his innocence."

That case is on file in the Judge Advocate General's office in this city. That young officer who undertook the defense of this man was seeking a promotion, and he was wanting it through the recommendation of this major, and within a very few days after this memorable speech he got the desired promotion.

Mr. FIELDS. Will the gentleman yield?

Mr. KEARNS. Yes.

Mr. FIELDS. Would the gentleman mind giving the name of this man who made this defense?

Mr. KEARNS. I have the name in my pocket. I will furnish it to the gentleman.

Mr. FIELDS. Put it in the RECORD.

Mr. KEARNS. I may later.

Mr. DOWELL. Will the gentleman state whether or not that major is still a member of the Regular Army?

Mr. KEARNS. I do not know anything about the major.

Mr. BURNETT. He has been promoted, has he not?

Mr. KEARNS. I am talking about the young officer who defended this man in the able manner I have just indicated.

Mr. RUCKER. Who betrayed him.

Mr. DOWELL. And he was promoted?

Mr. KEARNS. Within a week after the defense.

That is only one instance in many. I have another case in mind where a young officer was defending a man charged with some military crime, and the evidence as he was bringing it out in the trial of the case was pointing to the guilt of some officer. He was asked not to pursue that line of questioning any longer. This young officer refused. He said, "I am defending this man, and I have nothing to do with the officer whose reputation is being brought in question."

And that young officer, because of his refusal to protect the other officer, because he insisted upon defending his client, was taken out of the case during its progress and another officer substituted who would not bring out the facts, but allowed his client to be convicted.

Mr. RUCKER. Mr. Chairman, has the gentleman those names?

Mr. KEARNS. I have.

Mr. RUCKER. I think they ought to be put in the RECORD to show the whole world what was done.

Mr. KEARNS. I will not give the name of the officer, but I will say to my friend from Missouri that that young officer, although he is one of the best medical men in the Army—I do not care where he comes from—has never gotten higher than first lieutenant, and he volunteered at the beginning of this war, and is in France now. He has never been able to get a promotion, simply because he insisted upon defending his client. I hope the gentleman from Alabama will not make the point of order and will allow this House to rewrite the law pertaining to courts-martial.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. DENT. Mr. Chairman, I move to strike out the last three words.

Mr. MANN. The debate is closed.

The CHAIRMAN. The debate is concluded, under the unanimous-consent agreement. The Clerk will read.

The Clerk read as follows:

For commutation of quarters and of heat and light to commissioned officers, warrant officers, members of the Nurse Corps, and enlisted men on duty at places where no public quarters are available, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty, $4,821,150.

Mr. RAGSDALE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from South Carolina moves to strike out the last word.

Mr. RAGSDALE. Mr. Chairman, I do not propose to attempt to defend here any of the irregularities or injustices that have been done to men in the service by officers, but I will not permit to go unchallenged here the statement made on the floor by the gentleman from New York [Mr. SIEGEL] that the highest officers in our Army, who had charge of the men, who had charge of the handling of the men, who had the right to put them in the places of danger and to see that they were taken care of abroad, and who had commanded confidence from younger officers all down the line—I can not permit it to go unchallenged here, when it is charged against these high officers, graduates of West Point, men who have grown up in the service and who, as they have lived their lives, have shown a proper respect for that flag and the institutions that they were sent over to defend, that they would select young officers, inexperienced men, and tell them to adjudge guilty the men brought before them, without regard to their innocence or guilt.

Injustices were done. The record shows it. Mistakes were made, but it is incomprehensible, to my mind, that these high officers, with this tremendous responsibility, would select these men and pack the jury against innocent privates who were under their control.

Whatever mistakes may have been made, whatever injustices may have been done, Mr. Chairman, I can not believe that the high officers of the American Army whom I have been taught to respect were so unmindful of their duty to the flag, to the Constitution, and to our people that they would under any conditions have inflicted this tremendous outrage, infamy, and injustice on the men under their command.

Mr. HUMPHREYS. But they did it just the same.

Mr. KEARNS. Yes; they did it.

Mr. SIEGEL. Mr. Chairman, I have heard the gentleman from South Carolina [Mr. RAGSDALE]——

Mr. DENT. Mr. Chairman, how much time does the gentleman desire?

Mr. SIEGEL. I would like to occupy about five minutes.

Mr. DENT. I ask unanimous consent that at the expiration of five minutes the debate on this paragraph and all amendments thereto shall close.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that at the expiration of five minutes' debate on this paragraph and all amendments thereto shall terminate. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. SIEGEL. Mr. Chairman, I have heard the gentleman from South Carolina [Mr. RAGSDALE] speak here, and I was just thinking whether, if the gentleman from South Carolina had read the record of some of these cases he would have spoken as he has. I admire the wonderful deeds performed by our men as much as he does. I just wonder whether he believes that there should have been an execution of those young men in Texas within a few hours after they were found guilty, without a review? I wonder whether he believes that men should be condemned to death, as they were in Leavenworth, and not be informed for months which of the 12 were to die and which one of the 11 was to live? I just wondered whether in South Carolina they do not try and defend men before an impartial tribunal when they are charged with crime?

I just wondered whether in South Carolina an excuse would be offered for the outrages that have been perpetrated in the 22,000 cases tried, and the thousands of whom have been sentenced to 10 or 20 years for the most minor offenses. One of the cases which has been mentioned was on account of a package of cigarettes, and the man was sentenced to 40 years. That is the evidence adduced before a committee of the other body at the other end of the Capitol.

Now, I know that the gentleman from South Carolina, and the other gentlemen here who seem to take offense when the true facts of these cases are told, do not desire to be unfair, because they are all fair-minded men who are dazed at what is being exposed to their view.

Mr. BURNETT. Will my colleague yield?

Mr. SIEGEL. Certainly.

Mr. BURNETT. If these higher officers assent to these sentences, are they not just as guilty as the subordinate officers whom they themselves appointed?

Mr. SIEGEL. Some people would designate it as a system—the same as a police system which existed in certain cities for a long time.

Now, just a word about Gen. Ansell. Great credit is due to Gen. Ansell. He had a number of disputes about these cases, and he was the man of all the men who had the pluck and the nerve and the courage to come out and say that the grossest kind of injustice was being done. All he could do was to protest in the department, and I will say that it is due to Gen. Ansell's intervention in certain cases as the result of reviews by him that certain young boys 18 or 19 years of age are now alive. That does not relieve him or any other officer of the great responsibility of judging men and judging them rightly.

Mr. BURNETT. Will my colleague yield?

Mr. SIEGEL. I will.

Mr. BURNETT. If Gen. Ansell knew that these Hunlike atrocities were being permitted, and kept quiet about it, is he not just as guilty as the men who committed them?

Mr. SIEGEL. I do not think Gen. Ansell kept quiet. I think he did all he could do under the circumstances.

Mr. BURNETT. When did anyone ever hear from him?

Mr. SIEGEL. He has protested for months.

Mr. BURNETT. To whom has he protested?

Mr. SIEGEL. He has protested publicly. The attention of the American Bar Association was called to these serious cases months ago.

Mr. BURNETT. Did he call attention to what the War Department was doing with these cases and criticize those men who were responsible for them?

Mr. SIEGEL. Yes; he did criticize certain men pretty strongly.

Mr. BURNETT. Why did he not resign from that crowd of Huns there who were doing these things?

Mr. SIEGEL. I do not think I would have resigned.

Mr. BURNETT. I would.

Mr. SIEGEL. I would have stuck it out and have seen that justice was being given to the soldier boys.

Mr. BURNETT. But he did not do it.

Mr. SIEGEL. That is what he did against the greatest odds.

Mr. HUMPHREYS. Is it not a fact that Gen. Ansell went to the President and interceded in behalf of some of these boys?

Mr. SIEGEL. He did. He saved the two boys who were ordered to be executed who had pleaded guilty of sleeping on post, one of whom had just come out of a hospital. If you find the time, I suggest that some of you go down and spend a couple of hours in reading some of these cases.

Mr. FLOOD. I have always given Gen. Crowder credit for saving those two boys.

Mr. SIEGEL. If I am correctly informed, Gen. Ansell was the man who did it.

Mr. GORDON. That is right.

Mr. BURNETT. What was Gen. Crowder doing all that time? He has just been confirmed.

Mr. SIEGEL. Gen. Crowder was busy with draft matters, and he handled them pretty successfully.

Mr. BURNETT. Then, why did he not resign as Judge Advocate and let somebody else handle those cases?

Mr. SIEGEL. I can not state what actuated another man's actions. All I can say is that if any of you believe that the truth has not been told in the other body, before their committee, in the newspapers, and here, all you have got to do is to go down to the Mills Building and spend a couple of hours reading some of those cases. They will satisfy you that all we are asking for as men, as citizens, and as Members of Congress is that a fair deal be obtained for these thousands and thousands of men who have been unjustly convicted and are now unjustly confined. The American people will be satisfied with nothing less. It is the duty of the press of the country to continue to arouse the Nation to see that justice is obtained.

Mr. DENT. Mr. Chairman, just a moment on a motion to strike out the last word. I do not think this House ought to undertake to try any Army officer on an appropriation bill, and that is exactly what we have been doing, trying this man and that man here. The House ought not to try them by that sort of procedure, and I hope gentlemen will proceed with the consideration of this bill.

Mr. CRAMTON and Mr. DOWELL rose.

The CHAIRMAN. Does the gentleman from Alabama yield; and if so, to whom?

Mr. DENT. I yield to the gentleman from Iowa.

Mr. DOWELL. I want to know if it is not true that when a court-martial is organized a Regular Army officer is usually at the head of the court-martial?

Mr. DENT. That is my information, in a general way.

Mr. DOWELL. Then the statement of the gentleman from Vermont that these cases were all tried by inexperienced men is not correct?

Mr. GREENE of Vermont. Will the gentleman permit a brief answer? In the first place, I did not make any such statement as the gentleman says I did. I object to the words being put into my mouth.

Mr. DOWELL. The statement was made that they were principally, or in many instances, all men of inexperience.

Mr. GREENE of Vermont. Which was true.

Mr. DOWELL. I am inquiring whether the courts-martial were headed by a Regular Army officer?

Mr. DENT. As far as that was possible, that is my general information.

Mr. DOWELL. Then, notwithstanding the statement of the gentleman from Vermont, while it may, perhaps, be technically correct, there is a Regular Army officer at the head who has general observation and knows all that is going on. He is at the head of the court-martial.

Mr. GREENE of Vermont. I do not know where the gentleman from Alabama gets the basis for his statement. I do know that under the court-martial law that I used to be familiar with that would not be the case at all. It was one of the provisions of the old court-martial law that an officer should be tried by officers taken from his own service. A volunteer officer was not tried by a court-martial of Regular officers, but by Volunteers. I think my friend from Mississippi, who served 20 years ago, knows that that was the law. Not only that, but the president of the court-martial does not have any more power in the decision than does any other member of the court.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOWELL. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DOWELL. I want to challenge the statement or apology offered by the gentleman from Vermont for these officers—that these courts-martial were composed of inexperienced men who were not accustomed to the Army regulations. The chairman of the committee has disclosed that these courts, or practically all of them, were headed by a Regular Army officer, and this puts a different phase upon the situation. These, I take it, were not inexperienced men, and the inexperienced men referred to were not entirely responsible for the punishment. If these boys were tried, convicted, and punished by courts-martial headed by officers of the Regular Army, who know these regulations, these officers at least consented to all that was done by way of punishment.

I have taken just a few moments of time because of the apparent apology that was offered for the outrageous punishments referred to in this debate and which it was intimated were inflicted by inexperienced officers. But the chairman of the Military Committee has revealed the fact that a Regular Army officer has usually sat in judgment.

I want to say that no officer can excuse himself that any of the lesser officers have been derelict or unfaithful to duty if he has sat quietly by and suffered these boys to be punished unjustly. I am not ready to excuse the officers even if they did put inexperienced men on the courts-martial to try these cases, because when these boys have given their services to their country they at least should have a fair and impartial trial before conviction and punishment.

Mr. FIELDS. You have inexperienced men on the juries in civil courts.

Mr. DOWELL. Yes.

Mr. FIELDS. But they do not inflict any such penalties as we see here.

Mr. DOWELL. No. And it is the proud boast of this country that every man, whether he be guilty or innocent, shall have a fair and impartial trial, and I submit that we at least ought to have given these boys the same privilege and opportunity that we ask for every American citizen everywhere. I believe, and it is the belief of the American people, that these boys should have had a fair and impartial trial.

Mr. LOBECK. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. LOBECK. These men that have sat on the courts-martial have had the highest indorsement probably from you and from others.

Mr. DOWELL. I do not care what their indorsements may have been, the Army officers who sat with them and above them knew what they were doing. I care nothing about their indorsements. They have failed to perform their duty, and it was the duty of the officer above them to see that the duty was performed, especially when it came to punishing the boys who had given their services to their country to win this great world war.

Mr. LOBECK. And these men who sat on these juries were men that got their positions through the influence of the gentleman and men of his kind, and they are citizens of this country.

Mr. DOWELL. No; under the Army Regulations no man could get a place there unless he came within the regulations.

Mr. LOBECK. How did he get into the training school?

Mr. DOWELL. By reason of the law enacted here.

Mr. LOBECK. And by indorsements of men of the gentleman's high character?

Mr. DOWELL. The Congress adopted a law by which they were admitted to the service. That is the way they came in; but what I am trying to get at is to show that some one, at least, in the service was responsible for seeing that a fair and impartial trial was given, and the blame should not rest on these so-called inexperienced officers.

The Clerk read as follows:

For pay of one computer for Artillery Board, $3,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. What services are performed by this so-called computer?

Mr. DENT. Mr. Chairman, I have been asked that question a great many times and have asked it myself so many times that I ought to remember it by heart, but I must confess that I have forgotten the answer.

Mr. STAFFORD. So have I, or I would not have burdened the gentleman for a further explanation.

Mr. DENT. It has been in the bill for some time. He is an experienced map maker and topographer in connection with the Coast Artillery work, but it has been in the bill for years.

Mr. STAFFORD. You have increased the salary $500 this year?

Mr. DENT. No; I do not think so. The salary is the same.

Mr. STAFFORD. Then it was not the intention of the committee to increase the salary?

Mr. DENT. No.

Mr. STAFFORD. Mr. Chairman, I believe that the salary paid to this computer was $2,500 last year As it was not the intention of the committee to increase the salary, I make the point of order against the increased salary.

The CHAIRMAN. Was that salary fixed by law?

Mr. DENT. I understand that it is. I move to amend the bill by striking out the "$3,000" and inserting "$2,500."

Mr. STAFFORD. Then I withdraw the point of order.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 21, line 8, strike out "$3,000" and insert "$2,500."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For amount required to make monthly payments of $100 to John R. Kissinger, late of Company D, One hundred and fifty-seventh Indiana Volunteer Infantry, also late of the Hospital Corps, United States Army, $1,200.

Mr. MANN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 22, after line 4, insert as a new paragraph the following:

"That the estate of the late Capt. Belvedere Brooks, of Company B, Three hundred and eighth Infantry, be, and it hereby is, relieved from accountability or responsibility for the sum of $173.26 lost or destroyed by an act of the enemy when the said Capt. Belvedere Brooks, in whose possession it was, was killed in action on or about the 21st day of August, 1918; and that Capt. Samuel I. Zeidner, assistant division quartermaster, Capt. C. W. Gaylord, and Lieut. John V. D. Bebell, Three hundred and eighth Infantry, his agents in the transmission of said money to said Capt. Belvedere Brooks, be, and they hereby are, likewise relieved."

Mr. DENT. Mr. Chairman, I reserve the point of order on that.

Mr. MANN. Mr. Chairman, this is a bill which was sent to the House by the Secretary of War and referred to the Committee on Military Affairs on February 3. Doubtless that committee has not had a chance to examine it. The Committee on Military Affairs would not have authority to report such a bill anyway, as it is a private claim. I am not interested in the case. I merely picked this up. The Secretary of War Says:

From evidence on file in the department it appears that Capt. Brooks had on his person when he was killed in action $173.26 belonging to the United States, and that the money was destroyed in the explosion that killed him. This money was paid over to him for the pay of the members of his company for the month of May, 1918. Some of his men were away from the company, and he was killed before he could get the money delivered to them. The officers mentioned in the bill are responsible or accountable for the funds, and legislation is necessary to relieve them therefrom.

I think the estate ought to get immediate relief.

Mr. DENT. Mr. Chairman, I will state to the gentleman from Illinois that the War Department submitted a great many private claims, perhaps some of them not as meritorious as that.

Mr. MANN. As private claims, that is true, but here is a case transmitted with a bill requesting that it be enacted. I think the others ought to be enacted, but this is not in the list.

Mr. DENT. I will make the point of order for the present, as I would like to look into it.

Mr. MANN. I shall not renew the amendment. I do not think the gentleman ought to make the point of order against relieving the estate of a man who had some money, which was blown up when he was blown up in battle.

Mr. DENT. We do not know how many cases there are——

Mr. MANN. What difference does that make? We know of this case. This case stands on its own bottom. I do not know the people.

Mr. DENT. Very well, I withdraw the point of order.

Mr. DIES. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Texas makes the point of order. Does the gentleman from Illinois desire to be heard?

Mr. MANN. It is subject to the point of order, but I hope the gentleman from Texas will not make it.

Mr. DIES. Oh, I do not see the reason why some particular person's claim should be picked out to go on the military appropriation bill. There are probably thousands of private claims equally meritorious. It is a bad way to legislate.

Mr. MANN. Very likely. This claim was sent in the form of a bill to the Secretary of War and should have been referred, of course, to the Committee on Claims.

Mr. DIES. Precisely. There are doubtless hundreds of thousands equally as meritorious claims that probably ought to go to the Committee of Claims.

Mr. MANN. But it was referred to the Committee on Military Affairs. Now, after all, there is no question about the facts.

Mr. RUCKER. It merely releases the estate from liability?

Mr. MANN. It does not pay out money, but it is the same thing. The money was blown up when the man was blown up.

Mr. DIES. As I say, there are thousands of cases equally as meritorious as this case. I am sure the gentleman from Illinois would not want to lumber up this bill, an appropriation bill, in this way with a private claim——

Mr. MANN. I put the amendment here where we have already proposed to pay various other people in accordance with the law a certain amount of money. Let the gentleman's heart relent; I do not know the people——

Mr. DIES. I am sure I do not see why this claim should be picked out to go into this appropriation bill in contradistinction with other claims, and I make the point of order.

Mr. MANN. If it created a precedent, it would create a very good one. If there are a lot of other claims like this, they ought to be disposed of.

Mr. DIES. There may be 100,000 meritorious cases that do not happen to have the ear of the gentleman from Illinois or some other Member of Congress, and there is no good reason why this particular claim should go in this bill.

Mr. MANN. I will say that this claim does not have the ear of the gentleman from Illinois. This is a letter transmitting it from the Secretary of War, which I picked up in the ordinary course of business, without knowing any of the people at all, and it is the only one of the kind I have seen. I aim to look at all of them, maybe not very carefully. It may be that there are thousands of others, but I do not know of any other claim like this——

Mr. DIES. Mr. Chairman, I am not the guardian of the Committee on Military Affairs, and if the chairman of that committee and the members of it want this sort of legislation on their bill I withdraw the point of order.

Mr. DENT. I will not make the point of order.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage to commissioned officers, contract surgeons, expert accountant, Inspector General's Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, shall be disbursed and accounted for as pay of the Army, and for that purpose shall constitute one fund.

Mr. FIELDS. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FIELDS: Page 22, at the end of line 11 insert:

"*Provided*, That no part of the funds herein appropriated shall be applied in payment of the salary of any officer of the Army of the United States who shall promulgate or cause to be promulgated any order prohibiting social intercourse between officers and enlisted men of the United States Army while not on military duty or that will in any way establish or attempt to establish social or class distinction between officers and men or between officers of different ranks while not on military duty: *Provided*, That this limitation shall not apply to officers whose only connection herewith is in obedience to an order of a superior officer."

Mr. DENT. Mr. Chairman, I reserve a point of order on the amendment.

Mr. FIELDS. Mr. Chairman, if the amendment is subject to the point of order, I hope that the gentleman from Alabama will decide not to make the point of order.

Now, we have heard and are hearing a great deal of complaint from the boys who are coming from France and from the camps throughout this country. In fact it is a lamentable fact that there is as much complaint as there is, because these complaints are, unfortunately, bringing the Army of the United States into disrepute before the people of the country. The people resent these orders, and unless the Congress begins to take action to show its disapproval of such action on the part of officers the people of the country will hold the Congress responsible, and properly so.

An order was read in the RECORD a few days ago that was issued at Camp MacArthur, Tex., which prohibited officers from associating with men while not on military duty. That order was not authorized by military regulations, as is shown by the statement of the Secretary of War contained in Senate Document No. 154, which I hold in my hand. But yet Maj. Woolworth, major of Infantry in the United States Army, and Maj. E. E. Lambert took it upon themselves to issue an order which even made it impossible for an enlisted man to attend a theater where one of those gentlemen happened to be sitting, and caused criticism to go out all over this country against Gen. Buck, who was in command of that camp.

Mr. MILLER of Minnesota. May I inquire of the gentleman if that order was not amended immediately after it was brought to the attention of Gen. Buck?

Mr. FIELDS. It was; but that does not excuse the gentlemen who issued it. And I have an amendment that I will offer after this amendment is disposed of that will deal with those gentlemen.

There have been complaints on both sides of this Chamber against the irregularities, injustices, and even outrages that have been perpetrated by Army officers. Now, gentlemen, the time has come for Congress to begin to act as well as to talk. Do you approve this social distinction between the young men of this country who come from the best homes of the country and their officers while not on military duty? If you do, of course you will oppose this amendment; but if you believe that the boys from the homes all over this country, though they may be privates, are as good socially as their commanding officers, you will favor this amendment. Those orders have no place in any institution in a democratic Government or among a democratic people.

I would not interfere with discipline. I would not offer an amendment that would limit the authority of a commissioned officer in dealing with his men while on military duty. But when they are off military duty, when they get out in social circles, I say it is repugnant to the very spirit of our institutions to subject men to such orders as the one referred to.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FIELDS. I ask unanimous consent to proceed for five minutes, Mr. Chairman.

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I understand we wish to make headway this evening. We are going to be kept in session until 10 o'clock perhaps. Does the gentleman think it fair to continue this argument with a point of order pending?

Mr. FIELDS. I am hoping the gentleman from Alabama [Mr. DENT] will not press the point of order.

Mr. GREENE of Vermont. If he does not, somebody else may.

Mr. FIELDS. If he is going to do it I will not discuss the amendment further.

But to the point of order. The amendment provides for a limitation upon the appropriation, and I maintain, Mr. Chairman, that it is not subject to a point of order. It does not, it is true, fix a specific limitation; it does not attempt to; but if an order is promulgated by an Army officer in violation of military regulations or without authority, as this order was, or as any orders of that character have been promulgated, it does then limit the appropriation by providing that no part of the fund shall apply in payment of the salary of the officer responsible for it. And I hope that the Chair will hold that the amendment is in order.

Mr. DENT. Mr. Chairman, I make the point of order, and ask the Chairman to rule.

The CHAIRMAN. Will the gentleman from Alabama state the ground on which he thinks this amendment is not in order?

Mr. DENT. I think it is new legislation and not germane.

Mr. MILLER of Minnesota. If the gentleman will permit, if that is all he intends to say, including the argument of the gentleman from Kentucky, this is not a limitation on the appropriation. This is prescribing a penalty for the commission of an act, and that is general legislation, just as though he put a penal code in here. This does not say the appropriation shall be limited in any manner whatsoever. It simply says if a man performs an act which in his judgment he thinks he should not perform, he shall not receive any pay. It is creating an offense and prescribing the punishment therefor.

The CHAIRMAN. The Chair does not understand what offense is created by this amendment, or what punishment is fixed. A limitation, as has been often stated, deals negatively with the application of money which the House may, or may not, appropriate at its pleasure. It matters not how meritorious the subject matter may be, the House can decline to appropriate for the same. It can put a negative restriction upon the use of the money which is appropriated. We can not prescribe that money shall be used in some particular fashion, but we can provide how it may not be used. A few days ago an amendment was under consideration in the Committee of the Whole which on appeal was held to be a limitation. This amendment was as follows:

Provided, That no part of the appropriation herein shall be used unless all former ex-employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions, provided they have received an honorable discharge.

A point of order to this amendment was fully argued, and on appeal it was decided as stated above that the amendment was a limitation, although apparently it was more affirmative than negative in its character.

The amendment under consideration deals entirely with money. One of the most interesting illustrations of a limitation, pure and simple, is found in the canteen case. The language used in that amendment was as follows:

No part of this appropriation shall be apportioned to any National Home for Disabled Volunteer Soldiers which contains a canteen where intoxicating liquors are sold.

The amendment did not undertake to say that the trustees should abolish the canteen before they secured the benefit of the appropriation. The amendment did not require the trustees to do anything affirmatively, but simply contented itself with saying that in those homes where the canteen was found, the appropriation should not be expended.

What are the provisions of this amendment? It does not impose any duty upon the officers referred to. It merely declares that when an officer has done any one of the things mentioned, no part of the money appropriated shall be paid to that officer. It may or may not be a wise act on the part of the committee to agree to this amendment, but the Chair is not concerned with that phase of the situation. This amendment is simply a negative inhibition upon the use of the money appropriated. It provides that it shall not be applied under certain indicated conditions.

It does not deal with anything but money. If it is not a pure limitation, the Chair is unable to apprehend what a limitation is. Certainly if this amendment does not come within the canteen case, not to speak of the case that was decided a few days ago, the Chair would be at a loss to prepare a limitation that would be in order. In the judgment of the Chair this is a limitation, conforming to the requirements of the precedents, and the point of order is overruled.

Mr. GREENE of Vermont. Mr. Chairman, I would like to be heard in opposition to the amendment.

Mr. FIELDS. Mr. Chairman, if the point of order is overruled, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to proceed for five minutes on the merits of the amendment. Is there objection?

Mr. MILLER of Minnesota. Reserving the right to object, Mr. Chairman——

Mr. CAMPBELL of Kansas. Mr. Chairman, I did not understand the Chair to rule on the point of order.

The CHAIRMAN. The Chair overruled the point of order and held the amendment to be a limitation.

Mr. DENT. Mr. Chairman, I ask unanimous consent that all debate on the amendment offered by the gentleman from Kentucky and all amendments thereto be concluded in 15 minutes.

Mr. MILLER of Minnesota. I wanted five minutes.

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] asks unanimous consent that debate on this amendment and all amendments thereto shall terminate at the expiration of 15 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The Chair will ask the gentleman from Alabama in this connection how the time is to be apportioned.

Mr. BAER. I would like to have a couple of minutes.

The CHAIRMAN. How is that 15 minutes to be apportioned?

Mr. DENT. I will ask the Chair to distribute it.

Mr. WALSH. Reserving the right to object, Mr. Chairman, does that include the five minutes which the gentleman from Kentucky is to occupy?

The CHAIRMAN. It includes it.

Mr. FIELDS. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

Mr. MILLER of Minnesota. We can not have two requests for unanimous consent pending at the same time, can we?

The CHAIRMAN. Not if objection is made. The Chair thought the reading of the amendment would facilitate the agreement as to time, but the Chair will submit the first request. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Kentucky [Mr. FIELDS] will be read.

The Clerk read as follows:

Amendment offered by Mr. FIELDS: Page 22, at the end of line 11, insert:

"*Provided*, That no part of the funds herein appropriated shall be applied in payment of the salary of any officer of the Army of the United States who shall promulgate or cause to be promulgated any order prohibiting social intercourse between officers and enlisted men of the United States Army while not on military duty, or that will in any way establish or attempt to establish social or class distinction between officers and men or between officers of different ranks while not on military duty: *Provided*, That this limitation shall not apply to officers whose only connection herewith is in obedience to an order of a superior officer."

Mr. BARKLEY. Will the gentleman yield for a question?

Mr. FIELDS. Please make it very brief. I have only five minutes.

Mr. BARKLEY. I should like to ask my colleague if he is acquainted with any other order of this sort excepting that issued by the general at Camp MacArthur?

Mr. FIELDS. Yes; I heard of a case last summer over at Boston, where a private had come home on a furlough, and a dance was given in honor to him by his friends. An officer happened to be present, and the officer soon called him to one side and said, "Do you know who I am?" He said, "Yes." "Well," said the officer, "you evidently know what to do." And he said yes. He spoke to the young lady that he was with—and, by the way, to whom he was engaged—and told her he would have to absent himself from the hall because this officer was there, and he could not remain. He was getting ready to leave the floor when some one asked, "What is the trouble?" He told what the trouble was. Fortunately, one of the gentlemen in charge went to this officer and said, "Are you here by invitation?" "Yes, sir," replied the officer. "Well, your invitation is revoked," said the gentleman; and that is the spirit of the American people. [Applause.]

Mr. BARKLEY. The gentleman has not answered my question as to whether any other order of this kind was ever promulgated?

Mr. FIELDS. Oh, yes; this same question caused the Senate to pass a resolution in the second session of this Congress inquiring of the Secretary of War whether Army regulations authorized the promulgation of such an order. I have not the time to read the reply of the Secretary of War; but I will say to my colleague that there is nothing in the regulations that authorizes an order of the character to which I have referred, and men who promulgate orders of that kind do it without authority from the War Department. They do it without any authority except their own authority.

Now, gentlemen of the Committee, this proposition is before you. You have got to vote on it. Every home in this country will indorse this amendment. Every home in this country, unless it is the home of a commissioned officer, will condemn the order that was issued at Fort MacArthur, Tex. This amendment inflicts no penalty on Army officers. It only says to every Army officer, "The private, while not on duty, is as good as you so long as he behaves as well as you behave." It only says to the officer, "The private, like you, is an American citizen." It only says to the officer, "The private, like you, is a citizen of a democratic Government, and there shall be no class distinction between you, by executive order, while you are not on military duty."

Now, some gentlemen will attempt to argue the point, I have no doubt, that this will interfere with discipline. I am told that in France—and can we criticize her army?—the most cordial relations exist between the officers and men while not on duty, although discipline is enforced while they are on duty.

Mr. McKENZIE. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. McKENZIE. I desire to ask my colleague what he proposes to do? Does he propose to keep the officer in the Army, even after we have decided not to pay him, under this proposition?

Mr. FIELDS. That will be taken care of. He will be out of the Army if he does not get his pay, just as you and I would be out of Congress if we did not get ours. [Laughter.] I will say to my colleague that he need not worry about that. If the amendment is written into the bill, the officers will all receive their pay, but there will be no further orders of this character. The privates and officers will get together at the church; they will get together at the theater; they will get together at political conventions if they desire to do so; and will find that the world will continue to move on.

Mr. SWITZER. Will the gentleman inform me who will enforce this against the officers?

Mr. FIELDS. Does the gentleman suppose that the Comptroller of the Treasury would pay contrary to this provision?

Mr. SWITZER. I do not know.

Mr. FIELDS. That will be cared for, I will say to the gentleman from Ohio. If this amendment is written into this bill, we will not have any more orders of this character issued by Army officers. I hope that the amendment will be adopted.

The CHAIRMAN. The time of the gentleman has expired.

The Chair understands that the time is to be divided among three gentlemen, and the Chair will recognize the gentleman from Vermont for three minutes.

Mr. GREENE of Vermont. Mr. Chairman, the amendment proposed by the gentleman from Kentucky [Mr. FIELDS] invites a discussion of the whole social code. From the beginning in the Garden of Eden to the present time that code has been in process of development by the experience of mankind, and yet no one has given to the world a satisfactory definition of the word "gentleman." When you have undertaken to write into the law that you will withhold a man's pay if away from professional duties he undertakes to make class distinctions which another man can charge against him, you have opened up an opportunity for blackmail that will knock the oppressions of former days under the so-called Mann law sky high. [Laughter.] Any private soldier or enlisted man who thinks he has a grievance against an officer—for, mind you, you have not limited this to written orders—in the exercise of authority——

Mr. FIELDS. This does not apply to military authority.

Mr. GREENE of Vermont. If the officer has sought to draw a distinction in social life between a man and another soldier, a complaint can be lodged formally against the officer, and until it is settled through some court or tribunal he does not get his pay. You can see in this the handy club for blackmail. Then you come back to the old fundamental question that the world, through ages of experience, has never settled—what does constitute class distinction and what does constitute the conduct of a gentleman in social life? You are leaving it for an amendment to an appropriation bill for the first time in the history of civilization to determine that world-wide, age-old question. It is perfectly ridiculous and outrageous and the effect it will have upon the aggrieved, insolent, and defiant soldier will be to put a club in his hand that will make no end of mischief. It is going back to the same principle as is that which happened in the Russian Army as soon as they had a little liberty. The first proposition was to say that no man

thereafter should salute an officer. [Applause.] That is what you propose to do now.

Mr. MILLER of Minnesota. Mr. Chairman, should this be written into law in my judgment you might as well disband your Army. Every effort that has ever been made to regulate social affairs and groups of individuals has usually resulted in failure. But as one I have observed the Army—both men and officers—to some degree, and I think it is true and safe to say that the social station in our Army is magnificent and splendid. Now, the gentleman has cited two instances that are abhorent, and upon them he seeks to base an argument.

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. I can not yield, though I would if I had the time. Nobody indorsed the conduct of those officers. The Army itself did not indorse it. The Army itself immediately rectified the error, and what more do you want to ask? Let the officers of the Army who are gentlemen regulate the conduct of their fellow officers as they will and as they have done. I have seen privates many times at social functions and in social gatherings where officers were present, and I have had them say to me—and they would talk to me because I was not an officer—"I wish to hell I was out of here; I want to go where I can have a good time with my own crowd!" They were there—properly there—but those things regulate themselves. Let us not monkey with it here on an appropriation bill. The gentleman from Vermont [Mr. GREENE] pointed out the real vice in this amendment. It will destroy the organization and the discipline of the Army instantly, for it is an invitation to every man who either has or has not a grouch or who thinks he has to file a complaint; and what officer for a moment will know whether he is going to draw his next month's pay or not? Listen to the language and see how exceedingly difficult it is to understand, and ask yourself what you would do if you were called upon to construe it: "or that will in any way establish, or attempt to establish, social or class distinction between officers and men, or between officers of different rank."

Class distinction between officers and men! The fact that one man is an officer and the other is a private makes a class distinction, but one that does not and should not interfere in the least with their proper relations one with the other. If the officer performs the function he is appointed to perform and which he is commended for in the law, he would have to violate the very terms of this amendment which we seek to put into the law.

"Or between officers of different rank."

I suppose if Gen. Pershing, or Gen. Liggett, or Gen. March were to meet a second lieutenant, he must sit down with them, for it would not be proper for the second lieutenant to remain standing while the general is seated, and they would have to bob and bow and it would be another case of "After you Gaston. No, you first, Alphonse." [Laughter.]

Mr. DENT. Mr. Chairman, I dislike very much to differ with my colleague on the committee, the gentleman from Kentucky [Mr. FIELDS], but I do not think his amendment ought to have any place on an Army appropriation bill. I do not think the bill should be handicapped with legislative provisions of this kind. Without going into the merits of the proposition, we all know as a matter of fact there has been a distinction in caste between officers and enlisted men, but I am sure that the House at this time, with all of the trouble that we have trying to write legislation in this bill, is not willing to state what an officer shall do as to the particular caste between his grade and rank and what he shall do as to the particular caste between him and the enlisted man. It seems to me that this has no place on the bill. That is the way it strikes me, and I hope it will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. FIELDS) there were—ayes 17, noes 39.

So the amendment was rejected.

Mr. FIELDS. Mr. Chairman, I offer another amendment, which is at the Clerk's desk.

The Clerk read as follows:

Page 2, at the end of line 11, insert:
"*Provided*, That no part of the funds herein appropriated shall be applied to the payment of the salary of W. H. Woolworth, major, Infantry, United States Army, and E. E. Lambert, major, Adjutant General's department, United States Army."

Mr. FIELDS. Mr. Chairman, these are the gentlemen who issued the order that has been so much discussed upon the floor of the House. I do not approve of the order that was issued. If a gentleman in my employ issued an order of that sort, I would discharge him, and I believe that the people of the United States, if it were up to their individual will, would do the same thing.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. No; the gentleman declined to yield to me.

Mr. MILLER of Minnesota. I had only 3 minutes, and the gentleman had 10.

Mr. FIELDS. Therefore, representing the people and my own feeling, I am anxious to fire these gentlemen who issued this order, not by virtue of any higher authority, but upon their own volition. The order, it is true, was revoked by Gen. Buck two days later, but that does not excuse the gentlemen who issued it; that does not relieve the humiliation of the men who were discriminated against in social affairs because of the order. I would, therefore, discharge these men from the Army by refusing to pay their salaries, and that is the purpose of the amendment, and that is all I have to say.

Mr. GREEN of Iowa. Will the gentleman yield to me for a moment?

Mr. FIELDS. Yes; I will yield.

Mr. GREEN of Iowa. Could not my friend include also the names of those officers who have been refusing to use any statements with reference to conditions which were presented in support of discharges, if he does not think that would be a good thing? If he would, I would be glad.

Mr. FIELDS. I thank the gentleman from Iowa, and I want to say this to the committee: That I think it is time for this House to quit making charges at random. I think we should lay the blame where it belongs. We should lay the responsibility where it belongs. A few men should not be permitted to bring the Army of the United States into disrepute, and when they, without authority, commit some act that causes the people of the country to look upon the Army of the United States as a band of crooks, why men responsible should be dealt with individually, and that is what I am trying to do by this amendment. A majority of this committee have said by their votes on my former amendment that they approve of caste in the Army——

SEVERAL MEMBERS. Oh, no!

Mr. FIELDS. And if I can get recognition to offer a motion to recommit, I will give you a chance to go on record on it, because it is my intention to make a motion to recommit, with instructions that this amendment be incorporated, and that will give the Members a chance to record their votes and their sentiments before the people upon this question of social distinction which the people condemn and which you condemn in private.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BAER. Mr. Chairman, I favored the first amendment because I believed there is some social distinction, but I do not favor this amendment because I do not believe we should single out isolated cases and legislate to cover those particular cases. The condition is more general, and it is unwise to pick out two men in the Army and chastise them. It would be worse than court-martialing.

Mr. FIELDS. You would convict a whole community——

Mr. BAER. I can not yield. I favored the gentleman's first amendment because I believe the good old document stated that all men are created free and equal, but I do not believe in singling out two men in the Army and passing legislation only to cover them.

Mr. BARKLEY. Especially when their action pertains to a pink tea and when there is some substantial complaint to be dealt with——

Mr. BAER. I agree with the gentleman. I want to recite an instance that occurred recently at Camp Humphreys, where I spoke at Liberty Hut, and the first 10 rows of seats were reserved for the officers. The men could not sit with the officers, and the boys boycotted the theater the night after it was opened. I think that kind of a thing encourages junkerism and bolshevism, the very things that we are trying to destroy in this country.

I believe that this discrimination should be eliminated in our Army as far as practicable, and I believe if the gentleman will bring in the right kind of legislation into this House it will pass. We want to do away with Prussianism in our Army.

Mr. SHERWOOD. They ought to cashier some of these officers and make an example of them.

Mr. DENT. Mr. Chairman, I ask that debate on this amendment and all amendments thereto close in 11 minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this amendment and amendments thereto shall close in 11 minutes. Is there objection?

Mr. MILLER of Minnesota. Reserving the right to object, Mr. Chairman, I want to inquire whether those who are to have these 11 minutes are to be for or against the amendment or whether the time is to be equally divided?

Mr. RUCKER. Both.

Mr. MILLER of Minnesota. If it is to be equally divided, it is all right.

Mr. DIES. I will give the gentleman my views when I get my five minutes.

Mr. MILLER of Minnesota. I think it is only fair to inquire.

Mr. DIES. There will not be any doubt as to what my views are.

Mr. MILLER of Minnesota. I think it would be only fair——

Mr. DIES. I do not propose to have the gentleman censor my speech.

Mr. MILLER of Minnesota. I have not any desire to do that. I expect to listen to it with the utmost delight, and I am willing that the gentleman should have 10 minutes, if he desires it, but I am not willing to have the debate all on one side of the question and then have the debate close. I think the gentleman will appreciate the justice and fairness of that. I do not want any time. I am not going to make a speech.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The gentleman from Texas [Mr. DIES] is recognized for five minutes.

Mr. DIES. Mr. Chairman, I am very much surprised that gentlemen should complain that there is class distinction in the Army, as if any intelligent man ever lived in the world who did not know that the spirit of democracy and equality and fraternity never could live in a military atmosphere. [Applause.] I am not surprised that the nephew of the Member of Congress was not allowed to sip cocoa with his uncle in the presence of a military officer, because that spirit is the history of the world from the very dawn of time. I do not care who wrote upon it in the days that are dead and gone, they have said that this spirit, that love of the spirit of democracy, the eternal equality and fraternity of mankind, could never live and has never lived in the military atmosphere, in the spirit of military caste.

But that is not the thing, the big thing. in this bill. You have a bill here, and there is not a man in Congress, in either branch of it, that can read and understand what it means. The big thing before the American people to-day, and every man who speaks should measure his words in the full responsibility of this tremendous hour, the big thing is that you have 750,000 men under arms in peaceful United States three months after the war is over, and you can not get the boys back to the farm to till the untilled acres that lie fallow in this country. Another big thing is that you have got 2,000,000 men under arms in France three months after the Germans have abjectly surrendered their arms, laid down their weapons. You have got 2,000,000 American soldiers in France and you can not get them back home.

Mr. BLACK. Will my colleague yield for a question?

Mr. DIES. I have only five minutes.

Mr. Chairman, I measure my words when I say that I believe that the President of the United States is about to make an agreement with France and Great Britain to the effect that 400,000 American soldiers shall be left in France as a police against possible invasion by some other power. The Associated Press some days ago carried the statement that the agreement had been made that France was to keep 800,000 men, Great Britain 200,000 men, and the United States 400,000 men.

If I live, Mr. Chairman, I shall vote against this bill, unless amended so as to cut out this standing Army of 500,000 men. In the first place, the chairman of the committee and every member of the committee knows not what it means. But to me it means not the entering wedge but the consummation of a great standing Army of 500,000 men in this Republic. In 1913, 1914, 1915, and 1916 the General Staff of the Army recommended a standing Army of 500,000 men. Just a few weeks ago they went before this committee and demanded a standing Army of 500,000 men, and they wrote this camouflaged language which still gives them 500,000 men.

Mr. Chairman, the word "armistice" means a truce, but the President of the United States and Marshal Foch and every military critic in the world has said that the surrender on the 11th day of November was an unconditional surrender of the German armies. And to all intents and purposes, both in truth and in fact, this war is over. And if you have got to leave 400,000 American soldiers in France to-day, in the condition that Germany is in, you will have to leave more than that number next year and a still greater proportion in the year following. Do you know, Mr. Chairman, if I live I am going to vote against this bill?

Mr. DENT. Mr. Chairman, will the gentleman permit me to ask him a question?

Mr. DIES. Yes.

Mr. DENT. Did the gentleman vote for the conscript law?

Mr. DIES. I voted for the conscript law, and I voted to place the American Flag in defiance of the German Empire. But when the German Empire strikes her flag and lays down her arms in unconditional surrender, I am not willing to foist upon the American people a great Military Establishment in time of peace. [Applause.]

Instead of members of this committee quibbling over the fact that some Army officer thinks himself better than some private, they had better go and take the bill brought to the Committee on Military Affairs and strike from it the standing Army of 500,000 men. They neglect to state that we have 750,000 soldiers in the United States in the Army who can not get out. Let me tell you something: The American people are going to have something to say about this. You have in the Army to-day nearly 3,000,000 men. Out in my neighborhood the farms lie fallow, and the farmers demand that their boys shall be permitted to come home to make a living for their fathers and their mothers. The American people have the right to say a word, and if Army officers dominate the Committee on Military Affairs, then this Congress should take charge of this bill and demand that this thing should stop. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RUCKER. Mr. Chairman, it is rather refreshing to sit here and hear all the delightful things that have been told us in the last few minutes with reference to subordinate officers of the Army. One Member tells that after having taken a commissioned officer out for a drive, he took him to a leading hotel in this city and invited him to take a cup or glass of something with himself and his nephew, and the officer became indignant and refused to sit at the table with his nephew, and then that Member of Congress closed his speech without assuring us that he had the nerve to tell that soldier to go to hades in plain old-fashioned language. [Laughter.] Another gentleman tells us that at some time, at some place, commissioned officers held that private soldiers could not go to the theater that night, "because we commissioned officers are going."

I do not know whether all we have heard is true or not true, but I do know this—at least I think I know it—that some subordinate military officers in this Nation to-day, after only about 18 months of war, have become arrogant, dictatorial, bigheaded, and so puffed up that if something is not done they are going to swell up and bust—and I wish they would! [Laughter and applause.]

I think the gentleman from Kentucky [Mr. FIELDS] ought to include in his amendment a provision or a proposition forbidding subordinate officers who receive pay from the Federal Treasury, in bold defiance of orders issued by the War Department, to arbitrarily refuse to perform the duties devolving upon them. I think that all these little misfits who wear straps on their shoulders ought to be reprimanded and disciplined until they cease the ungentlemanly and contemptible practice of tearing up letters that Members of Congress write to them in behalf of their constituents.

I have been told that they do that. I have a letter received to-day from a patriotic citizen, a prominent physician in my district, inclosing a letter from his son now in a military camp in the United States, in which the soldier asked his father—the father sent me the letter—to request me, his Representative in Congress, to go in person to the War Department in Washington and appeal to some one in authority in his behalf in an effort to secure his discharge from camp, where, as he says, he is doing absolutely nothing, and allow him to return to his farm. "But," he says, "tell Mr. RUCKER for the Lord's sake not to write a letter to any officer at this camp, because if he does it will make the officers here sore at me." Lord, if I had my way I would tie each and every officer of that kind to the business end of a Missouri mule and make the mule kick him into kingdom come. [Laughter and applause.]

I know another case of a soldier boy who, when he enlisted in the Army, left his father's farm consisting of 600 or 800 acres of good productive land, a farm which the boy, prior to enlistment, had managed and operated for his father, because the father was not physically able to manage the farm himself; he was the only son in the family and was badly needed at home.

For months he has been down at Camp MacArthur, Tex., doing nothing most of the while but killing time. With the approach of spring this young man became anxious to return to his home on that beautiful Missouri farm and to again follow the plow and raise corn and wheat and cattle to help feed the world. Orders were issued requiring applications for discharge to be accompanied by affidavits showing applicant's connection with agriculture and the necessity for his return to his home. This soldier obtained affidavits from respectable and honorable men,

including members of the local draft board, proving that his father owns 600 or 800 acres of land; that he, the father, could not do the farm work required; and that he, the son, is the only young man on the farm, and that reliable hired help could not be obtained. He submitted his application and affidavits to one of these little puffed-up officers, and he had the arrogance, impudence, and insolence to reply, "Oh, if your father has got 600 or 800 acres of land, let him sell his land and retire. He does not need you to run the farm." There has been some discussion here of universal military training; but I have got enough of it. We want no large standing Army; we want no compulsory universal military training; we have whipped the Germans; the war is over, and the people now want their boys sent home and the great efforts of President Wilson to secure an enduring peace to become an accomplished fact. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. Mr. Chairman, there may be a great many isolated instances in which some Army officers have not acted in exact accord with the way that we would want them to act; but to try any particular officers in a debate on an appropriation bill without any hearing and without any opportunity for them to be heard, it seems to me would be an outrage. I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Kentucky [Mr. FIELDS].

The amendment was rejected.

The Clerk read as follows:

Purchase of subsistence supplies: For issue as rations to troops, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, nurses, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners, but for whose subsistence appropriation is not otherwise made), Indians employed with the Army as guides and scouts, and general prisoners at posts; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army transport service; hot coffee for troops traveling when supplied with cooked or travel rations; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army: *Provided*, That the sum of $12,000 is authorized to be expended for supplying meals or furnishing commutation of rations to enlisted men of the Regular Army and the National Guard who may be competitors in the national rifle match: *Provided further*, That no competitor shall be entitled to commutation of rations in excess of $1.50 per day, and when meals are furnished no greater expense than that sum per man per day for the period the contest is in progress shall be incurred. For payments: Of commutation of rations to the cadets of the United States Military Academy in lieu of the regular established ration, at the rate of 68 cents per ration; of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, enlisted men and male and female nurses when stationed at places where rations in kind can not be economically issued, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty, and when traveling on detached duty where it is impracticable to carry rations of any kind, enlisted men selected to contest for places or prizes in departments and Army rifle competitions while traveling to and from places of contest, male and female nurses on leave of absence, applicants for enlistment, and general prisoners while traveling under orders. For payment of the regulation allowances of commutation in lieu of rations for members of the Nurse Corps (female) while on duty in hospital, and for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners sick therein, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed $900 per annum; for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army, $120,000,000.

Mr. WINGO. Mr. Chairman, I desire to make a point of order on the word "advertising," in line 7 on page 24. That is not authorized by existing law.

Mr. DENT. I concede the point of order.

Mr. WINGO. I would not object to a reasonable sum for advertising, but under that particular section he might spend $120,000,000 for advertising.

Mr. DENT. I agree that the point of order ought to be sustained.

The CHAIRMAN. The point of order is sustained.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 24, line 14, after the figures "$120,000,000," add the following: "*Provided*, That the purchase of subsistence supplies shall not be made except after advertisement in accordance with existing law."

Mr. DENT. I will accept that amendment.

Mr. BLACK. I move to strike out the last word. I call the attention of the Chair to the fact that he has stricken out the word "advertising" in the bill, and I should like to know where there would be any money to pay for the advertising?

Mr. WINGO. Mr. Chairman, this item is for $120,000,000 for the subsistence of the Army. I will not undertake to reduce it, because I have not the slightest idea whether it is the proper amount. I trust members of the committee will listen to me in what I say now. I listened to the general debate and the questions that were answered by the members of the committee, and on reading the hearings as best I could I find that this item of $120,000,000 is nothing but an estimate, which was made up under this kind of instructions, that the chief of the finance department of the Army called upon the different departments to make estimates of the amount that would be required for an Army of 500,000 men for one year. That is the statement of the committee. That is the statement, as I understand it, that was read from the hearings, the statement of the officer who is responsible for these estimates. Is there any man in this House who knows whether or not they need all this $120,000,000? I have had it stated to me upon reputable authority that they have got enough baked beans already in warehouses to last the city of Boston for 24 hours and to last the rest of the country for 10 years. [Laughter.] Why should we make appropriations for that? They have supplies of different kinds piled up in warehouses all over this country. If they are going to demobilize the Army and cut it down to a 500,000 basis during this year, what are they going to do with these millions of supplies that they have got piled up? Are they going to sell them and throw them upon the market?

But no one with any sense of responsibility wants to move to cut down the item because we do not know. We want the boys fed. There are 500,000 men, or half a million.

Mr. SHALLENBERGER. I will say to the gentleman that he is right about the surplus supplies, except the items of subsistence, and I am glad he is not going to move to reduce it. The head of the finance department said that there will be no stock on hand by the beginning of the next fiscal year.

Mr. WINGO. Have they no coffee on hand?

Mr. SHALLENBERGER. They have now, but at the beginning of the next fiscal year it will be consumed.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. MOORE of Pennsylvania. May not that be due to the fact that the Army is disposing of supplies now—getting rid of them?

Mr. WINGO. We know it is a thankless task—we are not blind to the reputable statements that come every day about the waste of supplies in the United States Army, and the sales that are going on.

Mr. TILSON. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. TILSON. We inquired about that. In fact, the baked beans was a matter of inquiry. We were told in committee that the extraordinary supplies they have on hand are going to be put on rations—that is, they are going to be used up—and it is some time now to the 1st of July. The best information we could get was that a great many of these things would be used up, so that the amount we have here asked for would be necessary for an Army of that size.

Mr. WINGO. I hope that is true. I do not want the Army to live on "advertising," which item was in this supply section.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The Clerk read as follows:

REGULAR SUPPLIES.

Regular supplies of the Quartermaster Corps, including their care and protection; construction and repair of military reservation fences; stoves and heating apparatus required for the use of the Army for heating offices, hospitals, barracks and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts in the field and when traveling, and repair and maintenance of such heating and cooking appliances; and the necessary power for the operation of moving-picture machines; authorized issues of candles and matches; for furnishing heat and light for the authorized allowance of quarters for offices, including members of the Officers' Reserve Corps when ordered to active duty, and enlisted men, warrant officers, and field clerks, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty; contract surgeons when stationed at and occupying public quarters at military posts; for officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the act approved May 31, 1902, and buildings for similar purposes on military reservations authorized by War Department regulations; for sale to officers, and including also fuel and engine supplies required in the operation of modern batteries at established posts; for post bakeries, including bake ovens and apparatus pertaining thereto and the repair thereof; for ice machines and their maintenance where required for the health and comfort of the troops and for cold storage; ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; for the construction, operation, and maintenance of laundries at military posts in the United States and its island possessions; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under

observation; authorized issues of soap; toilet paper and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and schools for noncommissionel officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of relief maps for issue to organizations, commercial newspapers, market reports, etc.; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, and for the horses of the several regiments of Cavalry and batteries of Artillery, and such companies of Infantry and Scouts as may be mounted; for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian and Philippine Islands, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, $100,000,000: *Provided*, That the funds received from such sales and in payment for such laundry work shall be used to defray the cost of operation of said ice, laundry, and electric plants and the sales and expenditures herein provided for shall be accounted for in accordance with the methods prescribed by law, and any sums remaining after such cost of maintenance and operation have been defrayed shall be deposited in the Treasury to the credit of the appropriation from which the cost of operation of such plant is paid.

Mr. WINGO. Mr. Chairman, I desire to make some points of order on different items in the paragraph. The first item I wish to direct the attention of the Chair to is "commercial newspapers," line 9, page 26. That is not authorized by existing law.

Mr. DENT. I think the point of order should be sustained.

The CHAIRMAN (Mr. CRISP). The Chair sustains the point of order.

Mr. WINGO. The next point of order is on "market reports."

Mr. DENT. I think the gentleman is going to save a lot of money by this, and I think the point of order should be sustained.

Mr. ANTHONY. Mr. Chairman, while the items are undoubtedly subject to a point of order, yet the market report to a purchasing office of the Army is undoubtedly of very great value, and does not the gentleman think that we ought to allow a man purchasing hundreds of thousands and millions of dollars' worth of supplies to have the market reports?

Mr. WINGO. There is something in what the gentleman says. But here is the fact. In modern times a purchasing officer does not have to have any market reports. He can call on the men to submit bids and copies of the market reports.

Mr. ANTHONY. I disagree with the gentleman. I think he ought to have independent means of arriving at the proper market values of the articles that he is going to buy. I think Congress ought to furnish him with every facility of information.

Mr. WINGO. Does not the gentleman think that 90 per cent of the people can pick up the morning paper and get all the market reports that are necessary?

Mr. ANTHONY. No. Every commercial house has the benefit of the latest market advice, and I think the Army officers ought to have the benefit of the market reports.

Mr. WINGO. If they were on the market hour by hour; but they are not in just the attitude of the commercial houses buying hour by hour, and they do not need to keep up with the market to that extent.

Mr. ANTHONY. While the items are undoubtedly subject to a point of order, I think it is vitally necessary that we should give the officer the benefit of these reports.

Mr. WINGO. Here is a blanket item of $100,000,000, including everything from toilet paper to electric-light plants. If the War Department were to come to the committee and say we want so much for toilet paper, so much for towels, and we want so much for an electric-light plant, and tell Congress where they propose to erect it, so that Congress could pass upon it, I should not object. But they bring in an estimate here for $100,000,000, which is nothing but a lump-sum appropriation covering everything from market reports and toilet paper to electric-light plants, and it is not a businesslike way of spending the money that is now very scarce in the United States Treasury. For that reason I made up my mind that I was going to compel these officers to make proper estimates when they come to Congress.

The CHAIRMAN. The Chair is ready to rule on the point of order. The Chair sustains the point of order.

Mr. WINGO. Mr. Chairman, the next point of order is on the purchase of seed, on page 26, line 19, down to and including line 21—

For seeds and implements required for the raising of forage at remount depots—

And so forth. That is not authorized by existing law.

The CHAIRMAN. Does the chairman of the committee desire to be heard?

Mr. DENT. I can not put my finger on any such provision, and if the gentleman wants to strike it out, well and good.

Mr. MANN. Well, what goes out?

Mr. STAFFORD. To what phraseology is the point of order made?

The CHAIRMAN. The Chair will ask the gentleman from Arkansas to please designate the language to which he has made the point of order.

Mr. WINGO. Commencing with the words "for seeds," in line 19, and going down to and including the word "thereto," in line 22, page 26.

The CHAIRMAN. The point of order is sustained.

Mr. MANN. That would not make any sense, leaving that in that way.

Mr. WINGO. That is not the only item in the bill that does not make sense.

Mr. MANN. The item in the bill as it is makes some sense; but the way the gentleman leaves it, it does not make sense.

Mr. STAFFORD. The way it is reported by the committee makes sense.

Mr. WINGO. Then I shall make the point of order down to and including the word "irrigation," on line 24. Will that satisfy the gentleman?

Mr. MANN. That will at least make sense, whether it is sense or not.

Mr. WINGO. Then let us make something out of it. I think the word "irrigation" should be included.

The CHAIRMAN. The Chair understands the gentleman from Alabama concedes the point of order.

Mr. DENT. Yes.

The CHAIRMAN. The Chair sustains the point of order.

Mr. WINGO. Mr. Chairman, on page 27, lines 3 to 11, inclusive, I make the point of order against the proviso. It is not authorized by existing law. It provides practically for a revolving fund.

The CHAIRMAN. What does the gentleman from Alabama say?

Mr. DENT. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. MANN. Mr. Chairman, I desire to make a point of order before I lose my rights.

Mr. ANTHONY. Mr. Chairman, will the gentleman from Arkansas reserve the point of order?

Mr. WINGO. Certainly.

Mr. ANTHONY. Is it the gentleman's idea to blindly strike out items all through this bill by making points of order where the items themselves are meritorious?

Mr. WINGO. No.

Mr. DENT. Certainly that is the gentleman's idea.

Mr. WINGO. Let me answer the gentleman. The gentleman has asked what my motives are. They are to compel a cessation of the habit of the House blindly voting appropriations for the War Department without proper classification in the bill.

Mr. ANTHONY. Let me make this statement to the gentleman in regard to the items "for seeds and implements," which he seeks to strike out on a point of order.

Mr. WINGO. Very well.

Mr. ANTHONY. That enables the Government at the remount stations at Fort Kehoe, Mont., and Front Royal, Va.—I think it is—to utilize the Government lands for the raising of forage for the animals, and it has been shown to the committee that the Government makes quite a large amount by the raising of the forage on the Government land and with the Government labor at those places. That is the reason for the provision for seeds and implements. It is a practical business proposition.

Mr. WINGO. Does the gentleman say that is also true in respect to Hawaii?

Mr. ANTHONY. These are at Fort Kehoe and at Front Royal.

Mr. WINGO. What about Hawaii?

Mr. ANTHONY. I do not know about those, but I imagine they are upon the same line.

Mr. WINGO. If the War Department or if the Government has a remount depot and they can use the stock and the men they have there for certain limited operations, that will be a saving, an economy, well and good, but they come in here and hide this item in a hundred-million-dollar lump-sum appropriation. They should come in here and say that they need $2,500 for this purpose or some other sum, so that we can determine whether they are asking for an extravagant amount or not.

Mr. TILSON. Has the gentleman seen the estimates? They are in detail.

Mr. WINGO. Why do you not make a detailed appropriation?

Mr. TILSON. We never have made detailed appropriations in this bill?

Mr. SHALLENBERGER. On this particular item, $100,000,000, the amount asked for by the department was $118,000,000 plus. Now, they gave a detailed statement——

Mr. WINGO. How much is that for seed?

Mr. SHALLENBERGER. They do not say how much for seed.

Mr. WINGO. The estimate does not show it?

Mr. SHALLENBERGER. Because that item includes forage. It is to be used to provide forage, and that includes bedding, seed, and so forth, which amounts to over $21,000,000.

Mr. WINGO. And that $21,000,000 has to do with that?

Mr. SHALLENBERGER. The committee went into the matter, and, as the gentleman from Kansas has suggested to the gentleman from Arkansas, these particular men having charge of producing the forage for the War Department made representations to us that they wanted that item of seed because they could use that seed and reduce the expense to the Government on that account, and we did not think that if they wanted $100 or $200 for seed that it was necessary——

Mr. WINGO. But the gentleman from Kansas has suggested this is to cover operations at two remount establishments for the purpose of raising forage, and the gentleman here says that this is a proposition to expend $21,000,000——

Mr. SHALLENBERGER. That is for the forage item.

Mr. WINGO. Well, he says it refers to the raising of forage, and this is this item, at certain stations, and another gentleman, a member of the committee, says that it is included in the $21,000,000, and the other says it does not include it.

Mr. SHALLENBERGER. It is for horses, seeds, and so forth. The item for seed is in the general item for forage, because it is to be used to raise forage, and instead of bringing in a separate item here for a few dollars' worth of seed it is included in the item for forage, which is the great item.

Mr. WINGO. Maybe the gentleman can determine how much is estimated for seeds and implements required for the raising of forage at remount depots, and so forth.

Mr. SHALLENBERGER. That particular item is not in detail in this statement, but it was very small, but the committee was given the information of what these particular seeds were to be used for, and that was for the raising of forage.

Mr. WINGO. Mr. Chairman, I insist on the point of order; it gets more confused the more explanation I have.

The CHAIRMAN. The point of order is sustained.

Mr. MANN. Mr. Chairman, I desire to make a point of order, on page 25, line 22, to the word "construction."

The CHAIRMAN. The Chair did not hear the gentleman.

Mr. MANN. I make a point of order, on page 25, line 22, to the word "construction." It is a provision "for the construction, operation, and maintenance of laundries," and so forth.

Mr. DENT. Mr. Chairman, I concede the point of order.

Mr. MANN. I think there is no necessity for its staying in now.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to offer an amendment, but first desire to make a parliamentary inquiry. Was the point of order against the proviso sustained?

The CHAIRMAN. It was.

Mr. MOORE of Pennsylvania. Then I shall have to amend my amendment.

Mr. WINGO. Mr. Chairman, there is another point of order which I think will be conceded, and that is to the words "and so forth," in line 10, page 26.

Mr. MANN. I do not think that is subject to the point of order.

Mr. WINGO. It is commonly understood to mean kindred items of a similar nature.

The CHAIRMAN. The Chair understood the gentleman in charge of the bill to concede the point of order.

Mr. MANN. If the point of order was conceded, I have no objection, but "and so forth" is not confined to commercial newspapers and market reports. "And so forth" covers items similar to the ones named before, and without that language it is almost impossible at times to get certain things——

Mr. WINGO. The gentleman is a good lawyer, and is it not the rule of construction that where you name several of these items that that would simply include those of a specific generic class, and by putting in "and so forth" that would not extend it any?

Mr. MANN. Why, yes.

Mr. WINGO. Why is it necessary to do it?

Mr. MANN. Because it sometimes occurs——

Mr. WINGO. If the committee want it in there and it will save time, I withdraw my point of order, but that is something remarkable in a legislative bill.

Mr. MANN. Oh, no; it is a very common item in a legislative bill.

Mr. WINGO. It is still a remarkable item.

Mr. MANN. If the gentleman had been over the decisions of the comptroller and auditor, he would not think it remarkable.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 27, line 2, after the figures "$100,000,000" add the following:

"*Provided*, That purchases of regular supplies shall not be made except after advertisement in accordance with existing law."

Mr. DENT. Mr. Chairman, I agreed to accept that amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. WINGO. Mr. Chairman, I offer an amendment. I move to strike out "stoves and ranges" wherever it occurs in the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WINGO: Strike out the words "stoves and ranges" wherever they occur in the paragraph beginning on line 15, page 24, and ending with line 11, on page 27.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. WINGO. Mr. Chairman, I offer the amendment not because I desire to prohibit the Army from having stoves and ranges but because my information is that prior to the signing of the armistice they had entered into contracts for enough stoves and ranges to take care of an army of four and one-half million men. If the armistice had not been signed, this quantity of stoves and ranges would have been delivered by May 1.

Mr. McKENZIE. Will the gentleman yield?

Mr. WINGO. I would like to complete my statement, and then I will yield.

Mr. McKENZIE. The gentleman does not assume that because the word "stove" is in here that they have to buy stoves?

Mr. WINGO. I am going to get to that. I know the language is in here, because it has always been carried.

As I was saying, if the armistice had not been signed, we would have had on hand stoves and ranges for an army of that size by May 1. I understand they had so many on hand they had to build warehouses in which to house them. I do not think the Committee on Military Affairs will challenge that statement. Now, if it is true, why authorize these men, this very department that has already on hand warehouses full of stoves and ranges, to go and spend a possible limit of $100,000,000 for more stoves and ranges? I will tell you why it is put in the bill. It is put there for two reasons. First, because it has always been there, and, second, because the chief of the finance department called upon each division to report what they would need for an army of 500,000 men, and instead of checking off the things they already had in the warehouses, they put the whole estimate in there.

Mr. McKENZIE. Will the gentleman yield?

Mr. WINGO. I yield.

Mr. McKENZIE. I wish to ask the gentleman if he succeeds in striking out the word "stoves" in the next paragraph, and in the next appropriation bill it is found that it is necessary to buy some stoves for the Army, and the language is put in, he would make a point of order against it?

Mr. WINGO. Certainly not; because that does not cut any figure.

Mr. McKENZIE. Why not?

Mr. WINGO. I will not stop to argue that proposition, because the hour is too late.

Mr. MANN. The motion, as I understand it, has not been reported yet.

Mr. WINGO. It has been reported.

Mr. MANN. It was to strike out the words "stoves and ranges" wherever they occur in this paragraph. Did the gentleman indicate any place where they do occur in the paragraph?

Mr. WINGO. The word "stoves" and the word "ranges."

Mr. MANN. I find the word "stoves" in several places, but that was not the motion you reported.

Mr. WINGO. That was my motion, to strike out those particular words.

Mr. MANN. It was to strike out the words "stoves and ranges" wherever they occur. There is no such expression in that paragraph.

Mr. WINGO. My motion distinctly was to strike out those words wherever they appeared. If the gentleman wants to quibble on the grammatical construction——

Mr. MANN. The gentleman is quibbling on the construction of the bill. If he wants to offer an amendment, he ought to offer one that means something.

Mr. WINGO. When I move to strike out of a $100,000,000 lump-sum item supplies now in the warehouses, that is not quibble. If the gentleman wants to be sure of it, I will make my motion more definite and certain.

Mr. DENT. Will the gentleman yield?

Mr. WINGO. All right.

Mr. DENT. I want to ask him one question. He has been fighting this bill ever since this afternoon.

Mr. WINGO. I have not. I have been fighting unjustified items in the bill.

Mr. DENT. I want to know what the gentleman's motive is, but——

Mr. WINGO. I will answer the gentleman.

Mr. DENT. Wait a minute.

Mr. WINGO. I decline to yield longer. The gentleman can not inquire into my motives.

Mr. DENT. The gentleman has not moved to reduce the amount in any case.

Mr. WINGO. Oh, yes, I have. I will say we have no estimate here for it. As to my motive, I have stated that several times. I believe, if possible, that we should cut out unnecessary authorizations of purchases of supplies that the Army is already glutted with.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. Mr. Chairman, I ask for five minutes.

The CHAIRMAN. The gentleman from Alabama is recognized for five minutes.

Mr. DENT. The gentleman from Arkansas [Mr. WINGO] has made objection to the language used in the bill, which has been carried from year to year, and which was carried in the bill prior to the declaration of war. Some of the language, perhaps, ought not to be there, because it is not authorized by law. But the gentleman from Arkansas does not make a single objection to the amount of the appropriation. The amount of money that was authorized by the committee has been recommended by the War Department. In many cases it is a guess. Now, does the gentleman from Arkansas want us to proceed along lines where we shall not have any Army appropriation bill at all during this session of Congress? I have not had on the other side of the House any opposition to this bill. Now, does the gentleman from Arkansas propose to defeat this bill on this side of the House, simply because he wants to change the language of the bill without changing the amount of the appropriations? [Applause.] That is what the gentleman from Arkansas is up against. I hope the gentleman from Arkansas will give us some good reason why he proposes to give us any further fight on this bill.

Mr. WINGO. Mr. Chairman, will the gentleman give me a chance to reply?

Mr. DENT. I have no objection to the gentleman replying.

Mr. TILSON. Mr. Chairman, just a word in regard to this item on stoves and ranges.

Here is a good reason why that language has been in the bill for a long time, and why, in my judgment, it ought to continue in the bill: In the first place, if that language is not in the bill, an officer would not be able under any circumstances to buy a stove or range, however much he might need it. Therefore, even during the next year, while we may have such a large stock on hand, it might be possible that some officer would need to buy a stove at some isolated place.

In the estimates for "Regular supplies" that were submitted to us, covering six pages of fine print, giving the items of everything that it is expected to purchase under these supplies, there is no mention whatever of stoves or ranges. The gentleman can look through the estimates and will find no such estimate, so that evidently it was not the intention of the department to buy any stoves or ranges at all during the next year. At the same time, as the gentleman from Alabama [Mr. DENT] has just suggested, I see no good purpose to be served in striking out this language, which has been carried for many years and which might become important at any time. As I understand, the only real reason suggested for striking it out of the bill is the fear that some Army officer will rush off and spend $100,000,000 for stoves and ranges when we already have a supply of them.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. TILSON. I will yield to the gentleman.

Mr. MOORE of Pennsylvania. This question has been asked by several Members, Is it possible that the $100,000,000 appropriated in this paragraph can be used in whole for any one of the specified purposes?

Mr. TILSON. Theoretically, yes; practically, no.

Mr. MOORE of Pennsylvania. Let me ask this question of the gentleman: Is there not an element of danger in giving this blanket authority? Suppose it was possible to spend $100,000,000 for ice machines and their maintenance, although nearly 100 other items are provided for here, and we should get into an ice-machine contract that would call for a larger expenditure, until finally $100,000,000 was expended in that way. Would not the Army suffer?

Mr. TILSON. If we are to assume that Army officers are going to behave as crooks and try to waste the money of the Government without attempting to get anything of value for it, I suppose there is a possibility that for one single year they might get away with a lot of money.

Mr. MOORE of Pennsylvania. Suppose, for the purpose of the argument, we do not concede that they are crooks. Let us take the case of an armor-plate plant, such as was referred to here the other day during the discussion of the naval appropriation bill, where it was developed that we had no armor-plate factory, although the money appropriated for an armor-plate factory had been expended. That would appear to be a diversion of funds not in accordance with the appropriation.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman yield?

Mr. TILSON. If the gentleman will excuse me a moment, this estimate which is furnished to the committee indicates, as to each item, what it is expected to buy under that item; but, in my judgment, it would be unwise for us to write the details of that estimate into the bill, because it is quite probable that, looking a year and a half ahead, as the officers of the War Department must do, they would not be able to foresee just the amount of every item that they might need. They might overestimate one item and underestimate another; and if they were compelled to stick to the itemized appropriation they might have to go short of one thing which they needed while they might have an abundance of money for another thing which they did not need. In my judgment, that would be bad policy.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. SHALLENBERGER. Mr. Chairman, I just want to elaborate a little, for the information of the committee, the point that the gentleman from Connecticut [Mr. TILSON] has made. This very matter was discussed with Gen. Lord, who is the financial director of the Army, who has charge of these funds; and, replying to the questions of the gentleman from Pennsylvania, the financial director of the Army said that when Congress makes an appropriation the first thing he does is to set aside to each one of these funds upon the books of his department the exact amount of money that has been assigned for each one of these items in this bill, and he does not permit that money to be diverted until that particular sum of money has been spent for the particular thing that it is listed for upon this statement made to the committee; so that it is impossible for the thing to occur which the gentleman suggests might be done.

Mr. MOORE of Pennsylvania and Mr. GREEN of Iowa rose.

The CHAIRMAN. To whom does the gentleman from Nebraska yield?

Mr. SHALLENBERGER. I yield first to the gentleman from Pennsylvania and then I will yield to the gentleman from Iowa.

Mr. MOORE of Pennsylvania. As a general proposition the gentleman does not approve of lump-sum appropriations, does he?

Mr. SHALLENBERGER. No, I do not, but I think in this particular case at this particular time this is the most economical way to handle this matter in the best interests of the Government, and in response to the criticism of the gentleman from Arkansas [Mr. WINGO] that no consideration was had as to the amount on hand in these different items permit me to say, on the contrary, that the hearings show that we asked that particular question of the War Department, and the exact amount on hand under each one of these items is stated, making a total of $6,837,918.89. There were on hand for office supplies, books, and stationery $2,986,655.46, which we are not appropriating for; for furniture $82,770.80; for towels $468,692.80; for toilet paper $609,500, showing that the War Department did take into consideration and did credit upon appropriations the exact amount that they had on hand for each particular item. We make no appropriation for stoves, to

which one gentleman called attention, because they had sufficient stoves on hand.

Mr. STAFFORD. This particular service is under the charge of Gen. Goethals, is it not?

Mr. SHALLENBERGER. Goethals is the head of it.

Mr. STAFFORD. Gen. Goethals is the director of supplies?

Mr. SHALLENBERGER. He is director of purchases.

Mr. GREEN of Iowa. I hope the gentleman from Nebraska will not forget that he promised to yield to me.

Mr. SHALLENBERGER. I yield to the gentleman from Iowa.

Mr. GREEN of Iowa. In line with the objection made by the gentleman from Arkansas [Mr. WINGO] I want to call the attention of the gentleman to the fact that this paragraph provides in several places for the purchase of furniture for different posts and post agencies. Now, the Army has certainly got a great deal more furniture on hand than it knows what to do with.

Mr. SHALLENBERGER. Yes.

Mr. GREEN of Iowa. Notwithstanding that fact I am reliably informed that it is continuing to purchase furniture.

Mr. SHALLENBERGER. In this statement which I have here it shows that nothing is asked for under the item of furniture. Although the word "furniture" is carried in the bill, as it always has been carried, yet in his statement to the committee, showing what they expect to use the appropriation for, Gen. Lord presented no item for furniture, but on the contrary the statement shows that they have $82,770.80 worth of furniture on hand.

Mr. GREEN of Iowa. Does not my friend see that the provisions in the bill are utterly misleading to the House if that is so?

Mr. SHALLENBERGER. No; not at all.

Mr. GREEN of Iowa. Why do you have anything in the bill for furniture if you do not intend to buy furniture? Why should these officers be given authority so that they can purchase this furniture if they do not need it, when they have got all that furniture on hand?

Mr. SHALLENBERGER. Can not the gentleman see that although they have this furniture on hand the occasion might arise in the next year where some piece of furniture might be needed which was essential to the Army of the United States?

Mr. GREEN of Iowa. There can be no occasion arise at these posts as specified here.

Mr. DENT. May I make this suggestion? How would the gentleman write that item in the bill?

Mr. GREEN of Iowa. If the gentleman will permit me to put it in when I have the time, and he arrives at the end of the bill, I will prepare something of that kind, but I imagine that he will not be ready to go back. This item could be covered and ought to be covered by the committee.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Arkansas.

The Clerk read as follows:

Amendment offered by Mr. WINGO: Strike out the words "stoves, ranges" wherever they appear in paragraph beginning on page 24, line 15, and ending on line 11, page 27.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. WINGO. Mr. Chairman, I move to strike out "$100,000,000," on page 27, and insert in lieu thereof "$50,000,000."

The Clerk read as follows:

Amendment offered by Mr. WINGO: Page 27, line 2, strike out "$100,000,000" and insert "$50,000,000."

Mr. WINGO. Mr. Chairman, there was a time when a Member of this House had the recognized right to inquire into supply bills when presented to him and he was asked to vote those supplies. But, Mr. Chairman, how the times have changed. If a Member of the House has the temerity to inquire into the necessity and to move to strike out conceded unnecessary items in the bill, he at once is charged with trying to defeat the bill and questioning the integrity of the department for which the appropriation is made.

I challenge any gentleman to stand up and call attention to any criticism I have made against the War Department since the war started. Not one word of criticism has fallen from my lips to-day. The War Department is like every other department; it wants ample funds, and they think it is up to them to make the highest estimates they can and for Congress to examine and pare them down, because that has been the custom.

Far be it from me to criticize the War Department. They have had a wonderful task. Some of their officers have made asses of themselves, but we should not hold the officers who have done good work responsible for the acts of some officers that have not acted properly. They have had a great problem. But, gentlemen, the war is over and the time has come when, instead of having a billion dollars appropriated by Congress for the entire expense of the Government, we will have to appropriate two billions for interest charges, and the annual budget will be $5,000,000,000. It is true that this appropriation language has been carried for years, and I stated twice that no particular criticism should be made of the committee by reason of that. The criticism goes to Congress, but we ought to stop it and now say you shall come in with a classification of the different items and provide the amount that shall be in each classification, so that Congress can pass upon each item.

As an illustration, the gentleman from Nebraska, a faithful and efficient Member of the House, in offering an explanation of "seeds and implements for raising forage" item, read the estimate for "forage, salt, vinegar," and so forth. It makes great confusion. We have a right to inquire, and I think, although I may submit myself to criticism and lecture, I am going to insist on knowing where the money is going to. I am going to insist on exercising my right to know how these appropriations that come out of the United States Treasury are to be used. I have no apology to offer to the gentleman from Alabama for doing it, and I am willing to compare my record with his. These are troublous times, and while I do not wish to indulge in criticism of the War Department, I think they should try to be specific and point out where these appropriations are to be used. In the discharge of my duty I would try to pare down in every possible place without destroying efficiency. The gentleman says I have not moved to cut down any appropriation. The gentleman's memory is short. I do not want to make reckless reductions in any way unless I think the amounts can be cut down intelligently.

But having investigated as best I could from the hearings and the supplies they have on hand, I think if we give them $50,000,000 for the peace year of 1920, it will be all that is necessary for this, especially when we have other items here including millions more, and I hope the amendment will be adopted.

Mr. SHALLENBERGER. Mr. Chairman, I just want to oppose the amendment for a moment. I call the attention of the House to the fact that of the $100,000,000 asked for in this item there are 24 items shown by the statement, and one of them is for $49,000,000 for fuel that is to cook the food for the Army and warm the men; $11,000,000 is for gasoline for the motor vehicles, the trucks, and automobiles, and all the operation of motor-driven vehicles, which are the principal motive power of the Army; $21,000,000 is for forage to feed the animals; and $11,000,000 for lighting the Army posts and camps—$92,000,000 in all contained in these four items. I do not think the gentleman from Arkansas wants to leave the men with not enough coal, nor leave the horses with not enough forage, or to deny them light or gasoline. That is what we will do if the amendment is agreed to.

Mr. WINGO. That item for gasoline includes the $250 a day for these officers who run around here in Washington in private cars.

Mr. SHALLENBERGER. It certainly does. There may be a few thousand dollars of gasoline wasted here.

Mr. TILSON. Let me call the attention of the gentleman to one item that I think would make two-thirds of the gentleman's $50,000,000, and that is $31,000,000 for fuel for transports.

Mr. SHALLENBERGER. Yes.

Mr. WINGO. How much did the committee find by investigation was necessary for fuel for Government transports?

Mr. SHALLENBERGER. They asked for $31,000,000, and we allowed them the entire amount they asked, because, as members of the committee said, we did not think that we could look the American people in the face and refuse to appropriate all of the money they asked for to bring these boys home. [Applause.]

Mr. WINGO. The gentleman has read five items that cover a hundred and thirty million dollars. If it is a sin for me to offer to reduce it, was it not a sin for the committee to refuse the whole 24 items and cut them down to $100,000,000?

Mr. SHALLENBERGER. We reduced the appropriation by $18,000,000, and we thought that we were cutting it to the very bone when we did it. That is the reason I ask the House to vote down the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, I move to amend, on page 25, line 3, by striking out the word "offices" and inserting in lieu thereof the word "officers."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 25, line 3, strike out the word "offices" and insert the word "officers."

Mr. DENT. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, I reserve the point of order on the words "office furniture," in line 6——

Mr. FOSTER. Oh, that is too late. The train has gone long ago.

Mr. TILSON. We have been debating the paragraph for the last 15 minutes.

Mr. FOSTER. We have been debating the paragraph on the merits, and I make the point of order that the gentleman can not do that now.

Mr. MOORE of Pennsylvania. We have just voted on the amendment offered by the gentleman from Illinois, and I am sure that I was recognized before the Clerk began to read.

The CHAIRMAN. Debate has been had on the merits of the paragraph.

Mr. MOORE of Pennsylvania. Does the Chair hold that it is too late to make the point or order?

The CHAIRMAN. Yes.

Mr. MOORE of Pennsylvania. Mr. Chairman, is it too late to move to strike out the last word? I move to strike out the last word.

Mr. DENT. I hope the gentleman will wait until we read the next paragraph.

Mr. MOORE of Pennsylvania. After paying my respects to the gentleman from Illinois [Mr. FOSTER], I wish to ask the gentleman from Alabama, who is in charge of the bill, whether we do not have now in the War Department sufficient office furniture to carry us along for another year? I ask this question, because I have been informed that the department is disposing of office furniture, and complaints have come to me that office furniture has been sold at such a price as to interfere with the trade. Why we should buy new office furniture under those circumstances I do not know. I want to say further to the gentleman from Alabama——

Mr. DENT. I can not answer the question as long as the gentleman talks.

Mr. MOORE of Pennsylvania. I will be very glad to hear the gentleman from Alabama in my time.

Mr. DENT. I understand the gentleman from Nebraska has already explained that we have put a provision in for the transfer of office furniture to the different branches of the service—how much of that, of course, we do not know. How could we know?

Mr. TILSON. There is nothing in the estimates at all?

Mr. DENT. Not that I know of.

Mr. MOORE of Pennsylvania. If there is nothing in the estimates, why put it in the bill?

Mr. DENT. It might be necessary and save money; that is the reason.

Mr. MOORE of Pennsylvania. Mr. Chairman, in view of the admission made by the chairman of the committee, or rather by the gentleman from Connecticut in his name, I wish to say if I had known in time that office furniture was not estimated for by the War Department and that the committee voluntarily put it in, I would have moved to strike it out. It illustrates just what the gentleman from Arkansas has been contending, that while the committee represents to the Committee of the Whole that it was fully informed upon the estimates of the War Department and knows just where this $100,000,000 is going, it evidently went quite a little more than the War Department in the matter of office furniture, and the Committee of the Whole is left in the dark with regard to many of these appropriations. Now, I am not in favor of having lump-sum appropriations any longer. Prior to the war the Army bill carried no more than this one lump-sum appropriation carries, whereas this bill carries over a billion dollars, all in lump-sum appropriations. When the gentleman brought in his Army bill prior to the war asking for $100,000,000 to keep the Army going for the year——

Mr. DENT. Oh, no; the gentleman voted for a $12,000,000,000 bill.

Mr. MOORE of Pennsylvania. I said prior to the war.

Mr. DENT. Oh, prior to the war.

Mr. MOORE of Pennsylvania. Yes; prior to the war, when we were about to enter upon another era of peace we continue the war practices by appropriating in lump sums as much as $100,000,000 and leave it to the discretion of the department to divert those funds as it sees fit. Of course, the department will not do it; it did not do it in the matter of aviation or in the matter of armor plate——

Mr. ANTHONY. Will the gentleman from Pennsylvania yield?

Mr. MOORE of Pennsylvania. I will.

Mr. ANTHONY. I usually agree with nearly everything the very brilliant and very able gentleman from Pennsylvania advances, but in this instance he is entirely wrong, in my opinion. I think it very necessary that that language, "office furniture," remain in the bill, for the reasons that have been advanced by gentlemen on both sides of the aisle. While there may be a surplusage of office furniture for the Army at large, there may be isolated posts at some places in the world where we will need office furniture very badly, and without that authorization we could not spend 5 cents for it.

Mr. MOORE of Pennsylvania. Does the gentleman agree with his colleague from Connecticut [Mr. TILSON] on the committee that the department made no estimate for office furniture?

Mr. ANTHONY. They made no item in their analysis of the estimate for office furniture, and yet the committee thought it wise to leave that in the bill as it has been year after year, because we know the necessity will call for the purchase of office furniture at some place or other.

Mr. MOORE of Pennsylvania. It may be better to sell this furniture in Washington and buy furniture down in Arizona, say. It is a waste of money and time to sell cheap and buy dear.

Mr. ANTHONY. Let me say further to the gentleman from Pennsylvania it is undoubtedly the safe way to legislate in regard to items on these appropriation bills, so far as possible, but if we carry that idea out on this appropriation bill we would have a bill that would take us six months to read here. Now, if the gentleman will analyze some of the information that has been furnished the committee, on which we base this bill, he will see the necessity for this. I want to point out two items. For instance, in this item of regular supplies I ran across $12 worth of dragons' blood that they want to buy for some reason or other. We did not deem it wise to set forth that item in the bill. Another item is banana oil, $5.22 worth. The committee did not take up space in the bill for that.

Mr. MOORE of Pennsylvania. The gentleman knows we would not expect items of that kind to be set out in a hundred-million-dollar lump-sum item.

Mr. ANTHONY. If we carry out to a logical conclusion some of the remarks made here to-night, we would.

Mr. MOORE of Pennsylvania. Some little things like that are made as an excuse for working out a $100,000,000 lump-sum appropriation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TRANSPORTATION OF THE ARMY AND ITS SUPPLIES.

For transportation of the Army and its supplies, including transportation of the troops when moving either by land or water, and of their baggage, including members of the Officers' Reserve Corps, enlisted men of the Enlisted Reserve Corps, and retired enlisted men when ordered to active duty, including the cost of packing and crating; for transportation overseas to the United States of the bodies of officers and enlisted men who died upon foreign soil in the present war; for transportation of recruits and recruiting parties; of applicants for enlistment between recruiting stations and recruiting depots; for travel allowance to officers and enlisted men on discharge; for payment of travel allowance as provided in section 126 of the act approved June 3, 1916, to enlisted men of the National Guard on their discharge from the service of the United States, and to members of the National Guard who have been mustered into the service of the United States, and discharged on account of physical disability; for payment of travel pay to officers of the National Guard on their discharge from the service of the United States, as prescribed in the act approved March 2, 1901; for travel allowance to persons on their discharge from the United States disciplinary barracks or from any place in which they have been held under a sentence of dishonorable discharge and confinement for more than six months, or from the Government Hospital for the Insane after transfer thereto from such barracks or place, to their homes (or elsewhere as they may elect), provided the cost in each case shall not be greater than to the place of last enlistment; of the necessary agents and other employees, including per diem allowances in lieu of subsistence not exceeding $4 for those authorized to receive the per diem allowance; of clothing and equipage and other quartermaster stores from Army depots or places of purchase or delivery to the several posts and Army depots and from those depots to the troops in the field; of horse equipment; of ordnance and ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, frontier ports, and Army depots; for payment of wharfage, tolls, and ferriages; for transportation of funds of the Army; for the payment of Army transportation lawfully due such land-grant railroads as have not received aid in Government bonds (to be adjusted in accordance with the decisions of the Supreme Court in cases decided under such land-grant acts), but in no case shall more than 50 per cent of full amount of service be paid: *Provided*, That such compensation shall be computed upon the basis of the tariff or lower special rates for like transportation performed for the public at large and shall be accepted as in full for all demands for such service: *Provided further*, That in expending the money appropriated by this act a railroad company which has not received aid in bonds of the United States and which obtained a grant of public land to aid in the construction of its railroad on conditions that such railroad should be a post route and military road, subject to the use of the United States for postal, military, naval, and other Government services, and also subject to such regulations as Congress may impose restricting the

charge for such Government transportation, having claims against the United States for transportation of troops and munitions of war and military supplies and property over such aided railroads, shall be paid out of the moneys appropriated by the foregoing provisions only on the basis of such rate for the transportation of such troops and munitions of war and military supplies and property as the Secretary of War shall deem just and reasonable under the foregoing provision, such rate not to exceed 50 per cent of the compensation of such Government transportation as shall at that time be charged to and paid by private parties to any such company for like and similar transportation; and the amount so fixed to be paid shall be accepted as in full for all demands for such service: *And provided further*, That nothing in the preceding provisos shall be construed to prevent the accounting officers of the Government from making full payment to land-grant railroads for transportation of property or persons where the courts of the United States have held that such property or persons do not come within the scope of the deductions provided for in the land-grant acts; for the purchase and hire of draft and pack animals in such numbers as are actually required for the service, including reasonable provision for replacing unserviceable animals; for the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, other vehicles, and motor-propelled and horse-drawn passenger-carrying vehicles as are required for the transportation of troops and supplies and for official, military, and garrison purposes; for drayage and cartage at the several depots; for the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for official, military, and garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans: *Provided further*, That $225,000 of the appropriation hereby made shall be available for additional pay of employees on harbor boats, quartermaster service, in lieu of subsistence, $449,000,000.

Mr. FLOOD. Mr. Chairman——

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. FLOOD. Mr. Chairman, I offer an amendment.

Mr. STAFFORD. The gentleman can not offer an amendment while the point of order is pending.

The CHAIRMAN. Does the gentleman from Wisconsin reserve the point of order?

Mr. STAFFORD. I do, Mr. Chairman. I assume that the language in this paragraph of many pages is substantially that which is covered in existing law?

Mr. DENT. That is true.

Mr. STAFFORD. May I inquire what is the necessity of providing authorization for the purchase of ships now that the war is at an end?

Mr. DENT. I do not think there is any necessity for it, and when we get to the item at the end——

Mr. TILSON. Before the chairman of the committee yields this item, let me read the explanation submitted with the estimates.

This item is included to provide funds for reimbursing the United States Shipping Board for vessels which it is contemplated the War Department will secure from them for the replacement of old vessels now in the Regular Army Transport Service, the vessels now in the service being old, and due to their age require constant and excessive repairs. The following table shows the vessels it is contemplated will be turned over by the Shipping Board.

It gives in detail the boats it is expected to turn over under this item.

Mr. STAFFORD. This is the largest item carried in the bill—$449,000,000, nearly half a billion. Will the gentleman, before the reservation of the point of order is withdrawn, give some statement as to how they arrive at this enormous figure?

Mr. TILSON. Yes. Let me continue reading:

Trans-Atlantic service: Four transports, at $2,812,500 each, $11,250,000. This number does not include the *Great Northern* and *Northern Pacific*, which were purchased from War Department funds and turned over to the Shipping Board during the emergency. These two vessels, added to the four mentioned, will give six vessels in the trans-Atlantic service.

Mr. STAFFORD. Do I understand these vessels are now under the control of the Shipping Board?

Mr. TILSON. It is intended to provide funds for reimbursing the United States Shipping Board for vessels which it is contemplated the War Department will secure from them for the replacement of the old vessels now in the Regular Army Transport Service.

Let me finish reading:

Atlantic coastwise (Panama, Cuba, Porto Rico, St. Thomas, etc.):	
2 transports, at $2,812,500	$5,625,000
Trans-Pacific service (Philippines, Guam, Japan, etc.):	
4 transports, at $2,812,500	11,250,000
1 collier, at $2,537,500	2,537,500
Alaskan service:	
1 transport (4,000 tons), at $2,812,500	1,300,000
Pacific coastwise (Panama Canal, etc.):	
1 transport (4,000 tons)	1,300,000
Total	33,262,500

Mr. CRAMTON. Mr. Chairman, if the gentleman will yield, is there any provision made for transportation, either of men or supplies, to or from the north coast of Russia? Or, since we have got our troops up there, are we to leave them there without reenforcements or supplies?

Mr. TILSON. Funds available under this item could be used for the transportation of troops home from any quarter of the globe.

Mr. STAFFORD. Mr. Chairman, the gentleman from Connecticut has given an explanation of only $33,000,000 out of $449,000,000.

Mr. MANN. It is now 10 o'clock, and I make the point of order that there is no quorum present. We had an understanding that we would run until 10 o'clock.

Mr. DENT. We had such an understanding, but I thought we might dispose of this item of transportation.

Mr. MANN. Oh, it will take some time to dispose of it.

Mr. DENT. Well, then, I move, Mr. Chairman, that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. FOSTER as Speaker pro tempore having assumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and had come to no resolution thereon.

FORTIFICATION APPROPRIATION BILL.

Mr. BYRNS of Tennessee, by direction of the Committee on Appropriations, reported the bill (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service for the fiscal year ending June 30, 1920, and for other purposes, which was read by title and, with the accompanying report (No. 1069), was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER pro tempore. The gentleman from Wisconsin reserves all points of order on the bill.

EXTENSION OF REMARKS.

Mr. BAER. Mr. Speaker, I ask unanimous consent to extend my remarks briefly on the Army appropriation bill.

The SPEAKER pro tempore. The gentleman from North Dakota asks unanimous consent to extend his remarks on the Army bill. Is there objection?

There was no objection.

Mr. JAMES. Mr. Speaker, I ask permission to extend my remarks by printing a letter from a soldier, an enlisted man.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD by printing a letter as indicated. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks on the Army bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

SEQUOIA NATIONAL PARK.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that I may have three days in which to file minority views from the Committee on the Public Lands on the bill (S. 2021) to change the name and enlarge the Sequoia National Park.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. CRAMTON] asks unanimous consent that he may have three days in which to file minority views on the Senate bill 2021. Is there objection?

Mr. GARRETT of Tennessee. That will not interfere with the consideration of the bill?

Mr. CRAMTON. No; I do not think it will.

Mr. MANN. That will come up next July.

EXTENSION OF REMARKS.

Mr. YOUNG of North Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks.

Mr. WALSH. On the Army bill?

Mr. YOUNG of North Dakota. Yes; on the Army bill.

The SPEAKER pro tempore. The gentleman from North Dakota asks unanimous consent to extend his remarks on the Army bill. Is there objection?

There was no objection.

HOUR OF MEETING TO-MORROW—11 O'CLOCK A. M.

Mr. DENT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, do I understand that the gentleman from Alabama will imme-

diately move to go into Committee of the Whole House on the state of the Union on the Army appropriation bill after the convening to-morrow?

Mr. DENT. That is the intention.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. DENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 5 minutes p. m.) the House, under the order previously made, adjourned until to-morrow, Saturday, February 15, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting estimate of appropriation for the purchase of the Baltimore quarantine station (H. Doc. No. 1794) was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FRENCH, from the Committee on War Claims, to which was referred the bill of the House (H. R. 13636) for the relief of Kentuck Corbett, reported the same without amendment, accompanied by a report (No. 1068), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SCHALL: A bill (H. R. 15932) to donate one captured cannon or fieldpiece to the village of Annandale, Minn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15933) to donate one captured cannon or fieldpiece to the village of Anoka, Minn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15934) to donate one captured cannon or fieldpiece to the village of Lindstrom, Minn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15935) to donate one captured machine gun to the village of Ogilvie, Minn.; to the Committee on Military Affairs.

By Mr. DENTON: A bill (H. R. 15936) to provide for the construction, maintenance, and improvement of a system of national interstate roads; to the Committee on Roads.

By Mr. CAMPBELL of Kansas: A bill (H. R. 15937) authorizing the Secretary of War to donate to the city of Fredonia, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LESHER: A bill (H. R. 15938) to provide for the purchase of a site for a public building at Bloomsburg, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15939) authorizing the Secretary of War to donate to the borough of Mifflinville, county of Columbia, State of Pennsylvania, one cannon or fieldpiece captured from the enemy during the present war; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 15940) authorizing the Secretary of War to donate to the city of Bordentown, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15941) authorizing the Secretary of War to donate to the city of Egg Harbor, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRODBECK: A bill (H. R. 15942) authorizing the acquisition of a site for a public building at Red Lion, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. CRAMTON: A bill (H. R. 15943) authorizing the Secretary of War to donate to the town of Owendale, Mich., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. DOOLITTLE: A bill (H. R. 15944) authorizing the Secretary of War to donate to the city of Council Grove, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 15945) to promote the administration of military justice by amending existing laws regulating trial by courts-martial, and for other purposes; to the Committee on Military Affairs.

By Mr. SCHALL: A bill (H. R. 15946) to provide for a modification of the time calendar now in general use in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY of Pennsylvania: A bill (H. R. 15947) authorizing the Secretary of War to donate to the borough of East Pittsburgh, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 15948) to authorize mining on Indian reservations; to the Committee on Indian Affairs.

By Mr. MONTAGUE: A bill (H. R. 15949) authorizing the Secretary of War to donate to the city of Richmond, Va., a captured German cannon or field gun and carriage; to the Committee on Military Affairs.

By Mr. KITCHIN: A bill (H. R. 15950) granting the consent of Congress to the county of Halifax, State of North Carolina, to construct a bridge across the Roanoke River; to the Committee on Interstate and Foreign Commerce.

By Mr. LUFKIN: A bill (H. R. 15951) prohibiting the issuance of papers of declaration of intention to become citizens or final papers of citizenship to certain aliens who claimed exemption from military service in the present war; to the Committee on Immigration and Naturalization.

By Mr. SCHALL: A bill (H. R. 15952) to donate 8 captured cannon or fieldpieces to the city of Minneapolis, Minn.; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 15953) authorizing the Secretary of War to donate to the town of Thorntown, county of Boone, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SHERWOOD: A bill (H. R. 15954) to authorize the appointment of an American battle field commission; to the Committee on Military Affairs.

By Mr. LEE of Georgia: A bill (H. R. 15955) authorizing the donation of a German cannon to the city of Cartersville, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15956) authorizing the donation of a German cannon to the city of Buchanan, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15957) authorizing the donation of a German cannon to the city of Chatsworth, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15958) authorizing the donation of a German cannon to the city of Marietta, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15959) authorizing the donation of a German cannon to the city of Trenton, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15960) authorizing the donation of a German cannon to the city of Dallas, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15961) authorizing the donation of a German cannon to the city of La Fayette, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15962) authorizing the donation of a German cannon to the city of Summerville, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15963) authorizing the donation of a German cannon to the city of Rome, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15964) authorizing the donation of a German cannon to the city of Calhoun, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15965) authorizing the donation of a German cannon to the city of Dalton, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15966) authorizing the donation of a German cannon to the city of Ringgold, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15967) authorizing the donation of a German cannon to the city of Cedartown, Ga.; to the Committee on Military Affairs.

Also, a bill (H. R. 15968) authorizing the donation of a Civil War cannon to the city of Menlo, Ga.; to the Committee on Military Affairs.

By Mr. KREIDER: A bill (H. R. 15969) authorizing the Secretary of War to donate to the borough of Shippensburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15970) authorizing the Secretary of War to donate to the borough of Middletown, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15971) authorizing the Secretary of War to donate to the borough of Mechanicsburg, Pa., one German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15972) authorizing the Secretary of War to donate to the borough of Millersburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15973) authorizing the Secretary of War to donate to the city of Harrisburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15974) authorizing the Secretary of War to donate to the city of Carlisle, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15975) authorizing the Secretary of War to donate to the city of Lebanon, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15976) authorizing the Secretary of War to donate to the borough of Hummelstown, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCHALL: A bill (H. R. 15977) to donate captured cannon to various Minnesota villages; to the Committee on Military Affairs.

By Mr. BYRNS of Tennessee: A bill (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, and for procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. GREENE of Massachusetts: Resolution (H. Res. 577) directing the Secretary of the Navy to furnish forthwith to the House of Representatives the originals or copies of all papers, documents, or correspondence on file in the Navy Department relating generally to the subject of an interallied radio conference and such other facts relative to the origin and purpose of such conference; to the Committee on Naval Affairs.

Also, joint resolution (H. J. Res. 427) directing the Secretary of the Navy to instruct the representatives of the United States to the interallied radio conference that they shall not commit the United States to any policy of Government ownership or operation of commercial radio stations; to the Committee on Naval Affairs.

By the SPEAKER: Memorial from the Legislature of the State of Ohio, urging Congress to appropriate money to investigate the cause, etc., of Spanish influenza; to the Committee on Interstate and Foreign Commerce.

Also, memorial from the Legislature of the State of California, relative to the plan recommended by the Hon. Franklin K. Lane, Secretary of the Interior, for the placing of returning United States soldiers upon farms; to the Committee on Appropriations.

Also, memorial from the Legislature of the State of California, relative to the constructing and fitting out of all ships and vessels used by Emergency Fleet Corporation or coming under their control; to the Committee on the Merchant Marine and Fisheries.

By Mr. DILLON: Memorial of the Legislature of the State of South Dakota, protesting against exorbitant express rates; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Memorial of the Legislature of the State of Wisconsin, favoring the establishment of a free, united, and independent Polish nation; to the Committee on Foreign Affairs.

By Mr. FOSS: Memorial of the Legislature of the State of Illinois, urging the payment of at least six months' salary to soldiers, sailors, and marines upon their discharge; to the Committee on Military Affairs.

By Mr. HAYES: Memorial of the Legislature of the State of California, favoring the acquisition of Lower California by the United States; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of California, relative to the employment of returned soldiers in the construction of ships for the merchant marine; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of California, favoring an appropriation for reclamation in order to settle returned soldiers on the public domain; to the Committee on Appropriations.

By Mr. KETTNER: Memorial of the Legislature of the State of California, favoring the employment of returned soldiers in the construction of ships by the Emergency Fleet Corporation; to the Committee on the Merchant Marine and Fisheries.

By Mr. RANDALL: Memorial of the Legislature of the State of California, indorsing the land reclamation and settlement project of the Secretary of the Interior for discharged soldiers; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of California, urging that all shipbuilding of the Emergency Fleet Corporation be contracted in the United States, and that contracts already made in foreign countries be canceled; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII,

Mr. LUNN introduced a bill (H. R. 15978) granting an increase of pension to John W. Bennett, which was referred to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BESHLIN: Petition of Grove City Commercial Club, Grove City, Pa., favoring Government control and operation of utilities until Congress shall have studied the subject and determined upon a safe procedure for the return of wire systems to their owners; to the Committee on Interstate and Foreign Commerce.

Also, petition of Ridgway Board of Trade, Pa., not favoring Government ownership of public utilities; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREW: Petition of representatives of the Brotherhood of Railway Clerks, employed on New York Central, Delaware & Hudson, and Rutland Railroads, favoring the extension of Government control of railroads for further period of five years; to the Committee on Interstate and Foreign Commerce.

By Mr. CLASSON: Petition of citizens of Appleton and Kankauna, Wis., in favor of Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLING: Petition of New York Produce Exchange, urging President of United States to discontinue the practice of price fixing as now applied to hogs, grain, and other foodstuffs, to the end that prices may return to their normal bases, controlled only by supply and demand; to the Committee on Agriculture.

By Mr. ELSTON: Memorial of E. H. Liscune Camp, No. 7, United Spanish War Veterans, City Hall, Oakland, Cal., urging passage of legislation prohibiting the display of the red flag and other unpatriotic emblems; to the Committee on Military Affairs.

By Mr. ESCH: Petition of the Wholesale Coal Trade Association of New York, asking that all vessels not required for movement of troops, munitions, and present food supplies be forthwith returned to private ownership and control; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Petition of city council of the city of Chicago, concerning compensation for honorably discharged soldiers and sailors; to the Committee on Military Affairs.

By Mr. GALLAGHER: Petition of city council of city of Chicago, urging Congress to make provision whereby each person who was a member of the armed forces of the United States of America in the war with Germany shall be given six months' pay from and after the date of honorable discharge; to the Committee on Military Affairs.

By Mr. GALLIVAN: Petition of Lithuanian residents of city of Worcester and Commonwealth of Massachusetts, urging Government of the United States of America to curb imperialistic ambition of the Poles in respect to Lithuania and prevent and save the people of Lithuania from a foreign yoke; to the Committee on Foreign Affairs.

Also, petition of Jackson Association of Commerce for Jackson and Madison Counties, Tenn., urging Congress to pass laws that will force an equalization of freight rates between the interior and river points; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Illinois: Petition of Frank F. Lange and divers other employees of the Rock Island Arsenal, at Rock Island, Ill., that all equipment used in the Army, Navy, merchant marine, Postal Service, and all other equipment used by the Government be manufactured in the Government shops to their full capacity; to the Committee on Military Affairs.

By Mr. HAYES: Petition of citizens of San Luis Obispo, Cal., urging the adoption of bill H. R. 10550, authorizing the United States Government to operate railroads, with all lands, buildings, and equipment that belong to such railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KRAUS: Petition of sundry citizens of Miami County, Ind., in favor of Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Petition of Hebrew Immigrants' Aid Society, of Baltimore, Md., protesting against the passage of the Burnett immigration bill, as this bill is absolutely autocratic and un-American; to the Committee on Immigration and Naturalization.

Also, petition of Parent-Teacher Association of the Mount Rainier and Brentwood public schools, indorsing Senate bill

4987, for the creation of a department of education; to the Committee on Education.

Also, petition of S. S. Field, city solicitor, Baltimore, Md., relating to equitable distribution of certain war material suitable for road-making purposes among the highway departments of the several States; to the Committee on Roads.

Also, petition of United States Employment Service, Department of Labor, Baltimore, Md., urging passage of bill for appropriation for employment service; to the Committee on Appropriations.

Also, petition of the Board of Education of Dorchester County, Md., heartily indorsing Senate bill 4987, for the creation of a department of education; to the Committee on Education.

By Mr. LONERGAN: Petition of Russell Council, No. 65, Knights of Columbus, New Haven, Conn., and Bernardo Council, No. 1350, Knights of Columbus, Shelton, Conn., relating to self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. OSBORNE: Petition of Venice of American Chamber of Commerce, Venice, Cal., favoring exempting of outdoor amusements from the forms of taxation prescribed in the current revenue law; to the Committee on Ways and Means.

By Mr. PAIGE: Petition of 600 citizens of Fitchburg, Mass., in favor of self-determination of their own government by the people of Ireland, as submitted by James F. Pyne, grand knight of Fitchburg council, Knights of Columbus; to the Committee on Foreign Affairs.

By Mr. POLK: Petition of Diamond State Grange No. 2, Patrons of Husbandry of Stanton, Del., favoring repeal of daylight saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of Illinois State Federation, urging Gov. Stephens, of California, to procure for Thomas Mooney a new trial; to the Committee on the Judiciary.

Also, petition of Farmers' National Council, urging serious consideration of the report on Senate bill 2812; to the Committee on Public Lands.

Also, petition of Engineers and Architects Association of Southern California, urging appropriation for reclamation work; to the Committee on Appropriations.

By Mr. ROMJUE: Petition of Rotary Club, of Kirksville, Mo., recommending changing the name of the Panama Canal to Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHALL: Petition of Minnesota State vegetable growers, protesting against setting the clock ahead; to the Committee on Interstate and Foreign Commerce.

By Mr. VARE: Petition of Philadelphia Chamber of Commerce, relative to Government control, operation, and ownership of public utilities; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, *February 15, 1919.*

(Legislative day of Thursday, February 13, 1919.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Calder	Johnson, S. Dak.	New	Smith, S. C.
Chamberlain	Kellogg	Penrose	Smoot
Colt	Kenyon	Pittman	Swanson
Cummins	Kirby	Pollock	Thomas
France	Knox	Ransdell	Wadsworth
Gay	Lenroot	Robinson	Watson
Hale	Lodge	Saulsbury	Weeks
Hardwick	McKellar	Sheppard	
Johnson, Cal.	Moses	Sherman	

Mr. McKELLAR. I wish to state that my colleague, the senior Senator from Tennessee [Mr. SHIELDS], is absent on account of illness.

Mr. SWANSON. I desire to announce that my colleague [Mr. MARTIN of Virginia] is detained from the Senate on account of illness. I ask that this announcement may stand for the day.

Mr. KIRBY. I desire to announce the absence in attendance upon committee of the Senator from North Carolina [Mr. OVERMAN], the Senator from Delaware [Mr. WOLCOTT], the Senator from Minnesota [Mr. NELSON], and the Senator from South Dakota [Mr. STERLING].

Mr. SAULSBURY. I wish to state that the senior Senator from Maryland [Mr. SMITH] is still confined at his home by illness, but is very greatly improved. I wish also to announce that the senior Senator from Mississippi [Mr. WILLIAMS] is detained by illness.

Mr. RANSDELL. I wish to state that the senior Senator from Florida [Mr. FLETCHER] is detained on official business. He will be in the Senate in a few minutes.

Mr. THOMAS. I have been informed that the junior Senator from Alabama [Mr. UNDERWOOD] is seriously ill and therefore unable to attend the session.

Mr. PITTMAN. I have been requested to announce that the following Senators are absent engaged in the Committee on Indian Affairs: The Senator from Montana [Mr. WALSH], the Senator from Idaho [Mr. NUGENT], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Kansas [Mr. CURTIS], and the Senator from Maine [Mr. FERNALD].

The VICE PRESIDENT. Thirty-four Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. KING, Mr. MCCUMBER, Mr. NUGENT, Mr. POMERENE, Mr. SPENCER, Mr. THOMPSON, Mr. VARDAMAN, and Mr. WALSH answered to their names when called.

Mr. CURTIS, Mr. LA FOLLETTE, Mr. JONES of Washington, Mr. FERNALD, Mr. BRANDEGEE, Mr. MCNARY, Mr. DILLINGHAM, Mr. SUTHERLAND, Mr. BECKHAM, Mr. SIMMONS, Mr. PAGE, Mr. CULBERSON, Mr. HENDERSON, and Mr. REED entered the Chamber and answered to their names.

Mr. SUTHERLAND. I wish to announce that the Senator from West Virginia [Mr. GOFF] is absent on account of illness.

Mr. KING. I wish to announce that the Senator from Nebraska [Mr. HITCHCOCK] is detained in the Committee on Banking and Currency.

Mr. SHEPPARD. I desire to announce that the Senator from Arizona [Mr. ASHURST] is detained on official business.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 15706) granting pensions and increase of pensions to certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 8625. An act to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay wagon-road grant, to provide for the disposition of said lands, and for other purposes; and

H. R. 12863. An act to provide revenue, and for other purposes.

LEAGUE OF NATIONS (S. DOC. NO. 389).

Mr. LODGE. Mr. President, I wish to make a request out of order. It is that the terms of the league of nations, printed in all the newspapers, may be printed in the RECORD and also as a Senate document for convenience and use.

Mr. PITTMAN. May I ask the Senator if he would object to including in his request that the speech of the President delivered at the time of the presentation of the terms of the league be also published along with the document he has referred to, so that the two may be read together?

Mr. LODGE. I have no objection to its being printed, of course.

Mr. PITTMAN. I ask that the President's address be so included.

Mr. ROBINSON. I suggest that the Senator from Nevada submit the request in conjunction with the request of the Senator from Massachusetts.

Mr. LODGE. I have no objection at all to including it in my request.

Mr. PITTMAN. That is the way I intended my suggestion, and I understand the Senator from Massachusetts has so modified his request.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

"COVENANT—PREAMBLE.

"In order to promote international cooperation and to secure international peace and security by the acceptance of obligations not to resort to war, by the prescription of open, just, and honorable relations between nations, by the firm establishment of the understandings of international law as the actual rule of conduct among Governments, and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another, the powers signatory to this covenant adopt this constitution of the league of nations.

"ARTICLE 1.

"The action of the high contracting parties under the terms of this covenant shall be effected through the instrumentality of meeting of a body of delegates representing the high contracting parties, of meeting at more frequent intervals of an executive council, and of a permanent international secretariat to be established at the seat of the league.

"ARTICLE 2.

"Meetings of the body of delegates shall be held at stated intervals and from time to time as occasion may require for the purpose of dealing with matters within the sphere of action of the league. Meetings of the body of delegates shall be held at the seat of the league or at such other place as may be found convenient, and shall consist of representatives of the high contracting parties. Each of the high contracting parties shall have one vote but may not have more than three representatives.

"ARTICLE 3.

"The executive council shall consist of representatives of the United States of America, the British Empire, France, Italy, and Japan, together with representatives of four other States, members of the league. The selection of these four States shall be made by the body of delegates on such principles and in such manner as they think fit. Pending the appointment of these representatives of the other States, representatives of ——— shall be members of the executive council.

"Meetings of the council shall be held from time to time as occasion may require, and at least once a year, at whatever place may be decided upon, or, failing any such decision, at the seat of the league, and any matter within the sphere of action of the league or affecting the peace of the world may be dealt with at such meetings.

"Invitations shall be sent to any power to attend a meeting of the council at which matters directly affecting its interests are to be discussed, and no decision taken at any meeting will be binding on such powers unless so invited.

"ARTICLE 4.

"All matter of procedure at meetings of the body of delegates or the executive council, including the appointment of the committees to investigate particular matters, shall be regulated by the body of delegates or the executive council, and may be decided by a majority of the States represented at the meeting.

"The first meeting of the body of delegates and of the executive council shall be summoned by the President of the United States of America.

"ARTICLE 5.

"The permanent secretariat of the league shall be established at ———, which shall constitute the seat of the league. The secretariat shall comprise such secretaries and staff as may be required, under the general direction and control of a secretary general of the league, who shall be chosen by the executive council; the secretariat shall be appointed by the secretary general, subject to confirmation by the executive council.

"The secretary general shall act in that capacity at all meetings of the body of delegates or of the executive council.

"The expenses of the secretariat shall be borne by the States members of the league in accordance with appointment of the expenses of the International Bureau of the Universal Postal Union.

"ARTICLE 6.

"Representatives of the high contracting parties and officials of the league when engaged on the business of the league shall enjoy diplomatic privileges and immunities, and the buildings occupied by the league or its officials or by representatives attending its meetings shall enjoy the benefits of extraterritoriality.

"ARTICLE 7.

"Admission to the league of States not signatories to the covenant and not named in the protocol hereto as States to be invited to adhere to the covenant requires the assent of not less than two-thirds of the States represented in the body of delegates, and shall be limited to fully self-governing countries, including dominions and colonies.

"No State shall be admitted to the league unless it is able to give effective guaranties of its sincere intention to observe its international obligations, and unless it shall conform to such principles as may be prescribed by the league in regard to its naval and military forces and armaments.

"ARTICLE 8.

"The high contracting parties recognize the principle that the maintenance of peace will require the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations, having special regard to the geographical situation and circumstances of each State; and the executive council shall formulate plans for effecting such reduction. The executive council shall also determine for the consideration and action of the several Governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the program of disarmament, and these limits, when adopted, shall not be exceeded without the permission of the executive council.

"The high contracting parties agree that the manufacture by private enterprise of munitions and implements of war lends itself to grave objections, and direct the executive council to advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of these countries which are not able to manufacture for themselves the munitions and implements of war necessary for their safety.

"The high contracting parties undertake in no way to conceal from each other the condition of such of their industries as are capable of being adapted to warlike purposes or the scale of their armaments, and agree that there shall be full and frank interchange of information as to their military and naval programs.

"ARTICLE 9.

"A permanent commission shall be constituted to advise the league on the execution of the provisions of article 8 and on military and naval questions generally.

"ARTICLE 10.

"The high contracting parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the executive council shall advise upon the means by which the obligation shall be fulfilled.

"ARTICLE 11.

"Any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties reserve the right to take any action that may be deemed wise and effecual to safeguard the peace of nations.

"It is hereby also declared and agreed to be the friendly right of each of the high contracting parties to draw the attention of the body of delegates or of the executive council to any circumstances affecting international intercourse which threaten to disturb international peace or the good understanding between nations upon which peace depends.

"ARTICLE 12.

"The high contracting parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy they will in no case resort to war without previously submitting the question and matters involved either to arbitration or to inquiry by the executive council and until three months after the award by the arbitrators or a recommendation by the executive council; and that they will not even then resort to war as against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council.

"In any case under this article, the award of the arbitrators shall be made within a reasonable time, and the recommendation of the executive council shall be made within six months after the submission of the dispute.

"ARTICLE 13.

"The high contracting parties agree that whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration and which can not be satisfactorily settled by diplomacy, they will submit the whole matter to arbitration. For this purpose the court of arbitration to which the case is referred shall be the court agreed upon by the parties or stipulated in any convention existing between them. The high contracting parties agree that they will carry out in full good faith any award that

may be rendered. In the event of any failure to carry out the award, the executive council shall propose what steps can best be taken to give effect thereto.

"ARTICLE 14.

"The executive council shall formulate plans for the establishment of a permanent court of international justice, and this court shall, when established, be competent to hear and determine any matter which the parties recognize as suitable for submission to it for arbitration under the foregoing article.

"ARTICLE 15.

"If there should arise between States members of the league any dispute likely to lead to rupture, which is not submitted to arbitration as above, the high contracting parties agree that they will refer the matter to the executive council; either party to the dispute may give notice of the existence of the dispute to the secretary-general, who will make all necessary arrangements for a full investigation and consideration thereof. For this purpose the parties agree to communicate to the secretary-general, as promptly as possible, statements of their case with all the relevant facts and papers, and the executive council may forthwith direct the publication thereof.

"Where the efforts of the council lead to the settlement of the dispute, a statement shall be published indicating the nature of the dispute and the terms of settlement, together with such explanations as may be appropriate. If the dispute has not been settled, a report by the council shall be published, setting forth with all necessary facts and explanations the recommendation which the council thinks just and proper for the settlement of the dispute. If the report is unanimously agreed to by the members of the council other than the parties to the dispute, the high contracting parties agree that they will not go to war with any party which complies with the recommendations, and that if any party shall refuse so to comply the council shall propose measures necessary to give effect to the reason. If no such unanimous report can be made, it shall be the duty of the majority and the privilege of the minority to issue statements indicating what they believe to be the facts and containing the reasons which they consider to be just and proper.

"The executive council may in any case under this article refer the dispute to the body of delegates. The dispute shall be so referred at the request of either party to the dispute, provided that such request must be made within 14 days after the submission of the dispute. In any case referred to the body of delegates all the provisions of this article and of article 12 relating to the action of the executive council shall apply to the action and powers of the body of delegates.

"ARTICLE 16.

"Should any of the high contracting parties break or disregard its covenants under article 12 it shall thereby ipso facto be deemed to have committed an act of war against all the other members of the league, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not.

"It shall be the duty of the executive council in such cases to recommend what effective military or naval forces the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.

"The high contracting parties agree further that they will mutually support one another in the financial and economic measures which may be taken under this article, in order to minimize the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will afford passage through their territory to the forces of any of the high contracting parties who are cooperating to protect the covenants of the league.

"ARTICLE 17.

"In the event of disputes between one State member of the league and another State which is not a member of the league, or between States not members of the league, the high contracting parties agree that the State or States not members of the league shall be invited to accept the obligations of membership in the league for the purposes of such dispute, upon such conditions as the executive council may deem just, and upon acceptance of any such invitation the above provisions shall be applied with such modifications as may be deemed necessary by the league.

"Upon such invitation being given the executive council shall immediately institute an inquiry into the circumstances and merits of the dispute and recommend such action as may seem best and most effectual in the circumstances.

"In the event of a power so invited refusing to accept the obligations of membership in the league for the purposes of such dispute, and taking any action against a State member of the league which in the case of a State member of the league would constitute a breach of article 12, the provisions of article 16 shall be applicable as against the State taking such action.

"If both parties to the dispute, when so invited, refuse to accept the obligations of membership in the league for the purposes of such dispute, the executive council may take such action and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

"ARTICLE 18.

"The high contracting parties agree that the league shall be intrusted with general supervision of the trade in arms and ammunitions with the countries in which the control of this traffic is necessary and in the common interest.

"ARTICLE 19.

"To those colonies and territories which as a consequence of the war have ceased to be under the sovereignty of the States which formerly governed them, and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in the constitution of the league.

"The best method of giving practical effect of this principle is that the tutelage of such people should be intrusted to advanced nations who, by reason of their resources, their experience, or their geographical position, can best undertake this responsibility, and that this tutelage should be exercised by them as mandatories on behalf of the league.

"The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions, and other similar circumstances.

"Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized, subject to the rendering of administrative advice and assistance by a mandatory power until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory power.

"Other peoples, especially those of Central Africa, are at such a stage that the mandatory must be responsible for the administration of the territory, subject to conditions which will guarantee freedom of conscience or religion, subject only to the maintenance of public order and morals, the prohibition of abuses, such as the slave trade, the arms traffic, and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases, and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other members of the league.

"There are territories, such as southwest Africa and certain of the South Pacific isles, which, owing to the sparseness of their population, or their small size, or their remoteness from the centers of civilization, or their geographical continuity to the mandatory State, and other circumstances, can be best administered under the laws of the mandatory State as integral portions thereof, subject to the safeguards above mentioned in the interests of indigenous population.

"In every case of mandate the mandatory State shall render to the league an annual report in reference to the territory committed to its charge.

"The degree of authority, control, or administration to be exercised by the mandatory State shall, if not previously agreed upon by the high contracting parties in each case, be explicitly defined by the executive council in a special act or charter.

"The high contracting parties further agree to establish at the seat of the league a mandatory commission to receive and examine the annual reports of the mandatory powers, and to assist the league in insuring the observance of the terms of all mandates.

"ARTICLE 20.

"The high contracting parties will endeavor to secure and maintain fair and humane conditions of labor for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extended; and to that end agree to establish as part of the organization of the league a permanent bureau of labor.

"ARTICLE 21.

"The high contracting parties agree that provision shall be made through the instrumentality of the league to secure and maintain freedom of transit and equitable treatment for the commerce of all States members of the league, having in mind, among other things, special arrangements with regard to the necessities of the regions devastated during the war of 1914–1918.

"ARTICLE 22.

"The high contracting parties agree to place under the control of the league all international bureaus already established by general treaties if the parties to such treaties consent. Furthermore, they agree that all such international bureaus to be constituted in future shall be placed under the control of the league.

"ARTICLE 23.

"The high contracting parties agree that every treaty or international engagement entered into hereafter by any State member of the league shall be forthwith registered with the secretary general and as soon as possible published by him, and that no such treaty or international engagement shall be binding until so registered.

"ARTICLE 24.

"It shall be the right of the body of delegates from time to time to advise the reconsideration by State members of the league of treaties which have become inapplicable and of international conditions of which the continuance may endanger the peace of the world.

"ARTICLE 25.

"The high contracting parties severally agree that the present covenant is accepted as abrogating all obligations inter se which are inconsistent with the terms thereof, and solemnly engage that they will not hereafter enter into any engagements inconsistent with the terms thereof. In case any of the powers signatories hereto or subsequently admitted to the league shall before becoming a party to this covenant have undertaken any obligations which are inconsistent with the terms of this covenant, it shall be the duty of such power to take immediate steps to procure its release from such obligations.

"ARTICLE 26.

"Amendments to this covenant will take effect when ratified by the States whose representatives compose the executive council and by three-fourths of the States whose representatives compose the body of delegates."

—

"Mr. Chairman, I have the honor, and assume it a very great privilege, of reporting in the name of the commission constituted by this conference on the formulation of a plan for the league of nations. I am happy to say that it is a unanimous report, a unanimous report from the representatives of 14 nations—the United States, Great Britain, France, Italy, Japan, Belgium, Brazil, China, Czecho-Slovakia, Greece, Poland, Portugal, Roumania, and Serbia.

"I think it will be serviceable and interesting if I, with your permission, read the document as the only report we have to make."

[President Wilson then read the draft. When he reached article 15 and had read through the second paragraph, the President paused and said:]

"I pause to point out that a misconception might arise in connection with one of the sentences I have just read—'If any party shall refuse to comply, the council shall propose measures necessary to give effect to the recommendations.'

PRESENTS HYPOTHETICAL CASE.

"A case in point, a purely hypothetical case, is this: Suppose there is in the possession of a particular power a piece of territory or some other substantial thing in dispute, to which it is claimed that it is not entitled. Suppose that the matter is submitted to the executive council for recommendation as to the settlement of the dispute, diplomacy having failed, and suppose that the decision is in favor of the party which claims the subject matter of dispute as against the party which has the subject matter in dispute.

"Then, if the party in possession of the subject matter in dispute merely sits still and does nothing, it has accepted the decision of the council, in the sense that it makes no resistance, but something must be done to see that it surrenders the subject matter in dispute.

"In such a case, the only case contemplated, it is provided that the executive council may then consider what steps will be necessary to oblige the party against whom judgment has been given to comply with the decisions of the council."

[After having read article 19, President Wilson also stopped and said:]

"Let me say that before being embodied in this document this was the subject matter of a very careful discussion by representatives of the five greater parties, and that their unanimous conclusion is the matter embodied in this article."

NO SERIOUS DIFFERENCE IN MOTIVE.

[After having read the entire document, President Wilson continued as follows:]

"It gives me pleasure to add to this formal reading of the result of our labors that the character of the discussion which occurred at the sittings of the commission was not only of the most constructive but of the most encouraging sort. It was obvious throughout our discussions that although there were subjects upon which there were individual differences of judgment with regard to the method by which our objects should be obtained there was practically at no point any serious differences of opinion or motive as to the objects which we were seeking.

"Indeed, while these debates were not made the opportunity for the expression of enthusiasm and sentiments, I think the other members of the commission will agree with me that there was an undertone of high respect and of enthusiasm for the thing we were trying to do which was heartening throughout everything.

"Because we felt that in a way this conference did entrust into us the expression of one of its highest and most important purposes, to see to it that the concord of the world in the future with regard to the objects of justice should not be subject to doubt or uncertainty; that the cooperation of the great body of nations should be assured in the maintenance of peace upon terms of honor and of international obligations.

"The compulsion of that task was constantly upon us, and at no point was there shown the slightest desire to do anything but suggest the best means to accomplish that great object. There is very great significance, therefore, in the fact that the result was reached unanimously.

"Fourteen nations were represented among them all of those powers which for convenience we have called the great powers, and among the rest a representation of the greatest variety of circumstances and interests. So that I think we are justified in saying that the significance of the result, therefore, has the deepest of all meanings, the union of wills in a common purpose, a union of wills which can not be resisted and which, I dare say, no nation will run the risk of attempting to resist.

TERMS DOCUMENT SIMPLE.

"Now, as to the character of the document, while it has consumed some time to read this document, I think you will see at once that it is very simple, and in nothing so simple as in the structure which it suggests for a league of nations, a body of delegates, an executive council, and a permanent secretariat.

"When it came to the question of determining the character of the representation in the body of delegates we were all aware of a feeling which is current throughout the world.

"Inasmuch as I am stating it in the presence of the official representatives of the various governments here present, including myself, I may say that there is a universal feeling that the world can not rest satisfied with merely official guidance. There has reached us through many channels the feeling that if the deliberating body of the league of nations was merely to be a body of officials representing the various governments, the peoples of the world would not be sure that some of the mistakes which preoccupied officials had admittedly made might not be repeated.

FOR VARIETY OF REPRESENTATION.

"It was impossible to conceive a method or an assembly so large and various as to be really representative of the great body of the peoples of the world, because, as I roughly reckon it, we represent as we sit around this table more than twelve hundred million people.

"You can not have a representative assembly of twelve hundred million people, but if you leave it to each government to have, if it pleases, one or two or three representatives, though only with a single vote, it may vary its representation from time to time, not only, but it may (originate) the choice of its several representatives [wireless here unintelligible].

"Therefore we thought that this was a proper and a very prudent concession to the practically universal opinion of plain men everywhere that they wanted the door left open to a variety of representation, instead of being confined to a single official body with which they could or might not find themselves in sympathy.

UNLIMITED RIGHTS OF DISCUSSION.

"And you will notice that this body has unlimited rights of discussion. I mean of discussion of anything that falls within the field of international relations—and that it is especially agreed that war or international misunderstandings or any-

thing that may lead to friction or trouble is everybody's business, because it may affect the peace of the world.

"And in order to safeguard the popular power so far as we could of this representative body it is provided, you will notice, that when a subject is submitted it is not to arbitration but to discussion by the executive council; it can, upon the initiative of either of the parties to the dispute, be drawn out of the executive council on the larger form of the general body of delegates, because through this instrument we are depending primarily and chiefly upon one great force, and this is the moral force of the public opinion of the world—the pleasing and clarifying and compelling influences of publicity—so that intrigues can no longer have their coverts, so that designs that are sinister can at any time be drawn into the open, so that those things that are destroyed by the light may be promptly destroyed by the overwhelming light of the universal expression of the condemnation of the world.

ARMED FORCE IN BACKGROUND.

"Armed force is in the background in this program, but it is in the background, and if the moral force of the world will not suffice the physical force of the world shall. But that is the last resort, because this is intended as a constitution of peace, not as a league of war.

DOCUMENT IS ADAPTABLE.

"The simplicity of the document seems to me to be one of its chief virtues, because, speaking for myself, I was unable to see the variety of circumstances with which this league would have to deal. I was unable, therefore, to plan all the machinery that might be necessary to meet the differing and unexpected contingencies. Therefore I should say of this document that it is not a strait-jacket but a vehicle of life.

"A living thing is born, and we must see to it what clothes we put on it. It is not a vehicle of power, but a vehicle in which power may be varied at the discretion of those who exercise it and in accordance with the changing circumstances of the time. And yet, while it is elastic, while it is general in its terms, it is definite in the one thing that we were called upon to make definte.

"It is a definite guaranty of peace. It is a definite guaranty by word against aggression. It is a definite guaranty against the things which have just come near bringing the whole structure of civilization into ruin.

PURPOSES NOT VAGUE.

"Its purposes do not for a moment lie vague. Its purposes are declared, and its powers are unmistakable. It is not in contemplation that this should be merely a league to secure the peace of the world. It is a league which can be used for cooperation in any international matter.

"That is the significance of the provision introduced concerning labor. There are many ameliorations of labor conditions which can be effected by conference and discussion. I anticipate that there will be a very great usefulness in the bureau of labor which it is contemplated shall be set up by the league.

"Men and women and children who work have been in the background through long ages and sometimes seemed to be forgotten, while governments have had their watchful and suspicious eyes upon the maneuvers of one another, while the thought of statesmen has been about structural action and the larger transactions of commerce and of finance.

LABOR AN INTERNATIONAL QUESTION.

"Now, if I may believe the picture which I see, there comes into the foreground the great body of the laboring people of the world, the men and women and children upon whom the great burden of sustaining the world must from day to day fall, whether we wish it to do so or not; people who go to bed tired and wake up without the stimulation of lively hope. These people will be drawn into the field of international consultation and help, and will be among the wards of the combined governments of the world. This is, I take leave to say, a very great step in advance in the mere conception of that.

"Then, as you will notice, there is an imperative article concerning the publicity of all international agreements. Henceforth no member of the league can call any agreement valid which it has not registered with the secretary general, in whose office, of course, it will be subject to the examination of any body representing a member of the league. And the duty is laid upon the secretary general to earliest possible time.

FOR PUBLICITY OF TREATIES.

"I suppose most persons who have not been conversant with the business of foreign affairs do not realize how many hundreds of these agreements are made in a single year, and how difficult it might be to publish the more unimportant of them immediately. How uninteresting it would be to most of the world to publish them immediately, but even they must be published just as soon as it is possible for the secretary general to publish them.

"There has been no greater advance than this, gentlemen. If you look back upon the history of the world you will see how helpless peoples have too often been a prey to powers that had no conscience in the matter. It has been one of the many distressing revelations of recent years that the great power which has just been, happily, defeated put intolerable burdens and injustices upon the helpless people of some of the colonies which it annexed to itself, that its interest was rather their extermination than their development; that the desire was to possess their land for European purposes, and not to enjoy their confidence in order that mankind might be lifted in these places to the next higher level.

GERMANY TO LOSE COLONIES.

"Now, the world, expressing its conscience in law, says there is an end of that, that our consciences shall be settled to this thing. States will be picked out which have already shown that they can exercise a conscience in this matter, and under their tutelage the helpless peoples of the world will come into a new light and into a new hope."

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate certain resolutions adopted by the Shipbuilders' Federation of the Atlantic Coast, Gulf, and Great Lakes, which will be inserted in the RECORD and referred to the Committee on Commerce.

The resolutions are as follows:

Resolutions adopted by the Shipbuilders' Federation of the Atlantic Coast, Gulf, and Great Lakes, held at Philadelphia, February 10, 11, 12, 13, 1918, representing the organized labor in all the shipbuilding and navy yards of the United States, with the exception of the Pacific coast.

Resolved, That it is the duty of the United States Government to protect the men employed in the navy yards and the shipyards of the United States, as well as the capital invested in the buildings, land, and machinery, and to that end they should see that in case any lay off is made in any shipyard or navy yard of the country that proper provision is made in advance for the transportation of the men to their homes and places in steady positions and to take the place of those which have been taken from them.

Resolved, That our country should develop its mercantile marine to the same extent as that of all of its great industries. It should be second to none in the world. We believe that American goods should be carried by American vessels and special attention should be given to developing our trade with every portion of the world. We therefore appeal to the President of the United States and to Congress to carry out the full program arranged during the war and to develop our mercantile marine to the fullest extent.

Resolved, That we believe that the American Navy should be equal to that of any other Navy in the world and that our country should not be obliged to rely upon any other power for our national defense, and with that end in view we heartily approve of the recommendations of the Secretary of the Navy submitted to Congress, and most earnestly urge upon Congress to adopt the full program submitted by the Navy Department.

We regard the action of those Members of Congress who attacked the naval program for political purposes as antagonistic to the spirit of the American people. The citizens of our country are justly proud of the achievements of the Navy, which has reached its highest efficiency under the present administration. We also congratulate the present Secretary of the Navy for his management of the department, and which is the pride of our country to-day.

Mr. THOMAS. I present joint memorial No. 4 of the General Assembly of the State of Colorado and ask that the same be printed in the RECORD without reading.

The memorial was ordered to be printed in the RECORD and referred to the Committee on Military Affairs, as follows:

[House joint memorial No. 4, by Representatives Dolan, Owen, and Raye.]

To the Hon. WOODROW WILSON, President, and
THE CONGRESS OF THE UNITED STATES OF AMERICA:

Your memorialist, the General Assembly of the State of Colorado, now in session, respectfully represents that:

Whereas the conflict between democracy and autocracy has been brought to a successful termination through the most able assistance of our "Army of Liberty"; and

Whereas the demobilization of something like 2,000,000 men, of which number approximately 25,000 are Colorado's brave sons, who responded so nobly to the call of our country during the great crisis, is bound to have far-reaching results throughout the United States. Each city, every hamlet, and each community is bound to be more or less affected by the return to civil life and civil duties of these brave men, who sacrificed their all for the honor and liberty of the world; and

Whereas many of the enlisted men returning to the place of their enlistmen are without a nickel in their pockets. (Reports of their plight are already floating back to disturb the equanimity of their former comrades.) How to obtain the ordinary comforts of life between the date of discharge and the next pay day is a problem so far left for the soldier himself and a few charitably disposed individuals to solve. The country is under a moral obligation to give its discharged soldiers an opportunity to return to civil life and civil duties in a manner that will not cause them to sacrifice their self-respect by becoming objects of charity, however willingly donated, for even the briefest time; and

Whereas the soldiers are being mustered out on a few days' notice with no advance of pay, and in some instances without having received their pay for three and four months past services, and are turning up in the cities, improvident, "broke," away from home, without work,

applicants for civilian relief. Many of them do not want work yet. Many others are unwilling to undertake the day-labor jobs, which alone they can find. There is every prospect that unless remedial measures are promptly taken the sight of stranded, workless, moneyless soldiers will be common throughout the land;

Wherefore, your memorialist, the Twenty-second General Assembly of the State of Colorado, now in session, respectfully advises, recommends, and requests that your honorable body take such action as is necessary to provide for the payment to honorably discharged soldiers, at the time of their discharge, all pay due them at that time, and in addition, as a fitting testimonial of the sacrifice of these brave and noble men, six months' advance pay.

It is directed that this memorial be enrolled and that one copy be sent to the President of the United States, one to the President of the United States Senate, one to the Speaker of the House of Representatives, one to the Secretary of War, one to the chairman on Military Affairs of the United States Senate, one to the chairman on Military Affairs of the House of Representatives, and one to each of the Members representing the State of Colorado in the Senate and House of Representatives and in Congress now assembled;

And that the Twenty-second General Assembly of the State of Colorado, now in session, urgently requests our Senators and Representatives in Congress to use their every effort and all honorable means to provide for the payment to honorably discharged soldiers all back pay due them and six months' advance pay upon their discharge from the Army, in conformity with the spirit and terms of this resolution.

I hereby certify that the foregoing House joint memorial has been duly adopted by the Senate and the House of Representatives of the State of Colorado.

HARRY P. MASON,
Chief Clerk of the House of Representatives.

Mr. JONES of Washington. I have a joint memorial telegraphed from the State senate of the Washington Legislature, which I ask may be read.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

OLYMPIA, WASH., *February 1½, 1919.*

Senator WESLEY L. JONES,
Washington, D. C.:

Senate joint memorial 10.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Senate and House of Representatives of the State of Washington in legislative session assembled, respectfully represent that—

Whereas the Hon. WESLEY L. JONES has introduced in the Senate of the United States a resolution requesting the United States Shipping Board Emergency Fleet Corporation to immediately remove the emergency restriction against the acceptance by American shipyards of foreign contracts for steel shipbuilding; and

Whereas the shipyards of the State of Washington are well equipped to accept and perform such contracts without prejudice to the interests of the United States; and

Whereas the obtaining of such contracts at this time will be of great advantage in assisting the industries of the State of Washington in the creating of industrial activity and in furnishing employment during the critical reconstruction period now confronting the Nation: Now, therefore, be it

Resolved, That your memorialists, the senate and house of representatives of the State of Washington, respectfully petition your honorable body to recommend the immediate passage of such resolution and such other appropriate action as may be necessary to secure the removal of the restriction herein referred to; and be it further

Resolved, That the secretary of state is hereby directed to transmit a copy of this memorial to the Presiding Officer of the United States Senate, the Speaker of the House of Representatives, and to each of the Senators and Representatives in Congress from the State of Washington; and be it further

Resolved, That this memorial be telegraphed to Edward M. Hurley, Chairman of the United States Shipping Board; to Charles Piez, Director General of the Fleet Corporation; to the Speaker of the House of Representatives; the President of the United States Senate; and to the Senators and Representatives from the State of Washington.

The foregoing resolution was adopted by the Legislature of the State of Washington, February 13, 1919.

VICTOR ZEDNICK,
Secretary of the Senate.

Mr. JONES of Washington. I should like to say that I had a conference with Mr. Hurley this morning, and I think it is but fair to state that he is not very favorably inclined to this proposal, but that his reasons are not based upon diplomatic reasons, but upon his ideas as to the business situation. That is all I wish to say about it at this time.

Mr. SPENCER. I ask to have read a telegram from the Legislature of the State of Missouri.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

JEFFERSON CITY, MO., *February 1½, 1919.*

Senator SELDEN P. SPENCER,
United States Senate, Washington, D. C.:

Both house and senate adopted resolutions to-day calling on Missouri representatives to secure amendment to rivers and harbors bill, which appropriates only $400,000 for the Missouri, when Congress voted in 1910 to expend $2,000,000 a year for 10 years and has spent less than $1,000,000 a year. Full resolution by mail.

W. G. KITCHEN, *Chief Clerk.*

Mr. HALE presented a petition of sundry citizens of Fairfield and Waterville, in the State of Maine, praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. WARREN presented a petition of Local Lodge No. 1029, Brotherhood of Railway Carmen of America, of Rawlins, Wyo., and a petition of Local Lodge No. 757, Brotherhood of Railway Carmen of America, of Laramie, Wyo., praying for the proposed extension of Federal control of railroads, which were referred to the Committee on Interstate Commerce.

Mr. LODGE presented a petition of St. James Council, No. 298, Knights of Columbus, of Boston, Mass., and a petition of the Robert Emmett Branch, Friends of Irish Freedom, of Boston, Mass., praying for the freedom of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of the State of Massachusetts, praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

He also presented a memorial of the executive committee of the Associated Industries of Massachusetts, remonstrating against the operation of the United States Employment Service after July 1, 1919, which was referred to the Committee on Education and Labor.

Mr. McKELLAR. I present a resolution adopted by the Legislature of the State of Tennessee, relative to water-power legislation, which I ask to have printed in the RECORD.

The resolution was ordered to be printed in the RECORD, as follows:

STATE OF TENNESSEE,
DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

I, Ike B. Stevens, secretary of state of the State of Tennessee, do hereby certify that the annexed is a true copy of senate joint resolution No. 53, session 1919, the original of which is now on file and a matter of record in this office.

In testimony whereof, I have hereunto subscribed my official signature and by order of the governor affixed the great seal of the State of Tennessee at the department, in the city of Nashville, this 13th day of February, A. D. 1919.

[SEAL.]

IKE B. STEVENS,
Secretary of State.

Senate joint resolution 53.

STATE OF TENNESSEE, IN SENATE,
Nashville, February 11, 1919.

Whereas there is now being considered by a conference committee of Congress a bill entitled "An act to amend an act, entitled 'An act to regulate the construction of the dams across navigable waters,' approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of the interstate and foreign commerce," passed the Senate December 14, 1917, and the House of Representatives September 5, 1918; and

Whereas the water powers in the navigable rivers of the State of Tennessee and other Southern States are urgently needed for the industrial development and creation of new industries in the State of Tennessee and other Southern States:

Resolved, That the Legislature of the State of Tennessee especially urge its representatives in Congress and its representative on the water power bill conference committee to actively support and aid in every way that they possibly can the passage of water-power legislation at the present session of Congress and before adjournment; and

Resolved further, That the representatives in Congress from the State of Tennessee safeguard to the State all of its rights and privileges reserved to the State under its constitution in its navigable rivers, and that all charges, control, and administration of water powers developed in its navigable streams, except as to matters and questions that relate purely to navigation and interstate commerce, shall be left to be regulated by the laws of the State of Tennessee.

Resolved, That certified copies of this joint resolution be forwarded to each Member of the House of Representatives and each Senator from the State of Tennessee.

Adopted February 11, 1919.

ANDREW L. TODD,
Speaker of the Senate.
SETH M. WALKER,
Speaker of the House of Representatives.

Approved February 13, 1919.

A. H. ROBERTS, *Governor.*

Mr. McKELLAR. I also present a resolution adopted by the Board of Mayor and Aldermen of Johnson City, Tenn., stating that they are unalterably opposed to Government ownership of telephone properties and favoring the return of same to private operation, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Regular meeting of the board of mayor and aldermen was held in the courtroom, Tuesday, February 4, 1919.

Present: Mayor C. P. Faw, Aldermen Ellison, Davis, McLeod, Taylor, and Sharp, City Manager Dyer, and Acting Recorder Artz.

Absent: Aldermen Thompson, Muse, and Richardson, City Attorney Barnes, and Recorder Warren.

The following proceedings were had, to wit:

Upon motion of Messrs. Ellison and Davis, the following resolution was adopted:

"Whereas Johnson City, Tenn., has for several years suffered the expense and inconvenience of two antiquated and inefficient telephone exchanges; and

"Whereas an earnest but unsuccessful effort has been made by the board of mayor and aldermen, since the Government assumed control over the telephone system of the country, to secure relief from said condition through the Postmaster General; and

"Whereas as in the case of railroads, the service rendered by said telephone exchanges has not only become more unsatisfactory but more expensive under Government control: Therefore be it

"*Resolved by the board of mayor and aldermen,* That they are unalterably opposed to Government ownership of telephone properties, but favor an early return of same to private operation, under proper Federal regulation: Be it further

"*Resolved,* That copies of this resolution be transmitted to the Representative in Congress from the first district and to the two United States Senators from Tennessee."

Then the board adjourned.

Adopted February 4, 1919.

C. P. FAW, *Mayor.*

Attest:

J. ALLEN ARTZ,
Assistant Recorder.

Mr. McKELLAR. I present a communication from the local board for Carroll County, Tenn., relative to the deportation of alien enemies, which I ask to have printed in the RECORD.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

HUNTINGDON, TENN., *February 12, 1919.*

Senator KENNETH D. MCKELLAR,
Washington, D. C.

DEAR SENATOR: Since the war is now over and the period of reconstruction has begun, we trust Congress will not overlook the fact that there are many in our midst who were born in Germany and other foreign lands and had lived here many years prior to the war without ever having declared their intention to become citizens of our country. Some did declare themselves, but when it came to the protection of this great country that had nurtured and protected these ingrates they all claimed exemption from military service on the ground of noncitizenship. We believe that all such who are in our midst should be deported. For every alien so exempted a good American boy had to go to the front while they remained at home in ease and safety.

We appeal to you as Tennessee's representative in Congress, a State that has purer Anglo-Saxon population than any other State in the Union and who holds in her bosom as brave men and women as live on the earth anywhere, to see to it now, while we are going through this reconstruction, that not only the German cowards who surrendered their papers but the nondeclarants as well who claimed exemption on the ground of noncitizenship shall be sent where they belong—back to Germany or other former places of residence—for both of them are the same kind of parasites. A man not willing to fight certainly would not make a desirable citizen.

We believe in the "Put nobody on guard but Americans" plan, and we trust that as our representative at Washington you will support a measure restricting immigration in the future and that will make it impossible for the nondeclarant alien who claimed exemption from military service to be naturalized in the future.

We believe the time has come when a line should be drawn between patriots and traitors, and it should be done while things are fresh in our minds. We trust, therefore, that each Member of Congress from the "Volunteer State" will support a measure on the lines above suggested, and, if necessary, that some of our Members may introduce such a measure.

Yours, respectfully,

LOCAL BOARD FOR CARROLL COUNTY,
J. B. COX, *Chairman.*
J. SAM JOHNSON.
W. H. EASON.

Mr. McKELLAR. I also present a communication from the Ministerial Alliance of Nashville, Tenn., concerning Christian unity and a league of nations, which I ask to have printed in the RECORD.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

DECLARATION CONCERNING CHRISTIAN UNITY AND A LEAGUE OF NATIONS.

I. CHRISTIAN UNITY.

The Ministerial Alliance of Nashville, Tenn., composed of Protestant ministers of the city, recognizing the gracious Providence which has given victory to the allied armies that have been fighting for the suppression of crime and violence and for the establishment of righteousness and peace in the earth, desire to give expression of their gratitude to Almighty God for the blessings wherewith He has blessed us and our allies in this struggle of might against right. We desire to give renewed expression to our faith in the adaptation of Christianity to the world's moral and spiritual needs and in the ultimate spread and triumph among men and among all nations of the religion of our Lord Jesus Christ, which alone has power to banish war from the earth and to give ultimate and permanent peace to the world. But to accomplish this beneficent and far-reaching result it is absolutely necessary at this time to internationalize all Christians if we are to Christianize all nations. The time has come when the followers of Christ everywhere are called on as perhaps never before to cultivate the spirit of unity and cooperation in their great and common task. For the accomplishment of the task to which this generation is called, and for which the opportune day has come, we need to reconsecrate ourselves as Christians not only to ceaseless prayers, but to sacrificial and undivided service for humanity, a service of unified effort so important and imperative at this epoch and crisis in the world's history that it will be nothing less than a moral crime for it to be marred or defeated by sectarian rivalries and jealousies. (A league of the nations of the world, if it is to be on the basis of the ethical ideals of Christianity, which is the only basis upon which it can be effected, should be preceded and accompanied by such a union or league of Christians of all names and creeds as will bring upon the nations of the earth the impact of a world-wide Christian church unified in brotherly love and cooperative service.) The call of the Master of mankind that comes to his followers to-day is to put the emphasis of our faith and preaching and practice upon their unities and not upon their differences. Let this spirit of brotherly love and cooperation be all along the far-flung battle lines of world conquest for Christ, the inspiration and the passion of the new Christian patriotism that will be no less national because it has become international.

II. A LEAGUE OF NATIONS.

This ministerial alliance also desires to give its indorsement to the movement looking to a league of all nations for the promotion of world-wide and permanent peace; and without as yet indorsing any one of the different theories or plans suggested for the organization and maintenance of such a league, as opposed to other theories and plans, we give it as our deep conviction that some such union of nations as that proposed is the wisest, if, indeed, it be not the only, method of effectually preventing war in the future and of promoting that spirit of brotherhood among nations such as can alone be the guarantee of permanence for the league if it should be organized.

To President Woodrow Wilson and to all other statesmen of the world, to whatsoever nationality they may belong, who are seriously and unselfishly endeavoring to establish on the basis of Christian ideals of justice, of liberty, and of human brotherhood such a league as that proposed, we pledge our devout and unceasing prayers to the God and Father of all men and all nations that he would divinely guide those who are working to bring about this fellowship of nations in a league of peace and crown their deliberations and efforts with such success as shall make it a supreme blessing to the whole world.

W. F. TILLETT.

Mr. KING. I present a memorial of the Legislature of the State of Utah, which I ask to have printed in the RECORD.

The resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

A joint memorial (H. J. M. 2) memorializing the Congress of the United States for the passage of an amendment to the bill introduced by Senator BANKHEAD in the United States Senate on December 4, 1918, known as S. 5088; also the same amendment to a bill introduced in the United States Senate by Senator SWANSON on December 5, 1918, known as S. 5098; also the same amendment to a bill introduced by Mr. SHACKLEFORD in the House of Representatives of the United State on December 12, 1918, known as H. R. 13354; and also to any other similar bills introduced in Congress in order to provide a more equitable application of Federal aid for post roads in the sparsely settled States, and to provide a more reasonable time limit for the availability of such Federal aid.

We, your memorialists, the House of Representatives and the Senate of the State of Utah, respectfully represent that—

Whereas there are pending in the Congress of the United States bills known as S. 5088 and S. 5098 and H. R. 13354, all of which provide for additional Federal aid for post roads under the terms of the act of Congress approved July 11, 1916, and commonly known as the Federal aid road act; and

Whereas section 6 of said Federal aid road act provides that the United States shall not cooperate in any road project in an amount greater than 50 per cent of the total estimated cost thereof; and

Whereas, although additional Federal aid for road building at the present time is highly desirable, nevertheless those States having large areas and relatively small populations will be unable to avail themselves of the benefits of this act as amended to provide additional Federal aid without a disproportionate burden of taxation:

Now, therefore, your memorialists urgently request that the said bills, and any other similar bills which may be introduced in the Congress of the United States, be so amended that section 6 of the said Federal aid road act will provide that in those States where the average population per square mile of area is 100 persons or more, based upon the census of 1910, the United States shall not cooperate in any road project in an amount greater than 50 per cent of the total estimated cost thereof; and that in those States where the average population per square mile of area, based on the census of 1910, is less than 100 persons, the share of the United States shall be increased one-fourth of 1 per cent for each person, or major fraction thereof, less than 100 per square mile; and, furthermore,

Whereas section 3 of said Federal aid road act provides that so much of the appropriation apportioned to any State for any fiscal year as remains unexpended at the close thereof shall be available to such State only until the close of the succeeding fiscal year; and

Whereas on account of the said provision of section 3 of said act, local conditions existing in some States render it practically impossible to comply with the terms of the act:

Now, therefore, your memorialists also request that said bills now pending in Congress, and any other similar bills which may be introduced, be amended so that section 3 of the said Federal aid road act will provide that so much of the appropriation to any State for any fiscal year as remains unexpended at the close thereof shall be available to such State until the close of the second succeeding fiscal year; and be it

Resolved, That a copy of this memorial be sent to each of the Members of the congressional delegation from the State of Utah to the Congress of the United States and to each body of said Congress.

The foregoing H. J. M. 2 was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 5th day of February, 1919.

G. H. DEER,
President pro tempore of the Senate.

Attest:

ADAM L. PETERSEN,
Secretary of Senate.

The foregoing H. J. M. 2 was publicly read by title and immediately thereafter signed by the speaker of the house, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 4th day of February, 1919.

CHARLES C. RICHARDS,
Speaker of the House.

Attest:

HUGO B. ANDERSON,
Chief Clerk of House.

Received from the house of representatives this 6th day of February, 1919.

Approved, February 6, 1919.

SIMON BAMBERGER,
Governor.

Received from the governor and filed in the office of the secretary of state this 6th day of February, 1919.

HARDEN BENNION,
Secretary of State.
By JERROLD R. LETCHER,
Deputy.

STATE OF UTAH,
EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of a joint memorial of the Legislature of the State of Utah memorializing Congress for the passage of an amendment to bills now pending before said body to provide for a more equitable application for Federal aid for post roads, etc., as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 6th day of February, 1919.

[SEAL.] HARDEN BENNION,
Secretary of State.
By JERROLD R. LETCHER,
Deputy.

Mr. KING presented a petition of sundry citizens of Salt Lake City, Sandy, Midvale, Murray, and Magna, all in the State of Utah, praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

ROANOKE RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (S. 5580) granting the consent of Congress to the counties of Martin and Bertie, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C., and I submit a report (No. 722) thereon.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TUG RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (S. 5478) granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River, and I submit a report (No. 723) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5610) directing the Secretary of the Treasury to negotiate and arrange with certain foreign Governments to convert their present indebtedness to the United States into marketable and saleable securities; to the Committee on Finance.

By Mr. ROBINSON:

A bill (S. 5611) granting to certain claimants a preference right to purchase public lands in the State of Arkansas; to the Committee on Public Lands.

By Mr. JONES of Washington:

A bill (S. 5612) to create the Yakima National Park in the State of Washington; to the Committee on Public Lands.

By Mr. MOSES:

A bill (S. 5613) to donate a captured German machine gun to the town of Littleton, in the State of New Hampshire; to the Committee on Military Affairs.

By Mr. KENYON:

A bill (S. 5614) to create a Federal industrial relations commission; to the Committee on Education and Labor.

By Mr. LEWIS:

A bill (S. 5615) to authorize the President of the United States to restore Milo O. Frank and William H. Fort first lieutenants in the National Army; to the Committee on Military Affairs.

By Mr. CALDER:

A bill (S. 5616) for the promotion and retirement of Lieut. Col. Samuel R. Jones; to the Committee on Military Affairs.

PUBLICITY OF STOCK SALES.

Mr. SIMMONS. I introduce a bill sent to me by the Secretary of the Treasury. It is a bill to provide for furnishing information with respect to shares of stock offered to the public, and prescribing penalties. I introduce it at the request of the Secretary of the Treasury and ask that it be referred to the Committee on Finance.

The bill (S. 5617) to provide for furnishing information with respect to shares of stock offered to the public and prescribing penalties was read twice by its title and referred to the Committee on Finance.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CALDER submitted an amendment authorizing the Secretary of the Navy to consider, ascertain, adjust, determine, and pay the amounts due in all claims for damages (other than such as are occasioned by vessels of the Navy) to and loss of privately owned property, occurring subsequent to April 6, 1917, where the amount of the claim does not exceed $500, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment authorizing the Secretary of the Navy to transfer to the active list as extra numbers and next below their running mates in the regular naval service such officers of the Naval Reserve Force, not exceeding 50 in number, who have served in the Navy during both the Spanish War and the war against Germany and her allies, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment relative to the United States Naval Reserve Force intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment providing that any retired officer of the Navy or Marine Corps who has creditably performed active duty for a period of not less than one year and a half during the war with Germany shall be promoted on the retired list with the next higher rank, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

He also submitted an amendment proposing that any retired officer of the Navy or Marine Corps who has been or shall be detailed to active duty shall receive the rank, pay, and allowance of the grade not above that of captain in the Navy or colonel in the Marine Corps, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. LENROOT submitted an amendment proposing to appropriate $20,000 for the construction of a road through the village of Odanah in the Bad River Reservation, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. CALDER submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

MEMORIAL ADDRESSES IN HONOR OF THEODORE ROOSEVELT.

Mr. SMOOT. I desire to submit a concurrent resolution, and I ask for its immediate consideration. I will say that it conforms to the usual form of printing the memorial exercises in honor of a deceased Senator or Representative.

The concurrent resolution (S. Con. Res. 32) was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed and bound, under the direction of the Joint Committee on Printing, 14,100 copies of the proceedings and the eulogies delivered in Congress on Theodore Roosevelt, late a President of the United States, with illustration, of which 4,000 copies shall be for the use of the Senate, 8,000 copies for the use of the House of Representatives, 2,000 copies for the use of the Senators and Representatives of the State of New York, and 100 copies, bound in full morocco, for the use of Mrs. Theodore Roosevelt: *Provided*, That there shall be included in such document the proclamation of the President and the proceedings in the Supreme Court of the United States on the death of Mr. Roosevelt, an account of the funeral services, and other matters as may be deemed appropriate.

INDEPENDENCE OF ARMENIA.

Mr. KING submitted the following resolution (S. Res. 454), which was referred to the Committee on Foreign Relations:

Whereas the Armenian nation has for many centuries occupied certain regions in Asia Minor, extending from Ararat to the Gulf of Alexandretta, including the southern littoral of the Black Sea, in the region of Trebizond; and

Whereas the Armenian nation is the oldest nation inhabiting said regions, and has developed therein a national culture with a common language and religion; and

Whereas the Armenians are capable of self-government, and their common interests and aspirations make proper the erection of a national Armenian Government in said region: Now, therefore, be it

Resolved, That it is the sense of the Senate that Armenia be constituted a free and independent country, and that the Armenian people be permitted to erect therein a free national republic for the maintenance of their national rights and the perpetuation of their native language, culture, and traditions.

INDEPENDENCE OF GREECE.

Mr. KING submitted the following resolution (S. Res. 455), which was referred to the Committee on Foreign Relations:

Whereas people of the Greek race have from time immemorial occupied the lands in Europe and Asia Minor bordering upon the Ægean Sea and have also occupied the islands of said sea; and

Whereas the political independence and the culture of the Greeks were for many centuries submerged by the intrusion of the Ottoman Turks into said lands and their despotic domination of the same; and

Whereas the present Kingdom of Greece was the first country in said region to be liberated from Turkish rule, and since its establishment has consistently striven for the liberation of the people of Greek nationality, who reside in Epirus, Southern Albania, Thrace, and Anatolia; and

Whereas the Greek nation has been loyal to the cause of the allied nations in the war against the central empires and has rendered valuable military assistance and made other contributions to the success of the allies in their campaign in the Balkans, notwithstanding the pro-German policy and attitude of the former Greek King: Now, therefore, be it

Resolved, That it is the sense of the Senate that the territory of the Kingdom of Greece be extended to include Epirus, Southern Albania, Thrace, the islands of the Ægean Sea, and those parts of Anatolia the inhabitants of which are of Greek nationality.

HOUSE BILL REFERRED.

H. R. 15706. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, was read twice by its title and referred to the Committee on Pensions.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. THOMAS. Mr. President, I feel obliged to attend a very important meeting of the Committee on Military Affairs this morning, and I shall, therefore, occupy the time of the Senate for just a moment to conclude the remarks which I was making when the Senate took a recess yesterday afternoon.

At that time I was calling attention to some specific items in the pending bill, among which was that found on page 5, appropriating $3,000,000 for the purpose, among other things, of acquiring the Chesapeake & Delaware Canal. I made some statements with regard to that project which have been challenged by the Senator from Delaware [Mr. SAULSBURY], whose familiarity with the history of the project is very great and far more accurate, both as to conclusion and detail, than mine. I shall not challenge any of the statements which he has made, for I have not had time to examine them and because I know that he would not have made them if they were not based upon facts. But I may say, Mr. President, that this is an old project, one which has been before Congress for a good many years and which is now in the conclusive stages of what may be called a successful result.

This canal is desired, among other things, for naval and strategic purposes. The Senator from Delaware, I think, referred to a document which emanates from the War Department and refers to the use of this canal for the transfer, in case of emergency or when desired, of our fleet from one point to the other, without subjecting itself to the danger of attack on the sea.

The modern battleship, Mr. President, requires a draft of from 25 to 30 feet of water, and this canal has but 9 feet; the modern superdreadnaught requires a width for safe passage through a canal very much more than the width of this canal now is. All of which means, Mr. President, that the acquisition of this canal is merely the initial step in a series of tremendous appropriations for its enlargement, and until so enlarged the canal can not be utilized for the purposes mentioned. Of course, I realize that the canal can be used in a small way for the passage from the Delaware into the Chesapeake Bay of craft engaged in commerce. That, however, I do not understand is anything more than an incident to the acquisition of this canal.

Mr. President, if we have waited so many years for the final acquisition of this canal, I submit that in these days of peace, while negotiating a league of nations that shall make wars and the rumors of wars impossible, at a time when the Nation, having just emerged from the bloodiest of all conflicts, is sympathetic with any movement having for its purpose the permanent banishment of war from the face of the earth, and having in mind the enormous expense of that war and the enormous appropriations which we are now making, it might wait for a few years before $3,000,000 of the people's money are appropriated for its acquisition.

Mr. SAULSBURY. Mr. President, will the Senator from Colorado object to my interrupting him as he goes along with respect to the particular point he desires to make?

Mr. THOMAS. I would not object to it, except that I want to get through as soon as possible. Of course, I yield to the Senator.

Mr. SAULSBURY. For example, I desire to say that the reason the canal has not been in operation during the past war and of very great use is the opposition of the character which is presented by the Senator from Colorado to-day. Of course, the Senator is familiar with the earnest manner in which I have advocated the purchase and deepening of this canal for the last five or six years——

Mr. THOMAS. Yes.

Mr. SAULSBURY. To illustrate, when you start an effort of this sort in time of peace, the reply is that we are never going to have any war, and when we are done with the war that we are never going to have any other war.

I will say to the Senator, for example, that during the last war, in the U-boat raid on the Atlantic seaboard just 3 miles off Delaware capes, probably enough ships were torpedoed and sunk and cargoes destroyed to have paid for the whole building of this canal. Those ships would undoubtedly have passed through this canal had it been constructed. I merely use that as an illustration. The Senator is mistaken in regard to the sole purpose of this canal, or the greatest purpose, being naval or military, although that would be very great.

I have here a statement of Admiral Benson, the head of our Navy, showing before the war the immense importance of it, and its great commercial use is testified to by a report from the Department of Commerce.

Mr. THOMAS. Mr. President, I know that there was large destruction of sea craft during the spring and summer of last year, but I very much doubt if even 50 per cent of the vessels destroyed would ever have passed through this canal if it had been in existence. They were boats engaged in the West Indian traffic and the South American traffic, and some of them, of course, were coastwise vessels.

Frankly, I am opposed, either in time of peace or in time of war, to the expenditure of the people's money for such purposes. I think I ought to say that. My suggestion that the appropriation should not be made now is by no means a concession upon my part that it ought to be made at all. I know the Senator from Delaware feels differently from myself regarding the subject. I know he feels, and feels with all the ardency of his nature, that the acquisition of this canal is essential to the commercial and military needs of the country. I do not think so. So far as the commercial needs are concerned, the canal, if it is not desired to be sold by the stockholders because of its profitable character, there is no reason why the Government should interest itself in the subject by taking it off their hands.

Now, I confess I am no expert; I may be entirely wrong; but my judgment is that the aircraft of the future will be the great arm of offense and defense of the Nation, not only on the seacoast but on the sea and on the land; that it will ultimately attain that position through its development, which is now coming very fast, and which I think the Government should recognize and encourage as vigorously as possible. The battleship itself will be as obsolete in 20 years as the old three-masted frigate of war of pre-Civil War days now is. That, however, is merely conjecture.

Mr. SAULSBURY. Might I interrupt the Senator at that point?

Mr. THOMAS. Certainly.

Mr. SAULSBURY. I desire to show to the Senator how this matter has been considered. On last evening I handed to the Senator the report made by the War Department—the Chief of Staff and the War College—in regard to the utility of this canal, and I am almost sure from my recollection that it shows how a descent would probably be made at the capes of the Delaware and a lodgment effected by any great naval power that could overcome our high-seas fleet. That joins in precisely with the idea which the Senator has now expressed in regard to the efficiency of aircraft. A lodgment being made at the port of Lewes, which is the only fine undefended harbor on the Atlantic seaboard between New York and Norfolk, that lodgment could be made an aviation base, from which this city could be attacked in one hour by aircraft, Philadelphia in less than an hour, and New York in a little more than an hour in the way that aircraft go now. The result of it might be that this lodgment would be effected because our Navy could not be concentrated there for the purpose of preventing it, and we would be subjected to some of the horrors which have occurred in Belgium simply because our Navy could not prevent that lodgment, which they could do if the ships lying in New York Harbor and at Hampton Roads were able to prevent a landing being made. I only cite that to illustrate how all this defense work comes from that careful consideration which I know the learned Senator, whose great ability is known to us all, would give to a law case were he considering it before he went into court.

Mr. THOMAS. I think, Mr. President, the Senator's statement proves too much. If foreign countries are developing aircraft to the extent that would make possible such a calamity as has been outlined, then all the naval safeguards against

such a calamity would be utterly inadequate to prevent it, because we know now that by building platforms upon the turrets containing the great guns of the modern superdreadnaught aircraft are carried in great numbers, relatively speaking, and can be launched from those bases and accomplish the identical things to which the Senator refers, unless our own aircraft development is sufficiently comprehensive to overcome it.

Mr. SAULSBURY. I do not wish the Senator to understand me as saying that aircraft could effect a lodgment such as I have described. I said that naval vessels, our high-seas fleet being defeated, could effect such a lodgment and use it as a base.

Mr. THOMAS. I think I understand the Senator. I am not afraid of any lodgment being made on the coast of the United States by any naval force in existence. In these days of submarines, mines, depth bombs, and huge coast guns, I undertake to say that the entire British Navy, in the event of an unfortunate conflict between that great power and ourselves, could only penetrate the confines of this country by coming by way of Canada, which, of course, we could not prevent under any circumstances. One of the significant features of this war has been the inability of any fleet, however powerful, to effect a landing or a lodgment on hostile territory, with the single exception of the unfortunate expedition at Gallipoli, and there the landing was made difficult, of course, but it was nevertheless made, because of the absence of those very elements of defense to which I have called attention.

Mr. SMOOT. And it proved a very expensive undertaking.

Mr. THOMAS. And the expense of it, both in blood and in treasure, was simply appalling. The day has passed when any naval force can effect a lodgment on the shores of any country that is properly defended by modern appliances.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. THOMAS. I yield; yes.

Mr. SMOOT. I can not quite understand how naval vessels are going to be benefited by the purchase of this canal and the dredging of it to a depth of 12 feet.

Mr. THOMAS. Thirty-five feet, if necessary.

Mr. SMOOT. I wish to call the Senator's attention to the report, which says:

> Regarding the further improvement of the already recommended waterway between Chesapeake Bay and Delaware Bay, the Chief of Engineers concurs with both the special board and the Board of Engineers for Rivers and Harbors in the opinion that it is advisable for the United States to buy the Chesapeake & Delaware Canal at a cost to the United States not exceeding $2,514,290, and to then enlarge it to a sea-level canal of 12 feet depth and 90 feet bottom width, with the least interference practicable to existing traffic, following in general the methods indicated by the special board, at a cost which, including the first year's maintenance, amounts in round numbers to $8,000,000, of which $3,000,000 should be made available by the first appropriation, and economical work will then require subsequent appropriations of from $500,000 to a million dollars per year.

Mr. SAULSBURY. Mr. President, if the Senator from Colorado will permit me, I think I can possibly enlighten the Senator from Utah [Mr. SMOOT].

Mr. THOMAS. I yield.

Mr. SAULSBURY. Of course the statement of the Senator from Utah, which he reads from simply one of the reports, of which there are a multitude, shows that "a little knowledge is a dangerous thing." There is no doubt in my mind that the purchase of this canal will lead ultimately to its deepening sufficiently to permit the passage of our naval vessels through it. That is what the naval experts recommend. I hold in my hand, for example, a monograph by Admiral Benson on this question, from which I can read to the Senator what his views are, if the Senator would care to hear them, but the information on this very subject, to be found in the reports made from time to time by commercial bodies, by naval commissions, by military commissions, and by the commercial experts of the Commerce Department, is so voluminous that in order to bring it before the Senate it would take too much time, but I can refer the Senator to all those reports.

My hope is—and I state it frankly—that the purchase and deepening of this canal will so demonstrate the great utility of that kind of transportation commercially, will so show how the power of our fleet can be greatly increased—and Admiral Mahan is one of the great authorities on that subject from whom I have freely quoted in some of the efforts I have made in regard to it—that it will result finally in the construction of a Philadelphia-New York canal, we will call it, which will many times multiply the efficiency of our fleet. While, of course, a 12-foot depth would only accommodate light-draft vessels—and that would be a very great thing commercially—I have no idea that this canal when purchased will be limited to 12 feet. I think its utility, as suggested in that report, will be so demonstrated that the Federal Government will continue to deepen and widen the canal until it is really made an effective waterway.

Mr. SMOOT. Mr. President, I am very glad the Senator from Delaware has made that statement. I think the Senate ought to know approximately what the expenditure will be upon this canal to make it 35 feet deep, according to the engineers' report.

Mr. RANSDELL. If I may interrupt the Senator, he said to "35 feet"; I presume he means 25 feet.

Mr. SMOOT. I thought the Senator from Delaware said "35 feet."

Mr. SAULSBURY. Twenty-five feet is the extent to which they have gone in making these estimates, and that depth will probably accommodate all except the superdreadnaughts of our Navy. I can tell the Senator, in round numbers, exactly what the cost of such a canal will be; it will be about $12,000,000 altogether.

Mr. SMOOT. I can not figure it in that way if this report is true. The report says that if it is made a sea-level canal of 12 feet depth and 90 feet bottom width it will cost $8,000,000. I understand that the canal to-day is about 9 feet deep.

Mr. SAULSBURY. It has a depth of 9 feet; yes.

Mr. SMOOT. It has a depth of 9 feet, and 12 feet will make 3 feet extra. Now, if the 3 feet extra cost $8,000,000, then if the canal were deepened to 35 feet, deducting 9 feet, the present depth, from 35 feet, would leave 26 feet, and 3 into 26 goes nearly nine times, and nine times $8,000,000 is $72,000,000, which would be the cost to make it 35 feet deep; and the Senator knows that the deeper the canal is dredged the more costly it is.

Mr. SAULSBURY. Mr. President, the figuring of the Senator shows that anything can be done by a man with a lead pencil, and that my statement in the first place, that "a little knowledge is a dangerous thing," is absolutely true. I will explain to the Senator just why his calculations are all wrong. It is because of facts with which the Senator is not familiar.

Mr. SMOOT. No; the Senator——

Mr. SAULSBURY. If the Senator will permit me just a moment——

Mr. SMOOT. I merely wish to say to the Senator that I simply base my figures upon this report. If the report is wrong, then, of course, my figures are wrong.

Mr. SAULSBURY. The report is not wrong.

Mr. SMOOT. Well, does the Senator admit, then, that to deepen this canal to 12 feet from 9 feet and make a bottom width of 90 feet will cost $8,000,000?

Mr. SAULSBURY. I think probably the engineers are accurate in that estimate.

Mr. SMOOT. Then, I want to say to the Senator that would indicate that for every 3 feet of additional depth it will cost $8,000,000.

Mr. SAULSBURY. No; I will explain that to the Senator, if he will permit me.

Mr. SMOOT. Of course, if there is a way of explaining it, I should like to have the explanation.

Mr. SAULSBURY. I can explain it, I think, to the satisfaction of the Senator.

Mr. SMOOT. I will be glad to hear the Senator's explanation.

Mr. SAULSBURY. Mr. President, the present canal is a lock canal. That includes the purchase price of the canal at $2,500,000. The upper levels of the lock canal must be cut down until they are 12 feet below ordinary sea level; so that the greatest cost will be the first cutting, where you have to go down, for example, in the upper levels, 22 feet in order to get your 12 feet. Thereafter the dredging is not, as the Senator supposes, much more expensive, but the water-borne dredges can, of course, excavate up to a reasonable depth much more cheaply the greater amount they excavate at one place and the better transportation they have; so that these figures have all been estimated and given in the reports of the engineers, and I can refer the Senator to the engineers' estimates, for a width of 125 feet and 25 feet deep. That would be sufficient to demonstrate absolutely the utility and usefulness of this canal, and would pass a very great many of our naval vessels, all of our submarines, all of our tenders, and answer for ordinary commercial purposes. The cost, including the purchase of this canal, widened to 125 feet and to a sea-level depth of 25 feet, is given on page 10 of Document 196, referred to, and is stated to be $12,424,500. I will say to the Senator that I am practically certain that that will be reduced half a million dollars on account of conditions that exist regarding land purchases and things of that kind, which are estimated at a very high rate; but I hope I have explained to the Senator how the first cutting is the most expensive.

Mr. SMOOT. Mr. President, I want to call the Senator's attention to the very document from which he is reading; and this is what I find:

If the lock canal is ever to be deepened to 25 feet, it would be advantageous to so arrange its foundations, sills, and floors as to allow of such deepening without serious extra cost or serious interference with traffic, and this will add also somewhat to cost of construction. Making an allowance for these items, and stating the special board's estimates in round numbers, its estimates will stand as follows:

Lock canal, 12-foot depth, cost $20,000,000.
Lock canal, 25-foot depth, cost $30,000,000.
Sea-level canal, 12-foot depth—

And that is what we are undertaking to arrive at—

$33,000,000.
Sea-level canal, 25-foot depth, $45,000,000.

Mr. SAULSBURY. Where does the Senator get those figures?

Mr. SMOOT. On page 7 of the report of the office of the Chief of Engineers, War Department, dated Washington, August 9, 1913, addressed to the Secretary of War.

Mr. THOMAS. Mr. President——

Mr. SAULSBURY. But the Senator is referring to the wrong canal. The Senator is referring to a canal in another portion of the Atlantic seaboard. He is referring now, if the Senator will permit me, to the canal across New Jersey, which is not even started yet.

Mr. SMOOT. Mr. President, it says here, beginning with paragraph 3:

Regarding the further improvement of the already recommended waterway between Chesapeake Bay and Delaware Bay, the Chief of Engineers concurs with both the special board and the Board of Engineers for Rivers and Harbors in the opinion that it is advisable for the United States to buy the Chesapeake & Delaware Canal, at a cost to the United States of not exceeding $2,514,290, and to then enlarge it to a sea-level canal of 12 feet depth and 90 feet bottom width, with the least interference practicable to existing traffic, following, in general, the methods indicated by the special board, at a cost which, including the first year's maintenance, amounts in round numbers to $8,000,000, of which $3,000,000 should be made available by the first appropriation, and economical work will then require subsequent appropriations of from $500,000 to $1,000,000 per year.

Then paragraph 4 says:

The Chief of Engineers concurs with the Board of Engineers for Rivers and Harbors in the view that further deepening to 25 feet of the Chesapeake & Delaware Canal at an extra cost of $4,500,000 should await further observation——

Mr. SAULSBURY. Yes; but, Mr. President, the Senator from Utah simply skipped paragraph 5. Paragraphs 3 and 4 refer to the Chesapeake & Delaware Canal. Paragraph 5 goes on to say:

Regarding the proposed waterway from Delaware River to New York Bay, the Chief of Engineers concurs—

And so forth. Paragraph 6 proceeds to consider the New York Canal; and the figures from which the Senator reads are in paragraph 6, which refers to the building of the New York Canal, which, of course, will take a vastly greater amount of money and will probably take $45,000,000. I hope the Senator sees that he is reading from the wrong page.

Mr. SMOOT. Mr. President, I was only reading the report, and I have not had time to study it, because it was handed to me by the Senator from Louisiana [Mr. RANSDELL] just a few moments ago.

Mr. SAULSBURY. But not in regard to this canal.

Mr. SMOOT. Why, it has reference to the canal.

Mr. THOMAS. Mr. President——

Mr. SAULSBURY. That is precisely what I have been going through for five years here—trying to get my colleagues to understand that we are talking about one thing which has been thoroughly estimated, and they bring in inadvertently, unknowingly, figures which refer to entirely different things. I have been managing to educate about one Senator a year on this subject.

Mr. THOMAS. Mr. President——

Mr. RANSDELL. Mr. President, since the name of the Senator from Louisiana has been mentioned——

The VICE PRESIDENT. The Senator from Colorado has the floor.

Mr. RANSDELL. Will the Senator yield for just a moment?

Mr. THOMAS. I will yield for just a moment.

Mr. RANSDELL. I simply want to say that I was very glad to hand to the Senator from Utah the report to which he has been referring, which covers two or three sections. He inadvertently had the section between New York Bay and the Delaware River confused with the section between the Delaware River and Chesapeake Bay. It was just a little and very natural error on his part.

Mr. THOMAS. Mr. President, in a matter of this kind what are a few millions between friends? The fact is that Uncle Sam's Treasury will be burdened to some degree, expressed in seven figures or probably eight figures, whether the enterprise is as contended by the Senator from Delaware or as urged by the Senator from Utah. The probabilities are, and I think the history of our river and harbor appropriations sustains the inference, that whatever the estimates may be the ultimate cost to the Treasury will greatly exceed them.

Mr. President, I am not going to dwell longer upon this subject. I have said perhaps more than I ought to have said, and the discussion has been more illuminating by those who have interrupted than by myself. But before I take my seat, Mr. President, I want to register a protest, as solemnly as I can, against the devotion of the few remaining days of the Sixty-fifth Congress to the consideration of business like the river and harbor bill. We have about 14 days left for actual work; and the business upon the calendar of the most tremendous and pressing importance is, in my judgment, altogether beyond the possibility of intelligent disposal if we should devote every minute of every hour of every day to its consideration up to the 4th of March next at 12 o'clock noon. We have spent two or three days upon this bill, and it will doubtless consume as many more—valuable days, precious days—when the great department supply bills, the great appropriation bills necessary to operate this Government for the next fiscal year, are thrust aside, to say nothing of a number of conference reports which refer to matters of equal importance.

In addition, Mr. President, this Congress ought to—although I do not believe it can—enact some legislation before it adjourns for the purpose of repressing the seditious and insurrectionary conditions that are becoming more and more menacing in the great centers of the country every day. We are fiddling our time away when the Nation seems to be in the very throes of a coming volcanic upheaval, and we are doing nothing about it except determining how much money we can obtain for this scheme and for that and the other out of the Treasury of the United States.

One of the most ominous articles I have read in many days appears in this morning's Washington Post. It is entitled "'Reds' Beyond Reach," and it is from the pen of George Rothwell Brown. I shall not take the time of the Senate to read this article. I hope every man and every woman within the sound of my voice will read it, because it will convey to them some degree of knowledge of the manner in which the devotees of the red flag of anarchy have conducted themselves since the armistice was signed and the surveillance of the Government upon their activities relaxed. It appears that in two of the great cities of the Union there are scores of publications that have sprung up like mushrooms, printed on red paper or in red ink, and reaching from 500,000 to 5,000,000 of the people daily, not only encouraging but advising insurrection, not only suggesting but preaching the doctrine of the dagger and the torch, and announcing that when the hour arrives—and it will arrive soon—universal massacre and destruction of all except the criminals composing these organizations will begin. In other words, these publications advocate and practice treason against the Government of the United States and the State governments, and are doing it with impunity, conscious of the relaxation of existing laws which in themselves were in many directions too weak to meet the emergencies confronting the officers of the Government.

We should make treason odious in this country by appropriate legislation—by summary legislation. If necessary, we should sweep aside everything upon the calendar and enact such legislation now, because self-preservation is the first law of nature. We are minimizing the magnitude of these conditions, as Americans are always apt to do until the crisis shall have been reached and possibly passed.

Mr. KING. Mr. President, will the Senator yield?

Mr. THOMAS. Certainly.

Mr. KING. The Senator is aware, doubtless, that there is a nation-wide propaganda for the repeal of the espionage law, and for the purpose of permitting the United States mails to be made the vehicle of carrying the very literature of which the Senator speaks, which advocates assassination, murder, revolution, and the destruction of our form of government.

Mr. THOMAS. Oh, yes, Mr. President. It is being done openly; and why should it not be done openly, when the officials of the Government must be supine for lack of legislative authority to proceed? I suppose the widening of Podunk Creek, or $1,000,000 to the Kinnikinnick River, or $5,000,000 for the purchase of a canal, is so supremely important that we have not time to consider, much less to discuss, this menace. We prefer to divide the raiment of the Republic in the shadow of the cross rather than take up the problem of meeting this menace and the enacting of legislation that will at least place upon the authorities the responsibility of seeing to it that government of the people shall not perish from the earth.

Therefore, Mr. President, I hope that if this bill is to be passed we shall pass it, and take up this more important subject, and do something about it before Congress adjourns.

Mr. WEEKS. Mr. President, I think no one can controvert the very impressive statement that has just been made by the Senator from Colorado. I doubt if many Senators even understand the widespread propaganda which is going on in the United States to-day, not only through the press, to which the Senator has referred, but in innumerable meetings where treason is being taught and talked without remonstrance on the part of the Government. Self-preservation is the first law of nature, and the people of this country will have to give some consideration to their own self-preservation.

However important the duties of the President may be on the other side—and I do not intend to discuss that matter, because there is a difference of opinion—I say that he can not perform a more important duty than taking the lead in the matter to which the Senator from Colorado has referred, and stamping out in some form this wicked propaganda which is going on in the United States. If the occupant of the chair in this Chamber were exercising the duties of the President of the United States I know what would be done, I think. I think some action would be taken by Congress which would at least check this evil, which is likely to be a scourge within the immediate future.

But, Mr. President, I did not rise to discuss that particular question.

Mr. JONES of Washington. Mr. President, will the Senator permit me?

Mr. WEEKS. I yield.

Mr. JONES of Washington. The Senator from Colorado suggested that Congress should either set aside the bill we now have or pass it promptly and proceed to consider this matter. I think I appreciate the importance of the statement he made and the subject he referred to, but I wanted to ask him, and as he has been called out I will ask the Senator from Massachusetts, whether he knows if any administrative officer of the Government has submitted any proposal to Congress that would meet the situation, or has any committee of Congress reported any legislation that Congress could proceed to consider to meet the situation?

Mr. WEEKS. Mr. President, I have not any information that would enable me to answer that question in the affirmative, but what Congress needs and what the country needs is a leader in this matter. We are going to waste our effort unless we have some determining factor to point out the way which we should go, and under the conditions which obtain to-day we have not any such leader.

Mr. JONES of Washington. Does the Senator know of anyone who ought to be better able to direct us as to how to proceed than the administrative officers of the Government?

Mr. WEEKS. Of course, they should be the motive force in whatever action is taken, and Congress will very readily follow.

Mr. FLETCHER. I suggest to the Senator that there is a subcommittee of the Judiciary Committee investigating that subject now.

Mr. WEEKS. Oh, but, Mr. President, that subcommittee has been in active operation for weeks—I do not know but as long as two months—and the Senator from Florida knows very well that there is not a Senator in this Chamber who has time to read one-tenth of the testimony which they have taken. They are not likely to report within a definite time, and if we wait for a report from that investigation we are going to be deluged with this question, and, I am afraid, in a bloody way.

Mr. KING. Will the Senator yield?

Mr. WEEKS. I yield.

Mr. KING. I think the Senator is right in referring to the subcommittee to which the Senator from Florida referred. The duties of that committee are limited and do not involve any recommendation for legislation. They were merely to investigate a charge that was made in the resolution submitted by the Senator from Washington [Mr. JONES] with respect to the use of money to carry on a propaganda in favor of the brewers. Then, the scope of the committee was enlarged to ascertain if there was any German propaganda in this country; and lastly, by an amendment, or another resolution, rather, which was offered by the Senator from Montana [Mr. WALSH] a few days ago, the subcommittee was directed to inquire what activities were going on in this country by the Bolsheviki, whether there was any money being expended for the purpose of disseminating Bolsheviki sentiments in this country. But I do not understand that that committee is authorized to formulate any legislation or to report any particular legislation.

Mr. WEEKS. The Senator from Utah knows perfectly well that it will not formulate, in the immediate future at least, any effective legislation which is to deal with this question as it should be dealt with.

Mr. KING. I think the Senator states the matter accurately, and I regret——

Mr. WEEKS. And I am not disparaging the subcommittee in the least.

Mr. KING. I know the Senator is not; I happen to be a member of this subcommittee. I know the Senator has no intention of doing that, but I regret that there is no committee now working upon the question, which committee would be ready to submit at an early date concrete recommendation to deal with the question to which the Senator from Colorado referred.

Mr. SMITH of Michigan. Mr. President, if the Senator from Massachusetts will permit me, the suggestion of the Senator from Utah [Mr. KING] that an inquiry ought to be made as to whether any money was spent in the interest of this propaganda prompts me to say that it is not necessary to spend money to start such a propaganda. The maladministration of justice and unfair dealings with patriotic men arouses a feeling of antagonism which ultimately makes alliances with any who favor a kindlier and better disposition toward the average citizen.

We were discussing here the other day with a great deal of vigor the court-martial revelations before the Committee on Military Affairs. Such revelations are calculated to bring into disrepute the officers and offices of the Government.

This morning I am informed that under the direction of the Department of Justice soldiers returning from abroad are being arrested in the city of Detroit for wearing their uniforms one day after they have returned, and an appeal made to the War Department says the War Department has nothing to do with the matter. They take one view and the Department of Justice takes another, the Department of Justice construing the law as they think it should be construed, which it is not too much to say is in direct opposition to the construction of the law which is placed upon it by the War Department. Oh, Mr. President, has it come to pass that a soldier who has honored his uniform by fighting the battles of his country can not wear that uniform home with him?

Mr. KENYON. Does the Senator say that has occurred or that he has read of it? It seems incredible.

Mr. SMITH of Michigan. I have it upon authority very direct that there is an absolute conflict between the Department of Justice and the War Department upon the right of the soldier to wear his uniform after reaching his home. He may wear his uniform under the law from the scene of his military activities to his home not exceeding the period of 90 days. The War Department holds that he has a right to wear his uniform 90 days even around home, and the Department of Justice is hunting down these soldiers and prosecuting them and placing them under arrest for doing so. I am informed this was done only yesterday in the city of Detroit.

Mr. VARDAMAN. May I ask the Senator if they are being prosecuted for wearing their uniforms after the 90 days or during the 90 days?

Mr. SMITH of Michigan. One day after their discharge and return to their homes.

Mr. VARDAMAN. One day after their discharge?

Mr. SMITH of Michigan. Yes; and his return to his home; the uniform that the soldier has honored while imperiling his life perhaps.

Mr. VARDAMAN. I am asking for information. I have had a great many inquiries about it, and my understanding was that they were permitted to wear their uniforms by the War Department for three or four weeks.

Mr. SMITH of Michigan. The War Department takes that view, I will say to the Senator from Mississippi, but the Department of Justice takes a directly opposite view, and in the enforcement of the law the Department of Justice has a wider and more important function than the War Department.

Mr. WEEKS. Mr. President——

Mr. SMITH of Michigan. I do not want to pursue the matter any further. I am humiliated and saddened to think that any department of the Government would exercise this technical or arbitrary power and deprive soldiers of the uniform. They can not all buy civilian clothes when they get back. They have not the money with which to buy them, and if they wear civilian overcoats over clothing military in character to keep them warm they are apprehended. Now, that is not right. This makes for disorder and it makes for the very things that the Senator from Massachusetts and the Senator from Colorado are combating.

Mr. SMITH of Arizona. I did not hear the entire statement made by the Senator. I can not conceive and it seems incredible to me that the Department of Justice has, as he says,

any jurisdiction in the matter or any business with it at all. What order can the Department of Justice make in regard to a man wearing his uniform?

Mr. SMITH of Michigan. The busybodys of the Department of Justice are too numerous and their ramifications too many for any ordinary man to fully comprehend. I have seen them in their activities over and over again. Several years ago I saw in the Senator's own State the activities of agents of the Department of Justice along our border, where warrants were not required to place citizens under arrest. Their activities are numerous, and too numerous for the ordinary man to comprehend. But what I say to you now has been put up directly to the War Department. Gen. McIntyre—and I do not think I am violating any confidence—said this morning that their view of the right of the soldier to wear his uniform and the view of the Department of Justice are seriously different. I assert that in the streets of the city of Detroit soldiers returning from service to their country have been apprehended by agents of the Department of Justice for wearing their uniforms in the streets of that city. I think it is outrageous, and it makes for this disorder of which Senators complain. It makes for disrespect of government and law and it dampens the ardor of the patriot willing to give his life for his country and yet not permitted to wear in private life the uniform he has honored.

Mr. WEEKS. Mr. President——

Mr. SMITH of Michigan. May I have one moment more?

Mr. WEEKS. Yes.

Mr. SMITH of Michigan. We passed a bill here providing that a soldier could wear his uniform and own it; that it should be his. It was most appropriate legislation. I think the bill went through the Senate practically unanimously. I understand the same legislation has passed the House in a little different form, but the two bodies have not reconciled their differences, and in that interim the law which the Department of Justice construes one way and the War Department another is permitted to stand.

I do not think that many men in the Government of this country, from the highest to the lowest will approve of the pernicious activities of the Department of Justice officials in apprehending soldier boys for wearing their uniforms upon the streets of one of the great cities of this country.

Mr. KING. If the Senator from Massachusetts will permit me, I suggest to the Senator from Michigan that I know of thousands of men who have been discharged from the Army who are still wearing their uniforms, and there is no objection. What the Senator now states is something entirely new to me. I can not conceive of the condition being very extensive, at least to which the Senator has referred. I have not heard of any objection being interposed by the Department of Justice or by any Government official to the discharged soldiers wearing their uniforms.

Mr. SMITH of Michigan. I hope——

Mr. KING. Just in conclusion, I do not think the Senator from Michigan intends to launch a general criticism of the work of the Department of Justice and its agents during the period of the war through which we have just passed.

Mr. SMITH of Michigan. No.

Mr. KING. I think the Department of Justice has done admirable work.

Mr. SMITH of Michigan. Splendid.

Mr. KING. Thousands of patriotic citizens all over the United States have voluntarily cooperated with the administration. I know Mr. Bielaski, a Republican by the way, has attempted to discharge the duties of that important trust with fidelity and with ability. While I have differed from him in many, many particulars, because I come in contact with him very frequently, I feel constrained—and, indeed, it is a pleasure—to say that so far as I could observe he has tried to do his duty as a faithful public servant and a patriotic American. I think that the Department of Justice has earnestly and honestly tried to administer the law and to uphold the hands of the Chief Magistrate of our Government in the carrying out of the immense responsibilities resting upon him and upon all officials of the Government.

Mr. SMITH of Michigan. I agree with the Senator from Utah. The Department of Justice has done excellent work. I go one step further than the Senator from Utah and say that Mr. Bielaski's management of his very onerous and burdensome department has been decidedly to his credit and successful from every point of view.

I am not launching a general criticism against the department, but I do say that the construction of the present law by the War Department and its announcement to the world of the construction of the present law by the Department of Justice and its purpose and plan, as evidenced in the city of Detroit particularly, calls for condemnation and makes, in my opinion, for that lawlessness and disregard for our institutions which ought not to be permitted to grow.

The only point I rose to emphasize was the point made by the Senator from Massachusetts and that of the Senator from Utah, that it is not necessary to spend money to get propaganda against the Government if the Government itself, either thoughtlessly or unintentionally, is using its power against the ordinary decencies of civil life.

Now, that is all I am complaining about. I can not think of anything much more humiliating than to have a boy apprehended for wearing his uniform. There is not a jury in the United States that could convict that boy of violating any law of the country.

If the representatives of the Department of Justice in the city of Detroit are pursuing those tactics, which I am informed they are, and reliably informed, it ought to be stopped. Better than that, the conference committee should get together and give this boy his uniform to take home with him.

One of the lessons of my youth that I never will forget as long as I live was the uniform of an uncle hanging upon the wall of his humble cottage in his little country home in Michigan. I read out of it lessons of patriotism which I have never forgotten, and at his knee I heard of the sufferings of himself and his comrades. He did not parade his virtues; he had many of the weaknesses of which human nature complains; but he had been a patriot, and I have loved his memory from my youth, because there was attached to his service as a private soldier in the service of his country, which his uniform attested, his old gun and his old cap and his canteen.

We must not permit through any laxity of legislation these soldiers to be degraded and imposed upon for wearing the uniform if they desire to wear it and if they need to wear it. We must not permit them to be degraded by our laxity or by the overofficiousness of the officers of one department of the Government in contradiction to the wishes of another department of the Government.

Mr. KING. Will the Senator permit me?

Mr. SMITH of Michigan. Certainly; but I have not the floor.

Mr. KING. With the permission of the Senator from Massachusetts——

Mr. SMITH of Michigan. The floor belongs to the Senator from Massachusetts, and I yield it back. I only intended to emphasize that one thought, and I leave it there.

Mr. KING. As soon as the Senator from Michigan made his statement I immediately called up the Department of Justice to ascertain what the facts were with respect to the grave accusation made by the Senator. I have just been informed by the Assistant Attorney General who has charge of these matters that no such instructions were ever given; that no such interpretation by the Department of Justice has been placed upon the law as is suggested by the Senator from Michigan. They never heard of an arrest and never authorized an arrest, and never have placed that interpretation upon the law, and if any officious, bumptious person in Michigan masquerading as a representative of the Department of Justice—perhaps, indeed, a representative of the Department of Justice—has pursued the course suggested by the Senator, my advices are from Mr. Bryan that his act was not authorized and he has exceeded any authority which was conferred upon him.

Mr. SMITH of Michigan. I think if the Senator had called up the War Department——

Mr. KING. I called up the Department of Justice.

Mr. SMITH of Michigan. He would have found out from Gen. McIntyre that there is a disagreement between that department and the Department of Justice. But I am glad to have this information from the head of the department. I have always found them reasonable; but some overofficious and overexacting official out there has caused these boys to be humiliated and disgraced. That information comes to me without question, and I rely upon it.

Mr. WEEKS. Mr. President, if I had had an opportunity previously I should have expressed the opinion, or the hope, at least, that the Senator from Michigan was mistaken in the statement which has been brought to him. Certainly such action could only be taken by a bumptious official and in total disregard of law. I do not think that any such action as that is general. There are reasons enough why this condition is spreading throughout the United States, in my opinion, without citing individual cases which may have happened in some particular locality.

But what I arose, Mr. President, to discuss very briefly was the matter which is really before the Senate, and that is the appropriation for the Chesapeake & Delaware Canal; not particularly relating to that canal, but in relation to a complete

system of intercoastal canals from Maine to North Carolina, at least. I think it has been demonstrated very clearly during this war that one of the most useful purposes for which Government appropriations might be used would be the perfection of such a canal system. It is not only in a sense a military requirement, but it is a commercial requirement of the very highest order.

Let me refer for just a moment to the Cape Cod Canal in Massachusetts, for it is not necessary, I think, to do so in detail. But heretofore all the shipping going north of Cape Cod on the Atlantic coast has had to pass around the end of that cape. It is most dangerous navigation, and the end of Cape Cod is literally strewn with the wrecks which have taken place there. The number of lives lost every year is considerable, and the loss of property is very great. The Cape Cod Canal, which has now been taken over by the Government, because of military as well as commercial requirements, and which would furnish a link in this intercoastal system, will in just one item save to the people of New England north of that cape in the transportation of coal practically a million dollars a year, and not only save that in money but will save many lives and a very considerable amount of time.

For example, a vessel going from New York to Boston can use that canal and save about half the pilotage fees which would be required if it went around the cape. It is a neighborhood of fogs, and frequently Nantucket Sound is filled with vessels waiting for clear weather, so that they can get across Pollocks Rips and around the cape. I have myself remained there on a sailing vessel for three days waiting for an opportunity to get around. So when you consider the question of the loss of life, the loss of time, and the loss of money, it is of vital importance to navigation on our coast that that canal should be in operation, and it should be put in operation so as to be available for every class of vessels, including the dreadnaughts of our battle fleet.

Mr. WILLIAMS. Mr. President——

Mr. WEEKS. I yield to the Senator from Mississippi.

Mr. WILLIAMS. I merely desire to suggest, in corroboration of what the Senator from Massachusetts has been saying, that everything which he has said with regard to Cape Cod and the navigation around there in the vicinity of Nantucket and all along that coast applies with double force to the navigation around Cape Hatteras, which ought to be protected as far as possible by an intercoastal canal.

Mr. WEEKS. Mr. President, the Senator from Mississippi has correctly stated the case in its application to Cape Hatteras.

The Chesapeake & Delaware Canal is a part of that system; and if we should complete the so-called Raritan Canal through New Jersey, and the Cape Hatteras Canal through the sounds of North Carolina, we should have from north to south a complete system of internal waterways. It would save time, save life, and perhaps be of material advantage in case we ever again became engaged in war.

Therefore at this time, when we have great numbers of men out of employment, when we are going to have more out of employment, when there is much discussion of undertaking governmental activities for the purpose of giving employment, I submit to the Senate that no more valuable use could be made of the Government's money and of the time of the men now needing employment, than to complete or to undertake this very beneficent public work. I therefore hope that, as one link in the chain, this appropriation for the Chesapeake & Delaware Canal will be made.

The PRESIDENT pro tempore. The question is on agreeing to the pending amendment, which the Secretary will state.

The SECRETARY. On page 5, line 22, it is proposed to strike out "$2,500,000; completing," and to insert "$1,000,000; for"; and on page 6, line 2, after the words "in all," to strike out "$2,571,080" and insert "$1,071,080," so as to make the clause read:

Delaware River, Pa., N. J., and Del.: Continuing improvement and for maintenance from Allegheny Avenue, Philadelphia, to the sea, $1,000,000; for improvement at Camden, N. J., in accordance with the report submitted in House Document No. 1120, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $71,080; in all, $1,071,080.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to. The Secretary will state the next committee amendment.

Mr. KING. Mr. President, if the Chair will pardon me, I wish to say that I think the senior Senator from Utah [Mr. SMOOT] desires to make some observations on that item. I know last evening he asked to have it go over.

The PRESIDENT pro tempore. The amendment having been declared carried, the Chair suggests that the Senator from Florida [Mr. FLETCHER], in charge of the bill, will doubtless move to reconsider the action of the Senate, if the senior Senator from Utah [Mr. SMOOT] shall desire to speak on the amendment.

Mr. KING. If the Senator from Utah desires to submit any observations on the amendment, I suggest that that ought to be done.

Mr. FLETCHER. I suggest that we proceed in the regular way, and then, if the Senator from Utah desires to be heard upon the amendment, I shall be willing to make the motion to reconsider.

Mr. KENYON. I notice that the Senator from Utah has been called out for a few moments, but I think the matter can be again taken up when he comes back, if that is satisfactory.

Mr. FLETCHER. We will take the matter up again when the Senator from Utah returns to the Chamber, if it shall be then so desired.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 6, line 8, before the word "improvement," to strike out "Completing" and insert "For maintenance, $20,000; for"; and in line 10, after "$39,770," to insert "in all, $59,770," so as to make the clause read:

Cooper, Salem, Cohansey, and Maurice Rivers, Woodbury, Mantua, Raccoon, Oldmans, and Alloway Creeks, N. J.: For maintenance, $20,000; for improvement of Raccoon Creek in accordance with the report submitted in House Document No. 800, Sixty-third Congress, second session, $39,770; in all, $59,770.

Mr. KENYON. Mr. President, if either of the Senators from New Jersey is here, may we not have some information as to the importance of Raccoon Creek, as to what it is? I have not been able to find the House document in reference to the matter. It may be that the chairman of the committee has it.

Mr. FLETCHER. This is a project which is new, and the original estimate of the engineers for it was $39,770 to complete it; but there seemed to be a question whether or not that would entirely complete it, and the engineers stated that that amount could be advantageously and profitably spent, so we changed the word "completing" to "for" and let the item stand as it came from the other House, at $39,770.

It is shown by the document I have here, which is House Document No. 800, Sixty-third Congress, second session——

Mr. KENYON. What is the proposition?

Mr. FLETCHER. This document shows as to Raccoon Creek as follows:

2. Raccoon Creek is a crooked tidal stream emptying into the Delaware River about 18 miles below Philadelphia. The existing project for its improvement contemplates the formation of a dredged channel 7 feet deep and 75 feet in width at mean low water from the mouth to Bridgeport, thence a channel of the same depth and 60 feet wide to Springers Wharf, and thence a channel 5 feet deep at mean low water and 40 feet in width to the head of navigation at Swedesboro, with a cut-off at Molonox Shoal. This project is practically completed. It appears that the additional improvements now desired are the extension of the 7-foot depth to Swedesboro and the protection of the mouth. The district officer states that the heaviest receipts and shipments are made at the wharves at Swedesboro, for which reason he believes that the full depth of 7 feet should be carried to that point. He further states that a broad shoal has formed at the mouth of Raccoon Creek, which will require annual redredging or the construction of a jetty. The estimated cost of extending the 7-foot channel to Swedesboro and dredging between the mouth of the creek and the 7-foot curve in Delaware River is $25,300.

In other words, the division engineer disagreed with the district engineer as to the length of that jetty, but the division engineer recommends that it be constructed, as I have said, at a cost of $39,770. Then, the report further says:

4. After due consideration of the above-mentioned reports, I concur in general with the division engineer, and the Board of Engineers for Rivers and Harbors, and therefore report that the further improvement by the United States of Raccoon Creek, N. J., is deemed advisable under a modification of the existing project providing for a channel 7 feet deep at mean low water from the inner channel of Delaware River to Swedesboro, 75 feet wide to Bridgeport, thence 60 feet wide to Springers Wharf, and thence 40 feet wide to Swedesboro, with a dike at the mouth, at an estimated cost of $39,770 for first construction and about $5,000 annually for maintenance. The full amount of the estimate should be provided in one appropriation. It should be noted that the present project has been practically completed for considerably less than its estimated cost, and that the estimate of the work now proposed is only about $4,400 more than the unappropriated balance of the estimate for the existing project.

The committee thought that the whole project might be completed for that estimate of $39,770, and therefore we did not change that; but, for fear that it might not be fully completed, we changed the word "completing" to the word "for," so that it would read, "for the improvement" instead of "for completing the improvement."

Mr. KENYON. The appropriation is not enlarged?

Mr. FLETCHER. The total is enlarged, as the Senator will see. That is caused by the maintenance item of $20,000 which we added for the other projects. That was done on the recommendation of the engineer. He thought that the available balances for some of the other projects might not be sufficient

properly to maintain them and that he would need $20,000 more in order to maintain properly the projects named in the lump-sum item.

Mr. KENYON. In striking out the word "Completing" and in inserting the words "For maintenance," does that mean that $20,000 would have completed the project?

Mr. FLETCHER. No. As the bill came from the House there was no provision made for the maintenance of those items at all; they were simply named, and then the sentence began "Completing improvement of Raccoon Creek." There was really a lack of provision for maintenance, although the purpose was that there should be an appropriation for maintenance for the projects named in the beginning of that paragraph. The committee, in order to complete the provision, inserted the words "For maintenance." It was really an oversight, I think, upon the part of the House in not putting in the words "For maintenance" there. Their purpose was to have those projects maintained, but they did not provide any appropriation whatever for maintenance and did not use the language "For maintenance."

Mr. LENROOT. Mr. President——

Mr. FLETCHER. I yield to the Senator.

Mr. LENROOT. I think the Senator will recollect that the statement was made that the reason for the items appearing as they did in the House bill, grouping a number of projects together without any appropriation being made for maintenance, and then the appropriation following for completing the improvements, was that they believed there would be sufficient funds either left over from the appropriation for the improvement or that the engineers might use necessary amounts from a general fund for the maintenance of these items where no specific appropriation was made, but they desired to have them included in the bill, so that the engineers would be permitted to use the other funds for the purpose of maintenance.

Mr. FLETCHER. The Senator is correct.

Mr. KENYON. Then, there is an unexpended balance in connection with these items?

Mr. LENROOT. In many cases there are unexpended balances.

Mr. FLETCHER. And the Chief of Engineers, Gen. Taylor, in recommending this item felt it was advisable to ask the further odd sum of $20,000, so as to make provision for the maintenance of those projects.

Mr. KENYON. Mr. President, in these river and harbor bills it is sometimes difficult to tell, without a very close study, whether the streams set forth in the bill as creeks are, in fact, creeks or inlets from the sea. I have been opposed to the numerous items we have had in river and harbor bills for streams that seemed to be simply creeks, but I appreciate the fact that there have been instances where inlets from the sea, with a great deal of commerce, have been designated as creeks. I think that is rather unfortunate and leads to a wrong impression.

We have had Raccoon Creek before us for consideration for many years. I think it was first ably defended by former Senator Martine, who could defend these New Jersey projects with a great deal of vigor and persuasiveness.

In the report of the engineers as to this creek I find, on page 407 of part 1, this language:

> Original condition: The creek was crooked and obstructed by numerous shoals. It had an available depth of 4 feet between the mouth and Bridgeport, 1¾ miles, and thence of 3 feet to Swedesboro, the head of navigation, 9.75 miles from the entrance.

I take it that Raccoon Creek, from that description, is not a very important or necessary waterway. The engineer does state that by the work that has been done in the past the carrying of perishable freight has been facilitated, so that much good has been accomplished. There was an unexpended balance July 1, 1917, of $4,950.64; the amount allotted in the river and harbor act of August 8, 1917, was $5,000, making $9,950.64. I suppose if the improvement of this great waterway was not to be completed that sum would have been amply sufficient to have carried on the necessary work of maintenance.

There seems to have been no operations during the last fiscal year. The work was suspended January 3, 1917, and it does not seem to have been resumed, which may account to some extent for the paucity of a showing as to the commerce. The total commerce seems to have been 37,085 tons. We have appropriated altogether for this creek $97,500. It really seems to me, so far as the evidence disclosed in the report is concerned, that this is one of the waterways the expenditure of the public money on which is wasteful.

Mr. KING. Mr. President, did the Senator observe that this creek is so important, its proportions are so immense that it is denominated as being crooked and has numerous shoals?

Mr. KENYON. I knew it was crooked.

Mr. KING. It has an available depth of 4 feet between the mouth and Bridgeport, 1¾ miles, and thence of 3 feet to Swedesboro, the head of navigation.

Mr. KENYON. Where is Swedesboro? Does the Senator know where Swedesboro is?

Mr. KING. It is on Raccoon Creek, and Raccoon Creek is near Swedesboro. [Laughter.]

Mr. KENYON. Swedesboro is the head of navigation of Raccoon Creek?

Mr. RANSDELL. Mr. President, will the Senator yield?

Mr. KENYON. Yes; I yield.

Mr. RANSDELL. I should like to call the Senator's attention to the fact that the commerce on this creek in 1913 was 89,075 tons, valued at $1,158,170. Now, that is a right considerable commerce.

Mr. KENYON. What year is that, may I ask the Senator?

Mr. RANSDELL. 1913. The Senator has correctly stated that the report shows that the commerce of 1917 was 37,085 tons, valued at $307,179; but the Senator failed to call the attention of the Senate to this very important item on page 408, under the paragraph "Commercial statistics," which reads in this way:

> The usual draft of loaded vessels is from 4 to 7 feet. The general character of the commerce for the calendar year was crude oil, farm produce, manure, grain, oyster shells, and tomatoes.

Evidently it is a farming community.

> The decrease in commerce is due to it being impracticable to obtain complete reports.

Mr. KENYON. Where is the Senator reading from?

Mr. RANSDELL. That is on page 408 of the first volume of the report.

Mr. KENYON. For 1918?

Mr. RANSDELL. For 1918, part 1, the same that the Senator was reading from; the last paragraph on page 408.

Mr. KING. Mr. President, will the Senator yield?

Mr. RANSDELL. Pardon me until I finish, and then the Senator can ask his question.

> The decrease in commerce is due to it being impracticable to obtain complete reports.

I do not know exactly the situation there, Mr. President; but I do know that on a good many of these smaller waterways gasoline boats carry a very considerable commerce, which in the aggregate amounts to a great deal of commerce, and that it is very, very valuable to the small communities. This is not one of the big things, it is true. It is only a few dollars; but those small communities must be taken care of just as well as the big ones, and it is almost impossible to get accurate statistics on the smaller class of boats like the gasoline boats. I can refer the Senator to a river in my own State, Louisiana—Terrebonne Bayou, it is called—which has 1,000 boats on it, and you will find hardly any statistics in regard to the commerce, but in the aggregate it is a very important commerce; and I have no doubt that the commerce on Raccoon Creek, which in 1913 was 80,000 tons, worth over a million dollars, is still a valuable commerce.

Mr. KENYON. I want to substantiate the statement of the Senator. I agree with the Senator that the record shows that oftentimes, as a result of the burning up of the boat, we do not get the commercial statistics. For instance, on Newbegun Creek the gasoline boat was burned up and the engineers reported that they could not get any statistics.

Mr. RANSDELL. But the report does not say that a boat burned up in this case. The engineers say that the decrease in commerce is due to its being practically impossible to obtain complete reports. They do not intimate that a boat burned up.

Mr. KENYON. No; but I am substantiating the Senator's argument by referring to Newbegun Creek, where the one boat burned up, and so the engineers say we can have no statistics. The Senator is correct on that point.

Mr. RANSDELL. That might be true as to Newbegun Creek; there might have been only one boat there, and, of course, if that boat burned there would be no commerce; but evidently that is not the situation here, when the official statistics show that five years ago there were 89,000 tons of commerce, worth over $1,000,000. Surely it took more than one boat to carry all of that commerce, especially when those are very small boats of only about 4 feet draft.

Mr. KENYON. And it is very serious, of course, when the only boat on the creek burns up.

Mr. RANSDELL. That is probably true. If the Senator says so, I suppose it is true. I would not dispute his statement. If he knows that, I will accept it as correct.

Mr. KING. Mr. President, I was just going to suggest to the Senator from Iowa that in many instances, as I have read through hundreds and thousands of pages of these reports, we find that the commerce constantly diminishes upon the creeks.

In many instances it diminishes, because the railroads invade the territory, and their rates are so much lower and the transportation is so much quicker that as a result they cease to utilize the so-called waterways for the purpose of transportation. Then in many other instances the people devote themselves to entirely different occupations as the country changes, so that instead of exporting certain products they may be giving their attention to the production of other matters that do not call for export; or if for export, export in a different way.

I just want to suggest to the Senator, however, in connection with the statement that this creek in its palmy days had the immense tonnage referred to by the Senator from Louisiana, that I know of mines in the West that have an output of 40,000 tons a day, and they do not ask the Government to carry that freight for them. They have to build their own wagon ways and roadways and railroads for the purpose of conveying their freight. I know of hundreds and hundreds of farmers in the West and in the Middle States who produce thousands of tons of farm products during the year. They have to construct their own wagon ways and roadways to the railroads for the purpose of transporting their commodities. The Government does not bring to them a railroad or bring to their farms or to their mines the instrumentalities for the transportation of their commerce. Private business does it; private initiative does it; corporations do it. But it seems that the plan now is that if there is an infinitesimal creek, or if there is a swale, the Government must, then, out of the creek construct a waterway; and if there is no water there, sink artesian wells or something of that nature and pump water into the swale for the purpose of carrying to market the commerce of the inhabitants of that vicinity.

Mr. KENYON. Now, the Senator raises a question that we always have up in every river and harbor discussion, as to the railroads. I wonder if the Senator has observed the annual report of the Director General of Railroads on inland waterways?

Mr. FLETCHER. Mr. President, before the Senator gets on to that subject, may I say a word about Raccoon Creek? I am afraid the name may prejudice this project.

Mr. KENYON. I am coming back to Raccoon Creek.

Mr. FLETCHER. I simply want to call the Senator's attention to just what this project is. It may save him some trouble to investigate it.

The additional improvements now desired are the extension of the 7-foot depth to Swedesboro and the protection of the mouth.

Now, the engineer says:

I have personally examined this stream on several occasions, recently for the purpose of preparing this report.

The traffic of the stream is carried by gasoline boats and barges, by one steamboat plying daily between Bridgeport and Philadelphia, and by occasional steam tugs with barges. Mr. Miller reports 34 vessels regularly employed, with an aggregate tonnage of 4,823, and drafts between 4 and 6 feet. In 1912 the commerce amounted to 92,688 short tons, valued at $1,163,700. About 21 landings and wharves are used. The incoming freight consists principally of fertilizers, coal, building and road materials, and domestic commodities. The outgoing freight is farm produce, fruit, and truck. Vegetables are shipped in large quantities by rail to Boston and other eastern cities, and by boat to Philadelphia, Chester, and other places on the Delaware River. For shipments of this kind, Raccoon Creek ranks near the head of the list of tributaries of Delaware River and Bay.

That is the kind of stream this is. It is one of the important tributaries of the Delaware River. Because it is named Raccoon Creek, we ought not to deprive it of the improvement to which it is entitled; and I will state that the project was originally adopted away back in 1882.

Mr. KENYON. I do not think the name ought to prejudice it. We ought to appropriate liberally to take care of the mouth of Raccoon Creek.

Mr. FLETCHER. I can see that the term "creek" does not dignify it sufficiently, but the report further says:

The heaviest receipts and shipments are made at the wharves at Swedesboro, for which reason the full depth of 7 feet should be carried to that point.

That is the reason why they want to carry the improvement up to Swedesboro. Those are the real facts about the merits of the project.

Mr. KENYON. I am glad the Senator has defended it so well. I want to get back now to the question of the Senator from Utah.

Mr. KING. Mr. President, will the Senator permit me to interrupt him just one moment before he proceeds with a general discussion?

Mr. KENYON. Certainly.

Mr. KING. I should like to ask the chairman of the committee whether the State of New Jersey has made any contribution toward this waterway?

Mr. FLETCHER. I do not think so.

Mr. KING. Has it contributed a dollar to any of these creeks and inlets and streams, some of which are so minute as to be unknown, upon which millions of dollars have been expended by the Government?

Mr. FLETCHER. I can not say as to that.

Mr. KENYON. Does the Senator have the audacity to suggest that they should?

Mr. FLETCHER. I would have to look over all the projects in New Jersey. I can not say as to that.

Mr. KING. My understanding is that the State of New Jersey has made no appropriation for this project. My information is that notwithstanding millions of dollars have been expended by the United States upon harbors and creeks and streams in New Jersey, the latter has made no contribution, though many of them are for local purposes and serve local ends.

Mr. KENYON. What is the use of the State appropriating, if the Government will take care of it?

Mr. KING. I understand that there are a few States in the Union that have recognized the propriety and justice of the situation and have had the honor to do something with respect to the improvement of streams within their borders, some of which have been purely local. May I ask the Senator from Massachusetts [Mr. WEEKS] whether his State is on the roll of honor or on the roll of dishonor in respect to these appropriations?

The VICE PRESIDENT. The Chair must call the attention of the Senator from Utah to the fact that the rule does not permit a Senator to refer disparagingly to a State of the Union.

Mr. KING. These appropriations are all considered so honorable that I supposed designating them as dishonorable would not change the result.

The VICE PRESIDENT. We have enough trouble about this bill, without rowing about what are good and bad States.

Mr. KING. I will inquire of the Senator whether his State is on the roll of States which have made appropriations for the improvement of their own waterways?

Mr. KENYON. That raises a parliamentary question. Is a reference to a State getting appropriations a reflection on the State?

Mr. KING. Apparently that seems to be the rule, as I interpret the remark of the Vice President.

The VICE PRESIDENT. No; but the Senator from Utah used language that approached very closely to an infringement of the rule. He spoke of honorable and dishonorable States, and he asked if the State of Massachusetts was on the honorable or the dishonorable list. That is a plain violation of the rule.

Mr. KING. On the roll of honor or on the roll of dishonor. I submit that it is not honorable for a State to fail to make appropriations for purely local purposes, and to impose upon the Federal Government duties and burdens which rest upon them, and that when States do make appropriations for rivers and harbors it is an honorable thing; and I ask the Senator whether his State has done the honorable thing?

The VICE PRESIDENT. The Chair holds that that is out of order, and a violation of the rule.

Mr. KING. Mr. President, I submit that it is a very honorable thing for a State to make an appropriation for rivers and harbors for local matters.

The VICE PRESIDENT. That is all right.

Mr. KING. I do not think it is a very honorable thing for a State to come here and impose upon the Federal Government and ask for appropriations for matters that are purely local. I should think that it was not an honorable thing for a man to come here and ask for Federal appropriations for purely private concerns. I do not think, in the realm of ethics, that it is a very honorable thing for States to shirk functions which devolve upon them and put them over on the Federal Government.

The VICE PRESIDENT. The Chair must stop this. There is not any showing in this bill that any State of the Union has come here and asked for anything, and the Senator from Utah is speaking offensively about States of the Union.

Mr. FLETCHER. Mr. President, does not the Senator from Utah know that the States have no control over navigable waterways?

Mr. KING. I was speaking in general terms, Mr. President.

Mr. KENYON. Mr. President, I should like to ask the Senator a question. Take a State that has a stream entirely within its borders, such as the raging Ocklawaha. Is it disrespectful to talk here about appropriations going into a State that are for a stream entirely within the borders of the State?

The VICE PRESIDENT. Oh, the Chair has not so held. The Chair does not care how Senators criticize these creeks and appropriations. They can say anything they please about them,

if they do not try to divide off the States of the Union into honorable and dishonorable States and if they do not attempt to inject into the RECORD the statement, which is not a fact, that any State of the Union has come here and asked for appropriations. There is no showing of that kind. This bill is reported by the Committee on Commerce, and there is not in the RECORD or in the report a single thing that shows that any State government has ever come to this Congress and asked for an appropriation for rivers and harbors, until this morning there was a memorial of the Legislature of Missouri. When we reach that question, if it ever comes up, the Chair will rule on it.

Mr. KENYON. I do not think the Senator intended to reflect on States. I think we have a right to discuss these Federal appropriations which go entirely into States, such as the instance I have cited.

Mr. KING. Mr. President, I have no desire, of course, to reflect upon any State. As Senators know, I have contended here for the States, for their honor and dignity and against what I have considered to be the tendency of the times, to submerge the States in a strong federalism. I love and honor the States and beheld in them sovereigns, governments indestructible, having important functions to discharge. I submit that the policy of Congress in making appropriations for small, invisible creeks and streams, not navigable, and in the interest of purely local districts, has not been creditable. Such appropriations have been condemned by Senators and Congressmen. One of the most eminent men in public life, Mr. Burton, former Senator from Ohio, in this Chamber and on the floor of the House, and in public utterances since he left the Senate, has denounced many of the rivers and harbors bills which have passed through Congress. He denounced them because there were unknown creeks and streams that were receiving large contributions from the parent Government—streams which, if they were susceptible of any commerce, ought to have been developed by the States themselves, because they were purely local, and not by the Federal Government.

I am condemning appropriations made by the Federal Government for the benefit of purely local sections, and also large appropriations upon navigable streams where there was no commerce and upon which there never will be commerce. An examination of the hundreds of projects which have drawn approximately $1,000,000,000 will convince any fair-minded person that hundreds of millions of dollars have been wasted. If the State of Massachusetts has made contributions for the development of its rivers, creeks, and harbors, I think it was fair just as well as an honorable thing for it to do. I beg, however, to inquire of the distinguished Senator from Massachusetts, with the permission of the Senator from Iowa, whether his State has made contributions for the purposes just mentioned?

Mr. RANSDELL. Will the Senator from Iowa let me ask a question of the Senator from Utah? The Senator from Utah has stated that former Senator Burton, who certainly was a great man, has denounced the river and harbor bill. I wish to ask him if the former Senator Burton was not chairman of the Rivers and Harbors Committee of the House of Representatives from 1898 until, if I mistake not, March 4, 1909, a period of about 12 years, and if he did not include in the river and harbor bills which he reported, whenever a river and harbor bill was adopted, the very item now in discussion, Raccoon Creek, and if he did not include in the river and harbor bill nearly all the other creeks that have been criticized from time to time by the Senator; and, further, if the former Senator from Ohio, Mr. Burton, was not such a forceful man that if he had opposed the item the other members of the committee could not have included it in the bill over his protest?

Mr. KING. Will the Senator do me the kindness to yield for a moment?

Mr. KENYON. Certainly.

Mr. KING. Of course, I can not answer all of the questions propounded by my esteemed friend from Louisiana as to what were included within the bills during the time the Senator to whom he refers was chairman of the committee. I know he was chairman of the committee for many years. If the Senator will pardon me, I should like to read a word or two of what former Senator Burton did say. Senator Burton said in an article which he wrote appearing in World's Work for February, 1913:

> For years we have been struggling under a vicious system of river and harbor improvements. For instance, the river and harbor bill of 1910 contained items favoring 296 out of the 391 congressional districts. This bill was a masterpiece of geographical distribution and a striking tribute to the cohesive power of legislative logrolling. Even the obstacle offered by mountains of considerable size did not prevent certain portians of the country from being represented in this bill.
>
> Now, there are two ways of framing a river and harbor bill. The popular method of drawing a bill is to make such concessions to all the different States and localities that you will have an overwhelming support for the measure. The other method, and the right one, is to select those projects which would benefit the whole country and then finish them with promptness. The first method is irresistible. It will win every time.

Proceeding he says:

> This policy of piecemeal appropriations encourages extravagance and the adoption of injudicious and wasteful projects merely for the purpose of spending money in the greatest possible number of districts. When you give small appropriations to a large number of items it is an invitation to every Congressman who has a harbor, a creek, a well-developed spring to come in and ask for an appropriation in these bills. It is a very simple matter to come to Congress and secure $100,000 on a project that will cost a million or two millions.

Then he asks, after the entering wedge has been made:

> What! Will Congress, after it has committed itself to this great project, although costing a million dollars or more, drop it after $100,000 has been spent and let the money expended be buried in the sea?

Then he proceeds:

> In this way I have seen the most unwarranted and extravagant enterprises undertaken, apparently not so much to improve our waterways as to put the Government's money into circulation in the various congressional districts, in order to improve the chances of the different Members of Congress for reelection.

Proceeding, he says:

> Communities and individuals, backed by a large share of the public press, whose pages teem with demands for economy and with condemnations of Congress for extravagance, are constantly insisting that large and sometimes utterly unjustifiable appropriations be made in their own locality. A Member of Congress is told, "If you do not get this appropriation for a public building or for this river or harbor, or if you do not join in a movement for this new line of activity, you will no longer be returned to office." Of course no man in public life wishes systematically to adopt a course which will prevent his return to the office he holds, though some theorists and political scientists seem to think the proper course for a Congressman is to go straight ahead to defeat.

Then he states further on:

> Public buildings, river improvements, free seeds, departmental publications are being used to reelect Members to Congress. Bluntly, the people are furnishing the money by which they are being delivered.

Then he refers to a river in Louisiana, Arkansas, and Texas, the Red River, and says:

> For the last year traffic over this stretch of 476 miles below Fulton Harbor, aside from the saw logs which could be floated without any improvements, was 10 tons of grain, 16 tons of provisions, 26 tons of fish, and 10 tons of ice. In all, 62 tons were carried on these 476 miles of river. The river and harbor bill of 1912 carried an appropriation of $50,000 for this stretch of the Red River. That is at the rate of $806 for every ton of merchandise or grain carried on that river the preceding year. The amount expended for the year is practically eight times as much as all the value of the merchandise and freight carried. Two years ago it was 835 tons, and now it has dropped to 62 tons.

Mr. KENYON. Mr. President, I should like to ask the Senator——

Mr. RANSDELL. May I ask just one question? I will promise to ask but one.

Mr. KENYON. I am willing to yield, but I am not willing for the Senator from Utah to read former Senator Burton's speech in my time. It would take, I think, a week.

Mr. KING. No; I was just reading from an article he wrote.

Mr. KENYON. I yield to the Senator from Louisiana.

Mr. RANSDELL. I wish the Senator from Utah would put in the reply which I made to that article. He told what he called the truth about our waterways, and I called my reply the real truth about our waterways. It was published in the RECORD. But I will not take the time of the Senate with that.

I simply wish to ask the Senator from Utah if he is not the author of a bill introduced in the Senate on December 11, 1918, which proposes to appropriate the sum of $15,000,000, out of any money in the Treasury not otherwise appropriated for the fiscal year ending June 30, 1920, "for construction work and incidental operations for a reclamation project on Green and Grand Rivers, Utah, to be expended under the supervision of the Director of the Reclamation Service"? He wants half as much on that one project as this bill proposes to expend on all the waterways of the greatest country in the world.

The VICE PRESIDENT. Now, the Senator sees exactly the reason for executing the rule. He is getting right into the question of a State, which the rule says a Senator must not offensively refer to.

Mr. RANSDELL. If the Vice President will pardon me, I was going to say I have no objection in the world to this item; it may be all right; but I was asking the Senator, who has spoken of this roll of honor and dishonor here, if he did not introduce that bill.

The VICE PRESIDENT. That is ruled out.

Mr. RANSDELL. I thank the Vice President for ruling it out.

Mr. KING. If the Senator from Iowa will permit me, and if the Vice President will indulge me for a moment, the Government of the United States owns large tracts of fertile land within what are called the public-land States. Years ago it

adopted the policy of placing water upon these lands in order to sell them to home seekers. By this course it was enabled to form a market for its own land and at the same time benefit the entire Nation. Whether the policy was wise we need not discuss at this time. The Government of the United States is now considering a plan to aid the soldiers and sailors when they are discharged from the Army and Navy. This plan contemplates the reclamation of lands owned by the Government, and which, when water is applied thereon, prove to be agricultural lands of great value. The Government owns several million acres of most excellent land which can be irrigated from the waters of Green and Grand Rivers. Fifteen millions of dollars would reclaim hundreds of thousands of acres of these lands, and thus furnish homes for thousands of home seekers. This project would, in my opinion, be considered and developed if the suggestion of Secretary Lane relating to homes for soldiers and sailors are carried into effect. The bill to which the Senator refers is in aid of the program, which seems to meet with so much favor, that the Government should improve its own holdings in order to dispose of them, and at the same time aid genuine home seekers, and particularly those who have so heroically served the Nation in the conflict just ended.

Mr. RANSDELL. If it be a good project, I certainly hope personally that it will be adopted. I would not pretend to denounce it as unwise. I simply asked the Senator from Utah if he did not introduce that bill.

Mr. KING. I did.

Mr. KENYON. The Senator from Massachusetts [Mr. WEEKS] desires to answer the question of the Senator from Utah [Mr. KING], which was addressed to him, and I have no objection.

Mr. WEEKS. Mr. President, I heard the Senator from Utah [Mr. KING] a day or two ago ask some Senator if his State had made any contribution to the improvement of rivers and harbors in which they were directly interested, and thinking he might ask me the question, I brought with me this morning a statement showing what Massachusetts has done.

My judgment is that Massachusetts has done and is doing about as much and more than it should, and that many of the expenditures the State has made are properly national expenditures; but, as I have the opportunity to do so, I wish to put in the RECORD the result of the operations along these lines of the State of Massachusetts in the year 1917. Massachusetts spent $84,230.72 in general expenses and materials for improvements. It spent in the improvement of rivers and harbors: For Cotuit Harbor, $1,090; for Barnstable and Mashpee Harbor, $9,900; for the Connecticut River, $7,698; for Duxbury Bay, $1,235; for Falmouth, Waquoit Bay, $10,219; for Gloucester Harbor, $9,587; for Hull Harbor, $38,284; for Hyannisport, $1,152; for Ipswich River, $3,073; for Lynn Harbor, $21,419; for New Bedford Harbor, $20,355; for Plymouth Harbor, $7,673; and, in addition to that, for another harbor in Plymouth, $6,664; for Warrens Cove, $11,723; for Rockport Harbor, $800; for Sandwich Harbor, $9,444; for Scituate, $1,057; for Scituate, First Cliff, $1,585; for Scituate Harbor, $8,425; for South Hadley Harbor, $2,239; for Wareham River, $21,809; for Winthrop Shore, $1,000.87.

It spent, in addition to these improvements, for maintenance and operations of Pier 5, $85,923; for the surveys and improvements of rivers and harbors under special appropriations, $10,760; for the tidewater fund, $1,425; for Mystic River improvement, $153,572; for Income Harbor compensation fund, $8,337; for improvement of South Bay in the city of Boston, $2,096; for development in the port of Boston for various purposes, $725,789; for expert and special services, $609; for supplies and expenses, $5,046, making a total for the port of Boston of $774,799; for harbor-improvement loan, New Bedford, $29,239; for harbor-improvement loan, Weymouth, Fore River, $75,000.

Very recently the State contributed the same amount the General Government appropriated and the same amount the Fore River Ship Building Co. contributed for the development of Weymouth Fore River. For dredging Boston Harbor, $18,844.

This makes a total, Mr. President, of $1,461,295, of which about $400,000 was spent in constructing a dock at Boston. That is in one year. I have not all the expenditures that have been made by the State of Massachusetts for rivers and harbors, of course. It would take a long time to compile them; but I have a letter in my possession relating to the proposition now pending in Congress to make a 40-foot channel in Boston Harbor, in which it is stated:

The United States has expended on Boston Harbor and its tributary rivers, etc., from 1825 to 1915, a period of 90 years, the sum of $12,668,474.99, an average of $140,760.83 per year.

The State of Massachusetts has expended and actually entered into contract to expend on Boston Harbor and its tributary rivers, etc., from 1870 to 1915, a period of 45 years, the sum of $15,477,360.62, of which amount all but $2,784,152.94 has actually been expended, making an average of $343,719.03 per year by the State.

During 45 years the State of Massachusetts has expended upon Boston Harbor and rivers tributary thereto over $3,000,000 more than the National Government has expended since the beginning of the river and harbor appropriation.

I do not contend, Mr. President, that all States should do as much, but I do contend that there should be in doubtful cases cooperation between the local community and the General Government. I do not think it should be the case in Boston Harbor, for example, which is distinctly national; nor in a great improvement like the Mississippi River or New York Harbor, but I do think in improvements essentially local there should be a plan of cooperation between the General Government and the local government which would modify to some degree this system of rivers and harbors improvements.

Mr. KENYON. Mr. President, I really rose to ask some questions in regard to Raccoon Creek, but one thing has drifted to another until we have gotten rather far away from that creek. The inquiry of the Senator from Louisiana [Mr. RANSDELL] to the Senator from Utah [Mr. KING] regarding his bill raises the same old question that if a Senator opposes certain appropriations in certain bills and later himself introduces an appropriation bill for other purposes he is rather estopped from questioning any appropriation bill here. I see no reason why a man should not be in favor of certain appropriations and against certain appropriations. I have been against the general plan under which river and harbor bills have been framed, not against doing great public works. I have been rather converted to the idea that the Chesapeake & Delaware Canal is something of a good proposition or could be made one of national necessity and not merely to help some local community.

I have raised no voice against it in this Chamber at this session. That, it seems to me, can be made a great national canal. While it will require some expenditure of money, I am very frank in saying that my views about that canal have changed somewhat. I do not know that we ought to spend the money just now in the present condition of our Treasury, but it is an improvement that some day should be made.

What I have urged in the past is that we take the bill and try to cut out those things in it that are not of national concern but merely local. We need not deceive ourselves about it, or grow indignant about it. We know that in the past many of these items in the river and harbor bill, the same as in the public buildings bill, have been local not only in appropriation but in everything else. That is something to get away from in this country, to get nationalized in feeling and in action as well as in appropriations.

The Senator from Utah suggests competition of the railroads, and I started to talk about that and called his attention to the report of the Director General of Railroads. I do no know whether we are going to be able to make the great waterways of this country useful unless the Government owns and controls the railroad. I am not arguing for that proposition, because on that I confess that my mind has not reached a conclusion. But the director general in his report to Congress on that subject used this language, and I think it may be well to put it in the RECORD:

The increased responsibilities of this country in the family of nations will demand greater commercial activity on our part. Transportation is a major problem, for, on account of the extensive area of our country, we have a longer average haul to seaboard than other industrial commonwealths. It has seemed to me evident that by developing transportation on the waterways and coordinating and articulating them with a unified railway system, we shall bring about a correct solution of the rail-water controversy, which has been in progress for 50 years. This is possible with the railways under Federal control. I doubt if any of our rivers or canals will become active factors of transportation if the railroads are turned back to private control. The old methods of railway competition with the waterways doubtless will be revived and the waterway experiment may not be able to survive that competition.

Mr. SAULSBURY. Mr. President, if the Senator has concluded that quotation, I wish to add to it a statement made by the Director General of Railroads before the Interstate Commerce Committee just exactly along the same line.

Mr. KENYON. I should be very glad to have that.

Mr. SAULSBURY. If the Senator has concluded that quotation, I should be glad to have this inserted in the RECORD. In the examination before the committee, the question of when the roads should be turned over to the owners arose before the Interstate Commerce Committee, and the Director General of Railroads made this statement within the past few weeks. Director General McAdoo said:

The intercoastal waterway from Philadelphia to Beaufort, N. C., will be susceptible of greater commercial developments. The projected improvement between Norfolk and Beaufort will not be completed for some

time, and it will require at least two years to modernize the Chesapeake & Delaware Canal. This improvement, that is the Chesapeake & Delaware Canal, ought to be authorized promptly, and I hope that Congress may grant the necessary appropriation and power to deal with the matter.

That is a very important connecting waterway there which could render very great service to the commercial center at Baltimore if it could be finished.

I thought the Senator would like to have the whole story go in the RECORD; and I thank him also for his kindly reference to the enterprise in which I have taken so much interest.

Mr. KENYON. I am glad the Senator put that in the RECORD. Of course, the railroads have helped to make almost impossible water-borne traffic. The Mississippi River is paralleled by railroads. If any river in the world ought to carry commerce it ought to be the Mississippi River, but it can not do it. I never thought the Missouri River improvement would amount to anything, and that every dollar we put into it would be an absolute waste, but the lower Mississippi is developing some commerce by barge lines that are placed there.

I did not intend and do not intend to take any more time of the Senate in the discussion of the bill. There are some of the items I want to discuss and have a vote upon when the time comes—the Ocklawaha River, which I believe is an indefensible proposition, and the Ouachita River, which is worse than indefensible.

But I want to recur to Raccoon Creek. I do not understand why the commerce has so decreased from 1913, when it was of a value of $1,178,170 and consisted of 80,075 short tons, to 1914, to a value of $350,970 and to 23,543 short tons. That is a tremendous decrease in the commerce of this mighty stream. In 1915 it seems to have gone back to the figures of 1913, and the commerce then shows a value of $844,200 and short tons 89,638.

Oldmans Creek and Alloway Creek seem to be about in the same general situation.

Mr. FRELINGHUYSEN. Will the Senator from Iowa permit an interruption?

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Iowa yield to the Senator from New Jersey?

Mr. KENYON. I yield.

Mr. FRELINGHUYSEN. I know very little about these appropriations or the improvements which are desired for the State of New Jersey. I am familiar, however, with one or two of the items which are in the bill.

The policy of Federal appropriations for these improvements has been oftentimes attacked on this floor. In fact, I have been here, I think, three sessions, and twice I have heard the eloquent attacks made by the Senator from Iowa upon the improvements desired by the State of New Jersey, and I am beginning to feel that it is becoming somewhat chronic.

Mr. KENYON. The appropriations or the attacks?

Mr. FRELINGHUYSEN. The attacks. I will defend the appropriations as best I can.

I, representing the State of New Jersey, do not want to be accused of trying to secure from the Federal Government for any project in that State any money that is not necessary or needful, but I do say that if it is the policy of the Federal Government to aid the States on the seaboard in improving the tidal streams of such a State in order that the water-borne traffic and commerce may continue, as long as that is the policy it is the duty of the Federal Government to continue it as far as the improvement of worthy projects is concerned.

I dislike to be accused of supporting any measure that savors of "pork," a popular term which has been carelessly and often, as far as New Jersey is concerned, untruthfully used in connection with this bill. It is not my fault that the Almighty placed New Jersey on the seaboard. I am very glad that He did so, but I do not want any benefit for my State that is not essential for the commerce not only of New Jersey but of the world at large. The Western States in this connection, in the improvement of the tidal streams in the State of New Jersey, enjoy directly or indirectly the benefit of that commerce.

I believe it is my duty as a Senator from New Jersey to support any worthy project which will develop the commerce of the country, whether that development is in Iowa, Utah, Colorado, or in the State of New Jersey. I believe I am a Senator of the United States, not a Senator entirely of the State of New Jersey. Now, in regard to——

Mr. KENYON. May I ask the Senator—I agree with his position—does he believe it is the duty of Congress to appropriate funds for streams entirely within a State?

Mr. FRELINGHUYSEN. As long as they are tributary to the tidal waters of the Atlantic or the Pacific Ocean.

Mr. KENYON. So you can engage in commerce with the world and with other States. But that is not the condition of Raccoon Creek. If a river is entirely within a State, does the Senator believe it is then the province of the Government to appropriate funds for that stream?

Mr. FRELINGHUYSEN. I know of no such project in my State, but I am answering the criticism of the Senator in regard to appropriations which are asked for in this bill.

Now, let me speak for a minute on the question of these appropriations. New Jersey is indented with many tidal streams. Those streams run varying from 5 to 10 and 15 miles inland. In the industrial centers, such as those on Newark Bay and the Kill Van Kull, these streams directly furnish water-borne traffic and transportation for many of those large industries, and they afford an outlet to New York Harbor.

Take the case of Cheesequake Creek, which has been facetiously commented upon from time to time in this connection. I know of several million rounds of ammunition which were transported along that creek directly to the ships that carried it to the battle front on the other side, because one of the largest ammunition plants in the world was located along that creek in order that it might be near the shipping point in New York so as to transport this ammunition to the other side.

Take the creeks and rivers that have been mentioned and are grouped in the present item which is under criticism, for instance, Cooper River. Cooper River is a tidal stream, and along that stream are located many of the industries of southern New Jersey. There are located the Camden Iron Works, which had large Government contracts and were fabricating steel, I believe, for the war equipment of the Federal Government. While I do not know what the tonnage is on that stream, I do know that to afford the proper facilities by a certain water depth it is necessary, in order that an outlet may be afforded to that industry, that that stream should be properly dredged.

Take these other streams; they are called creeks; but creeks in New Jersey as mentioned here are tidal streams and not creeks such as are located in Iowa or Utah, which have water in them probably only six months in the year; but the tides ebb and flow in these creeks in New Jersey.

Along these creeks are located in southern New Jersey the farmers who furnish produce for the great cities of Philadelphia and Camden. Along these creeks the farmers ship their produce to market.

In pursuance of the requirement of the Federal Government, that practically 60 per cent of the tomato crop should be requisitioned, in order that the troops on the other side might be supplied, it was along these creeks that the farmers of New Jersey shipped their tomatoes to the factories, which canned them and made the soup and other food products for the Army on the other side.

So, I say, while it might appear to the Senator from Iowa that these projects are not necessary and are not worthy, he is mistaken. So far as I know from my observation and meager knowledge—for I have not made a study of this question; I have been on other committees, where I have conscientiously devoted my time to public affairs, such as the Military Affairs Committee and the Committee on Banking and Currency—but I do say, from the meager knowledge that I have on the subject, that I know of no project which is contained in this appropriation bill which is unworthy or which can be properly criticized.

Mr. LENROOT. Mr. President——

Mr. KENYON. I merely want to finish what I have to say. I have shown the facts about these New Jersey streams. Possibly they are all meritorious, but I am only guided by what the Army engineers say and am drawing conclusions from their statements.

I was glad to hear the Senator's statement about Senators representing the United States instead of individual States. That is good doctrine which has been preached here a great deal, but I think very seldom practiced. It runs a little contrary to the remarks of one of the officers of the river and harbor congress lately in session here, which generally meets just previous to the consideration of the river and harbor bill. Capt. Ellison—I think he was the secretary of one of the congresses—uttered this great sentiment:

We send a Congressman here to legislate for the Nation theoretically, but actually to get all he can for us, and, if he does not get our share and then some, we do our best to replace him.

I am glad that that doctrine does not find a response in Congress. I have said all I care to say about these streams in New Jersey, Mr. President, and I have no desire to delay matters.

Mr. LENROOT. Mr. President, I should like to ask the chairman of the committee whether he recollects what reasons were given for the amendment making an appropriation of $20,000 for maintenance in this case?

Mr. FLETCHER. That was inserted by the committee on the recommendation of the Chief of Engineers. He stated that it would require that additional amount above the available balance on hand to the credit of those projects. There are available balances on hand, and the engineer stated that he would place that item for maintenance at $20,000, because he felt that they would need that much.

Mr. LENROOT. It seems to me that in this particular case the engineers must have made a very serious mistake in their estimate, for I desire to call the attention of the chairman of the committee to the annual report on page 419. In the group of harbors embodied in this paragraph, including two small additional harbors upon which the maintenance charge is only $1,000 a year, we find that upon the entire group in 1914 there was expended for maintenance $18,000—I am giving round figures—in 1915, $12,000; in 1916, $18,000; in 1917, $18,000; and in 1918, $21,000, or an average of less than $20,000 per year. Then, just at the bottom of the page, I read:

July 1, 1918, balance available, including $42,624.66, available only for maintenance—

Showing that on the 1st of July last they had $42,624.66 available only for maintenance, and upon the entire group we have been expending less than $20,000 a year for the past five years. It seems to me, therefore, that very clearly a mistake has been made in this respect.

Mr. FLETCHER. Of course, I can not get detailed information without further conference with Gen. Taylor; but the appropriation we have provided in the bill is based on his recommendations to the committee.

Mr. LENROOT. I do not question that; but I think he must have made a mistake; it is very clear a mistake must have been made.

Mr. FLETCHER. It is possible; and, if it is desirable, suppose we pass that item at present and refer to it later?

Mr. LENROOT. That will be satisfactory, if the chairman will get a letter giving the reasons for this proposed action.

Mr. FLETCHER. I shall be very glad to get fuller information. It is possible we have made a mistake in putting the figures as we have them here; but I do not think that is likely. I suggest, Mr. President, that we pass over the item "for maintenance, $20,000."

Mr. SMOOT. In that connection, Mr. President, let me also ask the Senator from Florida, while he is looking up the question of maintenance, to look up the question as to the amount that would be necessary to complete these projects. The House of Representatives provided that $39,770 should complete the project, and the Senate committee struck out the word "completing" and made it "for maintenance, $20,000"; and then for the improvement of Raccoon Creek, and so forth.

The Senator will remember that in all of the projects which are found on pages 3, 4, and 5 virtually the same amendment was made, and the amounts appropriated by the House were retained. But where the word "completing" was not stricken out and remained as the House had it, the amount was increased by 50 per cent. Would that apply in this case the same as it did in the other cases?

Mr. FLETCHER. If the committee should provide absolutely for completing this project of Raccoon Creek, it might be necessary to increase the amount; but the committee was advised that, while it might be possible to complete the improvement for that amount, it was not absolutely certain, and that, in any event, the amount of $39,770 could be advantageously expended on the improvement. So we allowed the amount to stand as provided by the House and as estimated in the original document, striking out the word "completing" and inserting the words "for improvement." So we did not absolutely pledge ourselves that the improvement would be completed by the expenditure of this amount upon it; but in all probability it will be. If it should not, that amount can be expended profitably and advantageously, in any event.

In the item referred to on the other page by the Senator, it was perfectly clear that the amount shown in the original document would not complete the projects. It was insisted that they should be completed, not merely begun. Those were not such projects as might be partially worked on, then abandoned and left while waiting for further appropriations. So it was desirable to give in this bill the entire amount which was necessary to complete them. That is why we changed the amounts there, without changing the word "completing." We left in the word "completing" and changed the amount to a sufficient sum to complete the improvement.

In this instance we did not absolutely say that this amount would complete the project, but it may do so. We left the amount as it stood and simply provide that the work shall be done; that the improvement shall be made. Then the money is appropriated for that purpose.

Mr. SMOOT. I should like to ask the Senator to ascertain, if it is possible to do so, what amount it would take to complete these projects? Then I should like to see an appropriation made to complete them all.

Mr. FLETCHER. I will say to the Senator that it is hoped that this appropriation will complete this project. There is also an available balance there, I believe.

Mr. SMOOT. That is for maintenance.

Mr. FLETCHER. Yes; it is for maintenance. This appropriation may complete it—we do not know—but, at any rate, we feel justified in making that appropriation.

Mr. SMOOT. I think the Senator, after he investigates this matter, will conclude that $20,000 for maintenance is not necessary; that is, if he will look at the report, provided the report is correct, and if the past amounts for maintenance are adhered to for the coming year, I think he will find there will be an ample sum for maintenance for this project for the coming year.

Mr. FLETCHER. The Senator should understand that that refers to a different matter entirely. Maintenance refers to the projects listed above.

Mr. SMOOT. I recognize that.

Mr. FLETCHER. This amount is confined to one project—Raccoon Creek.

Mr. SMOOT. I understand that.

Mr. LENROOT. Mr. President, will the Senator yield to me for a moment?

Mr. SMOOT. Yes.

Mr. LENROOT. Mr. President, the chairman of the committee will remember that Gen. Taylor urged completion in only two classes of cases, one where estimates had been so recently made that the estimated amount would complete the project, and another class of cases where it would be poor economy to go on with a portion of the work and leave it uncompleted and then take it up later. But as to many of these improvements, as in this case, the project is really in two separate parts. In this instance one proposes the building of a jetty, as I remember, and the other the deepening of the channel. Therefore the engineers can complete a portion of this improvement without any economic loss and let the remainder of it go until a later time.

Mr. FLETCHER. Precisely. I am much obliged to the Senator from Wisconsin for clearing that up as he has done. That is the precise situation here, and that is the reason why we did not propose to increase this amount. We thought the amount ought to stand and that the improvement should be continued as far as possible.

Mr. SMOOT. I think the explanation of the Senator from Wisconsin clears the matter so that we now understand just what is desired and what the work will be for the coming year. As I understand, the Senator from Florida is going to allow that amendment to go over in order to look up the question as to the amount for maintenance.

Mr. FLETCHER. Yes; the item as to maintenance; but the Senator does not desire the other item for the improvement of Raccoon Creek to go over, I take it?

Mr. SMOOT. No; I do not care about that. After the explanation of the Senator from Wisconsin, it seems to be perfectly clear that this amount will be necessary for that particular project.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Without objection, the amendment providing "for maintenance, $20,000," will be passed over, at the request of the chairman of the committee, and the total will be changed.

Mr. SMOOT. There is no need of changing the total, because if the item for maintenance is not left in the bill, of course the amount of the appropriation provided by the House will still remain.

Mr. FLETCHER. But we will have to change the total if we reduce the maintenance item.

The PRESIDING OFFICER. Without objection, the amendment changing the total will also be passed over. The Secretary will state the next amendment reported by the committee.

The next amendment of the Committee on Commerce was, on page 6, line 13, after "$20,000," to strike out "*Provided*, That no part of the funds herein appropriated shall be expended on Absecon Inlet," so as to make the clause read:

Cold Spring and Absecon Inlets, Absecon and Tuckerton Creeks, and Toms River, N. J.: For maintenance, $20,000.

Mr. SMOOT. Mr. President, will the Senator from Florida state whether there is any information at all from the engineers as to why that provision should be stricken out? The House evidently thought that there should be no money expended upon that inlet.

Mr. FLETCHER. I wish to state to the Senator that the reason why the committee felt justified in striking that out was because we had the assurance of the engineers that in the esti-

mate of $20,000 Absecon Inlet was not included, and, therefore, the money would not be spent there anyhow, and so there is no use of inserting a proviso to that effect.

Mr. SMOOT. Is Absecon Inlet completed?

Mr. FLETCHER. It is completed and is not one of the items needing any of this fund for maintenance. I repeat, none of this money will be spent on Absecon Inlet anyhow. We have the assurance of the engineers to that effect.

Mr. SMOOT. What I was thinking was whether, if the improvement there has been completed, it would not be well to strike out the words, in line 11, "and Absecon Inlet"?

Mr. FLETCHER. It was thought best to keep that item there. It is in the list of items that have been carried in the bill, and it was not deemed wise to eliminate it entirely from the provision, but none of that money, I repeat, will go for Absecon Inlet, mentioned in the proviso. Therefore we struck out the proviso. I think it better to do that, because otherwise it would be a limitation that it is not necessary to put in the bill, and a sort of reflection on the inlet, which it is thought unnecessary to make.

Mr. SMOOT. There may be an unexpended balance for that inlet. Does the Senator know whether there is?

Mr. FLETCHER. No; there will be none. This entire amount is intended for other maintenance than that at Absecon Inlet.

Mr. SMOOT. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 6, line 15, before the word "improvement," to strike out "completing" and insert "for," so as to make the clause read:

Chester River, Pa.: For improvement in accordance with the report submitted in House Document No. 667, Sixty-second Congress, second session, $3,600.

The amendment was agreed to.

The next amendment was, on page 6, line 20, after the word "maintenance," to strike out "$50,000" and insert "$65,000," so as to make the clause read:

Wilmington Harbor, Del.: For maintenance, $65,000.

The amendment was agreed to.

The next amendment was, on page 8, line 3, before the word "improvement," to strike out "completing," and insert "for maintenance, $9,000; for"; in line 7, before the word "improvement," to strike out "completing" and insert "for"; in line 11, before the word "improvement," to strike out "completing" and insert "for"; and in line 14, after the words "in all," to strike out "$53,134" and insert "$62,134," so as to make the clause read:

Rockhall, Queenstown, Claiborne, Tilghman Island, Cambridge, and Crisfield Harbors, Elk and Little Elk, Chester, Corsica, Choptank, Tuckahoe, Warwick, La Trappe, Tred Avon, Wicomico, Manokin, and Pocomoke Rivers, Slaughter, Tyaskin, and Broad Creeks, Twitch Cove and Big Thoroughfare River, and Lower Thoroughfare, Deal Island, Md.; Nanticoke River (including Northwest Fork), Del. and Md.; Broad Creek River, Del.; and Tangier Channel, Va.: For maintenance, $9,000; for improvement of the North Fork of Tred Avon River in accordance with the report submitted in House Document No. 27, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $19,600; for improvement of Wicomico River in accordance with the report submitted in House Document No. 1509, Sixty-third Congress, third session, and subject to the conditions set forth in said document, $17,100; for improvement of Tangier Channel in accordance with the report submitted in House Document No. 107, Sixty-third Congress, first session, $16,434; in all, $62,134. The unexpended balance of appropriations heretofore made for Tilghman Island Harbor is hereby made available for improvement in accordance with the report submitted in House Document No. 796, Sixty-third Congress, second session.

The amendment was agreed to.

The next amendment was, on page 8, after line 18, to insert:

Potomac River at Washington, D. C., at Alexandria, Va., and Lower Cedar Point, Md.; Anacostia River, D. C.; Occoquan, Aquia, Upper Machodoc, and Nomini Creeks, Va.: For maintenance, $32,000.

Mr. SMOOT. Mr. President, this is entirely a new item, and I should like to have the Senator explain just why it has been inserted in the bill at this time.

Mr. FLETCHER. I will say to the Senator that the necessity for it has developed since the bill was considered by the Rivers and Harbors Committee of the House and acted upon there. The Chief of Engineers finds that there will be work required to maintain these projects, and this appropriation is based upon the very latest data which he has in his office. He recommended to the committee that those projects be taken care of in this bill.

Mr. SMOOT. Is there any unexpended balance for that purpose now, does the Senator know?

Mr. FLETCHER. I think there are some unexpended balances, but they are inadequate. There is no balance to the credit of the Anacostia River, but there are unexpended balances to the credit of the Potomac River at Alexandria, Occoquan Creek, and the Rappahannock, although the Rappahannock is not included in this item. There are a few small balances; but the engineers say that they are not sufficient to maintain the projects listed in this amendment, and that it will be necessary to make this appropriation in order properly to maintain them.

Mr. SMOOT. I was going to say, Mr. President, that if it is possible to eliminate from the bill any new items of this kind I sincerely hope the Senator will do so for several reasons. Among others, I have just come from a meeting at which it was announced that another appropriation of at least $750,000,000 will have to be provided for between now and the close of this session of Congress. I do not want to go into the details of that proposed appropriation now, but these vast amounts are piling up on us very rapidly. I know that $32,000 is a small amount; but when I stop to think that within the last three weeks it has developed that we must provide $2,000,000,000 over and above what was anticipated two months ago, it alarms me. I left that meeting to-day knowing, as I have said, that $750,000,000 more must be appropriated and that we can not get along without it, for we must pay our debts. When that appropriation comes here I shall feel bound to support it, because it is to pay obligations which the Government entered into when we were fighting for our very existence; and, so far as I am concerned, I must vote for it, notwithstanding I know that our total appropriations are going to be so vast that the human mind can hardly comprehend them.

Thirty-two thousand dollars, I repeat, is a mere speck, but small appropriations multiply so rapidly that we have $100,000 appropriated before we know it. From that the amount jumps to $1,000,000; then to $10,000,000; then to $100,000,000; and after a while we find ourselves appropriating another $1,000,000,000.

I do not say this in a spirit of faultfinding at all; I say it in the spirit of a Senator who is trying to call the attention of the people of the country to the fact that the obligations they will have to meet will be burdensome indeed, and every man, every woman, and every business in the United States from now on should recognize that in order to meet these obligations they must economize in every way possible. When we see projects added here that could perhaps be postponed for a year, or possibly two years, it would be wisdom, as I look at it, to put them off until we can get a breathing spell, until we can meet the great burdens that are upon us now, and will be upon us for the next year particularly—not that there will not be burdens thereafter, not that we shall not have to pay heavy taxes, for we shall have to pay them for years to come, and our children, and perhaps our children's children, will be paying taxes in order to meet the obligations that the Government is under to-day.

It is for that reason, Mr. President, that I think we ought to pay the closest attention to all items. So far as I am concerned, I care not what bills are introduced or what Senator introduces them, or what State is to receive the money, or where the benefits are to fall, I think they all ought to be given the closest scrutiny. Let us from now on say, as a unit on both sides of this Chamber, that we are going to stop everything that is not absolutely necessary in order to maintain our Government and keep the wheels of industry going. We will see, of course, that those who are suffering through the war and through the effects of war are taken the best care of possible, but I know that we must sooner or later cease appropriating money out of the Treasury without regard to how it is going to be raised.

I am not going to ask for a vote upon this amendment. If the Senator thinks it is absolutely necessary and will so state to the Senate, I have not another word to say upon it. I know the Senator from Florida is a good legislator; he is a sound-thinking man. I never in my life saw him go off on a tangent. He is a conservative man, and I have faith that he is not going to undertake at this time to load this bill with unnecessary items. Therefore I ask if this provision can not be eliminated just as well as not and go over to another year.

Mr. FLETCHER. Mr. President, I will say to the Senator that the bill has been considered by the Commerce Committee precisely along the line of the views announced by him with reference to the importance of economizing to the limit and saving every item that we could reasonably save and at the same time keep up the necessary public works. This is an item for maintenance of these projects—the Potomac River at Washington, D. C.; at Alexandria, Va., and Lower Cedar Point, Md.; Anacostia River, D. C.; Occoquan, Aquia, Upper Machodoc, and Nomini Creeks, Va. All of these are improved projects which

it is necessary to maintain. There is a small balance to the credit of the whole group. Some of them have none at all. Occoquan and Aquia Creeks have no balance at all to their credit. This appropriation covers the period from next June to June 30, 1920, and unless we provide for them they are likely to go to pieces and depreciate so materially that the money we have spent on them heretofore will be almost wasted. The engineer has stated that it is necessary to have this amount in order to maintain these projects and save the money we have already put in them and keep them useful for commercial purposes. We have limited it to the last dollar, I think, if the Senator will allow me to say so, in this item. Of course, if it is not all absolutely necessary—and they are not going to do any work that is not needed—it will remain in the Treasury; we will not spend it. But upon the advice of the engineers I must say to the Senator that I feel conscientiously that we would make a serious mistake to strike out that item, and I hope the Senator will allow it to remain.

Mr. SMOOT. I recognize that where we have rivers and inlets that have taken a great deal of money from the Public Treasury to complete or improve them it would be unwise in many cases to let them go uncared for. The Senator is perfectly right in stating that if the project is not completed and there is no money for maintenance, then there ought to be an appropriation for that purpose. The only question then is as to how much it should be. The Senator himself feels positive that this $32,000 is necessary for that purpose, and I shall not object any further to the item.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee.

The next amendment was, on page 9, line 8, before the word "improvement," to strike out "Completing" and insert "For maintenance, $2,000; for"; and, in line 11, after "$25,000," to insert "; in all, $27,000," so as to make the clause read:

James, Nansemond, Pagan, and Appomattox Rivers, Va.: For maintenance, $2,000; for improvement of Pagan River in accordance with the report submitted in House Document No. 591, Sixty-fourth Congress, first session, $25,000; in all, $27,000.

The amendment was agreed to.

The next amendment was, on page 9, line 19, before the word "improvement," to strike out "Completing" and insert "For maintenance, $2,000; for"; and, in line 22, after "$5,000," to insert "; in all, $7,000," so as to make the clause read:

Blackwater River, Va.; Meherrin and Roanoke Rivers and Newbegun Creek, N. C.: For maintenance, $2,000; for improvement of Newbegun Creek in accordance with the report submitted in House Document No. 24, Sixty-third Congress, first session, $5,000; in all, $7,000.

Mr. SMOOT. Mr. President, may I ask that this item, beginning on page 9, lines 17 to 22, may go over temporarily? I understand that the Senator from Iowa [Mr. KENYON] wants to speak upon Newbegun Creek. He notified me to that effect just before he went away, and I ask to have it passed over temporarily.

Mr. FLETCHER. Very well; I ask that the item between lines 17 and 22 be passed over for the present.

The PRESIDING OFFICER. In the absence of objection, the item will be temporarily passed over. The Secretary will state the next amendment of the committee.

The next amendment was, on page 10, line 3, before the word "improvement," to strike out "completing" and insert "for," so as to make the clause read:

Manteo Bay, Scuppernong, Pamlico, Tar, South, Bay, Neuse, and Trent Rivers, Fishing, Contentnea, Swift, and Smith Creeks, and waterway connecting Swan Quarter Bay with Deep Bay, N. C.: For maintenance, $7,500; for improvement of Scuppernong River in accordance with the report submitted in House Document No. 1196, Sixty-second Congress, third session, $31,800; in all, $39,300.

The amendment was agreed to.

The next amendment was, on page 10, line 12, before the word "improvement," to strike out "completing" and insert "for"; in line 18, after the words "second session," to strike out "$5,200" and insert "$9,000"; and, in line 19, after the words "in all," to strike out "$45,600" and insert "$49,400," so as to make the clause read:

Beaufort and Morehead City Harbors, Beaufort Inlet, waterway from Pamlico Sound to Beaufort Inlet, waterway connecting Core Sound and Beaufort Harbor, channel connecting Thoroughfare Bay and Cedar Bay, and inland waterway, Beaufort to Jacksonville, N. C.: For maintenance, $24,500; for improvement of Beaufort Harbor in accordance with the report submitted in House Document No. 1108, Sixty-third Congress, second session, $15,900; completing improvement of channel connecting Thoroughfare Bay and Cedar Bay, N. C., in accordance with the report submitted in House Document No. 1125, Sixty-third Congress, second session, $9,000; in all, $49,400.

The amendment was agreed to.

The next amendment was, on page 11, line 1, before the word "improvement," to strike out "completing" and insert "for," so as to make the clause read:

Northeast, Black, and Cape Fear Rivers, N. C.: For maintenance and continuing improvement of Cape Fear River below Wilmington in accordance with the existing project and in accordance with the report submitted in House Document No. 746, Sixty-fifth Congress, second session, $498,625; continuing improvement of Cape Fear River above Wilmington, $51,000; for improvement of Northeast River in accordance with the report submitted in House Document No. 1356, Sixty-second Congress, third session, and subject to the conditions set forth in said document, $25,375; in all, $575,000.

The amendment was agreed to.

The next amendment was, on page 11, line 9, after the words "first session," to strike out "$20,000" and insert "$28,000," so as to make the clause read:

Waterway between Charleston and Winyah Bay, S. C.: Completing improvement in accordance with the report submitted in House Document No. 178, Sixty-third Congress, first session, $28,000.

The amendment was agreed to.

Mr. SMITH of Georgia. Mr. President, before reaching the next item I wish to say just a word about the appropriation for Savannah Harbor.

This appropriation is about one-half the usual appropriation. The situation is this: There is an amount unexpended from past appropriations which in the judgment of the engineering department justifies the reduction of the appropriation this year. I do not complain of this action. They do not believe that profitably there can be used more than the amount they will have unexpended of the past appropriation and this appropriation; but I wish to call to the attention of the Senate the reason why there is an unused appropriation. It is not that the appropriation was too large before, but in part from the lack of an efficient engineer in charge, and in part from the lack of a seagoing dredge, the harbor did not receive proper attention. The appropriation was not used, and work required was not done. During the past 18 months the channel across the bar has filled up nearly 2 feet, and there has been a substantial injury to the harbor in other ways. A new engineer is now in charge, and he is doing very efficient work, and the Engineering Board have recommended, in connection with the Brunswick appropriation, a sum for the acquirement of a dredge to be used in the Savannah district.

In this connection I will call the attention of the Senate to the amount of commerce passing through the Savannah Harbor——

Mr. SMOOT. Mr. President, before the Senator leaves that subject, may I ask him a question? Does the Senator know what amount of this appropriation of $260,000 is to be used in improvement and how much for maintenance?

Mr. SMITH of Georgia. I can not give the exact figures. They will use as much as they find necessary for maintenance.

Mr. SMOOT. I judge, from what the Senator says, that the greater part of it will be used to remove from the bar the 2 feet that they have allowed to drift in.

Mr. SMITH of Georgia. A large part of it will be required for maintenance, and for lack of proper attention during the past 18 months maintenance will cost more than a normal amount.

Mr. SMOOT. So that is only a striking evidence of what was stated just a few moments ago—that to allow these projects to run on without maintenance is the very height of extravagance.

Mr. SMITH of Georgia. It is a lack of business judgment. I do not attribute this failure to lack of judgment by the engineers here in general charge, because they manifested the greatest interest to have the harbor kept in proper condition. The local engineer was not a man fitted to meet the difficulties that surrounded him during the past year. He had trouble with labor. He stopped a number of times the operation of the dredge that he had because of disputes with labor. He did not have a first-class dredge. As a consequence the harbor was not properly maintained.

What I wish to do now is to call the attention of the Senate to the importance of this harbor, and let it be a part of the RECORD. To be perfectly candid, I was surprised myself to find that for a number of years past the seagoing commerce of Savannah has been larger than that of any harbor on the Atlantic coast except New York City.

Mr. SMOOT. Does the Senator refer to Savannah Harbor?

Mr. SMITH of Georgia. Yes; I am speaking of Savannah Harbor. I wish to call attention to the exact figures, as I think it an interesting and valuable matter for the Senate to know. I wish the RECORD to show what appropriations to the Savannah Harbor mean to the commerce of the country. I present the facts to distinguish appropriations to this harbor

from the criticism, with which I have had sympathy, placed upon work of no national value.

This harbor in 1884 had a seagoing commerce of $51,630,518. In 1917 it had a seagoing commerce of $478,215,950. It is second only to New York City on the Atlantic coast. From 1884 to 1904 the percentage of gain of commerce out of Savannah Harbor was 170, as against 92 per cent for Baltimore, 95½ for Philadelphia, 53¼ for New York, and 41½ for Boston. From 1904 to 1914 the Savannah increase was much larger than that of any other point upon the Atlantic coast. From 1884 to 1914 Savannah's gain was 454 per cent, New York's was 162 per cent, Baltimore's was 154 per cent, Philadelphia's was 78 per cent, and Boston's was 3½ per cent.

Again, the foreign exports from Savannah for 1914 were $110,594,981; those from New York were $864,546,338; Baltimore, $109,690,231; Boston and Charlestown, Mass., $65,715,181; Philadelphia, $65,182,514; Norfolk, $25,625,255; Wilmington, N. C., $25,870,851; Charleston, S. C., $20,829,302. So that in 1914 the foreign exports from Savannah were larger than those of any other port upon the Atlantic coast except New York.

Turning to the Gulf, New Orleans had $193,839,961 in 1914, against Savannah's $110,594,981.

The water-borne commerce through the port of Savannah for the year 1914 was $349,193,325; New Orleans, $311,557,861; Boston, $241,288,667.

I give next the commerce through the port of Savannah from 1910 to 1917, inclusive. It began at $224,000,000 in 1910, and in 1917 it was $478,000,000.

I then give a comparison with the other cities, and I show that during the average of that period the commerce through the port of Savannah exceeded that of any other city upon the Atlantic coast, except New York, and exceeded even that of New Orleans, on the Gulf coast.

Mr. KENYON. What is the population of Savannah?

Mr. SMITH of Georgia. About 125,000, I think. I give these figures, Mr. President, and I ask the privilege of putting the exact figures in the RECORD, because when the subject of this port comes up, as it will next year, again, I want the foundation laid by having the Senate realize the importance of its commerce to the commerce of the country.

The PRESIDING OFFICER. Without objection, leave is granted. The Chair hears no objection.

The matter referred to is as follows:

SAVANNAH, GA., *February 6, 1919.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMITH: Our business interests are deeply concerned over the utter inadequacy of the appropriations made for the proper maintenance of this river and harbor.

Savannah naturally is ambitious to play its part in the great era of trade expansion that we all look forward to. Our business interests are progressive and have widespread international connections that justify the hope that in the years just ahead there will be a vastly greater volume of commerce passing in and out of this harbor.

Arrangements are making for an extension of our commercial connections with South America, Central America, and the West Indies. Our trade with European countries, as you are doubtless fully aware, had a wonderful development in the years immediately preceding the war. There is also reason to believe that Asiatic connections will come, bringing a direct movement of southern raw and manufactured products through this doorway.

We will be handicapped and the interests not only of Savannah but of all Georgia and of other Southern States will be adversely affected if the Savannah Harbor is not properly protected and promoted.

We look to you to take care of our interests at this time when it is essential that we have a strong friend in Congress. The business interests here are your friends, and we appeal to you as friends as well as Georgians and representatives of great commercial affairs to use your influence to correct what we regard as a manifest injustice.

Requesting your most earnest support in this important matter, I am,
Sincerely, yours,

MURRAY STEWART, *Mayor.*

RECAPITULATION.

	Expenditures on harbor.	Controlling depth of harbor at mean low water.	Commerce for calendar year.	Remarks.
From 1874 to June 30, 1885	$831,614.40	1885: 13 to 14 feet	1884: $51,630,518	Value of commerce, 1884, in proportion to $1 expenditures from 1874 to 1885 $62.00
From 1885 to June 30, 1905	6,569,323.22	1905: 19 feet	1904: $193,820,760	Value of commerce, 1904, in proportion to $1 expenditures from 1885 to 1905 29.50
From 1905 to June 30, 1912	1,968,639.20	1912: 22 feet	1911: $246,678,077	Value of commerce, 1911, in proportion to $1 expenditures from 1905 to 1912 125.00
From 1912 to June 30, 1916	1,258,663.28	1916: 22 feet	1915: $420,088,304	Value of commerce, 1915, in proportion to $1 expenditures from 1912 to 1916 334.00
From 1916 to June 30, 1918	10,628,240.10 [1]	1918: 22 to 23 feet	1917: $478,215,950	

[1] Figures in hands of Chief of Engineers—unable to obtain in Savannah.

With a total expenditure of $10,628,240.10 to June 30, 1916, on the Savannah Harbor, the water-borne commerce of this port for 1915 shows an increase over the calendar year 1884—713.6 per cent.

Controlling depth of harbor for 1917 remains practically the same as of 1916, but there has been an advance in the general depth of the harbor.

Comparison of foreign exports with the leading ports of the Atlantic coast.

		Per cent.
1884 to 1904, inclusive:		
Savannah	gain	170
New York	do	53¼
Boston	do	41½
Baltimore	do	92
Philadelphia	do	95½
1904 to 1914, inclusive:		
Savannah	do	105½
New York	do	70½
Boston	loss	26¾
Baltimore	gain	32¾
Philadelphia	loss	8¾

RECAPITULATION.

1884 to 1914, inclusive:		
Savannah	gain	454¾
New York	do	162¾
Boston	do	3½
Baltimore	do	154½
Philadelphia	do	78½

Rank of principal ports of the United States in foreign exports of domestic and foreign merchandise.

	1910	1912	Revised custom districts.	1914
Atlantic coast:				
New York	$651,986,356	$817,945,803	New York (N. Y.)	$864,546,338
Savannah	63,428,155	104,286,925	Savannah (Ga.)	110,594,981
Baltimore	77,381,507	92,210,877	Baltimore (Md.)	109,690,231
Boston and Charlestown	70,516,789	69,692,171	Boston and Charlestown (Mass.)	65,715,181
Philadelphia	73,266,343	69,069,730	Philadelphia (Pa.)	65,182,514
Norfolk	8,155,818	11,998,504	Norfolk (Va.)	25,625,255
Wilmington	20,922,398	28,705,448	Wilmington (N. C.)	25,870,851
Charleston	8,104,821	12,423,035	Charleston (S. C.)	20,829,302
Jacksonville	2,391,090	2,329,322	(Changed to Tampa, Fla.)	
Gulf coast:				
Tampa	4,395,972	4,409,640	Tampa (Fla.)	41,838,924
Mobile	27,526,245	31,230,117	Mobile (Ala.)	50,805,641
New Orleans	140,376,560	149,160,910	New Orleans (New Orleans)	193,839,961
Galveston	173,178,992	218,146,097	Galveston (Galveston)	255,767,608
Pacific coast:				
San Francisco	31,180,760	49,249,734	San Francisco (San Francisco)	63,374,900

Comparative statement of water-borne commerce through the port of Savannah for the year 1914.

Savannah		$349,193,325
New Orleans		311,557,861
Boston		241,288,667
Wilmington	$28,682,163	
Charleston	46,800,741	
Brunswick	38,373,320	
Jacksonville	60,718,452	
Fernandina	9,230,082	
Tampa	46,034,985	
Pensacola	22,819,119	
Mobile	58,085,903	
		310,744,765

Water-borne commerce through the port of Savannah for the following calendar years.

1910	$224,512,440
1911	246,678,077
1912	296,444,106
1913	360,536,275
1914	349,193,325
1915	420,088,304
1916	383,225,968
1917	478,215,950

Comparative statement of valuation of water-borne commerce through the port of Savannah for the years 1913 and 1915.

	Year 1913.	Year 1915.
Savannah, Ga	$360,536,275	$420,088,304
New Orleans, La	315,082,532	368,522,285
Boston, Mass	208,824,704	296,195,076
Wilmington, N. C	46,736,713	46,638,404
Charleston, S. C	79,225,772	57,394,658
Brunswick, Ga	58,258,725	44,675,521
Jacksonville, Fla	71,244,326	61,022,944
Fernandina, Fla	9,697,281	2,732,197
Tampa, Fla	50,480,000	44,319,230
Pensacola, Fla	36,573,434	23,095,884
Mobile, Ala	61,368,688	46,440,771
	413,584,939	326,319,609

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee.

The Secretary proceeded to state the next amendment.

Mr. SHERMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Illinois suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, Wash.	Page	Smith, S. C.
Chamberlain	Kellogg	Poindexter	Smoot
Colt	Kendrick	Pomerene	Sutherland
Culberson	Kenyon	Ransdell	Swanson
Fletcher	Kirby	Reed	Thomas
Frelinghuysen	La Follette	Robinson	Townsend
Gore	Lewis	Saulsbury	Trammell
Hale	McCumber	Shafroth	Wadsworth
Harding	McKellar	Sheppard	Walsh
Henderson	Moses	Sherman	Warren
Hitchcock	New	Smith, Ariz.	Watson
Johnson, S. Dak.	Norris	Smith, Ga.	Weeks
Jones, N. Mex.	Nugent	Smith, Mich.	Wolcott

Mr. LEWIS. I desire to announce that the junior Senator from Georgia [Mr. HARDWICK] is detained by illness.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. A quorum of the Senate is present.

Mr. FLETCHER. Mr. President, I should like to return to page 6 while the matter is fresh. I have just telephoned Gen. Taylor respecting the item of $20,000, in line 7, for maintenance.

The PRESIDING OFFICER. Without objection, leave will be granted to return to the item mentioned by the Senator from Florida.

Mr. FLETCHER. The engineers report that there has been very little maintenance on these two projects for the last year or two, and that the entire amount to the credit of those projects now will be used up during this spring and summer; and that unless they can have this amount of $20,000 they will not be able to give proper consideration to those projects after next summer, say July or August of this year—they refer mainly to the Cooper and Salem Rivers and Raccoon Creek—and that there is no mistake in our reporting it at $20,000. That was the amount which was recommended, and it is based on a report received from the district engineer on January 8. Recently, since the bill passed the House, the district engineer reports that he will require that amount for maintenance of those projects until July, 1920; so I ask that that item be agreed to as reported in the bill.

Mr. SMOOT. I think, myself, that if the item is actually required for maintenance, it ought to be agreed to.

The PRESIDING OFFICER. Without objection, the item recurred to will be agreed to. The Chair hears no objection.

Mr. FLETCHER. Then, the total will be made $59,770 to correspond to the amendment?

The PRESIDING OFFICER. The total, without objection, will be changed to correspond to the amendment. The Chair hears no objection. The Secretary will state the next amendment of the committee.

The next amendment was, on page 11, line 14, after the word "maintenance," to strike out "$23,000"; in line 18, before the word "improvement," to strike out "completing" and insert "$50,000; completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, $1,000; for"; and, in line 20, after the words "in all," to strike out "$28,000" and insert "$56,000," so as to make the clause read:

Waterway between Beaufort, S. C., and St. Johns River, Fla.: For maintenance, $50,000; completing improvement of Generals Cut, Ga., in accordance with the report submitted in House Document No. 581, Sixty-third Congress, second session, $1,000; for improvement of Back River, Ga., in accordance with the report submitted in House Document No. 1391, Sixty-second Congress, third session, $5,000; in all $56,000.

Mr. SMOOT. Mr. President, this $50,000 is for maintenance only, is it?

Mr. FLETCHER. For maintenance of these waterways, yes; between Beaufort, S. C., and the St. Johns River, Fla. It is the intracoastal waterway from Beaufort, S. C., to St. Johns River, Fla. The increase is due to the recommendation of the engineers that $23,000 would not be sufficient to maintain that waterway until July, 1920.

Mr. SMOOT. But it is an increase of over 100 per cent; and I wondered why the House only allowed $23,000, and then they immediately came to the Senate and had it increased over 100 per cent.

Mr. FLETCHER. The House estimate was not based upon the very latest information, and later data received by the Engineer office show that they need that amount, $50,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 12, line 2, after the words "first session," to strike out "$240,000" and insert "$500,000," so as to read:

Brunswick Harbor, Ga.: For maintenance, $30,000; for improvement in accordance with the report submitted in House Document No. 393, Sixty-fourth Congress, first session, $500,000.

Mr. SMOOT. Mr. President, the Senator from Georgia said that he was going to make some explanation of this matter.

Mr. SMITH of Georgia. Mr. President, the Senator in charge of the bill understands this matter perhaps even better than I do, because it has been done by recommendation of the Engineering Department; but I understand that it includes the purchase of a dredge for the entire Savannah district.

Mr. FLETCHER. I have the document here. That is with reference to Brunswick Harbor, is it not?

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. House Document No. 393.

Mr. SMITH of Georgia. And that dredge is to be used in both of the harbors or in the entire district.

Mr. FLETCHER. This is for the purpose of completing the project if the project itself is adopted.

Mr. SMOOT. The Senator is wrong; it is for maintenance.

Mr. FLETCHER. No; it is not for the purpose of completing it. It is for the dredge; that is right. It is to build a dredge, and it was estimated that it would cost that amount. They needed a dredge there; they had to have a particular kind of a dredge to do that work, and it was necessary to raise the appropriation for the purpose of providing that dredge.

Mr. RANSDELL. I will say to the Senator that Gen. Taylor told us that there were no private companies that had a dredge that could do just that kind of work, and it would be necessary to have a dredge constructed for that work, which he regarded as very important. In many of the works private companies can do the work just as well as the Government, and we have a general clause permitting them to bid on all the work; but at that particular place he said that there was no chance to get the work done by a private company, and he wanted authority to construct the dredge.

Mr. SMOOT. What particular conditions are there that require a special dredge there?

Mr. SMITH of Georgia. They need a seagoing dredge.

Mr. RANSDELL. It is out adjoining the ocean, very similar to the work at New York Harbor and at the mouth of the Mississippi River, where the Government has its own dredges, but they have no dredge that they can send to that point. All of their deep-sea dredges, he said, were in use, and they would

need one for that work. They did not know of any place from which they could transfer a dredge to do that work.

Mr. SMITH of Georgia. I called up Gen. Taylor and had a talk with him after the report of the committee was made. I understand the situation is this. The real damage in this harbor has been due to the fill of the bar. There is a channel out through the bar from both these harbors. I have a map of Brunswick Harbor here. The lack of furnishing a seagoing dredge has caused in the last two years the Government work on this channel to fill in nearly 2 feet. The same is true of Savannah Harbor.

Let me say in reference to Brunswick Harbor that in many respects it is the greatest harbor on the Atlantic coast. It is landlocked by St. Simon and Jekyll Islands; it has an area of 31 square miles; it has a thousand acres with depth of from 30 to 80 feet in the channel. The Government owns Blythe Island, bought in 1857 for the purpose of locating a naval station. It has simply not received the attention that its great value to the country deserves.

In the past two years there have been erected in Brunswick plants with investments of $20,000,000. The business has enormously increased. I have here a statement from the secretary of the board of trade giving a list of new plants that have very recently been built there. The Government put up one plant. The Atlantic Refining Company put up an enormous refinery there. The port will be used to a greater extent for that reason by vessels going toward the Panama Canal and South America.

This increase, Gen. Taylor told me, is in part to provide a seagoing dredge for the use not only of Brunswick, but equally of Savannah.

Mr. SMOOT. Does the Senator know what is the depth of that channel?

Mr. SMITH of Georgia. The average at average low water is about 24 feet.

Mr. SMOOT. About 24 feet?

Mr. SMITH of Georgia. About 24 feet, and 7½ more feet at high water. The project involves, with no great expense, adding 4 feet more depth to it. I dislike to give the figures, for I might be wrong, but there is to be with that additional 4 feet a depth to float any of our big naval vessels.

Mr. SMOOT. I notice that the depth was 22 feet in June, 1917.

Mr. SMITH of Georgia. There was a fill of 2 feet at that time.

Mr. SMOOT. In other words, it had been 24 feet?

Mr. SMITH of Georgia. It had been 24 feet, and it was to have been carried to 30 feet. That was the project, but the lack of a seagoing dredge allowed the fill of 2 feet.

I wish to add that there is one great feature of Brunswick Harbor. It is not a harbor into which waste from the soil flows. It is an inlet from the sea and scarcely anything comes to it to fill it up. It is one of the most economical harbors to maintain that can be found anywhere for that reason.

Mr. SMOOT. There is a tide of about 7 feet, does the Senator say?

Mr. SMITH of Georgia. The tide is from 6.8 to 7.6 feet.

Mr. FLETCHER. It is a very important harbor, and it is growing in importance all the while. There are no dredges available to do that work. The Government itself has not the necessary dredge. In fact, the Chief of Engineers reported to our committee that there is need for 20 new dredges in his department. But we have not provided for those. In this case it is necessary to provide for the dredge in order to have the work done.

Mr. SMOOT. Does the Senator know what the dredge will cost. The balance, of course, would be the amount to be expended in improvements.

Mr. FLETCHER. It would be the difference between $240,000 and $500,000; that is, $260,000 for a seagoing dredge. It is very much needed by the department, not only in connection with this work but other work.

Mr. SMOOT. I am glad to see that there is a great deal of commerce in and about that harbor. I think there were 1,009,026 short tons, valued at $28,258,725.

Mr. SMITH of Georgia. It is now very much more than that.

Mr. SMOOT. If the Senator will just wait, I will state that that was the effect of the first improvement.

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. Of course I am always in favor of spending money upon projects where there is a commerce connected with them. What I object to is spending money upon projects where there is no commerce to-day and no likelihood that there ever will be sufficient commerce to justify the appropriation.

Mr. SMITH of Georgia. That commerce, as a result of this work, has increased 5,000 per cent up to $56,000,000.

Mr. SMOOT. I want to say that on a project of that kind it is worth spending public money.

Mr. SMITH of Georgia. In the last three years capitalists have invested in plants in Brunswick to the amount of $18,150,000.

Mr. SMOOT. I want to congratulate the Senator from Georgia and also the people of Georgia upon that fact. I was surprised to hear the Senator say that the commerce of Savannah Harbor is as great as it is. In fact, I had no idea that it was greater than that of Boston Harbor until the Senator called my attention to it to-day.

Mr. SMITH of Georgia. I was surprised, too.

THE BOARD OF TRADE,
Brunswick, Ga., January 28, 1919.

Hon. HOKE SMITH,
United States Senator, Washington, D. C.

DEAR SENATOR SMITH: Your letter of January 21 to Mr. R. L. Phillips, president of the board of trade, has just been referred to me by Mr. Phillips, who was out of the city for the past 10 days.

I am sorry your request for a map of Brunswick Harbor, showing width of channel and depths all over the bar, did not reach me sooner.

I am sending you herewith copy of Coast Survey Chart No. 447, which shows the depths at all points in the harbor, and on which the local Army Engineer office has outlined the anchorage areas that has depths of 30 feet at mean low water, or 37 feet at mean high water. The channel widths are also shown thereon. You will note from this that, with the exception of the shoal spots at Brunswick Point and in upper and lower Turtle River, the only obstacle preventing the use of the harbor by vessels of the deepest draft afloat is the controlling depths on Brunswick bar. The fact that the greater part of Brunswick inner harbor runs from 30 feet deep at mean low water to as much as 87 feet deep at mean low water should prove conclusively the economy with which the harbor can be deepened to make it available at low water for any ship in the world. Its large area of deep-water anchorage makes it a logical port for such improvements.

We have also indicated on the chart the location of the shipbuilding plants, the United States picric-acid plant, and the site upon which the Atlantic Refining Co. is now building their $5,000,000 oil refinery and half mile of permanent docks, over which they will receive the crude oil from tankers, and at which they will be able to fuel a practically unlimited number of steamers at one time. The availability of these fuel-oil facilities, both for merchant ships and the Navy, will be regulated solely by the controlling depth of water available between the open sea and the docks, and to make these facilities of the greatest value to the Nation a project should be adopted at once, as has been done already by the War and Navy Departments at Charleston, to provide a minimum channel 40 feet deep at mean low water, and not less than 1,000 feet wide. A channel of this depth would make available for use by the Navy not only these fuel facilities, but also the navy-yard site on Blythe Island, owned by the Government, and unused, since 1857, and the natural anchorage areas, in which a great fleet could ride safely at anchor without obstructing the channel.

With kind personal regards and best wishes, I am,

Very truly, yours,

A. M. SMITH,
Managing Secretary.

—

THE BOARD OF TRADE,
Brunswick, Ga., February 4, 1919.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

DEAR SENATOR: Your wire, reading as follows, received: "Mail me at once figures on your growth during the last two years, naming new plants." In answer, I am giving you below a list of the old plants and the new plants here:

	Cost.
Old plants:	
Yaryan Rosin & Turpentine Co	$1,000,000
Georgia Veneer & Package Co	250,000
Georgia Creosoting Co	200,000
Savannah River Lumber Co	100,000
Lang & Orr (planing mill)	50,000
Sea Food Co. (canning plant)	40,000
Brunswick Canning Co. (Ltd.)	60,000
Glynn Canning Co	75,000
	1,775,000
New plants (added in last two years):	
Government picric acid plant	9,500,000
Atlantic Refining Co. (refinery and fuel oil)	5,000,000
Brunswick Marine Construction Corporation	300,000
Liberty Shipbuilding Co	50,000
United States Maritime Corporation	250,000
American Shipbuilding Co	350,000
Brunswick Shell Products Co	25,000
Brunswick Machine Co	25,000
Brunswick Shipbuilding Co	75,000
The Foundation Co.-Carpenter-Watkins (Inc.)	200,000
Trant Lumber Co	50,000
Georgia Rosin Products Co	50,000
Brunswick Cross-Arm Co	25,000
United States Government naval air station	2,000,000
Glynn Compress Co	50,000
Georgia Cotton Co	50,000
Glynn Ice Co. (new ice and cold-storage plant)	150,000
Total new industries	18,150,000

The total bank deposits for the year 1915 were $1,221,000; for 1916, $1,718,000; for 1917, $2,261,000; and for 1918, $4,118,000.

The pay rolls per week for 1915 were $33,000; for 1916, $44,000; for 1917, $63,000; and for 1918, $390,000. These figures were obtained from the three banks here in November, 1918.

If there is any further information that you desire along this line, please wire or write us and we shall be glad to send it to you promptly.

Yours, very truly,

A. M. SMITH,
Managing Secretary.

Mr. CUMMINS. I move that the Senate proceed to the consideration of Senate concurrent resolution No. 25.

Mr. SMITH of Georgia. Will not the Senator let us vote on this amendment?

Mr. CUMMINS. Very well, if I shall be recognized afterwards.

Mr. FLETCHER. I make a point of order against the motion of the Senator from Iowa. There is a motion pending.

The PRESIDING OFFICER. The Chair sustains the point of order. The question is upon the amendment of the committee.

The amendment was agreed to.

Mr. CUMMINS. Now, Mr. President——

Mr. FLETCHER. Let the Secretary proceed with the next amendment.

The PRESIDING OFFICER. The Secretary will state the next amendment.

The SECRETARY. On page 12, line 2, in the total for Brunswick Harbor, Ga., strike out "$270,000" and insert "530,000."

Mr. CUMMINS. I move that the Senate proceed to the consideration of resolution No. 25.

Mr. President, this resolution relates to legislation or the preparation for legislation made necessary by the war through which we have just passed.

I regret very much that I feel it to be my duty to bring the subject before the Senate at this time and in that way to defer, not to defeat, the appropriation bill which is under consideration. But from my standpoint this resolution and the subjects which are involved in it are of infinitely greater importance than any appropriation bill that has been brought before the Senate or that is likely to be brought before this body.

The appropriation bills will be passed. The operations of the Government will not be suspended. We all understand perfectly well that these appropriation bills must be and will be adopted in some form. But unless I can get consideration for this resolution at this time it is not likely that the House will come into possession of it in time to pass upon it or to consider it before this session has closed. It is of the very first importance, Mr. President, that this resolution, if it meets the favor of Congress, shall be considered at this session.

The opportunity to accomplish the thing which we desire to accomplish through the resolution is passing day after day. It can not be as effective as though it had been adopted a month ago, and every hour that intervenes without the action of Congress upon the subject will allow some important vital situation to pass unimproved.

These are my reasons, Mr. President, for bringing it before the Senate at this time, and I sincerely hope that it can be disposed of by the Senate so that no serious delay will occur in the consideration of the river and harbor bill. If I have to choose between the passage of the river and harbor bill and the passage of this resolution, I unhesitatingly select the latter for my preference.

The resolution, Mr. President, is substantially as follows: It provides for the creation of six joint congressional committees on reconstruction. Each of those committees is to be composed of five Senators and five Representatives in Congress. They are to be selected in the manner in which the standing committees of each House are selected, and they are to change from time to time as the standing committees are changed.

I quote, then, the next paragraph of the resolution:

The said committees shall make, respectively, investigations of the subjects hereinafter named and herein assigned to them, respectively, and shall report to Congress from time to time with such recommendations as to additional legislation, or otherwise, as they, respectively, may deem advisable.

The first committee, which shall be known as the joint congressional committee upon the demobilization of the Army and Navy, shall so investigate and report upon the following matters, to wit.

I especially call the attention of the Members of the Senate to the scope of the jurisdiction of this committee.

Mr. FLETCHER. Mr. President, I rise to a point of order.

Mr. CUMMINS. Do I understand the Senator from Florida rises to a point of order?

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. FLETCHER. I am not opposing particularly the Senator's resolution, but I insist that it is not in order now, because we are considering this bill under a unanimous-consent agreement to take up the committee amendments to the bill in the order which they come, and the pending question now before the Senate is the amendments of the committee offered to this bill.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. The Chair is ready to rule upon the point of order. The Chair thinks that under Rule XXII the pending question is the committee amendment, and the motion of the Senator from Iowa is not in order. Therefore the Chair sustains the point of order.

Mr. CUMMINS. Does the Chair rule that until this bill is disposed of there can be no change in the proceedings of the Senate?

The PRESIDING OFFICER. Certainly not. The Chair simply rules that the pending question is the committee amendment which the Secretary has reported, and that under the rules of the Senate it is out of order to make the motion which the Senator from Iowa has proposed.

Mr. SMOOT. Has the Secretary read the pending amendment?

The PRESIDING OFFICER. The Chair states to the Senator from Utah that the amendment has been read.

Mr. SMOOT. I understood that the amendment with reference to Brunswick Harbor had been agreed to.

The PRESIDING OFFICER. That amendment was agreed to and another amendment has been read.

Mr. SMOOT. What other amendment was read?

The PRESIDING OFFICER. The Secretary will read the amendment again.

The SECRETARY. On page 12, line 2, strike out "$270,000" and insert "$530,000."

Mr. SMOOT. That is only changing the total, Mr. President.

The PRESIDING OFFICER. It is an amendment and it has been read.

Mr. SMOOT. I did not hear the Secretary read it after the other was agreed to.

Mr. CUMMINS. I have no objection to a vote on this amendment, but I hope the Senator from Florida [Mr. FLETCHER] will not feel that there will be no opportunity for me to bring forward this resolution. I intend to bring it forward at some time and take the judgment of the Senate upon it. If I can not do it otherwise than through speaking upon it, either upon this amendment or upon some other, I shall pursue that course in obedience to the ruling of the Chair.

Mr. FLETCHER. I am standing by the rule of the Senate. There is a bill here that ought to be completed.

Mr. CUMMINS. I shall discontinue my remarks until this amendment is voted upon. Then I shall seek the recognition of the Chair for the motion I desire to make.

Mr. FLETCHER. The point of order, in my judgment, is good against this proposal or against any other proposal of this kind until these amendments are acted on, because under the unanimous consent of the Senate the formal reading of the bill was dispensed with and the Senate committee amendments were to be taken up and considered first. The committee amendments are here to be acted upon. I am not delaying the Senator. If we go on and act on these amendments, the Senator will have time to offer his resolution for consideration. I am not opposing his resolution, but there is a bill here in my charge, and it is my duty to keep the bill before the Senate and have it disposed of.

Mr. CUMMINS. I am not questioning the sincerity of the Senator from Florida or his conception of his duty. I hope the Senator will pursue the course which he thinks best. I shall endeavor to get this resolution before the Senate just as soon as I can.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Washington?

Mr. CUMMINS. I yield.

Mr. JONES of Washington. I wish to see this bill put through, but I desire to say that if the contention of the Senator in charge of the bill is correct there will never be another unanimous consent on an appropriation bill that the committee amendments shall be considered first. That is not my understanding nor was it ever contemplated by me that an agreement of that kind would shut out action of every other kind and require the consideration of the amendments of the committee before anything else could come up.

The PRESIDING OFFICER. There is no point of order pending. The Senator from Iowa [Mr. CUMMINS] has the floor and is entitled to address the Senate. The Chair sustained the point of order made by the Senator from Florida.

Mr. CUMMINS. I do not desire to address the Senate on the amendment which the Chair has said is pending, but I hope to get the floor immediately after that is disposed of.

The PRESIDING OFFICER. The question is on the committee amendment.

The amendment was agreed to.

JOINT COMMITTEES ON RECONSTRUCTION.

Mr. CUMMINS. Mr. President, I move that the Senate proceed to the consideration of Senate concurrent resolution No. 25.

As I was remarking a few moments ago with regard to the character of the resolution, the first joint congressional committee is upon the demobilization of the Army and Navy, and it is required to investigate and report upon the following matters, to wit:

(a) The employment of discharged soldiers and sailors in civil pursuits.

(b) The allotment of lands to returned soldiers and sailors and their establishment in homes upon the public domain.

(c) All legislation which may be required in the proper care for those who have suffered the dangers of war, and especially those who have been disabled and whose ability to earn a livelihood has been impaired.

Mr. President, is there anything more important than to enact the legislation which ought to attend the demobilization of our Army and our Navy? Confessedly our legislation is both inadequate and imperfect. The highest duty of the American people at this time is to see that the men who have offered their lives in defense of their country shall be properly cared for as they return, either in health or in sickness, to their homes and to their communities. I do not remember just how many have been wounded during the war in France, but, as I remember, nearly 50,000 have fallen and 200,000 have suffered some disability in the defense of their country.

What shall we do with these soldiers, incapable as they are of earning a livelihood, without the means to enter upon any business which they are qualified to pursue, and when even though they come home safe and sound they find themselves not only deprived of the profits of the employment in which they were formerly engaged, but they find themselves without the opportunity to reenter those employments.

If there is one thing more than another which ought to engage the patriotic heart and ought to command universal interest it is some legislation, some provision with regard to these men, who have done more than you or I have done. We may have performed our duty as we have understood our duty, but it was a duty unaccompanied with danger. They have performed their duties in the midst of the most terrific struggle which ever devastated the earth, and it is for us now to see that as they return to their homes they are so provided that they will not suffer in the transition of war to peace.

I do not believe there is a single committee now engaged in the especial duty or work of devising the legislation which will make this transition either tolerable or safe. I do not think that there is any one committee that has in charge the legislation of which I speak.

I do not want by the organization of standing committees composed of Members of the House and Senate to dispossess the committees of either the Senate or the House of the jurisdiction which they are now exercising. I want these committees to go forward with all the speed possible and do the most effectual work they can do. But this is imperative work. There is need for immediate concurrence between the House and the Senate respecting any legislation that we may approve. If we work separately we will neither work as effectively nor will we accomplish the end so speedily as though we were to create joint committees, who would act in a sense as conference committees. We will save months in point of time, aside from utilizing the combined wisdom of both branches of Congress in the preparation and the passage of legislation with the object which I have set forth.

I do not intend to lay before the Senate my own views about the legislation which should be had. I would instantly create controversy if I were to do so. It is that very controversy among Members of Congress which makes legislation of this character difficult to pass. It is difficult to come to an agreement with regard to it, and from that fact arises the necessity of joint committees, if we intend to do anything within the time in which we must do it, if we are to afford the relief, which is imperative from my standpoint. If we allow six months to pass or a year to pass, these men will have suffered all they can suffer, and any remedy we may propose will be unavailing. It will have lost very largely its purpose if we permit months and months to go by without preparing a comprehensive and an effective plan for their relief.

Mr. FRANCE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Maryland?

Mr. CUMMINS. I yield for a question.

Mr. FRANCE. Does not the Senator think that much of the unrest throughout the country, to which allusion was made this morning, is due to the neglect on the part of the national legislative bodies to deal with these very matters?

Mr. CUMMINS. I think so, Mr. President. We are drifting into the most unfortunate position in which any nation can be. I believe it to be true that a very large proportion of the soldiers who have gone abroad and have so magnificently performed their duty, not only to our own country but to civilization itself, are coming home discontented, are coming home with criticism in their hearts, and that many of those discharged from the service will come with criticism upon their lips. I can not imagine anything more depressing than to feel that the 2,000,000 men who have fought for us on the soil of France are coming to their own land not only dissatisfied with the manner in which their officers have managed and controlled them but deeply disappointed because their own country has done nothing to provide for the transition from war to peace, from military life to civil pursuits.

Is there a Senator here who doubts it? Can you doubt that if the very day after the armistice was proclaimed there had been created a joint committee of the two Houses of Congress with the especial duty of taking care of the men who are thus committed to our guardianship, and if we had entered upon that work diligently and intelligently, and this were known to the soldiers of the United States, there would have occurred the severe criticisms and the deep-seated disappointment on the part of these men you now observe?

Mr. HITCHCOCK. The Senator asks the question whether there is one Senator who doubts that statement. I am one. So far as my State is concerned I do not think there is a man returning from the Army who is not able to find plenty of work and a position open to him to go back to; and I have the impression that in Iowa, the Senator's State, he will find that the condition is very much the same.

Mr. CUMMINS. I must entirely disagree with the Senator from Nebraska. I have no doubt that a great many of these men will find labor, and that a great many of them have found labor, but a great many have not found employment, and they will not be able to find employment unless the industries of the country revive in a way which I regard as impossible, at least very improbable.

Mr. HITCHCOCK. Mr. President, will the Senator from Iowa permit a question?

Mr. CUMMINS. Certainly.

Mr. HITCHCOCK. Is it not true that the Senator's own mail from his constituents indicates that for every man who is looking for a place he has 10 men in the Army anxious to get out, so as to take positions that are offered them?

Mr. CUMMINS. There is very little actual communication between those who have places to give and the men who are in the Army. They depend for their information in that respect upon the general sentiment of the community, the general promises which are outstanding, to reinstate men who have gone into the Army in their former places, but they can not reinstate them in their former places unless those who are now filling those places are driven from them.

Mr. HITCHCOCK. The Senator does not answer my question. I want to say that, so far as my mail is concerned, there is not a day that passes that I am not urging the War Department to discharge men who have places open for them and work awaiting them.

Mr. CUMMINS. I know of some such cases, but the men are begging to be discharged whether there are any places open for them or otherwise. They do not want to remain in the Army during times of peace, and they would rather face the struggle for employment than to continue in the Army. I think that is the exact situation.

Mr. KING. Mr. President, will the Senator from Iowa yield to me?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I do.

Mr. KING. Mr. President, while I agree with very much of what the distinguished Senator from Iowa has said, and in the main agree that we ought to perhaps appoint committees or at least devote ourselves at the earliest possible moment to the present domestic problems involved, and made more pressing by the recent armistice and the transition from war to peace, replying very briefly, and in a word——

Mr. CUMMINS. I can not yield for a reply, because the rule might be applied to me rather rigidly, and I might lose my place on the floor.

Mr. KING. May I say this: Does not the Senator feel that his statement was a little too broad when he observed that the men returning from overseas—and he did not seem to make any distinction—were filled with bitterness and resentment in their hearts, and when discharged that feeling manifested itself in criticism from their lips of those who had charge of them and of

conditions generally? I have not found such a condition. I think that the men who have come from overseas feel that they did a great work for their country and for civilization and have come home like gallant men ready to meet the problems that confront them here.

Mr. CUMMINS. Mr. President, I have no doubt they come home with the same spirit with which they fought. They intend to play their part in the drama of life, and they will do it courageously; they will do it resolutely, but it is still my observation that there is among the returning soldiers a very pronounced feeling of disappointment—sometimes resentment, and sometimes merely regret which they experience in coming home and finding that they are not to be cared for as they believed they would be.

Mr. President, what I say, of course, about the treatment of the soldiers abroad does not apply to all the officers of the Army, but I have listened to scores of them relating their grievances with regard to the manner in which they have been officered and controlled in France. Do not think that that has driven from their hearts the love of country, or the purpose to work for her and fight for her in the future, but, nevertheless, it is a very unhappy and unfortunate circumstance.

Mr. President, this, however, is a mere opening chapter to this resolution. It is put first in the resolution because it ought to be done first. It must be done now, or not at all; that is, it will not be effectively done unless it is done now. But I pass to another subject of the resolution.

The third of said committees, which shall be known as the Joint Congressional Committee on Interstate Transportation, shall so investigate and report upon the following matters, to wit:

(a) The permanent relation which the Government of the United States should sustain to the common carriers of the country.

(b) Whether the systems of transportation now in possession of and being operated by the Government should be returned to their former owners and operated as heretofore, or whether Government operation should continue with or without Government ownership; or, if private ownership is to continue and private operation resumed, what system of regulation and control will be best adapted to secure efficiency in service, reasonable rates of transportation, and fairness to the capital invested.

(c) The relation which should be established between inland water transportation and the railways, including the control of the former.

(d) All questions relating to communication by wire.

Mr. President, there is no greater, no more vital problem now before the American people, none that has ever been before the American people, and I am led almost to say that there never will be one more important, of vaster consequence, than the subject I have just recited. The Committee on Interstate Commerce of the Senate has been for a month or more holding daily sessions, inviting the views of men of thought, of men of experience, of men of judgment upon this important topic. I do not want that committee to cease; I want it to continue the work in which it is engaged; but, if we had a joint committee, composed of Members of both Houses, that could establish some relation between the consideration of this subject in the Senate and in the House, if we could be drawing more nearly together, if we could be conferring with regard to the subject, in my judgment, we would reach a conclusion months and months in advance of the time that will be required if there be entirely independent consideration and action upon the part of the two Houses.

This is the time to do that work. The public mind is alive not only to its importance, but is alive to the very difficult problems which inhere in the readjustment of the relations between the Government of the United States and the carriers of the country. There never has been a time, and I do not believe that there ever will be a time, when the public mind is so ready and so ripe, so matured for the consideration and disposition of this subject as it now is. Everybody is thinking of it. Every man who has been affected by the experience of the last year, every man who was affected by the experience of the time before Government operation—all are agreed and anxious that the United States shall, at the very first possible moment, reach a conclusion with regard to the permanent policy which shall be established between the Government and the railroads.

If we miss this opportunity, no other so good a one is likely to recur, and it seems to me that there ought to have been two months ago the closest communication and the closest relations between the two Houses in the consideration of this subject.

I mention but one other of the subjects which are touched by this resolution. It is this:

The fifth of said committees, which shall be known as the Joint Congressional Committee on Employers and Employees, shall so investigate and report upon the following matters, to wit:

(a) Conciliation and arbitration in labor disputes.

(b) The relation of men and women in similar employments.

(c) Substitution of female employees for male employees, and vice versa.

(d) The organization of permanent employment agencies.

(e) The distribution of labor, including employment of surplus labor on public works.

(f) The sanitary housing of employees and the disposition of houses constructed by the Government during the war.

(g) The freedom of labor, and of employment in its relation to trade unionism; and wages, hours, and conditions of employment.

Mr. President, if I said a few moments ago that the adjustment of the railway problem was the most important, I desire to retract that statement. That part of the resolution which I have just read is the most important of all.

The people of this country are deluding themselves in the hope that the storm which has swept over Russia, which is at its height in Germany, which is gathering in Great Britain, will not be felt in the United States. Those who indulge that hope are bound to be disappointed. Mr. President, we must face that question—the labor question—just as these other countries are facing it.

The struggle between socialism and a modified individualism agitated the world for years before the war. It received great impetus during the war. The outcome of the war was of a character to bring this issue directly before the people of the several countries engaged in the war, and we must meet calmly, intelligently, and resolutely the issue between socialism and individualism of a modified character, because none of us can hope, and none of us ought to wish, to continue individualism just as it was known before.

There is no essential difference between the Soviet government of Russia and the Ebert government of Germany, except that the former is in civil war and is led into atrocities, if you please, assassination and murder, so characterized because it is in war; but there is no essential difference. Before the war the labor movement of Europe was largely in the hands of the Socialists. The labor leaders of Russia before the war were Socialists; the labor leaders of Germany were Socialists. They led, directed, and controlled the movement in behalf of labor in those countries. The only two great commercial countries in the world in which any kind of individualism was preserved before the war in labor unions were Great Britain and the United States.

I hope I will not be understood as approving socialism as it is preached in Russia or as it is preached in Germany or as it is now being taught in Great Britain. I believe in individualism in private enterprise, but no man dare rise anywhere to condemn as unpatriotic or untrained or uneducated all the men and the women of the world who believe that socialism is the better form of industry and production. While I do not agree with the Socialists in that respect, nevertheless I know that the time is coming when I must meet that doctrine or that form of government in society, not by denunciation, not by repression, not by imprisonment, but I must meet it in the forum of reason and argument, and, if I can not prevail against it there, I go down, and I ought to go down.

The Socialist in Russia believes that all industrial activity should be conducted by the government. The Socialist in Germany believes exactly the same thing. The Socialists in Great Britain—and the principal labor leaders of Great Britain are now passing into the ranks of socialism—believe that human activity should be conducted, managed, and directed by society itself. They believe, and we all believe, that a man who will not work ought not to eat. I think that is a fundamental doctrine, whether one is an individualist or whether he is a Socialist; but we believe, those of us who still cling to the old system in a modified form, that there is no enduring progress in the world unless there are degrees in compensation or reward.

I for one believe that a worker is entitled to withdraw from that which he produces or which the aggregate produces the share proportionate to his contribution, and I know of no way in which to adjust that share save upon the basis of the world's opinion with regard to the value of the contribution. I do not care, however, to discuss the question. I only know that it is here for consideration, and it is here for decision. There is a crying demand for legislation, for consideration, and for intelligent study of the relation between labor and capital, between the varying views which are held by students with regard to the share to which the worker is entitled as compared to the share to which capital is entitled.

We ought to have a joint committee of Congress devoted to that subject, and to no other—a joint committee that can so coordinate the work of the two Houses that we will be likely, at least, to reach a conclusion upon the inquiry or upon the problem within some reasonable time. We ought to be able to say to the men who believe that they have been and that they are deprived of their honest, just share of the fruits of labor that the whole thought of the Congress in a crystallized and organized way has been turned to the subject, and that we are not unmindful of its importance, not unmindful that it is vital

to the perpetuation of the Republic and to the happiness of mankind.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to his colleague?

Mr. CUMMINS. I yield.

Mr. KENYON. May I suggest to the Senator that, entertaining similar views to those he has expressed as to the importance of this particular question, I introduced a resolution here for a general survey of labor problems by the Committee on Education and Labor. That resolution passed the Senate, and we have had at least, I think, 25 days where the usual hours of committee meetings have been given to that subject. The hearings have been intensely interesting, and out of them have come for consideration certain bills that we felt might help the labor situation.

I wish to say to the Senator that at the time Mr. Gompers testified I think we had possibly six members of the committee present. During the remainder of the time, I am safe in saying, we never have had over five present, most of the time not over three, and some of the time only two, the average being about three. The effort to do something along that line was met with the proposition that the way to handle this question was to radiate a cheerful optimism, and that any attempt to investigate these questions tended to excite unrest and Bolshevism in the country. I have come to the conclusion that, so far as the Senate is concerned, it does not feel that there is any necessity of doing anything on that subject. I hope, and I believe, that when the President of the United States returns—and it seems that the only way to secure any action by the Senate or by Congress is through his efforts—he will realize the situation and not be deterred by charges of inciting trouble from lending his great influence to some movement of that kind; but it has been disappointing that apparently no interest can be aroused at present in that behalf.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. CUMMINS. I yield for a question.

Mr. KING. I should like to ask the junior Senator from Iowa, with the permission of the senior Senator from that State, to consider the fact that we are in the closing hours of the session and that Senators are busy with appropriation and other important measures which would excuse some of them, perhaps, from attending the committee to which the junior Senator from Iowa refers.

Mr. KENYON. These hearings have been running for five or six weeks, I will say to the Senator from Utah. I think there are members of the Committee on Education and Labor who never have attended a meeting of that committee.

Mr. WATSON. Mr. President——

Mr. CUMMINS. In just a moment I will yield to the Senator. I do not wish to be led into any criticism of Senators who do not attend committee meetings. I understand how difficult it is for them to adjust their various engagements, and I do not want to depreciate in the least degree the very valuable work that has been done already by the Senate Committee on Education and Labor. I say of that committee, as I did of the Interstate Commerce Committee, that I hope it will continue its labors, for there can not be too much light shed upon this problem; there can not be too much energy devoted to its solution. I hoped that, if Congress could lift up the subjects which are named in this resolution into high prominence and turn the attention of the whole country to them and to these committees, we could awaken an interest in them that does not exist and will not exist if they are being dealt with by the ordinary standing committees of the two Houses.

I now yield to the Senator from Indiana.

Mr. WATSON. Mr. President, I simply desire to say, in answer to the suggestion of the Senator from Utah [Mr. KING], that I think the cause of the inattention probably runs very much deeper than the one he suggests, because the President in his last message before he went abroad said that there was no need for reconstruction, except with reference to a policy having to do with the returning soldiers; that, so far as the general business of the country was concerned, it did not need to be reconstructed; that what we needed to do was to unhamper business and to unshackle commerce, and not to put the business men of the country in leading strings. I think perhaps that spirit has filtered down through Congress.

Mr. CUMMINS. I hope that that is not true, and I am going to conduct my argument upon the theory that it is not true; that is to say, that Senators and Members of the House feel the same responsibility to the country and to its welfare that the President feels, and that they will try as earnestly to discharge their duties in these two Houses as the President will try to discharge his. I can not think that any considerable number of Senators suspend their activities until they hear the direction of the President. I may be driven to that conclusion presently, but I will not believe it until it is forced in upon me in a way that admits of no doubt whatever.

Mr. KENYON. Mr. President, may I say further that I believe that the effort to secure some legislation looking to alleviating the labor situation by this Congress was very much injured and made almost impossible by the strike in Seattle? I think that there was a very deep feeling concerning it. I talked with many Senators about it, and they could not get in harmony with the idea of a strike going on out there and at the same time there being unemployment in the country—a strike which did not seem to be justified at all.

Mr. CUMMINS. I can understand how that might influence some of them, but it ought not to influence anybody; that is, it ought not to delay consideration and legislation upon the labor problem. It is so much deeper than a strike that no resentment which may arise on account of a strike, justified or unjustified, ought to suspend for a single moment our effort in proposing a plan which will compose differences in principle between labor and what is generally called capital.

I do not think, either, that we ought to wait until the President returns in order that he may give us his opinion upon the subject. I have no doubt we will take under careful consideration whatever he may have to say to us upon it; but there are many things to be learned in the meanwhile that will be of vast value to those who do the work, and we ought to go forward. I do not expect to secure any legislation at this session; but I do hope that we can create these committees, so that they can continue their work during any recess which may occur, and may be in position to report at the next session of Congress, whether it comes in June or whether it comes in December, some plan that we may pursue that will help to allay the discontent and help to cure the ills which are so apparent.

Mr. President, I do not intend to pursue this subject further. I may remark, I think, without objection, that this concurrent resolution had its origin in one introduced by the Senator from Massachusetts [Mr. WEEKS], and it became the subject of a conference between Members upon this side of the Chamber, and they seemed to be unanimously of the opinion that a concurrent resolution of this character ought to be adopted, and that these committees ought to be created, and that this work, which I regard as essential to the well-being of the Republic, should go forward, and should go forward immediately; and it is in the hope that I may secure a vote upon the concurrent resolution this afternoon that I have brought it before the Senate.

Mr. RANSDELL and Mr. WEEKS addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. RANSDELL. I move that the motion of the Senator from Iowa be laid upon the table.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. The Senator from Louisiana moves to lay upon the table the motion of the Senator from Iowa to proceed to the consideration of the concurrent resolution referred to by him.

Mr. WEEKS. Is that subject to debate?

The PRESIDING OFFICER. No; the Senator from Louisiana has moved to lay the motion on the table.

Mr. WEEKS. Mr. President, I was on my feet to debate the concurrent resolution.

The PRESIDING OFFICER. The Senator from Louisiana first addressed the Chair. The Chair recognized the Senator from Louisiana.

Mr. RANSDELL. My motion was to lay the motion of the Senator from Iowa on the table.

The PRESIDING OFFICER. The question is on the motion of the Senator from Louisiana.

Mr. CUMMINS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Iowa suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gronna	La Follette	Page
Beckham	Hale	Lenroot	Pittman
Calder	Henderson	Lewis	Poindexter
Chamberlain	Hitchcock	Lodge	Pollock
Colt	Johnson, Cal.	McCumber	Pomerene
Culberson	Johnson, S. Dak.	McKellar	Ransdell
Cummins	Jones, N. Mex.	McNary	Reed
Curtis	Jones, Wash.	Martin, Ky.	Robinson
Dillingham	Kellogg	Moses	Saulsbury
Fletcher	Kendrick	Nelson	Shafroth
France	Kenyon	New	Sheppard
Frelinghuysen	King	Norris	Sherman
Gay	Kirby	Nugent	Simmons
Gore	Knox	Overman	Smith, Ga.

Smith, Mich.	Sutherland	Trammell	Weeks
Smith, S. C.	Swanson	Vardaman	Williams
Smoot	Thomas	Wadsworth	Wolcott
Spencer	Thompson	Walsh	
Sterling	Townsend	Watson	

The PRESIDING OFFICER. Seventy-four Senators have answered to their names. A quorum is present. The question is on the motion of the Senator from Louisiana [Mr. RANSDELL] to lay on the table the motion of the Senator from Iowa [Mr. CUMMINS].

Mr. CUMMINS and Mr. WEEKS called for the yeas and nays, and they were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. This is a motion to lay on the table, and is not debatable.

Mr. WILLIAMS. Very well.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK]. In his absence I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. SMITH], who is necessarily absent from the Chamber, and I therefore withhold my vote.

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to my colleague [Mr. BAIRD], and vote "nay"

Mr. KENDRICK (when his name was called). I have a pair with the senior Senator from New Mexico [Mr. FALL], which I transfer to the senior Senator from California [Mr. PHELAN] and vote "yea."

The roll call was concluded.

Mr. WILLIAMS (after having voted in the affirmative). By inadvertence I voted without recalling to my mind the fact that I was paired with the senior Senator from Pennsylvania [Mr. PENROSE]. I thought he was present and voted. I transfer that pair to the senior Senator from Virginia [Mr. MARTIN], and will let my vote stand.

Mr. MYERS. Has the Senator from Connecticut [Mr. McLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut, which I transfer to the Senator from New Hampshire [Mr. HOLLIS] and vote "yea."

Mr. OVERMAN. I have a pair with the senior Senator from Wyoming [Mr. WARREN]. As he is not present, I transfer that pair to the senior Senator from Arizona [Mr. ASHURST] and vote "yea."

Mr. CALDER (after having voted in the negative). I have a pair with the junior Senator from Rhode Island [Mr. GERRY]. I transfer that pair to the senior Senator from Idaho [Mr. BORAH], and will permit my vote to stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON]; and

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS].

The result was announced—yeas 38, nays 33, as follows:

YEAS—38.

Bankhead	Kendrick	Pomerene	Smith, S. C.
Beckham	Kirby	Ransdell	Swanson
Chamberlain	Lewis	Reed	Thomas
Culberson	McKellar	Robinson	Thompson
Fletcher	Martin, Ky.	Saulsbury	Trammell
Gay	Myers	Shafroth	Vardaman
Gore	Nugent	Sheppard	Williams
Henderson	Overman	Simmons	Wolcott
Hitchcock	Pittman	Smith, Ariz.	
Jones, N. Mex.	Pollock	Smith, Ga.	

NAYS—33.

Calder	Kellogg	Nelson	Sterling
Colt	Kenyon	New	Sutherland
Cummins	Knox	Norris	Townsend
France	La Follette	Page	Wadsworth
Frelinghuysen	Lenroot	Poindexter	Watson
Gronna	Lodge	Sherman	Weeks
Hale	McCumber	Smith, Mich.	
Johnson, Cal.	McNary	Smoot	
Jones, Wash.	Moses	Spencer	

NOT VOTING—25.

Ashurst	Fernald	King	Smith, Md.
Baird	Gerry	McLean	Underwood
Borah	Goff	Martin, Va.	Walsh
Brandegee	Harding	Owen	Warren
Curtis	Hardwick	Penrose	
Dillingham	Hollis	Phelan	
Fall	Johnson, S. Dak.	Shields	

So Mr. CUMMINS's motion was laid on the table.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. WEEKS. Mr. President, when the Senator from Louisiana [Mr. RANSDELL] made the motion which has just prevailed I was about to add a few comments to what had been said by the Senator from Iowa [Mr. CUMMINS] on the subject of reconstruction. I am very glad he made the motion, because I think there were five or six Senators on the floor at that time, and as there are a few more present now, I have a somewhat better audience before which to express my views.

I have no intention of talking to kill time on this or any other subject; but in my judgment this is the most important question before the country. It is one that has been neglected to such a degree that it seems almost impossible now to get any action which will be of reasonable benefit to the country. As long ago as 1916 Great Britain had appointed committees to take up and consider every phase of the conditions which would exist after the war. As far as we know, that same condition existed in France and to a certain degree it existed in Germany, because I have here the reports from all of these countries, not as full a report from Germany as from other nations, but as indicative that every nation engaged in the war was preparing for those things which must come when peace came. Indeed, before Germany undertook the war she had made preparations for such commercial activities as would be necessary and could be undertaken after the war, assuming, of course, that it was a victory for the German nation.

Last September there was introduced a resolution which in considerable detail brought to the attention of the Senate this whole subject. That resolution has been referred to by the Senator from Iowa. Indeed, a revised resolution, prepared by the committee of which he is a member, has been submitted to the Senate. It is not a question of form or in what shape or, indeed, to what extent this resolution should carry the movement, but it is of vital importance to this country that something be done. The day I introduced the resolution—the 27th of last September, I think it was—there was a hasty gathering of the clans across the aisle.

The suggestion was made that something ought to be done about this; and a bill was prepared, which was introduced by the Senator from North Carolina [Mr. OVERMAN]. At that time both resolutions were referred to the Committee on the Judiciary. I have no doubt that at that time there was some purpose on the part of the majority in this Chamber to take action, but for some unknown reason—which may be guessed but which I do not care to repeat—it was decided to take no action. Therefore those resolutions have been lying in the Senate Committee on the Judiciary from that time to this, without any action whatever, while we have known that every day important committees of the British Parliament and of British citizens, important committees in France, important committees in Italy, and in every other European country, were working out schemes they considered necessary, not to bring the industrial world back to the conditions existing before the war, because anyone with any judgment must have known that that would be impossible, but to prepare the world for the new industrial conditions prevailing after the war. After-war normal conditions will never be the same as prewar normal conditions.

This reconstruction resolution applied to a great variety of subjects; first and foremost, that relating to labor. As the Senator from Iowa has correctly pointed out, we have seen labor conditions developing along certain lines in Europe so surely that it must have been indicative to any sane man that we would have to face similar problems. We knew that we had three and a half million men in the service, nearly 4,000,000; we knew we had as many more war workers, who had been diverted from their ordinary occupations to manufacturing those things the Government required during the war; we knew that when the war was over the manufacturing required by the Government would stop at once; that those three or four millions of war workers would be thrown on the market without any delay; that as rapidly as possible the men in the service would be dis-

charged, and that we would have four or five or six millions of people in the United States who would have to be transferred from one employment to another, even assuming that there were other employments ready to receive them all.

I submit to the Senate that not one single thing has been done by the Senate, or by Congress, or by the administration, to take care of these millions of American citizens who are certainly entitled to the first consideration of Congress, so that we see to-day a gradually increasing number of unemployed in every industrial center; we see these men who have been wearing the khaki, representing us on the other side, coming back here and being discharged, and no employment available for them.

How different was the course in Great Britain! As long ago as the summer of 1916 they had made a card index of every man in their military service. They noted whether or not he could go back to his former employment. They had noted what he could do if he could not go back to that employment. Every condition surrounding that man was noted on a card, so that they knew at once his particular circumstances; and they had determined not to discharge that man until he was ready to go directly into some employment, either the one he had followed before or a new occupation which might be available at the time.

The British Government was considering a great number of public developments, and many of them are being undertaken similar to the suggestion that has been made by the junior Senator from Iowa [Mr. KENYON], similar to the suggestion for the construction of an intracostal waterway system which has been suggested on this floor. Those things could have been very easily surveyed and have been worked out. They would have required the employment of thousands and tens of thousands of men. Yet we all know from the press that in every part of the country these men are practically walking the streets to-day and no attempt has been made by anybody connected with Congress or the administration to work out their destiny.

Now let me point out very briefly some of the other things that have been undertaken by Great Britain along this line and along the lines of reconstruction—some of the different actions that have been taken there. I want to say that the leading men of Great Britain, whether in Parliament or out of Parliament, have served on these committees; they have gone into the subjects industriously and minutely, and they have submitted reports to Parliament, some of which I have here. Of course, I am not going to use them on the floor, but I am going to point out to Senators what they have undertaken to do and, in fact, what they prepared to do, and what is being done to-day.

There is a ministry on reconstruction. Early in the consideration of this subject it was decided that it would not be practicable to undertake this great work through committees. After they had worked for six months and after-war problems had been considered by various and divers committees, a ministry of reconstruction was established to assume entire charge of the direction of the committees making these investigations.

They have a committee on shipping. I am reading now from a report made by the ministry on reconstruction, which has been given very general circulation in Great Britain.

Mr. KENYON. When was that committee appointed?

Mr. WEEKS. The committee on reconstruction was appointed in August, 1917. The committee on shipping has made their report, a copy of which I have here—a report of something like 100 pages—and although the Senate Committee on Commerce has been investigating the shipping problem, while a great number of men have been suggesting this and that scheme in order to work out our difficulties connected with that problem, we know perfectly well to-day we are as much in the air in regard to shipping and what we are going to do with our shipyards and the vessels now owned by the Government as we were six months ago. We have actually made no headway during that time. We have no plan. We do not know how we are going to operate these ships. We are talking about agencies abroad, agencies in this country, about rates, and all that sort of thing in the most desultory kind of way. There is not in the mind of a single member of the Shipping Board, in my judgment, a definite plan which may not be revised, and materially revised, even if it were put in operation by himself. Yet we have hundreds of millions of dollars, I do not know but billions of dollars, invested in either shipyards or shipping.

No prudent business man, if he were to have an operation of that kind imposed upon him months before it was to be put into his hands as a finality, would go into it without months before working out carefully a systematic and scientific plan for handling the great investment that has been made in shipping. Great Britain has considered this subject, and done so with great completeness.

Raw material. Great Britain through its Provinces, through its colonies, controls a great many raw materials, none of any particular moment, except coal and some iron within the area of Great Britain itself, and yet they have worked out with great minuteness the question of raw materials, where they are going to get them, how they are going to get them, and how they are going to pay for them. They do not propose to permit British capital to go into any country to purchase raw material or anything else without a controlling hand over that capital, and when the raw materials are purchased from some other country it is intended that there shall be a reciprocity connected with it which will enable the sale at the same time of British goods.

You will recall, Mr. President, that I introduced the other day a resolution relating to the embargo that had been established by Great Britain. Incidentally I should like to say now that the embargo has already, quite likely to some degree as a result of the agitation which has taken place in this Chamber, been modified.

We sold in Great Britain in the year 1913 very nearly a million pairs of shoes—to be accurate, I should say 650,000 pairs of shoes—having a value of something like $1,500,000. Not since the end of 1916 have we sold a single shoe in Great Britain. The embargo, since the embargo resolution was introduced in the Senate, has been modified, so that we are to be permitted to sell in Great Britain 25 per cent of the number of shoes sold there in the year 1913.

These are matters of trade. Every country is going to look after itself in such trade relations. There is no animosity connected with it. I personally have none whatever in relation to Great Britain or what it is doing with its trade; but I do believe as an American Senator, supposed to be looking after the interests of my constituents, that I should enter an inquiry when some very unusual procedure is being taken by another country, and an embargo is an unusual proceeding.

I recall that one or two Senators suggested that it seemed to be an anomaly for a Senator who was a believer in a high protective tariff to make a protest or suggest a protest against an embargo. That criticism has been taken up by certain newspapers in the country and heralded as one of the unusual things that sometimes happens in politics, and it has been referred to as an element of inconsistency on my part. There is just as much difference between an embargo and a protective tariff as there can be between any two elements that seem to have to do with the same particular subject. As a matter of fact, I never advocated an embargo. I think we are placing some embargoes on the goods of other countries in the United States, but that is directly contrary to the general trend of the policy we ought to be following in the United States. We ought to be clearing up such policies and getting back to normal trade conditions instead of creating artificial conditions, which can only result in more or less temper and dissatisfaction and inharmonious relations.

That leads me to bring to the attention of the Senate something that came to me in my correspondence this morning relating to hemp. It seems that the Philippine government has recently organized a corporation of $50,000,000—$25,000,000 in gold. The Philippine government owns 51 per cent of the stock of that corporation. It has passed the Philippine legislative body and has been signed in Washington by the Governor of the Philippines. The Philippine government, in other words, has gone into a trust to control all the hemp of the Philippine Islands. It owns 51 per cent of the stock of the company which is to control and make a monopoly of the hemp of the Philippine Islands. As a result of that, the price of hemp is something like 20 per cent higher than normal. It is as high practically as it was at the highest point during the war. Yet there is an ample supply of hemp in the world, and if that embargo—it is practically an embargo, placed on this product in the Philippine Islands, of which the Philippine government is the controlling factor, were removed the price of hemp would drop at once 20 or 25 per cent.

I call that to the attention of the Senate as a step taken in connection with the trade in which our people are involved, a step which could be prevented if the President of the United States were in Washington and saw fit to do it by vetoing that bill, which he has the power to do.

Certainly some attention ought to be given to such matters, because those islands are to a great extent dependent upon us. We are users of their hemp to a large degree, and yet our people will be paying at least 25 per cent more for hemp, as far ahead as we can see because of this corporation—in effect, a trust—which has been formed over there.

Mr. President, to get back to what Great Britain has done in relation to reconstruction——

Mr. KING. Will the Senator yield? I wish to ask a question for information.

Mr. WEEKS. I yield to the Senator from Utah.

Mr. KING. We had a very friendly discussion the other day when the Senator offered his resolution. I wish to inquire of the Senator whether the trade restrictions, using a milder term than embargo, which have been employed by Great Britain since the war, are not the result of two causes: First, because she has, as a result of the war, considerable accumulations which might be called salvage; and, secondly, she has not the means with which to purchase some of the articles which this country and perhaps other countries desire to send to her?

Mr. WEEKS. Mr. President, the embargo on shoes, to which I particularly referred—that embargo had been brought to my attention and was my reason for making the inquiry of the State Department; it did not have anything to do with German propaganda, as has been suggested by some—was put on something like two years ago, I think, in the last days of 1916. It was entirely a war measure, and established notwithstanding the fact that we were buying some shoes of Great Britain for our Army. But it has been continued since the war. Complaints have been made. No action has been taken. The replies from the State Department were hardly satisfactory. I do not know now what action has been taken. Yet since the matter commenced to be agitated in the Senate, the bars have been let down so that we may send there 25 per cent of the number of shoes we were shipping in 1913.

I have no doubt Great Britain's purpose is to keep her people at work, to get her manufacturing operations up to full capacity, and so keep them up to a condition of the highest efficiency. I have no fault to find with that. If I were in their places, that is exactly what I should do. I would not have any citizens walking the street if I could avoid it by any reasonable measure. It is possible that they had an accumulation of shoes in Great Britain. I am not sure about that, but the assigned reason was to get their manufacturing establishments back to normal and keep their people employed. I think it is a sufficient reason for the action taken from their standpoint.

The only question at issue is whether the rest of the world is being treated fairly or whether these artificial restrictions can be placed on trade without creating a sentiment harmful to friendly relations. I have none other than the most friendly feeling toward Great Britain and had none other when I asked what our State Department was doing in regard to this particular subject.

Another committee, Mr. President, in Great Britain is that relating to the allocation of materials. I am not going to read just what was done by that committee, but the subject is one of great importance. The plans are all made as to what they shall do with material. They know that in this or that place there is not sufficient material for their manufacturers and it has to come from somewhere. They have ascertained the places from which it can be obtained, know how much shall be required, and have considered every phase relating to that subject.

The committee on transportation has made a complete report on the transportation facilities of Great Britain. Every phase of that question was given consideration two years ago. Everybody knows that the question of the future policy in regard to our transportation system should have been taken under consideration just as soon as the Government took over the railroads. The Committee on Interstate and Foreign Commerce or somebody should have given that subject immediate consideration, and yet without a leader who really believed in reconstruction we have been drifting along all these days, and we now find ourselves in a condition where we do not know what we are going to do with these veins and arteries of our industrial system. If we avoid getting them all into the hands of receivers, we are going to do very well.

There is a committee on demobilization and reinstatement. These subjects were considered in connection with the disposition of labor, how they should demobilize their military and war workers. They worked that out, as I have said, in the greatest detail. They knew substantially where every man was going as soon as peace was made or as soon as he could be spared from the military service or industrial service incident and necessary to the war.

Industrial organization. How could industrial organization be transferred from the war purposes for which they were being used? It must be remembered that the manufacturing capacity of Great Britain has substantially doubled since the beginning of the European war. They necessarily doubled it in order to manufacture the necessary products for use in the war. What is going to come of that greatly increased capacity? If it were kept employed it would require the entire man power of Great Britain and the entire supply of materials that could be found tributary to Great Britain. Necessarily some of it can not be kept employed; some of it will be destroyed. And yet it is important that this great industrial establishment which had been created as a result of the war should be given consideration after the war, and that has been done in that country.

Have we done so in the United States? Has any step been taken by Congress or the administration or anyone else to determine what shall be done with all this additional manufacturing capacity created in the United States for the purposes of the Government during the war? If there has been any single step taken in any direction I have not heard of it.

Then there was a joint industrial council considering plans for the coordination of the various industries of Great Britain—how one could be made to work with another, how there could be a transferral of employees from one to the other, how there could be a transferral of raw materials in different kinds of manufacturing industries. The whole question of working conditions was taken up, including the welfare conditions which have been referred to by the junior Senator from Iowa [Mr. KENYON], the whole question of old-age pensions, of health insurance, and every other welfare question troubling people everywhere in every country in the world.

We do not know what ought to be done in relation to these questions. It is possible and quite probable that some steps should be taken in every one of these welfare activities. And yet no man wants to inaugurate such policies until after a careful investigation has been made. There are two or three countries in the world where steps similar to the ones I have suggested have been taken. Reports are uncertain as to the result. Certainly what has been done, the results obtained in these countries, should be known to Congress and should be given consideration here. However, not the slightest thing has been done that I know of to provide for old-age pensions, for those who are unable to work on account of sickness, or to provide in any way for people not normal in their qualifications.

Rural development. There is nothing more important to this country or the world than the development of agriculture and everything relating to rural life, to induce people to go from the cities to the country. We have been attempting it in a haphazard way in various directions, and yet this subject has not been given the slightest consideration by Congress. The Secretary of the Interior, to be sure, has suggested a scheme to put returned soldiers and perhaps others on land now controlled by the Government, and yet all that land, so far as I am informed, must either be irrigated, or drained, or have some other action taken which will require years before it will be available for that purpose. I am entirely in sympathy with efforts to make available such lands. I am entirely in sympathy with any effort which will, along practical lines, get people from the cities back into the country. And yet we have not made any investigation whatever relating to that general subject since the war came on. That has been done by Great Britain with great thoroughness.

Problems of finance. Does anyone think the financing of this country is going to be an easy problem during the next few years, I do not care how patriotic we are? When we get the stories of these young fellows who are coming back from the other side, as every Senator does every day in the Marble Room, of the conditions which they think are unsatisfactory, we know that men are dissatisfied pretty nearly everywhere, and yet we have got to call on the people of this country to provide a $6,000,000,000 loan within the next two months. We do not yet know anything about that loan. We have taken no steps to provide for the retirement of this great indebtedness which we are steadily increasing; we have taken no concerted step to provide for the future in a financial way; and yet Great Britain has done that as completely as a country could do it without knowing just the exact amount of indebtedness it would have at the end of the war.

When I speak of Great Britain, I refer particularly to that nation, but it is not necessary for me to again add that other countries have been doing practically the same thing. I do not exhibit these reports with any intent of reading them or with any intent of doing other than bringing to the attention of the Senate the volume of matter that has been considered in connection with these subjects. Here [exhibiting] is a final report of the royal commission on the natural resources, trade, and legislation of certain portions of His Majesty's Kingdom. It is a report that takes into consideration every question of raw material, manufacturing capacity, and every other capacity of the colonies of Great Britain. There are 196 pages of it, going into these subjects in the greatest detail. Here [exhibiting] are reports of departmental committees. There [exhibiting] is a report on medical problems relating to the subject of aviation alone. Of course we know that there

must necessarily be some new problems relating to the health conditions of men who are going to follow the occupation of aviation; and here we see that Great Britain has already given that subject thorough study.

Here [exhibiting] are some reports on national expenditures. There have been some seven or eight of them made. They are the most complete financial reports that I have seen issued by any country. Committees have been working on those for more than two years.

Here [exhibiting] is a report on forestry, which is as important a subject in Great Britain as it is in the United States. There are 105 pages of that report. It goes in great detail into the subject of reforestation and the question of the different kinds of wood and advocates the use of lands not available for other uses for forestry purposes. They have already planned to employ in forestation a considerable part of those who might otherwise be unemployed.

Mr. HITCHCOCK. Mr. President, I understand that the Senator from Massachusetts does not quote any legislative action of Great Britain, but he merely quotes reports. Our libraries are full of official reports, and every department of our Government has been making studies on these and similar questions during the last year. It seems to me that the citations which the Senator gives, referring to those reports showing activity in Great Britain, might very easily be matched by calling upon our Secretary of the Interior, our Secretary of Commerce, and our other departments of the Government, which we know have been engaged in these matters. The Senator would find similar reports and similar information gathered for us by those departments.

Mr. WEEKS. They would not be similar reports nor would similar information be gathered in this country, but I will not camouflage my reply with that statement. Here [exhibiting] is a complete statement of the legislation that has been enacted. I do not want to encumber the RECORD with it, but Great Britain has legislated on practically every one of these subjects, where legislation is desirable.

Mr. HITCHCOCK. I hope the Senator from Massachusetts will put into the RECORD at least what amount of legislation has been actually enacted, but I want to call the Senator's attention to another great distinction between the United States and Great Britain.

Great Britain had probably 15 per cent of her population in the Army and had them in the Army for three or four years. We had about 4 per cent—less than 4 per cent—of our men in the Army; we only had them in for a few months, and had only half of them on the other side. The industrial system of Great Britain was torn to pieces and has got to be reorganized, while our industrial system has hardly been touched. Great Britain to-day is full of men who are out of work; but I want to say to the Senator from Massachusetts that, so far as my knowledge is concerned, most of the States of the Union now lack men rather than work. It may be that in Massachusetts and Connecticut, where the munition factories were concentrated, there is a percentage of nonemployment, but in the main throughout the United States, in the South and in the central West, the great problem is to find men for the work and not to find work for the men. So we have not the task that the countries of the Old World have, and we need not annoy ourselves so much about the problem.

Mr. WEEKS. Does the Senator depreciate the important tasks we have in this country, notwithstanding they may not be as great as those in Europe?

Mr. HITCHCOCK. I think that they are enormously exaggerated, and I think that such talks as the Senator from Massachusetts is now making tend to give the impression to the country that evils exist which do not exist. I have in my hand here a quotation from the Saturday Evening Post which expresses my idea on the subject, and, if the Senator does not object, I should like to read a few lines of it.

Mr. WEEKS. I have no objection.

Mr. HITCHCOCK. It is as follows:

A PLAGUE OF PANACEAS.

A new craze is sweeping over the country as silly, as pestilential as the dancing madness that seized the world just before the war. Everybody wants to reform everybody else and to settle everything that is wrong with anything. Our mails are choked with passionate letters, our wastebaskets are overflowing with "thoughtful" pamphlets—all touting new panaceas.

Everything from pap to dynamite is being recommended for what ails the world and the other fellow. Every method of relieving him of his pocketbook—for that is always the seat of the other fellow's disease—is being advocated. Some favor chloroforming him with taxes as an easy cure; others treating him with a piece of lead pipe as being quicker and even more merciful. Some pear-headed professors and members of the allied trades of mental shut-ins are working in shifts turning out their celebrated socialistic soothing sirup, guaranteed to cure financial corpulence and the black curse of that bourgeois home life. Bright young men who make a living shaking up bright young thoughts in bright young papers are offering their snappy-tasting Bolshevik sarsaparilla for those dull world aches. One group of ladies is brewing over bonfires a cure-all for everything, while another group denies that there is any efficacy in their medicine and wants to cheer up the plain old problems by running them with baby-blue ribbon.

There is a whole drug store—in fact, a whole chain of drug stores—filled with remedies for everybody and everything. If you don't like our sugar-coated socialistic pills, try this bottle of Russian bolshevism, it will bring tears to your eyes; or Prof. Thesis's socialistic pap, compounded for weaker stomachs.

This is the greatest era of pap, piffle, and poison that the world has ever seen. The old family doctor hasn't a chance; nobody but a quack can prescribe nowadays. But sensible people learned long ago that there is no health in the patent-medicine bottle; no way to a sound body except through sane living, simple exercise, and hard work. Throw the bottles out of the window—it won't hurt if you throw out a few of the quacks with them—and let's all go back to work.

Mr. President, I am not laying all those things at the door of the Senator from Massachusetts; but I think we in the Senate ought not to give encouragement to this pessimistic tone, to this paternalistic idea, that we in Congress have got to set the wheels in motion in the United States, when all we have got to do is to let things alone and let nature take its course. We have a great, rich, powerful country, filled with industrious and intelligent people and unlimited resources; we have a third of the gold of the world; we are the great creditor nation of the world; and have become so as a result of the war. All we have got to do is to go to work. The amount of legislation that is necessary to set the wheels of industry in motion is insignificant. Compared with the ills of the Old World ours are nothing at all, and I do not approve of the idea of lecturing everybody all the time because Congress does not do something.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. WEEKS. I yield.

Mr. CUMMINS. I should like to ask the Senator from Massachusetts a question, or possibly the Senator from Nebraska will feel called upon to answer.

If these matters are of so slight importance, and if everything is so exactly right, I should like to know why it is proposed to institute in the league of nations a bureau for the purpose of taking measures to settle or compose the labor problems of the world, including our own? The Senator from Nebraska is, I judge from the newspapers, a very ardent advocate of the proposed league of nations. If we are to be quiescent in the matter, why should not the league of nations be quiescent also?

Mr. WEEKS. Mr. President, I judge by the comment that has just been made by the Senator from Nebraska, if that problem were put up to him, he would lean back and yawn, and say, "Do nothing; it will take care of itself"; but if he wishes the floor to say what he would do, I shall be glad to yield to him.

Mr. President, I will take great pleasure, as soon as I can compile the legislation which has been passed by Great Britain relating to the subject, in presenting it to the Senate. I have no desire to disturb anyone; I have no desire to deny that there is some reason in the flippant newspaper article the Senator from Nebraska has read. It is true that almost everybody seems to be disturbed, and a great many people who have had very little experience are proposing antidotes for every imaginable disease they think exists in the body politic; and yet we know perfectly well that we are never going back to the conditions of the past; that we have got to adjust ourselves to new conditions; and we do so by doing nothing, by letting everything drift, by gradually finding large numbers of people out of employment.

In this connection I wish to suggest that if the Senator from Nebraska wishes any confirmation of the statement that there are people out of employment, let him read the speeches of the Secretary of Labor or the secretary of the American Federation of Labor, or anyone else who has any statistics on that subject. Reports are being received from 150 industrial centers every week, and every week there is a large increase in the number of unemployed. I do not know whether or not there is need for labor in some village in Nebraska, but I can say that practically every industrial center in the United States has a surplus of labor, and some of the centers have a very large surplus of labor. One corporation I know of that was manufacturing for the war has turned adrift more than 20,000 men, or possibly women. There is a great surplus of labor in this country, and I can not adopt or subscribe to the policy suggested by the Senator that we should sit by and do nothing. I do not think that anything will be done until a Republican Congress is in session. Then I believe these problems will be taken up and considered; but by that time the procession is going to have passed us; the nations that do things systematically, based on scientific plans, are going to be so far ahead

of us in relation to reconstruction and the trade developed as a result of the war that we will not even be in the running if we are not careful.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Mississippi?

Mr. WEEKS. I yield the floor to the Senator from Mississippi if he desires.

Mr. WEEKS subsequently said: Mr. President, I ask unanimous consent that I may print in the RECORD in connection with my remarks an editorial from the Philadelphia North American.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial referred to is as follows:

WE ARE UNREADY FOR PEACE, TOO.

Measured by old standards, America's contribution to the war already has been enormous. Yet when our relative resources and economic capacity are taken into account and our effort is compared with that put forth by Great Britain and France, computation shows that we are making about a 30 per cent war. Nearly four years after the ordeal of democratic civilization began and 15 months after Germany started open warfare against us our undertakings represent not more than one-third of our capabilities.

Our national craft drifted into the war stern foremost, for we were unprepared materially and spiritually, and for a year it was buffeted about by wind and current until the gusts of threatened disaster swung it on a straight course.

The Government at last has made war its supreme business; all its thought and energy henceforth are to be devoted to that task. If the allies can hold out through the summer, substantial American aid will reach them then, and in greater volume next year; but this Nation's maximum strength will not be in the field until 1920, the sixth year.

By that time all our economic and human resources will be mobilized for and concentrated upon one thing—war—as they should be and must be. But while it is required that we shall enlist all our energies in armed defense of the world's liberties and our own, there is another task just as imperative, neglect of which will be as perilous as neglect of war. And that is the achieving of preparedness for peace.

It might be argued that a nation is justified in organizing its affairs and its life without taking into account the possibility of war, but it is axiomatic that when it organizes for war it defies reason and challenges fate if it does not take into account the absolute certainty of eventual peace. If America's giant strength is made effective in time, a lasting world peace will result. If our efforts are so belated that an indecisive settlement is forced, there will be peace just the same, even though it be temporary and insecure. In any event peace is inevitable.

Its problems will be new, vast, and compellingly urgent. Yet the Government exhibits no interest in them, while eminent leaders of the opposition sagely advise that everything will be made all right by passage of a "strong" tariff bill.

The most obvious lesson of the conflict, to begin with, is that when it terminates Europe will no longer be "3,000 miles away," as Secretary Baker lightly said. In commercial and political relationships our supposed isolation will be as mythical as our security from military aggression has proved to be.

We shall face a changed world; nothing will be, can be, quite the same as before. For example, the magnitude of the war, involving not only great nations, but groups of nations, in world-girdling alliances, has created new standards of measurement to govern the operation of industrial, commercial, and financial enterprises. Capitalizations which four years ago seemed colossal will be dwarfed by those of undertakings which will have behind them the power of mighty governments.

Already the term "billions" is taking the place in the language of commerce and finance which the term "millions" occupied a few years ago. So stupendous has been the increase in the size and scope of industrial projects that it seems as if only the great "trusts" of this country, once feared as a menace to our institutions and stability, will be powerful enough to make headway in the remorseless struggle for world trade. It is clear, at least, that it will need the establishment of a wise, strong, and comprehensive governmental policy to save the smaller units of commercial and industrial enterprise from being overwhelmed.

Our elaborate system of credits, laboriously built up during a century of development and unparalleled expansion, has been overturned in a few months. Not the banks, but the Government—necessarily so, in the great emergency of the war—now wields this power and dictates who shall and shall not be permitted to use the credit resources. When peace is restored the transition from the present to the old system will not be automatic and it can not be speedy; indeed, it may not be possible to restore more than a semblance of prewar conditions.

A Government with vision must be prepared when that time comes to vote, if necessary, credits as vast for the promotion of the enterprises of peace as have been voted for carrying on the business of war. For unless such projects are financed upon a scale approaching that attained in the supporting of war activities, this Nation's industrial and commercial projects can not maintain themselves against like forces in other countries with the backing of their governments.

The Federal power will never entirely relinquish that control of many public utilities which the exigencies of war have compelled it to assume; and a broad, effective policy must be framed that will insure improved service to the public, together with justice to the investor.

Any pronounced business depression or condition approaching panic following the war would fatally compromise the Nation's future, and averting such a peril presents a vast and complex problem. Wages, which now admittedly are at an artificially high level, must not be permitted to slump suddenly, and the necessary readjustment must be controlled so that it shall harmonize with a recession in the cost of living. Employment at good wages must be made plentiful, not only for the workers at home, but for the millions who will return from Europe to resume their places in the economic life of the country. For it is obvious that only by increased efficiency and intensified production can the Nation carry the gigantic burden of war debts.

The controversy between capital and labor as to just division of the rewards of production will be more acute then than ever before, and for equitable settlement of its manifold issues there must be established an effectual governmental policy. Multiplied productivity will be so vital a factor in re-creating stability that the promotion of it will be as much a function of the Government as is the prosecution of the war to-day.

A firm, far-seeing national policy must be evolved which will insure our new position as one of the foremost maritime nations of the world. We shall possess the greatest merchant marine afloat. But if this asset is to be permanent there must be governmental assistance to meet like expedients of other nations and preserve for those engaged in the industry the American standard of living.

A vital, if not the most important, problem of preparedness for peace will be the protection and stimulation of agricultural production. The whole world has had a convincing demonstration that food is the fundamental element in national defense, in the winning of a war; no less, assuredly, will it control the destinies of peoples in the future of peace. Then, as now, intensive industrial development will tend steadily to increase the disparity in numbers between the producers of food and its consumers, and the problem of sustaining the population will be of continuing difficulty and urgency.

We have merely sketched in the vaguest outline some of the questions which already cast their shadows across our path, but we have suggested enough to show how closely they concern our economic and national existence. And to these matters all nations are addressing themselves—except the United States. It is needless to speak of Germany, for hers is a war of money greed as well as political brigandage, and she laid her plans of commercial aggression simultaneously with her plans for military conquest; before a shot was fired she had charted her business and financial course for after the war, and with every change in the map has systematically adapted her trade program so as to be ready to exact the last possible advantage in the future contest. But Great Britain has been well-nigh as alert and efficient in strengthening the foundations of her maritime and commercial structure for the coming test. Trained experts in every line of production and distribution are ceaselessly employed in drafting plans and policies which will be ready to be put into operation when the war ceases. France, too, despite the terrible strain upon her powers, is intensively preparing for the struggle of peace.

Only in America is this great and pressing enterprise neglected, if not ignored. We have failed to discern in Washington an indication that any organized attention is being given to problems that require foresight and unremitting study and forceful action. This is a subject which does not arouse the statesmanlike genius of Senators JAMES HAMILTON LEWIS and Ollie James, the eminent spokesmen for the administration; nor of the southern committee chairmen and other leaders whose interest in "peace" helped to delay our preparations for war. We find in the extended biography of Col. House, which is now appearing, no hint that his marvelous faculties of divination and prophecy have been brought to bear upon the matter.

Perhaps there is some excuse for the indifference of the administration forces to the problems of peace, because they are just becoming genuinely preoccupied with the necessities of war. But just as barren is the record of the Republican group.

On the widest and bloodiest battle field in human history mighty military and spiritual forces are contending for mastery, and the result will determine the fate of generations unborn. It would be impossible to overestimate the gravity of the issue, the peril which failure would bring to this country, its political and material interests. Yet the menace there is hardly greater than that which lies in the fact that while the other nations are perfecting preparedness for the future, we remain unready and inert.

America drifted into the war stern foremost, and only through the efforts of others has had time to fit herself for its stern demands. But if she drifts stern foremost into peace, without chart or compass to guide, nothing can save her from the rocks of disaster.

Mr. WILLIAMS. Mr. President, I shall not quarrel with the labored laudation of the Senator from Massachusetts [Mr. WEEKS] of the work of the British House of Commons. I have long since entertained the view that the Government of Great Britain, the Government of Canada, the Government of Australia, and the Government of New Zealand were very much more democratic than our own, and that the Government of each of those countries responds very much more quickly and very much more fully to popular impulse than our own does. Nor shall I quarrel with the Senator from Massachusetts about the deficiencies of the American Government. We tried to establish over here the best government in the world. I think most of us with much sense now confess that we did not succeed perfectly, but it is a pretty good Government after all, and it does not deserve quite the excoriation which the Senator from Massachusetts has given it to-day; nor does it arouse the thought in any fair mind that it can not be functioned unless the Republican Party is in power. They were in power for the better part of the last half century without causing the laudation of sensible people for either efficiency or sincerity of purpose.

I have heard a great deal of talk on the floor of the Senate about this or that or the other executive department "not functioning." I find that the Senate comes a great deal nearer not functioning than any executive department connected with the Government. I find that it chiefly does not function because of what has just been illustrated. Here is a long debate by two Senators—upon what? A proposition of absolute infantilage, infantile nonsense—to create six new committees to take over the subjects matter of which some committee or another of the Senate now has jurisdiction. I defy the Senator from Iowa [Mr. CUMMINS] or the Senator from Massachusetts [Mr. WEEKS] to mention a subject matter contained in this resolution of which some existing standing committee has not jurisdiction. If the existing committees selected by this body in the usual way have, as Senators say, proven complete failures, what hope is there that six new committees selected in the same way and by the same party machinery will find a way out?

Mr. WEEKS. Yes, Mr. President; but the Senator from Mississippi knows perfectly well that Senators are burdened to the limit by their legislative duties, especially under the condi-

tions that exist in a short session of Congress. Furthermore, it is not proposed necessarily that the members of these committees or commissions shall all be Members of Congress; it is proposed to draw in the technical judgment of the country and use that in preparing the information that is deemed necessary.

Mr. WILLIAMS. Mr. President, I do not wish to take the time of the Senate unduly, but the resolution in part reads:

> That there are hereby created six committees, to be known as the Joint Congressional Committees on Reconstruction. Each of said committees shall be composed of five Senators and five Representatives in Congress. The members of said committees shall be selected as follows: The Senators in the manner provided in the rules of the Senate for the selection of the standing committees of the Senate and the Representatives in the manner provided in the rules of the House for the selection of the standing committees of the House.

That is the authoritative denial and answer to the Senator's assertion.

The Senators members of these six proposed new committees would still be Senators and still be "burdened to the limit by their legislative duties," and this would still remain a "short session."

The Senator says Great Britain has done a whole lot of work and we have not done anything. In that statement the Senator is absolutely mistaken. If he means by "we" merely the Government and not anybody else, we perhaps have not done all that we ought to have done; but these United States, thank God, have not reached the condition yet where business and labor and capital depend entirely or even mainly upon Senators and Representatives. The people of the United States have been reorganizing themselves for peace, and in a very rapid manner and in a very efficient manner. I am tired of hearing of the "inefficiency" of the American Government and of the American people. I tell the Senator from Massachusetts right now, that it is the most efficient Government, the most efficient business, and the most efficient people upon the surface of this globe, Germans not excepted, and we have proved it. One of the most precious heritages of the American people is the fact that they have never acquired the habit of looking altogether to the Government for organization or reorganization or anything else necessary to their prosperity. Indeed, during this war, business men from steel magnates to farmers have helped the Government more than the Government has helped business. If this Government had been forced to depend for its awakening and organization for war purposes—naval, military, and industrial—upon the Senate it would have presented to the world a pitiable aspect.

But even in so far as the Government is concerned, the Government has functioned, and in a very important—even remarkable—manner.

The Senator had a great deal to say about British vocational education. We have vocational education legislation. He had a great deal to say about finances. We have a farm-credit system and a reserve-bank system; none better in the world. The Senator had a great deal to say about restoring crippled soldiers. We are restoring them every day under a magnificent medical system, proven superior upon the fields of France and Flanders to any other system that offered itself there, whether French, Belgian, or British. There is no justification for this pessimism and there is no justification for the idea that this Republic is going to the bowwows, whether from Bolshevism or from capitalism or from anything else. It has common sense. Its sovereignty is based in the people, and the people have common conscience and common sense, and they are going to take care of their country. The only mistake about New England, and the Senator from Massachusetts as one part of it, is that from the beginning of this Government down to now they have had a sort of an idea that the Government ought to take care of the people. The balance of us have had the idea that the people were capable of taking care of the Government, and that the people were, more than that, capable of taking care of themselves to the fullest extent, provided the Government would give them fair play and equal opportunity. That is all that is required.

Mr. President, the Senator seems to be ignorant of the difference between the modus operandi in the House of Commons and in the Senate and in the House of Representatives of the United States. We attend to nearly all of our business through standing committees. The House of Commons attends to its most important business through special committees, appointed for the express purpose of taking care of particular problems. The Senator, with all his education and his information, seems to have been ignorant of that fact. He goes on here to cite committee after committee appointed by the House of Commons to deal with this particular subject and that particular subject. That is what the House of Commons always has done. We have left certain standing committees, vested with certain jurisdictions, to take care of all questions, generally described, and with no difficulty about finding out which committee is charged with jurisdiction.

The Senator referred to several things here that would go to the Military Affairs Committee, several that would go to the Interstate Commerce Committee, several that would go to the Commerce Committee—canals and waterways, and linking them up with one another and the railroads, and all that. "Cooperation permitted to increase efficiency, reduce cost, and enable the country to successfully meet foreign competition," and so on, are mentioned in this resolution. We have already passed the Webb law for that very last purpose. It is not true that Congress has done nothing.

The Senator speaks of the British Government undertaking to control prices. That has been settled with us by an act of Congress, and the Government has been controlling them to a certain extent—as far as Congress thought was right.

The Senator speaks of "Government loans to private enterprises." The Finance Corporation has been not quite attending to that, but it has been saying when private enterprises should be permitted to float their bonds, at any rate, and has been guiding the course of capitalization.

The Senator speaks of British Government "supervision of capital issues." That comes under the same heading.

I could read this whole business, run through it, and show that every single subject matter mentioned in the concurrent resolution to be dealt with by these unnecessary six committees has either been dealt with by some commission of this Government or is subject to be dealt with by some standing committee of the Senate and some standing committee of the House.

What is this infantile proposition? It is just simply to create six more committees in the Senate, with the laudable purpose upon the part of various Senators, of course, to get upon them, and to take over to those six committees entire jurisdiction of all the business of the existing standing committees of this body, because if you will read this concurrent resolution through you will find that there is not a subject matter of legislation that is neglected, except perhaps the jurisdiction that goes to the Naval Affairs Committee. That is about all that is not transferred to one or the other of these six leading committees that have been evolved from the minds of the Senator from Iowa and the Senator from Massachusetts.

The Senator says that he would like to know "why the league of peace wants to deal with labor problems" if we can not deal with them here. I will tell you why, and you know why without my telling you. It is not that American labor wants to do it, but it is that European labor wants to do it, in order to bring about some equalization of compensation for labor throughout the world. Our labor does not need it. We have a higher rate of compensation for labor than any other nation on the earth, and we had it even prior to the time when this country became "the United States of America." We had it when we were separate colonies. We had it owing to the fact that we had less population and more work than anybody else. We have it yet; but it is necessary and it is right that a league of nations should deal with certain labor problems, especially in connection with the merchant marine, so as to try to drag up to the level of American compensation and treatment the sailors of the whole world, if we can, and give nobody any advantage of the others. So long as our merchant marine is forced to pay more for labor than the others pay, we can not support a merchant marine, no matter how cheaply we build it, because we can not operate as cheaply. There are a dozen other labor problems that might well be considered by a league of nations, and in a measure internationalized, provided only that we do not lower our own labor standard of living, but rather raise that of others.

The Senator asks me what definite plans we have made anywhere—"what definite plans that can not be revised," to use his language. Why, thank God, we are not asses enough to make any definite plans now that can not be revised in the future, if they ought to be revised; and if we have any sense we know they will have to be revised. Why, even when we formed the Constitution of this country we left ourselves free to revise it. My only quarrel is that we made the method of revising it a little too hard. Anybody who thinks that he can arrive at an ultimate solution of any problem does not know what human nature is. He takes no note of time, nor of evolution, nor of revolution, nor of progress. I do not want, above all things, to fix my adoption to any definite rule not subject to revision which might be constructed by the Senator from Massachusetts and the Senator from Iowa with myself even as a third member of the committee.

He tells us what Great Britain has done about "lands and forests." In the first place, she has no lands to spare; in the

second place, she has no forestry except parks, and they have been largely destroyed; and, God knows, these men from the West can tell you that if the United States has made any mistake at all upon that subject, she has made it by going too far. We have included in forestry reservations a whole lot of land that the daughters and sons of the American Republic ought to be cultivating in private ownership right now.

Then the Senator tells us that Great Britain is "controlling her raw materials," and he seems to think that, therefore, we ought to be prohibiting the indiscriminate exportation of our raw materials. The Senator shakes his head. At any rate, he mentioned the fact that Great Britain was restricting the sale of her raw materials, and he said it in a critical mood. That far, I think, he will not shake his head at me. The difference between us and Great Britain is this, that the "tight little island" of itself has no raw materials, except coal and iron, and not enough of iron to export to any great extent, except in finished products; and here is a great country filled plumb full of raw materials—cane sugar, cotton, beet sugar, hides, copper, coal, zinc—oh, I can not mention them all, because I can not think of them upon my feet at one moment; but we have them all. In the business of reorganizing herself after this destructive war—and the Senator from Nebraska was exactly right in saying that Great Britain's work of reorganization is ten times more difficult than ours is—Great Britain must, to some extent, control the distribution of the raw materials of the British Empire, so that they shall come to British industries until British industries are reorganized on a peace basis and upon their feet. We do not need to do it, because we can give our industries all the raw materials they need and have plenty more to export, from cotton to wheat and from coal to copper. But in so far as it is necessary to conserve our raw materials in the ground, if the Senator thinks we have done nothing, he is mistaken again. In fact, if there is any criticism of us again we have done too much. There is oil in the ground and coal in the ground and gold and silver and lead in the ground in Alaska and in the United States that ought long ago to have been let loose for private enterprise, which we have kept under governmental control under the plea of conservation.

It comes with rather poor grace, I think, from a Republican to talk about Great Britain putting an embargo on the exportation of certain articles. What has your party amounted to, from Alexander Hamilton down to now, except a party of restriction of international commerce? You have preached it as a virtue. The Senator tells me there is all the difference in the world between a high protective tariff upon an article and en embargo. That depends upon how high the tariff is. If you put the tariff high enough to amount to an embargo, it is an embargo, whether you call it so or not; and when you were in power I have forgotten now how many rates you had that were over 100 per cent, and that amounted to absolute prohibition. There is no difference, except one of camouflage, between that and putting an embargo upon importation of the article. Luckily the Constitution prevented his party from treating any exports as they did treat so many imports.

I agree with the Senator that Great Britain is wrong in attempting to restrict international trade. I believe that she will hurt herself more than she will help herself by it, just as I believe that we have hurt ourselves more than we have helped ourselves by it; but it does not lie in the Senator's mouth to make that objection. If we have had a right—and we have had the right as a matter of international law and a matter of international ethics—to control our own domestic affairs with whatever tariff we choose, then Great Britain has it, too, and the Senator must not forget that at two distinct periods of our history we resorted to nonintercourse and to embargo, and nobody in the world denied our international right to do it. A great many people said that we were stupid about it and that we were hurting ourselves more than we were hurting our enemies, and we were; and Great Britain is doing it now, and she will find it out.

If the Senator thinks that this little idle talk around here in the Senate led Great Britain to modify her embargo on boots and shoes, he is awfully mistaken. I doubt whether David Lloyd George and the British cabinet ever heard of these senatorial debates here upon boots and shoes. Of course, I realize where the cloven hoof comes in as far as Massachusetts is concerned. Whenever you touch boots and shoes, you touch Lynn, and whenever you touch Lynn, you touch Massachusetts, and Massachusetts would mighty near rather secede than to have an embargo on any of her favorite productions. But I doubt if the British cabinet ever heard of what the Senator said or what the other Senators said upon that subject. As I read it, they found that they needed the boots and shoes and they concluded that they had better let enough of them come in, and they did let that amount come in.

Mr. President, Mr. Wilson is in Europe—I purposely called him Mister—as the Chief Magistrate of this country, attempting to the best of his ability to bring about a treaty of peace which will be just and comparatively permanent, attempting to the best of his ability to create a league of nations which shall have some influence, at any rate, in preventing war.

So far as I can discover, over this entire world there are only three sets of people who are trying to throw cold water on him. One set are the Bolshevists here and abroad, to which neither of the Senators nor any Senator of this body belongs nor with which any Senator of this body has any sympathy. The next set are those infinitely assinine female bonfire burners in Lafayette Square. The next set are a few Senators and a few Representatives in the Congress of the United States taking every opportunity to stick a dagger under his fifth rib in the name of something else, while they profess to have no antagonism either to him or to his mission.

What is his mission? Oh, if he just could carry it out, if he just were left unhampered and uncrippled! You say it is idealism. It is. Some of you say it is visionary. It is not. Idealism in its highest form is the most practical thing in this world. It is not visionary. It is very far from it.

I have read these articles of this league of nations. My only quarrel with them is that they do not go far enough. I would not go quite so far as ex-President Taft advises, but I would go further than these articles go.

You tell me you have to make certain sacrifices of national do-as-you-please-ism if you do go that far. Of course you have. When you blockade and embargo the recalcitrant and lawless, covenant-breaking nations, if you shall be called upon to do it, you hurt an old democratic principle, because just in proportion as you punish them by the denial of your trade you punish yourselves by the denial of theirs. But there is a difference. You will be punished by the denial of only one nation's trade, and the lawless nation would be punished by the denial of the trade of all 14 members of the league of nations, which would be a different proposition.

There he is over there doing his best work as far as he can, and there is nothing more tragic, to my mind, than that he shall be there needing above all things the sympathy of his own people, and yearning that his own hands should be upheld while he is engaged in trying to consummate the highest form of international idealism for the benefit of humanity and of the world, while here you have been striking him in the fifth rib with a dagger every time, here and there, under some pretense or another.

What good were you doing to the world, what good were you doing Europe, what good were you doing humanity by it? He went over there trying to do his work. He went over to governments of parliamentary administration where a vote against the administration meant a retirement and the deprivation of power, and they could hardly understand why it did not mean that in the United States, too; he went handicapped and crippled by the result of the last election. I am not blaming anybody. The American people held the election. They had a right to hold it, and they had a right to vote as they chose. But that was the situation, and yet he has met the situation dauntlessly and has wrought out of it something that will be the beginning of a great thing.

I have never insisted upon *the* league of nations because I was not competent to define the league of nations until our allies had had their equal say. But I have insisted upon *a* league of nations, and as I said here upon the floor of the Senate once before, I would rather it would begin with 14; but if it could not begin with 14, I would rather it would begin with the 7 allies; and if it could not begin with the 7 allies, then I would rather it should begin with France, Great Britain, and the United States; and if I could not have it begin in that way, I would have it begin with the English-speaking, self-governing Commonwealths of the British Empire and the English-speaking, self-governing States in these United States rather than not to begin at all. After the beginning it will evolve itself just as this American Union evolved itself from the old New England confederacy and from the commercial agreement between Virginia and Maryland.

Mr. CUMMINS. Mr. President——

Mr. WILLIAMS. I yield.

Mr. CUMMINS. Does the Senator from Mississippi mean to imply that the resolution of which he has been speaking is brought forward as a criticism of the President or as an attack upon his mission in Europe?

Mr. WILLIAMS. Oh, no; I do not think it has anything to do with that.

Mr. CUMMINS. I should like to be assured of that, because——

Mr. WILLIAMS. Oh, no. I am afraid I got about as far off of your resolution as your resolution got off of the river and harbor bill.

Mr. CUMMINS. I do not find it in my heart to criticize the Senator from Mississippi for getting a long ways from the river and harbor bill.

Mr. WILLIAMS. No; I do not think you do, but I am not further from your resolution than your resolution is from the river and harbor bill.

Mr. CUMMINS. I do not take the Senator from Mississippi to account. I simply wish to be understood that this resolution could not possibly be construed into an attack upon the President.

Mr. WILLIAMS. I do not think so, but I think some of the observations made about it were.

Mr. CUMMINS. Not any observations that fell from my lips——

Mr. WILLIAMS. Not one.

Mr. CUMMINS. Because I am just as much in favor of a league of nations——

Mr. WILLIAMS. As I am.

Mr. CUMMINS. As the Senator from Mississippi can possibly be.

Mr. WILLIAMS. I have known that for a good while, and the Senator from Iowa knows that I know it.

I started to introduce a resolution this morning to suspend the Senator from Massachusetts from membership in this body for three weeks upon the ground that he really did talk about the river and harbor bill, the question before the Senate, for 10 minutes, about the intracoastal canal back of Cape Cod and Nantucket. It was a violation of the recent customs of the Senate to have talked about the matter under consideration. The ordinary course for a Senator is to start to discuss the cosmogany of the world and to wind up with a little disquisition upon the habits of the flea.

Mr. CUMMINS. I wish the Senator from Mississippi to know that, so far as my remarks were concerned, they were directed pointedly to the question before the Senate.

Mr. WILLIAMS. They were not. They were directed pointedly to your resolution, which was not before the Senate. The river and harbor bill was before the Senate.

Mr. CUMMINS. The Senator from Mississippi is as ill informed with regard to that matter as he thought the Senator from Massachusetts was with regard to the proceedings in the House of Commons. I made a motion that the Senate proceed to the consideration of this resolution, and I directed my observations to that motion.

Mr. WILLIAMS. I understand that.

Mr. CUMMINS. They had nothing to do with the river and harbor bill, and that question was not before the Senate when I made my remarks.

Mr. WILLIAMS. The river and harbor bill was before the Senate and the Senator moved this resolution to take its place, and I reckon he knew that the resolution was not going to take its place.

Mr. CUMMINS. Oh, I had the highest hope that I would succeed.

Mr. WILLIAMS. You had?

Mr. CUMMINS. And I came near to doing it.

Mr. WILLIAMS. The Senator is a good deal like that gentleman who bought a bottle of hair restorer from a bald-headed barber. His faith was ill placed. I thought, of course, he merely wanted an opportunity to ventilate the resolution.

Mr. CUMMINS. Not at all. I had real hopes.

Mr. WILLIAMS. I thought he wanted to express his opinion upon it.

Mr. CUMMINS. Oh, not at all.

Mr. WILLIAMS. I had no idea he had any expectation that he would displace the river and harbor bill.

Mr. CUMMINS. I had great hope that the Senate would for a moment proceed to the consideration of this resolution. I knew that there were a good many Senators who believed it ought to be considered, and I had the profoundest hope, and indeed a great belief, that I would find a sufficient number of Senators on the other side of the Chamber who believe likewise.

Mr. WILLIAMS. Then I apologize to the Senator from Iowa.

Mr. CUMMINS. I accept the apology.

Mr. WILLIAMS. I apologize, and I submit that the definition of St. Paul about faith has been once more justified.

Mr. CUMMINS. Surely, whenever we deal with matters under these circumstances.

Mr. WILLIAMS. "Now faith is the substance of things hoped for, the evidence of things not seen," but I really did not believe the Senator ever expected the resolution to pass.

Mr. CUMMINS. Does the Senator from Mississippi remember the vote?

Mr. WILLIAMS. If the Senator from Iowa tells me he did, that is sufficient.

Mr. CUMMINS. The motion was defeated by only a very few votes. It would have required only a moment of reflection to have caused three or four of my Democratic friends to have voted for the adoption of the resolution.

Mr. WILLIAMS. I believe it is true that there were not very many votes one way or the other in the majority, but the votes cast for your resolution, as you must know, were chiefly votes of those who wanted to shelve the river and harbor appropriation bill independently of your resolution. They were not for your resolution; they were against the river and harbor bill.

Mr. President, I did have something else I wanted to say, but owing to this dissertation upon the strenuous and unexpected qualities of faith I believe I have about forgotten what it was, and consequently I will stop now.

Mr. JONES of Washington. Mr. President, I am not going to discuss the embargo by Great Britain, except to say that I am satisfied Great Britain will look after her own interests, and I rather admire her for doing it. If she does not look after her own interests, nobody else will. All I regret is that we do not look after our interests a little more closely. I hope that we shall.

Regarding the resolution of the Senator from Iowa, I am just going to call attention to the resolution which I introduced covering this same matter, and the difference between my resolution and the one that is reported from the committee. I wish to call attention to the fact also that the resolution of the Senator from Iowa, while it has been reported from the Committee on the Judiciary, is reported, I think, without any recommendation whatever. It simply is sent to the Senate and put on the calendar apparently as an act of courtesy on the part of the committee.

Mr. CUMMINS. May I explain that to the Senator from Washington?

Mr. JONES of Washington. I shall be very glad to have the Senator explain it.

Mr. CUMMINS. I happen to be a member of the Committee on the Judiciary. I found after a great deal of experience that I could only get it out of the committee in that way. Otherwise it would have been buried in the committee and we would have had no opportunity whatever to consider it. It was rather an unsatisfactory way to have it come out, but it either had to come out in that way or not at all.

Mr. JONES of Washingon. It is better to come out that way than not to come out at all; that is, there is some chance of getting it considered or getting action upon it when you get it on the calendar. I know that by experience. I had some connection with a measure that was before a committee which was equally divided upon it. I finally persuaded the committee to report it out without recommendation, and now it is a law. It probably would not have been a law if I had not gotten it on the calendar in that way. So I suppose that was about the situation with reference to this resolution; the committee would not report it favorably, but, out of consideration for the Senator from Iowa, they reported it out, so that it would get on the calendar and he would have an opportunity to try to bring it before the Senate anyhow.

Mr. President, with the purposes of this resolution I am in hearty accord. Something ought to have been done a long time ago looking toward preparing to meet the problems that were bound to come to us when the war closed. With a view to that preparation on the 4th day of January, 1918, over a year ago, I introduced a joint resolution in the Senate. My resolution was framed upon entirely different lines from those of the Senator from Iowa. His resolution, as the Senate knows, provides for joint committees between the House and Senate composed of Members of the House and Senate. My resolution provides for a commission to be appointed by the President of the United States. I had no hesitation about making a provision of that kind. I had no lack of confidence in the President doing what he thought would be the right thing in the selection of that commission. I did not provide for a committee of Congress or of the Senate largely for the reason that I did not believe we could expect very much from such a committee.

The Senator from Iowa [Mr. KENYON] suggested awhile ago the difficulty of getting committee meetings. That has been true all during this Congress. It has not been confined to the period of the war, but during the time our Democratic friends have been in control of the Senate it has been very difficult to get meetings of the committees and to get a quorum present, especially a quorum of the majority. Many of our bills must be reported by polling the committees and with no consideration at all.

Furthermore, whatever is done along the line of the objects of the two resolutions should be done promptly and should be done thoroughly. Every Senator is busy with matters from his State, from his constituents, and in connection with other legislative matters in which the people of the country are interested. They do not have the time to make the investigation, in my judgment, that ought to be made in order to determine what should be done to meet these problems. They would not have the time to study the problems and study the solution of them and propose them to Congress. They would not attend the meetings. This and that would interfere and the result would be that two or three would attend, a great mass of testimony would be taken, long essays would be read, and nothing would be accomplished.

It seemed to me if we would have a commission composed of men with practical experience in business affairs and who would devote their entire time and all their energy and ability to studying these problems, we were very likely to get some results. So, Mr. President, on the 4th day of January, 1918, I introduced a joint resolution that authorizes and directs the President of the United States to appoint a commission composed of 27 individuals, and I wish to call attention to the way I provided in the resolution that the commission should be composed.

The 27 members were to serve for a period of six months, but the term of service could be extended another six months if the President thought it advisable and necessary to have it done. What I hoped to get was as early a report as possible from such a commission. I hoped that the commission would go right to work, and, as I said awhile ago, give all its time and all its energy to the study of these problems and report just as soon as possible.

I provided that three members of such a commission should be experienced representatives of the manufacturing industries of the country. I do not care anything about their politics. I did not care anything about where they should come from. I simply wanted them to represent certain lines of industry throughout the country. I wanted them to be men of experience in a practical way along the various lines of business activity, and that was the only restriction I imposed upon the President in the selection of the members.

I provided that three members should be experienced representatives of the commercial interests of the country, that three members should be experienced representatives of the agricultural interests of the country, and three should be experienced representatives of the transportation interests of the country. All these interests, of course, are involved in the problems of peace. They were all more or less disturbed or deranged by the necessities of war. Men experienced in them could better suggest remedies to meet any ills in these operations than anyone else.

Then I provided that three members thereof should be experienced representatives of the shipping, fishing, and other marine interests of the country; three members should be experienced representatives of the mining industry of the country; three members should be experienced representatives of the export and import business of the country; three members should be experienced representatives of the banking and financial interests of the country; and three members should be experienced representatives of labor.

Now, Mr. President, it seems to me that I have provided representation on behalf of all of the leading interests and industries of the country upon this commission. I believe we could have gotten results from it if the resolution had been passed a little over a year ago. We should have had by this time a report from it of value not only in the material and information gathered but in the recommendations made by such a commission.

Then I provided, of course, for stenographic work, for compensation, and so on.

That resolution went to the committee, but apparently no consideration was given to it; no action was taken upon it. A few months ago the Senator from Massachusetts [Mr. WEEKS] introduced his resolution, and it was referred to a Republican conference. I was not able to attend that conference, and so I did not have an opportunity to call the attention of the conference to the resolution which I had introduced. Personally, however, I should much prefer a resolution along the lines I suggested to the resolution of the Senator from Iowa [Mr. CUMMINS]. I believe we would get better results from it; I believe we would get quicker results from it and something more satisfactory to Congress; but I am willing to support any measure that gives hope of results. As I said, it ought to have been done a long time ago. I do not know whether much can be accomplished now. It takes time to work out these things. These problems are right on us now. If my resolution had been passed when introduced, we would be ready now to legislate.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. JONES of Washington. I will.

Mr. KING. I should like to suggest to the Senator that the War Industries Board, the War Trade Board, and other instrumentalities and agencies of the Government have made a very thorough investigation of the subjects—if not all, of most, at least, of the subjects—referred to in the resolution just read by the Senator. They have accumulated a vast amount of information. I know that surveys have been made of many of the lines of activity, statistics have been obtained, and a great deal of information which bears upon the industrial, economic, and, indeed, the entire social structure by these various organizations to which I have referred, and it is available now for the congressional committees.

Mr. JONES of Washington. I have no doubt that they have gathered a good deal of information, but they have not gathered it with the particular purpose and object in view of giving it consideration at the time it was gathered and of applying it to the needs of the hour. They are not prepared to submit to Congress specific, concrete recommendations as to what will meet this situation or that situation. No doubt they obtained an abundance of information, and it could be brought up here, of course, and could be considered by committees; but, if we had had a commission like this, it would have gathered all this information; it would have gathered it with the very thought in mind of determining from it what would be necessary and what could be done to meet these various problems, and it would be ready with concrete recommendations to submit to Congress.

But these other bodies have apparently not done it. We have no recommendations from any executive branch of the Government with reference to any specific problem that we must meet or in reference to any specific concrete problem already worked out and how to solve it.

I am not going to discuss the general propositions which have been submitted and urged upon us and that ought to be worked out. There seem to be, as I noticed in the newspapers this morning, three or four distinct propositions which have been urged before various bodies of Congress by those representing the administration, and it has been urged that legislative action upon these propositions is imperatively necessary. One of them is the matter of the next liberty loan. The Secretary of the Treasury says that he ought to have certain legislation; that it should be passed at once, although the liberty loan is not coming on until April. He says that Congress will not be in session, and he needs to have a blanket delegation of power that he may meet particular situations when they arise a month or two from now. He says we do not know now what the conditions will be, and so he thinks we should turn the matter over to him and go home.

Mr. President, the matters referred to in the newspapers this morning are sufficient to warrant the calling of the next Congress in extraordinary session on the 5th day of March. It ought to be called. We ought to start the work upon these things, instead of delegating to administrative officers the power and the authority to do the things that are peculiarly legislative in their character. Congress ought to be called together to discharge its duties and its responsibilities. Congress ought to go to work upon the problems which the Secretary of the Interior says it is essential to solve soon; Congress ought to be called soon to work out and meet the problems that the Secretary of the Treasury says ought to be met and must be met; Congress ought to be ready to go to work upon the railroad and transportation problems that everybody concedes ought to be worked out soon.

Mr. President, in my judgment it will be a shirking of the responsibilities of government if Congress is not called in early session to work out and solve these problems that everybody concedes must be solved in a legislative way, or else blanket authority be given to administrative officers to solve them. I do not like to stay here in session myself; but, Mr. President, the responsibilities and duties which should be discharged by Congress are higher than the pleasure of Senators. These things, in my judgment, should come first. The President should not hesitate a moment about calling Congress together

just as soon as possible after the 4th of March, in order that we may organize and go to work on these problems. We are ready to do it. We want to help him meet the Nation's needs. Does he want our help? He should welcome our aid and counsel. We are ready for real teamwork. We do not want to act as Republicans; I do not want to work on these matters in a partisan way; we ought to work on these problems as representatives of the people, as American patriots, trying to do what is best for the interests of the country and the industries of the country. Everybody recognizes that there are peculiar situations confronting us and that are likely to confront us. They are situations that can be met only by Congress, under the leadership of the administrative officers of the Government. Congress should be here, and I believe that Congress is ready to come here and act upon all these matters in a nonpartisan way, with the sole desire to do what is best for the interests of the country. I am speaking for no one but myself, but if the President will give us the opportunity we will show him that our partisanship will be subordinated to our patriotism, and we will give him our best effort and our best ability to serve our common country and promote its welfare.

WEARING OF UNIFORM BY DISCHARGED SOLDIERS.

Mr. ROBINSON. Mr. President, during the course of the debate to-day the Senator from Michigan [Mr. SMITH] made charges against the Department of Justice, and particularly against the Attorney General, which, if true, would justify the conclusion which he reached and the very serious arraignment which he made of that department. I do not see the Senator from Michigan in the Chamber, and if he is about the Senate I should like to have him summoned in order that he may hear the statement I am about to make.

I have before me the record of the address made by the Senator from Michigan. On page 2 of the stenographer's notes of that address he said:

This morning I am informed that under the directions of the Attorney General soldiers returning from abroad are being arrested in the city of Detroit for wearing their uniforms one day after they have returned, and an appeal made to the War Department says the War Department has nothing to do with the matter.

Further along in his address the notes show that he said:

Oh, Mr. President, has it come to pass that a soldier who has honored his uniform by fighting the battles of his country can not wear that uniform home with him?

And, again, the notes show that he said:

He may wear his uniform under the law from the scene of his military activities to his home not exceeding the period of 90 days. The War Department holds that he has a right to wear his uniform 90 days even around home, and the Department of Justice are hunting down these soldiers and prosecuting them and placing them under arrest, I am informed, only yesterday in the city of Detroit.

Again, the notes of his address show that he said:

The War Department takes that view, I will say to the Senator from Mississippi, but the Department of Justice takes a directly opposite view, and in the enforcement of the law the Department of Justice has a wider and more important function than the War Department. * * * I do not want to pursue the matter any further. I am humiliated and saddened to think that any department of the Government would exercise this technical or arbitrary power and deprive soldiers of the uniform.

I shall not take the time of the Senate to quote many other similar statements reported in the notes of the speech made by the Senator from Michigan.

Mr. President, the Senator correctly stated the law on the subject; and I ask leave, in connection with my remarks, to put in the RECORD section 125 of the act of June 3, 1916.

The PRESIDING OFFICER. Without objection, permission to do so is granted.

The section referred to is as follows:

Sec. 125. Protection of the uniform: It shall be unlawful for any person not an officer or enlisted man of the United States Army, Navy, or Marine Corps, to wear the duly prescribed uniform of the United States Army, Navy, or Marine Corps, or any distinctive part of such uniform, or a uniform any part of which is similar to a distinctive part of the duly prescribed uniform of the United States Army, Navy, or Marine Corps: *Provided*, That the foregoing provision shall not be construed so as to prevent officers or enlisted men of the National Guard from wearing, in pursuance of law and regulations, the uniform lawfully prescribed to be worn by such officers or enlisted men of the National Guard; nor to prevent members of the organization known as the Boy Scouts of America, or the Naval Militia, or such other organizations as the Secretary of War may designate, from wearing their prescribed uniforms; nor to prevent persons who in time of war have served honorably as officers of the United States Army, Navy, or Marine Corps, Regular or Volunteer, and whose most recent service was terminated by an honorable discharge, muster out, or resignation, from wearing, upon occasions of ceremony, the uniform of the highest grade they have held by brevet or other commission in such Regular or Volunteer service; nor to prevent any person who has been honorably discharged from the United States Army, Navy, or Marine Corps, Regular or Volunteer, from wearing his uniform from the place of his discharge to his home, within three months after the date of such discharge; nor to prevent the members of military societies composed entirely of honorably discharged officers or enlisted men, or both, of the United States Army, Navy, or Marine Corps, Regular or Volunteer, from wearing, upon occasions of ceremony, the uniform duly prescribed by such societies to be worn by the members thereof; nor to prevent the instructors and members of the duly organized cadet corps of a State university, State college, or public high school offering a regular course in military instruction from wearing the uniform duly prescribed by the authorities of such university, college, or public high school for wear by the instructors and members of such cadet corps; nor to prevent the instructors and members of the duly organized cadet corps of any other institution of learning offering a regular course in military instruction, and at which an officer or enlisted man of the United States Army, Navy, or Marine Corps is lawfully detailed for duty as instructor in military science and tactics, from wearing the uniform duly prescribed by the authorities of such institution of learning for wear by the instructors and members of such cadet corps; nor to prevent civilians attendant upon a course of military or naval instruction authorized and conducted by the military or naval authorities of the United States from wearing, while in attendance upon such course of instruction, the uniform authorized and prescribed by such military or naval authorities for wear during such course of instruction; nor to prevent any person from wearing the uniform of the United States Army, Navy, or Marine Corps in any playhouse or theater or in moving-picture films while actually engaged in representing therein a military or naval character not tending to bring discredit or reproach upon the United States Army, Navy, or Marine Corps: *Provided further*, That the uniforms worn by officers or enlisted men of the National Guard, or by the members of the military societies or the instructors and members of the cadet corps referred to in the preceding proviso shall include some distinctive mark or insignia to be prescribed by the Secretary of War to distinguish such uniforms from the uniforms of the United States Army, Navy, and Marine Corps: *And provided further*, That the members of the military societies and the instructors and members of the cadet corps hereinbefore mentioned shall not wear the insignia of rank prescribed to be worn by officers of the United States Army, Navy, or Marine Corps, or any insignia of rank similar thereto.

Any person who offends against the provisions of this section shall, on conviction, be punished by a fine not exceeding $300, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

Mr. ROBINSON. It will be noted that among the exceptions forbidding the use of the United States military uniform by anyone other than officers or enlisted men is contained the following:

nor to prevent any person who has been honorably discharged from the United States Army, Navy, or Marine Corps, Regular or Volunteer, from wearing his uniform from the place of his discharge to his home within three months after the date of such discharge.

The War Department has construed that paragraph in one decision, and only one decision, I am informed by high authorities in that department. That decision is as follows:

An officer or enlisted man, under a reasonable construction of section 125 of the national defense act (39 Stat., 166, 217), should proceed from the place of his honorable discharge to his home with reasonable speed, and upon his arrival there his uniform should be discarded, as it is unlawful for him to wear it longer. In no event should he take more than three months, and he may not unduly protract his transit. (Ops. J. A. G. 421, Sept. 9, 1918.)

On January 25 the War Department issued a circular in connection with the right of discharged officers and men to wear their uniforms. That circular is signed by Peyton C. March, general, Chief of Staff. I ask that that also be inserted in the RECORD.

Mr. SMOOT. Will the Senator read it, instead of having it inserted in the RECORD?

Mr. ROBINSON. Very well; I will read it. It is as follows:

Circular No. 43.

WAR DEPARTMENT, *Washington, D. C.*

WEARING OF UNIFORM BY DISCHARGED SOLDIERS.

Present law authorizes a discharged officer or soldier to wear his uniform from the place of discharge to his home, within three months of the date of his discharge from the service. Thereafter the officer may wear his uniform only upon occasions of ceremony.

The enlisted man must return his uniform within four months of date of discharge; but can wear it only as stated above.

An act is now before Congress which, if passed, will authorize enlisted men to keep the uniform which they are permitted to wear home, and to wear that particular uniform only, provided some distinctive mark or insignia, to be issued by the War Department, shall be worn.

It will thus be clearly seen that neither under existing or proposed law will a discharged soldier be permitted to wear uniforms made by civilian or other tailors. They may legally wear only the particular uniform which they have been permitted to retain.

Commanding officers of camps, posts, and stations will give the widest publicity to this information, both among the soldiers of their commands and in the local press. No person will be permitted to solicit orders for or deliver uniforms to soldiers about to be discharged. Persons or concerns persisting in selling uniforms to such soldiers, after having been warned not to do so, will not be permitted to come on or do business on the reservation.

By order of the Secretary of War:

PEYTON C. MARCH,
General, Chief of Staff.

Official:

P. C. HARRIS,
The Adjutant General.

Mr. SMOOT. Mr. President, will the Senator allow me to interrupt him?

Mr. ROBINSON. I yield to the Senator from Utah.

Mr. SMOOT. I desire to be sure whether the order says "three months from the time of discharge" or "three months after arriving at home." There seems to be a misunderstand-

ing about that, and I should like the Senator to read that portion of the circular again, if he will.

Mr. ROBINSON. I can state it; my knowledge of it is accurate, I am sure. The law is—and the construction made by the department is to the same effect—that a uniform can only be worn 90 days from the date of discharge.

Mr. SMOOT. Whether the soldier is home or on the way from the place of discharge to his home?

Mr. ROBINSON. There is another limitation in the law which was passed for which I respectfully suggest to Senators neither the Department of Justice nor the War Department is directly responsible. That limitation is that the soldier may only wear his uniform while proceeding to his home from the place of discharge. I agree with the implied suggestion of the Senator from Michigan that such a statute ought to be construed liberally and that men in the attempt to conform to the statute ought to be given the benefit of every doubt.

An inquiry was instituted by some of us who felt that, if statements made by the Senator from Michigan are well founded, then conditions are utterly appalling. That investigation disclosed the real facts; and I very much regret that the Senator from Michigan is not present to hear my statement, for I believe that, if he were present, he would realize that he has done a gross injustice to a high officer of this Government, the Attorney General of the United States, and has also done a gross injustice to the Department of Justice.

The facts are, Mr. President, that there is only one case on record where a discharged soldier has been arrested in the district referred to by the Senator from Michigan, and I think that is probably the only case on record; in any event, it must be the case which he had in mind. The record shows that in that case two discharged soldiers, falsely representing themselves to be in the service of the United States and in the performance of their duty, while wearing the uniform of United States soldiers, were importing, in violation of the so-called Reed amendment, a large quantity of liquor into the State of Michigan. They resisted search and claimed that they were acting for and on behalf of their superior officers. They also claimed that the liquor was Government property. An investigation was instituted. That statement was found to be untrue, and they were indicted for unlawfully wearing the uniform of United States soldiers and for violating the liquor laws of the United States. If the Senator from Michigan or any other Senator thinks that the conduct of those soldiers while wearing the uniform of the United States is protected by the statute which we wrote, a statute designed to preserve the integrity of the uniform of United States soldiers, he is welcome to his conclusion; but any criticism that he might make of anyone for arresting and punishing those men would have no consideration with me.

The facts are that after these men were arrested they went into a court and pleaded guilty to violating the liquor laws, and guilty, too, of unlawfully wearing the uniform, which, under their own statement, they had disgraced.

I need not argue to Senators that it is the purpose of the law to protect the brave and glorious men who have worn and are wearing our uniform from the contumely and disgrace which these two soldiers, by pleas of "guilty," admitted they had brought to it.

Mr. President, the statement of the Senator from Michigan to the effect that the Department of Justice was placing one construction on this law and the War Department a different one, and that a violent clash of authority had arisen, is, in my judgment, totally unfounded. This is the only case known, according to the verbal statement of officers in the War Department, where soldiers have been arrested for violating the statute directed against unlawfully wearing the uniform. The War Department does not contend that a man who is in the bootlegging business can shield himself by wearing a soldier's uniform. No lawyer will contend that the construction of the statute made by the Department of Justice and by the United States attorney for the district in which these arrests were made, is unfair, unreasonable, or unjust.

The Senator from Utah [Mr. KING], while I was absent from the Chamber, made a statement concerning this subject which I have read in which I heartily concur. Both he and I took up the matter with the Department of Justice. I felt that if the Attorney General had ordered his agents throughout the United States, to arrest men the day after they have returned from fighting the battles of this country in France because they are wearing the uniform—if he is arresting them the day after they are discharged, before they have an opportunity to return to their homes—the severest action which the laws of this country will justify should be taken against him. I am not willing that a charge of this sort should be made politics of; neither is the Senator from Utah [Mr. KING], and neither I trust is any other Senator.

The Senator from Michigan said that it is the custom and practice, the ordinary procedure, of the Department of Justice to arrest men in Detroit for unlawfully wearing the uniform the day after they have returned from France and the day after they have been discharged. The facts developed are that these men were out of the Army; they were engaged in an unlawful business; they were seeking to carry on that business under the guise of being soldiers. Can the glory of the United States Army, can the name of the Senator from Michigan, or can the name of Michigan itself be advanced in the minds of honest men by unfounded statements like that made by the Senator from Michigan?

I will read this telegram bearing upon the subject:

DEPARTMENT OF JUSTICE,
Detroit, Mich., February 15, 1919.

JOHN LORD O'BRIAN,
Special Assistant to Attorney General,
Washington:

Re telephone conversation this date, there have been no arrests in this district for unlawfully wearing uniform after discharge except where used as a means of committing crime, and but one case of this character, where two discharged soldiers were unlawfully bringing several gallons whisky into Michigan in violation of Reed amendment and resisted search, falsely claiming to be in military service and on duty, and that baggage was property of superior officer and Government property and exempt from search by State officials; indicted for violation of Reed amendment and unlawful wearing of uniform; plead guilty to both charges; fined $150 on first and $50 on second charge; both paid. No other arrests in this district for unlawfully wearing uniform after discharge, and none authorized or contemplated. Any statement to contrary absolutely without foundation.

KINNANE, *United States Attorney.*

Mr. KING. Mr. President, the Senator might have stated that one of these men had been discharged from the Army for more than nine months; the other had been discharged from the service for more than two months and a half. Both of them had ceased wearing the uniform, had discarded it, and confessed that they put on their uniforms that morning to aid them in their unlawful efforts to convey liquor, in violation of law, from Ohio into the State of Michigan.

Mr. SMOOT. Mr. President, I simply want to state that the senior Senator from Michigan [Mr. SMITH] went to his home on account of illness. He has been quite poorly of late. I feel perfectly safe in saying that if the Senator from Michigan had been fully advised of the conditions surrounding the case as presented by the Senator from Arkansas [Mr. ROBINSON], I am quite sure he never would have even thought of calling it to the attention of the Senate. When the statement was made, I could not conceive of such a thing happening anywhere in the United States; and yet the Senator had directly by wire the statement made by a man in whom he had absolute confidence, and giving the details as he stated they were.

I will simply remark at this time that it only shows how people throughout the country will hear a thing, jump at a conclusion, and immediately take action, without due consideration.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committtee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee.

Mr. KENYON. Mr. President, I should like to ask the Senator from Florida what his program is. Are we going ahead with the river and harbor bill to-night, or will the Senator move a recess at this time?

Mr. FLETCHER. I wanted to make a statement with reference to an item in the bill to which the Senator from Iowa had made some objection before taking a recess to-night. After that, I shall be willing to take a recess. It will take but a very few minutes.

Mr. KENYON. We are up to the Oklawaha River item now.

Mr. FLETCHER. The Oklawaha River—that is where we are in the bill.

Mr. KENYON. I shall take up some time on that item.

Mr. VARDAMAN. Mr. President, may I ask the Senator from Florida if it is his purpose to take a recess in the course of half an hour?

Mr. FLETCHER. I think we shall be able to do so; yes.

Mr. FRANCE. Mr. President, will the Senator in charge of the bill yield for a moment? I wish to ask him a question.

Mr. FLETCHER. Yes.

Mr. FRANCE. I was called out of the Chamber, and I did not have an opportunity to ask the Senator with reference to the appropriation of $9,000 on page 8 for dredging in the Balti-

more district. I desire to inquire if the engineer considered that that sum would be sufficient to take care of all of the work contemplated and mentioned on page 7, including the Elk River?

Mr. FLETCHER. I will state to the Senator that the engineer informed us that he could take care of the Elk River under that provision, and that the amount mentioned in the bill would be sufficient to maintain those projects during the year. There is an amount to the credit of the projects, and we added the amount of $9,000 there, as the Senator will see, which was considered ample to take care of that project.

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee.

The next amendment was, on page 12, line 6, after the word "maintenance," to strike out "$108,000" and insert "$113,000; continuing improvement between Jacksonville and the ocean, $125,000"; so as to read:

St. Johns River, Fla., Jacksonville to the ocean, opposite the city of Jacksonville, Jacksonville to Palatka, and Palatka to Lake Harney, Lake Crescent, and Dunns Creek, and Oklawaha River, Fla.: For maintenance, $113,000; continuing improvement between Jacksonville and the ocean, $125,000; for improvement between Jacksonville and Palatka, $9,000: *Provided*, That the project for this section shall be extended by the Secretary of War in accordance with the report submitted in House Document No. 699, Sixty-third Congress, second session: *Provided further*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I understood that the Senator from Florida desired to make a statement upon the next amendment.

Mr. FLETCHER. Is there any objection anywhere to the items in the St. John River? Then, the next item is the Oklawaha River.

Mr. KENYON. That is the one we wanted to discuss.

Mr. FLETCHER. Is the first amendment in that paragraph agreed to?

The PRESIDING OFFICER. The amendment has been agreed to.

Mr. KENYON. Which one is that?

Mr. FLETCHER. That is the St. Johns River amendment.

Mr. SMOOT. I have no objection to that.

Mr. KENYON. That is all right.

Mr. FLETCHER. That brings us down to line 15, "for improvement of Oklawaha River."

Mr. President, the Oklawaha River project is a new project. It never has been adopted by Congress. It is, however, a project which has been favorably reported on by the engineers. The district engineer, the division engineer, the Board of Engineers for Rivers and Harbors, a special board of engineers sent down for the purpose of making an investigation on the ground regarding the project, and the Chief of Engineers have all favorably reported it to Congress. It also was favorably considered by the Rivers and Harbors Committee in 1914, reported to the House, and passed by the House. It came over here and in one of the bills it was favorably reported by the Commerce Committee, and would undoubtedly have passed before this and have been approved by both branches of Congress except for the fact that we made a lump-sum appropriation which took the place of the river and harbor bill which had that item in it. So it has gone through all the steps necessary to establish its merit. It has been passed upon by all agencies and officers and committees, and even by the House of Representatives, and I have no doubt would have been indorsed here as I said, and would have been approved and gone into law before this time except for the fact that we were unable to pass the river and harbor bill which had that item in it. I may be mistaken as to having substituted a lump-sum appropriation. I think that was the bill which did not pass Congress at all, but failed, as did other large appropriation bills at that session of Congress. The Post Office appropriation bill, the naval appropriation bill, and the Army appropriation bill among others failed that year, as the Senate will remember, on account of action which prevented further legislation. That bill contained this item, but the river and harbor bill, as I said, failed, as did all the other large appropriation bills that session. For that reason it has never been brought before the Senate for final action. It has passed the House.

Subsequent to the bill that failed, the Senate will remember we had been confining our appropriations to war-emergency matters as far as new projects were concerned and to maintenance and to continuing appropriations to carry on projects already adopted. We have not claimed it was a war-emergency proposition. We do claim that upon the basis of transportation, upon the basis of improving highways in order to promote commerce, this project ought to be adopted by Congress and this improvement ought to be made.

Generally speaking, let me say the St. Johns River, as is well known, flows into the Atlantic Ocean, and the Oklawaha River flows into the St. Johns River about 120 miles from its mouth. It therefore is not a mere intrastate stream. It is connected with New York. The cities and towns on the banks of the Oklawaha River and at the head of the Oklawaha are in communication with all of the great cities on the Atlantic seaboard, as far as that is concerned. The river has been navigable all the time, so far as we know. Boats have been able to operate upon it, but there is need of greater depth. For 32 miles of the river they have a depth now of 6 feet, for 4 miles of about 5 feet, and then for 94 miles the depth is varying all the way from 3 to 5 and 6 feet, but the channel is very crooked and the depth is not dependable. It can not be estimated at certain seasons of the year that they will have even that much water throughout the length of the entire stretch of the river.

The Oklawaha River, as I said, empties into the St. Johns River about 20 miles south of Palatka and the main run extends up to what is called Silver Springs Run, an immense body, in which springs an ordinary boat can be turned around. A river fairly bubbles out of the ground, affording one branch of the Oklawaha River. The water is 50 or 60 feet in depth in this spring and perfectly clear. The branch, however, which is under consideration here is the branch leading from 4 miles below Silver Springs in the direction southward toward Leesburg. Before it reaches Leesburg it reaches Lake Griffin, which is some 8 miles across. There will be need of a lock at Lake Griffin in order to control the water and to assure a steady flow of water with an ample depth throughout the stream at all seasons of the year.

Lake Griffin leads to Leesburg, and the Leesburg local interests undertake to connect Lake Griffin with Lake Harris, another large lake, connected with which is Lake Eustis and Lake Dora. So you have a chain in a region which is surrounded by orange groves, truck farms, and various other industries, among them kaolin mining and manufacturing and pulp and various other enterprises, which would all be accommodated by the improvement of the Oklawaha River.

The project is to give a channel 6 feet in depth, which is described in paragraph 5 of the report of the Chief of Engineers, as follows:

5. After due consideration of the above-mentioned reports, I concur in general with the views of the district officer, the division engineer, and the Board of Engineers for Rivers and Harbors, and therefore report that the improvement by the United States of Oklawaha River from its mouth to Lake Dora is deemed advisable to the extent of obtaining a channel 6 feet deep and 60 feet wide, in the manner contemplated by the district officer, and with locks of dimensions as proposed by the Board of Engineers for Rivers and Harbors, at an estimated cost of $733,000 for original construction and $12,000 per annum for maintenance, subject to the conditions of local cooperation recommended by the board and quoted above. The first appropriation should be $175,000, with subsequent appropriations sufficient to complete the work in four years.

The bill carries $100,000 for the project. It would, of course, adopt the project and would mean that the Government would undertake to complete that improvement. The report further shows the amount of commerce and the value of this improvement, but since the report was furnished there has been a tremendous development along the route of the river. The Oklawaha Valley is one of the richest valleys in the whole country. There are twenty-odd thousand acres of land along this stretch of the river from Lake Griffin toward Silver Springs Run of ninety-odd miles—20,000 acres of as rich land as can be found in the country. Since this report was made over a thousand acres of that land have been put in cultivation and it produces according to statements made to me, 100 bushels of corn per acre per annum and 200 bushels of potatoes per acre per annum, and both corn and potatoes the same year. There is not anything finer in the country. There is no speculation about it. They are the actual results. That produce has to be hauled from 8 to 12 miles to the railroad and then to the market North. All that produce would move through this waterway if the channel were deep enough and straightened sufficiently to permit of it.

I have here a letter from Mr. Gilbert D. Leach, who has been very much interested in this subject and who represented the chamber of commerce at the time of the Atlantic Deep Waterways Convention at its meeting at Miami a year or two ago. The committee, of which Mr. Leach was a member, appeared before the members of that convention and urged that they favor this project. At any rate, Mr. Leach has been thoroughly familiar with all the conditions there. He is the editor of the Leesburg Commercial. Under date of January 20, 1919, he writes me as follows. I will ask to have the whole letter in-

corporated in the RECORD, but I wish particularly to refer to this part of it:

You have in your committee room a long picture of a thousand-acre cornfield at Muclan Farms, on the Oklawaha River, at the county line between Lake and Marion Counties. That same field, in response to the call for more foodstuffs, was planted in Irish potatoes, and actually produced, in round numbers, I was informed by the manager, 200,000 bushels of spuds. Of this immense quantity of potatoes about 60,000 bushels were marketed. The remainder rotted in the fields.

Now, why? Because to gather the potatoes, pack and prepare them for shipment, and haul them 8 or 10 miles to the railroad and pay the freight on them from there to market involved so much expense that they could not sell them. They offered them at $1 a bushel down at Jacksonville. They could not get them to market. It is a pity, it is a shame, when we are urging people to produce food in this country that on these lands the food can be produced, and is produced, and the produce should rot in the field because of the excessive freight charges to market and the lack of water facilities to get it to market.

There being no objection, the letter referred to was ordered to be printed in the RECORD, as follows:

LEESBURG, FLA., *January 20, 1919.*

Hon. DUNCAN U. FLETCHER,
Washington, D. C.

DEAR SENATOR: Your letter of the 16th was most welcome. I felt confident you would bring up the project when the bill reached your committee.

Naturally, the development along the valley of the Oklawaha and the valley of the St. Johns has been arrested during the war, for these are a patriotic people, and they have not tried to encourage new settlers to ride on Mr. McAdoo's trains against his wishes. However, the call of the Department of Agriculture for greater production of foodstuffs caused increased acreage to be used all through that section, and the deplorable fate of one of the most important responses to that call I want to recite to you.

You have in your committee room a long picture of a thousand-acre cornfield at Muclan Farms, on the Oklawaha River, at the county line between Lake and Marion Counties. That same field, in response to the call for more foodstuffs, was planted in Irish potatoes, and actually produced, in round numbers, I was informed by the manager, 200,000 bushels of spuds.

Of this immense quantity of potatoes about 60,000 bushels were marketed. The remainder rotted in the fields.

Why?

Because the water was too low to barge them from the field on the Oklawaha River to Jacksonville, where contractors under the Government were bringing northern potatoes into Jacksonville for less freight than the railroads charged to carry them from the Oklawaha Valley to Jacksonville, and because the railroads would pay no attention to them. There was no market because it cost so much to get them there that the price would have been prohibitive. Yet here was the river draining the fields in which these potatoes were growing and flowing on right past the very cantonment where thousands of soldiers were eating potatoes brought more than a thousand miles by rail. Accompanying this are two exhibits clipped from the Commercial of June 28, 1918. The advertisement, as you see, offers the finest potatoes at a dollar a hamper. Contractors at Jacksonville were paying, I understand, $2.35 for old potatoes at that time. The combination of refusal to buy of Florida growers, lack of cars, and immense freight rates doomed the growers of these potatoes, and they lost the money they had spent for seed.

There is, as you know, about 21,000 acres of this rich muck land in one body, every acre of it capable of producing 100 bushels of corn or 200 bushels of potatoes to the acre every year without fertilizer. If water transportation is furnished through the Oklawaha, so that barge haul will place the produce aboard vessels in the harbor at Jacksonville, this one area of land can answer the call for greater "food, feed, and forage" to the tune of 4,000,000 bushels of potatoes and 2,000,000 bushels of corn per annum. And by "per annum" I mean both the same year.

During the past two years citrus fruit groves have been planted in this valley, particularly around Lakes Griffin and Harris. Between Lake Griffin, in which the Oklawaha begins as a river, and Silver Lake there is a new development of grove property that is to be 10,000 acres when completed. Several hundred acres are already set out and more are to follow as rapidly as the work can be accomplished. The rate on citrus fruit from Leesburg to Jacksonville is 21½ cents per box, and to this must be added a 6-mile haul by automobile truck. If the Oklawaha were improved, this fruit could go to Jacksonville by barge line direct from the groves.

At Emeralda Island, Lake Griffin, a new situation has developed this season. This is a great fruit-producing section with hundreds of acres of groves that bear enormously. So great has been the traffic by automobile truck carrying fruit to Leesburg from Emeralda this winter, especially when coupled with the unusually rainy winter we have had, that the road is cut to pieces. Some of this crop has had to be brought across the lake to Leesburg by makeshift water transportation (the fact that the river is too shallow for water craft making regular boat transportation on single lakes unprofitable, and therefore taking the boats away from this work) and this has cost an average of 9 cents per box. Add to this the 21½ cents per box from Leesburg to Jacksonville and you can see how discouraging it is to growers of fruits.

There is another new proposition of an industrial nature that is going to need transportation on the Oklawaha very badly. Plans are drawn and site selected for a pulp mill on the Lake Griffin Canal, paper and box-board pulp to be manufactured from sawgrass which grows in the edge of the lakes and along the banks of the river. Rights to harvest sawgrass on more than 10,000 acres of land have already been secured in the name of the Leesburg Board of Trade for the use of those who are erecting the paper mill, and it is the intention of the people who will own the mill to make this the permanent manufacturing point for finer grades of paper. As the Government has been dealing with the paper question for the past two years, and as this industry will convert a waste product into the finest grade of papyrus writing paper as well as many coarser varieties of paper, this is an industry that should be encouraged. The first mill is to turn out 10 tons daily, but will be so erected that its capacity can be increased to 50 tons daily without enlarging the buildings. To run the larger mill it will require incoming transportation of about 200 tons of raw material daily, besides the wood for fuel, and the finished product resulting will be 50 tons daily, which should be given water transportation to Jacksonville, the nearest basic freight point and the nearest ship harbor. Freight by rail for the raw materials or for wood fuel is out of the question for this industry. If the Oklawaha is improved all of this waste product from the mouth of the St. Johns to the end of the project in Lake Dora can be utilized economically and manufactured into a finished product that the country sadly needs. Without the Oklawaha improvement this industry must of necessity be circumscribed by the limitations of transportation of the raw materials and it can produce and manufacture only a limited amount of this high-grade paper so badly needed, the remainder of the waste product continuing to be waste as it has in the past. As this sawgrass renews itself in about six months after being harvested a practically inexhaustible supply of raw material will be made available where now the same quality of paper must be made of rags with a limited amount of wood fiber added. To the United States, as a whole, the benefits from this one industry here at the source of the Oklawaha River will far more than offset the first cost and maintenance of the complete Oklawaha project. Both the quality and the practicability of the utilization of sawgrass have been thoroughly demonstrated.

These are the new elements of our request for improvement of this river. The old, old facts and figures still maintain as recited to both the House and your committee of the Senate in 1916. Our need is becoming more acute and only the fact that we are not a wealthy people has kept us waiting for the slow action of the Federal Government in giving this matter the attention your United States Engineering Department asked for it eight years ago.

With the hope that these facts will assist you in presenting anew the proposition that means so much to this section of the country, I submit them with the utmost respect and regards.

Very truly, yours,

GILBERT D. LEACH.

Mr. FLETCHER. Mr. President, there is no guess about this sort of thing. This has been the actual experience of these people. To be sure, the Food Administration gave out orders that people were to buy old potatoes and not new potatoes. There was a quartermaster's training camp at Jacksonville, 125 miles from these fields, buying potatoes sent down from Maine, a thousand miles by water. They were buying those potatoes while these potatoes were offered to them at $1 a bushel, and, as I said, were permitted to rot in the field on these lands adjoining this river. If they had had barges with a sufficient depth of water to take them out of this river to the St. Johns River and then on down to Jacksonville by the St. Johns River, they could have been put into that market at half the railroad rate besides saving the immense expense and trouble of trucking and hauling them 8 or 10 miles by road to get them to the railroad.

The same situation exists with regard to fruit. There are thousands of acres of the finest fruit groves in the world adjacent to this river on the banks of these immense lakes, which would all be reached by the improvement of this river. The local interests will connect Lake Griffin with Lake Harris in order to connect up all the lakes of that region. All that region would be opened up and given water transportation to the markets of the world through this connection with the St. Johns River to the Atlantic Ocean.

That is the situation. Here is a stretch of 94 miles of very crooked, wandering river that in certain seasons of the year is very shallow and is not dependable, and at the head of it there are these vast bodies of waters. I would call them vast, because Lake Griffin is 8 or 10 miles in diameter. Lake Eustis is a large lake, and just beyond that is Lake Apopka, covering hundreds of acres; then Lake Dora, and along the shores of these lakes there are the most beautiful groves to be found in all the world. The larger portion of that fruit would move through this waterway.

I shall not go into further details to-day. I will ask Senators to please read the report on this project, Document No. 514, and to keep in mind that it is a project which has been indorsed by all the agencies and authorities whose duty it was to investigate it, including the special board sent down there for the purpose of going over and making an examination on the ground, that it has passed both the committees of Congress heretofore, that it has passed the House of Representatives, and would have passed, I have no doubt, if that bill had not failed as all the appropriation bills failed two years ago.

I sincerely hope that this improvement will not be longer delayed, because it means, by lack of expenditure of a comparatively small sum of money, not affording the facilities which would promote the commerce of that region and add to the transportation possibilities. It would mean not merely a local matter at all, but would mean the development of the whole region in that vicinity and add to the commerce of the whole country. The citrus fruit packers would move out along this river to the markets of the country. It means not merely a benefit to the citrus fruit growers. If the corn and potatoes that are produced there can move to market, it means not merely a benefit to the people who grow the corn and potatoes in those fields. If there is any project at all that deserves the

favorable consideration of Congress in this whole bill, I think this is the project. I shall have something further to say about it if there is occasion to do so.

Mr. SHAFROTH. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. FLETCHER. I shall ask that after the executive session the Senate shall recess until 11 o'clock Monday.

Mr. SMOOT. Before the motion is put, I wish to say to the Senator from Florida that I have just sent to the Document Room for Document No. 514, and there is not a single copy there. Has the Senator two copies, that I may have one to-night?

Mr. FLETCHER. Yes; the Senator can be furnished with a copy.

Mr. RANSDELL. The only copy we have is in this book, which we shall be glad to lend to the Senator from Utah if he wishes it.

Mr. SMOOT. I shall be glad to have it.

Mr. POMERENE. I ask the Senator from Colorado to withhold his motion for a moment.

Mr. SHAFROTH. Very well.

SENATOR FROM MICHIGAN.

Mr. POMERENE. This afternoon the Committee on Privileges and Elections authorized me to present a substitute for Senate resolution 415 relating to the Michigan senatorial contest. I ask to have it incorporated in the RECORD for the information of the Senate.

Mr. SMOOT. The Senator from Michigan [Mr. TOWNSEND] just before leaving asked me in case the Senator from Ohio presented the substitute to-night to request him to leave it until Monday morning.

Mr. POMERENE. I am not going to ask for any action upon it. I simply want to have it printed in the RECORD for the information of Senators.

Mr. SMOOT. I suppose there will be no objection to that. The Senator from Michigan thought the Senator might desire action upon it.

Mr. POMERENE. Oh, no; I do not ask for action to-night.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The substitute reported by Mr. POMERENE is as follows:

Whereas charges and countercharges of excessive expenditure of money and of unlawful practices have been made in connection with the election of a Senator from the State of Michigan, and it has been reported that certain evidence in connection therewith is liable to be lost or destroyed: Therefore be it

Resolved, That the Committee on Privileges and Elections, or any subcommittee thereof, is hereby authorized and empowered—

(a) To take possession in the presence of the representatives of Messrs. Newberry and Ford, through the Sergeant at Arms of the Senate, and preserve all ballots, poll books, and tally sheets. The committee may also in like manner take possession of and preserve any other documentary evidence in connection with such charges or countercharges which it is shown to a majority of the committee, a quorum being present, or to a majority of any subcommittee acting in the matter, is in danger of otherwise being lost or destroyed before the meeting of the Senate of the Sixty-sixth Congress, said ballots, documentary evidence, etc., to be sealed and held for such use as the Senate of the Sixty-sixth Congress may determine.

(b) To take and preserve any relevant, competent, and material verbal testimony where it is shown to a majority of the committee, a quorum being present, or to a majority of any subcommittee acting in the matter, that any witness can not reasonably be expected to be available as a witness if called before a committee of the Senate of the Sixty-sixth Congress.

(c) To issue and enforce any necessary subpœnas, to sit during the session of the Senate, or during any recess of the Senate, at such place or places as it may deem most convenient for the purpose of carrying out the intent of this resolution.

(d) To compel the production of papers, books, or documents for the purposes herein contemplated.

The expenses incurred in the carrying out of this resolution shall be paid from the contingent fund of the Senate, upon vouchers ordered by the committee, or any subcommittee thereof, and approved by the chairman of the committee.

Mr. POMERENE subsequently said:

Mr. President, in order to avoid confusion, I ask that the substitute for Senate resolution 415, relating to the Michigan senatorial contest, be printed as an amendment to the original resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION.

Mr. SHAFROTH. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. FLETCHER. I move that the Senate take a recess until Monday morning at 11 o'clock.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until Monday, February 17, 1919, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 15 (legislative day of February 13), 1919.

REGISTERS OF THE LAND OFFICE.

Henry James Holmes to be receiver of public moneys at Glenwood Springs, Colo.

Robert J. McGrath to be receiver of public moneys at Lamar, Colo.

REGISTERS OF THE LAND OFFICE.

Dallas C. Weyand to be register of land office at Glenwood Springs, Colo.

Alonzo L. Beavers to be register of land office at Lamar, Colo.

Edward J. Hoefnagels to be register of the land office at Leadville, Colo.

PROMOTIONS IN THE NAVY.

Capt. Edwin A. Anderson to be a rear admiral.

Capt. Charles W. Dyson to be a rear admiral.

Commander Douglas E. Dismukes to be a captain.

The following-named commanders to be captains:

Edward H. Campbell and

Martin E. Trench.

The following-named lieutenant commanders to be commanders:

Henry C. Dinger,
James H. Comfort,
William V. Tomb,
George B. Landenberger,
William Norris, and
Harold E. Cook.

The following-named lieutenants to me lieutenant commanders:

Aubrey W. Fitch,
Robert V. Lowe,
John B. Rhodes,
Robert A. Theobald,
Guy E. Baker,
William F. Newton,
Frank N. Eklund,
Willis W. Bradley, jr.,
Earle F. Johnson, and
Henry K. Hewitt.

The following-named lieutenants (junior grade) to be lieutenants:

Howard B. Berry,
Virgil C. Griffin, jr.,
Ernest G. Small,
Andrew C. Bennett,
William D. Taylor,
Robert R. Thompson,
Albert B. Sanborn,
Donald W. Hamilton,
George W. LaMountain,
DeWitt C. Ramsey,
John H. Holt, jr.,
Marc W. Larimer,
Mahlon S. Tisdale,
Davis DeTreville,
Nelson W. Hibbs,
Wentworth H. Osgood,
John H. Falge,
Hugh C. Frazer,
Baylis F. Poe,
Ingram C. Sowell,
Francis E. M. Whiting,
Stanley G. Womble,
Charles A. Lockwood, jr.,
Charles S. Alden,
Hubert V. La Bombard, and
Leonard N. Linsley.

The following-named ensigns to be lieutenants (junior grade):

Arthur D. Struble,
Vincent H. Godfrey,
Donald MacL. Dalton,
Frank D. Wagner,
Armit C. Thomas,
John B. Kneip,
Marshall B. Arnold,
Irving R. Chambers,
Lloyd V. H. Armstrong,
Hubert E. Paddock,
Theodore E. Chandler,
Allan R. Wurtele,
Ryland D. Tisdale,
James P. Brown,
Edward Breed,

David McL. Collins,
James M. Lewis,
William D. Sullivan, and
Richard S. Bulger.

Medical Inspector Charles E. Riggs to be a medical director with the rank of captain.

Medical Inspector Frank L. Pleadwell to be a medical director with the rank of captain.

Surg. Benjamin H. Dorsey to be a medical inspector with the rank of commander.

Surg. Lewis H. Wheeler to be a medical inspector with the rank of commander.

The following-named passed assistant surgeons to be surgeons with the rank of lieutenant commander:

George C. Thomas,
Alfred L. Clifton,
George F. Cottle,
George B. Whitmore,
Glenmore F. Clark,
Joseph R. Phelps,
Chandler W. Smith,
William L. Mann, jr.,
John G. Ziegler, and
George A. Riker.

Dental Surg. Clark E. Morrow to be an assistant dental surgeon with the rank of lieutenant (junior grade).

Dental Surg. Louis B. Lippman to be an assistant dental surgeon with the rank of lieutenant (junior grade).

Dental Surg. Hyman Mann to be an assistant dental surgeon with the rank of lieutenant (junior grade).

Dental Surg. Frank A. Zastrow to be an assistant dental surgeon with the rank of lieutenant (junior grade).

Paymaster Eugene C. Tobey to be a pay inspector with the rank of commander.

Ensign Perry R. Taylor to be an assistant naval constructor with the rank of lieutenant (junior grade).

Civil Engineer Leonard M. Cox to be a civil engineer with the rank of commander.

The following-named machinists to be chief machinists:

Allen I. Seaman and
John Gallagher.

Pay Clerk Alexander C. Kozlowski to be a chief pay clerk.

Pay Clerk Benjamin H. White to be a chief pay clerk.

Pay Clerk Walter E. Morton to be a chief pay clerk.

Pay Clerk William J. Smith to be a chief pay clerk.

Pay Clerk Floyd J. Farber to be a chief pay clerk.

Pay Clerk Edison H. Gale to be a chief pay clerk.

Pay Clerk Herman W. Johnson to be a chief pay clerk.

Pay Clerk Percy J. Hutchison to be a chief pay clerk.

Pay Clerk Maurice T. Scanlan to be a chief pay clerk.

Pay Clerk Marcus E. West to be a chief pay clerk.

Pay Clerk John B. Daniels to be a chief pay clerk.

Pay Clerk Michael J. Dambacher to be a chief pay clerk.

Lieut. (J. G.) Ernest C. Keenan, retired, to be a lieutenant on the retired list.

Lieut. (J. G.) Harry C. Ridgely, retired, to be a lieutenant on the retired list.

Passed Asst. Surg. Judson L. Taylor, retired, to be a surgeon with the rank of lieutenant commander on the retired list.

The following-named assistant surgeons on the retired list of the Navy to be passed assistant surgeons with the rank of lieutenant on the retired list:

Rice K. McClanahan,
Henry LaMotte,
George M. Olson, and
Arthur C. Stanley.

Asst. Paymaster Jacob D. Doyle, retired, to be a paymaster with the rank of lieutenant commander on the retired list.

The following-named boatswains on the retired list to be chief boatswains on the retired list:

Hjalmar E. Olsen,
Charles Wouters,
Lee R. Boland, and
William Johnson.

The following-named gunners on the retired list to be chief gunners on the retired list:

Henry J. Tresselt,
Frank A. McGregor,
Vista R. Thompson,
Peter Hanley,
Humboldt J. Palmer, and
Theodore C. Wester.

The following-named machinists on the retired list to be chief machinists on the retired list:

James L. Baart,
August Anschuetz,
Herbert E. Kershaw,
Joseph J. Duffy,
Charles W. Jackson,
George M. Heinen,
John McPhee,
William P. Little,
Martin Casey,
William C. Dronberger,
William J. Powell,
Edwin J. Cutherell,
James Wilson,
Peter J. Hanlon,
William E. B. Grant,
Daniel J. McCarthy,
Thomas F. Hobby, and
Harlan B. Heath.

The following-named carpenters on the retired list to be chief carpenters on the retired list:

Benjamin D. Pender and
Joel D. Griffin.

Sailmaker Herman Hansen, retired, to be a chief sailmaker on the retired list.

The following-named pharmacists on the retired list to be chief pharmacists on the retired list:

William H. Huntington and
Isaac N. Hurd.

FOR TEMPORARY SERVICE.

The following-named lieutenants (junior grade) to be lieutenants in the Navy for temporary service:

Edward Crouch,
Daniel J. Sullivan,
Edward J. Carr,
Edwin W. Hill,
Claude S. Padgett,
Thomas F. Morris, and
Walter B. Buchanan.

The following-named ensigns to be lieutenants (junior grade) in the Navy for temporary service:

Roy Childs,
Hardy M. James,
Patrick J. Sullivan,
William Crofut,
George H. Toepfer,
Luther C. Crow,
William Kasburg, and
Leo Kampman.

The following-named warrant officers, for temporary service, to be ensigns, for temporary service:

Frank McGlothien,
Wallace Hanna,
John C. Redman,
Frederick W. K. Mielke,
Ewell K. Jett,
Edward J. McCarthy,
Leslie W. Beattie,
Henry T. Hausten,
William McDade,
Robert H. Barnes,
Frank R. Wills,
Joseph R. Laing,
Charles D. Connor,
Roy M. Dyer,
William Province,
Joshua W. M. Simmons, and
Clyde H. MacDonald.

The following-named enlisted men to be ensigns, for temporary service:

Bradford M. Melvin,
Eugene Bastian,
Marshall M. Angleton,
Victor A. Leonard,
Harold S. Vigab,
Frank Gawrych,
James A. Duryea,
Richard Tainter,
Ned P. Baugh,
William J. Clark,
George P. Hall,
Herman H. Roloff, and
Rudolph P. Bielka.

The following-named ensigns of the United States Naval Reserve Force to be ensigns, for temporary service:

Linwood L. Curtis,
Otmar L. Olsen,

Robert W. Ralston, and
Arthur Bernstein.

Paymaster Elijah H. Cope to be a pay inspector with the rank of commander, for temporary service.

Acting Pay Clerk Samuel L. Bates to be an assistant paymaster, with the rank of ensign, for temporary service.

Assistant Paymaster James Wilson, of the United States Naval Reserve Force, to be an assistant paymaster, with the rank of ensign, for temporary service.

The following-named acting pay clerks to be assistant paymasters, with the rank of ensign, for temporary service:

Claude C. Hanan,
Charles E. Leavitt,
Harrison W. McGrath,
Harry C. Mechtoldt,
Henry J. Taylor,
Charles W. Fox,
William S. Cooper,
Archie B. McKay,
Josephus M. Lieber,
George J. Schoonover,
Otto E. Matheny, and
Everett W. Brown.

The following-named assistant paymasters of the United States Naval Reserve Force to be assistant paymasters, with the rank of ensign, for temporary service:

Forrest F. Fulton and
John W. Mears.

The following-named officers to be assistant naval constructors with the rank of lieutenant (junior grade), for temporary service:

Herman R. Newby,
Lott C. Newton, and
Goldsboro Sessions.

Carpenter Emerson W. Amos to be an assistant naval constructor with the rank of lieutenant (junior grade), for temporary service.

Lieut. (Junior Grade) William N. Eichorn, of the United States Naval Reserve Force, to be an assistant naval constructor with the rank of lieutenant (junior grade), for temporary service.

The following-named lieutenants (junior grade), on the retired list, to be lieutenants on the retired list, for temporary service:

Alvah M. Smith,
Charles C. Beach,
Jesse E. Jones,
John Westfall,
Charles G. Wheeler,
William G. A. Schwerin,
Henry Feehan,
John L. Kelley,
Herbert J. Wiseman,
Edgar A. Robie,
Arthur Rogier,
Edmund H. Klamt,
William C. Staufer,
Norman McIntire,
Daniel R. Shackford, and
James Munro.

POSTMASTER.

MICHIGAN.

Cornelius A. Bates, Marine City.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 15, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts unto Thee, O God our Heavenly Father, from whom cometh all strength, wisdom, and purity. Impart unto us, we beseech Thee, of these things sufficient unto our needs, that with all diligence and perseverance we may do whatsoever we are called to do, with unswerving fidelity to truth and justice. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE COMPTROLLER OF THE CURRENCY.

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER. The gentleman asks unanimous consent to proceed for not more than 10 minutes. Is there objection?

Mr. FOSTER. Mr. Speaker, what does the gentleman want to talk about for 10 minutes?

Mr. McFADDEN. I have a bill and a resolution that I am presenting this morning, in connection with a couple of matters which I should like to call to the attention of the House. I think the matter is rather important.

Mr. FOSTER. Can not the gentleman get along with five minutes?

Mr. McFADDEN. I will try to.

The SPEAKER. The gentleman asks to proceed for not more than five minutes. Is there objection?

There was no objection.

Mr. McFADDEN. Mr. Speaker, the bill and joint resolution which I have offered are as follows:

A bill (H. R. 15983) to abolish the Bureau of the Comptroller of the Currency and the office of Comptroller of the Currency, and authorizing the Federal Reserve Board to perform the duties thereof.

Be it enacted, etc., That the Bureau of the Comptroller of the Currency in the Treasury Department, and the office of Comptroller of the Currency be, and they are hereby abolished, except as hereinafter provided in this act.

SEC. 2. That the duties now imposed by law upon the Bureau of the Comptroller of the Currency and upon the Comptroller of the Currency shall hereafter be performed under and by direction of the Federal Reserve Board; and all employees of the Bureau of the Comptroller of the Currency now provided for by law shall be transferred to and hereafter be under the control and direction of the Federal Reserve Board, which board shall also disburse all appropriations for salaries and for other expenses of the Bureau of the Comptroller of the Currency and shall submit detailed estimates in its next annual report of the number of employees, their salaries, and of other necessary expenses for the administration of the duties hereby imposed upon it by said board.

SEC. 3. That all acts or parts of acts inconsistent or in conflict with this act are hereby repealed.

House resolution 578.

Resolved, That the Speaker appoint a select committee of seven Members of the House, and that such committee be instructed to inquire into the official conduct of John Skelton Williams, Comptroller of the Currency, in his capacity as such comptroller, in the relationship thereof not only to the functions of said office as prescribed by law and by regulations issued by the Secretary of the Treasury and by said Williams, but also in his official relationships to the office of Secretary of the Treasury, Secretary of the Navy, Secretary of War, Commissioner of Internal Revenue, to the Federal Reserve Board, to the War Finance Corporation, to the Capital Issues Committee, to the United States Shipping Board, and to the Emergency Fleet Corporation, respectively; said committee shall also inquire whether said Williams has any private banking connections or partnerships or otherwise interested in banking or brokerage concerns in the cities of Richmond, Va., or Baltimore, Md., or both, and what connection any or all of these have had in the past year with purchases or sales of stocks in International Mercantile Marine and Russian bonds or other securities, if any fiduciary or other relationship exists or has existed between such banks and the Richmond Federal reserve bank or its branch at Baltimore, Md. Said committee shall also inquire into the official conduct of said John Skelton Williams in his official capacity as Director of Finance and Purchases of the United States Railroad Administration. Said committee shall also inquire into the acquisition of sites for naval operations of any kind and report to the House whether, in their opinion, the said John Skelton Williams, while in said office of Comptroller of the Currency or in an official capacity directly, indirectly, or ex officio in connection with any other governmental office, commission, board, or agency, has been guilty of acts which were designed or calculated to overthrow, subvert, or corrupt the Government of the United States, or any department or officer thereof; and whether the said John Skelton Williams has been guilty of any act, or has conspired with others to do acts, which, in contemplation of the Constitution, are high crimes or misdemeanors, requiring the interposition of the constitutional powers of this House; and for such purposes said committee shall have power to send for persons and papers and administer oaths, and shall have the right to report at any time.

Mr. McFADDEN. Mr. Speaker and gentlemen of the House, I desire to take these few minutes to call the attention of the House to a bill and a resolution that I am putting in this morning. One is to abolish the office of the Comptroller of the Currency and the other calls for an investigation of that bureau. I am prompted to do this because of several reasons. One of them comes in the form of a copy of a letter from John S. Fisher, the commissioner of banking of the State of Pennsylvania, to Richard L. Austin, agent of the Federal reserve bank at Philadelphia. He says:

A matter just came to my attention yesterday which I feel justified in mentioning to you. One of the trust companies of the State has been a depository for a number of years for one of the important railroad systems operating in the region. An officer of this company informs me that the Comptroller of the Currency has notified him that unless steps are taken by the 1st of February to convert the company into a national bank the railroad deposits will be removed to a national bank.

It seems to me that this is an unfortunate circumstance, and doubly so if it forecasts a fixed policy on the part of the comptroller. In the recent Government financial operations I am quite certain that the State institutions have done their full patriotic duty, just the same as the national banks. We are advised that there are to be further flotations of loans by the Government, and it seems to me untimely for the Government authorities to exercise any discrimination against the State institutions. If friction should arise as a result of such governmental policy, it is not difficult to anticipate that pressure may be brought to bear upon the State authorities to retaliate by removing State deposits to State institutions. In the past there has been no discrimination in this respect.

In addition to that I want to quote a letter from a banker who has this to say in regard to a similar situation just like I

have outlined here in regard to the transfer of the deposits of the Railroad Administration from trust companies and State banks to national banks in an attempt to force State banks and trust companies into the Federal Reserve System. I quote:

It's going to be hard on us if he should move these deposits from the moral effect, for we have had this account for 15 years without a complaint, and if the account is moved the bank will advertise it and try to slur us, and the public will naturally start to inquire why was the account moved, which would not be hard to explain, but hard to convince the public, but something must be wrong or else the account would not be moved. We would be glad to put up securities or do anything that would satisfy the Government that the deposits in this company were just as secure as they are in any national bank, but this won't satisfy Mr. Williams. We must nationalize. We trust companies must help finance the Government's loans by buying certificates and bonds, join the Federal reserve bank, but receive no favors. Does this look right?

It seems to me that if this practice is carried out to any great extent it will mean a disrupting of our financial system in the United States and is a power and an influence over State banks and trust companies which should not be exercised by the director of finance of the Railroad Administration or the Comptroller of the Currency acting in this dual capacity.

Mr. GARNER. Will the gentleman yield?

Mr. McFADDEN. I have only five minutes, and I have quite a good deal that I should like to say. This banker that I have just quoted has been to Washington, and he has consulted with the Comptroller of the Currency and the director of finance of the Railroad Administration, and they have practically made an effort to persuade him that if he would go back home and get his board of directors to convert his institution into a national bank or come under the Federal supervision they would continue the deposits.

Now, the laws in Pennsylvania are such at the present time that many of the trust companies do not feel that they have the legal standing that they should have, and some controversy is now taking place regarding amendments in our State legislature to unify and make possible closer relations between State banks and the national system, but such action as this, however, disrupts any getting together.

Mr. GARNER. Now will the gentleman yield?

Mr. McFADDEN. I will yield for a question.

Mr. GARNER. The gentleman's bill proposes, as I gather from the proposition at the other end of the Capitol, to abolish the office of Comptroller of the Currency and turn its duties over to the Federal reserve bank?

Mr. McFADDEN. That is one of the purposes.

Mr. GARNER. And according to your own argument you are interested because Mr. Williams is trying to strengthen the Federal Reserve System?

Mr. McFADDEN. He is withdrawing funds from State banks and trust companies in millions of dollars and transferring them to national banks on his own initiative, and I understand that this is a fixed policy and is being carried out deliberately.

Mr. GARNER. And doing it, as you say, for the purpose of strengthening the Federal bank system, to force them into that system. Do not you suppose some influence has been brought to bear on Mr. Williams by the Federal reserve banks to do that same thing?

Mr. McFADDEN. I do not know, but do know that he has withdrawn from one trust company tens of millions of dollars and transferred it to other banks, and they are one of the strongest and most patriotic trust companies in America. He has done this without any advance notice to them.

There are several other things in connection with this that I want to call to the attention of the House, and particularly the autocratic powers that are exercised by the Comptroller of the Currency in these matters. He is acting in a dual capacity—as Comptroller of the Currency and director of finance and purchases of the Railroad Administration. He is on the War Finance Board and the Farm Loan Board. There is an intermingling of responsibilities there which makes this power too marked.

I want also to call your attention to the fact that there have also been called to my attention cases where railroads have appealed to the finance division of the Railroad Administration for financial assistance, as provided for by recent legislation enacted by Congress, in which the revolving fund of $500,000,000 was created, and that John Skelton Williams, as director of finance, refused to grant advances to railroads unless the trusteeship under the mortgage was changed from the regular trustee of long standing to some other trustee that was acceptable to him. This is the rankest kind of discrimination, and is a stab in the back that any reputable institution would resent which had been acting in a satisfactory way for years for any railroad or corporation and for which they had perhaps worked many years to get as a customer. If such reports are true, they are subject to the most severe criticism.

The fear and anxiety of the banks of this country are manifest everywhere. I believe that unless these banks and bankers are reassured, or that if there is a continuance of this situation, it is going to interfere seriously with the cooperation of the banks in the sale of the next liberty loan. As now operated, this is complete strangulation of the finances of the country.

The system of examinations, as they are being conducted by the comptroller, seems to me most unfortunate; and right here I want to quote from two letters which I have received from bankers. I quote:

To show that I am right in my contention that I am in "the criminal class," I wish to advise that all of our directors feel that the examiners look upon them with keenest suspicion when they are here; also that an extra examiner, who had been working in city banks, coming here about two years ago, made the remark, after he had been here about 15 minutes, that he wished us to know that he did not expect to find anything crooked in this bank.

I wish now that I had called attention in my former letter to the fact that the department requires two examinations by examiners, two examinations by the board of directors, and six reports each year, so that 10 months of the year we are going through the throes of examinations.

The reports ask for information which has no bearing whatever upon the standing of the banks, and if furnished once or twice a year at utmost would be all that would be required for statistical purposes. In lending money we think if we have two reports a year from reputable parties that we can judge as to their credit. I think the burden of details could be considerably reduced and furnish the department all that is necessary for them to know as to our condition.

The second letter is as follows:

I wish that the officers of the Treasury Department would recognize the value of securing pleasant relations between it and the bankers of the country, and thus have the cooperation that should always exist in financial affairs. You are taking the proper course to have such conditions come, and a great benefit will surely result from your action.

There is one subject you touched upon lightly which I wished to come up for discussion, but there seemed to be no proper place for it, and so I said nothing. This was in regard to opposing the reappointment of Mr. Williams Comptroller of the Currency and going a step further and having the office done away with.

I have been in banking 47 years, and up to a few years ago thought it was a reputable profession, but since the comptroller's office has adopted its present policy I have felt that I might not live long enough to get out of "the criminal class" in which we are placed.

As I understand it, Mr. Williams's reappointment would mean five years more of the present policy, and my desire for recovering standing, in my own estimation at least, is not likely to be gratified.

The law provides that the Federal reserve bank can take over the work which the comptroller's office is now performing, and I trust that the day is not far distant when they will do so, as I know the bankers throughout the country will be treated most fairly and have a chance to feel that they are respectable members of society once more.

Many of the examiners who go out all over the country are from the South. For instance, the largest number of examiners from any State come from the State of Texas, and nearly all of these bank examiners are sent out to examine northern banks. Many of them are special examiners.

The SPEAKER. The time of the gentleman has expired.

Mr. WATSON of Pennsylvania. I ask unanimous consent that my colleague may have five minutes more. This is an important question.

Mr. FOSTER. I think, Mr. Speaker, we ought to go ahead with the regular business.

The SPEAKER. Is there objection?

Mr. FOSTER. I do not like to object, but I will object to anybody else. I think it is wrong to be taking up the time of the House.

The SPEAKER. Is there objection?

There was no objection.

Mr. McFADDEN. Now, in connection with my resolution to investigate the department, I hope that the Members of the House will think seriously over this matter, because there are floating around the country all sorts of rumors regarding this office and its administration under the present comptroller, and I think it is for the interest of the finances and banks of this country that these rumors should be cleared up. I am hoping, therefore, that this resolution will be given prompt and quick attention by the House of Representatives.

I need only point to the fact that during the term of office of the present Comptroller of the Currency many controversies have taken place between him and the banks and bankers all over the country. I need only to refer to the famous Riggs National Bank case and the more recent controversy with the Guaranty Trust Co., of New York, and several other instances which have been called to the attention of the House—one act recently in which the abuse by the comptroller of the Government franking privilege was called in question by the gentleman from Massachusetts [Mr. TREADWAY]. Afterwards some correspondence was inserted in the RECORD at the request of the gentleman from Virginia [Mr. MONTAGUE]. It was stated at the time that it was not done for the purpose of making it frankable but to get the RECORD clear.

To make the RECORD clear, I insert now the remarks of Mr. TREADWAY and Mr. MONTAGUE, including the comptroller's letter,

and would recall also the circumstances connected with the Comptroller of the Currency in his official capacity attempting to intimidate a reputable newspaper correspondent into silence and, if possible, into oblivion. I refer to the case of Norman Robinson, of the press gallery of this House, which controversy is mentioned in the remarks of Messrs. TREADWAY and MONTAGUE, just referred to. Mr. TREADWAY said:

I asked for time to call attention to another matter worthy of the attention of this House which appears to me to be an abuse of the franking privilege on the part of the Comptroller of the Currency, when he sends out to every bank in the United States a circular of notification that he has had some sort of trouble with a newspaper correspondent and in which circular he supports his claim for reappointment and reconfirmation upon the part of the Senate.

This statement reached me this morning from an official of a bank in my district. It had a number on the envelope showing that it was the general mailing list of the Comptroller of the Currency, and I only have time to read one or two very brief sentences showing that the franking privilege is used for the personal support of the gentleman himself. It seems to me a very improper action on the part of a Treasury official. It is headed "John Skelton Williams, the Comptroller of the Currency, to-day gave to the press the following statement." And in that statement he refers to the fact that he had called to his office a newspaper correspondent whom, he says, has written matter for the press asking that he should not be confirmed. He says that—

"A memorandum had been addressed with a view of conducting a campaign to oppose the confirmation of the Comptroller of the Currency in the event of his renomination. He (the newspaper correspondent) declined to affirm or deny his authorship of the memorandum."

Has not a representative of the press a right to send to his paper such matter as he may see fit, and does the Comptroller of the Currency have the right to call that man to his office to explain such correspondence and then send under the official frank of the Treasury Department such a letter as this of personal support of himself to every bank in the United States? The gentleman from Illinois a few moments ago called attention to the clogging of the mails from the soldiers. But if the use of the frank of the Comptroller of the Currency clogs the mails in any way for his personal aggrandizement, can not he stop it and give our soldier boys a chance to hear from the folks at home? [Applause.]

Letter inserted by Mr. MONTAGUE:

TREASURY DEPARTMENT,
COMPTROLLER OF THE CURRENCY,
Washington, February 1, 1919.

DEAR CONGRESSMAN: I thank you very much for calling my attention to the complaint made by Congressman TREADWAY to-day on the floor of the House, to the effect that the Comptroller of the Currency should have sent out, in franked envelopes, a copy of his press statement of January 23, which, in the opinion of the Congressman, was not properly frankable.

It is entirely true that copies of this press statement (embodying the proposal of a certain newspaper man which was prepared with a view to conducting a propaganda against this office and the Comptroller of the Currency) were sent by mail in the ordinary Treasury envelopes which are used for the distribution of all official mail.

Evidence in my possession showed that not only the Comptroller of the Currency personally but the administration of this bureau were being wantonly, maliciously, and unjustly attacked; and I believed it was to the interest of this bureau and its effective administration that the banks—which are under the supervision of the Comptroller of the Currency, and to which the regulations and instructions of this bureau are issued—should be informed as to the origin and character of the attacks which were being made upon it. In fact, I believed it to be my duty to inform the national banks of the sinister character of the efforts which were being put forth to destroy or impair the authority of and respect for the comptroller's office, which must be sustained if its service is to be effective, and if the results which it is expected to accomplish are to be secured.

The statement which was given to the press and mailed to the national banks showed that these attacks were being made deliberately and "disguised"; that the plan was to "get several bankers in on the deal"; that even the bankers who were to contribute to the expense fund were not to be told "who is to handle the publicity at the beginning"; and that everything was to be done "quietly at first." For supervising and conducting a shameless attack upon a public officer, against the integrity of whose administration the discredited newspaper man admitted he had never heard a complaint or criticism, he proposed—in the memorandum which accidentally fell into my possession—that his "charges" would be "$250 per week."

I do not believe that your colleagues in the House of Representatives would approve or condone for one moment such tactics, and I trust they will concur in the view I take, that the subject was one which I was justified in bringing to the notice of the national banks under the supervision of the Comptroller of the Currency.

In view of the complaint which Representative TREADWAY has made on the floor of the House, I hope that as a matter of fairness the press statement upon which he based his complaint (a copy of which I inclose) may also be printed in the CONGRESSIONAL RECORD.

Faithfully, yours, JNO. SKELTON WILLIAMS.

Hon. A. J. MONTAGUE,
House of Representatives, Washington.

TREASURY DEPARTMENT,
COMPTROLLER OF THE CURRENCY,
Washington, January 23, 1919.

John Skelton Williams, the Comptroller of the Currency, to-day gave to the press the following statement:

"The origin of propaganda recently started against the Comptroller of the Currency and this office is explained by a document which came into my possession accidentally within the past few weeks, a photograph of which, in the interest of decent journalism and fair play, I feel it my duty to make public.

"The document is headed 'Memorandum for Mr. ———.' The name, typewritten in the memorandum, but which I prefer not to make public now, is that of an official of a banking institution (not national) which has been under serious criticism by the comptroller's office for months past for irregular, unlawful, and discreditable practices.

"Evidence in my possession shows that this 'memorandum' was prepared by a newspaper correspondent in Washington, who was the author of the recent stories sent out from Washington to various newspapers (to the effect that active opposition to the confirmation for a new term for the Comptroller of the Currency had been developed on the part of both Democratic and Republican Senators and criticizing the comptroller's administration) and who probably was the instigator of other articles of like tenor.

"This correspondent was sent for. He came to the Treasury last Monday and was asked whether he had sent out stories crticizing the Comptroller of the Currency. He first denied that he had done so, except to one newspaper in Buffalo, N. Y., of which he said he was the Washington correspondent; but subsequently he admitted that he had furnished the material for the story to various other newspapers in different parts of the country, including among others, the New York Tribune, the Wall Street Journal, papers in Boston, Louisville, etc.

"Although he refused to admit that he had delivered the document mentioned above to the bank official to whom it was addressed, he confessed that he had been in consultation with that official in this connection on a number of occasions and had received his criticisms of this office, and that he had been carrying on negotiations with some one whose name he refused to divulge—but who was evidently the bank official to whom the 'memorandum' had been addressed—with a view to conducting a campaign to oppose the confirmation of the Comptroller of the Currency in the event of his renomination. He declined to affirm or deny his authorship of the 'memorandum.' His refusal to disclaim may be taken fairly, under the circumstances, as confession.

"He said he had not yet received 'a nickel' for his propaganda work, but subsequently admitted that he had, within the past few weeks, gotten money as a loan from the banker to whom his memorandum was addressed and who had been secretly attacking and criticizing the Comptroller of the Currency.

"He claimed that his negotiations as to the propaganda were only under way. In response to my question whether he had ever heard any breath of criticism directed against the integrity of my administration, he declared that he had not.

"He insisted that he had not yet consummated his negotiations for conducting his 'publicity campaign' and getting newspapers to print his 'disguised' stories, although he confessed that he had already given wide circulation to the yarns he had written in the effort to injure the comptroller.

"I am a little doubtful as to whether this newspaper scribbler (a discredit to a noble profession, seeking fees to defame a Government official) or the contemptible offender with whom he was conspiring should be dignified with public notice, but I think the people should understand the nature of some of the things appearing in the newspapers, so as not to be imposed upon and in order that they may distinguish paid-for propaganda from real facts.

"The following is a copy of the 'memorandum' referred to in the foregoing statement, a photograph of which memorandum by chance, but unfortunately for its author, has come into the possession of the Comptroller of the Currency:

"'Memorandum for Mr. ———.

"'If reappointed and confirmed, the present Comptroller of the Currency will remain in office for five years.

"'All that is needed is determination on the part of two or three Republican Senators. If they assume the responsibility, the Democrats are not apt to make a serious fight for Williams in the Senate.

"'A publicity campaign should be started at once, but should be run very quietly. Several papers will print stories if the stories are handed to them disguised.

"'Full publicity can come when the name is sent to the Senate and referred to the committee.

"'In the meantime a story here and there would help the Senators along.

"'Get several bankers in on the deal. Do not tell them who is to handle the publicity at the beginning. That is a matter strictly between you and me for the present, because I will want to work quietly at first, since when I have to come out in the open I will be sure to make some enemies in high places.

"'Since the fight promises to last only a few weeks, and in handling the publicity I will be sure to incur some enmities, the charges will be $250 a week. I am sure I can do some good work for the cause.'"

It seems to me, in connection with the investigation at the other end of the Capitol in the hearings before the Banking and Currency Committee on this matter, that the attention of the House should be carefully directed to this situation.

I want to call the attention of the House to the fact that to continue to vest such powers in the hands of any one man is a mistake, and to continue this control will be a big factor in the future financing of the Government and its industrial and railroad situation and the many other operations as well in this country.

I call attention to the fact that rumors are floating around that the Comptroller of the Currency has used information obtained in his official capacity for speculations in stock and personal profits, and that he has not hesitated to pass the word around to the faithful. I call attention to the rumor floating around that there are many speculators among the people connected with private banks and bankers who get information from this source, and I think it well to look into the New York, Richmond, and the Baltimore connections which are either controlled by Williams or members of his family, and I would also point to the recent wild speculation in International Mercantile Marine stock while the Government was deciding what it would do with their tonnage.

I want to call attention for a moment to the make-up of the board of the War Finance Corporation. This corporation is now before the Ways and Means Committee asking for a continuance of this legislation notwithstanding that the war is over. I want to point out to the House the make-up of the board.

Clifford M. Leonard, of Chicago, is a director, known very little as a financial man but selected for some reason or other. Angus W. McLean is the political chairman of the Democratic State committee of South Carolina. Eugene Meyer, jr., of New York, is managing director of the board, and is a large stockbroker in New York. W. P. G. Harding is governor of the reserve board, and the other member is Carter Glass, Secretary of the Treasury.

Now, in regard to the other motion, to abolish the office of Comptroller of the Currency, when during the year 1914 I had the honor of serving as president of the Pennsylvania Bankers' Association, in my annual address delivered at Cape May, N. J., I said the following:

I would speak of one particular phase of the Federal reserve act under which system the national banks are now operating, and that is the position which the Comptroller of the Currency occupies in connection with the Federal Reserve Board. It is undesirable to have a Comptroller of the Currency who is, in a sense, a subordinate officer of the Secretary of the Treasury, holding a position on the Federal Reserve Board. Such an arrangement not only gives two political appointees on the board, but gives the seat to one man, who is in a sense, the subordinate of another member of the same board. I am of the opinion that there are many reasons why nearly all the duties of the Comptroller of the Currency might better be exercised by the Federal Reserve Board than continue under the present arrangement, and I believe that were the several members of the Federal Reserve Board frankly to express themselves, they would hold the same view. The Comptroller of the Currency has extremely autocratic powers. It is probably necessary that he should have autocratic powers, but it would certainly be very much more satisfactory to bankers in general if such powers were vested in a board, rather than in one man.

As to the more or less technical reasons why the Federal Reserve Board could well assume the duties of the comptroller's office, there is no need for me to elaborate. Anyone familiar with the working of the Federal Reserve Board and the comptroller's office can see how readily the powers of the latter office could be absorbed in the work of the Federal Reserve Board, and how, unless that is done, there will, of necessity, be a large amount of duplication of work, and such duplication has not fully appeared as yet, because the Federal reserve banks have not taken up the subject of examinations very rigorously. And even now there is some question as to just how much of the information gained through the regular reports and examinations of bank examiners the various Federal reserve banks are entitled to receive. Under the act the Federal Reserve System, of 12 regional banks, has the right to make special examinations. This power has not as yet been exercised.

If the Federal reserve directors are not furnished with satisfactory information from the comptroller's department, in all probability the Federal Reserve System will itself, or through its 12 regional banks, start independent examinations to secure this information, and it would, therefore, seem, and I have no hesitation in saying that I believe, the absorbing of the comptroller's office by the Federal Reserve Board would be proper, and that the act should be so amended as to permit this being done.

Nothing since I made this statement has changed my mind except to make me more strongly convinced that the office should be abolished.

Gentlemen, under the stress of party power and war necessities, there has been conferred entirely too much power and authority in the hands of one man, and if continually exercised and resorted to can have but one end—autocratic power in a democracy. When we have won the war for democracy why should we continue autocratic power over the finances of this country? The people of this country are tired of it. [Applause.]

I will not take up further time of the House, but ask unanimous consent to extend and revise my remarks.

ARMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill 15835, making appropriations for the support of the Army for the fiscal year ending June 30, 1920.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SAUNDERS of Virginia in the chair.

Mr. KAHN. Mr. Chairman, when the committee rose the gentleman from Wisconsin [Mr. STAFFORD] had reserved a point of order on the paragraph about the transportation of the Army. I want to call to the attention of the gentlemen of the committee that one of the reasons why the amount is so considerable is this: During the war both England and France turned over to the Government of the United States certain tonnage. It was agreed that this Government would pay for the transportation of our soldiers to the other side, and, of course, that we would also pay for the transportation of the soldiers back to this country. The respective countries have not yet come to an agreement—that is, our country and England—as to the price that was to be paid for this transportation. This country thought that the English demand was somewhat excessive, and Brig. Gen. Hines has gone to England with the view of straightening out the matter.

It will take a very large sum of money in the next fiscal year to bring back to this country 1,200,000 men, if the Army should be reduced to that number by the beginning of the next fiscal year. Of course when the soldiers arrive on the seaboard of the United States they have to be transported over the railroad lines to the different demobilization camps, and again from those camps to their respective homes. When you undertake to carry aboard the steamships and over the railroad lines such an enormous number of men it naturally requires a large sum of money to accomplish their transportation.

Mr. STAFFORD. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. STAFFORD. Has any estimate been made as to the cost of transportation on our own ships for the troops taken abroad?

Mr. KAHN. Not of troops, as I recall. But at the time of the entrance of our Government into the war the rate for carrying passengers was anywhere from $125 to $150 a passenger across the Atlantic.

Mr. STAFFORD. It is not proposed by the British Government to charge our Government passenger rates for the transportation of troops, is it?

Mr. KAHN. That is a matter that is being worked out at this time. I do not know what the amount may be that the British Government is charging, but it is with a view of bringing about a compromise agreement as to the amount to charge for each soldier.

Mr. STAFFORD. I am informed that the British Government charged at first $50 per man for transportation and later raised it to $100, and then to $150. Is that true?

Mr. KAHN. I am not informed as to that. I believe that the testimony before the committee was that no agreement had been reached, and that the entire matter was still in process of settlement; that is, both Governments are trying to reach an agreement, and no money has been paid as yet for transportation of our soldiers across the Atlantic Ocean.

I want to say in all frankness that this Government took the position that the amounts that were suggested by the English Government were rather excessive. Because a great deal of tonnage had been destroyed by the time we got into the war, the amount fixed by our Government for passenger traffic across the Atlantic was so much more than had been charged for a good many years before we did go into the war that more than that former price seemed excessive.

Mr. STAFFORD. I assume the high rate that was charged by the British Government of $150 per man, or according to what I have heard they attempted to collect from our Government, was based largely upon marine risk which would arise by reason of the transport of our troops across the sea.

Mr. KAHN. Possibly to some extent that was the cause, but the scarcity of tonnage, the absolute scarcity of ships, caused the rates to rise all over the world.

Mr. STAFFORD. Yes; and were those ships controlled by the British Government?

Mr. KAHN. No.

Mr. STAFFORD. Were they British Government ships, or were they privately owned ships subsidized by the British Government?

Mr. KAHN. They were privately owned ships, and whether they were subsidized or not I do not know. All of the English ships are privately owned.

Mr. STAFFORD. But they had been commandeered by the British Government for war purposes.

Mr. KAHN. Yes.

Mr. STAFFORD. So that they were virtually, at the time of their use by the American Government for the transportation of our troops, British Government controlled ships.

Mr. KAHN. Oh, yes; they were controlled by the Government.

Mr. STAFFORD. So the claim is a claim that the British Government makes against our Government, rather than a claim that private shipowners make against the Government.

Mr. KAHN. That is very true.

Mr. STAFFORD. Can the gentleman furnish the committee with what proportion of this extremely large amount, $449,000,000, was supposed to be used for transportation?

Mr. ANTHONY. Mr. Chairman, if the gentleman from California will yield, I have the figures here.

Mr. KAHN. I yield to my colleague from Kansas.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KAHN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ANTHONY. Of the total of $449,000,000 it is proposed to use $106,000,000 for the charter of vessels, $156,800,000 for the maintenance and operation of vessels, $31,000,000 for reimbursement for losses of chartered transports, $27,000,000 for shore

establishments, which means debarkation and embarkation, I imagine. They want $30,000,000 for the purchase of ships, and an item of $5,000,000 for the purchase of harbor boats. These are the principal items which make up the big item.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. SNELL. Is there any appropriation carried in the bill for the purchase of additional horses and motor trucks?

Mr. ANTHONY. Yes.

Mr. SNELL. What is the need of that at this time?

Mr. ANTHONY. We have a provision, I think, for $100,000 for the purchase of horses. We figure that the Army has perhaps sufficient horses, more than enough, and they are now selling surplus horses; but there are certain types of horses that they want to continue to buy, such as young animals for the remount stations, where we train them for a year or two until matured, and we want to keep a supply of young animals passing through.

Mr. KAHN. Besides that, the Government has agreements with the farmers who produce horses for the Government that it will take them off their hands after they obtain a certain age.

Mr. ANTHONY. Yes; of that type.

Mr. SNELL. That is, regardless of the number they may have on hand?

Mr. ANTHONY. Yes.

Mr. SNELL. What is the provision for additional automobiles and automobile trucks carried in this bill?

Mr. ANTHONY. My understanding is that none of this money is to be used for any large purchase of automobiles or automobile trucks. They intend to develop and standardize certain types, and will probably use a small amount of the appropriation in that way, but there is a tremendous surplus of automobile trucks and automobiles.

Mr. SNELL. That is what caused me to wonder why it was necessary to buy any more.

Mr. ANTHONY. They want to experiment and standardize types, and I think the gentleman can feel assured that the department is sincere in its promise that it has no intention of making any more large purchases.

Mr. SNELL. Does the gentleman know what is going to be done with all of these new trucks now here in the vicinity of Baltimore at the present time, and the ones that are continuing to be delivered?

Mr. ANTHONY. They will be placed in storage now.

Mr. SNELL. Are they in storage now?

Mr. ANTHONY. Gen. Goethals told the committee that he had no knowledge of the conditions that had been stated in the House by the Member from South Dakota, and that he did not believe there were any great number of trucks standing outdoors exposed to the elements that the gentleman mentioned.

Mr. STAFFORD. Mr. Chairman, if the gentleman will permit, I have some personal knowledge of what has been done at Camp Holabird, near Baltimore, where these trucks are kept. All of the trucks that were parked there during the summer, waiting shipment or call for service, are being knocked down and boxed up and prepared for storage, and a large number of our soldiers are being used for that work, and have been for the last two months.

Mr. ANTHONY. Did I understand the gentleman from Wisconsin to make the point of order on the purchase of ships?

Mr. STAFFORD. I have reserved the point of order on the whole paragraph.

Mr. ANTHONY. It covers the item of the purchase of ships?

Mr. STAFFORD. Yes.

Mr. ANTHONY. I would say to the gentleman in regard to the item of $5,000,000 for harbor boats that I have never believed there was the slightest necessity for the appropriation for such boats, for the Navy must have hundreds of small boats and auxiliary craft that can be utilized for that purpose.

Mr. STAFFORD. With other services like the Coast Guard Service, they come to Congress for a special authorization for additional boats.

Mr. ANTHONY. Yes.

Mr. STAFFORD. Then why should we make a blanket authorization here and make available half a billion dollars, virtually, for the purchase of transports and replacements when there are Army transports that have been used for years?

I would like to direct the gentleman's attention to his summary of the estimates. In the estimates he gave there is accounted a total of $355,000,000 out of $449,000,000.

Mr. ANTHONY. There are a great many other items in the bill——

Mr. STAFFORD. What is the balance of $94,000,000 you have not accounted for to be used for?

Mr. ANTHONY. The transportation of the Army in this country runs into tremendous figures.

Mr. STAFFORD. Will the gentleman kindly give us the amounts?

Mr. ANTHONY. There is an estimate of $5,000,000 for troops changing stations. Impedimenta and organization of property accompanying troops changing stations is a question of a million or more. I will not give the very small items, but just the larger ones.

Mr. STAFFORD. I can not agree with the gentleman that $1,000,000 is a small item.

Mr. ANTHONY. They are in these times. Transportation of recruits——

Mr. STAFFORD. Certainly it is not in peace times.

Mr. ANTHONY. Transportation of recruits, $7,000,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent that the gentleman from Kansas may have five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. ANTHONY. Transportation of applicants for enlistment, $2,000,000; transportation subsistence stores, $1,900,000; transportation of miscellaneous quartermaster stores, $11,000,000; transportation of ordnance and ordnance stores and small arms, $1,000,000. I am just giving the big items.

Mr. KAHN. What have they for railway transportation?

Mr. ANTHONY. Here is another item I overlooked, sailing of public transports, $33,000,000.

Mr. STAFFORD. What is included under the general phrase "sailing of transports"?

Mr. ANTHONY. I imagine that covers the entire expenses of the operation of public transports.

Mr. STAFFORD. I was under the impression that the Navy had that.

Mr. KAHN. The Navy furnished the crews, and the Army runs the transports and always has run the Army transports. They are called Army transports.

Mr. STAFFORD. Then, this $33,000,000 is the actual operation of Army transports and provides for fuel and maintenance of ships, whereas the personnel is furnished by the Navy and paid for by the Navy?

Mr. KAHN. In most of the transports I imagine they still have some of the old men on the transports who were there before we got into the war and who are civilians.

Mr. ANTHONY. Let me say further to the gentleman that, in my opinion, it is impossible to itemize all of the expenses of the return home of the troops in France, and this item is intended most largely, probably 85 per cent of it, to be devoted for that purpose, and the real facts are that regardless of the paper plans of the War Department, and even if we vote all the money carried in this bill, we are going to be called upon for a large deficiency to make up the expense of bringing back our troops in France, for the maintenance of the large number of men we know will be in France at the beginning of this fiscal year, and, in my opinion, the committee is largely wasting its time in cheeseparing or criticizing items in this bill, all of which I think are bound to be widely exceeded before we get these men back and conditions in the Army are restored to normal.

Mr. STAFFORD. If the gentleman will permit, I can not place myself in the enlarged frame of mind of gentlemen on the Committee on Military Affairs and agree when I seek information as to a half-billion-dollar item and attempt to reduce it by $25,000,000 or $30,000,000, that that is cheeseparing. I know that the Committee on Military Affairs has been living for the past two years in extravagant expenditures of billions of dollars, and the Committee on Appropriations have been lately trying to cut down those authorizations, and that is my present purpose.

Mr. ANTHONY. Let me say to the gentleman that when an item of about a billion dollars comes in in next year's military deficiency, even after this money is voted, he will perhaps understand the point I am trying to make——

Mr. STAFFORD. No; I will not understand, because I will not be here, and I will not be charged with that responsibility.

Mr. MILLER of Washington. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. MILLER of Washington. Has the gentleman any information as to the basis of charges for the transportation of troops on the interned German ships?

Mr. ANTHONY. I can give the gentleman, perhaps, some information as to the status of the capacity with which we will be able to bring troops back from abroad. Col. Bettison, of the Transportation Department, tells me that we have bunk capacity in American bottoms to-day for 160,000 men, but, on account of the fact they can not make a turn around within 30 days—within a month—he says we can bring back 120,000

only each month in American ships; but they hope to be able to close arrangements with the British Government by which they will secure a capacity of about 50,000 more men, for which we are to pay, not the price that the gentleman from Wisconsin suggested, $150 or $170, as the English Government tried to charge us, but we are going to pay the exact cost of the service, which is to be figured out by boards which will be appointed for that purpose. Then, in addition to that, negotiations are under way for a capacity of 11,000 from the Italian Government, and it is very nearly closed——

Mr. MILLER of Washington. Monthly?

Mr. ANTHONY. Monthly. Then, we are making arrangements for 11,000 with the French Government and for a capacity of 11,000 with the Scandinavian countries, which brings the total monthly capacity to about 180,000, as I had it figured. That brings us to the question of how much capacity we are going to get from Germany. Right now boards are at work in the harbor of Bremen surveying German ships to see if we can get an additional capacity of 70,000, but I am informed we will not be able to get up anywhere near that, but that we are going to get some German capacity. Those ships will be taken to England, the German crews will be taken off, and American naval crews will be put aboard.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTHONY. I would ask for three minutes more.

The CHAIRMAN. Is there objection to the request? [After a pause.] The Chair hears none.

Mr. ANTHONY. And all this tonnage will give us a total capacity, in my opinion, of about 200,000 men per month with which we will be able to return troops from France. The War Department, optimistic as usual, thinks it can handle 300,000 men per month, but I believe my estimate of 200,000 per month will prove nearer right.

Let me carry this a little further and say that within the next four months we can get back over 800,000 men. That will leave us a million men in France on July 1, and there is the absolute certainty that these appropriations, as large as they are, are not going to take care of the expenses for the maintenance of our Army in France, in this country, and in our insular possessions the next fiscal year. All the criticism which has been leveled at this bill for being too lavish falls to the ground, because it is a dead certainty that, whether we want it or not, we will have more men in service next year than even this bill provides for. It is a physical impossibility that it be otherwise.

Mr. MILLER of Washington. The question is concerning these interned German ships. Who is operating them and at whose expense?

Mr. ANTHONY. The interned ships in this country are operated by the American Government now.

Mr. MILLER of Washington. By the Navy Department?

Mr. ANTHONY. By the Navy Department. This appropriation goes to pay the expense of their operation, but they are in charge of naval crews and naval commanders.

Mr. MILLER of Washington. Just the actual expense of the navigation?

Mr. ANTHONY. The actual expense of the navigation and the expense of their operation.

Mr. MILLER of Washington. It is charged up against the War Department, and the War Department accounts to the Navy Department?

Mr. ANTHONY. The War Department pays the bill. We have a department of embarkation and transportation. All the Navy Department will pay will be the salaries of the naval officers and pay of the naval crews.

Mr. McKENZIE. The statement shows that the department cost per capita will be $70 to the Navy.

Mr. SNELL. I want to get some more information in regard to these trucks. The gentleman from Wisconsin [Mr. STAFFORD] says they are bringing them over to near Baltimore and taking them apart and storing them.

Mr. STAFFORD. I beg the gentleman's pardon. Camp Holabird was the large station on the Atlantic coast——

Mr. SNELL. I know all about that.

Mr. STAFFORD (continuing). For the stores of the Quartermaster's Department and the collecting point for all these automobiles that were manufactured by the respective concerns of the country where they have collected for shipment abroad. Large numbers of them were there at the time of the armistice, parked about the premises, consisting of several thousand. Those are being knocked down and put in crates so that they can be stored for future use.

Mr. SNELL. If we are knocking them down there and storing them, why do we continue to manufacture them at the present time?

Mr. STAFFORD. That is something I can not answer, and I do not see any warrant for their doing it.

Mr. ANTHONY. I will say to the gentleman that on a large number of contracts there were trucks and automobiles coming there with probably a large percentage toward completion. It was not deemed wise, it was explained, to absolutely stop the work on these vehicles, and they will be probably allowed to be completed and be delivered to the Government.

Mr. SNELL. Why would it not be easier to box them up and store them where they are at the present time than to put them together and drag them to the Atlantic department and erect buildings in which to store them again?

Mr. ANTHONY. The bill carried $50,000,000 for inland storage, which will be largely for the storage of quartermaster's supplies, where our immense surplus of material accumulated through the war contracts can be safely taken care of until they can be disposed of.

Mr. SNELL. There are several thousand of these trucks that have accumulated there at the present time. I was so informed a few days ago.

Mr. ANTHONY. Undoubtedly there has been the wildest extravagance.

Mr. CRAGO. This bill does not provide a cent for anything of that kind.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. FREAR. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FREAR. I understood the gentleman from Kansas to say to the committee that 1,000,000 troops will be left in Europe by the 1st of July, and he nods his head in acquiescence.

Mr. ANTHONY. That is the case.

Mr. FREAR. I ask the gentleman if he has heard the statement that Gen. Foch requested Gen. Pershing that 1,000,000 men remain in Europe until further directions from him?

Mr. ANTHONY. No; I have not.

Mr. FREAR. I have had that brought to me, coming from Army sources, and I ask if any member of the committee has heard it or has received any information on the subject that the House can have?

Mr. ANTHONY. I think it is the intention of the War Department, so far as we can get it, to bring our men back as fast as they can bring them home, but it is physically impossible to get them all back before the beginning of the fiscal year, and there will be a million men of our Army in France next summer whether or no.

Mr. FREAR. If that be true, will the gentleman inform the committee why these letters that we all receive from different camps in the country that the men are not brought back, and that the officers refuse to discharge them, and state that they will put them in the guardhouse if they make those complaints? I have such statements in my pocket now.

Mr. ANTHONY. I think the figures will show that the Army in this country is now being demobilized at a fairly rapid pace. The bad conditions spoken of have undoubtedly existed heretofore, but the War Department, yielding to the criticism that it has brought upon itself, is now demobilizing in this country at the rate it should have begun last November.

Mr. FREAR. Does it require the weight of criticism to have the War Department carry out its own orders?

Mr. ANTHONY. It requires, I fear sometimes, more than that. While we are on that point, I wish to say that since this debate started I have noticed the tendency of gentlemen in the House, particularly on the majority side of the Chamber, to vent their criticism of Army delinquencies on the Committee on Military Affairs. Now, this committee is certainly not responsible for the conditions pertaining to the failure to demobilize in this country as fast as should have been done and as the gentleman from Wisconsin [Mr. FREAR] has set forth. Those who are attacking this bill should remember that this committee has nothing to do except to recommend legislation. We have nothing whatever to do with the executive administration of the Army and its affairs. And what is more, I want to say to gentlemen on the other side of the aisle that they should be open enough and straightforward enough in making these criticisms to place them where they properly belong, namely, on those responsible for the administration and discipline of the Army. Their President is the Commander in Chief of the Army, and their Secretary of War is the one who carries out the Executive orders.

Mr. FREAR. If the gentleman will allow me to interrupt him, I want to say that he has been pointing to the opposite side of the Chamber, so that it will be understood in the House what is meant by his remarks.

Mr. ANTHONY. I want the criticisms to go where they rightfully belong.

Mr. FREAR. Is it not true that the President of the United States has asked to have these troops demobilized as quickly as possible and that the Secretary of War, in pursuance of that duty and order has transmitted that request down the line, and yet we all have in our pockets requests from men in the South in these various camps who are unable to get their discharges, and the discharges are refused by men in charge of those various camps and detachments? That is true, is it not?

Mr. ANTHONY. Yes.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. EMERSON. I would like to get some information about these automobiles. I have received letters and telegrams asking if they are to be sold. Can the gentleman give me any information on that subject?

Mr. ANTHONY. I think our surplus automobiles and trucks are ultimately to be disposed of. The department says it does not believe it wise to throw them all on the market at one time; that it would demoralize the automobile industry. They will probably be disposed of just as rapidly as conditions justify.

Mr. EMERSON. The gentleman has no definite information about it?

Mr. ANTHONY. No.

Mr. STAFFORD. Will the gentleman inform the House whether the War Department has made any effort with the manufacturers of these half-completed or almost completed automobile trucks to take them off its hands, and have the manufacturers dispose of them to the trade? That, it seems, would be a practical business proposal to get rid of this large number of trucks that were ordered for emergency war purposes.

Mr. ANTHONY. Let me say to the gentleman that the statement here shows that contracts for trucks and automobiles were canceled widely all over the country on November 11. The process of adjustment on these discontinued orders, of course, will go on between the heads of the department and these companies, and eventually the contracts will be settled on some equitable basis.

Mr. STAFFORD. The gentleman has not answered my inquiry. My inquiry is whether the War Department has made any effort to have the motor trucks taken back by the automobile manufacturers themselves, perhaps at a reduced price, and allow the private manufacturers to dispose of them to the commercial trade.

Mr. SNELL. It has been intimated by the manufacturers that none of these trucks are to be disposed of in the open market. I would like to know whether that is true or not.

Mr. STAFFORD. My suggestion, I believe, would be a solution in a practical way, for the manufacturers to take them rather than have them sold in wholesale quantities.

Mr. SHALLENBERGER. Mr. Chairman, I yield to the gentleman from Virginia [Mr. HARRISON].

Mr. HARRISON of Virginia. Mr. Chairman, I have some figures here which show the view of the Army in regard to the number of men—the average number of men—that will have to be provided for in this appropriation bill. The gentleman from Illinois [Mr. MANN] said yesterday that there was bound to be a deficit, and I understood the gentleman from Kansas [Mr. ANTHONY] to make the same statement this morning. I think the War Department should have the figures placed before the House, the figures which the department has submitted, which show that as a matter of fact the average number of men under arms during the next fiscal year will not be 500,000 men.

I have figures here, which I will ask leave to put in the RECORD, showing the demobilization, beginning November 11, week by week. It is shown that on February 1 there were 991,133 men demobilized. The figures up to to-day, which, however, do not include all the figures, because all these reports come in gradually—the figures for demobilization up to to-day total 1,272,000.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. HARRISON of Virginia. I would like to get these figures in, and then if I have the time I shall be very willing and glad to yield.

The CHAIRMAN. Does the gentleman yield or not?

Mr. HARRISON of Virginia. Just so I get the time to make the Army's explanation, to which I think they are entitled, I will be glad to yield to all these gentlemen.

The total demobilization up to date, so far as the reports have come in, indicate 1,272,000 men, of whom 229,000 are men who have been brought home from France. The figures for the last week of officers discharged were 5,000, making a total of 66,000 officers that have been discharged. Of the men who were brought from overseas, 39,620 were brought last week; that is, the week ending February 7. I have the figures here of to-day, but they are imperfect. I will take the next perfect figures, which are 39,620, which make 215,749 men. Here is a chart showing the progress made.

Now, Gen. March stated before the committee, and the statement was also made by other officers before the committee, that the demobilization was necessarily very slow in the beginning. It was very slow because they have been bringing home the wounded men, and they can not bring them home with the same rapidity, because they can not bring the same number of men in a vessel. They are also going to get increased facilities by the use of the German ships and by the use of a German port, where they can be very much more readily loaded.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. GARNER. Of course, that applies to the troops in France. But what is the reason given for not demobilizing the troops in this country?

Mr. HARRISON of Virginia. They demobilized 85,000 last week.

Mr. GARNER. But even if they did demobilize 85,000 last week, that still leaves 700,000 here. They gave out the statement some time ago that in 30 days' time they would demobilize all the soldiers who were in this country. That statement was made by Gen. March or some other officer before the Committee on Appropriations.

Mr. HARRISON of Virginia. I do not understand it.

Mr. GARNER. I have never found anybody able to give the explanation why they do not demobilize all troops in this country.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. DENT. Of course, the gentleman from Texas must realize that to demobilize the troops in this country every one must first be examined, and that takes a long time.

Mr. GARNER. He made that statement, and, having made it, why should he not do it?

Mr. DENT. He was making a too optimistic statement.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. LONDON. Is there not a fear entertained that too rapid demobilization would flood the labor market?

Mr. HARRISON of Virginia. No. All the officers, including Gen. March and the Secretary of War and all the men who have in charge the demobilization business, every one of them, makes the positive statement that they are demobilizing just as fast as they can possibly do so.

Mr. DYER. The gentleman does not believe that, so far as this country itself is concerned, does he?

Mr. HARRISON of Virginia. I have nothing to go by except the statements of the officers who are in charge of it.

Mr. EMERSON. Can the gentleman tell us how many have been demobilized in this country?

Mr. HARRISON of Virginia. One million two hundred and seventy-two thousand have been demobilized.

Mr. EMERSON. I understand that something over 200,000 have been brought back.

Mr. HARRISON of Virginia. Two hundred and twenty-nine thousand have been brought back from France.

Mr. EMERSON. Have they been demobilized?

Mr. HARRISON of Virginia. They have been demobilized.

Mr. EMERSON. Does that include the wounded?

Mr. HARRISON of Virginia. Yes; that includes all those who have been brought back from France who could be demobilized.

Mr. STAFFORD. The gentleman stated that up to date 66,000 officers had been discharged from the service. What is the total number of officers remaining in the service? I ask that so as to show the proportionate number who have been discharged since the armistice.

Mr. GREENE of Vermont. About 175,000.

Mr. HARRISON of Virginia. The gentleman from Vermont says about 175,000. The gentleman from Wisconsin will have to ask some of the older members of the committee.

Mr. STAFFORD. The gentleman has not those figures?

Mr. HARRISON of Virginia. No; I have not. As I say, the statements of the officers before this committee were that the Army would be demobilized just as rapidly as possible.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD. I ask unanimous consent that the time of my colleague be extended five minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that the time of his colleague be extended five minutes. Is there objection?

There was no objection.

Mr. HARRISON of Virginia. The statements of the officers before the committee and to me personally were that they proposed to bring back the soldiers from France, without regard to the army of occupation or without regard to any sort of obligation that now exists, just as rapidly as they possibly can, and that they have a reasonable expectation of bringing home 300,000 a month.

Mr. EMERSON. Who says that?

Mr. HARRISON of Virginia. Gen. McIntyre told me this morning, and Gen. March made a statement before the committee to that effect.

Mr. EMERSON. Has the President been consulted?

Mr. HARRISON of Virginia. The President gets his information from the same source that we do—from Gen. March, the Chief of Staff.

Mr. EMERSON. The President is Commander in Chief of the Army, and I would rather take his word than that of some subordinate.

Mr. HARRISON of Virginia. He takes the word of the same men that we do, and gets his information through the Chief of Staff.

The wounded men in France are to be brought back first—the men who are in the hospitals. The wounded men and the men who are sick will be brought back before the other soldiers are brought back. On the 1st day of July, as the gentleman from Kansas has said, according to the figures of the War Department, there will be in France 625,000 men. Of the men in the camps, there will be 400,000, making a total on the 1st of July of 1,025,000 men.

Mr. MANN. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. MANN. I did not quite get the figures. How many do the department say will be in France on the 1st of July?

Mr. HARRISON of Virginia. Six hundred and twenty-five thousand.

Mr. MANN. That is based on the idea of bringing back 300,000 a month?

Mr. HARRISON of Virginia. They estimate that they will bring back this next month 200,000, and then in the succeeding months will bring back 300,000 each month.

Mr. MANN. May I ask the gentleman whether he believes that will be done?

Mr. HARRISON of Virginia. Yes; I do. I have no reason to doubt it. Gentlemen may laugh, but I do not understand on what theory they do so.

Mr. STAFFORD. Merely on past experience; that is all.

Mr. DYER. In the demobilization of the men in this country, or in the bringing back of the men from the other side, have they kept their promises in any case?

Mr. HARRISON of Virginia. This last week they brought back 39,000, and each week is now showing an increase. They are beginning to secure additional facilities by which they can bring these men back. The only thing I can go by is the statement made by the officers in charge, and certainly the Committee on Military Affairs is justified in having confidence in the statements made by the highest officers of the Army.

Mr. TILSON. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. TILSON. There is one means of bringing them back that I do not believe has been referred to. The gentleman will recall that it was stated to us that they were changing over certain cargo ships and putting on temporary construction that would enable them to bring soldiers back in cargo ships.

Mr. HARRISON of Virginia. Yes.

Mr. TILSON. That would increase the facilities somewhat each month. It is hoped to do that.

Mr. HARRISON of Virginia. Not only that, but they hope to increase the available ships in other ways. As I say, they are going to get certain of the German ships, by which they propose to bring back these men. Now, if you start out with a million men in the Army on the 1st day of July, and demobilize them at the rate of 300,000 a month, and enlist at the rate of 25,000 a month under the authority that we give in this act, you will find that the average number of soldiers during the 12 months from the 1st of July, 1919, to the 1st of July, 1920, will approximately be about 325,000.

Mr. MADDEN. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. MADDEN. We had 3,700,000 men in the Army when the armistice was signed.

Mr. HARRISON of Virginia. Somewhere near 4,000,000 men.

Mr. MADDEN. We have only discharged some 1,200,000 men so far.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HARRISON of Virginia. I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. That would leave some 2,500,000 men in the Army to-day.

Mr. HARRISON of Virginia. Yes; but they are discharging them now as fast as possible.

Mr. MADDEN. The gentleman says that we will reduce them to a million men by the 1st of July. Are we reducing them in any such proportion?

Mr. HARRISON of Virginia. We are not now, but after we get the ships the War Department calculates to get we will.

Mr. MADDEN. We do not need any ships to discharge the men in this country.

Mr. HARRISON of Virginia. No; but they will keep up the average.

Mr. MADDEN. The gentleman said they were discharging them at the rate of 30,000 a day, but the figures that he gives makes it a little less than 15,000 a day.

Mr. HARRISON of Virginia. The highest week of discharges was just before Christmas.

Mr. MADDEN. If they did not discharge more than 15,000 a week, and the same on the other side, we will have more than a million men in the Army on the 1st of July.

Mr. MANN. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. MANN. I understood the gentleman—I am not sure that I caught it correctly—that the basis on which they start is a million men on the 1st of July. According to the gentleman's figures, the average would be 335,000, and that is a different table from the one published in the hearings.

Mr. HARRISON of Virginia. What we did was to be certain we were appropriating for a sufficient number and obviate the possible deficiency which the gentleman pointed out to us might occur.

Mr. MANN. The table in the hearings, on page 92, in the statement by Gen. Lord, starts with a million men on the 1st of July and makes out an average of 500,000 men. This is a more recent table, is it?

Mr. HARRISON of Virginia. These are figures that I got this morning from the War Department.

Mr. MANN. These are the newer figures.

Mr. HARRISON of Virginia. Yes; figures brought down to date.

Mr. GREENE of Vermont. Will the gentleman permit this suggestion: I think my colleague was stating the difference between the tables, and that while the decrease in the Army is going on we are increasing enlistments by 25,000 men.

Mr. MANN. This takes that into account. The figures give an average of 500,000 men, and the gentleman seems to think by the addition of 25,000 men a month it would reduce it to 335,000.

Mr. GREENE of Vermont. I am trying to make the distinction between the two tables.

Mr. HARRISON of Virginia. The men in the service, which anybody can figure out on the 1st of July, will be a million men according to the statement of the War Department. Of course, we can discount that, but the military officers came before the committee and we had to go by some guide, and we could only be guided by these statements of the men who had charge of these matters—Gen. March and Gen. McIntyre—men who have the whole Army's interest in their keeping.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. GRAHAM of Illinois. I was struck by almost the last statement that the gentleman made before he was interrupted, that the week of the highest demobilization was just before Christmas.

Mr. HARRISON of Virginia. Yes; just before Christmas.

Mr. GRAHAM of Illinois. In this country?

Mr. HARRISON of Virginia. Yes; in this country. I think they tried to get the men home for Christmas.

Mr. GRAHAM of Illinois. How much was the demobilization last week?

Mr. HARRISON of Virginia. I have not got the full figures for last week, but the week before it was 78,000. This week, so far as reported, it is 32,000; but I understand that the figures when they come in will carry it up to the average.

Mr. GRAHAM of Illinois. What was the demobilization the week before Christmas?

Mr. HARRISON of Virginia. The highest week that they had? One hundred and ninety-four thousand men.

Mr. KNUTSON. And the War Department is saving the balance for next Christmas. [Laughter.]

Mr. HARRISON of Virginia. That may be a witticism, but I am trying to give these facts and figures.

Mr. MAYS. I understood the gentleman to say that the average was 335,000 men.

Mr. HARRISON of Virginia. According to the figures given here.

Mr. MAYS. You are appropriating for an average of 500,000 men.

Mr. HARRISON of Virginia. We could not tell; we are doing the best we can with the figures before us.

Mr. MAYS. Did the gentleman's committee consider limiting the appropriation so that it would compel the reduction?

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. HARRISON of Virginia. Mr. Chairman, I have been frequently interrupted, and I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MAYS. The gentleman has not answered my question. Has the committee considered the proposition of so limiting the appropriation that it would compel the reduction of the forces in accordance with the wishes of Congress?

Mr. HARRISON of Virginia. They are compelled by the terms of the enlistment. The other day I started to put before the House the statute, but I did not have it in my hand at that time.

Here is the statute under which these men are held:

That the service of all persons selected by draft and all enlistments under the provisions of the act entitled "An act to authorize the President to increase the Military Establishment of the United States," approved May 18, 1917, shall be for the period of the war unless sooner terminated by discharge or otherwise.

That is followed up by another provision that says that whenever the treaty of peace is signed they must be returned to this country within four months.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. DENT. I do not think the gentleman quite caught the point of the question of the gentleman from Utah. The question propounded was why we were appropriating for 500,000 when the revised figures show there are only about 350,000 men?

Mr. HARRISON of Virginia. These are not revised figures, but brought down to date.

Mr. DENT. I wanted to make this suggestion: Is it not a fact that the figures which the gentleman has read to the House, which he has just recently secured from the War Department, limit it to the line of the Army, and, in addition to that, there is an enlisted staff corps?

Mr. HARRISON of Virginia. No; I think this shows all.

Mr. KAHN. Has it not been the gentleman's experience on the Committee on Military Affairs that the War Department is inclined to be rather optimistic as to what it can accomplish? For instance, they had the statement of the Secretary of War that he would build 22,000 airships in one year, and we have not built 2,000.

Mr. HARRISON of Virginia. What I desire to get in concrete form is this: Even though the figures of the War Department may be optimistic, there is provision made for that optimism by the difference between 335,000 and 500,000, and, according to figures which I think are entitled to respect on the part of the Committee on Military Affairs and the committee of the House, they will have on the 1st of July 1,000,000 men under arms, and if they reduce that at the rate of 300,000 men by demobilization every month and increase it by enlistment of 25,000 a month, we will not have over 335,000 men in the service.

Mr. MANN. That is, on the average?

Mr. HARRISON of Virginia. On the average. I do not wish these figures that I have made here to be considered as revised figures. They are just the estimates I have made from the figures that the War Department gave me this morning. These figures are on the demobilization. I got them from the War Department this morning.

Mr. MANN. I mean showing the average in the Army.

Mr. HARRISON of Virginia. Here is the way those figures were obtained——

Mr. MANN. Are these the figures that the gentleman just described as having been obtained from the War Department or are they an estimate of his own?

Mr. HARRISON of Virginia. Virtually an estimate. I went over them with one of the men in the staff office.

Mr. MANN. Does the staff office indorse the idea that the average for the Army will only be 335,000?

Mr. HARRISON of Virginia. They said that that was what they hoped.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. GREENE of Vermont. Mr. Chairman, I ask unanimous consent that the time may be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARRISON of Virginia. According to the statements given to us in the testimony before our committee and according to the statements that any man on this floor can get from the Chief of Staff, there is reasonable expectation, very reasonable expectation, that the average number of men under arms during the next fiscal year would be less than 500,000 men. The Members of the House must take into consideration that this appropriation does not go into effect until July 1 next. The appropriations that we have made for 1918 carry the troops up to the 1st of July, 1919, and they will be paid out of an appropriation already made. Therefore we are appropriating for an average of 500,000 men from the 1st day of July next. Immediately upon the declaration of peace these men are entitled under this law to their discharge. No one can say when that declaration of peace will be made, and that provision not only applies to the regular force but it applies to the National Guard. The National Guard was a supplementary force that was provided by the national-defense act in addition to the Regular Army, and very few States have organized the National Guard. The temporary army provided for in this bill is the force that we intend to raise in order to enable the States to reorganize their National Guard, and to enable the Army to be recruited under the national-defense act to the number of 175,000 men.

Mr. FREAR. Mr. Chairman, the gentleman speaks of the National Guard. I want to ask him if it is not a fact that the National Guard on the border of Mexico, in service for many months there, to-day are over in Germany, and that there is no possibility of their being returned, and whether they are not the army of occupation? Why is it that the National Guard, the members from Michigan, Wisconsin, the Rainbow Division, are held there and not brought home?

Mr. HARRISON of Virginia. They are being brought home just as rapidly as the ships can be furnished.

Mr. FREAR. Is it not true that they have taken the other officers and soldiers——

Mr. HARRISON of Virginia. They are bringing home the wounded men first, as I have said, any they are bringing the men home just as rapidly as ships can be had—at the rate of 40,000 a week now, with a reasonable prospect of 300,000 a month.

Mr. FREAR. Mr. Chairman, will the gentleman yield further?

Mr. HARRISON of Virginia. I must decline to yield.

Mr. FREAR. I want to know if any order has been made retaining the National Guard of the various States in the army of occupation, and when they will be discharged?

Mr. HARRISON of Virginia. I am not advised of the orders of the Army. I am not in the confidence of the General Staff. I take it for granted that they have no prejudice against the Rainbow Division or any other division. They are securing ships just as rapidly as they can. They are bringing the men home now at the rate of 40,000 a week, and they will bring them home at the rate of 300,000 a month. That is all the Committee on Military Affairs knows, and that is on the information and statements of officers who are experienced and trusted.

If we can trust men's lives over there in Europe to these officers, I can not imagine why we could not trust them in making estimates for the Army they may need temporarily. As I say, with the declaration of peace, with a small number excepted, all in the Army will be entitled to discharge by the terms of their enlistment and the statute I have read. We propose under this bill to allow the Army to be recruited up to the strength of the national-defense act. We go right back to the national-defense act. This committee is standing by that act. We provide for a temporary army in addition to the 175,000 men authorized by the national-defense act. Temporarily, in the period of unrest, in the period of uncertainty, we have provided for this temporary army under temporary enlistments, under a temporary appropriation, to hold the situation until we can reorganize the Army on a permanent basis and the States can reorganize their National Guard. [Applause.]

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none.

Mr. HARRISON of Virginia. The following tables contain the figures to which I referred in my remarks:

DISCHARGES OF ENLISTED MEN SINCE NOVEMBER 11, BY WEEKS.

The figures for recent weeks are subject to revision, as reports are still incomplete.

Daily reports received through February 5 bring the total enlisted men discharged to 1,025,093.

Source of information: Miscellaneous Division, Adjutant General's Office.

Discharges to February 1.

Week ended—	Weekly.	Cumulative.
Nov. 23	5,571	5,571
Nov. 30	40,650	46,221
Dec. 7	96,705	142,926
Dec. 14	194,957	337,883
Dec. 21	182,736	520,619
Dec. 28	74,307	594,926
Jan. 4	65,686	660,612
Jan. 11	78,819	739,431
Jan. 18	77,260	816,691
Jan. 25	88,990	905,681
Feb. 1	85,452	991,133

DISCHARGES OF COMMISSIONED OFFICERS BY SPECIAL SERVICES THROUGH FEBRUARY 6.

Source of information: Commissioned Personnel Branch, Operations Division, General Staff.

	On duty Nov. 11.	Discharges week ended Feb. 6.	Discharges Nov. 11–Feb. 6.	Per cent discharged through Feb. 6.
Chemical Warfare	1,695	78	1,020	[1] 60
Military Aeronautics	18,661	576	8,924	48
Coast Artillery	4,580	126	2,031	44
Aircraft Production	1,898	98	762	40
Ordnance	5,925	287	1,935	33
Quartermaster	10,122	351	3,234	32
Medical	39,157	875	12,399	32
Signal	2,490	193	661	27
Engineer	10,302	247	2,530	25
Chaplains	2,229	40	447	20
Adjutant General	1,231	28	244	20
Judge Advocate General	418	8	80	19
Tank	1,237	5	230	19
Motor Transport	2,912	35	416	14
Inspector General	204	2	12	6
Infantry		1,406	21,191	
Field Artillery		595	8,885	
Cavalry		38	581	
Miscellaneous		113	846	
Total Infantry, etc	85,373	2,152	31,413	37
Grand total	188,434	5,101	66,338	35

[1] Through Jan. 30.

DISCHARGES OF COMMISSIONED OFFICERS SINCE NOVEMBER 11, BY WEEKS.

Source of information: Commissioned Personnel Branch, Operations Division, General Staff.

Discharges to February 7.

Weed ended—	Weekly.	Cumulative.
Nov. 15	60	60
Nov. 22	103	163
Nov. 29	215	378
Dec. 6	7,280	7,658
Dec. 13	9,545	17,203
Dec. 20	9,700	26,903
Dec. 27	8,506	35,409
Jan. 3	5,082	40,491
Jan. 10	6,537	47,028
Jan. 17	5,395	52,423
Jan. 24	4,943	57,366
Jan. 31	4,535	61,901
Feb. 7	5,092	66,993

ARRIVAL OF TROOPS WHICH HAVE SAILED FROM OVERSEAS SINCE NOVEMBER 11, 1918.

Source of information: Embarkation Branch, Purchase, Storage and Traffic Division, General Staff.

Arrivals to February 7.

Week ended—	Weekly.	Cumulative.
Nov. 22	703	703
Nov. 29	1,195	1,898
Dec. 6	1,625	3,523
Dec. 13	13,438	16,961
Dec. 20	13,168	30,129
Dec. 27	32,603	62,732
Jan. 3	12,234	74,966
Jan. 10	33,235	108,201
Jan. 17	17,735	125,936
Jan. 24	23,343	149,279
Jan. 31	26,850	176,129
Feb. 7	39,620	215,749

OFFICERS.

Total number of officers resigned or discharged		71,235

ENLISTED MEN.

Discharges up to and including Feb. 1, 1919	992,992	
Discharges for week ending Feb. 8, 1919	78,082	
Early returns week ending Feb. 15, 1919	32,236	
		1,103,310
Total discharges, officers and enlisted men		1,174,545

Orders have been issued to date (Feb. 14, 1919) for the demobilization of approximately 1,501,000 men, as follows:

Troops in the United States	1,272,000
Overseas troops returned to the United States	229,000
Total ordered demobilized	1,501,000

Later returns will bring the returns for the week ending February 15, 1919, to at least the number discharged for the week ending February 8.

Mr. STAFFORD. Mr. Chairman, I make the point of order.

Mr. MANN. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Wisconsin make the point of order?

Mr. STAFFORD. I reserve it for the time being to allow the gentleman from Illinois to proceed.

Mr. MANN. Mr. Chairman, the figures given us by the gentleman from Virginia [Mr. HARRISON] are very interesting. They are based on figures furnished by the War Department. I did not criticize in the remarks I made yesterday either the amount carried as an appropriation nor the legislative proposition for an Army of half a million men, but made an inquiry which, if anything, is more forceful under the figures submitted by the gentleman from Virginia than they were under figures furnished in the hearings. In the hearings the War Department estimated an Army of a million men on the 1st of July, 200,000 at the end of the fiscal year, and an average of 500,000 during the year, then asked an appropriation equivalent to pay an Army of 500,000 men for the year. Now the gentleman from Virginia has figures recently coming from the War Department estimating an Army of a million men at the beginning of the year, I did not understand how many at the end of the year, and an average of 335,000 a month during the year. So that there would be a much less Army during the year than the original figures submitted by the War Department. When I asked yesterday the question—and I repeat it now—if the Army is estimated on a million men at the beginning of the year and an average of 500,000 a month during the year, or at a million men at the beginning of the year and 335,000 a month average during the year, what is the necessity of authorizing an enlistment of 510,000 men for a year's time? [Applause.]

Mr. HARRISON of Virginia. Will the gentleman allow me?

Mr. MANN. I will.

Mr. HARRISON of Virginia. We start out with a million men.

Mr. MANN. Yes.

Mr. HARRISON of Virginia. And we can not demobilize them all at once, but we demobilize at the rate of 300,000 a month; but we can not enlist all of the 500,000 at once, but we enlist at the rate of 25,000 a month.

Mr. MANN. Very well, suppose we enlist at the rate of 25,000 a month, you can not bring the average down to 500,000 a month, much less 335,000 a month, if we need authority to enlist half a million men. Anybody who can add two and two and make four, and not make five, can see that if you start with a million men and have an average for the year of 335,000 a month you do not need to authorize the additional enlistment of 500,000 for the year, and it does not take a mathematician to figure that out; a boy in almost the primer grade can figure that out. I do not say you ought not to authorize 500,000—that will come up later—but there is no occasion to do it unless you contemplate a deficit in the appropriation.

Mr. BARKLEY. Will the gentleman yield?

Mr. MANN. I yield.

Mr. BARKLEY. I was wanting to suggest to the gentleman, if it is not true that this average of 335,000, or whatever it may be, includes not only those who are in the Army who are going out but all those who are coming in, so you have to add both those figures in order to get the average?

Mr. MANN. Of course, an average is a conclusion. If we only have an average of 500,000, and much more stronger the reason an average of 335,000, for the year, starting with a million men and making a gradual reduction, you do not need authority to enlist 500,000 for a year to keep up that average.

Mr. ANTHONY. Will the gentleman yield?

Mr. MANN. I will.

Mr. ANTHONY. With the knowledge that it is problematical the number of men we will be able to bring in and the probable number of men we will be able to enlist, does not the gentleman

realize it is almost impossible to bring to an actual mathematical certainty the number of men we will be able to maintain?

Mr. MANN. Well, it may be, but the trouble is the gentleman on the Committee of Military Affairs and the War Department have endeavored to bring it down to the point of mathematical certainty in order to convert the House, and I am showing the fallacy of their mathematics.

Mr. GREENE of Vermont. If the gentleman will permit, when we do get the average down to 300,000, what authority will there be in existing law to hold it above the 175,000 that are founded upon the national defense act, unless we have a legislative provision in the bill?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. MANN. I do that in order to take up another matter. I think the War Department has done great work, and I am not sure all the boys in France ought to be returned at once.

I am inclined to think we ought to maintain something of an Army in Europe until the German Army itself is demobilized and out of the way. How soon that will be done I do not know, but I hope it will be done speedily. But speaking of transportation, I have an illustration here of what seems to me to be, to say the least, a gross negligence or impropriety on the part of the War Department. Here is a letter written to me from Honolulu, Hawaiian Islands, where a man was enlisted as a captain of Engineers at Honolulu October 4, 1917, and who was discharged on his own application by an order dated December 31, 1918. And with this statement, "Stations to which officers are entitled to travel pay." Answer, "Honolulu, H. I."

He applied for transportation on one of the Government transports, not receiving pay in cash for the transportation. He was awarded, with his wife, second-class transportation, which may have been all the Army could well have furnished at the time on the transport. He was obliged to sail, on account of his business, and accepted the second-class transportation. He writes to me:

My wife, with four other wives of officers and ex-officers, were assigned to one second-class cabin (four bunks and a settee), and I was one of five officers and ex-officers assigned to a similar cabin. Occupying first-class cabins were at least a dozen lieutenants, traveling under order, and a captain, Quartermaster Corps, on leave of absence, all without families. I suggested to the field clerk in charge at the San Francisco office that the five ladies in cabin No. 54 be given first-class cabins and that the lieutenants above mentioned be assigned to the second-class cabins, but no action was taken.

The cabin to which these ladies were assigned was on the "orlop" deck, which is so far down in the ship that the second-class steward in charge refused to open the portholes for fear of seas entering. There was also no bell service.

Special Orders, No. 264, Camp Kearny, covering my discharge, states that I am entitled to travel with pay to Honolulu, Territory of Hawaii. This was furnished only to San Francisco, and I was required to pay for my own subsistence ($8) on the transport. (See copy of orders and receipt attached).

My case is but typical of scores of others relative to men going into active service from Hawaii and the Philippines.

I know of one other case of five men who enlisted, or were drafted, in Hawaii, were ordered to the mainland, and were discharged at San Francisco on December 7, 1918 (two days after the transport had sailed). These men were left to live 30 days in San Francisco on what was left from their last month's pay after allotments, insurance, etc., had been deducted, and when they did get aboard the transport they were required to pay for their food en route to Honolulu. An appeal was made to headquarters, Western Department, but they were refused admittance to see the commanding general, and were directed to the charities department of the Red Cross for relief.

This man was required to pay in cash for his food on board the transport. Think of it, gentlemen. Men taken into the Army, either by volunteering or by draft, from Hawaii, given under the law the right to be transported to the place from which they came, discharged at San Francisco, and practically told to walk home or beg. With the great Government of the United States, which wants to treat its soldiers well—and the people do—with men in the War Department so calloused or so careless—it makes not any difference which—these men, first, are required to beg of the Red Cross charity that they may keep body and soul together while awaiting a transport to take them home, and then, as to these officers, their wives compelled to live down below or at the level of the water on the ocean, with quarters on the outside of the vessel, five people in a cabin, while some bright, nice, clean, young second lieutenant is occupying the cabin on the upper deck.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent to insert this letter in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The following is the letter in full:

HONOLULU, HAWAII, *January 22, 1919.*

Hon. JAMES R. MANN, M. C.,
Washington, D. C.

SIR: I was called to active service as a captain of Engineers at Honolulu, Hawaii, on October 4, 1917, and after serving on staff duty at headquarters Hawaiian Department, United States Army, at Honolulu, was ordered to Camp Lee, Va., and served at several mainland posts, finally being discharged at Camp Kearny, Cal., on December 31, 1918.

On or about December 10, when I decided to ask for discharge from the Army, I wrote to the depot quartermaster, San Francisco, requesting transportation for my wife and self on the United States Army transport sailing for Honolulu on January 6, 1919, and was advised that, as I was not traveling under orders, I should apply to the director of transportation, Washington, D. C. This reply was received after I had reported at Camp Kearny. The matter of transportation for myself back to Honolulu was taken up with the post authorities, and I was advised that they could do nothing in the matter, and that I should take it up personally with the Quartermaster General. Accordingly I wired the Quartermaster General at my own expense and, in reply, was advised that reservation had been made for my wife and self in second-class quarters with first-class dining and deck privileges on the U. S. S. *Sherman*, sailing from San Francisco January 6, 1919.

On December 23, 1918, I wired the Chief of Engineers, Washington, D. C., inviting his attention to the fact that I had been called to the colors at Honolulu, etc., and requesting that I be ordered to Honolulu for discharge. This wire was not even answered. There was nothing in Army regulations or orders which would have prevented the action requested in my telegram being taken.

Inquiry at steamship office resulted in the reply that no first-class bookings on liners to Honolulu were available previous to about the middle of February, and, as my personal business affairs required my immediate return to Honolulu, my wife and self accepted the second-class quarters offered on the *Sherman*.

My wife, with four other wives of officers and ex-officers, were assigned to one second-class cabin (four bunks and a settee), and I was one of five officers and ex-officers assigned to a similar cabin.

Occupying first-class cabins were at least a dozen lieutenants traveling under orders and a captain, Quartermaster Corps, on leave of absense, all without families. I suggested to the field clerk in charge at the San Francisco office that the five ladies in cabin No. 54 be given first-class cabins and that the lieutenants above mentioned be assigned to the second-class cabins, but no action was taken.

The cabin to which these ladies was assigned was on the "orlop" deck, which is so far down in the ship that the second-class steward in charge refused to open the portholes for fear of seas entering. There was also no bell service.

Special Orders, No. 264, Camp Kearny, covering my discharge, states that I am entitled to travel with pay to Honolulu, Territory of Hawaii. This was furnished only to San Francisco, and I was required to pay for my own subsistence ($8) on the transport. (See copy of orders and receipt attached.)

My case is but typical of scores of others relative to men going into active service from Hawaii and the Philippines. I know of one other case of five men who enlisted, or were drafted in Hawaii, were ordered to the mainland, and were discharged at San Francisco on December 7, 1918 (two days after the transport had sailed). These men were left to live 30 days in San Francisco on what was left from their last month's pay after allotments, insurance, etc., had been deducted, and when they did get aboard the transport they were required to pay for their food en route to Honolulu. An appeal was made to headquarters, Western Department, but they were refused admittance to see the commanding general, and were directed to the charities department of the Red Cross for relief. Should you so desire I can furnish you with the names of men who have suffered from this unjust treatment and the details in each case.

I am bringing the matter to your attention, as previous to my coming to Hawaii in 1912 I was a resident of Havana, Ill., and a University of Illinois man.

Very respectfully,

G. K. LARRISON,
Manoa and Cooper Rds.,
Honolulu, Hawaii.

—

HEADQUARTERS CAMP KEARNY,
California, December 31, 1918.

Special Orders, No. 264.

Extract.

* * * * * * *

2. By direction of the President, and under the provisions of section 9, act of Congress, May 18, 1917, and Circular No. 75, War Department, 1918, the following-named officers, of organizations as indicated, are honorably discharged from the service of the United States, for the convenience of the Government, to take effect this date, their services being no longer required.

216th Engineers.	Stations to which officers are entitled to travel pay.
Capt. Larrison, George Kirkpatrick, Engineers	Honolulu, H. T.

* * * * * * *

By command of Brig. Gen. Davison:

L. W. OLIVER,
Colonel, General Staff, Chief of Staff.

Official:

H. C. SMITH,
Major, A. G., Adjutant.

A true copy.

HOWARD S. REED,
Captain, Engineers, Adjutant.

—

Q. M. C. Form 927.
Approved January 23, 1915.
$8.00.
No. ———.

U. S. ARMY TRANSPORT "SHERMAN,"
Jan. 14, 1919.

Received from G. K. Larrison, ex-capt. U. S. A., eight dollars —— cents for meals from Jan. 6, D, to Jan. 14, B, 8 days, @ $1.00 per day.

N. E. BURNS,
Quartermaster Agent.

San Francisco to Honolulu, H. T.

Mr. STAFFORD. Mr. Chairman, I make the point of order to the following words: Page 32, line 5, the word "purchase," and in line 11 the words "purchase and."

Mr. DENT. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The gentleman from Alabama concedes the point of order. The point of order is sustained.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order on the paragraph.

Mr. DYER. Mr. Chairman, I reserve a point of order on the whole paragraph.

The CHAIRMAN. The gentleman from Wisconsin withdraws his reservation of the point of order against the paragraph, and the gentleman from Missouri renews it.

Mr. DYER. Unless the chairman desires to discuss it, I will make it.

Mr. DENT. Does the gentleman make the point of order on the entire paragraph?

Mr. DYER. Yes.

Mr. DENT. I would like to know what the ground for that is.

Mr. DYER. I make it on the ground that it is legislation.

Mr. STAFFORD. Will the gentleman withhold the point of order for a minute?

Mr. DYER. For a minute; yes.

Mr. STAFFORD. The gentleman is quite aware that this item provides for the transportation of our soldier boys from overseas home. It is the only item that provides for transportation from the camps and cantonments to their homes also. I do not believe the gentleman wishes to make a point of order to the very means for providing for the transportation of our soldiers.

Mr. DYER. I do not.

Mr. SHALLENBERGER. Does the gentleman mean thereby to declare his intention to keep the men in Europe?

Mr. DYER. The gentleman's own party, the Democratic Party, and the administration are the ones that have charge of bringing the men home.

Mr. GORDON. They have not done it.

Mr. DYER. The gentleman from Nebraska [Mr. SHALLENBERGER] would charge me with not wishing to have the boys returned. I have been trying to get the men home and doing my best; and it is because the Government is not doing its duty and has been lying to Congress and to the people that I am making this point of order, in order that we may find out if they really want to bring the men back.

In this paragraph, Mr. Chairman, provision is made for the purchase of other motor-propelled passenger-carrying vehicles for transportation of troops and supplies. The Motor Transport Corps is now loaded up with vehicles of this kind, and they are rotting in the rain, in the weather, and they have more than they need; and to appropriate more money for the purchase of motor vehicles, to be wasted and to lie out in waste, is only for one purpose, as I can see it. The Motor Transport Corps, now inefficient and incompetent, as it is in various camps of this country, are doing nothing with reference to these vehicles except to give officers commissions to stay there, and to make the enlisted men do laboring work of the commonest sort, and I do not propose to support an item for the purchase of any more motor vehicles unless I know that they are needed. I am willing that the paragraph shall be amended so as to furnish transportation money to bring the soldiers home from France and bring those home that are in this country, but not for everything that is in this section.

Mr. STAFFORD. I want to call the attention of the gentleman to the fact that he seems to have missed the point that my point of order was the elimination of authority to the department to purchase automobiles of any character at all. That point of order has been sustained, so that the objection that the gentleman raises to this item has been cured by the point of order. On page 32, line 5, the word "purchase" has been stricken out, so that it now only provides for operation and maintenance. On line 11, as to the purchase of ships, I made that point of order with the approval of several members on the Committee on Military Affairs.

Mr. DYER. May I ask the gentleman a question?

Mr. STAFFORD. Certainly.

Mr. DYER. If this section is adopted as now written, with the point of order made by the gentleman sustained, will there be any authority in the War Department to purchase any more motor vehicles for the use of the Transport Corps anywhere else?

Mr. STAFFORD. No.

Mr. RUCKER. It does not prevent hiring. Can they not go ahead and hire them?

Mr. STAFFORD. There might be a necessity in some cases to hire conveyances to transport our boys to the railroad stations. There might be such an exigency.

Mr. RUCKER. I do not want them to be compelled to walk there. The gentleman's logic might go to the word "hire" also. There might be some cases where the Army has not purchased these vehicles.

Mr. STAFFORD. They can be transshipped to those places where they are needed.

Mr. RUCKER. I think if the word "purchase" is not left in there the word "hire" ought to be left in.

Mr. SHALLENBERGER. I think the point that the gentleman from Missouri and the gentleman from Wisconsin makes is well taken.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DYER. Mr. Chairman, I renew the point of order.

The CHAIRMAN. That does not give the gentleman indefinite range.

Mr. SHALLENBERGER. I ask unanimous consent for recognition in my own right.

Mr. DYER. I have the floor. I would like to retain it for two minutes, so that the gentleman may ask me a question.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for two minutes.

There was no objection.

Mr. SHALLENBERGER. The report made to the committee shows that the War Department has on hand now $214,000,000 worth of these motor-propelled vehicles, so that the point is well taken that we do not need to authorize them to purchase any more of them. In the hearings, where they asked $18,000,000 of the $449,000,000 to be used for that department, the statement shows that it is for the repair of those things that go to the operation of the machine. There is nothing in the report that shows that they need any more automobiles or that they intended to purchase any more.

Mr. DYER. In view of the statement of the gentleman from Wisconsin and the statement of the gentleman from Nebraska, whose judgment I value very highly, I withdraw my reservation.

Mr. STAFFORD. Mr. Chairman, I move to amend, page 32, line 19, by striking out "$449,000,000" and inserting in lieu thereof "$411,000,000."

The CHAIRMAN. The gentleman from Missouri [Mr. DYER] withdraws his reservation of a point of order, and the gentleman from Wisconsin [Mr. STAFFORD] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Line 19, page 32, strike out "$449,000,000" and insert in lieu thereof "$411,000,000."

Mr. DENT. I accept that amendment.

Mr. STAFFORD. The gentleman from Alabama accepts the amendment. The purpose of it is to reduce the estimate of the amount provided for the purchase of ships and tugs.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The amendment was agreed to.

Mr. FLOOD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FLOOD: Page 32, line 19, at the end of the paragraph, insert:

"*Provided further*, That no part of said appropriation or any other appropriation carried in this bill shall be used for the purchase, maintenance, or operation of any motor-propelled passenger-carrying vehicle in the District of Columbia."

Mr. FLOOD. Mr. Chairman, the purpose of this amendment is to prevent the expenditure of Government money to buy and maintain automobiles for the use of officials of the War Department. There are from 260 to 275 passenger automobiles being used by Army officers at the expense of the Government in the District of Columbia.

I see no reason why the officials of the War Department should have automobiles furnished them any more than that officials of any other department of the Government in Washington should have such luxuries furnished them. [Applause.]

Mr. BARKLEY. Mr. Chairman, will the gentleman yield for a question?

Mr. FLOOD. Yes.

Mr. BARKLEY. Would the gentleman's amendment eliminate the maintenance and operation of the automobile of the Secretary of War?

Mr. FLOOD. It would not; no. That automobile is specifically appropriated for in the legislative appropriation bill, as

are the automobiles for the use of other members of the Cabinet. That is right, because Congress has considered that matter and determined upon the wisdom of the appropriation for that purpose. But here are a great number of automobiles assigned by Army officers to themselves and for their own use and paid for from a lump-sum appropriation made in this bill. There is no authority in law for such a use of these funds; it is a perversion of the appropriation and is an abuse that should be stopped. This amendment will stop that abuse.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. TREADWAY. Would not the gentleman's amendment apply as well, if so worded, to other cities as well as Washington? I have information that I can give the gentleman as to their use in exactly the same way in other cities as the motor-propelled vehicle service is used here in this city. Why specify Washington solely?

Mr. FLOOD. I think the gentleman is right. We ought to prohibit their use in other places as well as in Washington; but I had not accurate information except as to the District of Columbia, where there are 275 high-class automobiles, paid for by this Government, costing the Government probably $2,500 a year apiece for maintenance, or $600,000 or $700,000 a year, and used by Army officers for their individual use, or to carry other Army officers from their places of residence to their places of business and back, and for other purpose of convenience and comfort to these officers.

This is done in other places, such as New York and Philadelphia, and I will be glad to enlarge the amendment so it will embrace other places as well as Washington.

Mr. SNOOK. When I go to the State, War, and Navy Building, I have noticed that they have a large number of automobiles standing out there, and that they run a regular hack service for the officers.

Mr. FLOOD. I understand that is done.

Mr. SNOOK. Is that included in this?

Mr. FLOOD. That is included in this, and as far as my information goes, this amendment will eliminate every passenger automobile now used by Army officers for their individual use or for their community use in the District of Columbia; and, with the enlargement of the amendment suggested by the gentleman from Massachusetts, in the country.

Mr. KINCHELOE. Will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Kentucky.

Mr. KINCHELOE. Not only are these automobiles used by Army officials, but are they not driven by private soldiers who do nothing else except wait on these Army officers, and who ought to be discharged so that they may get back into some legitimate line of business?

Mr. FLOOD. As the gentleman says, each one of these 275 automobiles is driven by a private soldier, rendering menial service to some officer who may be in many respects inferior to the private who is driving for him. It is an outrage to impose menial service on men who volunteered or were drafted in the Army of the United States to fight the battles of this Nation. [Applause.]

I voted to send our boys to war to fight, to suffer hardships, to make sacrifices, to risk their limbs and their lives, and, if need be, to die for their country and the cause of liberty. I cast my vote gladly, willingly, because I knew my country was right and needed soldiers to defend her rights and her honor, but I did not vote to place the brave, patriotic, upstanding boys of this country in the ranks of the Army to act as servants for any man, and I protest against the use of soldiers for such purposes. [Applause.]

Mr. BARKLEY. If this amendment is agreed to it will also relieve the congestion by furnishing considerable parking space around the State, War, and Navy Building for other automobiles of people who have business there.

Mr. FLOOD. And it will give considerable space in the streets of Washington for people to travel in safety who pay for their own automobiles. [Applause.]

Mr. CHANDLER of Oklahoma. Will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Oklahoma.

Mr. CHANDLER of Oklahoma. Is the gentleman aware that some seven or eight garages are being maintained for the care and repair of these Army officers' automobiles?

Mr. FLOOD. About eight of them, I believe.

Mr. CHANDLER of Oklahoma. Will the gentleman's amendment eliminate those?

Mr. FLOOD. It will eliminate the necessity for some of them. This amendment applies only to passenger automobiles. It does not apply to truck automobiles.

Mr. TREADWAY. Will the gentleman accept an amendment to his amendment, applying it to passenger automobiles of Army officers anywhere in the United States?

Mr. FLOOD. I will be glad to accept such an amendment.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Nebraska.

Mr. SHALLENBERGER. I observe that the gentleman's amendment applies to all motor-propelled vehicles used in the District of Columbia.

Mr. FLOOD. Passenger vehicles.

Mr. SHALLENBERGER. Passenger vehicles. The gentleman is aware that many privates as well as officers are hauled back and forth to maneuvers, and necessarily by the transport service, and would not the gentleman be willing to have this amendment limited to the commissioned officers and not apply to the private soldiers?

Mr. KNUTSON. We do not need any maneuvers now.

Mr. FLOOD. This abuse has grown up. There is no authority in law for the assigning of 275 automobiles for the use of officers here.

Mr. SHALLENBERGER. I agree with the gentleman.

Mr. FLOOD. It has grown up as an abuse by these Army officers.

Mr. SHALLENBERGER. The gentleman ought to confine his amendment to the officers.

Mr. FLOOD. I will accept the amendment suggested by the gentleman from Nebraska.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD. I ask unanimous consent that I may be permitted to proceed for five minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that he may proceed for five minutes. Is there objection?

There was no objection.

Mr. KINCHELOE. Will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Kentucky.

Mr. KINCHELOE. Will the gentleman accept an amendment to his amendment by adding after the words "District of Columbia" the words "or elsewhere"?

Mr. FLOOD. I will.

Mr. BLANTON. Does the gentleman's amendment cover the $250 a day that we are spending for gasoline on these automobiles?

Mr. FLOOD. Oh, certainly it does.

Mr. BUTLER. Can we not cut them out for the next four months as well as for the next fiscal year? We ought to stop them from using these automobiles now.

Mr. FLOOD. That would make the amendment subject to a point of order.

Mr. Chairman, I submit this amendment to the committee. It is in the interest of economy. The time has certainly come when we should economize. We appropriated money and it was spent with a liberal and maybe a reckless hand when we were in war and no one objected, and no one will now honestly criticize such expenditures, because they were often made when men had to act so quickly they did not have time to think. But the time has come when we have time to think and to consider every item, when we owe it to the country to retrench wherever possible and certainly to cut out every unnecessary and wasteful expenditure. This amendment will save $2,000,000 a year that is being spent for no useful purpose and without authority of law. [Applause.]

To adopt this amendment we would at least relieve 275 soldiers of work that they should not be doing and enable them to return to their homes, and it might hasten the War Department in demobilizing the thousands and thousands of other soldiers that should be released from the Army without delay. [Applause.]

Mr. SUMNERS. Will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Texas.

Mr. SUMNERS. I ask the gentleman if he will restate the main points of his amendment?

Mr. DENT. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto be concluded in five minutes.

The CHAIRMAN. Will the gentleman withhold that request for a moment?

Mr. SUMNERS. I want the gentleman from Virginia to restate the substance of his amendment.

Mr. FLOOD. The amendment prohibits the use of any funds in this bill for the purchase or maintenance of passenger-carrying automobiles for the use of the Army in the District of Columbia or elsewhere.

Mr. KNUTSON. Or elsewhere?

Mr. FLOOD. Or elsewhere. Mr. Chairman, I hope this amendment will be adopted. It is in the interest of economy; it is in the interest of decent and orderly government, and it is in the interest of our Military Establishment itself, because this unauthorized and unjustifiable use of a lump-sum appropriation is one of the things that has cost many of our Army officers the confidence and affection of people, who would like to feel differently to all who wear the uniform of this country. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close at 1 o'clock.

Mr. TREADWAY. Reserving the right to object——

Mr. KINCHELOE. Reserving the right to object, I have no disposition to discuss it, but I want to offer an amendment by adding after the District of Columbia the words "or elsewhere in the United States."

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that debate on the amendment and all amendments thereto terminate at 1 o'clock.

Mr. MANN. Reserving the right to object, two gentlemen over here on this side want five minutes each.

Mr. DENT. I will make it five minutes after 1 o'clock.

Mr. MILLER of Minnesota. Will not the gentleman make it 10 minutes after?

Mr. DENT. Yes.

Mr. CARTER of Oklahoma. I reserve the right to object.

The CHAIRMAN. How is the time to be distributed?

Mr. MANN. The gentleman from Massachusetts [Mr. TREADWAY] wants five minutes and the gentleman from New York [Mr. SNELL] wants five minutes.

Mr. MILLER of Minnesota. I want three minutes.

Mr. DENT. And the gentleman from Nebraska five minutes and the gentleman from Kentucky [Mr. KINCHLOE] one minute.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this amendment and all amendments thereto shall close at the expiration of 19 minutes, the time to be divided as stated. Is there objection?

Mr. KING. I object.

Mr. DENT. Mr. Chairman, I move that all debate on this amendment and amendments thereto close at 10 minutes past 1 o'clock.

The CHAIRMAN. The gentleman from Alabama moves that all debate on this amendment and amendments thereto close at 10 minutes past 1.

The motion was agreed to.

The CHAIRMAN. The Chair will recognize the different gentlemen included in the proposition for unanimous consent. The gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, I am in hearty accord with the motion of the gentleman from Virginia [Mr. FLOOD] cutting out the special privilege to Army officers using automobiles almost indiscriminately in the city of Washington at Government expense. The same practice is evidently carried on in other cities. I have made a slight estimate of the daily maintenance of the cost of these cars here in Washington alone, which I think is ample evidence that we should adopt the amendment offered by the gentleman from Virginia.

As stated a day or two ago, I have a letter, dated February 8, from Brig. Gen. Drake, chief of motor transportation, in which he informs me that there are 260 passenger automobiles assigned to the District, 152 in operation in the general service in this city, and the daily consumption of gasoline for all passenger automobiles enumerated above is 1,068 gallons per day. There are similar cars in operation in New York City to the number of 120 and in Philadelphia 40.

It is therefore safe to assume that there can not be less than 600 or 700 passenger automobiles operated throughout the country for the pleasure and convenience of a few Army officers.

Now, here is the daily expenses in the District. Allowing gasoline to be sold at 25 cents to the Government, which is less than the individual can buy it, the gasoline consumed here daily would be over $250. There is a chauffeur with each one of these cars who is a private and receives $1 a day and upkeep, so that these chauffeurs would be an expense of at least $500.

Mr. JONES. Will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. JONES. I want to ask the gentleman if, in view of the fact that the appropriation does not start until June 30 of this year, he does not think that there should be an amendment covering the period between now and July?

Mr. TREADWAY. I think the abuse should be canceled now; but that is another matter, as the machines are now being operated under a previous appropriation. Let us fix it so that they can not be run after July 1. We are powerless up to that date and will have to accept it. There must be a large element of wear and tear. A conservative estimate for tires and other expenses would be $250 more.

Mr. FLOOD. May I interrupt the gentleman?

Mr. TREADWAY. Yes.

Mr. FLOOD. It is estimated that each soldier in the Army costs the Government $1,400 or $1,500 a year. These automobiles take all the time of a private soldier, so that the automobile is costing the Government for each chauffeur $1,400 or $1,500.

Mr. TREADWAY. That is true, but I was not putting that in; I was only putting in the payment in wages and the sustenance, trying to be conservative. There is no question, gentlemen, but that the cost would run much higher than the figures I am giving. The wear and tear of the cars can not be less than $250, making a total of $1,000 a day the Government is paying for allowing these officers to go around the city in Government-owned automobiles. These are the circumstances, and it is indicative of the reason for the gentleman's amendment. Such extravagances as these account to some extent for the large tax bills we are asked to pay. Unless action is taken to check this and similar extravagances taxes will continue to soar skyward.

Mr. SHALLENBERGER. Mr. Chairman, I offer the following amendment to the amendment of the gentleman from Virginia.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, at the end of the paragraph, as an amendment to the amendment, add "and elsewhere in the United States, except those used for the transportation of enlisted men of the Army when upon military duty."

Mr. SHALLENBERGER. Mr. Chairman, I now ask that the Clerk read the amendment of the gentleman from Virginia as it would read if amended.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 32, line 19, at the end of the paragraph, after line 19, insert:
"*Provided, further,* That no part of said appropriation or any other appropriation carried in this bill shall be used for the purchase, maintenance, or operation of any motor-propelled passenger-carrying vehicle in the District of Columbia and elsewhere in the United States, except those used for the transportation of the enlisted men of the Army when upon military duty."

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. MILLER of Minnesota. Is it not necessary to except those that may be used on reservations in the United States, and should not the language be "transportation of enlisted men of the Army for military purposes"? It might not be military duty to transport men from the station to a camp, but it would certainly be for a military purpose.

Mr. SHALLENBERGER. Mr. Chairman, I ask unanimous consent to so modify my amendment.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to modify his amendment in the manner indicated, which the Clerk will report.

The Clerk read as follows:

Modify the amendment by striking out the words "of the Army when upon military duty," and inserting the words "for military purposes," so that as amended the amendment will read:
"*Provided further,* That no part of said appropriation or any other appropriation carried in this bill shall be used for the purchase, maintenance, or operation of any motor-propelled passenger-carrying vehicle in the District of Columbia and elsewhere in the United States, except those used for the transportation of the enlisted men for military purposes."

Mr. RUCKER. Mr. Chairman, will the gentleman yield? I would like to have the attention of the gentleman from Virginia.

The CHAIRMAN. This is in the time of the gentleman from Nebraska.

Mr. RUCKER. Would it not also be wise to insert the words "or hire" after the word "purchase"? I offer that amendment.

The CHAIRMAN. The gentleman from Nebraska has the floor.

Mr. SHALLENBERGER. Mr. Chairman, the gentleman from Virginia [Mr. FLOOD], who has given this matter attention and who has offered this amendment, informs me that he will accept my amendment to it.

Mr. SANFORD. Mr. Chairman, in view of the fact that the provision seems to allow enlisted men to ride and not officers, would it not be a good idea to allow the officers to have roller skates, so that they could hang on behind? They have got to

go around Washington to the various places where the War Department is situated.

Mr. SHALLENBERGER. I think if we carry on this matter of allowing officers of the Army to have vehicles we will soon have a legless Army, and I am in favor of developing their legs as well as the legs of the men.

Mr. SANFORD. Roller skates would develop their legs.

Mr. SNELL rose.

The CHAIRMAN. The gentleman from New York.

Mr. BURNETT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURNETT. Would the fixing of the time for debate include the offering of amendments to the amendment?

The CHAIRMAN. Yes; because gentlemen must get the floor in order to offer an amendment.

Mr. BURNETT. That can be done when the time expires, can it not?

The CHAIRMAN. There would be no difficulty in so arranging for that, but not under the order.

Mr. KING. Mr. Chairman, there was no agreement of the House by which certain gentlemen were to be recognized.

The CHAIRMAN. No; there was not. There was a unanimous-consent agreement which was defeated by the objection of the gentleman, and then the motion was put and agreed to and the Chair stated at that time that he would recognize those gentlemen who had been named in the unanimous-consent agreement, and the Chair will do that. The gentleman from New York is recognized.

Mr. SNELL. Mr. Chairman, there has been considerable discussion here about the trucks and automobiles now being used in the Army, the new ones on hand, the number yet to come on unfilled orders, and the future disposition of the same. I have been making some investigation along this line and believe this information should be given to the House and to the country. I want the country to know the enormous number of motor vehicles we own and have on hand, both used and new, at the present time, as well as the large and almost unbelievable number yet to be delivered on unfilled orders. I call your attention to this at this time because I believe Congress should force the War Department to adopt some policy immediately in regard to the disposition of these motor cars, that are not needed and probably never will be needed by the War Department. A great many people are asking whether they are for sale or not. I am informed that to some inquiries the department has said they were not for sale, to others they were not for sale at present, and still another Member has just told me he believes that in some cases they are selling them. The armistice was signed nearly four months ago, and I maintain some one, somewhere should know by this time what we are going to do with the billions of dollars' worth of valuable material we have on hand that is no longer used for Government purposes.

On February 5 the Assistant Director of Purchase and Storage informed me that there were approximately 51,000 motor trucks, 8,500 ambulances, and 8,600 passenger cars in the hands of the American Expeditionary Forces.

The number of new or used cars in this country, both truck and passenger, I was unable to get, as they did not have the information in the department at that time; but every man knows there are countless numbers of them in every part of the country, and most of them are just burning gas and using up tires and not producing anything at the present time.

At the time of the signing of the armistice there were on orders and still undelivered to the Government 138,424 autos and trucks; 96,952 of this amount were canceled, and the balance, or 41,472, were to be delivered at a future date.

On January 9, 1919, two months after the signing of the armistice—and this is the last tabulation made up to the present time—there were still to be delivered to the Government autos, trucks, and motorcycles as follows:

9 C. M. 1-ton ambulances	1,834
8 C. M. Standard 1-ton trucks	4,921
1½-ton Standard trucks	3,090
Standard 3, 4, and 5 ton trucks	9,068
Special 2 and 3 ton trucks	7,782
Limousines	15
Motorcycles	9,408
Standard 1½-ton trucks for domestic use	563
Standard 3-ton and heavier trucks for domestic use	1,371

Below is given a complete list of orders at the time of signing of the armistice, the number canceled, and number to be delivered by each contractor and the expected date of delivery, although I have been advised by the department that the time of some of these deliveries has been further extended:

Status and estimated production of total motor vehicle orders—showing contract terminations since the signing of the armistice.

VEHICLES STANDARDIZED FOR OVERSEAS SHIPMENT.

[Motors and Vehicles Division, Office of the Director of Purchases.]

Name.	Class.	Capacity.	Manufacturer.	Address.	Total ordered to Dec. 31.	Total completed to Dec. 31.	Canceled.	Balance due.	Produced Dec. 11–31.	Prospective deliveries.			
										January.	February.	March.	April.
G. M. C. standard	Amb.	1-ton	Dort Motor Co	Flint, Mich	1,000	226	.....	774	142	174	200	200	200
Do	Amb.	do	General Motor Truck Co	Pontiac, Mich	6,811	6,093	.....	718	182	368	350	.....	.....
Ford ambulance	Amb.	.....	Ford Motor Co	Detroit, Mich	10,042	5,722	3,928	392	62	392	.....	.....	.....
Total	.....	.....	.....	.....	17,853	12,041	3,928	1,884	386	934	550	200	202
G. M. C. standard	AA	1-ton	Commerce Motor Car Co	Detroit, Mich	450	.....	.....	450	.....	60	100	150	140
Do	AA	do	Velie Motors Corporation	Moline, Ill	1,000	.....	.....	[1] 1,000	.....	200	300	300	200
Do	AA	do	Elgin Motor Car Corporation	Elgin, Ill	500	.....	.....	500	.....	100	150	150	100
Do	AA	do	Lexington Motor Co	Connersville, Ind	500	.....	.....	[1] 500	.....	120	130	150	100
Do	AA	do	Auburn Auto Co	Auburn, Ind	500	.....	.....	[1] 500	.....	90	110	150	150
Do	AA	do	Hupp Motor Car Corporation	Detroit, Mich	500	.....	.....	[1] 500	.....	120	130	150	100
Do	AA	do	Saxon Motor Car Co	do	500	8	.....	492	8	92	125	150	125
Do	AA	do	Columbia Motor Co	do	300	71	.....	229	71	89	100	40	.....
Do	AA	do	Moon Motor Car Co	St. Louis, Mo	300	.....	.....	300	.....	50	75	100	75
Do	AA	do	Liberty Motor Co	Detroit, Mich	450	.....	.....	450	.....	90	110	150	100
White	AA	do	The White Co	Cleveland, Ohio	2,695	2,695	.....	.....	236	.....	.....	.....	.....
Total	.....	.....	.....	.....	7,695	2,774	.....	4,921	315	1,011	1,330	1,490	1,090
Dodge light delivery	Lt. Del.	½-ton	Dodge Bros. Co	Detroit, Mich	9,353	3,454	5,899	.....	.....	.....	.....	.....	.....
Dodge light repair	Lt. Del.	¾-ton	Dodge Bros. Co. (discontinued).	do	1,012	1,012	.....	.....	.....	.....	.....	.....	.....
Ford light delivery	Lt. Del.	do	Ford Motor Co	do	12,002	6,248	5,754	.....	.....	.....	.....	.....	.....
Total	.....	.....	.....	.....	22,367	10,714	11,653	.....	.....	.....	.....	.....	.....
White standard	A	1½-ton	The White Co	Cleveland, Ohio	9,202	2,412	5,000	1,790	74	490	500	500	300
Do	A	do	Peerless Motor Co	do	3,000	.....	3,000	.....	.....	.....	.....	.....	.....
Total	.....	.....	.....	.....	12,202	2,412	8,000	1,790	74	490	500	500	300
Light aviation	A	1½-ton	General Motor Truck Co	Pontiac, Mich	2,400	2,400	.....	.....	93	.....	.....	.....	.....
Do	A	do	Paige Motor Car Co	Detroit, Mich	500	500	.....	.....	.....	.....	.....	.....	.....
Do	A	do	Republic Motor Truck Co	Alma, Mich	500	486	.....	14	11	14	.....	.....	.....
Do	A	do	Denby Motor Truck Co	Detroit, Mich	500	500	.....	.....	.....	.....	.....	.....	.....
Garford	A	do	Garford Motor Truck Co	Lima, Ohio	5,010	1,307	3,000	703	180	300	300	103	.....
Packard	A	do	Packard Motor Car Co	Detroit, Mich	406	406	.....	.....	.....	.....	.....	.....	.....
Pierce-Arrow	A	do	Pierce-Arrow Motor Car Co	Buffalo, N. Y	4,023	2,540	900	583	17	183	200	200	.....
Total	.....	.....	.....	.....	13,339	8,139	3,900	1,300	301	497	500	303	.....

[1] A number of trucks on each of these orders have been completed, but as none of them have been inspected and accepted they can not properly be shown on this report.

Status and estimated production of total motor vehicle orders—showing contract terminations since the signing of the armistice—Continued.

VEHICLES STANDARDIZED FOR OVERSEAS SHIPMENT—continued.

Name.	Class.	Capacity.	Manufacturer.	Address.	Total ordered to Dec. 31.	Total completed to Dec. 31.	Canceled.	Balance due.	Produced Dec. 11-31.	Prospective deliveries.			
										January.	February.	March.	April.
Standardized "B"	B	3-ton	Packard Motor Car Co	Detroit, Mich	5	5							
Do	B	do	Gramm-Bernstein Motor Truck Co.	Lima, Ohio	3,750	1,033	2,000	717		242	175	150	150
Do	B	do	Kelly-Springfield Motor Truck Co.	Springfield, Ohio	1,045	500		545		135	140	140	130
Do	B	do	Indiana Truck Corporation	Marion, Ind	2,545	544	1,500	501	29	116	130	140	115
Do	B	do	Service Motor Truck Co	Wabash, Ind	1,795	623	750	422	114	140	145	137	
Do	B	do	Republic Motor Truck Co	Alma, Mich	3,750	1,344	2,000	406	237	206	200		
Do	B	do	Selden Truck Sales Co	Rochester, N. Y	3,750	1,266	2,000	484	193	174	180	130	
Do	B	do	Pierce-Arrow Motor Car Co	Buffalo, N. Y	1,000	1,000							
Do	B	do	Bethlehem Motors Corporation.	Allentown, Pa	2,725	850	1,500	375	100	125	125	125	
Do	B	do	Diamond T Motor Co	Chicago, Ill	3,203	783	2,000	420	111	125	150	145	
Do	B	do	U. S. Motor Truck Co	Cincinnati, Ohio	2,545	629	1,500	416	88	176	150	90	
Do	B	do	Brockway Motor Truck Co	Cortland, N. Y	2,202	670	1,000	532	20	182	125	125	100
Do	B	do	Velie Motors Corporation	Moline, Ill	3,045	658	2,000	387	149	162	150	75	
Do	B	do	Sterling Motor Truck Corporation.	Milwaukee, Wis	1,795	527	750	518	27	150	125	125	118
Do	B	do	Garford Motor Truck Co	Lima, Ohio	1,750	1,000		750		225	200	200	125
Do	B	do	Hurlburt Motor Truck Co	New York, N. Y	100			100		25	25	25	25
Do	B	do	Midland Motor Truck Co	Oklahoma City, Okla.	500		500						
Do	B	do	Atterbury Motor Car Co	Buffalo, N. Y	750		750						
Do	B	do	Standard Motor Truck Co	Detroit, Mich	750		750						
Do	B	do	Maccar Co	Scranton, Pa	500		500						
Do	B	do	Clyde Cars Co	Clyde, Ohio	500		500						
Do	B	do	Rowe Motor Manufacturing Co.	Lancaster, Pa	500		500						
Do	B	do	J. C. Wilson Co	Detroit, Mich	500		500						
Do	B	do	Lewis Hall Iron Works	do	500		500						
Do	B	do	Denby Motor Truck Co	do	1,500		1,500						
Do	B	do	Winther Motor Truck Co	Winthrop Harbor, Ill.	500		500						
Do	B	do	Vim Motor Truck Co	Detroit, Mich	500		500						
Do	B	do	Signal Motor Truck Co	do	500		500						
Do	B	do	United Motors Co	Grand Rapids, Mich.	500		500						
Total					43,005	11,432	25,000	6,573	1,068	2,183	2,020	1,607	763
Packard	B	3-ton	Packard Motor Car Co	Detroit, Mich	10,934	5,910	3,750	1,274	52	374	300	300	300
Heavy aviation	B	do	United Motors Co	Grand Rapids, Mich.	200	200							
Do	B	do	Federal Motor Truck Co	Detroit, Mich	1,000	1,000							
Do	B	do	Kelly-Springfield Motor Truck Co.	Springfield, Ohio	2,225	2,098		127	224	127			
Do	B	do	Standard Motor Truck Co	Detroit, Mich	250	250			12				
Do	B	do	Velie Motors Corporation	Moline, Ill	1,000	948		52	75	52			
Riker	B	4-ton	Locomobile Co. of America	Bridgeport, Conn.	3,690	1,848	1,500	342	73	175	167		
Pierce-Arrow	B	5-ton	Pierce-Arrow Motor Car Co	Buffalo, N. Y	3,170	2,304	600	266	74	166	100		
Mack	B	5½-ton	International Motors Co	New York, N. Y	5,575	3,141	2,000	434	288	210	224		
Total					28,044	17,699	7,850	2,495	798	1,104	791	300	300
Four-wheel drive	TT	2-ton	Nash Motors Co	Kenosha, Wis	14,684	9,774	4,000	910	581	700	210		
Do	TT	do	Hudson Motor Car Co	Detroit, Mich	3,000	500	2,500		44				
Do	TT	do	National Motor Car & Vehicle Co.	Indianapolis, Ind	3,000	473	1,000	1,527	126	300	350	377	500
Do	TT	do	Paige Motor Car Co	Detroit, Mich	3,000	568	1,500	932	109	400	400	132	
Do	TT	3-ton	Four-Wheel Drive Auto Co	Clintonville, Wis	7,150	4,913	1,000	1,237	40	475	475	287	
Do	TT	do	Mitchell Motors Corporation	Racine, Wis	5,023	1,598	2,000	1,425	237	400	400	400	225
Do	TT	do	Premier Motor Co	Indianapolis, Ind	4,500	1,821	2,000	679	179	350	329		
Do	TT	do	Kissel Motor Car Co	Hartford, Wis	3,500	1,245	1,500	755	92	300	300	155	
Total					43,857	20,892	15,500	7,465	1,408	2,925	2,464	1,351	725
Four-wheel drive	Winch	2-ton	Nash Motors Co	Kenosha, Wis	100	100							
Do	Winch	3-ton	Four-Wheel Drive Auto Co	Clintonville, Wis	800	483		317	100	100	100	100	17
Total					900	583		317	100	100	100	100	17
Cadillac limousine	Pass		Cadillac Motor Car Co	Detroit, Mich	1,055	338	705	12	17	12			
Cadillac open	Pass		do	do	2,970	1,962	1,008						
Dodge open	Pass		Dodge Bros. Co	do	8,559	5,678	2,881						
Dodge winter top	Pass		do	do	3,201	2,404	797						
Ford touring	Pass		Ford Motor Co	do	20,201	6,577	13,624						
Locomobile limousine	Pass		Locomobile Co. of America	Bridgeport, Conn.	10	7		3	5	2	1		
Total					35,996	16,966	19,015	15	22	14	1		
Cleveland	Motorcycles.		Cleveland Motors Manufacturing Co.	Cleveland, Ohio	1,526	1,476		50	141	50			
Harley-Davidson	do		Harley-Davidson Motorcycle Co.	Milwaukee, Wis	26,487	14,663	10,500	1,321	569	900	421		
Indian	do		Hendee Manufacturing Co	Springfield, Mass	39,870	18,018	19,200	2,652	997	1,500	1,152		
Total					67,883	31,160	29,700	4,023	1,707	2,450	1,573		
Harley-Davidson	Side cars		Harley-Davidson Motorcycle Co.	Milwaukee, Wis	26,099	14,332	10,500	1,267	593	900	367		
Indian	do		Hendee Manufacturing Co	Springfield, Mass	39,124	16,801	19,200	3,120	995	1,620	1,500		
Total					65,223	31,136	29,700	4,387	1,588	2,520	1,867		
Military standard	Bicycles.		Westfield Manufacturing Co.	Westfield, Mass	36,002	22,502	13,500		704				
Do	do		Great Western Manufacturing Co.	Laporte, Ind	15,750	3,750	12,000		161				
Do	do		Davis Sewing Machine Co	Dayton, Ohio	16,250	3,252	12,000	998		993			
Total					68,002	29,504	37,500	998	865	993			

Status and estimated production of total motor vehicle orders—showing contract terminations since the signing of the armistice—Continued.

VEHICLES STANDARDIZED FOR OVERSEAS SHIPMENT—continued.

Name.	Class.	Capacity.	Manufacturer.	Address.	Total ordered to Dec. 31.	Total completed to Dec. 31.	Canceled.	Balance due.	Produced Dec. 11-31.	Prospective deliveries.			
										January.	February.	March.	April.
Misc. Amer. and foreign.	AA	¾-1 ton	Overseas inventory		532	532							
Misc. foreign	A	1½-2 ton	Overseas purchase		605	605							
Misc. foreign amb.	A	do	do		192	192							
Misc. foreign	B	3-5 ton	do		1,603	1,603							
Do	Pass.		do		507	507							
Misc. American	Bicycles		Various dealers		900	900							
Total					4,339	4,339							

VEHICLES FOR DOMESTIC DISTRIBUTION.

Commerce	AA	1-ton	Commerce Motor Car Co.	Detroit, Mich.	1,548	1,548							
Ford trucks	AA	¾-1 ton	Ford Motor Co.	do	2,494	2,474	20						
Total					4,042	4,022	20						
White, unstandardized.	A	1½-ton	The White Co.	Cleveland, Ohio.	394	394							
Kelly-Springfield	A	do	Kelly-Springfield Motor Co.	Springfield, Ohio.	356	16	170	170		35	70	65	
Denby	A	do	Denby Motor Truck Co.	Detroit, Mich.	500	182	150	168	160	100	68		
International	A	do	International Harvester Co.	Akron, Ohio.	1,125	485	500	140	102	140			
Misc. American	A	1½-2 ton			949	949							
Wilson	A	do	J. C. Wilson Co.	Detroit, Mich.	200	75	50	75	27	50	25		
Moreland	A	do	Moreland Motor Truck Co.	Los Angeles, Cal.	86	76		10	10	10			
Misc. Amer. Amb.	A	do			57	57							
Total					3,667	2,234	870	563	299	335	163	65	
White	B	3-ton	The White Co.	Cleveland, Ohio.	306	306							
Peerless	B	do	Peerless Motor Car Co.	do	885	697		188	104	125	63		
Kelly-Springfield	B	3½-ton	Kelly-Springfield Motor Co.	Springfield, Ohio.	920	21	460	439	21	89	125	125	100
Mack	B	do	International Motors Co.	New York, N. Y.	262	262							
Velie	B	do	Velie Motors Corp.	Moline, Ill.	137	28	100	9	16	9			
Gramm-Bernstein	B	do	Gramm-Bernstein Motor Truck Co.	Lima, Ohio.	116	66	50		25				
Federal	B	do	Federal Motor Truck Co.	Detroit, Mich.	500	85	250	165	66	120	45		
Standard	B	do	Standard Motor Truck Co.	do	387	89	75	223	2	63	80	80	
Selden	B	do	Selden Motor Truck Co.	Rochester, N. Y.	171	121	50		41				
Republic	B	do	Republic Motor Truck Co.	Alma, Mich.	250		125	125		100	25		
Moreland	B	4-ton	Moreland Motor Truck Co.	Los Angeles, Cal.	60	40		20	20	20			
White	B	5-ton	The White Co.	Cleveland, Ohio.	48	48							
Packard	B	do	Packard Motor Car Co.	Detroit, Mich.	65	60		5		5			
Hurlburt	B	do	Hurlburt Motor Truck Co.	New York, N. Y.	200		100	100		50	50		
Federal	B	do	Federal Motor Truck Co.	Detroit, Mich.	300	53	150	97	38	97			
Misc. American	B	3-5-ton			250	250							
Total					4,857	2,126	1,360	1,371	333	678	388	205	100
Dodge Sedan	Pass.		Dodge Bros. Co.	Detroit, Mich.	10		10						
Dodge Roadster	Pass.		do	do	550	175	375						
Ford Roadster	Pass.		Ford Motor Co.	do	435	186	249						
Ford closed	Pass.		do	do	16	16							
Misc. American	Pass.				958	958							
Total					1,969	1,335	634						

I regret I am unable to give accurately the unmber of new cars already delivered to the department and are now being stored in various places, and I am informed that by far the greater number are standing outdoors and exposed to the wind and weather during these winter months. However, I can give the actual number so stored in the vicinity of Baltimore at Camp Holabird:

Motor cars	804
Trucks	2,874
Mortorcycles	1,014
Side cars	873
Bicycles	8
Trailers	90
Auto bodies	1,810

I am told the War Department intend taking these cars apart, boxing them up, and erecting buildings to store them in, and that it costs at least $100 per car to take them apart, to say nothing of the cost of land and buildings to store them in.

Mr. Chairman, what I want to know and what the country wants to know is, if we have no need for these cars, what earthly excuse is there for us to continue making these cars in every part of the country, driving them at a large expense to Baltimore, then hiring men to take them apart and store them and put them away to be forgotten and actually lost, as far as any real value is concerned?

Mr. WISE. Mr. Chairman, will the gentleman yield?

Mr. SNELL. Yes.

Mr. WISE. Under this amendment as adopted, which provides that no gasoline shall be furnished or used through the funds of this appropriation for the use of these machines in Washington or elsewhere, Gen. Pershing in France would have to buy his own gasoline.

Mr. SNELL. I was not speaking of that amendment. I am simply calling attention of the Members to the number of trucks now on hand and the number yet to be delivered, in order to see if we can not get some information from the department as to what is to become of the trucks and what is going to be their future policy in regard to them.

Mr. CARTER of Oklahoma. Are any of them being sold?

Mr. SNELL. I can not find out definitely that there are any being sold or that they are going to sell any of them. It is privately whispered about that there was an arrangement between the automobile manufacturers of the country and the War Department that none of these trucks or machines that are now abroad would ever be sold over there or ever come back from France, but would be scrapped, and that none of these that the Government has on hand at the present time would ever be sold to the consuming public. That is what I want to find out, and I want the people of this country to know the enormous number of trucks that we have on hand and are yet to be delivered, and then see if public sentiment or Congress or something will not force the department to take some definite action to get our money out of this property that is slowly and surely going to waste at the present time. We can never get as much money out of these cars as at the present. The market has been short of small trucks and still is, and if the Government would go at it in a businesslike way I have no doubt but what a large number of these cars could be turned into money at once with little or no loss. Even if they sell them at some loss it would be better than to pile them up in an open lot to rust and decay.

Mr. SNOOK. Will the gentleman yield?

Mr. SNELL. I will.

Mr. SNOOK. I will state to the gentleman that I had an inquiry from a gentleman from my district who wanted to buy one of these, and he addressed a letter to the War Department, and they informed him that they had none to sell and were not going to sell any, and all they had to spare they were going to turn over to the Post Office Department.

Mr. SNELL. That is the subject I was coming to in a few minutes, and I am glad the gentleman brought it up. It has been whispered about also that all of these trucks would be used in connection with the Post Office Department at a certain time.

If the Post Office Department has any use for any of them, let them have them at once, but as far as using these trucks for general parcel-post delivery throughout the country, there is nothing to it, for our post roads are not in condition to use them. One trip with a 3-ton truck over our average country roads after a rain delivering parcel post would put an end to it.

Now, the only sensible thing to do is not to buy land and buildings to store more trucks, but to stop buying immediately. Adopt some definite business policy and sell the trucks and cars we do not need to the consuming public. I do not mean to glut the market and disrupt business in this line, but distribute in such a way and in different sections, so as to not materially affect general conditions, but give the public an opportunity to buy these cars at the market value or enough less so the Government can clean up on them with as little loss as possible.

I think the time has come when we should take some definite action here if we have any control over what is going to be done with all this enormous amount of property. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. KINCHELOE. Mr. Chairman, when I asked for the minute I did not desire to speak long about this at all, but the purpose of my asking for it was to offer the amendment which the gentleman from Nebraska and I have agreed upon, except I notice in his amendment there he does not use the language, "other parts of the United States." I think that ought to go in there, because I do not think that officers in Europe ought to be deprived of the use of these automobiles, and if the gentleman will agree to it I will ask unanimous consent that the words "United States" be inserted in his amendment.

Mr. SHALLENBERGER. I accept the amendment, and I ask unanimous consent that it shall read, "elsewhere in the United States."

Mr. MILLER of Minnesota. I understood that that was it.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that his amendment should be modified as indicated by the gentleman from Kentucky. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, I would like to know what it is.

Mr. SHALLENBERGER. "Or elsewhere in the United States." In drawing the amendment I left out those words. I wrote it twice, but gentlemen came up and I wrote it very hurriedly. However, I now understand that it is already in there.

Mr. KINCHELOE. Then I withdraw my request. The only purpose I had was to offer this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. Mr. Chairman, very likely several gentlemen in the House, perhaps most of you, feel that the abuse which has grown up in this District needs to be stopped and yet feel, perhaps, this is rather drastic. I surely am one of that class. I want to suggest to you, however, this fact—and it seems about the best language that hurriedly can be framed to meet the situation—that it will have this good result, it will compel the immediate consideration of this question and the bringing in in another body of a properly drawn and framed amendment that will stop the vice with as little hardship to the Military Establishment as possible. There is going to be some hardship worked by this if literally adopted and applied. Proper legislation can be proposed by the War Department, and doubtless will be, if some provision is now adopted.

Mr. KNUTSON. Will the gentleman yield?

Mr. MILLER of Minnesota. I have only a minute, but I will.

Mr. KNUTSON. Why can not these officers use motor side cars if they have legitimate business to transact for the Army?

Mr. MILLER of Minnesota. A motor-propelled vehicle includes a motorcycle. Of course, there are Army officers engaged in military work who need to have automobile service, and should have it, but how to frame legislation that will give needed authority and yet abolish this undoubted vice is difficult to frame.

Mr. MANN. If this amendment goes through, will an officer located at a fort quite a ways from transportation have to walk to Washington?

Mr. MILLER of Minnesota. They would walk or take a train.

Mr. MANN. They can not take a train there.

Mr. MILLER of Minnesota. I am inclined to think, like the gentleman from Illinois, that one of the most valuable things we could possibly do would be to stop some of the running about from camps to the city on the part of a great many of these men. It might facilitate demobilization.

Mr. DEMPSEY. Will the gentleman yield for a short question?

Mr. MILLER of Minnesota. I will.

Mr. DEMPSEY. Does not the gentleman think we ought to strike out the words "carried in this bill," and make this provision immediately effective?

Mr. MILLER of Minnesota. I favor that, but that makes it subject to a point of order, but if some one will offer later the proper language I shall certainly approve of it in that form. This abuse has come to be colossal. It works for inefficiency in the military service. It works for extravagance in government, and it works for everything that is not healthy in the public service. Many officers have themselves been guilty of conduct that brings this drastic action. The higher Army officers are responsible for its existence, and I do not refer to the general in charge of the Motor Transport Service; he has nothing whatever to do with it. Most of you know he is a splendid, high-grade man. The responsibility does not rest there. All he does is to turn over the transportation as orders come to him for such transportation to be delivered. It rests with the highest authority in the War Department. It rests with the Secretary of War's office or somebody in the Secretary of War's office. Now, I want to say to you, you have not cured all the evil by this amendment even. This will not touch a large part of the Quartermaster's Corps, and in the Quartermaster's Corps and depot quartermaster's office in this city you will find automobile abuses that have become serious. It is a vicious system that has grown up, perhaps without any person's willing it, certainly without any authority stopping it.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

There is an amendment pending and an amendment to the amendment, and of course the latter must be disposed of before additional amendments are offered. The question is on the amendment to the amendment of the gentleman from Virginia.

Mr. DEMPSEY. Mr. Chairman, I move to strike out of the amendment the words "carried in this bill."

The CHAIRMAN. That would be an amendment to the amendment to the amendment.

Mr. MANN. Mr. Chairman, I ask that the amendment and the amendment to the amendment be again reported.

The CHAIRMAN. The gentleman from Illinois asks that the amendment of the gentleman from Virginia and the amendment of the gentleman from Nebraska thereto be again reported.

The amendments were again reported.

Mr. DEMPSEY. Mr. Chairman, I move as a substitute——

Mr. MANN. Mr. Chairman, there was only one amendment reported by the Clerk.

The CHAIRMAN. The Clerk advises the Chair that he read the amendment to the amendment in.

Mr. MANN. We do not know whether it was done or not.

The CHAIRMAN. The Clerk will report specifically the amendment of the gentleman from Nebraska to the amendment of the gentleman from Virginia.

The Clerk read as follows:

Amendment offered by Mr. SHALLENBERGER to the amendment offered by Mr. FLOOD: At the end of the Flood amendment insert the following: "and elsewhere in the United States except those used for the transportation of the enlisted men for military purposes."

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. BARKLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN: The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BARKLEY: Add at the end of the amendment the following: "And from and after the passage of this act no part of any appropriation heretofore made for the maintenance of the Military Establishment shall be used for such purpose."

Mr. MANN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. Will the gentleman state the point of order?

Mr. MANN. The amendment as offered relates to appropriations in this bill, while the gentleman seems to have extended it to other appropriations, which is clearly not in order.

Mr. BARKLEY. I desire to suggest simply this, that this amendment will reduce expenses. There is nothing speculative about it. It is intended to and will accomplish that purpose, and while it applies specifically to appropriations heretofore made it does not repeal any general law on the subject. It simply limits the expenditure of money heretofore appropriated by Congress.

Mr. MANN. We are dealing with this bill.

The CHAIRMAN. We are dealing with a different appropriation, the Chair will say to the gentleman from Kentucky. The point of order is sustained.

Mr. RUCKER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RUCKER: After the word "purchase" insert the word "hire," so that as amended it will read:

"*Provided further*, That no part of said appropriation or any other appropriation carried in this bill shall be used for the purchase, hire, maintenance, or operation of any motor-propelled vehicle."

The CHAIRMAN. The question is on the amendment of the gentleman from Missouri [Mr. RUCKER].

The amendment was agreed to.

Mr. MANN. Mr. Chairman, I move to amend by striking out the word "bill" and inserting the word "act." Even then it will be crude enough.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend the amendment by striking out the word "bill" and inserting in lieu thereof the word "act."

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. TILSON. Mr. Chairman, I move to strike out the first word of the Shallenberger amendment, "and," and insert the word "or."

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend the Shallenberger amendment by striking out the word "and" and inserting in lieu thereof the word "or."

Mr. MANN. Mr. Chairman, I make the point of order that can not be done by a motion. The Shallenberger amendment has been agreed to.

Mr. SHALLENBERGER. Mr. Chairman, I ask unanimous consent that the amendment may be offered.

Mr. MANN. I wanted to demonstrate what crude methods we were adopting in enacting important legislation.

The CHAIRMAN. The point of order is sustained.

The gentleman from Nebraska [Mr. SHALLENBERGER] asks unanimous consent that this be done. Without objection, the amendment presented by the gentleman from Connecticut will be agreed to and inserted by the Clerk in the amendment. [After a pause.] The Chair hears no objection. The question is now on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For procuring and introducing water to buildings and premises at such military posts and stations as from their situations require it to be brought from a distance; for the installation and extension of plumbing within buildings where the same is not specifically provided for in other appropriations; for the purchase and repair of fire apparatus, including fire-alarm systems; for the disposal of sewage, and expenses incident thereto, for repairs to water and sewer systems and plumbing; for hire of employees, $5,000,000.

Mr. WALSH and Mr. FREAR rose.

The CHAIRMAN. The gentleman from Massachusetts [Mr. WALSH] is recognized.

Mr. WALSH. I move to strike out the last word.

Mr. Chairman, I desire to ask the gentleman if this appropriation includes expenditures for this purpose at military cantonments which have been entrusted to take care of the men raised under the provisions of the selective-service law, or whether it is simply for military forts and reservations?

Mr. DENT. It includes those cantonments that would be in existence during the next year. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and had come to no resolution thereon.

PENSIONS.

Mr. KEY of Ohio, by direction of the Committee on Pensions, presented for printing under the rule the conference report and statement on the bill (H. R. 12211) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, as follows:

CONFERENCE REPORT (NO. 1071).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12211) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, 7, 9, 12, 14, 15, 16, 18, 19, 20, 21, 23, 24, 27.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 6, 8, 10, 11, 13, 17, 22, 25, 26, 28, and agree to the same.

JOHN A. KEY,
SAM R. SELLS,
Managers on the part of the House.
T. J. WALSH,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12211) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependents of such soldiers and sailors, submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, viz:

On amendment No. 1 (Sarah B. Green): Restores provision for pension.

On amendment No. 2 (Edward Blackmer): A correction.

On amendment No. 3 (Annie Neate): Restores provision for pension.

On amendment No. 4 (Fred A. Angelo): Restores provision for pension.

On amendment No. 5 (Samuel E. Spencer): Grants $17 a month in lieu of $12.

On amendment No. 6 (Edith V. Bowman): Strikes out provision for pension.

On amendment No. 7 (Grant H. Hill): Restores provision for pension.

On amendment No. 8 (Lindley Herrington): Strikes out provision for pension.

On amendment No. 9 (Genevra M. Lamb): Restores provision for pension.

On amendment No. 10 (Charles A. Walter): Restores provision for pension.

On amendment No. 11 (Edward P. Aler, alias John P. Edwards): A correction.

On amendment No. 12 (Emma L. Green): Restores provision for pension.

On amendment No. 13 (James P. Dooley): A correction.

On amendment No. 14 (Frances L. Young): Restores provision for pension.

On amendment No. 15 (Fred F. Newell): Restores provision for pension.

On amendment No. 16 (Susan E. Brown): Restores rate of $25 in lieu of $20 proposed.

On amendment No. 17 (Henry A. Jaegle): Grants rate of $17 a month in lieu of $12 proposed.

On amendment No. 18 (Mary A. Lawson): Restores provision for pension.

On amendment No. 19 (Mary O. Barbee): Restores provision for pension.

On amendment No. 20 (Carrie E. Dennis): Restores provision for pension.

On amendment No. 21 (Lafayette Martin): Restores provision for pension.

On amendment No. 22 (Walter Sewell): Strikes out provision for pension.

On amendment No. 23 (Addie Burns): Restores provision for pension.

On amendment No. 24 (Mary E. Wainright): Restores provision for pension.

On amendment No. 25 (Rebecca Strouther): Strikes out provision for increase of pension, as she is now pensioned under special act of Congress.

On amendment No. 26 (Belle R. Reid): Strikes out provision for increase of pension, as she is now pensioned under special act of Congress.

On amendment No. 27 (Alice A. Thorburn): Restores provision for pension.

On amendment No. 28 (Wesley H. Crockett): Strikes out provision for pension.

JOHN A. KEY,
SAM R. SELLS,
Managers on the part of the House.

Mr. KEY of Ohio, by direction of the Committee on Pensions, presented for printing under the rule the conference report and statement on the bill (S. 4723) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

WITHDRAWAL OF PAPERS.

Mr. HAYES, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Harlan W. Jenks, H. R. 9434, Sixty-fifth Congress, no adverse report having been made thereon.

ARMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15835, the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15835, the Army appropriation bill, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The gentleman from Massachusetts [Mr. WALSH] has the floor.

Mr. SNELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. WALSH. Mr. Chairman, with reference to my inquiry, do I understand that the chairman of the Committee on Military Affairs states that the cantonments which have been constructed are known as posts or stations? Is that a correct designation of them?

Mr. DENT. You mean temporary camps during the emergency?

Mr. WALSH. Yes, sir.

Mr. DENT. Some of them are called cantonments and others are called National Guard camps.

Mr. WALSH. I notice in other sections of the bill provision is made for telephone service and the like at posts, camps, cantonments, depots, arsenals, and so forth, but this item is apparently restricted to military posts and stations. My inquiry is whether any of this money would be expended, or would be available for expenditure, at these cantonments, or whether it would be confined to military posts and stations established before the emergency, and of a permanent character?

Mr. DENT. I will state to the gentleman that of course if any of these cantonments happen to be in existence after the 1st day of next July, this appropriation by law would apply to them. But the committee cut the appropriation more than half in two on the theory that it ought to be confined to permanent military posts in the country.

Mr. WALSH. Is not that quite a generous appropriation, $5,000,000, for water and sewers and the purchase and repair of fire apparatus?

Mr. KAHN. They asked for $12,000,000, and the committee cut it to $5,000,000. I would call the attention of the gentleman to the statement made by Gen. Marshall, on page 204 of the hearings, in which he says:

> At many of the Regular Army posts, and at certain of the cantonments which it is supposed will be maintained for permanent occupancy by troops, it is necessary to purchase water from public-service corporations, and it is estimated that the necessary expenditure for this purchase will amount to $1,799,542, which is 20 per cent of the amount appropriated in the Regular Army bill for the fiscal year 1919.

Mr. WALSH. That is very true, but the last prewar appropriation for this very purpose was $1,500,000. Here we have jumped it to $5,000,000. Now, if we are going back to a prewar basis——

Mr. DENT. Where does the gentleman from Massachusetts get those figures? I have the figures before me for 1917. It is $2,000,000.

Mr. WALSH. It was referring to the 1916 item.

Mr. DENT. This was the 1917 appropriation.

Mr. WALSH. Well, even with the 1917 appropriation of $2,000,000 it seems to me that without some specific explanation and without its being shown that this is to apply to some cantonments which are located an increase of $3,000,000 is somewhat excessive.

Mr. DENT. That was the reason for the increased appropriation, because it is possible that it might have to apply to some of them.

Mr. WALSH. "It is possible." That is one of the explanations of contingent or possible action.

Mr. KAHN. The department asked for $12,000,000 for this item, and the committee thought by cutting it to $5,000,000 they were acting fairly to the soldiers and to the Government.

Mr. WALSH. Oh, the committee has acted fairly and with due generosity, but it seems to me the House ought to know how the money is to be expended and how many of these cantonments are to be made military posts or stations.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield.

Mr. ALEXANDER. Is the gentleman from Alabama reading from the Army appropriation act of 1917, in which $2,000,000 was carried for furnishing water for military purposes?

Mr. DENT. I am reading from the appropriation bill approved May 12, 1917.

Mr. ALEXANDER. That was for the fiscal year ending June 30, 1918?

Mr. DENT. Yes.

Mr. ALEXANDER. Many of these cantonments then had already been built.

Mr. DENT. Not at the time this act was passed, but during that year.

Mr. ALEXANDER. You were making appropriations for that year, and carried only $2,000,000 for that purpose.

Mr. DENT. I will call attention, Mr. Chairman, to page 733, part 2, of the hearings before the committee, in which a detailed statement is given, showing exactly each item of the appropriation asked for, as follows:

Water and sewers.

Item.	Amount.	Division making estimate.
Water systems:		
237. Procuring water	$2,080,700	Construction.
237a. Purchase of water	1,799,542	Do.
237b. Sterilizers and filters		General supplies.
238. Introducing water to buildings	190,475	Construction.
239. Installation and extension of plumbing	1,837,153	Do.
Fire apparatus:		
240. Purchase of	100	Do.
241. Repair of	418,421	Do.
Fire-alarm systems:		
242. Purchase of		Do.
242a. Repair of	10,000	Do.
Sewage:		
243. Disposal of	490,962	Do.
243a. Expenses incident thereto		Salvage.
243c. Incinerators, purchase, etc	66,272	Construction.
244. Toilet paper	609,500	General supplies.
245. Water systems, repairs to	1,808,402	Construction.
246. Sewer systems, repairs to	735,082	Do.
247. Plumbing within buildings, repairs to	1,677,760	Do.
Total	11,724,369	
Cut	609,500	
Total	11,114,869	

It will be noticed that the total amount there is $11,114,869, which the committee cut down to $5,000,000.

Mr. STAFFORD. Is there any sequence in the large appropriation of $1,000,000 for the purchase of water in view of the adoption of the constitutional amendment?

Mr. DENT. Well, I believe that the gentleman from Wisconsin and myself agree that that amendment ought not to have been adopted.

Mr. STAFFORD. I thoroughly agree. I wondered whether this water was to be still used as chasers for the benefit of those who happen to have stores in their possession after the law becomes effective.

Speaking seriously, what is the need of such large appropriations as $1,000,000 for the purchase of water?

Mr. DENT. I confess to the gentleman, as I have plainly stated to the committee all during the consideration of this bill, that in the present state of the Army situation and the uncer-

tainty of it, appropriations like this are largely a matter of guess, and that is all you can say in regard to them.

Mr. STAFFORD. May I inquire on another subject which has been considered in a way by the Committee on Appropriations, or, rather, it was referred to in the hearings before the Committee on Appropriations: Did the Committee on Military Affairs give any consideration to the purchase of the land on which these cantonments are located, as a permanent policy, or did they merely continue the present proposal to have them under lease?

Mr. DENT. I think I stated on yesterday that the committee had hearings. The Secretary of War and the Assistant Secretary of War, Mr. Crowell, appeared before the committee and stated that the policy of the War Department was to purchase all of these various cantonments and to abandon all the National Guard camps except two, one in South Carolina and one in California, for the purpose not of using them as permanent military posts, but of reselling the property, thinking that thereby they could save some money. They asked the advice of the committee, and the committee declined to give any advice on the subject.

Mr. STAFFORD. Do we understand that under existing law the department has authority to go ahead and purchase the land on which these cantonments are temporarily established?

Mr. DENT. It was so claimed by the Secretary of War.

Mr. STAFFORD. But the committee has not taken any stand in either canceling that authorization or approving it?

Mr. DENT. The committee has taken no action whatever on it.

Mr. FREAR. Mr. Chairman, I move to strike out "$5,000,000" and to substitute "$2,000,000."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. FREAR offers an amendment on page 33, line 4, to strike out "$5,000,000" and insert "$2,000,000."

Mr. FREAR. Mr. Chairman, I do not know whether the House fully appreciates the position in which we are being placed during the discussion before the committee. Here is a bill reaching $1,117,000,000, ten times as great as any bill prior to the war, and we have a one-page report on it, that is all; and the House is supposed to gather from that the necessity for this $1,000,000,000 bill. Then we ask the committee, "What informattion can you give us?" And then a member of the committee refers to some general statement. For instance, the gentleman from California [Mr. KAHN], whom we all highly respect for his knowledge about this general subject says, "The department wanted $12,000,000 for this item, but we held it down to $5,000,000." "It used to be how much?" "A few hundred thousand dollars."

Mr. KAHN. It used to be $2,000,000.

Mr. FREAR. I am asking that it be made $2,000,000 now.

Mr. KAHN. Will the gentleman yield?

Mr. FREAR. If I can have more time.

Mr. KAHN. That was based on an army of 100,000 men.

Mr. FREAR. But, Mr. Chairman, this paragraph has no reference to 100,000 men or 1,000,000 men. It says:

For procuring and introducing water to buildings and premises at such military posts and stations as from their situations require it to be brought from a distance.

They might spend $100,000,000 on that item on the same argument in the judgment of these men who have reported or suggested these various items to the committee. Who are to determine the amount at this time when we are demobilizing men or seeking to do it, when we are trying to abandon some of these cantonments and posts? At a time when we have just had placed before us and passed a $6,000,000,000 revenue bill it is said the estimating officers wanted $12,000,000, and the committee advised the officers by saying "We can not give you $12,000,000, but we will give you $5,000,000," a reduction of about 60 per cent. For what? To include bringing a water supply 50 miles, if desired—to bring water down to any of these cantonments or Army posts. My inquiry is, Why should it be done this year any more than during any prior year? Why should this burden be put on the people this year more than any other year?

Now, Mr. Chairman, we have just reduced the last item $38,000,000. It has been stated to the House that $214,000,000 has been invested in motor vehicles. It is needless to discuss the enormous waste in these motor vehicles. That is the same department which asks us to appropriate $5,000,000 for water and sewers. I ask you who is going to pay for these extraordinary expenditures? Here is a bill appropriating $1,117,000,000, as I said before, with one small page containing the entire report upon it. Think of it! Why does not the committee give us the information as other committees do on other bills? Then, when we ask about the necessity for the expense, what do we get? I cast no reflection on the members of the committee, who are acting on the advice of the officers who made the estimates, and the chairman of the committee says it is a "mere guess." He just made that statement to the committee. Of course it is a mere guess.

Mr. KING. Will the gentleman yield?

Mr. FREAR. No; not at this moment. I will later. This is the first time I have spoken on the bill, and I want to use my time. Now, Mr. Chairman, I do not want to interfere with any necessary appropriation, but we have not any information here on which to base the expenditure. I want to say that I would go as far as anyone in support of what the War Department has done in carrying on the war. I appreciate all that our Army has done to win the war, and during the war voted for everything, but now I believe we should economize.

Mr. McKENZIE. Will the gentleman yield?

Mr. FREAR. Not unless you give me more time.

Mr. McKENZIE. We will do that. If the gentleman has no information, how does he have the courage to offer this amendment?

Mr. FREAR. Just because the gentleman from Illinois has failed to give us information, time after time, when he has risen to his feet and has attempted to do it. He has attempted to do it, but he has not given us any positive information. It is a guess even which comes from the chairman. We can not get the information from the committee, because the chairman of the committee says it is a mere guess, as we know it is. Then, why do you say you want $5,000,000 when it is a guess? I had much sympathy with the gentleman from Arkansas [Mr. WINGO] last night when he was offering inquiries on this bill, which only has a one-page report for this, a billion-dollar bill. A few days ago we passed another bill appropriating $747,000,000, with an authorization of $400,000,000 beyond that. Who is going to pay all these enormous expenditures? The people; and we are asked to put a tax on them based on a mere guess. Now, I do not know about the necessity. If there is a necessity, it has not been shown. If this provision and the appropriation was good yesterday, it was good 10 years ago. And why this great increase at this particular time? You say we may have to go 50 miles away or 10 miles away to put in this water-supply proposition.

Mr. DENT. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. DENT. The gentleman offers an amendment to make this $2,000,000.

Mr. FREAR. Yes.

Mr. DENT. Is that a mere guess?

Mr. FREAR. A mere guess; and so was $12,000,000, first proposed to the committee; and then the committee guessed and cut it down to $5,000,000. Of course, $2,000,000 is a mere guess.

Mr. KAHN. Will the gentleman yield?

Mr. FREAR. Yes; I will yield.

Mr. KAHN. The committee guessed, because it realizes that we must have a supply of water for the various camps for an average of 500,000 men during the year. Before the war we only had 100,000 in the Army all told. We have to buy this water from the municipal water companies all over the Union where camps are located. That is the reason why the committee concluded that we would have to give the $5,000,000 that the committee decided on. But water is only one feature; there is the fire control which has to be established in cantonments, and they are going to be used for some years. The item includes a number of features, and the committee predicated their estimate on the number of men that we have to take care of.

Mr. FREAR. If the gentleman will permit me to proceed. The chairman of the committee, the gentleman from Alabama, read to us, and I kept track of the figures, $3,700,000 for this one item of water supplies, and $12,000,000 for the paragraph was the basis of that estimate. The committee cut it down to $5,000,000 for all purposes. The gentleman from California says we are estimating for 500,000 men a year. Well, I will say to him that some Members of this House are not willing to have 500,000 men for the Regular Army, and they want to demobilize the men as quickly as possible. The officers may want to keep them in camp, but we have requests from all over the country to let the men go home.

Mr. KAHN. The gentleman recognizes the fact that the men when brought here from the other side have to be sent to the camps and have to remain until they are demobilized, and that during that time they have to drink water.

Mr. FREAR. That is true, but I do not suppose they are to be sent all over the United States.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FREAR. Mr. Chairman, I ask for five minutes more.

Mr. DENT. Mr. Chairman, pending that request, I ask unanimous consent that at the expiration of five minutes all debate on this paragraph and all amendments thereto be concluded.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that after five minutes debate on the paragraph and all amendments thereto be concluded. Is there objection?

There was no objection.

The CHAIRMAN. Is there objection that the time of the gentleman from Wisconsin be extended five minutes?

There was no objection.

Mr. FREAR. Let me say that if the chairman and other members of the committee take my time I shall not have a chance to say much, but I am glad to yield to any member of the committee.

Mr. KAHN. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. KAHN. Does the gentleman know that the War Department sends these soldiers who come back from the other side to the various cantonments to be demobilized?

Mr. FREAR. That was the suggestion of the gentleman. I know a case where officers were brought back from the other side, landed at Hoboken, and told to pay their own way home.

Mr. KAHN. That was the case of an individual officer.

Mr. FREAR. Yes; of individual officers. Let them put the men in the first and nearest camp and demobilize them as soon as possible, and not send them to southern and western camps, where there is no water supply.

Mr. KAHN. Will the gentleman yield?

Mr. FREAR. Well, now I want a few moments; you will not give me another five minutes under the restriction. You gentlemen have talked hour after hour, and this is the first time I have spoken on the bill.

Mr. KAHN. But the gentleman is making a misstatement.

Mr. FREAR. I have made no misstatement. I say it is true you can not send men to California and demobilize them. We want them demobilized as quickly as possible, and it is not necessary to spend $3,700,000 to get water supplies brought a good many miles to cantonments and camps, and we know it. That proposition is as sensible as a great many other propositions in this bill. Of course, I know no more about the necessity than does the chairman of the committee or the members of the committee. The committee has cut down the estimate of $12,000,000 to $5,000,000; why not cut it $3,000,000 less in this item and make it $2,000,000, as it was before? If we are going to enact legislation, put it at the amount it was before the war. We have got 10 times as much for this bill as we had prior to the war, and it is about time that we began to economize somewhere along the line.

Mr. McKENZIE. May I interrupt the gentleman?

Mr. FREAR. I would be willing for the gentleman to interrupt me if he could give me any information.

Mr. McKENZIE. I can.

Mr. FREAR. The gentleman can not, I am afraid, because the chairman could not do it and the gentleman from Illinois has not done it.

Mr. McKENZIE. I simply wish to state to the gentleman from Wisconsin who I know desires to be fair——

Mr. FREAR. Quick, quick—give me the question—I have only five minutes.

Mr. McKENZIE. The Committee on Military Affairs felt that we would not have 500,000 men in the Army from July 1, 1919, to July 1, 1920, and we therefore cut this appropriation.

Mr. FREAR. Yes; and we ought not to have over 100,000 men here, or 200,000 men in the Army, and the average man in this House if you give him a chance to vote will say that; and we are not going to get our men back from Europe and we know it—a million men will be there for many months to come. Yes; you will have them there on the first of July, and much longer, and we know it; no matter what promises are made on this floor, and we may be sure of it. I asked a member of the committee a question this morning whether it is not true that Gen. Foch asked Gen. Pershing to keep 1,000,000 men over there, and gentlemen shake their heads, that it is not true, but they do not know any more about it than I do. I hope it is not true and if true will not be done. We know this, that 175,000 men were demobilized in three months according to the statements of the Military Committee chairman, and at that rate it will take two years and a half to bring these men back from Europe—it is purely a matter of computation. We want the men back, we do not desire these big cantonments. We may want them for other purposes in the future, but the people to-day I feel sure do not care to spend $5,000,000 for water supply and for other purposes.

Mr. WISE. Mr. Chairman, will the gentleman yield?

Mr. FREAR. I would like to, but I can not yield. Think of the absurdity of coming to this House, an intelligent committee as you are—and we will not question the individual or collective capacity of the committee—and bringing in a one page report on a bill carrying $1,117,000,000, when we only appropriated $100,000,000 before the war!

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Ten times as much as it was before the war, and then when we ask what are the facts in a particular case, what do we learn? You read from the report and say: "This is the guess," and the guess here is $5,000,000 largely for a water supply. Let us leave out these new water supplies, bringing water from a long distance, and let us continue the work of demobilizing our troops, and reduce the military establishment as rapidly as possible. I yield to the gentleman.

Mr. GREENE of Vermont. The gentleman makes his comparison constantly with the peace establishment—the peace basis.

Mr. FREAR. Yes.

Mr. GREENE of Vermont. I am sure the gentleman's sense of proportion does not warrant him in abiding by his own word.

Mr. FREAR. I can not yield for an argument.

Mr. GREENE of Vermont. I do not think you can; I think you have proved it conclusively.

Mr. FREAR. Oh, well; the gentleman wants to make an argument in my time as other members of the committee do. I am asking for information and seeking to prevent the riot in expenditures which is apparent in this bill.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was rejected.

The Clerk read as follows:

CLOTHING AND CAMP AND GARRISON EQUIPAGE.

For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty, for issue and for sale at cost price according to the Army regulations; for payment for clothing not drawn due to enlisted men on discharge; for altering and fitting clothing and washing and cleaning when necessary; for equipment and repair of equipment of laundries, dry-cleaning plants, salvage and sorting storehouses, hat-repairing shops, shoe-repair shops, clothing-repair shops, and garbage-reduction works; educational propaganda in connection with reclamation; for equipage, including authorized issues of toilet articles, barbers' and tailors' materials, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling, and similar necessaries; for a suit of citizens' outer clothing, to cost not exceeding $10, to be issued upon release from confinement to each prisoner who has been confined under a court-martial sentence involving dishonorable discharge; to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison; and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, etc., destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, $4,000,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. VARE and Mr. KNUTSON rose.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. VARE. Mr. Chairman, a few moments ago the committee adopted an amendment curtailing the expenses in respect to the use of automobiles upon the part of officers, especially in the District of Columbia. Judging from my observations in Philadelphia and elsewhere, we ought to go considerably further in this curtailment of extravagance. I wish to read to the House a part of a letter from a soldier in France which I received from one of my constituents. He inclosed to me a letter written to him by his son, dated December 12, 1918. The son is in the Motor Transport Service. I wish to read a part of that son's letter:

To show you the waste, the commanding colonel, Hageiman, had a special car made, all but the engine. The whole body is aluminum; inside of the coupé is the best Russian calf leather, special heating apparatus, Goodyear cord tires all around, Cadillac eight motor. It certainly is a magnificent job; makes everything I have ever seen yet look poor. It is easily worth $9,000, and the whole car made by the men in the shops here—all privates, too, which shows the ability of the men working here. He can have all the luxury, and the men who do the work are compelled to live and eat like hogs. Just had a bath opened here. Been here since last April, and no washing or bathing facilities. Yet the colonel and all his officers can live like kings at the Government expense. What I have seen here convinces me this war has made a bunch of rich men and a bunch of thieves. It certainly is a crime to see all the waste where it is not necessary.

The young man who wrote that letter has been serving in France during the war.

Mr. EMERSON. Mr. Chairman, I rise in opposition to the amendment. I have an amendment which I would like to offer to the bill, but after looking at it I am convinced that it is not germane. However, I introduced a bill covering the situation which I have in mind in relation to these soldiers, sailors, and marines who have been wounded. We are going to settle our moral obligations with the contractors, and I think we owe a moral obligation to the soldiers, sailors, and marines who were wounded or injured. I have introduced a bill to provide for the payment of certain sums of money to those who were injured in the line of duty.

We have voted to settle our moral obligation with the munition manufacturers and mineral producers who remained safely behind the firing line, and the question now is whether we are going to settle our moral obligation with the soldier who went 3,000 miles from home and went over the top and was injured. Will we be as good and generous to him as we have been to the fellows who remained at home?

The soldier asks nothing but a square deal at your hands. Soldiers freely offered their lives for their country, and now some are dead and have left dependents; some were wounded, lost arms, limbs, eyes, hearing. Some are nervous wrecks and will never recover their health. Some are blind and never will see again. Some will never be able to work and earn a living. Do not you think we owe a moral obligation to them that we ought to settle? Their bravery ended the war much sooner than it otherwise would have ended, and saved billions of dollars to this country. Will Congress be as generous to these maimed and wounded men as it has been to the contractors? Will we give these men help as freely as we voted to give $100,000,000 to the people of other countries? I hope so.

We have voted to settle our moral obligations with the munition manufacturers which will cost over a billion dollars. We have voted to settle our moral obligations with the wheat grower, and that will cost, so it is stated, another billion. We have voted to settle our moral obligations with the mine owners that will cost a good deal. Congress is getting so that it does not like to pass a bill that does not carry at least a billion dollars. How are we going to adjust the moral obligation we owe the man who lost his hand, his arm, his limb, his eyes? Are we going to settle with him?

I have introduced a bill that I hope will pass, that will give to each wounded soldier in addition to his war-risk insurance benefits sums ranging from $5,000 for total disability down to lesser sums for lesser injuries. This would give him an opportunity to set himself up in some business. This would give him an opportunity to buy a home or a farm located somewhere near civilization. This country can never repay these men for what they have done for their country, but we should go as far as we can in placing them statu quo.

Would anyone take the chances they took for $5,000? They did. It seems to me it is very poor pay for taking such chances. Many of these men left dependent widows and orphans. How are we going to settle our moral obligation to them? My idea is to pay to these injured men a lump sum as a gift to them for what they did, just as we are going to pay a lump sum to contractors for what they did do, but in some instances did not do.

There is talk of getting a farm and giving it to the soldier. How can a man with no legs operate a farm, or how can a man with no arms operate a farm?

I think people were under the apprehension that when their soldier relatives were killed they got the total amount of the insurance at once, but such is not the case. Let us give to the dependents of the soldier who died for his country the sum of $5,000. Let us give to the soldier who lost both legs or both arms or both eyes the sum of $5,000. Let us give the soldier who is totally disabled the sum of $5,000. Let us give the soldier who suffered a lesser loss other sums, and when we have done this we have in a small way paid a small sum on the moral obligation we owe the soldier who went over the top.

Had these men been in civil occupations they could have protected themselves against accidents and protected their families. Many of these wounded men will soon be discharged from the hospitals as nearly well as they ever will be. Are we going to throw them upon the world to compete with whole men? What they receive under the war-risk insurance will not be enough to keep them, and they will have to go to work, and they will have to compete with whole men.

It would be a national scandal if we settled our moral obligations with everybody but the man who went over the top. It is no time now to count the cost, for it would have cost more had they not turned the enemy back. They saved democracy; they saved civilization; they saved the honor of this Nation. I know of no more moral obligation this country owes than its debt to these immortal men. We can never pay it entirely; let us try to pay it in part.

The following is a copy of an act introduced by me to-day:

A bill to allow certain sums to soldiers, sailors, and marines who were injured in the line of duty.

Whereas Congress has now under consideration measures for the relief of manufacturers, contractors, and corporations of various and divers production and construction to compensate them for losses claimed by them through the unexpected signing of the armistice; and

Whereas the moral obligation we owe to the soldiers, sailors, and marines who went "over the top" in order to save not only our Nation but likewise the corporations now seeking adjustment of large claims: Therefore

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That, in addition to any sums paid or to be paid soldiers, sailors, and marines under an act entitled and known as the war-risk insurance act, or any other act, there shall be paid out of the Treasury of the United States not otherwise appropriated the following sums to soldiers and sailors and marines who were injured in the line of duty, and to the dependents of those who were killed in action or died while performing their duty:

First. To the dependents of a soldier, sailor, or marine who was killed in action the sum of $5,000.

Second. The following sums shall be paid for total or partial disability: For total disability, the sum of $5,000; for loss of both hands, the sum of $5,000; for loss of both feet, the sum of $5,000; for loss of sight of both eyes, the sum of $5,000; for loss of sight of one eye, the other having been lost before enlistment, the sum of $5,000; for loss of one hand and one foot, the sum of $4,000; for loss of hand or foot, the sum of $3,000; for loss of arm at or above the elbow or leg at or above the knee, the sum of $5,000; for loss of either a leg at the hip joint or an arm at the shoulder joint, or so near as to prevent the use of an artificial limb, the sum of $3,000; for loss of leg at hip joint, $3,000; loss of arm at shoulder joint, the sum of $3,000; for loss of or total disability of both hands, the sum of $5,000; for total disability in both feet, the sum of $3,000; for total disability in one hand and one foot, the sum of $4,000; for total disability in one arm or leg, the sum of $3,000; for total disability equivalent to loss of hand or foot, the sum of $3,000; incapacity to perform manual labor (first class), the sum of $5,000; incapacity to perform manual labor (second class), the sum of $4,000; frequent and periodical, not constant, aid and attendance, the sum of $4,000.

This act shall be carried into effect by the Secretary of the Treasury through the Bureau of War Risk Insurance.

Mr. STAFFORD rose.

The CHAIRMAN. Does the gentleman from Wisconsin withdraw the point of order?

Mr. STAFFORD. No. I desire to ask the chairman of the committee a question. On page 33, lines 16 and 17, what is the necessity for the language, "educational propaganda in connection with reclamation"?

Mr. DENT. Mr. Chairman, I move to strike out the language.

Mr. MILLER of Minnesota. Mr. Chairman, I sincerely hope that that will not go out; and I would like to be heard for a minute, because I know something about what is being done.

Mr. STAFFORD. I am seeking information; I withhold the point of order.

Mr. FOSTER. Is the gentleman going to make the point of order?

Mr. STAFFORD. Unless I can be convinced that it is really necessary.

Mr. MILLER of Minnesota. I do not want to talk just to hear myself talk. If gentlemen are determined to make the point of order, it is useless to say anything.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. STAFFORD. I am reserving it to obtain information which the gentleman from Minnesota has in his possession.

Mr. MILLER of Minnesota. Mr. Chairman, Congress has been thinking about enacting legislation that will produce important benefits to the discharged soldiers and sailors of the Army and Navy. The Secretary of the Interior has recommended a piece of legislation most comprehensive in outline. It is being considered at both ends of the Capitol, I believe. To promote this project is possible under this language, and work of this character is now being undertaken in a proper way. The purpose is to acquaint the soldiers with their rights and opportunities under such laws of the character indicated as will be passed.

Now, it is wholly ineffectual to enact legislation that is of the comprehensive character contemplated if the beneficiaries are never going to find out what their rights and privileges may be, and it seems to me that the work that is proposed to be done under this will be directly beneficial to the soldiers. The purpose is to do something of a practical character to help the returning soldiers. That is all I have to say. It calculates to bring to discharged soldiers and sailors the knowledge of the terms of the laws and the rights which they have under them. It is proposed to meet the men as they disembark, meet them in demobilizing camps and similar places, to inform them relative to the opportunities existing under contemplated legislation.

Mr. STAFFORD. Will the gentleman yield?

Mr. MILLER of Minnesota. Yes, sir.

Mr. STAFFORD. As I understand existing practice, the War Department has ample authority to bring to the attention of soldiers all orders, regulations, and other information they seek to convey?

Mr. MILLER of Minnesota. This is, of course, extraordinary; this is not confined to the ordinary——

Mr. STAFFORD. This is propaganda; it is not information.

Mr. MILLER of Minnesota. Well, that is true; but propaganda is nothing but information properly distributed.

Mr. GRAHAM of Illinois. It may be just the opposite.

Mr. STAFFORD. In view of the information furnished by the gentleman from Minnesota, I make the point of order.

The CHAIRMAN. Does the gentleman from Minnesota make the point of order against the entire paragraph?

Mr. STAFFORD. Against the clause contained in lines 16 and 17, page 33.

The CHAIRMAN. The point of order is sustained.

Mr. KNUTSON. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. KNUTSON: Page, 34, line 10, after the figures "$4,000,000," insert:

"*Provided*, That any person who served in the United States Army, Navy, or Marine Corps in the present war may, upon honorable discharge and return to civil life, permanently retain one complete suit of outer uniform clothing, including the overcoat, and such articles of personal apparel and equipment as may be authorized, respectively, by the Secretary of War or the Secretary of the Navy, and may wear such uniform clothing after such discharge: *Provided further*, That the uniform above referred to shall include some distinctive mark or insignia to be prescribed, respectively, by the Secretary of War or the Secretary of the Navy, such mark or insignia to be issued, respectively, by the War Department or Navy Department to all enlisted personnel so discharged. The word 'Navy' shall include the officers and enlisted personnel of the Coast Guard who have served with the Navy during the present war: *And provided further*, That the provisions of this paragraph shall apply to all persons who served in the United States Army, Navy, or Marine Corps during the present war honorably discharged since April 6, 1917. And in cases where such clothing and uniforms have been restored to the Government on their discharge the same or similar clothing and uniform in kind and value as near as may be shall be returned and given to such soldiers, sailors, and marines."

Mr. WALSH. Mr. Chairman, I reserve the point of order.

Mr. DENT. Mr. Chairman, I reserve the point of order.

Mr. FOSTER. Mr. Chairman, I ask for the regular order. This bill has passed the House once and has passed the Senate. I demand the regular order.

The CHAIRMAN. Does the gentleman from Alabama insist upon his point of order?

Mr. DENT. I insist upon the point of order.

Mr. KNUTSON. I want to make a statement if I can.

Mr. FOSTER. I demand the regular order. The bill has passed the House once.

The CHAIRMAN. The regular order is the point of order against the amendment.

Mr. KNUTSON. Mr. Chairman, I make the point of order of no quorum.

The CHAIRMAN. The point of order is sustained. Does the gentleman make the point of order of no quorum?

Mr. KNUTSON. I move to strike out the last word, and I withdraw the point of order of no quorum.

The CHAIRMAN. The gentleman withdraws his point of order of no quorum.

Mr. KNUTSON. Mr. Chairman and gentlemen of the committee, it is high time that we realize that the war is over, and the time for making huge expenditures without question or examination should be a thing of the past. For 19 months I sat in this Chamber and voted for every dollar deemed necessary by the administration for the successful prosecution of the war. We all did, for we wanted to do everything possible to gain a speedy and glorious victory. But, my friends, hostilities have ceased and the war, to all intents and purposes, is over. I want to vote every dollar necessary, but from now on I shall demand to be shown the necessity for every appropriation asked for. As the representative of a quarter of a million of free people who will have to help pay these enormous debts by sweat and toil and sacrifice, that is my plain duty, and it behooves every Member of the American Congress to help cut out all unnecessary appropriations.

Let us see what kind of a start we are making toward getting onto a peace footing. Here we are asked to make an appropriation of nearly $2,000,000,000 to be expended upon our Army during the fiscal year ending June 30, 1920. Think of it, gentlemen, $1,916,000,000, or more than the entire cost of maintaining the Government during the year preceding our entrance into the war. We are also asked to authorize a standing army of 500,000 men and 28,000 officers. True, it is only to be temporary, or, at least, we are so told; but, my friends, I have noticed that most, if not all, of these temporary arrangements become permanent.

We have to-day in this country a powerful clique who wish to perpetuate militarism in the United States. A large standing Army means what? It means the annual expenditure of millions of dollars that could be better used in building good roads and for other internal improvements; also in reducing our enormous national debt.

My friends, the American Army has been Prussianized, and it fairly reeks with injustice. Within the past two days Congress has been wrought to a white heat over the astonishing revelations of injustice and brutality existing in the courts of the Army as made before the Senate Military Committee by Gen. Samuel T. Ansell, Acting Judge Advocate General of the Army. His testimony showed that a most glaring condition of injustice exists, and I desire in my brief time to refer to some of them, as reported from the hearing by a Washington newspaper:

DEATH FOR REFUSING TO DRILL.

Here are a few, not isolated, cases cited by Gen. Ansell as disclosing the system of punishment followed by the Army during the war:

The death penalty was imposed upon an American soldier in France who pleaded guilty to a charge of refusing to obey an order to drill. The soldier insisted he was ill and physically unable to obey. The military authorities in France demanded execution of the man, but he was saved by Executive clemency.

A court-martial sitting in this country ordered the death penalty inflicted upon a soldier who went to the bedside of his dying father without leave. He returned to duty as soon as his father died. The man was saved by interference from Washington.

FORTY YEARS OVER CIGARETTES.

A sentence of 40 years was imposed upon a young soldier by a court-martial a few days ago because he refused to give up a package of cigarettes to his superior officer, a second lieutenant. "A company row" was the way Gen. Ansell characterized the incident, blaming the officer practically as much as the soldier.

A soldier convicted of having a pass in his possession was sentenced to dishonorable discharge, forfeiture of pay, and imprisonment for 10 years. This was later reduced to three years. The soldier has already served two months, and Gen. Ansell recommended the suspension of the remainder of his sentence.

Dishonorable discharge, forfeiture of pay, and 40 years' imprisonment, afterwards reduced to 10 years, was the sentence pronounced upon a man for absenting himself without leave.

FIFTEEN YEARS FOR SEEING SICK BABY.

A private who went home without leave to see his wife and sick baby, in destitute circumstances, was sentenced to 15 years' imprisonment. This was later reduced to three years.

While the Secretary of War was insisting upon a strict adherence to the system which made such sentences possible, according to Senator FRELINGHUYSEN, of New Jersey, a policy of the utmost leniency was being applied to "conscientious objectors" who refused to fight.

Senator FRELINGHUYSEN told the committee he was receiving large numbers of letters from troops in the camps complaining that the conscientious objectors were being dealt with lightly; that they were being discharged and sent home with "a new suit of clothes and a bouquet in their buttonhole."

WANT BAKER TO EXPLAIN.

"What has been the policy of the War Department toward the conscientious objectors?" asked Senator FRELINGHUYSEN.

"May I be excused from answering?" asked Gen. Ansell. "It would be embarrassing."

"The Secretary of War can tell us about it; we'll have him up here and ask him," Senator CHAMBERLAIN said.

"Maybe he'll have objections," commented Senator KNOX, of Pennsylvania.

"Conscientious, I suppose," observed Senator FRELINGHUYSEN.

Gen. Ansell's testimony brought to light a bitter feud which has been raging in the War Department for many months over the powers of the Judge Advocate General's Office to review and modify the findings of courts-martial.

DISPUTE OVER AUTHORITY.

Gen. Ansell asserted that the cases of injustice became so numerous and flagrant during the war that he made a careful reexamination of the powers of his office and discovered an old law, passed in 1862, which he interpreted as giving him authority of revision and review.

Gen. Crowder, the regular Judge Advocate General, disagreed with him in this view, holding that the Judge Advocate General had no such authority, and the Secretary of War sustained the position of Gen. Crowder. Gen. Ansell presented several briefs to uphold his contention and admitted that he had found it necessary "to break away from the practice which the strict ruling of the Secretary would have required."

ACCUSES STAFF OF ABSOLUTISM.

In one of his briefs he charged the General Staff with "professional absolutism" and called the system of dispensing justice "an anachronism."

"That is rather broad language," the general said to the committee, "but justice required that I fully state my views."

What finally forced the issue in the War Department over the powers of the Judge Advocate General's Office in court-martial cases was the instance of 12 noncommissioned officers dishonorably discharged and sentenced to imprisonment of three to seven years each because of a minor dispute with a young lieutenant just out of West Point, the general explained. He declared the procedure in this case "unfair."

ANSELL SHOCKED BY SENTENCES.

The general told the committee that the Judge Advocate General's Office was "full of strange inconsistencies," and that its practices were "without thoughtful consideration of the law."

Gen. Ansell stated that he could recall several instances where his recommendations in court-martial cases were turned down by the General Staff and the Secretary of War. The courts-martial, he said, were dominated by the commanding officer which convened them.

"Sentences have been imposed," said Gen. Ansell, "that have shocked my every sense of justice. Some of them have reached the very height of injustice, bearing no reasonable relationship to the offense committed."

SYSTEM CREATES BOLSHEVISTS.

Gen. Ansell related the case of a young soldier, enlisted on October 28, who was tried by court-martial on November 23, less than 30 days after he had entered the Army. The soldier had been detailed to kitchen duty. A second lieutenant caught him smoking a cigarette, which is against the rules while a man is on kitchen duty. He ordered him to turn over the entire pack of cigarettes. The soldier demurred in rather vigorous language. He was tried by court-martial and sentenced to 40 years' imprisonment.

"Any system that will permit a thing like that is absolutely un-American," burst out Senator THOMAS. "It will make Bolshevists out of all that man's relatives."

Gen. Ansell said he hoped when the convening authority saw his recommendation in the case he would take some rather drastic action. But, he added, he knew of an equally flagrant case where the court refused to reduce below 10 years an original sentence of 40 years.

MEN EXECUTED WITHOUT APPEAL.

While the controversy was raging in the War Department over the extent of the Judge Advocate General's authority, men were actually being executed without the slightest opportunity for an appeal for clemency. As an instance of this, Gen. Ansell cited the case of the Houston riots. Negro troops were tried in several groups. The first group of 15 was tried and executed a few hours after sentence of death had been passed. No notice of the action of the court-martial was given to the Judge Advocate General's office.

The general was asked for a comparison between the American court-martial methods and those of the armies of other nations.

He declared they were much harsher than those of Great Britain and France; in fact, he said, they were harsher than any except the armies of Russia, Prussia, and Spain. He called the methods "intolerably severe."

DEATH FOR VISITING DYING FATHER.

When Gen. Ansell gave his list of horrible examples of injustice in the findings of courts-martial, he was frequently interrupted by indignant outbursts from Senators. One convening officer, he told the committee, gave himself credit with great leniency because he reduced from 40 to 10 years the sentence of a soldier convicted of being absent without leave for several days.

"Very tender-hearted gentleman," commented Senator THOMAS.

The general related in detail the case of a young soldier who went home without leave to see his dying father. He hurried back to camp as soon as his father died, and was sentenced to death. The sentence was not carried out because of Executive clemency.

MOST INJUSTICES IN UNITED STATES.

"You should have court-martialed the court-martial," said Senator KNOX.

"The court-martial couldn't see the human facts behind that case," said Gen. Ansell.

"What ever became of that boy?" Gen. Ansell was asked. He didn't know.

"His mother probably has joined the Bolsheviki," said Senator THOMAS.

"And his father probably has, too—in another world," commented Senator FRELINGHUYSEN.

Most of the instances of injustice occurred in the United States, but the general cited some from France, too.

THIRSTED FOR MORE POWER.

He told the committee the American military authorities in France were dissatisfied with their powers in court-martial proceedings and wanted the War Department to enlarge the number of cases under which the death penalty could be inflicted without reference to Washington.

Two men in France were tried for sleeping at the post of duty. They had been on duty all night for five consecutive nights and could not sleep in daytime because wood was being chopped in their dugout for the commanding officer's quarters. They were sentenced to death and were saved only by the narrowest margin because of the insistence of the military authorities in France on carrying out the sentence.

DEATH SENTENCE ON OWN PLEA.

Two other men were sentenced to death because they refused to obey orders. One of them refused to obey an order to shoulder his rifle for drill. He declared he was physically unable to obey the order because of illness. The other man merely pleaded guilty and was sentenced to death on his own plea, the general stated.

The Judge Advocate General's office has examined between 18,000 and 20,000 court-martial cases.

We went into this war to "make the world safe for Democracy." Democracy, indeed! That phase, as employed by the War Department, is an empty and meaningless one. According to Gen. Ansell, who, by the way, appears to be one of the very few men high in military authority who possesses a heart, the court procedure in our Army is much harsher than in that of Great Britain and France; in fact, it is comparable only with that of Russia, Prussia, and benighted Spain. A fine comparison, indeed, and one that is only too true, I fear.

My friends, this bill may pass because it carries some very necessary items of appropriation; but if the proposition to provide for an Army of 508,000 men and 28,000 officers were put up to this Congress in a separate measure it would fail of passage by a large majority. The American people fear militarism above all things; and if this Congress votes to fasten it upon them there will be many new faces in the Sixty-seventh Congress. Militarism is the one thing we went into this war to crush. They feel that our geographical situation is such that a National Guard Army is the thing for us. It is more democratic and is devoid of the heartlessness of the Regular American Army. The War Department has studiously tried to do away with the National Guard, and it has about succeeded in its purpose. Secretary of War Baker, that man who has been heralded over the land as a man of the people, is one of the greatest autocrats in the annals of American history. His heart swells with sympathy for the "conscientious objector," but the fighting men who went through all the horrors of the Gehenna in France can appeal to him in vain.

The time has arrived to democratize the American Army—better still, replace it with the National Guard, so far as possible. If we do that we will make an important step in retrenchment of our expenditures.

But, gentlemen, I have been digressing. I started out to speak of the enormous expenditures we have been making and the necessity for pruning all appropriations down to the bone. I propose to do my share by my vote. I voted against the appropriation of $100,000,000, which it was alleged was to be used to feed the starving people of Europe and which has been charged was to be used to relieve the food manipulators. I voted against the Naval appropriation bill for the reason that it provided for the needless expenditure of several hundred million dollars, and if I live I shall vote against this bill, if the provision for an army of a half million men is retained. The entire bill is largely guesswork on the part of the War Department. It seeks unnecessary authorizations to buy cantonment and camp sites, automobiles, and God knows what not. Right here in Washington we daily see scores of Army automobiles—yes, even limousines—containing high officers, going about at break-neck speed, a soldier at the wheel. All this is a useless expense. We have enough camps and cantonments to fill our every need. If these officers wish to go joy riding, let them do as the rest do—hire taxis or furnish their own.

There is another matter of which I would speak. Mr. Chairman, there are in this country thousands and thousands of young men in the Army who are needed at home to put in the crops, to work in shops and stores, and many more who gave up their studies to don the uniform. It is my firm conviction that the boys under arms in this country should be demobilized forthwith. They wish to leave the service, and their retention is a useless expense and works a grave injustice. I have in mind the case of a young man stationed in a southern camp who held a responsible position in a bank before entering the service. Some two months ago the officers of the bank petitioned for his discharge, saying that his services were badly needed in the bank, and it would not be possible to hold his old position open for him much longer. The application was rejected, the young man's position has been filled by another, and when he returns from the service he will find his job gone. I ask you, Is that giving our soldiers a square deal? Another case: A widow living on a large farm in central Minnesota. Before the war she and her two sons ran this farm. One of the boys was drafted, the other remained on the farm. Last fall the latter died from influenza. She wrote to me asking if her soldier boy could not be discharged so that he could return home and help with the farm work. I immediately wrote his commanding officer but to no avail. The War Department tells us that under circular No. 77 such cases will be favorably acted upon. Mr. Chairman, it is evident that the officers in command want to hold onto the boys so they can hold onto their jobs, and they can get away with these tactics so long as we continue to make appropriations to carry on the work.

If we are a democracy, let us proclaim it in deeds rather than by empty, meaningless phrases. Let us also have a little of that "pitiless publicity" of which the Democrats spoke with so much feeling during the campaign of 1912 and of which we have seen so very, very little since March 4, 1913. Let the administration remember what Abraham Lincoln said about fooling the people all the time. It still holds true, and the day of reckoning is not far off. Personally, I will welcome with all my heart the day when the mask is torn aside and we shall behold things just as they are. Let us give just a little more consideration to the American people, even if it be at the expense of aliens.

Mr. FREAR. Mr. Chairman, I move to strike out of the item "$4,000,000" and insert "$2,000,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 34, line 10, strike out "$4,000,000" and insert "$2,000,000."

Mr. DENT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this amendment and all amendments thereto close in five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FREAR. Mr. Chairman, I trust I may have at least one minute without being disturbed by the members of the commit-

tee, who, I know, understand all about the subject, according to their own judgment.

We have $4,000,000 proposed in this paragraph. The last item that was agreed to first asked for $12,000,000, and it was cut to $5,000,000 by the committee. This paragraph provides for educational propaganda in connection with reclamation, and for equipages and including the issuance of toilet articles, barber tools, and so forth. And turning to page 34 we find:

Each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy.

I do not know whether or not this relates to the item for the support of the men who have been confined in Leavenworth, and concerning whom the Senate committee is trying to ascertain what they were sent there for. I do not accept without question the judgment of a department that permits men to be sent to Leavenworth and kept there over and above the protest of the man who wanted to pass upon the courts-martial's findings, Gen. Ansell. I do not accept their statement without some question in my mind. Men have been sent to Leavenworth for 15 years, aye, practically for life, for trivial offenses by these same officials, and the War Department, according to the investigation, has refused to permit a review, excepting through certain channels, and that investigation is going on to-day, and my attention has been called to it by the fact that men who are at Leavenworth——

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. FREAR. For a question.

Mr. MILLER of Minnesota. Has the gentleman ever heard of a single case that has been reviewed and the sentence imposed reversed?

Mr. FREAR. I do not know as I have. I read on the floor of the House the other day of a case where a boy went home to see his dying mother. I read it here. And a man who served on the court-martial wrote me—a man who served at Chateau-Thierry and bravely fought there—that he was the only man that voted against sending the boy to Leavenworth for 15 years. The Senate is revealing these cases constantly. I have asked to have this item of $4,000,000 cut in two. There may be a guess coming, as was suggested. But with a bill that is ten times as large as any bill prior to the war, it seems to me we are entitled at this time to question some of these items.

Let me read briefly just one paragraph from a letter which came to Mr. GALLIVAN from Germany, and which comes from two boys from my home State, who wrote him complimenting him upon his work here on the floor of the House, and which has resulted in good. They say:

We have been in France over one year and have been at the front from May, 1918, until the signing of the armistice. We realize that all can not be the first to reach the United States, and we are willing to abide our time in the true American spirit if we knew that a fair system of discharge was established whereby those longest in service and who have suffered the hardest experiences may be the first discharged.

The policy seems to the contrary. These officers suggest it is an honorary distinction with the army of occupation or Rainbow troops. But I think I can safely say they want to get home and can not get home. Letters come every day from relatives asking for their return, and from men themselves. The policy seems to be to hold these Wisconsin and Michigan men and these Illinois men, the Rainbow Division, over there as a mark of distinction and honor. They have served their country and have helped to win the war. They fought well. They should be brought home as a testimonial of their distinguished service and among the first troops that should be returned.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HORSES FOR CAVALRY, ARTILLERY, ENGINEERS, ETC.

For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War for remounts for officers entitled to public mounts for the Cavalry, Artillery, Signal Corps, and Engineers, the United States Military Academy, service schools, and staff colleges and for the Indian Scouts, and for such Infantry and members of the Medical Department in field campaigns as may be required to be mounted, and the expenses incident thereto, $100,000: *Provided*, That the number of horses purchased under this appropriation, added to the number now on hand, shall be limited to the actual needs of the mounted service, including reasonable provisions for remounts, and unless otherwise ordered by the Secretary of War, no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermaster Corps and an inspection under the direction and authority of the Secretary of War. When practicable, horses shall be purchased in open market at all military posts or stations, when needed, at a maximum price to be fixed by the Secretary of War: *Provided further*, That no part of this appropriation shall be expended for the purchase of any horse below the standard set by Army Regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy: *And provided further*, That no part of this appropriation shall be expended for polo ponies except for West Point Military Academy, and such ponies shall not be used at any other place.

Mr. WATSON of Pennsylvania and Mr. GRAHAM of Illinois rose.

Mr. WATSON of Pennsylvania. Mr. Chairman, I move to strike out the last word in order to obtain more information than was given by the distinguished gentleman from California [Mr. KAHN], when a question relative to the session was asked by the Member from New York.

I do not understand why $100,000 should be appropriated to buy horses, when there are now 90,000 for sale, as the Government advertised. Let me read two or three lines:

The animals offered for sale are being disposed of at public auction to the highest bidder, and sales are being conducted on account of the fact that the surplus on hand is far in excess of the number required for the needs of the Army during times of peace.

One bureau claims in time of peace we do not require more horses. And yet at the same time the Military Committee has reported a bill carrying over a billion dollars for war purposes.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. WATSON of Pennsylvania. Yes.

Mr. GREEN of Iowa. It is a fact, I may state from my own personal knowledge, that the Government has sold thousands of horses for about one-quarter, and sometimes even more than one-quarter, of what it paid for them.

Mr. WATSON of Pennsylvania. I have no doubt of that. We are appropriating $100,000 to buy horses, possibly from the same persons who purchase them from the Government sales.

Mr. DENT. I can answer the question, if the gentleman will yield.

Mr. WATSON of Pennsylvania. I yield.

Mr. DENT. It was not intended, although the language is carried authoritatively for the purpose—because that is the usual language in the bill—to make any purchase. The reason the committee limited this appropriation to $100,000 was simply to expend that money for breeding purposes.

Mr. WATSON of Pennsylvania. It does not say so. It gives the Secretary of War authority to buy horses at the camps. He can expend all of the $100,000 if he deems wise, and buy back horses that are sold by the Government. It does not seem to me that the committee has given much attention to the philosophy of political economy.

Mr. DENT. Of course, the Secretary of War could do a lot of things here that he ought not to do and will not do.

Mr. KAHN. Mr. Chairman, I would like to be recognized for five minutes in my own right, if the gentleman has finished.

Some years ago it was almost impossible to get good Army horses, and therefore the military officers in charge of that branch of the service negotiated with the farmers of the country to raise for the Army horses that could be utilized for military purposes. They told the farmers that if they raised the right kind of horses the Government would buy them when they became 1 year old. After they were bought, the colts were sent to the various remount stations of the War Department and trained for military purposes.

Now, this provision is intended simply to enable the Government of the United States to carry out its promise to the farmers. That is all that there is in this provision. Under the agreement that the Army officers have made these horses will be tendered to the Government.

Mr. WALSH. Under what authority did the Army officials or the War Department enter into contracts?

Mr. KAHN. As I recall, about the time that the question of securing military horses became acute there was a provision inserted in the Army appropriation bill, or some other bill, which allowed the officials of the Government to enter into agreements to buy the colts. What is more, some public-spirited gentlemen turned over to the Government a number of valuable stallions that could be loaned to the farmers for breeding these various horses.

Mr. SHERWOOD. I deny that there is any such contract with the Government.

Mr. GREENE of Vermont. If my colleague will permit me, there is a provision carried in the regular annual Agricultural appropriation bill which takes care of the breeding stations. There is one in my district, at Weybridge, Vt., and that seeks to furnish suitable horses of the Morgan type for military purposes.

Mr. KAHN. Yes. I believe the item has been carried in the appropriation bill for allowing the breeding of those horses, and the War Department has been getting the colts for military purposes.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. DENT. Mr. Chairman, before the gentleman proceeds——

Mr. GRAHAM of Illinois. This is to correct an error in the bill. On page 34, line 21, I think the word "purchases" should be changed to the word "purchased."

Mr. STAFFORD. It is a misprint.

Mr. DENT. Mr. Chairman, I make the motion that the word "purchases," in line 21 of page 34, be changed to the word "purchased."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 34, line 21, strike out the word "purchases" and insert the word "purchased."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DENT. Now, Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto be concluded in 10 minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this paragraph and all amendments thereto be concluded in 10 minutes. Is there objection?

Mr. JOHNSON of South Dakota. Reserving the right to object, Mr. Chairman, I have an amendment that I would like to offer, which will take 10 minutes if I can get the extension of time.

Mr. WATSON of Pennsylvania. I would like to have two minutes.

Mr. DENT. Then I ask unanimous consent that all debate on this paragraph and amendments thereto close in 12 minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the debate on this paragraph and all amendments thereto close in 12 minutes. Is there objection?

Mr. JOHNSON of South Dakota. I would like to have 10 minutes.

Mr. DENT. I will yield the gentleman five minutes.

Mr. JOHNSON of South Dakota. Reserving the right to object, I think I shall need 10 minutes if the chairman can let me have it.

Mr. DENT. Mr. Chairman, I will make it 15 minutes.

Mr. JOHNSON of South Dakota. I thank the gentleman.

The CHAIRMAN. The gentleman from Alabama amends his request and asks that the debate on this paragraph and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. MAPES. Mr. Chairman and gentlemen of the House, a few days ago I read into the RECORD a copy of some resolutions adopted at a mass meeting of citizens of my home city, Grand Rapids, calling for the immediate recall of the American troops in Russia. I hold in my hand some petitions signed by between 600 and 700 citizens of Holland, Mich., which is also in my congressional district, along the same line. I will not ask to have the names on these petitions inserted in the RECORD, but I would like to read into the RECORD the caption of the petition. I read:

We, the undersigned parents and citizens of this country, respectfully petition the United States Government that it use every possible means for the speedy return of our soldier boys who are stationed in Russia. We are interested in their welfare, and realize that under present conditions in that country, our boys being outnumbered by the opposition, they are not able to stand the strain. We sincerely trust that the Government will do its utmost to heed our request.

As I said, there are something over 600 signers to these petitions. The State of Michigan is unusually interested in the American forces in Russia because the bulk of the forces there come from our State, and a great many of them from the congressional district which I have the honor to represent. It is a matter in which we are so much interested that I take this way of bringing it to the attention of Congress.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield for a question?

Mr. MAPES. Yes.

Mr. MILLER of Minnesota. Will the gentleman inform me whether mail communication is at all frequent; for instance, between constituencies in Michigan and the American troops in Russia?

Mr. MAPES. My understanding is that the Red Cross says there is mail going in and out twice a week. But the fact is I have received many letters from the parents of the boys over there saying that they have not heard from their boys for months and months.

Mr. MILLER of Minnesota. If a letter from Michigan went out, when would an answer be anticipated?

Mr. MAPES. It is very difficult to tell. It would take several months at best before an answer would be received.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. MAPES. Yes.

Mr. FREAR. Will the gentleman permit me to read just briefly from Frazer Hunt's report? He was sent over to Russia by the Chicago Tribune. In his report he says:

The American troops were put under an absolute imperialistic command, being handled in a way that was against every tradition of the Army and country. They were put to doing a king's business, and to do whatever task was assigned to them by the British.

The resolution introduced in the Senate yesterday on this subject lost out by a tie vote, the Vice President voting against it.

Mr. MAPES. I am familiar with the report referred to by the gentleman.

Mr. MILLER of Minnesota. Why does not the gentleman have it inserted in the RECORD?

Mr. FREAR. I shall be very glad.

Mr. KEARNS. Why not have these boys brought back from Russia?

Mr. MAPES. If there was any way of getting a resolution before the House to that effect I would like to have it considered. As the matter stands now, it is entirely in the hands of the President. I have considered the constitutional power of the President to send them there. I suppose he has the power and the right to send them there as Commander in Chief of the Army, and certainly if he had the right to send them there he has the right to bring them out.

Mr. KEARNS. We have not declared war against Russia, have we?

Mr. MAPES. No; and if we could get Congress to declare some policy on the subject, the President might be inclined to follow it.

Mr. FREAR. If the gentleman will yield, I have also here a list of the casualties among the American troops in Russia.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk began the reading of the amendment.

Mr. GORDON. Mr. Chairman, I make the point of order against that amendment. It is obviously out of order.

Mr. JOHNSON of South Dakota. Mr. Chairman, can a point of order be made against an amendment until it is read?

The CHAIRMAN. The Speaker has decided that where it is apparent from what has been read that an amendment is out of order the point of order may be made before the whole amendment has been read.

Mr. JOHNSON of South Dakota. Will the gentleman reserve the point of order, so that the matter can be discussed?

Mr. GORDON. I will not. There has been altogether too much time wasted on irrelevant matters.

The CHAIRMAN. The Chair is informed that this identical amendment was offered last night and held out of order.

Mr. JOHNSON of South Dakota. I ask unanimous consent to extend my remarks in the RECORD by printing the amendment.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks by printing the amendment. Is there objection?

There was no objection.

The amendment is as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Page 35, line 14, after the word "place" insert:

"That article 11 of the Articles of War is hereby amended to read as follows:

"'ART. 11. Appointment of judge advocates: For each general or special court-martial the authority appointing the court shall appoint a judge advocate. No person shall be appointed judge advocate for a general court-martial unless at the time of his appointment he is an officer of the Judge Advocate General's Department, except that where an officer of that department is not available the authority appointing the court shall appoint an officer of the Army recommended by the Judge Advocate General as specially qualified, by reason of legal learning and experience, to act as judge advocate. The officer appointed as judge advocate for a general court-martial shall not be a member of the court, but shall sit with it at all times in open session and shall fairly, impartially, and in a judicial manner perform the following duties and such others not inconsistent herewith as may be prescribed by the President in virtue of article 38 of the Articles of War.

"'(a) Rule upon all questions of law properly arising in the proceedings;

"'(b) Advise the court and the convening authority of any legal deficiency in the constitution and composition of the court or in the charge before it for trial;

"'(c) At the conclusion of the case and before the court proceeds to deliberate upon the finding sum up the evidence in the case and discuss the law applicable to it, unless both he and the court consider it unnecessary;

"'(d) Take care, equally with the court, that the accused does not suffer any disadvantage in consequence of his position as such, or of his ignorance or incapacity to present his own case, and for that purpose the judge advocate, with the permission of the court, may call and examine such witnesses as may appear to him necessary or desirable to elicit the truth.

"'His rulings and advice, given in the performance of his duties and made of record, shall govern the court-martial.

"'If the judge advocate dies, or from illness or any cause whatever is unable to attend, the court shall adjourn and another judge advocate shall be appointed by the proper authority, who shall act as judge advocate for the residue of the trial or until the judge advocate returns.'

"SEC. 2. That article 17 of the Articles of War is hereby amended to read as follows:

"'ART. 17. Appointment of prosecutors: For each general or special court-martial the authority appointing the court shall appoint a prosecutor, and for each general court-martial one or more assistant prosecutors when necessary. The prosecutor of a general or special court-martial shall prosecute in the name of the United States and shall, under the direction of the court, prepare the record of its proceedings. Such prosecutor may be an officer of the Judge Advocate General's Department. In all court-martial proceedings the accused shall have the assistance of and be represented by counsel of his own selection. Such counsel may be either a civilian lawyer or an officer of the Army. If military counsel be not selected by the accused, the court shall assign military counsel to assist in his defense if such counsel be reasonably available.'

"SEC. 3. That articles 22, 30, 33, and 116 of the Articles of War are hereby amended by substituting the word 'prosecutor' for the words 'judge advocate' wherever they appear in the said articles, and by substituting the words 'prosecutor or any assistant prosecutor of a general or special court-martial' for the words 'The judge advocate or any assistant judge advocate of a general or special court-martial' wherever they appear in the said articles.

"SEC. 4. That if the authority authorized to appoint general courts-martial has an officer of the Judge Advocate General's Department present for duty on his staff, he shall not refer any charge to a general court-martial for trial unless the said officer of the Judge Advocate General's Department shall indorse in writing upon the charge that in his opinion an offense made punishable by the Articles of War is charged with legal sufficiency against the accused, and that it has been made to appear to him that there is prima facie proof that the accused is guilty of the offense charged.

"SEC. 5. That article 18 of the Articles of War is hereby amended to read as follows:

"'ART. 18. Challenges: Members of a general or special court-martial may be challenged by the accused, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time: *Provided*, That if the accused at any time before the arraignment shall file in the proceedings an affidavit of prejudice alleging specific grounds to show that the court by reason of matters touching its constitution or composition can not do justice, the court shall proceed no further in the case, but shall report the matter to the appointing authority for his decision.'

"SEC. 6. That when a court-martial shall find the accused not guilty upon all charges and specifications it shall not reconsider, nor shall the appointing authority direct it to reconsider, its findings; but the president of the court or the summary court shall immediately inform the accused and the officer by whose authority he may be in custody of his acquittal, and such officer shall thereupon immediately release the accused from custody, unless he is in custody for reasons other than the pendency of the charges of which he has been acquitted.

"SEC. 7. That section 1199, Revised Statutes of the United States, is hereby amended to read as follows:

"'SEC. 1199. The Judge Advocate General shall receive, revise, and cause to be recorded the proceedings of all courts-martial, courts of inquiry, and military commissions, and perform such other duties as have been performed heretofore by the Judge Advocate General of the Army. The power to revise the proceedings of courts-martial conferred upon the Judge Advocate General by this section shall be exercised only for the correction of errors of law which have injuriously affected the substantial rights of an accused, and shall include—

"'(a) Power to disapprove a finding of guilty and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when the record requires such finding;

"'(b) Power to disapprove the whole or any part of a sentence;

"'(c) Power, upon the disapproval of the whole of a sentence, to advise the proper convening or confirming authority of the further proceedings that may and should be had, if any. If upon revision, under this section, all the findings and the sentence be disapproved because of error of law in the proceedings, the convening or confirming authority may lawfully order a new trial by another court-martial.

"'Sentences involving death, dismissal, or dishonorable discharge from the service shall not be executed pending revision. If in any case a sentence though valid shall appear upon revision to be unduly severe, the Judge Advocate General shall make a report and recommendation for clemency, with the reasons therefor, to the President or the military authority having power to remit or mitigate the punishment.'

"SEC. 8. That the Judge Advocate General of the Army shall prepare and submit to Congress, at the earliest practicable date, a revision of the Articles of War consistent with the provisions of this act, and shall also prepare and submit to Congress a draft of regulations providing for the procedure of general courts-martial.

"SEC. 9. That all laws or parts of laws inconsistent with this act are hereby repealed."

Mr. JOHNSON of South Dakota. Mr. Chairman, I move to strike out the last two words.

No one but an incurable optimist would insist on trying to amend the military bill now under consideration so long as it is apparent that the administration is not in a mood to do anything to assist the common, ordinary doughboy; but I insist on coming up smiling every time the administration steam roller flattens me out, secure in the knowledge that after March 4 this "outfit" will receive a good many new replacements, and that after March 4, 1921, there will be two or three platoons of replacements here that will have some sympathy for the men in the fighting branches of the service.

It is easy for me to understand the reason for the lack of interest that this administration has in the doughboy, because, so far as I have been able to find out, and I am familiar with the facts, not one relative of anyone connected with this administration was ever allowed to become one.

At that point I want to draw a distinction between the administration and the boys from the great southern part of the United States, because the flower of the South enlisted in the Army just as soon as war was declared. They did not care what war it was, but wanted to fight on the side of the United States against any enemy, and the record will show that these fighting southern boys were real men and patriots. The records are the same from every State. Time is too short to mention them all, but I want to call attention to the Fourth Alabama; a fighting outfit which took a great deal of boche artillery at St. Mihiel. These boys just loved to fight, and were so full of vitality that if they could find no one else to argue with they would dispute among themselves. It has even been said, and I believe truthfully, that they threw offensive French hand grenades at each other just to keep in training for the big "parties." I saw a bunch of these Alabama boys at Base Hospital 23 at Vittel, and the only thing that worried them at that hospital was the fear that they would not be able to get back into the fighting line. This was just as true of the boys from Virginia, the Carolinas, Mississippi, and every southern State, and no man who ever saw them operate could fail to realize why it took the North so long to subdue the South—it was necessary to smother it by numbers. [Applause.]

The flower of the South was in the war, and the families of the names that are familiar among the Confederate veterans were all represented. The sons and brothers of governors, Members of Congress, and State officials were there, and I love them and praise them for the good things that they did. [Applause.]

Sometime when the soldiers of the North and the soldiers of the South are gathered together in the organization, which they will inevitably form to keep alive their recollections of this great war, I hope some men from the North will open the doors of that organization to the daddies of these southern boys who fought for the Confederacy, because their blood helped to win this war; and then I hope that some soft-voiced southern boy will open the door to the members of the G. A. R. who fought for the Union; and then we can see these gray-haired men in their fraternity of spirit fighting again the battles of liberty with their sons. [Applause.]

But, I repeat, that it is impossible to get anything from this administration for the doughboy, because no son or relative of anyone intimately connected with this administration was allowed to fight. This is a broad statement, and I am waiting here now for any of these spokesmen who always represent the administration to point out one relative of anyone closely connected with this administration who was there or who appears on any casualty list. Facts are facts, and you might as well meet them, and it is a shame that these clean-cut American boys were prevented by their fathers or mothers and the administration here at Washington from getting into the fight as they would have preferred to have done. It is an outrage that they were not permitted to make the same record that the rest of the boys of this country could make. Some of the relatives of the wives of the Cabinet officers were wonderful men and performed wonderful service, and I desire to eliminate them from this statement.

One of the Cabinet members who has been very prolific in his statements that the world must be made safe for democracy allowed his son to chase submarines on Chesapeake Bay, and finally, on September 3, landed at Bordeaux, France, and was sent to a town 40 miles from there for training. I know this boy, and he is a real boy and wanted to get in it and fight; but would they let him? I should say not. Within a week after his arrival that great colonel of the American Expeditionary Forces, Col. House, wired for him to come to Paris and go on the colonel's staff. His pass expired in a few days, and he returned to his outfit, but again this doughty colonel ordered him to Paris, and after a short trip to Germany to secure souvenirs he is now carefully guarding the person of the colonel from any intrusion.

Another bright and capable son of a Cabinet member has been retained in this country and not even allowed to put to sea. I know of that young man, and know that he would be a fighting

man if he had the chance. His father or mother or the administration were careful to see that he was never taken on a destroyer or allowed to get in danger. Yet, to be fair, I will say that there is one exception, in the son-in-law of our President, who enlisted in the Y. M. C. A., and, if I remember correctly, was somewhere in France for a week or two, and the newspaper reports that a shell fell within a few yards of him, greatly jeopardizing his future career.

And then to expect that this administration would do anything for the doughboy except to preach to him. Why, they would not even allow my friend Ollie Newman, one of the bravest young men that ever wore the uniform, and whom you all remember as a former Commissioner of the District of Columbia, to get within smell of powder. They sent him as the official chaperon of the President's daughter when she began singing for the doughboys.

There surely were some rough spots in this war for the poor doughboy, and he will never forget it.

I dislike to criticize, because it is so easy; but I can not help but realize that there are but two royal families in the world who never suffered nor appeared in the casualty lists—one was the royal family of Germany and the other the royal and reigning families of the United States. If I am wrong, I hope some one will stop me and set me right.

I was not allowed to offer the amendment reforming court-martial procedure which I desired to offer, and I will close simply by saying that if these official gentlemen are not willing to take the chances, or allow their sons to take their chances in the war, they ought to allow the men and their relatives who were interested in this war and took some part in it to have reform in the court-martial procedure in the United States. It is a vital thing. Some of you may have read the testimony given before a Senate committee by Gen. Samuel T. Ansell, of the Judge Advocate General's office, a few days ago. I simply want to say that he did not go far enough in his statement, and I want to serve notice at this time that if anyone in the War Department or anywhere else takes exception to his statement or desires to start any course of action which will bring any punishment upon Gen. Ansell, there is one man, in addition to a lot of others in this Congress, who will resent it and will see that appropriate action is taken. [Applause.]

Any time that under that system of procedure a soldier can be sentenced to death or to 40 years' imprisonment for refusing to drill, the system should be remedied. When a poor boy is absent without leave for a few days to see his dying father, and can be sentenced to 40 years in the penitentiary for that offense, that system should be changed. When a poor boy who has only been in the service 23 days refuses to turn over a package of cigarettes to a second lieutenant who has no right to them, and gets sentenced to 40 years' imprisonment for that, that system ought to be changed. That second lieutenant had no more right to ask for that package of cigarettes than I would have to go over to Uncle JOE CANNON and try to pry out of him against his will the cigar that I know he has in his pocket. When a poor private soldier can be sentenced to 40 years in the penitentiary because he happened to have in his pocket a pass that belonged to some other boy, that system ought to be changed.

Whenever you can sentence a man to 15 years in the penitentiary for going home to see his sick baby, that system ought to be changed. These are facts and only a small part of them, and we ought to act now while these men are in Fort Leavenworth, although I am prohibited by the administration from bringing in an amendment before the House so that we can send some little ray of hope to the boys confined there. They will get no relief except that which will come to them by the commission appointed by the Secretary of War.

I am not attacking the Secretary of War, for I do not think he is responsible for the system. The system grew up and made it possible for these boys to be sentenced, and makes it possible for thousands of other boys in France and the United States to be sentenced as these men were. Why? Because the administration which controls the legislation at this time will not let it come before this House for a vote. And so you will never get done hearing of this amendment, and the amendments introduced yesterday for the good of the fighting men will plague you until 1920, and you will all be so sorry they were not considered that you will wish you had never heard of them before. [Applause.]

Mr. WATSON of Pennsylvania. Mr. Chairman, I offer the following amendment: Page 34, line 20, strike out "one hundred thousand" and insert "ten thousand."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WATSON of Pennsylvania: Page 34, line 20, strike out "$100,000" and insert "$10,000."

Mr. WATSON of Pennsylvania. Mr. Chairman, I offer this amendment because there has been no evidence that the Government has written contracts with farmers or breeders of horses to purchase animals for remounts. It has been stated by a distinguished Member of the House that such a contract does not exist. We have for sale at Camp Fort Bliss 5,702 horses; at Camp Bowie, 2,456 horses; at Camp Hovey, 3,811 horses; and thousands more at 26 other camps. This amendment will save $90,000 to the taxpayers. It will not be very much, but it will be a commencement in the proper direction toward economy, and will leave $10,000 that can be utilized for the purchase of horses for special need. Therefore I hope my amendment will prevail. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WATSON].

The question was taken; and on a division (demanded by Mr. DENT) there were 33 ayes and 18 noes.

So the amendment was agreed to.

The Clerk read as follows:

BARRACKS AND QUARTERS.

For barracks, quarters, stables, storehouses, magazines, administration of office buildings, sheds, shops, and other buildings necessary for the shelter of troops, public animals, and stores, and for administration purposes, except those pertaining to the Coast Artillery; for construction of reclamation plants; for constructing and repairing public buildings at military posts; for hire of employees; for rental of the authorized allowance of quarters for officers, including members of the Officers' Reserve Corps when ordered to active duty, on duty with the troops at posts and stations where no public quarters are available; of barracks or authorized allowance of quarters for noncommissioned officers and enlisted men on duty where public quarters are not available, including enlisted men of the Regular Army Reserve, retired enlisted men, and members of the enlisted Reserve Corps when ordered to active duty; for grounds for cantonments, camp sites, and other military purposes, and for buildings or portions of buildings for occupation by troops, for use as stables, storehouses, and offices, and for other military purposes; for the hire of recruiting stations and lodgings for recruits; for such furniture for the public rooms of officers' messes and for officers' quarters at military posts as may be approved by the Secretary of War; for wall lockers in permanent barracks and refrigerators in barracks and quarters; for screen doors, window screens, storm doors and sash, and window shades for barracks, offices, and quarters, and for flooring and framing for tents, and for the National Guard when called or drafted into the service of the United States, $4,000,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order.

Mr. FREAR. I want to offer an amendment.

Mr. WALSH. I desire to ask the gentleman from Pennsylvania what is the necessity for constructing public buildings at military posts?

Mr. DENT. Mr. Chairman, I move to strike out, in line 21, page 34, the words "constructing and."

Mr. WALSH. Then, Mr. Chairman, I withdraw the point of order and make another.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the entire paragraph.

Mr. WALSH. I want to ask the chairman what is the necessity, on page 36, line 6, "for ground for cantonments, camp sites, and other military purposes, and for buildings or portions of buildings for occupation by troops," and so forth? I assume that that means in addition to what has already been acquired. Are they going to build more cantonments?

Mr. DENT. No; this is only intended for repairs.

Mr. WALSH. But the bill does not say for repairs.

Mr. DENT. The hearings so state it.

Mr. WALSH. I know; but the bill is the product of the committee after the hearings have been held. It is not in the bill.

Mr. MILLER of Minnesota. May I interject an inquiry at this point?

Mr. WALSH. Yes.

Mr. MILLER of Minnesota. May I ask the gentleman from Alabama if the construction of barracks at Panama is not still in progress, and some of this appropriation is to be utilized for that purpose?

Mr. DENT. Yes; I understand so.

Mr. MILLER of Minnesota. Then the words "for construction" ought to be retained in the bill. I know these barracks were under construction a short time ago, and I assume that they are still under construction and should be continued.

Mr. WALSH. I wish the gentleman from Alabama would answer the question I propounded.

Mr. MILLER of Minnesota. The gentleman from Alabama has stated that some of this is to be used for the purpose of continuing the necessary barracks at Panama Canal Zone, and if that is so, the words "construction and" should remain in the bill.

Mr. SHERLEY. If the gentleman will yield, I think the gentleman is mistaken in his statement.

Mr. WALSH. The Panama Canal construction does not come within this paragraph.

Mr. MILLER of Minnesota. It might.

Mr. SHERLEY. There was an estimate submitted for certain barracks and quarters at Panama before the Committee on Appropriations. They used to be carried in the sundry civil bill. We threw all those matters in connection with the defense of the Panama Canal into the fortifications bill, and there is in that bill something like $4,000,000 for the construction of barracks and quarters at Panama.

Mr. DENT. Mr. Chairman, I was mistaken in my statement.

Mr. MILLER of Minnesota. I gather from the statement of the gentleman from Kentucky that all expenditures for building in the Panama Zone—hospitals, barracks, and so forth—are provided for in the fortifications bill and not in the military bill.

Mr. SHERLEY. No; I would not make the statement that broad; but the barracks and quarters that I recall—and I have not had charge of the fortifications bill for more than a year past, and my memory is not, therefore, very fresh—have been appropriated for through a bill brought from the Committee on Appropriations.

Mr. MANN. Barracks and quarters for the Ordnance Corps only.

Mr. SHERLEY. No.

Mr. MANN. Carried in the fortifications bill.

Mr. SHERLEY. They were carried in the sundry civil appropriation bill. Provisions for barracks and quarters have been carried for years in the sundry civil appropriation bill, relating not only to Panama but to many other places, and this year those relating to Panama were thrown, along with the fortifications estimate, into the fortifications bill.

Mr. MILLER of Minnesota. Can the gentleman assure us that in the fortifications bill there will be an item continuing the construction of the necessary barracks at Panama?

Mr. SHERLEY. There is an item, but for nothing like the amount asked for. They ask for something like $12,000,000. I think the subcommittee, of which the gentleman from Iowa [Mr. GOOD] is a member, allowed something like $4,000,000.

Mr. GOOD. Four million dollars for barracks and quarters for two regiments of Infantry.

Mr. WALSH. Mr. Chairman, I make the point of order, on page 35, line 21, to the words "for constructing and," and, on page 36, lines 6 and 7, 8 and 9, to the words "for grounds, for cantonments, camp sites, and other military purposes, and for buildings or portions of buildings for occupation by troops for use as stables, storehouses, and offices, and for other military purposes."

The CHAIRMAN. The Chair sustains the point of order.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order and wish to inquire of the chairman of the committee as to the necessity for the authorization for the construction of reclamation plants which is to be found in lines 20 and 21, on page 35.

Mr. DENT. Mr. Chairman, if the gentleman insists, I am perfectly willing to have the words go out.

Mr. STAFFORD. I make the point of order against them.

Mr. KAHN. Mr. Chairman, will the gentleman withhold the point of order?

Mr. STAFFORD. Certainly.

Mr. KAHN. Mr. Chairman, the Quartermaster Corps has organized a new feature of its service. Instead of throwing away old shoes and old clothes, they are turned in and are reclaimed. They are renovated and then they are reissued, and I take it that these buildings are necessary for the work of reclamation.

Mr. STAFFORD. Mr. Chairman, upon the information furnished by the gentleman from California, I withdraw the point of order.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. DEMPSEY. Just to say to the gentleman that the various Congressmen who have gone abroad say that the English reclamation plant is one of the most wonderful plants in the whole army and saves an enormous amount of property. I suppose this is designed for the same purpose.

Mr. STAFFORD. The wording led me to believe that it had something to do with what is known generally as reclamation projects in connection with irrigation. On a previous page there was a provision for educational propaganda in connection with reclamation, and perhaps that may have related to irrigation or may have related to this very proposal of salvaging material.

Mr. LEVER. Mr. Chairman, I would like to ask the gentleman from Alabama, in charge of the bill, if the War Department has adopted any policy with reference to the existing cantonments. What are they going to do with them?

Mr. DENT. I made that statement once this morning.

Mr. LEVER. I am sorry I was not here; and if the gentleman made the statement, I shall look it up.

Mr. DENT. I would be very glad to repeat it.

Mr. LEVER. Oh, no.

Mr. FREAR. Mr. Chairman, I move to strike out the figures "$4,000,000" and insert "$2,000,000" at the conclusion of the paragraph on page 36.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 36, line 18, strike out "$4,000,000" and insert "$2,000,000."

Mr. FREAR. Mr. Chairman, I have been studying this report very carefully to find something in regard to these various propositions, and while I admit the page is very enlightening in some respects, I have not discovered anything in regard to polo ponies, for which we appropriated in the last paragraph, for the use of West Point Academy. We have just adopted an amendment in respect to the use of automobiles by the military officers here in the city and elsewhere, preventing such use. We all have had the experience and know what it means, and it has created indignation on the part of the House, so much so that the House passed the amendment unanimously. Here as a matter of military instruction we have provided in the last paragraph for polo ponies, and yet Members wonder why it is that these boys whom we send to West Point, because they are our boys that we send, sometimes become so arrogant. The arrogance shown by frightful penalties at courts-martial or when, as was suggested yesterday, they attempt to determine social distinctions, as has been done for 40 years. We wonder why it is. These officers are just as good boys as can be found in any community; but we all know it is the training they receive and the sentiments of their surroundings. There are many of them who come out of that institution and go through the service as good men or better than when they went in; but some do not, and it is from those that we hear largely. When Congress in these days is appropriating money for polo ponies, I think you may inquire who is to pay for these polo ponies.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. GREENE of Vermont. The item for polo ponies has been carried in the regular standing Army appropriation bill for years, and the purpose of providing polo ponies at West Point is for the instruction of cadets in horsemanship and——

Mr. FREAR. Well——

Mr. GREENE of Vermont. Oh, if the gentleman does not want any more information, well and good.

Mr. FREAR. I have got that, and I remember that Theodore Roosevelt, when he was President of the United States, provided for horsemanship by saying that officers should take long rides, and a vigorous protest arose in every post against the order.

Mr. GREENE of Vermont. Does the gentleman refuse any further information?

Mr. FREAR. I would like to get on the paragraph now under consideration. We have passed the polo-pony paragraph.

We have already discussed the reclamation plan which, I understand, is for the rehabilitation of old shoes, old clothing, and things of that kind, and, if that is true, there will be no one to question it. The explanation for grounds for cantonments, camp sites, has not been made intelligible to Members of the House, so far as I understand. After spending much money—hundreds of millions of dollars—for cantonments of the South and elsewhere, and for the construction of buildings and for camp sites, this bill still provides in this section for grounds for cantonments and camp sites and for other military purposes. On page 36, line 10, we provide for lodging for recruits, which is not objectionable, surely. In the same line we find "for such furniture for the public rooms of officers' messes and for officers' quarters as may be approved by the Secretary of War." We do not provide furniture for the recruits, the doughboys, for whom the gentleman from South Dakota [Mr. JOHNSON] recently spoke, but we are providing for the officers. I do not object particularly to it, except at this time I do not believe there is any justification for voting $4,000,000 here upon the information which has been presented to the committee. Let me say, referring to the report again, this report of one page states that the estimate for $1,916,905,000 was received by the committee in the middle of January. The committee shaved that estimate down, after a great deal of tedious work, to $1,117,289,000, which is ten times, let me remind the committee, ten times the amount of any military bill ever offered in this House before this war was upon us. Every item here, in the judgment of those who presented the $1,916,000,000, every item has been increased, so far as I can understand, over what it was in former years about a thousand per cent, and for that reason I believe we ought to have a reduction in this amount in times of peace.

Mr. DEMPSEY. Mr. Chairman, I move to strike out the last word.

Mr. DENT. Mr. Chairman, before the gentleman proceeds, may I submit a unanimous-consent request that all debate on this paragraph and all amendments thereto close in seven minutes?

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this paragraph and all amendments thereto shall terminate at the expiration of seven minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DEMPSEY. Mr. Chairman and gentlemen, during this war we constructed 16 cantonments, built to accommodate something like a total of 700,000 men. We already had in the United States a large number of forts and places for troops. It is proposed by this bill to provide for an Army of 500,000 men. This provision is for barracks and quarters. Now, then, having provided in the beginning of the war new quarters which will accommodate 700,000 men, how can there be necessity, with the quarters already provided, for expending $4,000,000 for additional quarters for 500,000 men?

Mr. SHALLENBERGER. If the gentleman will permit, of course the committee does not appropriate any money for any additional quarters. The department asked more than the $4,000,000 for repairs and upkeep of quarters that we now have. There is not any of this money to be used for any other purpose than the maintaining the tremendous investment which we now have.

Mr. DEMPSEY. I take it that this bill was drawn as bills ordinarily are drawn, that it was brought up to this committee from the department, and the bill as it is drawn now does not stand as it did before the point of order was made upon construction. The bill as drawn and as presented to this House and as it stood until about five minutes ago provided for construction, and the item of construction was undoubtedly the largest item. We have the paragraph as a whole, and we find that the paragraph as a whole provides for minor things, small things which would not eat up or grow to anything like millions of dollars, and the only thing which could grow into millions, the only thing which could involve millions, was this question of construction which has gone out on the point of order; and I say how, then, can you explain the fact that when upon this paragraph construction seems to be the thing which is large in its figures and large in its expenses, how can you explain that fact when you have ready and provided cantonments for 700,000 men and you will need quarters during the coming year for only 500,000?

Mr. SHALLENBERGER. If the gentleman will permit, $20,000,000 was asked by the department for this particular item, and the item of construction was over $6,000,000. The committee struck out the construction item entirely and did not consider it, and the item was reduced to what we thought would be the very limit that could be used for the maintenance of the tremendous investment which the Government has in this enterprise. Now, it is not only cantonments but every Army post in the United States that is taken care of by this bill. All of its great investments in great permanent military posts all over the United States are taken care of in the way of repairs, and the gentleman can easily see that construction, as far as that is concerned, only comes in as, for instance, at one of these great Army posts there is a possibility of their needing the construction of some very small buildings, which would only cost a few hundred dollars; but take Army posts like we have at Fort Sam Houston or the Presidio——

Mr. DEMPSEY. I get the gentleman's idea.

Mr. STAFFORD. Will the gentleman allow me to read the basis of the estimate to the gentleman?

Mr. DEMPSEY. One moment, if the gentleman will let me make a suggestion first.

In other words, the gentleman's answer to my proposition that you do not need new construction is that we need repairs. And I will say to you in answer to that proposition it can not be true; that where you built last year your buildings have not so depreciated in the course of one year, or really a few months, that they are going to need repair. It is all new construction. It will be good for a great many years. You can not possibly need extensive repairs at this time. You may need them some time in the future, but you can not need them now.

Mr. STAFFORD. It is true that they ask for the construction of barracks quarters the enormous sum of $38,000,000. I ask the gentleman's attention to this language as found in the estimates:

The amount asked for, $4,272,090.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that, notwithstanding the order made, the gentleman from New York [Mr. DEMPSEY] may have five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the gentleman from New York may proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. I will read:

The amount asked for, $4,272,090, is what is considered to be necessary for minor extensions and small buildings added for special purposes to camps and posts already existing.

Now, mark this language:

The necessity for such work is constantly arising, and while the list of projects which seem absolutely necessary at the present time only amounts to $300,000, it is sure to develop that many such items of construction will be necessary to properly care for the number of men which the revised program provides for.

Now, may I inform the gentleman further, that this item carried $400,000 during peace times, before the European war? Well may we cut this item down to $2,000,000 in view of the statement which I have just read.

Mr. DEMPSEY. I will supplement what the gentleman has read by this: As I understand it, we have new cantonments ready to care for 700,000 men. They are new, and they do not need repairs. We have old forts which shelter a greatly increased number over their capacity before the war. I happen to have one of those forts in my district, and I know they were put in good condition; that they were repaired and large additions made to them last year. Judging from the fort I have seen, and taking that as a sample, I would say that no construction work would be necessary for 5 or 10 years. Why then, with quarters for a much larger Army than we are estimating for; why then, with all of this construction work done freshly and newly, not needing repairs for a great many years; why then, having appropriated heretofore only $400,000, we should, with all this new work just freshly done, appropriate $4,000,000 is beyond my comprehension. And I believe the gentleman's estimate of $2,000,000 is excessive instead of being inadequate.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. DEMPSEY. I will.

Mr. GREEN of Iowa. I agree entirely with the gentleman; and I ask if anyone can give an explanation of why we should have an appropriation for more ground for cantonments when we are abandoning them right along?

Mr. DEMPSEY. That is one of the items that has been struck out on a point of order, and it must have entered into this estimate, and when it was struck out on a point of order it lessened the estimate and the amount necessary just that much.

Mr. LITTLE. Mr. Chairman——

The CHAIRMAN. The Chair will say that only two minutes more are left for debate under the unanimous-consent agreement.

Mr. LITTLE. I was to have a couple of minutes.

Mr. DENT. Yes; the gentleman was to have a couple of minutes.

Mr. LITTLE. I have been informed recently by what appeared to be reliable authority that there is a fort on the Yukon River that cost $1,000,000, that the War Department had built and, I believe, never occupied, and which is now totally abandoned, and that every year we appropriate something for the care of that. Does the chairman happen to be familiar with that fortification and the circumstances?

Mr. DENT. No; I am not.

Mr. LITTLE. Would you mind looking it up? I would like to know. The gentleman who gave me the information had been in Alaska. He says it is not only totally abandoned but it is entirely out of the range of travel, and the War Department actually came down here and held this Congress up for a million dollars to build it but have never used it, as I understand him, and is not using it now. And he says there is an appropriation made every year for its maintenance. I wonder if that gets in under this?

Mr. DENT. I am pretty sure that there is no estimate made for that in this paragraph.

Mr. LITTLE. I wish you would look that up. I might say to the gentleman from New York, the War Department does not need the money for repairs or for construction. It just needs the money.

Mr. MOORE of Pennsylvania. Mr. Chairman——

The CHAIRMAN. The gentleman is recognized for two minutes.

Mr. MOORE of Pennsylvania. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. In the two minutes left will it be in order to offer an amendment, because I want to discuss some items in the amendment?

The CHAIRMAN. To offer an amendment to the paragraph?

Mr. MOORE of Pennsylvania. Yes.

The CHAIRMAN. When the time under the agreement is disposed of it will be in order for the gentleman to offer an amendment.

Mr. MOORE of Pennsylvania. Will I be permitted to offer an amendment if I wish to offer one separately?

The CHAIRMAN. No.

Mr. MOORE of Pennsylvania. I do not care to occupy the two minutes.

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin [Mr. FREAR].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. DENT. Mr. Chairman, I ask for a division.

The committee divided; and there were—ayes 30, noes 25.

So the amendment was agreed to.

Mr. FERRIS. Mr. Chairman, I move to strike out the last word. Or is the time fixed?

The CHAIRMAN. The time has expired on this paragraph.

Mr. FERRIS. Very well; I will wait until the next.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MILITARY POST EXCHANGES.

For continuing the construction, equipment, and maintenance of suitable buildings at military posts and stations for the conduct of the post exchange, school, library, reading, lunch, amusement rooms, and gymnasium, including repairs to buildings erected at private cost, in the operation of the act approved May 31, 1902, for the rental of films, purchase of slides, supplies for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established, or which may be hereafter established, and for such purposes not enumerated above as the Secretary of War may deem advisable, to be expended in the discretion and under the direction of the Secretary of War, $250,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. FERRIS rose.

The CHAIRMAN. For what purpose does the gentleman from Oklahoma rise?

Mr. FERRIS. I want to be recognized for five minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, I wish to be recognized.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order.

Mr. FERRIS. I want to proceed for a couple of minutes out of order.

The CHAIRMAN. Does the gentleman from Massachusetts wish to speak on his reservation?

Mr. WALSH. Not if the gentleman from Oklahoma desires to proceed.

Mr. MOORE of Pennsylvania. Mr. Chairman, what is the gentleman's request?

The CHAIRMAN. His request is to proceed.

Mr. MOORE of Pennsylvania. I have been waiting here longer than the gentleman from Oklahoma, with a burning desire in my breast to proceed. [Laughter.]

Mr. FERRIS. I will withdraw.

Mr. MOORE of Pennsylvania. Mr. Chairman——

Mr. WALSH. I want to inquire about the item for continuing construction at military post exchanges——

The CHAIRMAN. The Chair will state to the gentleman from Pennsylvania that he must not interfere with the proceedings of the House.

Mr. MOORE of Pennsylvania. I was not in any way interfering with the proceedings of the House.

The CHAIRMAN. The gentleman from Massachusetts was in the act of proceeding and was recognized by the Chair. The Chair asks all other Members not to interfere with the proceedings.

Mr. MOORE of Pennsylvania. I was not interfering with the proceedings.

The CHAIRMAN. The gentleman from Pennsylvania was trespassing upon the time of the gentleman from Massachusetts. The gentleman from Massachusetts will proceed in order.

Mr. WALSH. Mr. Chairman, I desire to ask the chairman of the committee what construction work is being carried on at the military post exchanges?

Mr. DENT. No construction work.

Mr. MOORE of Pennsylvania. Well, if there is no construction work now being carried on, what is the necessity of carrying an appropriation to continue it?

Mr. DENT. I have no objection to its going out.

Mr. WALSH. I make the point of order, Mr. Chairman, on the item, on page 36, for continuing construction of military post exchanges.

The CHAIRMAN. The point of order is sustained.

Mr. MOORE of Pennsylvania. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. I make the point of order that a number of gentlemen are now standing, to whom the attention of the Chair has not been directed. [Laughter.] I ask for a ruling on my point of order that the House should be in order.

The CHAIRMAN. The Clerk will read.

Mr. MOORE of Pennsylvania. I demand a ruling of the Chair on the point of order.

The CHAIRMAN. The Chair has instructed the Clerk to read. The gentleman, in the judgment of the Chair, is out of order.

Mr. SIEGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment.

Mr. MILLER of Minnesota. Mr. Chairman, I desire to reserve a point of order on the paragraph. I have no objection to the gentleman from New York [Mr. SIEGEL] offering an amendment.

The CHAIRMAN. The gentleman from Minnesota reserves a point of order on the paragraph.

Mr. MILLER of Minnesota. Mr. Chairman, I would like to make an inquiry of the gentleman from Alabama, if I may. I notice the language reads, "For the rental of films, purchase of slides, supplies for and making repairs to moving-picture outfits," and so forth. Can the gentleman inform the House as to the method which the Army follows in procuring slides and moving-picture films for very proper purposes, as indicated here? I am inquiring as to how they get their films and where they get them.

Mr. DENT. I do not know where they get them.

Mr. MILLER of Minnesota. Most of the films, as we know, are made by certain institutions whose business it is to make films. Does the War Department purchase or rent these films or does it have a corps of officials who go out and make films? I will be more specific if the gentleman wants me to.

Mr. DENT. I wish the gentleman would be.

Mr. MILLER of Minnesota. I have been informed that during the period of the war—I do not know whether it now exists or not—this has been the practice: The Committee on Public Information, using Government funds which they secured from one source or another, has had an enormous quantity of pictures taken, going into various parts of the world for that purpose. They then lease these films to the Y. M. C. A., to the Red Cross, and to the Army cantonments at a very high rental, and thereby they have been enabled to reap quite a large harvest in the way of funds.

Now, of course, that sort of procedure is entirely unjustifiable, and if it is the intention that that practice shall be followed now I shall certainly make a point of order against it; but if it is intended that the War Department shall get their material in the ordinary and proper way no one will have objection to it.

Mr. SHALLENBERGER. Mr. Chairman, will the gentleman permit an interruption?

Mr. MILLER of Minnesota. Certainly.

Mr. SHALLENBERGER. The branch of the War Department having charge of that particular line of work came to us asking for quite a large appropriation. The committee rejected that request, and the only place in this bill from which funds are made available for the procuring of films is the particular item here, relating to post exchanges. The gentleman knows that at these exchanges these films are hired or purchased the same as they are in other public entertainments, and are used for the entertainment and amusement of the soldiers at the posts. There is no fund in this bill to be used for such a purpose as the gentleman describes.

Mr. MILLER of Minnesota. I do not know that during the past two years they have procured their films in the general way I have mentioned, but I do know, or at least I have been advised by persons who claim to know the facts, that the Committee on Public Information has been making a very large sum of money by simply taking Government funds and having pictures taken, and then renting these pictures to other branches of the Government.

Mr. SHALLENBERGER. Of course, the gentleman knows that the Committee on Public Information does not get its funds from this committee.

Mr. MILLER of Minnesota. Yes.

Mr. SHALLENBERGER. This place that I have referred to, so far as this committee is concerned, is the only place from which money could be had for the use in these post exchanges. It is right here, as has been stated. That is the information secured by our committee.

Mr. MILLER of Minnesota. Is it the information of the gentleman, then, that any expenditures made under this paragraph will be made in the way he intimates?

Mr. SHALLENBERGER. Yes.

Mr. MILLER of Minnesota. And not by what I might call polite and legalized graft to the Committee on Public Information.

Mr. SHALLENBERGER. That is the information I have—that this is going back to the plan they had before the war.

Mr. MILLER of Minnesota. Then I withdraw my reservation of the point of order.

Mr. SIEGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SIEGEL: Page 36, line 25, after "1902," insert: "and buildings for similar purposes on military reservations authorized by War Department regulations."

Mr. STAFFORD. I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. SIEGEL. Mr. Chairman, the buildings erected at private cost under the act of May 31, 1902, were the buildings erected by the Y. M. C. A. When war was declared the Knights of Columbus, the Jewish Welfare Board, and the Salvation Army erected at the various camps a large number of buildings, costing several millions of dollars, open to all soldiers, sailors, and marines of all creeds. Last year was added the proviso found on page 25, lines 12 and 13, of this year's bill—

And buildings for similar purposes on military reservations authorized by War Department regulations.

That is, providing for their light and heat. We carry the same proviso this year. But somehow or other this language was not added for the military post exchanges, and this amendment simply gives to those buildings, without a cent of extra cost to the Government, the same right of incidental repairs which is given to the Y. M. C. A. buildings at the present time.

Mr. STAFFORD. Will the gentleman yield?

Mr. SIEGEL. I do.

Mr. STAFFORD. Do I understand that the act referred to, approved May 31, 1902, provides for buildings erected by the Y. M. C. A.?

Mr. SIEGEL. Correct.

Mr. STAFFORD. And it is the purpose of this amendment to extend the privileges of this item to other buildings?

Mr. SIEGEL. For similar purposes—open to every one.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SIEGEL].

The amendment was agreed to.

Mr. McKENZIE. Mr. Chairman, I wish to inquire whether the point of order made by the gentleman from Massachusetts [Mr. WALSH] was sustained.

Mr. STAFFORD. Yes; as to the words "continuing the construction."

The CHAIRMAN. The gentleman from Massachusetts [Mr. WALSH] made the point of order, and the gentleman from Alabama [Mr. DENT] conceded it, and the point of order was sustained.

Mr. McKENZIE. I simply wanted to be certain that that was out of the bill.

Mr. BUTLER. I understood the gentleman from Massachusetts to make his point of order against the words "for continuing the construction, equipment."

Mr. STAFFORD. Not against the word "equipment," but just against the construction.

Mr. BUTLER. I thank the gentleman.

The CHAIRMAN. The point of order was to the words "continuing the construction," on line 20, page 36. That point was conceded by the gentleman from Alabama [Mr. DENT]. The Clerk will read.

The Clerk read as follows:

BARRACKS AND QUARTERS, PHILIPPINE ISLANDS.

Continuing the work of providing for the proper shelter and protection of officers and enlisted men of the Army of the United States lawfully on duty in the Philippine Islands, including repairs and payment of rents, the acquisition of title to building sites, and such additions to existing military reservations as may be necessary, and including also shelter for the animals and supplies, and all other buildings necessary for post administration purposes, and for shelter and repair thereof, and rentals for the United States troops in China, $250,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I reserve a point of order, so that I may ask unanimous consent to proceed for five minutes as if I had moved to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, while the item "for barracks and quarters" was under discussion I desired to discuss that subject, but owing to the parliamentary situation which arose I was unable to do so. What I wanted to do was to draw attention to the conditions which prevail at certain of the points of debarkation in France, notably at Brest. Not long since a vessel arrived in the port of Philadelphia. She was the *Haverford*, the first vessel to come to that port with troops from France. That vessel contained a number of officers and a larger number of enlisted men who had done faithful and gallant service on the other side of the water. A number of the officers and men who came from abroad on that ship, being still in the service, were unable to make public statements. That is one of the real disadvantages that a man in the Army suffers; that while he still wears the uniform he is subject to the regulations and discipline which the War Department imposes. I presume that is the proper thing; but these gentlemen, many of them officers, communicated to those with whom they talked upon this occasion, and this did not get into the newspapers of Philadelphia. They stated that the "cooties" and the rats and the mice in the trenches were paradise compared with the quarters they were obliged to subsist in at Brest. From December 27 to January 14 they lived in tents with water 5 inches deep in some of them. Why they were put in the tents instead of in the barracks no one seems to know. The matter, however, has been reported to Washington, and I am told that some of the officers when they are released from their uniforms and from Army discipline intend to tell this story to their Congressmen. Yesterday we had some very interesting discussion on this floor with regard to the propriety of a Member of Congress interceding in an Army matter in behalf of his constituents. I trust that these gentlemen who are coming back from Brest, these officers and privates, when their uniforms are off, will be free to communicate with their Members of Congress in order that we may understand better the conditions that prevailed abroad.

I have received a number of letters bearing upon this situation at the points of debarkation in France. One of the men who has written me, whose letter I received this morning, is well known to most of us here in Washington. I will not, I dare not, at this time give his name, but his statement is sufficient for me, and I vouch for him.

He states that the wounded and sick soldiers returning from the fields of France to the ports there are forced to ride in dirty freight and cattle cars to the ports of embarkation, where they are kept in anxious suspense for days and weeks to get a boat home. They are fortunate if they have a shelter over their heads. This gentleman tells me he can not speak from personal experience of the conditions at Brest, Bordeaux, or Marseille, but he tells me that as to the conditions at St. Nazaire, where he was for two weeks waiting for a boat, he can speak. He says others have been kept there for five or six weeks. He was fortunate enough to get away in two weeks. He says they had roofs over their heads but no floors, and mud and sickness all around.

That is to say, they were obliged to sleep upon the ground, and many of them to sleep in mud. To be sure, it is the rainy season in France, and these muddy conditions prevail. But, gentlemen, here are our boys over there clamoring to come home. Here we are making an appropriation for an additional Army of more than 500,000 men. Here we are asking when will these 2,000,000 soldiers come back? The answer is they are crowded up against the ports in France; they are sleeping in the mud; the very tents which shelter their heads do not have floors to shelter their bodies as they sleep. Yes; these may be extreme cases, but it seems there are many of them.

Mr. SIEGEL. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. SIEGEL. I have here a photograph of Brest that has come through and which the gentleman can use.

Mr. MOORE of Pennsylvania. I am sorry I can not put it into the RECORD. The gentlemen who would like to see it are privileged to come to the rostrum and examine it. I have no doubt it is correct, for it is a series of photographs. I say to you there is great unrest in regard to the Army of the United States, and I am sorry to say the unrest is increasing and is due to the fact that these men in uniform, who are suffering untold agonies, are unable to tell their stories to their Congressmen and the home folks. [Applause.]

Mr. FERRIS. Mr. Chairman, I move to strike out the last word. I am not a member of the Military Affairs Committee

and not entitled perhaps to speak along that line. I am not in favor of putting any gag in these boys' mouths to keep them from talking or writing to Members of Congress. They should have the right made secure to them. I am not in favor of the present procedure of the Judge Advocate General's office where they put extraordinary and extortionate sentences for trivial offenses on these soldier boys. But neither of these are new proceedings to the Military Establishment; neither of these systems are new to this Congress or to this administration. They are very old. They are too old. I am not in favor of reading here on the floor of this House all these carping criticisms during the consideration of this bill. It is neither the time nor the place. Neither am I in favor of Congress resolving itself into an old ladies' commission of carping critics to stir up trouble for those who are conducting the war. Gentlemen here may think it serves a good purpose. It may, but I fear it does positive harm.

It is not my purpose to lecture anybody, but I do not believe that we ought to have 20 or 30 Members of the House continually reading critical carping letters, usually without signature, complaining against the officers, complaining against the War Department, complaining against the Government. This is not the place to present them. There is nothing to show here they have been presented to the War Department or to Secretary Baker. I submit they ought to have a chance. I believe they stir up distrust, occasion loss of patriotism, and it does the boys they seek to help absolute harm. If I did not think so, I would not take the time of the House to say it. Everyone is proud of our soldiers. Everyone wants to help them. No one knowingly wants to harm them. I do not charge anyone knowingly does that, but I fear the effect will be bad. I can not believe they desire it.

Mr. DEMPSEY. Will the gentleman yield?

Mr. FERRIS. I do not. I am in favor of bringing the Army back from the other side just as quick as we can get them back in an orderly way. It took a good many months to get them over there, moving them as fast as we could, and it naturally will take a good many months to get them back, moving as fast as we can. Secretary Baker has sent letters saying that not a single opportunity is missed to bring them back as fast as they can.

Mr. GREEN of Iowa. That is not true.

Mr. FERRIS. The gentleman from Iowa says that is not true. He may be right, but I can not believe that the Secretary of War, a Cabinet officer, the man charged with this responsibility, the man who must know something about the situation—I can not believe that he would write a falsehood to this House, and if he did somebody ought to institute impeachment proceedings against him.

Gentlemen over there on that side may smile and laugh, but you are making history to-day. Four million boys went into the war to fight and are returning to be assimilated into society. Are you going to bring them back contented, happy men, full of patriotism and pride for the part they took and the service they have rendered, or are you going to instill in them hatred, distrust, doubt, and fear as to some of the hardships they endured? It does not do us good to teach our boys to hate and despise our own Government. It does positive harm. I prefer to believe they are proud of their Government, proud of their fight; and while I do not know what is in their minds I feel sure that is true as to most of them.

Now, one word further. We are told that the boys slept in water. We are told that the boys did not have two undershirts. I have no doubt that in certain instances this is true. Out of 4,000,000 men inducted into the Army almost overnight, if there was not waste, if there was not abuse, if there were not even almost outrages, it would be the marvel of the hour. Just a few minutes ago the gentleman from Wisconsin [Mr. FREAR] moved to strike out a $4,000,000 item and insert $2,000,000, and it was agreed to here with great complaisance. That may be a proper amendment; I do not know; but what I do say is that I listened attentively and no one gave any good reason for it.

Mr. FREAR. Will the gentleman yield?

Mr. FERRIS. No; my time is short. We have invested $500,000,000 in cantonments. I have no doubt that a great deal was wasted, but the people at that time at the beginning of the war wanted the cantonments built and built quickly, and you could not stop to dicker with a man whether you would pay him $2.40 or $2.60 a day. They wanted us to move forward. We did move forward. We made mistakes. We doubtless made waste by the haste, but what I do say is that we have $500,000,000 invested in cantonments, and they strike out $2,000,000 which is provided for the upkeep without rhyme or reason. The same gentlemen that are to-day breaking and smashing up this bill, moving to strike out two and three million dollars in one item, cutting it in two in every item—these same gentlemen will probably be here at the next session explaining that we let the property go to waste; that we let $500,000,000 be invested in cantonments go to wreck and ruin, and it will be said that we are to blame and not the gentlemen who moved to strike out the items. I feel sure history will record that the American Army, both at home and in France, was the best paid, best fed, best clothed, and best cared for army of any of the allied armies. It will show that no army of the past wars has been so well cared for. I know there will, out of 4,000,000 men, be exceptions, but I insist the rule will prove my statement true. [Applause.]

Mr. TREADWAY. Mr. Chairman, I move to strike out the paragraph.

Mr. DENT. Mr. Chairman, will the gentleman yield until I make a request for unanimous consent?

Mr. TREADWAY. Yes.

Mr. DENT. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto be concluded in 25 minutes.

Mr. HASTINGS. Mr. Chairman, reserving the right to object, what is the pending amendment?

The CHAIRMAN. The gentleman from Massachusetts has moved to strike out the paragraph.

Mr. HASTINGS. Unless these 25 minutes are to be devoted to a discussion of the paragraph I shall object.

Mr. DENT. Then I move that debate upon the paragraph and all amendments thereto be now closed.

Mr. MANN. Mr. Chairman, I make the point of order that the gentleman can not do that. The gentleman from Alabama was recognized to prefer a request for unanimous consent. But he can not take the gentleman from Massachusetts off the floor to make a motion. The gentleman from Massachusetts was recognized and has the floor for five minutes.

Mr. LEVER. Is not a point of order reserved on the paragraph?

Mr. MANN. No.

Mr. DENT. Then I shall make the motion at the conclusion of the five minutes to be used by the gentleman from Massachusetts.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. LITTLE. Mr. Chairman, I would like to be heard for five minutes in opposition.

Mr. TREADWAY. Mr. Chairman, I would like to read the following communications:

INTERNATIONAL BROTHERHOOD ELECTRICAL WORKERS,
LOCAL UNION, NO. 161, OF GREENFIELD, MASS.,
Greenfield, Mass., February 13, 1919.

Hon. ALLEN TREADWAY,
House of Representatives, Washington, D. C.

DEAR SIR: Some time ago communications were sent to Postmaster General Burleson from the New England Council of Telephone Workers, of Boston, an organization of which this local is a member, and as yet we have received no reply.

We, the members of this local, take the liberty to ask you as our Representative in the House to do all in your power to help us in this matter of adjusting this condition and reestablishing the relations and dealings that we enjoyed with our employers prior to Government control.

This is not a condition that affects our local only, but it is the situation throughout New England, affecting not less than 15,000 employees, and which, if not remedied in the near future, may cause serious curtailment to the wire system.

Thanking you in advance for the help which we know you will give us in this matter, we beg to remain,

Truly, yours, ——— ———.

[Telegram.]

SPRINGFIELD, MASS., *February 14, 1919.*

Hon. ALLEN TREADWAY,
House of Representatives, Washington:

Springfield Telephone Operators' Union, Local 3A, extending over western Massachusetts, whose membership are your constituents, respectfully direct your attention to the unreasonable and indefensible position of Postmaster General Burleson in refusing to permit company to make negotiation with employees on question of wages and conditions; has failed to establish any machinery to take place of former satisfactory relations of employees with company committee appointed by him to investigate and report on wages and conditions; ineffective and insincere. Our representative compelled to resign. Request you institute congressional investigation of Federal Administration of Wires.

Mr. LITTLE. Mr. Chairman, I rise in opposition to the motion to strike out the paragraph.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas.

Mr. GREEN of Iowa. Mr. Chairman, I beg to say that I rose before the gentleman from Kansas.

Mr. LITTLE. Oh, I bobbed up ahead of the gentleman three or four times.

The CHAIRMAN. The Chair has no purpose to discriminate as between gentlemen at all, but the Chair thinks the gentleman from Kansas was just as alert as the gentleman from Iowa.

Mr. LITTLE. Mr. Chairman, I am opposed to striking out this paragraph. I think some of it is necessary to the Army. You have to treat soldiers right in order to keep up their patriotism, I hear. The gentleman from Oklahoma [Mr. FERRIS] seems very fearful that we will destroy the patriotism of these fighting soldiers if we draw attention to the fact that they only have one shirt, when they ought to have two. The American soldier does not pull his patriotism on or off with his shirt. The gentleman concedes that there is only one shirt very often when there should be two. We do not want to make a fuss about this, but there is no reason why we should not insist that he have the other shirt or anything else that is needed. No one's patriotism is going to be destroyed by getting him a square deal. I do not know about the gentleman's—although he seems to be very touchy on the subject—but he need not worry about the rest of us or about the Army. It is not going to hurt this Army to have the injustice that is in it corrected. On the contrary, it will help its patriotism.

Mr. MANN. Perhaps the gentleman does not recall that the only man on the floor of the House so far who comes to the defense of the administration is the chairman of the Democratic congressional committee, the gentleman from Oklahoma [Mr. FERRIS]. He does that officially, not personally.

Mr. LITTLE. I had not thought of that, because politics was the farthest thing from my mind. This is not a criticism of the department.

Mr. MOORE of Pennsylvania. Does the gentleman from Kansas acquit the gentleman from Oklahoma of having induced the President to write that letter, saying his faith was in the Democratic Members and not in the Members upon this side of the House?

Mr. LITTLE. Oh, yes; I got him to do that myself. [Laughter.]

Mr. Chairman, the gentleman from Oklahoma [Mr. FERRIS] is mistaken. Whatever possible political feeling there may be here and there, I am satisfied that these criticisms to which he is objecting are not criticisms of the department. They are criticism of the military caste which dominates the department. Yesterday we put through an amendment to take out of the hands of the military the right to final disposition of the applications for discharge, and to put them in the hands of the Secretary of War, which was a compliment to the department, I will say to the gentleman from Oklahoma. This is a contest, not between us and the department, but between us and the irresponsibles, the men in the Army who have no sense of responsibility, and these criticisms are just and proper and timely. If they can not be made now, in the name of God when would they be made?

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. DEMPSEY. Is it not a fact that the Acting Judge Advocate General joined in the criticism of these sentences?

Mr. LITTLE. He has made the very best argument against some of them.

Mr. DEMPSEY. And if Members of Congress are to be criticized for making them, so should the Judge Advocate General.

Mr. LITTLE. Conditions went so far that Members of Congress ceased to have the rights of ordinary citizens. A Member of Congress was told that if he butted in on anybody's application for a discharge the boy would suffer, and the time has come when the Congress on both sides should learn some self-respect, when it should make these irresponsibles responsible, so that an ordinary citizen who goes out to fight for his country gets a square deal when he gets through. They should be allowed decent consideration. If one of them is sent by court-martial to the penitentiary for 20 years because he chewed gum, the men who sit on that court-martial ought to be put out of the Army. The gentleman from Oklahoma is mistaken in his reasons for resenting this criticism. I do not believe the gentleman from Oklahoma has any disposition to support these irresponsibles in their wrong decisions, but that is what it amounts to.

Mr. FERRIS. Oh, the gentleman is in error about that. The gentleman is an Army man.

Mr. LITTLE. No; I am a Congressman.

Mr. FERRIS. But he has had experience in the Army, and he knows that the same system prevailed when he was in the Army as prevails now.

Mr. LITTLE. Not around where I was; and I was president of a good many courts-martial.

Mr. FERRIS. Every speech that I have heard to-day has had in it some sort of criticism. About eight years ago, when I first came——

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. I ask unanimous consent that the gentleman have another minute. I want to ask him a question.

Mr. LITTLE. And I want another minute to answer him.

Mr. FERRIS. I ask that the gentleman may have two minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. I have some personal testimony I want to offer. About 8 or 10 years ago, out at Fort Sill, Okla., immediately adjoining my home town, a green country boy came down from Kansas and enlisted in the Army. The boy made a remark about an officer's wife. I never knew whether the remark was true or not, and I do not know now. They tried that boy by the same court-martial proceedings then that prevail now, and gave this green boy 20 years in the penitentiary. The Congressman from western Kansas, Judge Reeder, whom the older Members will remember, and I spent two or three years trying to get that boy out, and we never could. I want to say this: This system is an octopus; well, it is worse than that. It has been with us a long time—by far too long a time. I merely wanted the House to know this method is not new. It is not a product of this administration.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LITTLE. I want a minute to answer the gentleman.

Mr. GREEN of Iowa. Mr. Chairman——

Mr. LITTLE. Let me answer the gentleman's question.

Mr. DENT. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Alabama rise?

Mr. DENT. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in seven minutes.

Mr. GREEN of Iowa. With the understanding I am to have five minutes?

Mr. MANN. Mr. Chairman, reserving the right to object, I shall not object, but I would like to ask the gentleman from Alabama about his intention for this evening.

Mr. DENT. My intention is to run just as long as the House will allow me to do. I would like to finish this bill if possible.

Mr. MANN. The gentleman can easily inform the House. It is a matter of convenience to inform the House whether he proposes to move to rise at 6 o'clock or 7 o'clock or whether he intends to try to keep the House in session until 10 o'clock.

Mr. DENT. I intend to try to keep the House in session as long as possible up to 10 o'clock.

The CHAIRMAN. Is there objection?

Mr. MILLER of Minnesota. Mr. Chairman, reserving the right to object, I will state to the gentleman that we have had lots of debate on this paragraph, but not a word on the paragraph. Now, I really have something I want to inquire about in reference to the paragraph and one or two slight observations to make.

Mr. DENT. What time does the gentleman want?

Mr. MILLER of Minnesota. Five minutes, and it is probable not that much.

Mr. DENT. I will make it 12 minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this paragraph and all amendments thereto shall terminate at the expiration of 12 minutes. Will the gentleman indicate who is to have that time?

Mr. DENT. The gentleman from Iowa to have five minutes, the gentleman from Minnesota five minutes, and the gentleman from Kansas two minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this paragraph and all amendments thereto shall terminate at the expiration of 12 minutes' time, to be consumed as indicated. Is there objection. [After a pause.] The Chair hears none.

Mr. LITTLE. Mr. Chairman, the gentleman from Oklahoma [Mr. FERRIS] seemed to suggest that I was probably a little inconsistent, because the rules were the same in 1898 as now. I wish to disprove it. I never heard during the Spanish-Philippine War any court-martial sentence that compared in severity with hundreds of these. These fellows have simply gone crazy in a riot of arrogance. Now, another thing. I was president of many courts-martial, and we never found tyranny essential to secure respect. The finding of a court-martial must be approved or disapproved by the commander. We had a boy that was arrested for a minor matter, and technically he really possibly could have been sent to the penitentiary. We had 11 Volunteers and 2 West Pointers on the court, and we voted 11 to 2 to give the boy 60 days in the guardhouse and a fine of $25.

The sentence of the court-martial was sent back disapproved by the general, and he said that if the boy was guilty at all he ought to be sent to the penitentiary and bobtailed, and if he was not guilty we should have acquitted him. Now, what did we do? I moved to reaffirm the sentence, which we did, 11 to 2, and it was sent back to the general. Now, all he could do was to disapprove it and turn the boy loose with no sentence. He had already been in the guardhouse anyhow for 60 days, which was punishment enough anyway. There is no sense in pulling a man around by a ring in his nose. My idea in every court-martial was that you should use a little common sense and equity. The rigid features of the regulations are only intended for the battle front anyway. Nobody fit to command men would enforce them strictly at home. That is the proposition involved and that was my theory then, as it is now. [Applause.]

The CHAIRMAN. The gentleman from Iowa is recognized for five minutes.

Mr. GREEN of Iowa. Mr. Chairman, as I have not occupied five minutes upon this bill, I presume I was not one of those that the gentleman from Oklahoma [Mr. FERRIS] referred to, but I want to say this right at the outset, the chairman of the national Democratic congressional committee may take the view which he seems to advocate, that this Congress ought to be indifferent to the just complaints of the American soldier, but that is not the position of the Republican side of the House, and, so far as I know, not the position of anybody on the Democratic side except the gentleman himself. [Applause.] I would be ashamed of myself and ashamed of Congress if it turned a deaf ear to the appeals of soldiers and their dependents.

To whom have these men to come to make complaints if not to us? Where are they going to get a hearing? What attention has the War Department or the administration paid to them? None whatever. Every man in this House knows it. Are we to sit here like graven images when our soldiers are mistreated, when outrages are perpetrated upon them, and not lift our voices even in protest? I would go further than any man has offered so far, unless it be, perhaps, the gentleman from Kentucky [Mr. FIELDS], who proposed yesterday to take away the salaries of some of these officers. This Congress ought to be asserting its dignity, its rights, and its determination to protect the American soldier against the impositions that have been put upon him by some of these high officers and some officers not so high.

I do not find so much fault with these lieutenants as some do. Most of them are splendid young men. Where do these orders come from? They come from above. They come because the heads of the departments sanction them and are willing that these conditions should go on. When you get down to the cause, the responsibility rests upon the Secretary of War and the administration, who could stop these abuses by a word.

Mr. GORDON. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. GORDON. You voted to draft these men into the military service for the period of this war?

Mr. GREEN of Iowa. I did, for the period of the emergency. And your department is not discharging them as they ought to be, in accordance with the terms of that bill.

Mr. GORDON. This Congress has no right to discharge them.

Mr. GREEN of Iowa. The gentleman is entirely in error. A moment's reflection will convince him of it. The War Department could discharge them now—is discharging some of them, in fact. Congress could provide for their immediate discharge, but every move in that direction is blocked by the administration. I voted to enlist them for the period of the emergency. If the emergency is not over, when, in heaven's name, will it be over? Not during my lifetime.

Mr. GORDON. Mr. Chairman——

Mr. GREEN of Iowa. I can not yield further to the gentleman. I have only five minutes, and I hesitated about taking that.

Mr. Chairman, the Republican Party has always been in favor of caring for the defenders of the country, and the Republican Party will continue to maintain that position, notwithstanding the strictures of the gentleman from Oklahoma and other prominent leaders on the Democratic side. It will always find us desirous, not only of preserving the rights of the enlisted man, but of giving him that care and attention which his sacrifices deserve. Now that the war is over we want him returned to his home and his job, instead of holding him in camp to minister to the vanity of some high officer or gratify the ambition of some one who wants to pose as the dictator of the affairs of the whole world.

I have been only led to speak these words—I have not occupied any other time on this bill—because the gentleman from Oklahoma [Mr. FERRIS] persisted in reading a lecture to those who took the part of the private soldier in the discussion here upon this bill. He intimated that this side was just simply trying to raise trouble. We are trying to protect these men. We have not the power in our hands now to do anything more than protest. If we could we would do more, and we will do more than protest if these grievances are not remedied when we obtain control of the House. This condition of affairs can not be endured, but the only remedy we have now is to agitate and agitate, until the country fully understands the situation, and the Members on this side ought to continue to do it. It has brought forth much good already. Everyone knows that there has been an altogether different spirit on the part of the War Department about discharging the men than there was two months ago. Two months ago you could not get a complaint heard anywhere. Now the orders are changed and there are places where you get hearings. Before you could not get a man discharged, no matter what the case of his dependents or the sufferings that were inflicted upon his family. Since that time the War Department has modified its orders as a result of the agitation that has been started here and the complaints that have been made on this floor. It ought to and I think it will modify them further. It has finally got around so as to admit in some extreme cases that men on the other side of the ocean will be discharged. I want to see it get around so that it will bring every man home as fast as possible. The gentleman from Oklahoma says: "I do not know anything about these vessels coming home partly filled." If he does not know it, he ought to know it. It has been stated here on the positive knowledge of gentlemen who have come home on them. They are only coming at the rate of 50,000 a month. It will take over two years from now to get the boys back at that rate.

I do not wish to take further time of the committee on this subject. But if the gentleman from Oklahoma thinks he is going to stop discussion on this subject he has another guess coming. He is making one of the greatest mistakes he ever made. He will hear more of it in this House until the grievances are remedied and his party will hear more of it in the future than it wants to hear. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I would like to direct the attention of the committee to the paragraph under consideration, especially to this language:

The acquisition of title to building sites, and such additions to existing military reservations as may be necessary.

And I would like to ask of the gentleman in charge of the bill whether that is in here simply because it is the language carried in similar bills, or whether it is contemplated to make practical application of it?

Mr. DENT. It is language that has been carried in the bills heretofore.

Mr. MILLER of Minnesota. One further inquiry. Here is language, "Rentals for the United States troops in China." Can the gentleman state what rentals are referred to and how much they amount to in a year?

Mr. DENT. The amount in the estimate is $50,000.

Mr. MILLER of Minnesota. That leaves a total of $200,000. How does that compare with the amount heretofore carried in bills of this kind?

Mr. SHALLENBERGER. I will say to the gentleman I think it is the same amount. And they had under consideration, at least a proposition was made to the committee, that we should appropriate money to build permanent quarters there in China, rather than to keep up this item of annual rental, but the committee has never thought it wise to take action upon it as yet.

Mr. MILLER of Minnesota. Mr. Chairman, if I can have the attention of the House, I want to make an observation that to me is of considerable interest and importance.

We have heretofore felt that it was necessary to maintain in the Philippine Islands a military establishment of considerable size. I was quite surprised to learn that during the closing days of the Spanish régime in the Philippine Islands the Spanish troops there numbered no more than 2,000. We have for a great many years maintained in the islands a force of 12,000 men. A few years ago, beginning about a year before this present administration came into power, the American troops in the Philippine Islands began to be concentrated, to be withdrawn from outlying Provinces, some of them commonly known as "wild" Provinces. That reduced the number of American soldiers necessary to do the military work of the islands. Their places were taken by native troops, either scouts or constabulary, and the number of native troops, scouts or constabulary, was not increased.

When this great war came on it was necessary to further reduce our Military Establishment in the Philippines, and I want to bring to you the information, which is interesting to me and I think it will be to you, that the American military force in the Philippine Islands has now been reduced to a point—perhaps I am not justified in giving the exact figures, but very much less than half of anything that we have heretofore thought was necessary—and it is apparent that in the immediate future the entire military force of the United States in the Philippine Islands can be, and should be, reduced to a number only sufficient to man the fortifications at Corregidor, and not enough even for that purpose, for native troops in large measure can be utilized for that purpose. Personally I can see no reason why there should be maintained in the Philippine Islands a military force greater than 2,000 from now on.

This is the result of an extraordinarily happy situation which the years have produced in the islands. The American flag was raised in the Philippine Islands at a time of strife. Its raising was the signal for an insurrection. That insurrection was put down by the military power of the United States. For a time the inhabitants of the islands felt that our mission was not that of friends, one not to help them but to make use of them. In the years that have passed the islanders have learned that the mission of America there is the same as the mission of America everywhere in the world—that wherever the flag flies, in its shadow only democracy and freedom shall live. [Applause.]

To-day if anyone should go to the Philippine Islands and undertake to start an insurrection against the United States he would be mobbed and slaughtered by the Filipinos themselves. The great bulwark of our strength in the islands does not come from our military forces that we send there, but from the loyalty and affection and patriotism of the people of the islands. The Moro problem has ceased to exist. The head-hunter has ceased his fight, and all are becoming amalgamated into a great, great people. To me it is a tremendously successful piece of work. The credit for it does not belong to any particular individual nor to any particular time. It is a gradual and a perfect evolution. This, of course, has no application to the political future of the islands. It has no bearing upon the shaping of the political future of the islands; but it does indicate to me, and I trust it will to you, that the people there have developed a public consciousness, have developed a personal and national self-respect, have developed an affection for the ideals of the American Government, and they are now willing to trust their future to the conscience and the heart of the American Nation, knowing that if the time shall come when political independence should be given to them, they know America will deal justly with them and ever be their friend. It is pleasing to contemplate the best of feeling now exists between the Filipinos and ourselves, and that never again will the hand of war be raised in the Philippines against the American flag. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts, to strike out the paragraph.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ROADS, WALKS, WHARVES, AND DRAINAGE.

For the construction and repair by the Quartermaster Corps of roads, walks, and wharves; for the pay of employees; for the disposal of drainage; for dredging channels; and for care and improvement of grounds at military posts and stations, $3,000,000.

Mr. FREAR and Mr. MANN rose.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

Mr. FREAR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. FREAR. I move to strike out the figures "$3,000,000" and insert in lieu thereof the figures "$500,000." That is in line 24, on page 37.

Mr. BUTLER. What was the amount carried in this item prior to the war?

Mr. FREAR. I will tell you if you will wait a moment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FREAR: Line 24, page 37, strike out "$3,000,000" and insert "$500,000."

Mr. FREAR. Mr. Chairman, we have listened to a lecture by the chairman of the Democratic congressional committee, the gentleman from Oklahoma [Mr. FERRIS], and he is the only one, I am glad to say, who has expressed himself in that way, and those of us who have listened to that lecture and understand how baseless were his charges against this side of the House and also that side of the House, which protested last night equally strong, will understand why his efforts were so weak during the last election, as shown by the political results. It came about through those same methods, which were not successful then, and which will not be successful at this time. As the gentleman from Iowa [Mr. GREEN] has said, Members will protest, and we have the right to protest here, against the unfair and unjust treatment of these soldiers, and if the gentleman from Oklahoma is honest and sincere in his belief, as he says here, and realizes that there are hardships and wrongs to be righted, let him introduce a resolution of investigation and introduce it before this House adjourns, so that we may be able to get legislation which will remedy the situation.

He may be able to get an investigation, which the average Member can not. That is what will test his sincerity at this time. The chairman of the Democratic National Committee criticized the fact that we had just reduced a $4,000,000 item to $2,000,000, and he said we did it without any evidence whatsoever. We did have evidence that $4,000,000 was ten times as much as had been appropriated for this same item just before the war, and we reduced it to five times as much as it was then, and there was no word from the committee to say that that would not be sufficient for their purposes.

Now, turning to this item, the bill carries seventeen times as much for the item as it did before the war. It was $165,000 prior to the war. Now it is $3,000,000 in this bill. We do not blame the committee for it. The committee did not receive these estimates until the middle of January. The members of the committee are not to blame. They give the best efforts they can, but it is our duty to act in these matters, to inquire about them, and I have suggested three times as much as was given before the war for this very purpose. What does it include? Why, it includes, according to the item, dredging channels. Do we have to dredge any more channels now than we did before the war?

Mr. Chairman, the gentleman from Oklahoma [Mr. FERRIS] criticizes our complaints at this time. The gentleman from Virginia [Mr. HARRISON] stated to-day to us that the week prior to Christmas the War Department demobilized 194,000 men. Last week the department demobilized 30,000 men. They demobilized six times as many in the week before Christmas as last week. If 194,000 men could be demobilized in the week before Christmas, can we not have better results now? Why do they not demobilize faster now? That is what we are asking. That is the complaint that is made. Why could the department be able to demobilize 194,000 men immediately after the armistice and only 30,000 men last week?

Now, Mr. Chairman, to get back to the bill, I would not for a moment suggest that this item of $3,000,000 be reduced if I did not believe, as I stated, that we have gone mad on the subject of these expenditures. The gentleman from Oklahoma [Mr. FERRIS], who stands for his party and who stands here for a bill ten times as large as the bill passed before the war, ought to be willing, with us and with his colleagues, who stood with us on this floor last night, to try to get a bill of reasonable proportions. That is what we are doing; what we are trying to do. I think that is a fair statement. I trust it is. The gentleman from Oklahoma has not been here during the discussion and he has not offered anything. Unless the committee has something to offer to show that this item should amount to $3,000,000, I believe we ought not to grant that amount, and I believe we granted the correct amount in the last item, when we put it at $2,000,000, instead of $4,000,000, as contained in the bill. We allowed five times as much as the item in the last bill before the war and acted on as good judgment as could be secured from the committee.

Mr. GORDON. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. GORDON. Have you read the testimony on this item?

Mr. FREAR. Has the gentleman anything to offer in regard to this?

Mr. GORDON. I have, yes; and if you have not read the testimony what do you know about it?

Mr. FREAR. I have not read it, but I will say this: That I have appealed to gentlemen whose judgment is as good as that of the gentleman from Ohio, including the chairman of the committee, who says many of these items come in as complete guesses. I am not accepting such testimony blindly. I will not accept testimony unless I know who gives it, and unless I know that those who give it are fair, conservative, and unprejudiced. Who are the men? We have had the question here previously.

Mr. GORDON. If you have not read the testimony, you do not know.

Mr. FREAR. We have had bills before us previously where officers of the War Department have asked money for dredging purposes all over this country—from Dan to Beersheba—and the gentleman from Ohio [Mr. GORDON] has voted with me against some of those bills. These gentlemen ask appropriations for dredging purposes. In some instances that may be justified, but when we ask the committee for information we are entitled to it from the committee.

Mr. SHALLENBERGER. The gentleman moved to reduce the item for barracks and quarters from $4,000,000 to $2,000,000, and the House, in my judgment, erred in voting for that amendment. We have over $500,000,000 invested in barracks and quarters for the care of the soldiers, and the percentage of money which we have allowed for the care of these barracks and quarters—$2,000,000—is, of course, wholly inadequate. Now the gentleman asks to have this item which we are now considering reduced from $3,000,000 to $500,000.

Gen. Marshall, who is the representative of the War Department charged with the conduct of these affairs, in making this estimate, comes before the committee and asks for $6,464,199. He divides it into different items: For road construction, $1,407,621; for repair of roads, $2,100,000; for construction of walks, $166,665; for repair of walks, $305,217; for construction of wharves, $632,675; for repair of wharves, $864,000. It is true that in the bill we passed for 1917, the last bill passed before the war, we voted $600,000 for this item.

Mr. FREAR. One hundred and sixty-five thousand dollars.

Mr. SHALLENBERGER. In the last appropriation prior to the war, $600,000.

Mr. FREAR. The gentleman is correct about that.

Mr. SHALLENBERGER. The gentleman knows that the Government has invested hundreds of millions of dollars in these particular branches of military activity, and that we have this property that we did not have before the war. In the matter of the repair of roads the gentleman ought to know that the operations of the Government have damaged the roads on military reservations and fields in a way that they must be repaired.

Mr. BUTLER. Is it proposed to take any part of this money to repair what we understand to be public highways?

Mr. SHALLENBERGER. No; but to repair Government roads, military roads, roads to the cantonments; and the gentleman knows that we have many miles of those roads that have been torn up and worn out.

Mr. BUTLER. I should like to vote for an appropriation to repair public highways that have been damaged by the operations of the War Department.

Mr. GOOD. Will the gentleman yield?

Mr. SHALLENBERGER. I yield to the gentleman from Iowa.

Mr. GOOD. How much of this $3,000,000 is estimated to be necessary for construction work?

Mr. SHALLENBERGER. The committee has not allowed any of the money for construction work. Gen. Marshall asked a certain small amount for construction, but the committee did not deem that there was any new construction needed.

Mr. GOOD. The paragraph uses the word "construction," so that any part of the appropriation could be used for construction. I agree with what the gentleman has said about repair. You have got to keep up your buildings and your roads; but all of this might be used for new construction.

Mr. SHALLENBERGER. That is true; but I think the gentleman will agree with me that we have got to allow some discretion and some judgment to the War Department. This applies not only to those cantonments that have been erected but to all of these different activities scattered all through the country; and I think the gentleman will admit that there might be some place where some small construction might be required.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. SHALLENBERGER. I will.

Mr. COOPER of Ohio. Might I ask the gentleman if any part of this appropriation will go for the repair of roads which the Government activities have broken down throughout the country?

Mr. SHALLENBERGER. Not for public roads, only for Government-owned roads.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. COOPER of Wisconsin. I notice that the words "for the pay of employees" are preceded and followed by a semicolon. Does that mean for the pay of any employees in the Quartermaster Corps or for the employees engaged in the work mentioned in this paragraph?

Mr. SHALLENBERGER. I think it is for the employees engaged in the work mentioned in this paragraph.

Mr. COOPER of Wisconsin. That language ought to be in there, for otherwise it would allow them to pay any employees. Why not put it in "for the pay of employees engaged in work under this paragraph"?

Mr. MANN. That is the construction of this language by the War Department.

Mr. COOPER of Wisconsin. It ought not to be with this punctuation. I move, Mr. Chairman, to amend——

The CHAIRMAN. The gentleman from Nebraska has the floor.

Mr. LITTLE. Will the gentleman from Nebraska yield?

Mr. SHALLENBERGER. Yes.

Mr. LITTLE. The gentleman's word is always good for anything with me. The gentleman suggested that a considerable amount of this appropriation would go for fixing roads which have been hardly used in the war.

Mr. SHALLENBERGER. The money would be confined to the improvement of roads on military reservations, on Government-owned land.

Mr. LITTLE. I got that; but the impression I got from the gentleman's former statement was that it was largely to be expended on the roads injured within the reservation, and I do not find that in the Book of Estimates.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SHALLENBERGER. Mr. Chairman, I hope the amendment will not prevail.

Mr. MANN. Mr. Chairman, I appreciate the statement made by the gentleman from Nebraska and other gentlemen about the necessity of sufficient appropriation to care for the property which we have at the military posts and stations; but somewhere and sometime we have got to commence to practice economy. Here is an appropriation wholly unrelated to the war. It has nothing to do either with the war or demobilization of the troops.

Mr. GORDON. Will the gentleman yield?

Mr. MANN. After I have made an intelligent statement I will permit the gentleman to interrupt me. Of course, the number of camps, posts, and stations are increased and their force is increased. But it is proposed now, on a routine matter, to increase the appropriation 500 per cent over what it was before the war.

Mr. FREAR. Seventeen times—$165,000 before the war and $3,000,000 now.

Mr. SHALLENBERGER. It depends on how far you go back. In 1917, the last appropriation before the war, the chairman of the committee says it was then $600,000.

Mr. MANN. My statement was absolutely correct. Now it is proposed to increase it 500 per cent. It does seem to me that we might properly cut these items somewhat, because if we are ever going to get back to the point where we can pay our expenses out of the taxes we raise, and not out of the money we borrow, we have got to get down below an increase of 500 per cent over the expenses of 1917. Now I will yield to the gentleman from Ohio.

Mr. GORDON. How does the gentleman arrive at the conclusion that the acquirement of these roads and the enormous increase in the mileage of the roads resulting from the use of the military equipmnt is not the result of the war?

Mr. MANN. I did not, and nobody except the gentleman from Ohio, who has a wild imagination at times, thinks that I said anything of the sort. Nobody has said that acquirement of these posts and institutions was not connected with the war. The maintenance has nothing to do with the war. Their maintenance next year will be the same as it will be 10 years from now, so far as the war is concerned. Unless we abandon the posts and institutions there will be more roads two years from now than there will be one year from now. It is simply a routine matter to care for the property which we have, and the amount of care depends on the appropriation. The property ought to be fairly well cared for. There is not a man here who does not know that the roads and wharves and the care of the grounds at military posts and stations can be fairly well done and at half the cost proposed in this bill. It may be that they want so much money to spend to beautify some of these grounds. I am very fond of flowers, and very fond of beautiful beds of fancy flowers at military posts and stations, but after all there is a limit as to the expense we ought to incur for even such a noble purpose as the planting of flowers. We have got to commence to economize, and this side of the House will have to do it

in the next Congress if that side will not do it in this Congress. [Applause.]

Mr. EAGLE. Mr. Chairman, I think the motion made by the gentleman from Wisconsin [Mr. FREAR] should not prevail. The reason I think that may be briefly stated in this form: We have constructed 32 camps and cantonments since the war started, at a total cost of about $300,000,000. We have built in addition 23 flying fields, which are in the nature of camps. We had already permanent Army establishments which had cost over $200,000,000 when the war started. The substance of these figures, therefore, is that the Nation has an expenditure in properties of over $500,000,000. Each and every one of these 50 or 60 sites, scattered throughout the whole country, has its exits. Unless roadways are built they could not have been used during the war, and unless roadways are reasonably kept up, then the entrance is impossible for any purpose in the future. It may be said with less particularity that the other items embraced in this particular item, for which $3,000,000 are authorized, are of equal importance. No house which you build is worth while unless you keep the roof on, so as to keep the elements out, and no property is worth having or maintaining even for future use unless you provide exits to it. Three million dollars is a large sum of money, but when you consider 50 or 60 Government properties, camps, cantonments, and Army sites, and aviation fields, all of which we are in duty bound to preserve until we can dispose of them, or further use them, and consider that for two years the rains and the snows and the heat and the cold have made their inroads, it is but natural to find holes in the ground in the roadways of all of them, and they make it difficult for Army trucks to get in and out of those Government properties. If you do not provide some reasonable, moderate, and yet sufficient amount for their upkeep it means the abandonment of all except the permanent Army posts as spots isolated, and not at all as in the nature of going concerns.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. EAGLE. Yes.

Mr. WALSH. I desire to ask the gentleman from Texas if it is his interpretation of this paragraph that this money can be expended outside of the reservations? He has spoken of exits and approaches. Does he understand this can be extended outside the reservation owned by the Government?

Mr. EAGLE. If my friend means to ask me if I think any portion of the $3,000,000 can be expended upon roads not connected with camps, cantonments, or Army sites, I answer him unhesitatingly, "no." If he means the approaches to the camps, cantonments, and Army sites, and yet outside of the immediate reservation thereof, I answer him, "yes."

Mr. WALSH. Mr. Chairman, I am opposed to the amendment offered by the gentleman from Wisconsin [Mr. FREAR], and at the risk of seeming inconsistent I desire to direct the attention of the committee to the fact that during the war in constructing new activities upon the part of the Ordnance Department and the Quartermaster Department of the Army, such as proving grounds, fortifications, arsenals, and other war activities, large tracts of land have been acquired, and within those reservations many miles of roads have been constructed, and in many of the reservations the roads were made of a permanent character, of cement or concrete. The approaches to the reservations are public highways within the towns or counties, and they have suffered very much by reason of the increased traffic made necessary to get the materials to the ground where this construction work was being carried on.

I know of one case, so informed by the officers of the War Department, and I think I have seen it within not many miles from the District of Columbia, where part of the funds heretofore appropriated for this department have been used for constructing roads outside the reservation which had been acquired, and I know at least from statements made and information acquired that in the State of Texas money was expended for roads connecting with the roads within the reservation. I have in mind an instance where a proving ground was acquired within a summer-resort town, where tremendous activities were conducted in connection with the construction of the buildings and the laying out of the roads within the reservation. Tractors were used to haul materials from the railroad freight yards, where a side track was installed and where heavy trucks were used, and many guns were hauled over the roads within that town, and the roads within the town and in the immediate vicinity of the reservation were completely ruined. That little town, under the system of government obtaining in the State in which it is located, will be put to an expense of from $20,000 to $40,000 to repair those roads. The employees came from the outside, and they live in buildings on the reservation, and instead of being a benefit to the town, whose only source of revenue and support is from summer visitors, that activity is going to prove a detriment to it from now on. Yet the Government has declined to contribute any share of the expense of repairing those roads in the immediate vicinity of the approach of the reservation.

Mr. GREEN of Iowa. I am not sure that I understand the gentleman's position; but does he contend that under this paragraph a part of the money might be used to do that?

Mr. WALSH. No. This paragraph is practically the same as was in the bill last year, but money has been expended for that very purpose in other sections of the country.

Mr. GREEN of Iowa. That might be justified in war times, because they had to get the material over the roads.

Mr. WALSH. Oh, yes; but does the gentleman think it is just, after the war activity has ceased, for this Government, after having ruined roads by immense traffic, which was not contemplated at the time the roads were constructed, to now walk away and leave those roads in that condition? The tax rate in this little summer colony is already very heavy, as heavy as it can bear. The Government ought to repair those roads and put them in the condition they were in before they were ruined.

Mr. GREEN of Iowa. I think the Government ought to remedy the defects it has caused, but I do not think it ought to be done in an Army appropriation bill.

Mr. WALSH. It was done as a result of the appropriation carried in the Army bill, and we are carrying an appropriation now for roads within the reservation, and I know of an instance down here at Arlington, where they expended money outside of the reservation to build concrete roads of a permanent character.

Mr. DENT. Mr. Chairman, I wish to make a statement in regard to the program. It is my intention to continue the reading of the bill, if possible, to final conclusion, at least up to the legislative feature, and I would like to read those, and in the event points of order are made let those points be reserved, but it is not my intention to ask for a vote on the bill to-night.

Mr. MANN. It is not the gentleman's intention, I understand, to proceed to a discussion even of the legislative provisions?

Mr. DENT. No; not even to the discussion of them, but I would like to have them read, and if any points of order are going to be made I thought those points of order should be reserved, and then I will not ask for a vote to-night.

Mr. MANN. The points of order can be made and not reserved unless the gentleman desires them reserved. If points of order were made somebody might offer an amendment at that place. I have no desire——

Mr. STAFFORD. Does the gentleman propose to have a Sunday session to-morrow morning, running past midnight?

Mr. DENT. Oh, no; I hope really to go on and get through.

Mr. STAFFORD. I hope so, but the gentleman has served notice that he expects to have the bill completed to-night, and with the progress we are making that will be about time for the memorial exercises to-morrow morning, which begin at noon.

Mr. DENT. I hope to finish the reading. The main proposition I wanted to submit to the House is that I will not ask for a vote on the passage of the bill to-night.

Mr. CAMPBELL of Kansas. If the gentleman will permit, is it his intention to go on with the bill on Monday, or give way to the Calendar for Unanimous Consent?

Mr. DENT. If we can finish the reading of the bill I am going to ask that this bill be in order on Monday.

Mr. MANN. That is a matter of unanimous consent.

Mr. CRAGO. Under that order one could not offer an amendment to-night to any features of the bill.

Mr. DENT. I am perfectly willing to agree amendments may be offered on Monday.

Mr. WALSH. Well, I ask for the regular order.

The CHAIRMAN. The regular order is, the request of the gentleman from Alabama.

Mr. DENT. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto be now closed.

Mr. DILLON. Mr. Chairman——

Mr. DENT. How much time does the gentleman want?

Mr. DILLON. Five minutes.

Mr. DENT. At the expiration of five minutes.

Mr. DYER. Mr. Chairman, I will say I want to offer an amendment to strike out lines 20 to 25, Quartermaster's Corps, and insert "Secretary of War," believing that it would be best probably and that the Secretary of War would find it better to have this work done by the Engineer Corps or by the Construction Corps instead of by the Quartermaster Corps.

Mr. MANN. Mr. Chairman, a parliamentary inquiry. Is there an amendment pending?

The CHAIRMAN. There is not, the gentleman from Alabama submitted a unanimous-consent request.

Mr. MANN. There was an amendment, and I have not heard it voted upon.

The CHAIRMAN. The gentleman from Alabama took the floor and asked for unanimous consent and then engaged in this informal conversation with other Members.

Mr. MANN. Let us vote on the amendment.

The CHAIRMAN. Does the gentleman from Alabama wish to make a unanimous-consent request?

Mr. DENT. I have made it.

The CHAIRMAN. The Chair did not understand it. The gentleman started to make one and then went into a discussion with Members and the Chair did not catch what it was.

Mr. DENT. I thought I made it, that at the expiration of five minutes all debate on this paragraph and amendments thereto be concluded.

Mr. DYER. Will the gentleman allow me two minutes?

Mr. DENT. At the expiration of seven minutes.

Mr. DILLON. Am I to have any time?

Mr. DENT. The gentleman is to have five minutes and the gentleman from Missouri two minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that at the expiration of seven minutes——

Mr. BLAND of Virginia. Reserving the right to object——

Mr. DENT. Then, Mr. Chairman, I ask unanimous consent that at the expiration of 12 minutes the debate on this paragraph and all amendments thereto be closed.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that at the expiration of 12 minutes the debate on this paragraph and all amendments thereto shall terminate, the time to be divided—five minutes to the gentleman from South Dakota [Mr. DILLON], five minutes to the gentleman from Virginia [Mr. BLAND], and two minutes to the gentleman from Missouri [Mr. DYER]. Is there objection? [After a pause.] The Chair hears none. The gentleman from South Dakota [Mr. DILLON] is recognized for five minutes.

Mr. DILLON. Mr. Chairman, this paragraph, as I understand, relates to roads, walks, and wharves. I would like to ask the chairman of the committee whether this money may be expended in Europe, for instance, for the purpose of the building of additional wharves in France or for repair of wharves already constructed in France?

Mr. SHALLENBERGER. I will say to the gentleman that in the item for the operation of engineers in the field we were told was carried the fund that would take care of anything of that sort in France. This item is confined entirely to estimates for operation in the United States. There is another item in the bill in which they do provide the money.

Mr. DILLON. Mr. Chairman, upon that statement, if it is in order, I would move a limitation on this paragraph that no part of these funds hereby appropriated shall be expended in repairs or building projects in France.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

Mr. DILLON. To be voted on after the others.

The CHAIRMAN. The Clerk will report the amendment.

Mr. MANN. There is an amendment pending, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from South Dakota first, for information.

The Clerk read as follows:

Amendment offered by Mr. DILLON: Add at the end of line 24, page 37, the following: "No part of the funds hereby appropriated shall be used for construction and repair work in France."

The CHAIRMAN. Does the gentleman yield the floor?

Mr. DILLON. Yes; I yield back my time.

The CHAIRMAN. The gentleman from Virginia [Mr. BLAND] is recognized.

Mr. BLAND of Virginia. Mr. Chairman, I yield back my time.

Mr. DYER. Mr. Chairman, I have an amendment.

The CHAIRMAN. The Chair will put the vote on the amendments already offered. The question is on the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The vote now comes on the amendment offered by the gentleman from South Dakota [Mr. DILLON].

Mr. SHALLENBERGER. I will say that the committee accepts that amendment.

The question was taken, and the amendment was agreed to.

Mr. DYER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 37, lines 20 and 21, strike out "by the Quartermaster Corps" and insert "as the Secretary of War may determine."

Mr. DYER. Mr. Chairman——

Mr. SHALLENBERGER. I reserve a point of order on that.

Mr. DYER. I will say to the committee that we have in the Army what is known as a construction corps, which has done excellent work during this war. We also have an Engineering Corps, which probably might be better fitted to do this work than the Quartermaster Corps. And I only offer this, leaving it in the judgment of the Secretary of War to determine which agency, either the ones I have mentioned or any other, he may feel is best fitted to do this. I believe it would be to the advantage of the War Department if we would make the change as I have indicated, and I trust the gentleman will not make the point of order upon that, because it is merely to help the War Department out, and not in any way to embarrass them, that I have offered the amendment.

Mr. SHALLENBERGER. I appreciate the position of the gentleman from Missouri, but I will state that the Quartermaster Department is now, by the concentration provided under the Overman Act, all placed under a general bureau in charge of Gen. Goethals. And I would not like to accept the amendment at this time. I know, if the gentleman will permit, that there is a movement on hand in the War Department to concentrate all of this work in the Bureau of Engineering, but that matter is still a matter for adjustment there, and I think we had better allow this matter to stand as it has stood.

Mr. DYER. That is just the reason I make the suggestion to the committee, because in other portions of this bill there is a provision to repeal certain portions of the Overman Act, and it may be before this Congress is ended we will have repealed the entire Overman Act, and under those conditions it might be an embarrassment to the Secretary of War and he might not be able to go ahead and do some of this important work. And, if the gentleman will permit it to go in without objection, I feel that it is absolutely necessary and important and can not in any way embarrass anybody, because the Secretary of War can have his Quartermaster Corps do it if he, in his judgment, desires to do so. That is my amendment.

Mr. SHALLENBERGER. Mr. Chairman, I will have to insist on the point of order.

The CHAIRMAN. Does the gentleman from Missouri want to be heard on the point of order?

Mr. DYER. I think, Mr. Chairman, it is subject to a point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION AND REPAIR OF HOSPITALS.

For construction and repair of hospitals at military posts already established and occupied, including the extra-duty pay of enlisted men employed on the same, and including also all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Ark., and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, and for temporary hospitals in standing camps and cantonments; for the alteration of permanent buildings at posts for use as hospitals, construction and repairs of temporary hospital buildings at permanent posts, construction and repair of temporary general hospitals, rental or purchase of grounds, and rental and alteration of buildings for use for hospital purposes in the District of Columbia and elsewhere, for use during the existing emergency, including necessary temporary quarters for hospital personnel, outbuildings, heating and laundry apparatus, plumbing, water and sewers, and electric work, cooking apparatus, and roads and walks for the same, $7,500,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order on the paragraph.

Mr. WALSH. Will the gentleman from Nebraska [Mr. SHALLENBERGER] state what is included within the language in lines 16 and 17, "for use during the existing emergency"? Does that mean the period of the war?

Mr. SHALLENBERGER. Yes. That is the language that has been used, as the gentleman knows, throughout the act.

Mr. WALSH. Of course these hospitals will have to be used after the war is terminated, will they not?

Mr. GORDON. The hospitals will have to be used until the men get well. That is a part of the emergency.

Mr. WALSH. I will say, in reply to that pertinent suggestion of the gentleman from Ohio, made in an undertone, that the language "existing emergency," as carried in the legislation passed heretofore, has uniformly referred to the war. It seems that that is the interpretation to be placed upon that phraseology now. The use to be made of these hospitals would terminate when the war terminated?

Mr. FOSTER. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes; I certainly will.

Mr. FOSTER. The gentleman realizes that out here at Walter Reed Hospital an emergency exists now in which they

must have sufficient space to take care of those wounded soldiers who have returned, and they will possibly have to build some buildings that will not be permanent, but are of that character that can be used until a great lot of these soldiers can get out of the hospital.

Mr. WALSH. Well, the gentleman from Illinois is aware of the fact that we have passed a measure providing for a number of hospitals to take care of these soldiers coming back.

Mr. FOSTER. Yes; that is true; but those that we provided for in that legislation were for the use of the War Risk Insurance Bureau, under the Treasury Department, for the soldiers who were discharged. Now, these soldiers that have lost limbs—an arm or a leg—must be taken care of, and that hospital is very much crowded; and so an emergency does exist there, and possibly in some of these other hospitals.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. GORDON. The gentleman is wholly mistaken, I think. Although he is a member of the Committee on the Judiciary—and I speak with great diffidence—he is evidently mistaken as to the construction of the word "emergency." The word "emergency" was substituted for the term "end of the war" for the precise reason that it is used in this paragraph here. The word "emergency" and the words "ratification of the peace treaty" are not synonymous in any of this legislation.

Mr. WALSH. Well, "the gentleman from Massachusetts" did not say that. I said that in other legislation which has been enacted, war legislation——

Mr. GORDON. Yes——

Mr. WALSH. The phraseology "existing emergency" has been uniformly interpreted to mean during the continuance of the war.

Mr. GORDON. No; you are mistaken about that.

Mr. WALSH. Perhaps I am, but I do not think so.

Mr. GORDON. That is the gentleman's opinion.

Mr. WALSH. I think the gentleman is mistaken in thinking that I am mistaken.

Mr. GORDON. That may be the gentleman's construction.

Mr. WALSH. I was simply asking the gentleman from Nebraska if this language here, as used in this paragraph, was to be interpreted as meaning that those hospitals were to be used during the continuance of the war.

Mr. SHALLENBERGER. No; I will say to the gentleman I am quite sure that the construction would be "for use during the emergency for these hospitals, growing out of the war."

Mr. WALSH. Then what is the existing emergency, that they have got to rent and purchase grounds in the District of Columbia and elsewhere?

Mr. SHALLENBERGER. Well, I am informed by the gentleman in charge of the Medical Department that, owing to the fact that we are getting so many wounded and sick men home, our hospital facilities are being enlarged in every direction, not only in this city but elsewhere, and buildings are being rented for one purpose and another, and the emergency requires this additional appropriation.

Mr. WALSH. Mr. Chairman, I withdraw the point of order and offer an amendment in line 7, to strike out the letters "Ark" and insert the word "Arkansas."

The CHAIRMAN (Mr. ALEXANDER). The Clerk will report the amendment offered by the gentleman from Messachusetts.

Mr. SHALLENBERGER. Mr. Chairman, I accept that amendment.

Amendment offered by Mr. WALSH: Page 38, line 7, strike out "Ark" and insert in lieu thereof the word "Arkansas."

The CHAIRMAN. The question is on agreement to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SHOOTING GALLERIES AND RANGES.

For shelter, grounds, shooting galleries, ranges for small-arms target practice, machine-gun practice, field-artillery practice, repairs, and expenses incident thereto, including flour for paste for marking targets, hire of employees, such ranges and galleries to be open as far as practicable to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War, $300,000.

Mr. DYER. Mr. Chairman, do I understand that down to line 8 that is a paragraph? It is, is it not?

The CHAIRMAN. Yes.

Mr. DYER. I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. DYER. I want to ask the chairman of the committee why insert in line 6 the words "to be open as far as practicable to the National Guard and organized rifle clubs"? Is that necessary? We have had a great deal of discussion, as the gentleman knows, about the situation in regard to the National Guard in the service and Regular Army men, of which I know little, but I do know something. The gentleman from Massachusetts [Mr. GALLIVAN] gave us a good deal of information along that line. Would it be necessary to include that? And if we did include it, would it enable Army officers to prohibit the National Guard officers from using the ranges practically at all?

Mr. SHALLENBERGER. No. I will say to the gentleman that the explanation of that language employed by the committee was that it was necessary to use the language "as far as practicable" and "prescribed by the Secretary of War," because the hours of practice and the time of the use of these shooting grounds had to be arranged so that they would not conflict with one another.

There is no discrimination between the National Guard and the Regular Army in the matter of the use of these ranges.

Mr. KAHN. The national defense act also provides that the rifle ranges shall be used by these various organizations.

Mr. SHALLENBERGER. And the language "as far as practicable" not only refers to the National Guard, but also, as the gentleman from Missouri will observe, to organized rifle clubs. Not only do they have to permit the regular military organization, but also in order to encourage rifle practice to permit as far as practicable civic organizations to use these grounds.

Mr. DYER. Mr. Chairman, I do not want to do anything or to offer any proposition that will interfere with the regulations; but I do offer an amendment, on page 39, line 6, which I am sure does not interfere with the regulations. That is, to strike out the words "as far as practicable." It will still be under the regulations.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DYER: Page 39, line 6, strike out the words "as far as practicable."

Mr. DYER. That will not interfere with the regulations and will not encourage Army officers or anyone to deny to these organizations the use of these rifle ranges.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. DYER. I yield to the gentleman from Ohio.

Mr. GORDON. Suppose two organizations wanted to use these rifle ranges at the same time. Unless you leave the matter in the discretion of the Secretary of War to prescribe regulations on the subject——

Mr. DYER. He can do that.

Mr. GORDON. If you leave out the words "as far as practicable," if the two organizations wanted to use it at the same time, you would have a conflict, would you not?

Mr. DYER. I do not think so. It would still be under the regulations prescribed by the Secretary of War. He will make the regulations, and he will provide through the proper officers, wherever a rifle range is located, so that the National Guard can use it, the time when they may use it, and the time when the rifle clubs may use it and when they may not. It will not interfere with the regulations at all, I am sure. I think the gentleman from Nebraska [Mr. SHALLENBERGER] will agree with me in that respect.

Mr. SHALLENBERGER. That language has always been carried in the item.

Mr. DYER. And there has been more or less trouble sometimes. There is a great deal of feeling that ought not to exist between the Army and the National Guard, and we have heard it creeping out here on the floor. I hope we may do everything we can here to make that friction as little as possible. If we leave out those words, the Secretary of War can still make regulations, and not lead to the belief on the part of the National Guard officers and the rifle clubs that they can not use the range unless they go down on their knees to the Regular Army officers.

Mr. SHALLENBERGER. Does not the gentleman believe that if we strike out that provision we will open up the possibility of the very contest that he seeks to avoid, that both organizations will say at the same time that they are entitled to the use of a particular rifle range?

Mr. DYER. No.

Mr. SHALLENBERGER. I understand that the gentleman still leaves it under regulations, but I am fearful that the gentleman will not get what he is seeking. As I understand the experience of the past, the Regular Army and the National Guard have had no trouble so far as the use of these rifle ranges

in these contests is concerned, and I think it will be well to let the language stand as it is.

The CHAIRMAN (Mr. ALEXANDER). The question is on the amendment offered by the gentleman from Missouri [Mr. DYER].

The amendment was rejected.

The Clerk read as follows:

CLAIMS FOR DAMAGES TO AND LOSS OF PRIVATE PROPERTY.

For payment of claims for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army that have accrued, or may hereafter accrue, from time to time, to be immediately available and to remain available until expended: *Provided*, That settlement of such claims shall be made by the Auditor for the War Department, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages, $40,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order.

Mr. WALSH. Are these claims for which settlement is authorized for damages to property in this country or abroad?

Mr. SHALLENBERGER. In this country, principally small damages because of artillery fire or any other damage resulting from the operation of our Army. Prior to the war we carried an appropriation of $5,000 in that item, but owing to the tremendous activities of our military forces in the past year the report to us is that they will need more money, and so we put in $40,000. It is to cover small damages occasioned by the activities of the artillery, for instance.

Mr. WALSH. They only had $30,000.

Mr. TILSON. This appropriation was begun about the time we began to hold maneuvers throughout the country, where there were a number of small damages that could be settled immediately at a far less expense and with a great deal more satisfaction than if they permitted them to go on and become claims later. It was found to be very advantageous to do that, and since that time it has been carried in the bill for that purpose.

Mr. WALSH. The gentleman says that the settlement was made by the Judge Advocate?

Mr. TILSON. No; a representative of the Judge Advocate General's Department was at the maneuvers and he was along to attend to this particular kind of business and adjust it.

Mr. WALSH. He has no authority under this paragraph; this settlement is made by the Auditor of the War Department.

Mr. TILSON. Certainly; the settlement must come up to the auditor.

Mr. KAHN. The Judge Advocate General or his representative is at the camp where the damage is done. He is the legal officer of the War Department and investigates the claims, their nature and incidents connected with it, and finally when it comes to an agreement with the claimant as to the amount of money to be paid it is certified to the Auditor of the War Department.

Mr. TILSON. I know from experience that it has worked well, having been in the field with troops and being more or less acquainted with claims for damages.

Mr. WALSH. Will the gentleman from Connecticut state why it is desired to have this made immediately available? Have they used up the appropriation for the last year?

Mr. TILSON. I do not know whether that has all been used up or not, but it might well be. If it is used up it ought to be made immediately available.

Mr. KAHN. For instance, they have large-gun target practice. The great concussion causes the breaking of a large number of windows in residences near the fortifications. The War Department receives these claims and ought to be in a position to pay the claimants.

Mr. WALSH. They had better establish a glass factory. [Laughter.]

Mr. KAHN. I know that not long ago an orphan asylum located near where one of these big guns was emplaced had all the windows shattered and through this kind of legislation they were able to have them replaced.

Mr. WALSH. What method follows if they can not make a settlement?

Mr. KAHN. They have to come to Congress. A bill for a claim is introduced in the House and it goes to the Committee on Claims.

Mr. MANN. Mr. Chairman, I think I am right in remembering that this item went into the bill because of some maneuvers that were held in Kentucky a number of years ago, where the troops marched over fields across growing crops and did a great many other things causing minor damages, which, in the aggregate, did not amount to very much and in individual cases probably did not amount to enough to justify the man who was injured in hiring an attorney, preparing a bill, and hanging around Congress for the next 100 years. Congress at that time thought that in cases of that sort the damage ought not to be inflicted without making such reparation, and there was a provision inserted in the bill authorizing the settlement.

Mr. LITTLE. Will the gentleman yield?

Mr. MANN. Yes.

Mr. LITTLE. As a matter of fact, would not a point of order lie that the committee had no jurisdiction of it and it belongs to the Committee on War Claims?

Mr. MANN. The provision is legislation, but a point of order would not lie against it, because it is too late to make that point of order.

Mr. LITTLE. I do not think it is.

Mr. WALSH. Mr. Chairman, for fear that this will go to the Committee on War Claims, I withdraw the point of order.

Mr. LITTLE. Mr. Chairman, I make the point of order that this belongs to the Committee on War Claims. I want to find out about it.

Mr. MANN. Let me say to the gentleman from Kansas that after this bill is reported in the House in this way, it is too late to make the point of order that the provision in the bill is a legislative provision and ought to be referred to the Committee on War Claims. It is not possible for this to be referred to the Committee on War Claims, and the point of order of the gentleman is that it should have been referred. It is too late to do that.

Mr. LITTLE. Mr. Chairman, I am not going to take issue with the best parliamentarian in the House upon that subject, but I want to say that I have looked up this very line of subject somewhat, and while, of course, I have not been able to give the matter the broad attention and extended consideration which the gentleman from Illinois has, and shall not challenge his suggestion, because I am satisfied he is sure he is right, as he probably is, yet I do not believe that this committee has any jurisdiction or right or authority to bring any such provision as this in this bill. I do not say that simply because it is legislation, but I would like to know what the Committee on Military Affairs has to do with a matter like this, which the rules say shall go to the Commitee on War Claims. These big committees go poking their noses into everybody's business in this House. I do not say this ungraciously, because the criticism is not made personally as to this committee, but there is not a little committee in this House that comes in here that does not find, about every third day, some big committee tramping all over it. It would be very much better for this House if every little committee was a working committee and did something, and if you big fellows did not have so blamed much to do we would get better bills from you.

Mr. GARNER. How many bills has the War Claims Committee passed in this Congress?

Mr. LITTLE. I will tell the gentleman one thing about that. There is not a committee in this House that has a bigger stack of stuff than the Committee on War Claims or that is apparently more busy in its committee room than this committee, and there is no small committee that has as many clerks, I think, as they have. The gentleman has been here longer than I have, and if they have not done anything will the gentleman tell me what they are doing with so many clerks?

Mr. GARNER. I am merely suggesting to the gentleman that in case this provision does not go in this bill there is no chance of its being reported by the War Claims Committee.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. WALSH. Does the gentleman claim that the War Claims Committee would have jurisdiction to report out a provision such as this?

Mr. LITTLE. They would certainly have jurisdiction to handle any claim of that nature.

Mr. WALSH. There is no claim in this provision.

Mr. LITTLE. What business has it here, then?

Mr. KAHN. The very purpose of this provision is to prevent a lot of claims of $1.50 or $2——

Mr. LITTLE. Oh, I know it is a good, sensible thing to do, but done according to the rule there should have been a bill from the Committee on War Claims.

Mr. KAHN. Being introduced into this House and turned over to some committee.

Mr. LITTLE. I realize that.

Mr. KAHN. The idea of the paragraph being that those very small amounts can be settled by the War Department without any trouble.

Mr. LITTLE. It is all right, and I am not making the fatal point of order that I could make for that reason, but what I am calling attention to is the fact that these big committees just usurp authority right and left.

Mr. GORDON. Of course, I understand the gentleman's grievance. He is on the Commitee on Claims, but this would not go to the Committee on War Claims; it would go to the Committee on Claims.

Mr. LITTLE. That is all right, and if it did it would be in good hands, and it would have been far better if it had gone there.

Mr. GORDON. There never would have been any relief then. The whole matter has been fully explained by the gentleman from California [Mr. KAHN].

Mr. LITTLE. I think you are both right, and for that reason I am not going to make the point that I could, that it is legislation, but I wish that these big committees would attend to their own business and let the little committees take up their work. The enforcement of that rule would improve the congressional work 25 per cent.

Mr. GORDON. We will accept the gentleman's apologies.

Mr. LITTLE. I withdraw the point of order.

The Clerk read as follows:

RENT OF BUILDINGS, QUARTERMASTER CORPS.

For rent of buildings and parts of buildings in the District of Columbia for military purposes during the fiscal year 1920, $100,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. Will the chairman of the committee inform the House for what purpose the $100,000 is to be used in the rental of buildings in the District of Columbia.

Mr. DENT. Mr. Chairman, I will ask the gentleman from Nebraska to answer that.

Mr. SHALLENBERGER. Mr. Chairman, I will say to the gentleman from Wisconsin that the War Department asked us for $226,000 and we granted them only $100,000. The items are asked for quarters for officers and for noncommissioned officers and for privates.

Mr. STAFFORD. What is the need of providing rental for any private office building for quartering officers of the Army when we have provided the most modern office buildings in Potomac Park for the use of the War and Navy Departments.

Mr. KAHN. This is for the rental largely of warehouses in the District of Columbia where the military stores have to be stored and taken care of. A very small part of it, as I recall, is used for office rentals.

Mr. STAFFORD. Is there anything in the hearings which relates to this subject, so that we can have positive information as to what this item is to be used for?

Mr. FOSTER. Let me say to the gentleman there is one over here north of the depot that is used for medical supplies—quite a large warehouse.

Mr. STAFFORD. That was formerly used by the Post Office Department for the manufacture of post-office bags and equipment.

Mr. FOSTER. Yes; it is back of where they ran that spur track in.

Mr. STAFFORD. I ask unanimous consent that the item may be passed over temporarily until I can examine the Book of Estimates to obtain the information which I am seeking from the committee.

Mr. DENT. I think we can give the gentleman the information.

Mr. STAFFORD. If the gentleman has the information, I withdraw the request.

Mr. DENT. On page 22 of the hearings the gentleman will find it.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to pass this over without prejudice. Is there objection? [After a pause.] The Chair hears none.

Mr. McKEOWN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. McKEOWN offers the following as a new paragraph: After the period at the end of line 7, page 40, insert the following:

"That no part of the appropriations contained in this act shall be available if the War Department shall permit any officer to make orders, rules, or regulations prohibiting officers or enlisted men from communicating information of conditions in the Army to United States Senators or Members of the House of Representatives."

Mr. DENT. Mr. Chairman, I reserve the point of order on the amendment.

Mr. MANN. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The question is whether the amendment is in order. Does the gentleman desire to be heard on the point of order?

Mr. McKEOWN. I do not care to be heard on the point of order. If the gentleman wants to make the point of order, let him make it. I will make the point of no quorum.

Mr. MANN. Mr. Chairman, I ask for the regular order; and let us dispose of the point of order.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the amendment be rereported; I was reading something here.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection.

The amendment was again reported.

Mr. DENT. I withdraw the point of order.

Mr. STAFFORD. I make the point of order, Mr. Chairman.

Mr. McKEOWN. Will the gentleman reserve the point of order? This is a limitation upon this appropriation bill and I do not think it is subject to the point of order.

Mr. STAFFORD. Mr. Chairman, there is no question it is in the form of a limitation, but it is further true that it infringes upon the authority now vested in the executive officers of the Government. They have authority now to provide regulations under existing law. There is nothing more fundamental in the legislative precedents in the House than that if a limitation, though negative in form, is actually affirmative, so that it interferes with the discretion of an executive officer, or with any authority which the executive officer under existing law now has, it is legislation in fact, and thereby comes under the inhibition that it is legislation upon an appropriation bill.

Mr. MANN. Mr. Chairman, the amendment as offered does not require any executive branch of the Government nor anybody in the Army to do any positive thing. If it directed the War Department to do something which it was not authorized now to do, it would be legislation no matter what the form might be, but this is a mere withholding of the money appropriated if certain conditions exist. We have a right to prescribe the conditions so long as it does not direct the executive department to do something it is not now authorized to do.

Mr. STAFFORD. That is the very point—whether it does not interfere with some authority that the executive officer now has.

Mr. MANN. Why, certainly we may make an appropriation direct to an officer, and he may expend it as he pleases if we stop there under the law, but we can put a direction at the end of that that it shall not be spent in a certain way. That does not direct him how he shall spend it. That limits his authority as to how he shall spend it without a direction to him, changing the law.

The CHAIRMAN. The point of order is overruled. The question is on the amendment offered by the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Chairman, I ask for five minutes in which to discuss it.

The CHAIRMAN. The gentleman from Oklahoma is recognized for five minutes.

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, I think this amendment ought to be put on this appropriation bill. You receive letters, and so do I, and at the end of the letter you will find this statement:

Do not let my name be used; do not let them know I wrote you. If you do, it means the penitentiary for me.

I say it is time that this Congress went on record or took some action to protect the men who can not protect themselves and who can not be heard except through the Congressmen who represent their districts. Gag rule is un-American. We put the soldiers in the service and put them there by law. This Congress passed a law that took them whether they wanted to go or not. You can not hear from them and get the facts from them, because they are afraid they will be jerked before a court-martial. You have already seen and heard the record as to what takes place in a court-martial proceeding under the present methods. Every soldier and every officer in the Army of the United States ought to have the right to go to his Congressman or his Senator and tell him the conditions without fear of being brought up before any board and dealt with. And I hope that this amendment will carry. [Applause.]

The CHAIRMAN. The question is on the amendment of the gentleman from Oklahoma [Mr. McKEOWN].

The question was taken, and the amendment was agreed to.

Mr. SHALLENBERGER. Mr. Chairman, I would like to give the gentleman from Wisconsin the information the committee has on this subject to which he was referring.

Mr. STAFFORD. I have obtained that information by reading the hearings of the committee, and I withdraw the reservation of the point of order to line 7, page 40.

The CHAIRMAN. The gentleman from Wisconsin withdraws the point of order. The Clerk will read.

The Clerk read as follows:

VOCATIONAL TRAINING.

For the employment of the necessary civilian instructors in the most important trades, for the purchase of carpenter's, machinist's, mason's, electrician's, and such other tools and equipment as may be required, including machines used in connection with the trades, for the purchase of material and other supplies necessary for instruction and training purposes, and the construction of such buildings needed for vocational training in agriculture for shops, storage, and shelter of machinery as may be necessary to carry out the provisions of section 27 of the act approved June 3, 1916, authorizing, in addition to the military training of soldiers while in the active service, means for securing an opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations, part of this instruction to consist of vocational education either in agriculture or the mechanic arts, $10,500.

Mr. McLAUGHLIN of Michigan. Mr. Chairman——

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

Mr. Chairman, while the first part of the paragraph apparently undertakes to provide for certain things which it says are necessary for instruction, and so forth, and needed for vocational training, under the provisions of section 27 of the act of June 3, 1916, that is a mere matter of opinion, and the balance of the paragraph is a construction or interpretation of the law, and hence itself is legislation.

Mr. KAHN. Will the gentleman yield?

Mr. MANN. I certainly will.

Mr. KAHN. The purpose of that language is this: There are certain branches of the service that have to have mechanics to do the work. For instance, the Aviation Section has to have ground mechanics. The department found it very difficult to get the number of men that was required to do the work, and therefore they organized vocational schools to train these men in those specialized lines of endeavor. I understand the Motor Transport Section had to do the same thing, and they have been conducting those schools under this provision of law.

Mr. MANN. Now, Mr. Chairman, I am in entire sympathy with the idea of giving the maimed soldiers vocational training. But there is no use in getting up and making a lot of sympathetic pleas about the vocational training provided for in this bill or in this paragraph. The total amount of it is $10,500. It covers a great variety of subjects, and no one knows what it will be spent for. But I dare say that no one will receive vocational training out of it. It will be spent for buildings or something of that sort, in order to ask some more money. Now, there is a vocational training scheme provided for. I do not think there is any justification for the item as it appears in the bill. As far as the amount is concerned, I am not worried about that at all. Ten thousand five hundred dollars in a bill of nearly a billion and a quarter does not scare me, and I have no objection to spending $10,500 or $100,000 or even $500,000 if necessary, added to it, to teach these men vocational training. But this item will not do it.

Mr. KAHN. Will the gentleman yield further?

Mr. DENT. Does the gentleman object to the entire paragraph?

Mr. MANN. I have made a point of order on the paragraph; yes.

Mr. KAHN. The gentleman from Kansas [Mr. ANTHONY], who is a member of the committee, developed the fact that they are teaching soldiers in his section of the country in agriculture. They are training men in farm labor, and the money in part is being spent for them.

Mr. MANN. Well, now, of course, that is a pretty theory, and it may be all right. At camps or barracks they may teach a one-legged man how to do some work on a farm, but, after all, a one-legged man on a farm can do enough work to more than pay for his keep, and so can a one-armed man.

Mr. SHALLENBERGER. In the act of 1917 we appropriated $250,000 for this same item; in the act of 1918, $55,000; and now they come and ask only for $10,500.

Mr. MANN. That is sufficient illustration to show that it is useless.

Mr. SHALLENBERGER. I think the gentleman is correct.

Mr. MANN. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

RIFLE RANGES FOR CIVILIAN INSTRUCTION.

To establish and maintain indoor and outdoor rifle ranges for the use of all able-bodied males capable of bearing arms, under reasonable regulations to be prescribed by the National Board for Promotion of Rifle Practice and approved by the Secretary of War; for the employment of labor in connection with the establishment of outdoor and indoor rifle ranges, including labor in operating targets; for the employment of instructors, for clerical services; for badges and other insignia; for the transportation of employees, instructors, and civilians to engage in practice; for the purchase of materials, supplies, and services, and for expenses incidental to instruction of citizens of the United States in marksmanship, to be expended under the direction of the Secretary of War and remain available until expended, $10,000.

Mr. WALSH. Mr. Chairman, I make the point of order on the language "and to remain available until expended."

The CHAIRMAN. The gentleman from Massachusetts makes the point of order upon the language indicated.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I make a point of order on the entire paragraph.

The CHAIRMAN. Does the gentleman from Alabama [Mr. DENT] desire to be heard on the point of order?

Mr. DENT. Mr. Chairman, I move to strike out the words, in line 17, page 41, "and to remain available until expended."

Mr. WALSH. The gentleman can not make a motion like that.

Mr. DENT. I concede the point of order.

The CHAIRMAN. The point of order has been made to the entire paragraph. What does the gentleman say on the point of order?

Mr. DENT. What is the point of order?

Mr. McLAUGHLIN of Michigan. That it is not authorized by existing law. It is legislation, and all that kind of thing.

Mr. DENT. It is authorized under the national-defense act.

Mr. McLAUGHLIN of Michigan. Will the gentleman from Alabama say that there is an act to authorize the Secretary of War to maintain indoor and outdoor rifle ranges for the use of all able-bodied males, and so forth, thereby justifying the Secretary of War in establishing these things anywhere he may please and as many of them as he may please?

Mr. DENT. There is no question in the world but that it is authorized under the national-defense act. The gentleman states it is not authorized by law.

Mr. McLAUGHLIN of Michigan. If we ever passed that kind of a provision, authorizing the Secretary of War to go over the country and establish such things, I do not know of it.

The CHAIRMAN. When a point of order is made to a provision it is incumbent upon the chairman of the committee to furnish the authority.

Mr. DENT. Mr. Chairman, it seems to me that a number of members of the committee have discovered things this year that they never thought of before. I will read section 113 of the national-defense act:

The Secretary of War shall annually submit to Congress recommendations and estimates for the establishment and maintenance of indoor and outdoor rifle ranges, under such a comprehensive plan as will ultimately result in providing adequate facilities for rifle practice in all sections of the country. And that all ranges so established, and all ranges which may have already been constructed, in whole or in part, with funds provided by Congress shall be open for use by those in any branch of the military or naval service of the United States and by all able-bodied males capable of bearing arms, under reasonable regulations to be prescribed by the controlling authorities and approved by the Secretary of War. That the President may detail capable officers and noncommissioned officers of the Regular Army and National Guard to duty at such ranges as instructors for the purpose of training the citizenry in the use of the military arm. Where rifle ranges shall have been so established and instructors assigned to duty thereat, the Secretary of War shall be authorized to provide for the issue of a reasonable number of standard military rifles and such quantities of ammunition as may be available for use in conducting such rifle practice.

Mr. TILSON. Mr. Chairman, if the gentleman from Massachusetts [Mr. WALSH] makes his point of order it is sound, and it should go out. So far as the gentleman from Michigan [Mr. McLAUGHLIN] is concerned, it seems to me his point of order is not well taken at all, because it is provided for by law.

The CHAIRMAN. Of course, so far as the point of order made by the gentleman from Massachusetts is concerned, if that is good the whole paragraph will go out on the point of order made by the gentleman from Michigan.

Mr. TILSON. The part of the paragraph that makes it immediately available, I suppose, should go out on a point of order.

The CHAIRMAN. Very well. The gentleman from Michigan makes the point of order to the whole paragraph. If the language cited by the gentleman from Connecticut is subject to a point of order, then the point of order made by the gentleman from Michigan to the entire paragraph is good. It is a familiar principle in our parliamentary procedure that if any part of a paragraph is out of order a point of order directed to the entire paragraph must be sustained.

Mr. TILSON. I was perfectly aware of that fact, and I was trying to call attention to the fact that if that part were removed it would not be subject to a point of order.

Mr. DYER. The gentleman from Alabama can offer his amendment taking that out.

The CHAIRMAN. The Chair is seeking to point out that the gentleman from Michigan has directed a point of order to the entire paragraph, and if there is an appending item in the paragraph the point of order applies to the whole paragraph. Hence nothing remains in that case for the Chair but to sus-

tain the point of order of the gentleman from Michigan. Of course, it will then be competent for the chairman of the committee to offer the paragraph with the offending matter stricken out as an amendment to the bill.

Mr. DENT. Then I understand the Chair sustains the point of order of the gentleman from Michigan?

The CHAIRMAN. Yes.

Mr. DENT. Mr. Chairman, I move to restore the language beginning on line 4, of page 41, down to line 18, ending with the word "war," and restoring the amount. That is in effect the paragraph with the words "and to remain available until expended" stricken out.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DENT: Restore the paragraph beginning with line 3 down to and including the words "Secretary of War," in line 17, and adding the words "10,000."

Mr. McLAUGHLIN of Michigan. I make the point of order on the amendment offered by the gentleman from Alabama. The gentleman has referred to section 113 of the national-defense act, which provides for establishing and maintaining indoor and outdoor rifle ranges, which is much broader than I thought it was, but at that it does not justify such legislation as is contained in the latter part of the amendment—

For the employment of instructors, for clerical services; for badges and other insignia; for the transportation of employees, instructors, and civilians to engage in practice; for the purchase of materials, supplies, and services, and for expenses incidental to instruction of citizens of the United States in marksmanship.

It seems to me such expenditures as that are not justified under section 113.

Mr. GREENE of Vermont. Will the gentleman permit a question?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. GREENE of Vermont. How would you maintain a rifle range that really was a rifle range without operating targets and hiring the labor for doing it and for the various other things which are incidental to shooting at a target on a range?

Mr. McLAUGHLIN of Michigan. Here is language which would justify the paying of the expenses of transporting civilians engaged in rifle practice. If one in Boston took it into his head to go to San Francisco and practice at a range there, and the Secretary of War took it into his head to spend the money to transport that man, he could use the money under this provision. If there is any such authority as that carried in the original act in section 113, I do not read it aright.

Mr. GREENE of Vermont. The act authorizing the Secretary of War to establish civilian rifle ranges carries with it the presumption of the right to regulate the use of them, to prescribe who shall use them, and how and under what circumstances, and inasmuch as there is no attempt in the act originally to limit his authority in this respect, the House has sought to limit the extent of the exercise of that authority by the amount of the appropriation which it gives him to do anything with, and that is $10,000. He is not likely to send many men across the continent to practice at rifle ranges on $10,000. If he does, he will not have much left for anybody to practice anywhere else.

Mr. McLAUGHLIN of Michigan. This gives him authority to transport men. The amendment is subject to the point of order. The gentleman says there is no presumption that the Secretary of War will do anything of this kind. That is a rather violent presumption. He has done so many things, he has used money in so many ways that Congress had no idea it would be used, I do not know that it is a violent assumption that he will send men clear across the country if he takes it into his head to do it.

This is much broader in other respects than those I have pointed out than the act itself. The idea of giving the Secretary of War blanket authority to spend public money as he pleases is a mistake. We have had examples enough of the misuse of money so that we ought to be careful in drafting these laws. Why, there was a paragraph here a few pages back carrying $449,000,000, and the Secretary of War might have used it all buying ships without any previous authority of law. He might have used the whole $449,000,000 in buying automobiles for officers in the Army. There was no limit. He could use all the money or a part of it for any of the many purposes stated in that section. They say we must trust the Secretary of War. Well, I would not say a word reflecting on the Secretary. I should not have employed some of the words used here earlier in the day—some very harsh language used toward the Secretary of War. When I am inclined to criticize him, I prefer to adopt the parliamentary language used by the gentleman from California, and to say that he is "optimistic." I believe in restricting, just as much as we can, the use of money by the Secretary of War.

Mr. FOSTER. Mr. Chairman, we ought to have the point of order discussed, or else go ahead with the bill.

Mr. KITCHIN. Let the Chair rule.

Mr. FOSTER. Let the Chair rule.

The CHAIRMAN. The Chair understood the gentleman from Michigan to be discussing the point of order. He was undertaking to point out that the language of the amendment was broader that was justified by the language of section 113 of the national-defense act.

Mr. FOSTER. I do not think that has anything to do with the $449,000,000.

The CHAIRMAN. Oh, no; of course not. The Chair does not mean that the gentleman in every utterance he made was speaking to his point of order, but in a general way he was, and the Chair did not propose to break in on his argument. Of course, the only thing before the committee is the point of order. The Chair will ask the gentleman to discuss his point of order.

Mr. McLAUGHLIN of Michigan. I have discussed it; and I call the attention of the Chair to the fact that this section as now offered by the gentleman from Alabama is much broader than section 113 of the national-defense act. It authorizes the Secretary of War to use money for purposes not mentioned in section 113. There are many things that are not mentioned in section 113 at all.

Mr. DYER. What does the gentleman refer to that the previous legislation does not authorize?

Mr. McLAUGHLIN of Michigan. The Chair has the amendment before him.

Mr. DYER. If the gentleman will yield, he has the national-defense act there which authorizes the establishment and maintenance of outdoor rifle ranges, and so forth. The only thing this does in addition is to explain more in detail what the Secretary of War can do through the national board for the promotion of rifle practice on these ranges. I am sure the gentleman will not find anything in the language that is not necessary to conduct a rifle range.

Mr. GREENE of Vermont. If the gentleman will permit me to call attention to section 113 of the national-defense act, which reads as follows, "Under reasonable regulations, to be prescribed by the controlling authorities and approved by the Secertary of War," is not that language sufficient to admit the detail for expenditures that is set out in this paragraph of the appropriation bill "under the reasonable regulations"? That is certainly indefinite as to detail, but is restricted within the usual intention of the English language as to extent and character of detail.

Mr. McLAUGHLIN of Michigan. Some things mentioned in the section are clearly within the provisions of section 113, and some of them, in my judgment, are not included and can not reasonably be included. For instance, transport and instruction of employees and civilians engaged in target practice.

Mr. KAHN. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. KAHN. Is the gentleman opposed to the appropriation for this purpose?

Mr. McLAUGHLIN of Michigan. I think if the work is properly carried on it is all right.

Mr. KAHN. Will the gentleman permit me to say that officers returning from the front told me that one reason why we made such splendid progress over there was due to the fact that Americans had been taught how to shoot. This provision, which is authorized by the national-defense act, provides facilities to our citizens to learn how to shoot. You have to have instructors; you have to have all of these various facilities, if you want to carry out the provisions of that law. Therefore it seems to me that there has to be a little latitude in the language of the paragraph. No doubt every separate item is covered by regulations issued by the Secretary of War. I hope the gentleman will not insist on his point of order.

The CHAIRMAN. The Chair will read the provision of the national-defense act on which this provision in the bill is based:

SEC. 113. Encouragement of rifle practice.—The Secretary of War shall annually submit to Congress recommendations and estimates for the establishment and maintenance of indoor and outdoor rifle ranges, under such a comprehensive plan as will ultimately result in providing adequate facilities for rifle practice in all sections of the country. And that all ranges so established and all ranges which may have already been constructed, in whole or in part, with funds provided by Congress shall be open for use by those in any branch of the military or naval service of the United States and by all able bodied males capable of bearing arms, under reasonable regulations to be prescribed by the controlling authorities and approved by the Secretary of War. That the President may detail capable officers and noncommissioned officers of the Regular Army and National Guard to duty at such ranges as instructors for the purpose of training the citizenry in the use of the military arm. Where rifle ranges shall have been so established and in-

structors assigned to duty thereat, the Secretary of War shall be authorized to provide for the issue of a reasonable number of standard military rifles and such quantities of ammunition as may be available for use in conducting such rifle practice.

The Chair will call the attention of the committee to the fact that the language read is very comprehensive. The point of order raised by the gentleman from Michigan is not without difficulty, but the language cited is so sweeping that the Chair will not undertake to say that the details contained in the appropriation bill are outside the scope of the act, reasonably construed. With some hesitation the Chair overrules the point of order.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent to proceed for three minutes out of order in order to correct a statement which I made yesterday.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for three minutes out of order. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Mr. Chairman, yesterday the gentleman from South Dakota [Mr. JOHNSON] offered the following amendment:

All officers and enlisted men who in actual combat or while in actual service at any front shall have performed the duties of an officer or enlisted man of higher grade or rank shall, for the period during which such duties were performed, and until relieved by competent authority, receive the same pay and allowance as the officer or enlisted man of the grade or rank whose duties were assumed. Such payment and record of service shall appear on the discharge certificate of each officer and man affected. For pay of such officers and enlisted men, $2,000,000.

During the debate on that amendment I reminded the House of the historical fact that, at the Battle of Gettysburg, on the third day, after Gen. Hancock and Gen. Gibbon had been wounded and carried from the field, Frank Haskell, of a Wisconsin regiment, seized the command of the troops and with wonderful success acted as general of a division at the very crisis of the battle at the Bloody Angle and the Clump of Trees, and that for this heroic conduct he was commended in Gen. Gibbon's official report. In the RECORD I am reported as saying that Haskell was on that day a lieutenant colonel; but that was an error. I should have said that he was only a first lieutenant—first lieutenant of Company I, Sixth Wisconsin Infantry, acting as adjutant and aid-de-camp to Gen. Gibbon.

For this wonderful service Haskell was made colonel of the Thirty-sixth Wisconsin, and at the head of that regiment, while leading a charge at Cold Harbor, he was killed.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The amendment was agreed to.

The Clerk read as follows:

For the procurement and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, such public animals, uniforms, equipment, and means of transportation as he may deem necessary, and to forage at the expense of the United States public animals so issued; for transporting said animals and other authorized equipment from place of issue to the several institutions and return of same to place of issue when necessary; for the maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at such rate, not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the act of Congress approved June 3, 1916, $3,000,000.

Mr. DENT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 42, line 15, after the dollar mark, strike out all of the figures and insert in lieu thereof "100."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama.

Mr. FREAR. Mr. Chairman, what does that mean?

Mr. DENT. That means that instead of $3,000,000 it is $100. I hope that satisfies the gentleman.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. OLIVER of Alabama. Mr. Chairman, I ask unanimous consent to proceed for one minute out of order.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to proceed for one minute out of order. Is there objection?

There was no objection.

Mr. OLIVER of Alabama. Mr. Chairman, some days since I read in the RECORD a very caustic criticism by the gentleman from Kansas [Mr. LITTLE] of Capt. A. H. Scales, commandant of the Great Lakes Naval Training Station. The criticism was based upon excerpts alleged to have been taken from an editorial in a publication known as the Bulletin, and also a notice relative to discharges. A personal acquaintance with Capt. Scales led me to the conclusion that the reports reaching the gentleman from Kansas were either erroneous or misunderstood. Accordingly I wrote to Capt. Scales for the facts. I have received a reply from him, which is courteous, dignified, and informing, and I ask unanimous consent to insert it in the RECORD.

Mr. WALSH. Would not the gentleman be willing to wait until the gentleman from Kansas is present?

Mr. OLIVER of Alabama. There is nothing in the reply that in any way reflects on the gentleman from Kansas, and if there was I would not for a moment make this request.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The letter referred to is as follows:

OFFICE OF THE COMMANDANT,
UNITED STATES NAVAL TRAINING STATION,
GREAT LAKES, ILL., *February 5, 1919.*

MY DEAR MR. OLIVER: Your letter of January 31 reached me to-day, and I beg to assure you that I appreciate your writing it for it bears the impress of a just man who believes that there are generally two sides to a question. I shall, therefore, take the greatest pleasure in giving you the information you desire, and in telling you that I shall continue to give you all the assistance in my power when you inquire concerning the station under my command.

Before proceeding with the question of the attack made on me in the House by Mr. LITTLE, I desire to mention the matter about which you and Mr. CANNON spoke to me. As we have not the name of the young man concerned, it is now rather difficult to locate the correspondence. I remember distinctly, however, that I took up the matter immediately on my return, and I am under the impression that it concerned a young man not on this immediate station, but at one of the outlying posts. In that case, the correspondence would have been referred to this outlying post, and this might have something to do with matters not going as you desired them. I am taking immediate steps to trace the correspondence, and if I can obtain the name from you, the matter will be very much simplified. I will write you on this subject in a separate communication.

I was filled with amazement on reading Mr. LITTLE'S attack on me for a notice published in the Great Lakes Bulletin. He gave it an interpretation entirely foreign to that which I had intended it should bear. Please note that this is a notice and not an order. An order directs men to do certain things, and they are compelled to comply with its provisions. A notice, in this sense, carries to them certain information which it is desirable for them to know. This distinction should be borne in mind in considering this subject. It may be well to state in the beginning that the notice itself was published with my approval. The editorial in the bulletin, to which he takes exception, was published by the editors of the paper, who are enlisted or enrolled men of the Navy, and who, while allowed a great deal of liberty in expressing the opinions of the enlisted men at this station, are, at the same time, governed in their general policy by the commandant's ideas on the proper line to be taken. The editorials, before publication, are submitted to the executive officer of this station, who passes upon their suitability before releasing them.

Speaking in round numbers, there were 40,000 men at this station and in this district when I took command, December 7, 1918. Of this number, the department had authorized the release of 20 per cent. Later on, an additional 20 per cent of the remaining 80 per cent was authorized to be released, making 36 per cent of the whole. This meant that of the 40,000, approximately 14,000 could be released, and the department specified the character of cases that were to receive preferred consideration. This you, of course, know, but the point I am trying to lay stress upon is that after the 14,000 should be released there would remain about 20,000 young men clamoring to be released from active duty.

The volume of the correspondence entailed in connection with this work has been enormous. It has completely overtaxed the capacity of the office force and of all the additional help that we could call in from the other activities of the station. Letters came in not only from Members of Congress but from persons in every conceivable walk of life, and one man's case would sometimes involve scores of letters. About the middle of January, after trying every possible method to decrease the volume of this work, I decided that it was absolutely necessary to in some way decrease the volume of correspondence that was pouring in upon me. This was necessary in order that requests from Members of Congress, as well as other requests deserving consideration, should receive the attention that was their due. Without some diminution of the volume of work it was impossible to give these things their proper attention. I therefore decided that I would attempt to accomplish the purpose by appealing to the good sense of the men themselves, for I have always found that an appeal to the reason of the American sailor and his sense of fair play will accomplish the desired result. I had thought that an appeal of this kind would also work to the benefit of Members of Congress, relieve them of some of their burdens, and consequently relieve me of many of my own.

Had I for a moment suspected that this notice would be a subject for adverse criticism on the floor of the House of Representatives I would have caused it to be worded not only with a view to accomplishing the purpose I have just outlined, but with a view to making it proof against unjust criticism and misinterpretation. Whatever interpretation a Member of Congress may choose to put upon it, it did not mean the things Mr. LITTLE ascribes to it, and it did not mean that there was any objection to any Member of Congress at any time writing a letter to the commandant on any matter upon which he saw fit to address him. It did mean that the men themselves were advised not to bother their Congressmen any more than was positively necessary, and that if they continued to do so they were in a measure defeating the very object which they were endeavoring to attain. Not because it was improper or undesirable for the Congressmen to write to the commandant in their behalf, but because on account of the number of letters and papers of all kinds and descriptions it was

impossible for the office force at my disposal to properly classify, act upon, and answer them.

Your recollection of a statement made by Capt. Laning to the House Naval Committee is entirely in accord with my own recollection of it. Not only that, but I was asked at that time by a Member what I would do in case a Member of Congress made a definite recommendation concerning the release of a man. My reply was to the effect that I would accept that recommendation as to facts and act upon it favorably, provided it came within the scope of my orders. The impression which Mr. LITTLE appears to have concerning my attitude toward the question of letters from Members of Congress is entirely erroneous. I have been glad to receive letters from Members of Congress on this subject, and I am still glad to receive them. I have acted in every case favorably on the recommendation of Members of Congress where I could make the recommendation conform to the orders under which I was acting, the rights of others, and the consideration due the requests for release I received, including those from other Members of Congress. In deciding upon the cases in general, I have received a considerable amount of assistance from these letters from Members of Congress, and I have availed myself of it to the full. The office force under my control has made every effort to answer all communications, particularly those from Members of Congress, with the greatest courtesy. In doing this they have worked long hours, including many hours overtime, each day. If they have failed the failure has been entirely due to the lack of time in which to properly handle all the cases. The records of this office, if examined, will show that an enormous amount of labor and time, all the time that has been available, has been devoted to the endeavor to properly handle all correspondence received, particularly that from Members and Senators. I again express to you the fact that I not only have no objections to receiving letters from a Member, but that I am glad to receive them. They frequently bring to me facts I would not otherwise have known. However, I feel at liberty to state that I believe that Members of Congress are frequently called upon to write letters that they would be just as well satisfied not to write if all the facts were explained to them. In my letters to them I have endeavored to explain all the facts; I have endeavored to write letters they could forward to their constituents, and in this notice which has been the subject of attack I have endeavored to reduce the number of unnecessary applications to them.

Concerning the editorial in the Bulletin which Mr. LITTLE complains of, I will state that this was one of many written in an effort to reduce the state of unrest and dissatisfaction among the station personnel caused by the fact that all could not be released from active duty at one time. The 64 per cent who could not be released are almost unanimous in desiring their releases. For the good of this station I endeavored to appeal to their sense of fairness to their comrades and to the fact, which they themselves well knew, that among them were some who attempted to obtain this release by false pretenses. I advised them that they should carefully consider the validity of their claims before presenting them. I also called the attention of the men to the fact that there were many unemployed in the country and that it was perhaps just as well for them to wait a few months before demanding releases. In short, I combated by every proper method what we here call "release fever," which threatened, and does still threaten, the very object for which the station is here. The editorial complained of, while not written by me nor seen by me until after its publication, was in general line with this policy. Other articles have appeared in the Great Lakes Bulletin, written by chaplains, Young Men's Christian Association secretaries, and others, which had this same object in view and presented arguments along the same line. The strictures that the editorial in question conveyed were intended for and applied only to men who well merited such strictures. Happily these are very few indeed compared with the large body of men attached to this station. I send you a copy of that editorial, and you will see that the extracts quoted by Mr. LITTLE, taken apart from the rest of the editorial, could easily be construed into something entirely at variance with the spirit of the whole editorial. I call your particular attention to a paragraph near the end, which I have marked. There was no attempt in this editorial to insult anybody, and no honest man at Great Lakes was insulted by it. I send you the Great Lakes Bulletin containing the editorial, that you may also see the character of the publication.

We are releasing men at this station at the rate of about 300 a day, and since the order was signed we have released nearly 14,000 at the station alone, not counting those released in the districts under my command. The work has been done as fast as the labor involved could be performed, and has frequently involved long hours overtime. The people engaged in the demobilization, including myself, have not spared themselves whenever the work could be hastened by prolonged efforts. There is a physical limit to the number that can be released each day, and some men, no matter how just their claims, have to wait a considerable time to secure release.

I have written you at this great length because you have written a courteous letter and one I deeply appreciate. I heartily wish that you could have visited this station, that I could have accorded its honors, and I am convinced that you would have left it with a realization that the spirit here is a priceless thing; that it has enabled great things to be accomplished; and that nowhere are officers of our Government, including Members of Congress, more honored and respected or held in higher esteem.

Very respectfully,

A. H. SCALES,
Captain, United States Navy, Commandant.

Hon. WILLIAM B. OLIVER, M. C.,
House of Representatives, Washington, D. C.

The notice referred to in the letter is herewith inserted:

DON'T BE A "QUITTER."

Every man of the Naval Reserve Force or of the Regulars, enlisted for the duration of the war, became a party to a contract with the United States Navy and the United States of America when he took the oath and donned the uniform.

This contract was a sacred one—as sacred an agreement as any real American he-male can bind himself to. Every man entering into it pledged himself, on his honor, to serve the Navy of the Stars and Stripes until such time as "finis" has been written to the last chapter of the great war.

That inscription has not been written as yet, nor will it be time to write it until the final decisions of the peace conference are filed away in the archives of the Nations and the last American soldier has been brought back safely from the bloody fields of Europe. Only the climax of the great war, represented by the signing of the armistice, has been passed; ahead of the Navy lies the tremendous job of transporting home the million or more men it took over, and of rushing food to Europe to prevent hunger and counteract Bolshevism.

What must we think, then, of the man who would "lie down" in the midst of the greatest task ever given any navy, merely because he sees an opportunity for better money "on the outside," or some other equally selfish reason?

Shameful as it is to confess, there are not a few such men at Great Lakes, men who, now that the excitement and glory of the war has passed, think of little else than how they can obtain their releases or discharges; how to desert their conscientious shipmates in the more prosaic, though just as important, work that lies ahead.

These men—and their number would indicate that "discharge fever" has become an epidemic at Great Lakes—have tried nearly every known ruse in deception and intrigue to get out of the service. They have attempted to obtain political influence, they have secured false affidavits as to equally false dependency claims, they have made statements in their applications which proved on investigation to be the most barefaced of lies, and the number of dying grandmothers and other relatives mentioned would indicate to the unsophisticated that nothing short of Persian pox or the bubonic plague is raging throughout the Middle West.

Lest there be a misunderstanding, those men who have a truly legitimate reason for wishing to return to civil life as speedily as possible are not included in any category with the would-be "quitters." Men who have dependents and whose circumstances are such that the latter are undergoing actual hardships, are entitled to apply for release or discharge, and to leave the service among the first 20 per cent to go. So are the youths who quit school to enlist, and who now wish to return to complete their education. It is felt that in this particular chapter of the great war these men can be spared, and the justice of placing their applications as the first for consideration is obvious to any fair-minded man.

But the man who has no such reason, nor one equally worthy, and who resorts to lying and subterfuge in an attempt to climb out over the backs of shipmates who have made greater sacrifices than he—such a man is beneath contempt. He is false to his country, his pledged word of honor, and himself.

"God Almighty hates a quitter," and so does the American Navy.

Mr. MANN. Mr. Chairman, a moment ago I made a point of order upon the paragraph on vocational training, on page 40 of the bill. I have learned more about it since I made the point of order, and I would like to return to the paragraph and withdraw the point of order, if I may.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to return to page 40, to the paragraph entitled "Vocational training," in order that he may withdraw a point of order heretofore made. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I withdraw the point of order.

Mr. WALSH. Mr. Chairman, I renew the point of order simply for the purpose of asking the gentleman a question. Is there any particular reason why one of the vocations was eliminated from the list carried in the bill? I notice they have dispensed with the purchase of plumbers' tools and equipment.

Have they authorized the giving of any training along that line?

Mr. DENT. I know of no reason why they struck out that particular language. I thought the language was broad enough to include that.

Mr. WALSH. It was carried in the acts heretofore, and I did not know but there was some reason for dispensing with training along that line.

Mr. DENT. No; there is no reason I know of.

Mr. MANN. Mr. Chairman, I move to amend, page 41, line 2, by striking out the word "acts" and inserting the word "arts." That is a typographical error.

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

The Clerk read as follows:

INLAND AND PORT STORAGE FACILITIES.

For inland and port storage, including all necessary buildings, docks, tracks, handling, and other facilities for Government supplies, including rentals and purchase of land, the hire of the necessary employees, $30,000,000.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. DENT. Mr. Chairman, I would like to offer an amendment and have it read.

Mr. MANN. I reserve the point of order on the paragraph for the purpose of asking whether it is desired to purchase any more land?

Mr. DENT. It is not. If the gentleman from Illinois will allow the amendment which I have sent to the Clerk's desk to be read, I think it meets any objection which he may have on that line.

Mr. MANN. Let it be read for information.

Mr. DENT. The bill really is not printed as the committee agreed to it. I would like to have the amendment reported for information.

The CHAIRMAN. The Clerk will report the amendment for information.

The Clerk read as follows:

Page 43, strike out all the language after the word "necessary," in line 2, down to and including the word "necessary," in line 5, so that as amended the language will read:

"For inland and port storage, including the necessary employees."

Mr. MANN. Well, Mr. Chairman, the amount is to remain the same. Is it intended to purchase any land out of this?

Mr. DENT. It is not, and that is the reason we strike out the language.

Mr. MANN. Yes; but I am not at all sure but the language as reformed would still allow the purchase of land if it was intended.

Mr. DENT. It was expressly stated it was not the intention.

Mr. MANN. I withdraw the point of order.

Mr. GREEN of Iowa. Mr. Chairman, I wish to be recognized on the amendment for the purpose of interrogating the chairman. If his amendment should prevail, this whole $30,000,000 would be for inland and port storage. How is it possible for the War Department to expend that much just on storage?

Mr. DENT. They asked $60,000,000, and the committee cut it down to $30,000,000. The gentleman knows this appropriation involves the question of the debarkation of our troops.

Mr. GREEN of Iowa. Why, yes; but they have got warehouses; they have got the storage facilities; and I can not see how it is to be applied except by putting goods in there and taking them out.

Mr. DENT. Gen. Goethals made the statement in reference to the number of warehouses we had in the country at different ports of entry and the different inland warehouses which we had, and that the maintenance would be so much per square foot, and we cut his estimate in two.

Mr. GREEN of Iowa. Then, as I understand, we have got to pay $30,000,000 every year right along; that we have got to continue this appropriation to keep up our warehouses?

Mr. DENT. No.

Mr. GREEN of Iowa. The gentleman says for maintenance it would be so much per square foot?

Mr. SHALLENBERGER. If the gentleman from Iowa will permit, the greatest item in this appropriation is for the handling of these tremendous stores that we have, and these different departments not only put them in, but many of them have to be handled over and over again as they are taken out, because we have these tremendous amounts of supplies on hand which are almost beyond conception of anybody who has not a vivid imagination. It requires, in spite of the fact it is astounding, and the judgment of those men who had this work in hand and know more about it than anybody else in the United States is that it would take $60,000,000 to handle it, and the committee cut it in two, not with the idea that it would be taken care of, but that they had to have that money anyway.

Mr. FREAR. Will the gentleman yield?

Mr. GREEN of Iowa. Apparently the members of the committee simply know what was the opinion of the general without any facts in support.

Mr. SHALLENBERGER. He gave absolute details of every item, as to every storehouse, and the exact amount of the appropriation.

Mr. KAHN. Will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. KAHN. He called particular attention to the Bush terminals in Brooklyn and the Newark Bay terminals near Harrison, N. J. The quantities of material that are handled through those warehouses alone aggregate in value many hundreds of millions of dollars, and if they are not properly stored and housed the loss to the Government will be enormous.

Mr. FREAR. Mr. Chairman, I desire to ask the gentleman from Nebraska a question. This is one-third, practically, of the entire appropriation made prior to the war; that is, when the appropriations ran about $100,000,000. There are $30,000,000 in this one item. I understood the committee took Gen. Goethals's figures and cut them in two. On what basis?

Mr. SHALLENBERGER. On the basis that the committee hoped we might get along with less money.

Mr. FREAR. Yes. On that same basis and carrying it a little further, what would be the objection to cutting this $30,000,000 to $15,000,000, which would be one-fourth, in the hope that we may get along with that, and we would further reduce the amount of the bill? I am asking for information purely, I am frank to say.

Mr. SHALLENBERGER. The answer to that is, that we might carry it down to probably a dollar, with the hope that that would be sufficient.

Mr. FREAR. What is the basis of the gentleman's estimate that $30,000,000 will cover this, instead of $60,000,000 as estimated by Gen. Goethals?

Mr. SHALLENBERGER. I will say to the gentleman from Wisconsin, in answer to his question, it is the experience and judgment of the members of the Military Committee that in asking for these appropriations sometimes the department asks for rather liberal appropriations. And this being an entirely new item, and one with which no one has had any experience, our committee thought because this matter has come upon us since this war, with the idea that it would require $60,000,000 to store and handle the products of the Government during this war, it was something beyond our conception. We finally, after deliberation, made this as our best and most conservative estimate as to what they would possibly get along with.

Mr. FREAR. Let me say that there is no criticism against any member of the committee. They realize that. The one purpose is to ascertain on what basis this $60,000,000 was reduced to $30,000,000?

Mr. KAHN. Will the gentleman yield?

Mr. SHALLENBERGER. Yes; I yield to the gentleman from California.

Mr. KAHN. The committee felt that as the Army was demobilizing the quantities of supplies and stores that would be required would be materially reduced, and that a much smaller quantity would be handled during the next fiscal year. And on that basis the committee thought probably the director general of the Purchase, Storage and Traffic Division could get along with half the amount he asked.

Mr. FREAR. If it is not all used, the balance will remain in the Treasury?

Mr. KAHN. It will go back into the Treasury.

Mr. FREAR. Of course, we are all in the dark.

Mr. KAHN. I want to say to the gentleman, when these great terminals were built the committee was asked for $53,000,000. It turned out afterwards that the estimate was altogether too small, and it was materially increased. Later about $50,000,000 of the sums appropriated were covered back into the Treasury. We hope that this amount, on account of the reduction of the Army, will suffice. We may have cut it too much, and it is possible that they will have to come to Congress for a deficiency appropriation. But the committee felt that they were doing fairly by the Government by reducing it one-half.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield to me?

Mr. KAHN. Yes.

Mr. McLAUGHLIN of Michigan. Are we to understand that this storage is to be in buildings and on property owned now by the Government?

Mr. KAHN. Much of it. And more so in buildings rented by the Government not only on the seaboard, but even in the inland cities.

Mr. McLAUGHLIN of Michigan. Would this pay for the rental?

Mr. KAHN. Yes.

Mr. McLAUGHLIN of Michigan. The word "rental" was included in this paragraph before and has been stricken out.

Mr. SHALLENBERGER. It includes rentals.

Mr. KAHN. Including rentals.

Mr. McLAUGHLIN of Michigan. But, on motion of the gentleman from Alabama [Mr. DENT], those words go out.

Mr. GREEN of Iowa. It seems to me it would be included anyhow in the word "storage."

Mr. McLAUGHLIN of Michigan. It seems to me it might be included, and, following the inquiry of the gentleman from Illinois [Mr. MANN], it might include also the purchase of land. Now, if it is intended to pay the rent, if it is intended to give authority to purchase land, I think the words should be there, and direct and positive authority should be given department officials to pay the rent or to purchase the land, and not leave it to an inference, not leave them to use $30,000,000 without any direction. If the committee knows how it is to be used, let that manner of use be suggested, and let the words be written here, to tell the Secretary what Congress has determined.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. KAHN. Gen. Goethals told the committee that about $4,000,000 of this amount would be required for rentals.

Mr. McLAUGHLIN of Michigan. Then would it not be better to leave the word "rentals" in, instead of striking it out? If they had not been there at all, then there would be some justification for Gen. Goethals to use this money for paying rentals; but they are there, or were there, and Congress refuses to permit them to remain. That suggests that the money is not to be used for rentals.

Mr. DENT. If the gentleman will allow me, I must say his criticism is hypercritical. I have undertaken to change the language so as to make it broad enough to include that, without the right to purchase land. It provides for inland and port storage. I do not think there is any question in the world but that they can take care of it under the language that the committee finally agreed to.

Mr. McLAUGHLIN of Michigan. Does the gentleman say that the language, in his judgment, as he would have it remain, "For inland and port storage, including all necessary storage, $30,000,000," does not carry authority to purchase land?

Mr. DENT. I certainly do.

Mr. McLAUGHLIN of Michigan. The language is so broad and inclusive that I would feel that the authority of the Secretary is without limit; he could use the money in furnishing this storage in any way he might wish.

Mr. GREEN of Iowa. Let me suggest that the amendment of the gentleman from Alabama has not yet been voted on.

Mr. DENT. Yes; it has not yet been voted on.

Mr. GREEN of Iowa. And possibly the gentleman from Alabama might be willing to let the words "including rentals" stay. I think the department ought to have authority for that purpose.

Mr. McLAUGHLIN of Michigan. I am not objecting to giving the department authority to rent, and I am not objecting now to giving them authority to purchase; but if I wished to give authority to rent, I would say so, and if I wished to give them authority to purchase, I would say so, and I would say so in words that could not be misunderstood.

Mr. DENT. Well, may I ask the gentleman this question: Suppose he used the language he suggests, "For inland and port storage, including all necessary buildings, docks, tracks, handling, and other facilities for Government supplies, including rentals and the hire of the necessary employees," is that what the gentleman wants done?

Mr. McLAUGHLIN of Michigan. I was asking the gentleman the meaning of the words, and when he gave his idea of what the words mean I ventured humbly to differ from him. I am not speaking by way of criticism altogether, but I do not like the language, because it seems to me to be too broad.

Mr. DENT. I think the gentleman is speaking by way of hypercriticism, and when he criticizes the language I think he should suggest some improvement upon it.

Mr. McLAUGHLIN of Michigan. I will say this: I have had something to do with drawing appropriation bills, and when I was positively of the opinion that money should not be used for a certain purpose, when I thought it might be, I added words forbidding its use for that purpose.

Mr. DENT. Is the gentleman opposed to the item or has he any suggestion to make as to how the language should be changed? Let us get down to the practical point, unless the gentleman desires to delay the passage of the bill.

Mr. McLAUGHLIN of Michigan. The chairman of the committee has no suggestion to make. Is that the idea?

Mr. DENT. I have made a suggestion which I think covers the whole thing, and I have offered an amendment.

Mr. GREEN of Iowa. Why not leave the language in the bill except the "purchase of land"?

Mr. DENT. I am willing to do that.

Mr. KITCHIN. I suggest to the gentleman to move to strike out, in line 4, the words "purchase of land."

Mr. DENT. Mr. Chairman, I withdraw the pending amendment.

The CHAIRMAN. The pending amendment has really never been reported, so that there is nothing to withdraw.

Mr. DENT. I move, Mr. Chairman, to strike out from line 4, page 43, the words "purchase of land."

The CHAIRMAN. The gentleman from Alabama offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 43, line 4, strike out the words "purchase of land."

Mr. DALLINGER. Mr. Chairman, before I vote for this amendment I should like to ask the chairman of the Committee on Military Affairs whether this item includes the storage and handling of the food and clothing for the soldiers over in France?

Mr. DENT. No; only in this country.

Mr. DALLINGER. May I ask the chairman where in the bill there is an item which covers the handling of the food and clothing for the soldiers in France?

Mr. DENT. That is under several different items of the bill. It is under the provision for subsistence; it is under the clothing and camp and garrison equipage. There are several items in the bill that take care of that.

Mr. DALLINGER. I am referring now particularly to the storage and handling of food and clothing for the soldiers in France. The reason I have asked this question is that there is a great deal of complaint from the boys coming home that while apparently there is plenty of food of the very best quality stored over in France the boys do not get it. The boys who have been sick and wounded at a place called St. Aignon, on their way to ports of embarkation, have not been receiving sufficient food fit to eat, and they have not been receiving proper clothing or shelter. Now, Mr. Chairman, I want to have enough money appropriated for that purpose, so that the War Department can not say they did not do these things because Congress refused to appropriate the necessary money.

Mr. DENT. I think we have appropriated money enough for that purpose. I hope we have.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. DENT].

The amendment was agreed to.

The Clerk read as follows:

MEDICAL DEPARTMENT.

MEDICAL AND HOSPITAL DEPARTMENT.

For the manufacture and purchase of medical and hospital supplies, including disinfectants for military posts, camps, hospitals, hospital ships, and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required for mosquito destruction in and about military posts in the Canal Zone, $10,000,000: *Provided*, That the Secretary of War may in his discretion select types and makes of motor ambulances for the Army and authorize their purchase without regard to the laws prescribing advertisement for proposals for supplies and materials for the Army; for the purchase of veterinary supplies and hire of veterinary surgeons; for expenses of medical supply depots; for medical care and treatment not otherwise provided for, including care and subsistence in private hospitals, of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in the military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided further*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for, for bedding and clothing injured or destroyed in such prevention; for the pay of male and female nurses, not including the Nurse Corps (female), and of cooks, and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignment, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men; and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the enlisted force of the Medical Department; for the supply of the Army and Navy Hospital at Hot Springs, Ark.; for advertising, printing, binding, laundry, and all other necessary miscellaneous expenses of the Medical Department.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Illinois reserves a point of order.

Mr. MANN. Is it proposed to purchase any new hospital ships and transports for the Medical Department?

Mr. DENT. No proposition of that kind was suggested.

Mr. KAHN. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. KAHN. As I understand, most of this money will be expended by that division of the Army known as the P. S. & T.—the Division of Purchase, Storage, and Traffic. They are now purchasing the medical supplies for the Army. In all, about $7,000,000 of this money will be expended for this purpose. The other $3,000,000, as I recall the testimony, will be expended directly by the Medical Department itself. So far as the committee developed the facts in the hearings, there is not intention to spend any of this money for the purchase of hospital ships.

Mr. MANN. May I ask, in reference to the proviso found at the bottom of page 43, authorizing the purchase of motor ambulances without regard to advertisement, do they need to purchase any more special ambulances?

Mr. KAHN. They are trying to acquire ambulances of special contrivance. As I understand it, they are inducing the manufacturers of ambulances to experiment further in order that the best possible kind of ambulances may be developed. I think the appropriation in that respect would allow the purchase of those ambulances.

Mr. MANN. I can see that this item might be very desirable if it was purposed to get ambulances for use at the front. They would want to make some changes. But these are ambulances purely for use in time of peace to convey soldiers. Is it desirable to let them purchase those ambulances without competition?

Mr. SHALLENBERGER. I think the gentleman from California will recall that one of the medical officers who appeared before the committee made this explanation, but while there is a general plan now to have the different motor vehicles purchased by one central authority, the medical department feel that they are the ones to judge as to the particular fitness of the kind of vehicle they want, and they find that where they do not have that absolutely under their own control they do not get the kind of ambulance they want. Therefore, they ask for that special provision in order to permit them to exercise their judgment as to what they ought to have.

Mr. MANN. Well, now, I take it that when the medical department indicates the kind of an ambulance that it wants the purchasing department purchases that kind of an ambulance. If that is not the case, there is no use in conferring on the Secretary of War discretion to do something else, because all he has got to do is to nod his head and that will be the case. He can require the purchasing department to purchase ambulances such as the medical department desires.

Now that we have returned to a peace basis, is there anything in the act—I do not want to stand in the way if there is—to allow the Secretary of War to buy ambulances without competition just as anybody happens to have a favorite in the motor manufacturing business?

Mr. KAHN. If the gentleman will permit, I do not think that is the intention. The intention rather is to try out new ambulances that have been improved since the last purchases were made. Of course, there are occasions when a soldier falls sick in some little camp where there are no proper hospital facilities. He has to be put into an ambulance and carried sometimes for miles before he is put into the proper hospital.

Mr. MANN. That is the case of private citizens and many more private citizens than there are soldiers. Ambulances are not unknown.

Mr. KAHN. There are some places where there are no civilian ambulances. There are Army posts where they have to depend on the Army ambulance.

Mr. MANN. I am not opposing the Army ambulance. The question is whether the Secretary of War, which means some subordinate official, will be permitted to make a contract with a motor concern for an ambulance at high prices because he happens to have a friend in that concern and to purchase it without competition.

Mr. KAHN. The purpose of the item is to allow the purchase of one ambulance, probably, that has been developed by some manufacturer of ambulances, in order that the Medical Department may have the benefit of new construction and try it out thoroughly. Then, if that ambulance proves a decided success, a larger number could be purchased.

Mr. MANN. The purpose is to experiment with ambulances on the sick and wounded soldier so that people in civil life can have the benefit after the soldier is dead?

Mr. ANTHONY. If the gentleman will permit, I recollect that three or four years ago the Surgeon General asked that the same language be inserted for the purpose of standardizing the ambulances, but they never have done it, and they have 57 varieties now.

Mr. MANN. They will not do it as long as some official has a chance to make a contract with some motor manufacturer whom he wants to favor. I am not going to set up my judgment against the judgment of the committee, but I will make a point of order in line 19, page 43, "hospital ships and transports." It is not intended to purchase any of these?

Mr. DENT. I concede the point of order.

Mr. MANN. I will withdraw the general reservation and make a point of order against that language.

Mr. GREENE of Vermont. I think if the gentleman will read that provision a second time he will see that this is for the purchase of medical and hospital supplies for hospitals, hospital ships, and transports.

Mr. MANN. The gentleman from Vermont is right, and I do not make the point of order.

Mr. KAHN. Mr. Chairman, I move to strike out the last word. I do not want to take up the time of the committee at this late hour, but I want to call to the attention of the House and the country generally the danger of a possible epidemic being brought over here from the other side in bringing back the soldiers. Typhus is now epidemic in some parts of Europe, in some countries that were engaged in the war. The typhus fever is carried by the body louse. That insect also brings about the so-called trench fever and the so-called relapsing fever. This item carries an appropriation for preventing these epidemics. I feel sure that the Medical Department has a great task before it in trying to stamp out and to prevent any of these diseases being brought to this country. If the Spanish influenza had been stopped by quarantine at our ports originally we would not have had such a terrible death loss in our country. I understand it is the purpose of the medical officers to see that no typhus, trench, or relapsing fevers shall come into this country.

Mr. GREENE of Vermont. Mr. Chairman, I want to direct the attention of the chairman of the committee to line 19, page 43, to the comma after the word "transports." Ought that not to be a semicolon? There is an abrupt change in the text.

Mr. DENT. Yes; and I will offer an amendment to that effect.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 43, line 19, after the word "transports," strike out the comma and insert a semicolon.

Mr. MANN. Mr. Chairman, that recalls something. We were read a lecture here to-day for making any criticism of the War Department, or of anything that somebody might complain about. We have been read that lecture several times, but here is an illustration of the benefit of calling attention to some of these matters. Some time ago one of the papers here—I think it was the Washington Post—published a story about how the sick boys out at Walter Reed Hospital, boys with one arm or without any arms, were required to do their own laundry work. If that had not been made known, this semicolon would not be required. The semicolon that it is proposed to insert is to be inserted in front of a new item in the bill providing for payment for laundry work for enlisted men and Army nurses while patients in a hospital. I do not apprehend, as a matter of fact, that it was necessary to insert the item in the bill to make the money available for that purpose, but it was necessary probably to put the item in the bill, in order to let the department know that these patients, maimed as they are, unable to do laundry work as they are, still were required to do it or hire it done. I am mighty glad that the Committee on Military Affairs rose to the occasion and provided that hereafter a sick soldier in a hospital shall not be required to get out of bed and hunt for a bathtub or a basin in which to wash his underclothes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The amendment was agreed to.

Mr. ANTHONY. Mr. Chairman, I move to strike out the last two words for the purpose of calling the attention of the House to the fact that the American negro has proved in the present war that he has a right to share with his white comrades much of the honor that has come to our arms in France. I do this because of the fact that these black troops were raised possibly under adverse conditions, or even unfriendly conditions, and the history of the war in France has demonstrated that they have measured up to the record made by our negro troops in every war in which this country has been engaged from the Revolution down to the Civil War and the Spanish-American War and the war of the present day. [Applause.] I ask unanimous consent to extend my remarks by inserting in the RECORD some of the official records and citations and facts connected with the operation of these troops.

The CHAIRMAN. Is there objection?

Mr. CONNALLY of Texas. Mr. Chairman, reserving the right to object, may I inquire as to what the gentleman from Kansas meant when he said that these colored troops were raised under unfriendly conditions?

Mr. ANTHONY. There was a good deal of comment at the time they came into the service, and question was raised as to their possible usefulness.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The article referred to is as follows:

Negro soldiers made a record as fighters in this war as they did in the Spanish-American and Civil Wars. Fighting for the first time on the soil of the world's most famous battle fields—Europe—and for the first time brought into direct comparison with the best soldiers of Germany, Great Britain, and France, they showed themselves able to hold their own where the tests of courage, endurance, and aggressiveness were most severe.

Colored troops fought valiantly at Chateau-Thierry, Soissons, on the Vesle, in Champagne, in the Argonne, and in the final attacks in the Metz region. The entire first battalion of the Three hundred and sixty-seventh Infantry—"Buffaloes"—was awarded the croix de guerre for heroism in the drive on Metz. Most remarkable of all, they received their baptism of battle in this attack: at the start they won honors which veterans of many conflicts have failed to capture.

In previous engagements of the war, for distinguished service, three colored regiments as units were awarded the croix de guerre, which bestows on each member the right to wear the coveted badge. When the fighting stopped the negro troops were nearest the Rhine.

Not until now has the story as a whole of the part played by our negro troops in France been available. The total number of negro combat troops was 42,000. These consisted of the Ninety-second Division, commanded by Maj. Gen. Charles G. Ballou, and four regiments of the provisional Ninety-third Division. To describe the colored man as a fighter in a war which, because of the terrible weapons used, called for

more pure nerve than any other war, three ways present themselves: To show the negro in individual exploits, then in a regiment engaged separately with white troops, and, finally, to show him in a battle in a division entirely composed of men of his own race.

NEGRO AS INDIVIDUAL FIGHTER.

Here is an individual exploit:

The Three hundred and sixty-eighth Infantry, colored, fought in the Argonne. It became necessary to send a runner with a message to the left flank of an American firing line. The way was across an open field swept by heavy enemy machine-gun fire.

Volnteers were called for. Pvt. Edward Saunders, of Company I, responded. Before he had gone far a shell cut him down. As he fell he cried to his comrades:

"Some one come and get this message. I am wounded."

Lieut. Robert L. Campbell, of the same company, sprang to the rescue. He dashed across the shell-swept space, picked up the wounded private, and, with the Germans fairly hailing bullets around him, carried his man back to the American lines.

For the valor shown both were cited for the distinguished service cross, and Lieut. Campbell, in addition, was recommended for a captaincy.

Another single detail, taken from this same company:

John Baker, having volunteered, was taking a message through heavy shell fire to another part of his line. A shell struck his hand, tearing away part of it, but the negro, unfaltering, delivered the message.

He was asked why he did not seek aid for his wounds before completing his journey.

"I thought the message might contain information that would save lives," was the answer.

Under the same Lieut. Robert L. Campbell a few colored soldiers armed only with their rifles, trench knives, and hand grenades picked up from shell holes along the way were moving over a road in the Chateau-Thierry sector. Suddenly their course was crossed by the firing of a German machine gun. They tried to locate it by the direction of the bullets, but could not. To their right, a little ahead, lay a space covered with thick underbrush; just back of it was an open field.

Lieut. Campbell, who knew by the direction of the bullets that his party had not been seen by the Germans, ordered one of his men, with a rope which they happened to have, to crawl to the thick underbrush, and tie the rope to several stems of the brush; then to withdraw as far as possible and pull the rope, making the brush shake as though men were crawling through it. The purpose was to draw direct fire from the machine gun, and by watching locate its position.

The ruse worked. Lieut. Campbell then ordered three of his men to steal out and flank the machine gun on one side, while he and two others moved up and flanked it on the other side.

The brush was shaken more violently by the secret rope. The Germans, their eyes focused on the brush, poured a hail of bullets into it. Lieut. Campbell gave the signal. The flanking party dashed up; with their hand grenades they killed four of the boches and captured the remaining three—also the machine gun.

In the larger bodies of colored troops, from the regiment to the division, the participation of the negro soldiers naturally divides itself into two parts on account of the way they were sent over. The negro division, composed of drafted men, did not get into action until right at the last, but individual regiments did. The four regiments that went over first were composed of old National Guard units recruited up to the required quota. These were the Three hundred and sixty-ninth, Three hundred and seventieth, Three hundred and seventy-first, and Three hundred and seventy-second Infantry regiments, afterwards organized into the Provisional Ninety-third Division. Until just before the last days of the fighting, however, they were brigaded separately with French troops. Three of these regiments, the Three hundred and sixty-ninth, the Three hundred and seventy-first, and the Three hundred and seventy-second, have received the high honor of the croix de guerre from the French Government for distinguished service. Sixty-one officers and men of the Three hundred and seventieth have been similarly decorated.

FIGHTING BESIDE THE FRENCH.

Here is the fighting record of one of these regiments sandwiched among the French forces—the Three hundred and seventy-second. It was the first to go over. Practically all its line officers, as well as privates, were colored.

They arrived in France on April 14 and went into training with the French on April 28. On June 6 the Three hundred and seventy-second was sent to the trenches just west of Verdun, occupying the famous battle-swept Hill 304 and sections at Four de Paris and Vauquois. On Hill 304 thousands of French and German soldiers had fallen as the battle line swung back and forward, and that this hill was given to the negroes to hold shows that as soldiers they had already won the confidence of the French.

The regiment's first engagement was in the Champagne sector, with Montoir as its objective. Here came the real test; the colored men were eager to get into the fight. They cheered and sang when the announcement came that their chance had arrived—but the question was: Back of their enthusiasm had they the staying qualities drilled into European troops through centuries of training in the science of warfare?

The answer was that some of the heaviest and most effective fighting of the day was done by the negro regiment. From June 6 to September 10 the Three hundred and seventy-second was stationed in the bloody Argonne Forest. On the night of September 25 they were summoned to take part in the Argonne offensive and were in that terrific drive, one of the decisive engagements of the war, from September 26 to October 7. In the nine days' battle the negroes not only proved their fighting qualities in an ordeal such as men have rarely been called upon to face, but these qualities, in deadly striking power and stubborn resistance in crises, stood out with such distinction that the regiment won the coveted croix de guerre.

During the battle they aided in capturing 600 prisoners, 15 big guns, 20 minenwerfers, rounded up an enormous amount of engineering material, large supplies of artillery munition, and brought down three German airplanes. For these achievements they were at once cited for bravery and efficiency in the general orders issued by their French commander. The casualty list of the Three hundred and seventy-second in this and the previous fighting carried 500 names of men killed, wounded, and gassed.

Another regiment's record—that of the Three hundred and sixty-ninth, formerly the Fifteenth New York, commanded by Col. William Hayward, ex-public service commissioner—reflects as high a credit on the soldierly qualities of the negro race. The Three hundred and sixty-ninth was in the Champagne offensive as a part of the Fourth Army, commanded by Gen. Gouraud, a few miles west of the Argonne Forest. These are Col. Hayward's own words describing the drive that tried out his men:

"At 5.25 a. m. the assault was launched, an assault that kept assaulting, so far as our division was concerned, for 12 days, in which we crossed rivers, captured towns, cut and climbed through acres and acres of barbed-wire entanglements, stormed bluffs, ridges, and hills for 14 kilometers, all the way facing stubborn and terribly effective artillery and machine-gun fire.

"When we crossed the Dormois River, where it widened into a swamp, the boche was shelling industriously, and it looked like a hailstorm on the surface of the water. I saw shells break from concussion when they hit the water the same as on the ground. Much of the time we had to lean over and shout into each other's ears to be heard.

"At the end of 12 days we came out with our division, what was left of us, which included 20 officers."

At the very last the Three hundred and sixty-ninth won another distinction. The following is from The Stars and Stripes, the organ of the American troops in France:

"The farthest north at 11 o'clock (when the armistice went into effect) on the front of the two armies was held at the extreme American left, up Sedan way, by the troops of the Seventy-seventh Division. The farthest east—the nearest to the Rhine—was held by those negro soldiers who used to make up the old New York Fifteenth, and have long been brigaded with the French. They were in Alsace, and their line ran through Thann and across the railway that leads to Colmar."

HOW NEGRO DIVISION FIGHTS.

Next, to see a negro division in action:

The Ninety-second Division was composed of the One hundred and eighty-third Infantry Brigade, consisting of the Three hundred and sixty-fifth and Three hundred and sixty-sixth Infantry Regiments, and the Three hundred and fiftieth Machine Gun Battalion; the One hundred and eighty-fourth Infantry Brigade, composed of the Three hundred and sixty-seventh and Three hundred and sixty-eighth Infantry Regiments and the Three hundred and fifty-first Machine Gun Battalion; the One hundred and sixth-seventh Artillery Brigade, consisting of the Three hundred and forty-ninth, the Three hundred and fiftieth, and the Three hundred and fifty-first Artillery Regiments, and the Three hundred and forty-ninth Machine Gun Battalion, the Three hundred and seventeeth Trench Mortar Battalion, the Three hundred and seventeenth Engineer Regiment, the Three hundred and seventeenth Engineer Train, the Three hundred and seventeenth Ammunition Train, the Three hundred and seventeenth Supply Train, the Three hundred and seventeenth Train Headquarters, the Ninety-second Military Police Company; the Three hundred and seventeenth Sanitary Train, comprising the Three hundred and sixty-fifth, the Three hundred and sixty-sixth, the Three hundred and sixty-seventh, the Three hundred and sixty-eighth Field and Hospital and Ambulance Companies, 600 of the officers of the division were negroes.

Soon after the Ninety-second was thoroughly organized it took over the Marbache sector. Here their activity in trench raids on the Germans earned from the Germans the name of "Black Devils." By these raids they drove the Germans north beyond Erehaut and Volvrotte to Cheminot Bridge. In the hope of putting a check on these attacks the boches tried to destroy the bridge and flooded the country.

Up to this time the Ninety-second had never been in a battle. The only regiment in it that had seen a big engagement was the Three hundred and sixty-eighth Infantry, which took part in the action in the Argonne forest. The division's chance came in the drive on Metz. They were notified at 4 o'clock Sunday morning, November 10. The motto, "See it through," of the "Buffaloes," the Three hundred and sixty-seventh Infantry, trained at Camp Upton, echoed through the whole division.

They began their advance at 7 o'clock from Pont-a-Mousson. Before them was a valley commanded by the heavy guns of Metz and by nests of German machine guns. The negroes seemed to realize that here for the first time was the great opportunity to show their mettle—that for the first time they were going to battle as a division. A sense of race solidarity possessed them, uniting their purpose as no amount of drilling could, and they were literally a terrible foe as they plunged forward to Preny. So rapidly did they advance that the list of casualties, considering the rain of shells, was small. Their objective for the day was Bois Frehaut. Picked Moroccan and Senegalese troops of the French, striking for the same point—in an odd competition of colored races on this day—were the first to arrive. The Germans, seeing what was up, were pounding Bois Frehaut with a heavy fire. It became too hot for the Moroccans and the Senegalese. They were forced to retreat.

Were our colored fighters really going to "see it through"? The fight was now getting hotter and hotter, for the Germans were bringing their full resistance to bear. The Fifty-sixth Regiment was forced to withdraw, but not until after they had stood up and borne a heavy loss. The First Battalion of the "Buffaloes," commanded by Maj. Charles L. Appleton, of New York, with colored company commanders and lieutenants, was called upon to hold the Germans at bay while the hard-hit Fifty-sixth retreated. Here, in confronting the enemy with an iron resistance, the "Buffaloes" won their Croix de Guerre.

A little later Bois Frehaut was taken by the Ninety-second. The Germans directed against the place a more murderous fire, but there was no driving out the colored men. The Stars and Stripes said of this fight:

"Probably the hardest fighting done by any Americans in the final hour was that which engaged the troops of the Twenty-eighth, Ninety-second, Eighty-first, and Seventh Divisions of the Second American Army, who launched a fire-eating attack above Vigneulles just at dawn on the 11th. It was no mild thing that last flare of the battle, and the order to cease firing did not reach the men in the front line until the last moment, when the runners sped with it from fox hole to fox hole."

Numerous officers and privates of the Ninety-second were commended for meritorious conduct by general orders. During the final engagement of the war the negro division held the line of Vandieres-St. Michel-Xon-Norry. The Ninety-second suffered a total of 1,478 casualties.

The Clerk read as follows:

ENGINEER SCHOOL.

Equipment and maintenance of the Engineer School, including purchase and repair of instruments, machinery, implements, models, and materials for the use of the school and for instruction of engineer troops in their special duties as sappers and miners; for land mining,

pontooniering, and signaling; for purchase and binding of professional works and periodicals of recent date treating on military and civil engineering and kindred scientific subjects for the library of the United States Engineers' School; for incidental expenses of the school, including chemicals, stationery, hardware, machinery, and boats; for pay of civilian clerks, draftsmen, electricians, mechanics, and laborers; compensation of civilian lecturers and payment of tuition fees of student officers at civil technical institutions; for unforeseen expenses; for travel expenses of officers on journeys approved by the Secretary of War and made for the purpose of instruction: *Provided*, That the traveling expenses herein provided for shall be in lieu of mileage and other allowances; and to provide means for the theoretical and practical instruction at the Engineer School by the purchase of textbooks, books of reference, scientific and professional papers, and for other absolutely necessary expenses, $50,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Is there any significance in the committee leaving out the designation of the place where this engineer school is to be located? Heretofore it has always carried the designation "at Washington Barracks, D. C."

Mr. DENT. There is significance in it. The Engineer Department recommended that it be named Camp A. A. Humphreys. The committee declined to adopt the recommendation of the Engineer Department.

Mr. STAFFORD. There is this further significance, that the appropriation carried in this bill, which is $20,000 more than last year——

Mr. MANN. Mr. Chairman, does the gentleman from Wisconsin reserve the point of order?

Mr. STAFFORD. I did not. May be used at some other place than the present school at Washington Barracks?

Mr. DENT. Yes.

Mr. KAHN. The reason for the increase is this: Heretofore the engineer school has had from 15 to 40 students, while at the present time there are 72 students, graduates of one of the recent classes of the Military Academy at West Point. That number of students will probably be further increased during the fiscal year to about 125.

Mr. DENT. One hundred and twenty-five.

Mr. KAHN. And to take care of the greatly increased number of students it was deemed necessary to increase the amount.

Mr. STAFFORD. My last suggestion was that the appropriation could be utilized at some other school than that at Washington Barracks.

Mr. KAHN. I want to say frankly to the gentleman, and there is no need to conceal the matter, that the Engineer Department has acquired a considerable tract of land on the Potomac River at a place called Belvoir immediately south of Mount Vernon.

During the war they built quite a good many temporary structures there for training engineer officers and engineer enlisted men in the building of bridges, in the laying of pontoons, in the making of gases, in the building of trenches—in fact, all those things necessary for the proper training of troops under conditions that prevailed in this war. The engineers contend that the tract of land at Washington Barracks is altogether too small to enable them to carry on these various and necessary activities. They contend that the buildings down there at the Washington Barracks are used altogether for the machinery which they require for the training of engineer troops in certain specific things. They complain that there is no chance on that small tract of land to develop engineer troops as they should be developed, and so they want to expend a greater part of this money at Camp A. A. Humphrey's, in Virginia.

Mr. STAFFORD. Does the gentleman from Illinois wish to offer an amendment?

Mr. McKENZIE. Yes.

Mr. STAFFORD. I withdraw the pro forma amendment.

Mr. McKENZIE. Mr. Chairman, I move to amend the bill by inserting after the word "school," in line 11, the words "at Washington Barracks, District of Columbia," and I want to be heard just for a moment on it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 47, line 11, after the word "school," insert "at Washington Barracks, District of Columbia."

Mr. McKENZIE. Now, Mr. Chairman, I do not care to take up the time of the committee, but I want just to make a few statements, and I would like to have the attention of the gentlemen who are present. This matter was discussed in the committee. The language which I undertake to insert in the bill at this time has been carried in the bill in former years, and we are all aware where the engineer school is located. It is at the barracks here in the city of Washington. At the head of that Engineer Department we have a splendid officer in Gen. Black. He came before our committee and contended that it would be wisdom for us now to enter upon a scheme of building up a great engineering school at Camp Humphreys. After discussing the matter somewhat it was decided not to do that, but I did not know that this language had been omitted from the bill until I came to examine it.

I opposed the entering upon this enterprise at this time for the reason that we have not determined, nor will we determine at this time, what the policy is to be, so far as our Military Establishment is concerned, and it will involve the expenditure of millions of dollars, and I think it would be the part of wisdom for this Congress, when so many men are talking economy and have been finding so much fault with the Committee on Military Affairs for the great appropriations we have brought in, at least to refuse to give the War Department even the opportunity of doing this thing without expressly authorizing them to do so by law, and I hope that the amendment will be adopted. If in the future we should decide that we want a larger engineer school, and that we want to build it up at Camp Humphreys, regardless of the fact that we have heard a great deal about the mud and conditions at Camp Humphreys—if people want it there, after giving the matter mature deliberation and consideration, all well and good; but I think it will be a mistake to do it at this time.

Mr. DENT. May I ask my colleague a question?

Mr. McKENZIE. Yes.

Mr. DENT. I am not in entire disagreement with the suggestion of the gentleman, but it is a fact that Gen. Black urged this most insistently upon the committee?

Mr. McKENZIE. He did not urge it any more insistently than a great many officers urged other things, but the committee declined to do it.

Mr. DENT. That is the fact, is it not?

Mr. McKENZIE. Why, certainly Gen. Black did; but there was no action striking out the language——

Mr. GREENE of Vermont. Yes.

Mr. McKENZIE. I beg the gentleman's pardon; I did not happen to be present when it was done.

Mr. GREENE of Vermont. Yes; we had a vote on it.

Mr. McKENZIE. But even if the committee did it, if they decided to do this, if you want to go right on and build up an expensive Military Establishment, this is a good way to start.

Mr. GREENE of Vermont. May I ask the gentleman a question or two?

Mr. McKENZIE. Yes.

Mr. GREENE of Vermont. It does not make much difference how many men we have in the Army, the instruction of those we do have there should be just as good if the numbers are small as it would be if the numbers were large. In other words, an engineer wants to be as competent in an Army of 100,000 men as in an Army of 500,000 men?

Mr. McKENZIE. Yes, sir.

Mr. GREENE of Vermont. And one of the particular essentials in training for modern engineering is to get experience in a variety of terrain.

Mr. McKENZIE. But it is a very short distance from Washington Barracks down to Camp Humphreys.

Mr. MANN. There is as much terrain around Washington as around Camp Humphreys.

Mr. KAHN. Owned by the Government?

Mr. MANN. No.

Mr. McKENZIE. The fact of the matter is, this is to build up another great institution as part of our Military Establishment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. Mr. Chairman, I always like to agree with my friend from Illinois if I can do so, but I think he is in error about this. This war has shown that the Engineer Corps is one of the most important of all the branches of the Army. The first troops we sent to France were Engineer troops. They had to build bridges. They had to build docks. They had to build depots at the railroad stations. They had to lay railroad tracks. They had to lay railroad sidings. They had to run the railroads themselves, and all of that training must be given to particular engineer soldiers in order that we may carry on that work, so important to the Army in case we should ever be drawn into war again.

Mr. McKENZIE. Will my colleague yield?

Mr. KAHN. Yes.

Mr. McKENZIE. Is it not a fact that all of those engineer regiments that went over there in the beginning of the war were volunteer regiments taken from the railroads and other great business institutions of the country?

Mr. KAHN. That is true, but we had some engineer troops that had been trained in the Army with them. We had Engineer officers who had had the additional year's training at the Engineers' School after they had graduated from West Point.

Mr. GREENE of Vermont. Will the gentleman permit me to make a suggestion there?

Mr. KAHN. Yes.

Mr. GREENE of Vermont. There should be no confusion between engineer troops proper in a military sense and these transportation engineers that were employed in an entirely different field of endeavor, so far as first military purposes were concerned.

Mr. KAHN. Of course, engineer troops are required to build pontoon bridges. The ordinary engineers know nothing about that.

Mr. GREENE of Vermont. The science of military engineering is a distinct thing from industrial engineering and the other corps that were associated in the early part of the war with the Engineer Corps of the Army.

Mr. KAHN. Exactly.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to strike out a couple of words in his amendment, as the Chair thought. The Chair is not certain about it. Does the gentleman wish them stricken out?

Mr. McKENZIE. Yes.

The CHAIRMAN. Without objection, the words will be stricken out. The question is on the amendment offered by the gentleman from Illinois [Mr. McKENZIE]. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. McKENZIE: Page 47, line 11, after the word "school," insert "at Washington Barracks, D. C."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For the execution of topographic or other surveys, the securing of such extra topographic data as may be required, and the preparation and printing of maps required for military purposes, to be immediately available and remain available until December 31, 1920: *Provided*, That the Secretary of War is authorized to secure the assistance wherever practicable of the United States Geological Survey, the Coast and Geodetic Survey, or other mapping agencies of the Government in this work and to allot funds therefor to them from this appropriation, $200,000.

Mr. STAFFORD. Mr. Chairman, I overlooked an item, and I ask unanimous consent to return to the paragraph entitled "Engineer Operations in the Field."

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to return to the paragraph indicated on page 48 to take up a matter that was overlooked. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I wish information. I notice in this paragraph there is a provision for "the construction of storehouses within and outside of the District of Columbia" and the purchase of "motor-propelled passenger-carrying vehicles." I believe those words should be eliminated.

Mr. DENT. I am perfectly willing that that should be done.

Mr. STAFFORD. I make the point of order on that paragraph, page 49, line 2, on the words "construction or," and, on line 3, upon the word "purchase."

The CHAIRMAN. The points of order are sustained against the words indicated. The Clerk will read.

The Clerk read as follows:

CONSTRUCTION AND MAINTENANCE OF MILITARY AND POST ROADS, BRIDGES, AND TRAILS, ALASKA.

For the construction, repair, and maintenance of military and post roads, bridges, and trails, Territory of Alaska, to be immediately available, $100,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. What is the necessity of making this amount immediately available, if I may inquire of a member of the committee?

Mr. GREENE of Vermont. I think it has been explained to the committee several times, that the working months in Alaska for this outdoor labor range between May and August. They divide themselves practically half and half on either side of the division of the fiscal year.

Mr. STAFFORD. Some years back, as many years as five years ago, I reserved a point of order on this paragraph when the amount carried was $300,000, and at that time I had an understanding with the then chairman of the committee, Judge James Hay, that the amount would only be carried for perhaps one year or more longer. The information that I then obtained from persons who were acquainted with affairs in Alaska was to the effect that this was merely to give a berth to some old superannuated Army officer who did not do much with the money except maybe hibernate up there for part of the year.

I make these statements in all seriousness, and now we still find this item cropping up here, not in the same large amount but this old superannuated Army officer is still desiring to continue experiments in road construction at an expense of $100,000. Can the gentleman tell us anything about the life, whereabouts, and welfare of this old Army officer who used to supervise the expenditure of this appropriation?

Mr. GREENE of Vermont. I think the old Army officer must have been such a character in the gentleman's imagination that he himself knows more about him than anybody else.

Mr. STAFFORD. He is not a character of the imagination. I got the information concerning him from people acquainted with the work up in Alaska.

Mr. GREENE of Vermont. The information that the gentleman got a few years ago, to the effect that this item would disappear from the appropriation bill, must have been one of those shortsighted promises that I remember frequently meeting with respect to appropriations, which can be attributed in this case largely to the dazzling sunshine reflected from the Alaskan snow, which has a peculiar effect on the human vision, as I understand. [Laughter.]

Mr. STAFFORD. The gentleman shows by that reference an absolute ignorance of conditions in Alaska and the purpose for which this money is purported to be used. This is for the fertile valleys of Alaska, where they raise wheat and potatoes, and not in the far northern regions where glaciers and ice fields are the rule.

Mr. GREENE of Vermont. I am glad the gentleman has limited his estimate of my ignorance to ignorance of Alaska. [Laughter.]

Mr. STAFFORD. The expenditure of this money does not reach to the frozen north in the Arctic Circle.

Mr. GREENE of Vermont. It reaches as far as it will go. [Laughter.]

Mr. STAFFORD. This expenditure by the old Army officer does not approach the Arctic regions at all.

Mr. GREENE of Vermont. This old Army officer has, perhaps, approached a more congenial clime, because he is not there now, if he ever existed. [Laughter.] In fact, this $100,000 is a diminishing sum in the appropriation bill, and it is now diminished because of the scarcity of labor up there this year. There is a certainty that unless the roads already built up there are maintained in repair to some reasonable extent, the traffic in that region will practically be put to a standstill.

Mr. STAFFORD. The hearings which I read when I did give the matter special consideration disclosed the fact that the money was being wasted on the building of bridges not connected with transportation at all.

Mr. GREENE of Vermont. This sum was intended to apply on highways leading to Army posts. That was one of the foundations of this sum. Then, another consideration, I believe, was the highways through the territory tributary to the railroad. There is, in addition to this appropriation, as I seem to remember, money raised by the people of Alaska themselves through their Territorial government. Then there is some other fund which supplies some money, too, if I am not mistaken.

Mr. STAFFORD. Though the information furnished by the gentleman is not very elucidating or informing, nevertheless I do not wish to do any injury to the appropriation or to Alaska. If I were certain that this same old Army officer was supervising this appropriation, I might make a point of order, but I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

ORDNANCE SERVICE.

For the current expenses of the Ordnance Department in connection with purchasing, receiving, storing, and issuing ordnance and ordnance stores, comprising police and office duties, rents, tolls, fuel, light, water, and advertising, stationery, typewriters, and adding machines, including their exchange, and office furniture, tools, and instruments of service; for incidental expenses of the Ordnance Service, and those attending practical trials and tests of ordnance, small arms, and other ordnance stores; for publications for libraries of the Ordnance Department, including the Ordnance Office; subscriptions to periodicals, which may be paid for in advance; and payment for mechanical labor in the office of the Chief of Ordnance; and for purchase, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles, $3,000,000.

Mr. STAFFORD. I reserve a point of order on the paragraph, Mr. Chairman. Here we also have authority for the purchase of motor-propelled vehicles, and I make the point of order on the word "purchase," in line 20, page 50.

Mr. DENT. I concede the point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

MANUFACTURE OF ARMS.

For manufacturing, repairing, procuring, and issuing arms at the national armories, $2,500,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Will some member of the committee inform the House as to how much of this appropriation is to be used in connection with the manufacture of arms?

Mr. DENT. The War Department did not furnish us any information as to how much was to be used for manufacture.

Mr. STAFFORD. When I read the paragraph the thought arose in my mind that the War Department would have plenty of small arms by reason of preparedness for the war, so that a further appropriation for the manufacture of small arms would not be necessary.

Mr. GREENE of Vermont. They did suggest that they would continue the manufacture of Springfield rifles to take the place of the converted Enfields that we had to put into the field to supply our troops during the war, the object being to have a standardized arm in the hands of our troops and the ordinarily necessary reserve supply of them; but there was no general manufacture of rifles contemplated.

Mr. McKENZIE. About 300 a day.

Mr. GREENE of Vermont. As suggested by the gentleman from Illinois [Mr. McKENZIE], about 300 a day.

Mr. STAFFORD. That money will be expended at the Watertown or Springfield Arsenal?

Mr. GREENE of Vermont. At the Springfield Arsenal. That is where we make the rifles. Of pistols and small arms of that character the Army has long been deficient, and in the attempt to keep up a normal standard supply of them the manufacture will be continued, although it will not lead to anything excessive, even under this appropriation.

Mr. DENT. In other words, we have a sufficient supply now, but we do not want to stop the production entirely.

Mr. STAFFORD. Will the chairman of the committee also inform the House as to the need of providing for the manufacture of ammunition for the Army, although there are large stores of ammunition? That manufacture is provided for in the preceding paragraph.

Mr. DENT. That is simply to authorize the department to continue the development of the manufacture of ammunition.

Mr. STAFFORD. Not for the purpose of providing large stores, because I assume there are ample stores at the present time. I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For the purchase, manufacture, test, repair, and maintenance of automatic machine rifles or other automatic or semiautomatic guns, including their mounts, sights, and equipments, and the machinery necessary for their manufacture, $1,500,000.

Mr. STAFFORD. I reserve a point of order on that paragraph, which provides for the manufacture of automatic machine rifles. Is it proposed to manufacture a different rifle from that which was adopted during the war?

Mr. DENT. That item, like the other, is carried there just for the authorization of the general purpose. There is no particular rifle——

Mr. McKENZIE. If the chairman of the committee will pardon me, I think the testimony before the committee was that they were experimenting and undertaking to develop a little heavier machine gun than we now have; that is, something similar to the heavier Browning gun.

Mr. STAFFORD. This fund is to be utilized for that purpose?

Mr. McKENZIE. Yes.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

ARMORED MOTOR CARS.

For the purchase, manufacture, test, repair, and maintenance of armored motor cars, to remain available until the end of the fiscal year 1920, $500,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. McKENZIE. Mr. Chairman, I think I can explain so that the gentleman from Wisconsin will withdraw his point of order. Some years ago we provided for the first armored motor car, even over the objection or the want of recommendation of the War Department. They proved to be something of a failure in the war. This item is intended to be expended in the development of tanks, which would come under the head of armored motor cars. It is not for the building of armored motor cars, but for the tank development.

Mr. STAFFORD. Where is the work to be undertaken?

Mr. McKENZIE. I can not say which particular Government arsenal the work is to be done at.

Mr. STAFFORD. Mr. Chairman, with the illuminating information which the gentleman from Illinois always furnishes, I withdraw my reservation of the point of order.

The Clerk read as follows:

ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD.

Purchase of horses for mounted units, $1,882,901.58.

Mr. DALLINGER. Mr. Chairman, I would like to ask the gentleman, the chairman of the committee, if the Government is seeking to sell horses, what is the necessity for this provision?

Mr. McKENZIE. I will say to the gentleman from Massachusetts that they do not purpose to buy any more horses. They have more horses than they need. We make an appropriation in this bill of $100,000 to be expended for the purchase of young colts at remount stations under an agreement entered into that has been carried for a number of years. They have a certain number of stallions there and they are breeding first-class horses.

Mr. STAFFORD. Here is an appropriation of $1,882,000 for the purchase of horses in connection with the National Guard.

Mr. GREENE of Vermont. Is not that a credit on which the National Guard can draw from the quartermaster's stock of horses? We would not be selling horses at one end of the Army and buying them at the other.

Mr. STAFFORD. I will reserve a point of order against it, so that I may get the information as to the policy of the committee in appropriating this large sum. Here are appropriations running above a million dollars for Army equipment and training of the National Guard. I think we ought to have some specific information about these large appropriations; for instance, as suggested by the gentleman from Massachusetts, the need of purchasing horses for mounted units of the National Guard.

Mr. DENT. Mr. Chairman, this provision is carried in the bill in regard to the building up of the National Guard, at least during the next year, to 106,000 men. Every National Guard unit that was in existence the day that war was declared was called into the service.

Mr. STAFFORD. I recall that when the National Guard was transferred into the National Army in my own State, where the State troops had equipment they sold their horses and equipment at public auction. Is it the purpose to appropriate money to the States, in cooperation with them, so that they can again purchase horses, or is it the purpose that the War Department will transfer horses in large numbers back to the National Guard?

Mr. DENT. The proviso at the end indicates that it is the purpose of the War Department to transfer horses and not use any money where it is not necessary.

Mr. STAFFORD. I call the gentleman's attention to the fact that the proviso is limited to such articles as clothing and equipment and material, and I question whether that is broad enough in its phraseology to cover horses.

Mr. DENT. Does not the gentleman think that if a Cavalry regiment is organized in the National Guard that that would be a part of the equipment?

Mr. STAFFORD. I question whether that phraseology in connection with the clause preceding would be given that construction.

Mr. DENT. What is the gentleman's objection to this item? The gentleman is not opposed to the National Guard?

Mr. STAFFORD. I am strongly in favor of reviving the National Guard. It is a suggestion of the gentleman from Massachusetts [Mr. DALLINGER] that we have large numbers of horses and that we ought not to go into the market now and purchase horses when they can be transferred from the National Government to the different States.

Mr. GREENE of Vermont. Mr. Chairman, I think the gentleman will find that it was intended to mean that all these items, which begin on line 10, page 53, and run down to the proviso, were to be furnished in kind as nearly as possible to the last penny, and that the appropriation set forth here is to establish a credit for the National Guard in order that it might draw in kind up to that amount.

Mr. DENT. I think in line with what the gentleman from Vermont suggests that we were given figures showing that the appropriation would be something like $50,000,000 for a National Guard strength of something like 106,000 men, but with this proviso put in there authorizing the transfer of surplus equipment it was reduced to $14,000,000. I think we have it in shape so that the Government expenses under this appropriation

will be something like $14,000,000, and the surplus stock will be transferred to the guard so as to equip a National Guard force of 106,000 men.

Mr. STAFFORD. There is no disposition anywhere to prevent the reorganization and rehabilitation of the National Guard. We all recognize it as an essential unit in our Army organization.

Mr. DENT. I will read the gentleman what Gen. Heavey said:

The total amount of the appropriation, if the rider is not passed, for 106,200 men would be $50,554,428.82; but if the rider goes through, it will require only $14,630,847.

Mr. STAFFORD. Then from that I take it that this amount is not to be used as a credit, but is to be used as a direct appropriation to the various States.

Mr. DENT. That is true.

Mr. STAFFORD. I withdraw the reservation of the point of order.

Mr. McCLINTIC. Mr. Chairman, I desire to ask the chairman of the committee a question. Is it not a fact that a great many States which maintain the National Guard have no mounted troops?

Mr. DENT. That is true.

Mr. McCLINTIC. Then does the gentleman think it is absolutely necessary to appropriate four and a half million dollars for the purchase of horses for the National Guard when they are not to use cavalry?

Mr. DENT. The gentleman has not these figures right. The amount is $1,882,000.

Mr. McCLINTIC. But with the forage, bedding, and compensation of help in connection with the purchase of horses it amounts to four and a half million dollars.

Mr. DENT. But the gentleman must not overlook the fact that you need horses in the Artillery as well as in the Cavalry.

Mr. McCLINTIC. If we have 100,000 head of horses more than are needed at the present time, and they are being sold at a reduction of 50 per cent of what they cost, would not an amendment authorizing the Secretary of War to turn over to the National Guard such horses as they need them be all that is necessary?

Mr. DENT. I think this does that. That was the intention.

Mr. STAFFORD. Mr. Chairman, if the gentleman will permit, this subject has been somewhat considered by the Committee on Appropriations in respect to the policy of disposing of this large number of horses in the possession of the Government. The War Department believes that if we are going to keep the horses and feed them, at the high price of feed, in a short time they will eat their heads off, to use a colloquial expression; we recognized that it is economy to permit the War Department to dispose of these horses. We are providing for the reorganization of the National Guard. It may be months or more than a year before the States can organize so that they would need horses, and to keep those horses at a tremendous expense, the gentleman would see, would not be a very good business policy.

The Clerk read as follows:

Office rent, inspector-instructors, $9,272.48.

Mr. DENT Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 54, following the words "office rent, inspector-instructors, $9,272.48," insert "pay of the National Guard, armory drill, $4,467,171.86."

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the amendment.

Mr. DENT. Mr. Chairman, I will state to the gentleman that that item was omitted from the bill by the printer in some way and that simply makes up the $14,000,000 we appropriate for the support of the National Guard. It was omitted by the printer.

Mr. STAFFORD. It is the only instance, I believe, where the printer omitted any amount in this bill?

Mr. DENT. Yes.

Mr. STAFFORD. I think that is one reason why we should not take up much time if it is the only instance because it just adds a little to the grand total.

Mr. DENT. The amount we agreed upon was $14,000,000 for the National Guard and that makes the amount conform.

Mr. STAFFORD. How is this money to be used?

Mr. DENT. It is for the purpose of providing under the national-defense act for the monthly drills.

Mr. STAFFORD. I withdraw the reservation.

The question was taken, and the amendment was agreed to.

Mr. HUMPHREYS. Mr. Chairman, I was just wondering if the same mathematician figured out the expense incident to the items in lines 3 and 4 and that in line 14.

Mr. STAFFORD. Will the gentleman permit——

Mr. HUMPHREYS. I notice travel of Federal officers is $9,272.48. That is for travel.

Mr. GREENE of Vermont. That 48 cents is war tax. [Laughter.]

Mr. HUMPHREYS. I suppose that is true, but the item in line 14, office rent, also is $9,272.48.

Mr. STAFFORD. They have a very expert computer carried in this bill who reduces these estimates to a nicety.

Mr. HUMPHREYS. I congratulate the department.

The Clerk read as follows:

The Secretary of War is hereby authorized to issue from surplus stores now on hand and purchased for the United States Army, such articles of clothing and equipment matériel as may be needed by the National Guard organized under the provisions of the act of June 3, 1916, which law is still in force and applicable to State forces. This issue will be made without charge against militia appropriations and will be reimbursed in kind for all Federal property brought into service by State troops. Issue will be made as soon as the provisions of act of June 3, 1916, shall have been fulfilled: *Provided*, That the provisions of section 62, act of June 3, 1916, will be considered fulfilled if the first strength mentioned therein be attained by June 30, 1919, and the other increments provided therein be attained by successive years thereafter: *Provided further*, That this will not prevent any State from compliance with the provisions of section 62 as now worded: *Provided further*, That the appropriations and provisions of this act referring to the National Guard become applicable and available upon the date this becomes a law.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Wisconsin reserves the point of order.

Mr. STAFFORD. I wish to make some inquiry in reference to these various provisos. Can the gentleman inform the committee what are the provisions of section 62 of the National Guard act?

Mr. DENT. I can show it to the gentleman in half a minute. I can not remember that by number.

Mr. STAFFORD. I have been furnished information by one of the members of the committee, and I withdraw the reservation of the point of order.

Mr. DALLINGER. Mr. Chairman, I move to amend, line 17, page 54, by inserting, after the word "such," the word "animals."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Line 17, page 54, after the word "such," amend by inserting the word "animals."

Mr. DALLINGER. Mr. Chairman, this is to make it perfectly plain that the Secretary can use these horses if there are any on hand, as well as clothing and equipment.

Mr. DENT. I have no objection.

The question was taken, and the amendment was agreed to.

Mr. HUMPHREYS. Mr. Chairman, if the chairman will pardon me, I just want to extend my congratulations still further. I notice that the expenses mentioned on page 53, line 17, were $39,739.20, and that the expenses mentioned in line 6, page 54, were $39,739.20. I wondered, when they made this calculation, if they did it with a rubber stamp?

Mr. STAFFORD. If the gentleman will permit, he will notice that the item at the top of page 54 is $19,869.60, which is one-half of the two items he has just pointed out. [Laughter.]

If we go through, we can find many items of similarity. This keen computer was a marvel, and ought to be inquired into.

The Clerk read as follows:

For procuring arms, including pistols, ammunition, equipment, etc., for issue and use in connection with Home Guard organizations in pursuance of the provisions of the act entitled "An act to authorize the issue to States and Territories and the District of Columbia of rifles and other property for the equipment of organizations of Home Guards," approved June 14, 1917, authorizing issues to Home Guard organizations, $25,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. It is my impression, though it may be faulty, that the Home Guard organizations were merely to take the place of the National Guard organizations while the National Guard units were merged into the National Army. What is the need of making permanent appropriation for the supplying of arms and ammunition and equipment to Home Guard organizations?

Mr. DENT. It is merely a nominal appropriation.

Mr. STAFFORD. Of course, it is not reduced to the nicety of cents. It is a lump-sum appropriation of $25,000. That is nominal in the consideration of a bill carrying over a billion.

Mr. DENT. I will say frankly that personally I never considered there was any necessity for this organization. They thought it ought to be continued and some sort of sum carried in the event that prior to the time of the reorganization of the National Guard there might be some necessity for it.

Mr. STAFFORD. I withdraw the pro forma amendment.

Mr. HUMPHREYS. If the gentleman will pardon me for one moment, I want to call his attention to an item in line 9, of

$1,324.64, on page 54, and an item in line 12 of $132,464. The difference is made just by shifting commas there and substituting periods. I just wanted to call the gentleman's attention to the method of very accurate calculation out there.

Mr. DENT. Oh, well, the gentleman can be as funny as he pleases——

Mr. HUMPHREYS. I can not be as funny as this calculation.

Mr. DENT. I have the floor. The gentleman can be as funny as he pleases about this proposition. But everybody knows that the National Guard was brought into the Federal service at the beginning of this war, and the whole proposition of reorganizing it and giving it a chance to reorganize was a new proposition. And only to-day a Member of this House, the gentleman from South Dakota [Mr. JOHNSON], paid a high tribute to the Rainbow Division, and especially the old Fourth Alabama Regiment, for the work they did in France. I appreciated it, and I take this opportunity to tell him how much I appreciate it, on the floor of this House.

Now, this is entirely conjectural, and there is nothing funny about it. If you do not want to organize the National Guard, do not make any appropriation for it at all. But if any Member of this House is not willing to admit that the National Guard in France and in the trenches did its duty and showed its services to this country, then I would like to see him stand upon the floor and say it.

Mr. HUMPHREYS. Mr. Chairman, I think that explains the method of calculation adopted by the department thoroughly. I will withdraw the pro forma amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For arms and ordnance equipment, including overhauling and repairing of personal equipments, machine-gun outfits, and horse equipments for use in connection with the Reserve Officers' Training Corps, established by the act approved June 3, 1916, is hereby extended and made available for the fiscal year 1920, $100.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. Are we to understand by this phraseology that only $100 is to be available, or is the appropriation carried last year, $2,920,000, to be available?

Mr. DENT. I can explain that to the gentleman. The object of this appropriation was simply to carry the item in the bill. But we were told that there was a sufficient surplus of supplies on hand to furnish these ordnance supplies without making any additional appropriation; and the $100 item was merely intended to carry that item in the bill.

Mr. STAFFORD. The phraseology adopted by the committee is rather strange. It says:

For arms and ordnance equipment, including overhauling and repairing of personal equipments, machine-gun outfits, and horse equipments for use in connection with the Reserve Officers' Training Corps, established by the act approved June 3, 1916, is hereby extended and made available for the fiscal year 1920, $100.

Mr. DENT. The gentleman was reading one section and I was reading another. I have no objection to that being stricken out now. I move to strike out the language, "is hereby extended and made available for the fiscal year 1920."

The CHAIRMAN. The gentleman from Alabama offers an amendment which the Clerk will report.

The Clerk read as follows:

Mr. DENT moves to amend, on page 56, line 18, by striking out the words "is hereby extended and made available for the fiscal year 1920."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

ORDNANCE SUPPLIES FOR MILITARY EQUIPMENT OF SCHOOLS AND COLLEGES.

For arms and ordnance equipment, including overhauling and repairing of personal equipments, machine-gun outfits, and horse equipments for issue to schools and colleges in pursuance of the provisions of section 56 of the act approved June 3, 1916, $100.

The appropriations contained herein shall be available for the payment of obligations on account of the existing emergency incurred prior to the passage of this act or prior to June 30, 1918, and which are properly chargeable to such appropriations: *Provided*, That the appropriations herein made for the support of the Army and the National Guard are available for such printing, binding, and blank books as may be necessary in putting in effect the objects of the appropriations: *And provided further*, That hereafter printing, binding, and blank books required for use outside of the District of Columbia in connection with the support of the Army and the National Guard may be done or procured elsewhere than at the Government Printing Office when in the opinion of the Secretary of War such work can be more advantageously done or procured locally, the cost thereof to be paid from the proper appropriations.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

Mr. DENT. Mr. Chairman, I think I might settle this whole thing by making a motion to strike out all of the language on page 57, beginning with line 3 and ending with line 19. After a conference with the gentleman from Kentucky [Mr. SHERLEY], the chairman of the Committee on Appropriations, I am convinced that perhaps this language might embarrass the bill that was passed.

Mr. STAFFORD. If the gentleman will permit, the gentleman from Kentucky was only concerned with the phraseology prior to the proviso.

Mr. GORDON. It is only a nominal appropriation anyway.

Mr. DENT. The other is immaterial.

Mr. STAFFORD. The quickest way, then, is to give it the fatal shot of a point of order. So I make the point of order.

Mr. DENT. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

LEGISLATIVE.

That, in addition to the Regular Army as now organized under the provisions of "An Act for making further and more efficient provisions for the national defense, and for other purposes," approved June 3, 1916, as amended, there shall be raised and organized under the provisions of "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, as amended, a force sufficient to maintain an aggregate commissioned and enlisted strength of 28,579 officers and 509,909 enlisted men.

Mr. HUMPHREYS. Mr. Chairman, I make a point of order against that.

The CHAIRMAN. Let the Clerk finish reading the paragraph.

Mr. HUMPHREYS. He has proceeded far enough now to show that it is clearly subject to a point of order.

The CHAIRMAN. The gentleman can restate his point of order when the Clerk has finished reading the paragraph. The Clerk will proceed with the reading of the paragraph.

The Clerk read as follows:

Vacancies created in the commissioned ranks shall be filled in the ratio in which the additional enlisted men herein authorized are procured and in accordance with the existing law. The enlisted force for the Regular Army shall be raised by voluntary enlistments for periods of three years and for the additional forces herein authorized by voluntary enlistments for the period of one year. All existing enlistments for a longer period than three years shall be terminated as though made for three years, and after expiration of one year's honorable service any enlisted man serving within the continental limits of the United States, whose company, troop, battery, or detachment commander shall report him as proficient and sufficiently trained, may, in the discretion of the Secretary of War, be furloughed to the Regular Army Reserves, under such regulations as the Secretary of War may prescribe.

Mr. HUMPHREYS. Mr. Chairman, I make the point of order against the paragraph. It is clearly new legislation.

The CHAIRMAN. The gentleman from Mississippi makes the point of order against the paragraph. Does the gentleman from Alabama wish to be heard on the point of order?

Mr. DENT. Mr. Chairman, I have had an understanding with gentlemen that nothing would be done here except to read the legislative feature of this bill and then that certain gentlemen who had amendments to offer could offer them, so that it would be understood that there would be no vote taken on the proposition to-night.

Mr. HUMPHREYS. I do not care to interfere with any arrangements the gentleman has made, but no amendments are in order until the point of order is disposed of. I am willing to reserve the point of order, but no sort of amendement is in order until the point of order has been disposed of.

Mr. MANN. I ask unanimous consent that gentlemen may offer and have printed in the RECORD—not as pending, but for information—any amendments they choose to offer in relation to this matter if it goes out on a point of order.

Mr. HULL of Iowa. I will ask the chairman of the committee if an amendment would be in order on Monday?

Mr. DENT. Yes.

Mr. RAYBURN. Mr. Chairman, I want to ask the gentleman from Alabama this question: Has the committee agreed on any amendment touching this, if this goes out on a point of order, or anything in the way of a substitute for it?

Mr. DENT. The committee has not taken any action itself.

Mr. RAYBURN. Does not the gentleman think that between now and Monday the committee ought to do something?

Mr. DENT. Some members of the committee, including the gentleman from Nebraska [Mr. SHALLENBERGER] and the gentleman from Illinois [Mr. MCKENZIE] and I, have, among ourselves, agreed upon an amendment that we think ought to be introduced.

Mr. RAYBURN. That will be in the RECORD on Monday?

Mr. DENT. Yes. That is the reason why I am trying to get this arrangement.

Mr. RAYBURN. I understand the gentleman from Illinois [Mr. MANN] asks unanimous consent that any amendment desired can be offered now for information.

Mr. MANN. Gentlemen can present amendments now, to be printed in the RECORD, to be offered later, as a matter of convenience.

Mr. McLAUGHLIN of Michigan. Will that preclude amendments being offered on Monday?

Mr. MANN. Not at all.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent that gentlemen having amendments to this part of the bill may present the same and have them printed in the RECORD for the purpose of information. Is there objection?

Mr. FOSTER. Mr. Chairman, does that mean that we are not to read the balance of the bill to-night?

Mr. MANN. I suppose so.

Mr. FOSTER. I thought you were going to get rid of this.

Mr. MANN. I do not care whether a point of order is made or not.

Mr. WINGO. I do not care whether there is a unanimous-consent agreement or not, except that points of order reserved shall not be prejudiced thereby.

The CHAIRMAN. A point of order is pending. A point of order was made to the pending paragraph by the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. WINGO. I want to have it understood that the offering of these amendments shall not prejudice the point of order.

The CHAIRMAN. The request of the gentleman from Illinois had to do only with printing amendments for information.

Mr. WINGO. I want it made clear that the point of order is reserved, regardless of any amendment.

Mr. RAYBURN. Mr. Chairman, reserving the right to object, does that mean that we are going to rise now?

Mr. DENT. It does after I have called attention to one or two corrections that I would like to have made.

Mr. RAYBURN. Further reserving the right to object, Mr. Chairman, if this committee meets at 11 o'clock Monday, I shall not be able to be here, but I want to say that if I were here I would make a point of order, and I hope some member of the committee will make a point of order against an item in the bill, on page 60, beginning with the proviso, because it is clearly subject to a point of order and has been objected to here several times.

Mr. FOSTER. Which is that?

Mr. RAYBURN. It is the policy of pensioning people who are citizens of other countries. I think we ought not to start in on that.

Mr. FOSTER. This man came here to help our people, and the poor fellow lost his eyesight.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. MANN]?

There was no objection.

Mr. McKENZIE. Mr. Chairman, I desire to offer an amendment, and to have it printed under the rule as a substitute for the language presented in the bill.

Mr. CURRY of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentlemen will send the amendments to the desk and they will be printed. The gentleman from Illinois [Mr. McKENZIE] and the gentleman from California [Mr. CURRY] send amendments to the desk. They will be printed.

Following are the amendments referred to:

Amendment offered by Mr. McKENZIE:

"That the enlisted force for the Regular Army, as provided for in the act of June 3, 1916, known as the national defense act, shall be raised by voluntary enlistments for periods of three years; and all existing enlistments for a longer period than three years shall be terminated as though made for three years, and after the expiration of one year's honorable service any enlisted man serving within the continental limits of the United States, whose company, troop, battery, or detachment commander shall report him as proficient and sufficiently trained, may, in the discretion of the Secretary of War, be furloughed to the Regular Army Reserves, under such regulations as the Secretary may prescribe: *Provided*, That so far as the same relates to the Army of the United States and the War Department, an 'Act to authorize the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and a more efficient concentration of the Government,' approved May 30, 1918, is hereby repealed.

"Within the authorized strength provided by law, the President shall form or continue such field or tactical units, including a construction corps, as he shall deem necessary, to be organized as he may prescribe."

Amendment offered by Mr. CURRY of California: Page 62, after line 12, insert the following: "All officers, enlisted men, and Army field clerks who were in the military service of the United States on November 11, 1918, are hereby declared to have been and to be entitled, when their resignations have been accepted or when they have been discharged, to honorable discharges from the United States Army; and that the Secretary of War and those authorized by him to issue discharges be, and they are hereby, authorized and directed to issue such honorable discharges to those officers, enlisted men, and Army field clerks who were in the military service of the United States on November 11, 1918; said honorable discharges shall be issued without requiring those who have been or who may hereafter be discharged from the military service of the United States to make application therefor: *Provided*, That this act shall not apply to those who have been or may hereafter be discharged from the military service of the United States as a result of the finding of a disciplinary body."

Mr. DENT. Mr. Chairman, I ask unanimous consent to return to page 16, line 13, for the purpose of changing the amount for the pay of the enlisted men of the Army, in view of the point of order that was made by the gentleman from Wisconsin as to the increased pay. I should like to dispose of that.

Mr. MANN. What is the amendment?

Mr. STAFFORD. Let it be reported for information.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 16, line 13, after the word "line," strike out "$137,861,770.72" and insert in lieu thereof the following: "$79,384,164."

Mr. MANN. I think I will object to that.

Mr. STAFFORD. I make the point of order that there is no quorum present.

Mr. DENT. Will the gentleman withhold that a moment? I ask unanimous consent that the amendment which I have just offered be printed in the RECORD. It is for the purpose of trying to correct the amount of money in view of the point of order.

Mr. MANN. It has been read.

Mr. DENT. Mr. Chairman, we also passed over the subject of aviation.

Mr. MANN. That was passed over at the request of the gentleman from Pennsylvania [Mr. MOORE], until we finished the reading of the bill.

Mr. DENT. That is very true, but I think if the gentleman will wait until I make my request he will not object.

Mr. MANN. I do not know that I will object. I will just state that the gentleman from Pennsylvania [Mr. MOORE] asked me to see that it did not come up for consideration until the end of the bill was reached.

Mr. DENT. I have no intention of bringing it up. The gentleman is not giving me an opportunity to make my request.

Mr. STAFFORD. I withdraw temporarily my point that there is no quorum present.

Mr. DENT. I ask unanimous consent that in lieu of the language beginning with page 9, line 6, down to and including the end of line 10, page 15, which is the appropriation in regard to the Air Service, the following substitute be printed in the RECORD for consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The amendment is as follows:

Amendment offered by Mr. DENT: Strike out all the language beginning on line 6, page 9, down to and including the words "all appurtenances," on line 10, page 15, and insert in lieu thereof the following:

"AIR SERVICE.

"Creating, maintaining, and operating at established flying schools course of instruction for aviation students, including cost of equipment, and supplies necessary for instruction and subsistence of students; purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, and instruments and material for theoretical and practical instruction at aviation schools; purchase of supplies for securing, developing, printing, and reproducing photographs made by aerial observers; to maintain and replace the equipment of organizations already in service; equipment, maintenance, and operation of aviation stations, balloon schools, fields for testing and experimental work; procuring and introducing water, electric light and power, telephones, telegraphs, and sewerage; purchase of stoves and other cooking and heating apparatus, kitchen and table ware, and furniture and equipment for kitchens, mess halls, officers' quarters, barracks, hospitals, and other buildings, screens, lockers, refrigerators, and all other equipment; salaries and wages of civilian employees in the District of Columbia or elsewhere as may be necessary; experimental investigation, and purchase and development of new types of aircraft and aviation engines; purchase, manufacture, maintenance, repair, and operation of airships, war balloons, and other aerial machines, including instruments and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith. And also for the purchase or manufacture and issue of special clothing, wearing apparel, and similar equipment for aviation purposes, $15,000,000: *Provided*, That claims not exceeding $250 in amount for damages to persons and private property, resulting from the operation of aircraft at home and abroad, may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post, and approved by the Director of Military Aeronautics: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of $150,000."

Mr. DENT. Mr. Chairman, at the end of line 24, on page 15, I offer the following amendment, which the militia division think is necessary——

Mr. HUMPHREYS. The gentleman can not offer the amendment.

Mr. DENT. I ask unanimous consent to do it.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to return to page 15, line 24, for the purpose of offering an amendment. Is there objection?

Mr. RAYBURN. Let the amendment be printed in the RECORD.

Mr. WALSH. Reserving the right to object——

Mr. MANN. Let us have the amendment reported.

The CHAIRMAN. The right to object is reserved. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DENT: At the end of line 24, page 15, insert "Pay of officers, National Guard, $100."

Mr. MANN. I have no objection to that?

The CHAIRMAN. Is there objection?

Mr. WALSH. I think, Mr. Chairman, that these amendments ought to be considered after the completion of the reading of the bill. The gentleman ought not to come in here with amendments in this way, when other amendments are being offered for information. I will object for the present.

The CHAIRMAN. The gentleman from Massachusetts objects.

Mr. TILLMAN. Mr. Chairman, I send up an amendment which I desire to have printed in the RECORD.

The CHAIRMAN. The gentleman from Arkansas sends up an amendment which he desires to have printed in the RECORD. By unanimous consent that will be done.

The amendment is as follows:

Amendment offered by Mr. TILLMAN: On page 61 strike out lines 19 to 25 and insert the following:

"That no part of the funds appropriated in this act shall be available unless the Secretary of War shall continue in force the regulations made providing for the distinctive stripe or chevron indicating service overseas, and he shall invalidate all orders and regulations requiring officers and soldiers who were deprived of the privilege of overseas service from wearing the distinctive stripe or chevron now required."

On motion of Mr. DENT, the committee rose; and Mr. CRISP having taken the chair as Speaker pro tempore, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the Army appropriation bill (H. R. 15835) had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WILSON of Illinois, for five days, on account of illness.

HOUR OF MEETING ON MONDAY.

Mr. KITCHIN. I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock on Monday.

The SPEAKER pro tempore. The Chair will state to the gentleman that there is to be a session of the House to-morrow.

Mr. KITCHIN. I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock on Monday.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 a. m. on Monday. Is there objection?

Mr. STAFFORD. May I inquire whether the business usually in order on Monday will be considered?

Mr. KITCHIN. I am going to ask unanimous consent that at 4 o'clock on Monday we dispense with further business on the Unanimous Consent Calendar. That will give us five hours for the consideration of that calendar.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 a. m. on Monday. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that at 4 o'clock on next Monday afternoon the business under the Unanimous Consent Calendar shall be dispensed with.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that at 4 o'clock next Monday afternoon the business on the Unanimous Consent Calendar shall be suspended. Is there objection?

Mr. MANN. Reserving the right to object, I am perfectly willing, as far as I am concerned, to go on with this bill on Monday at 4 o'clock if between 11 a. m. and 4 o'clock we attend to the business on the Unanimous Consent Calendar instead of wasting an hour or two hours on a motion to suspend the rules.

Mr. KITCHIN. I presume that is the intention.

Mr. MANN. I think we ought to put that in the understanding.

Mr. GARRETT of Tennessee. There ought not to be any misunderstanding about that. There is a bill upon the calendar, the Bankhead-Smith bill, touching a change of appropriation that is under the control of the Vocational Education Board, that everybody is for, so far as I know.

Mr. KITCHIN. And there is no extra appropriation?

Mr. GARRETT of Tennessee. No; merely a change of appropriation.

Mr. CANNON. And it gives it to whom?

Mr. GARRETT of Tennessee. It is a change of appropriation.

Mr. CANNON. To be administered by somebody else?

Mr. KITCHIN. It is in connection with the training of wounded soldiers.

Mr. CANNON. That is the present expenditure?

Mr. GARRETT of Tennessee. It is the present appropriation, and is to be transferred from one division to another; it does not add to the appropriation.

Mr. CANNON. I am not speaking about that, but I wanted to know whether there was a new agency created?

Mr. BANKHEAD. No; it provides for the operation of existing law, except that it coalesces the purposes of the appropriation.

Mr. STAFFORD. This subject has been given some consideration by the Appropriations Committee in connection with the sundry civil bill.

Mr. MANN. If there is no objection to it, it will not require a motion to suspend the rules. I think we ought to get through with the Unanimous Consent Calendar. I have no bill on it myself and am not interested in any bill that is on it. But if a bill on the Unanimous Consent Calendar is not passed by Monday it will probably never pass unless it is a Senate bill. We have had this thing occur for several Mondays—and I have no criticism of the Speaker; far from it: At 2 or 3 o'clock, it may be a little later, recognition was given for a motion to suspend the rules, and I believe the rules have not been suspended in a single instance. It takes time, and during that time we might pass many bills on the Unanimous Consent Calendar to which no one objects, instead of taking up motions to suspend the rules, where there is almost sure to be 40 minutes' debate and usually a roll call that takes another 30 minutes.

Mr. GARRETT of Tennessee. I understood the gentleman to state that he would not object, in the event that it was understood that no motion to suspend the rules would be entertained?

Mr. MANN. Practically so. I have no objection to a motion to suspend the rules after you finish the Unanimous Consent Calendar.

Mr. GARRETT of Tennessee. The gentleman from Illinois means to have only the Unanimous Consent Calendar considered and no motion to suspend the rules?

Mr. MANN. I mean as far as possible to protect the rights of as many Members as we can and give them a chance on the Unanimous Consent Calendar rather than to use up the time on motions to suspend the rules, which probably would not prevail if there is opposition. If there is no opposition it can be done by unanimous consent. We have a long Unanimous Consent Calendar.

Mr. GARRETT of Tennessee. If that condition is attached to the request of the gentleman from North Carolina, I, of course, will have to object.

Mr. STAFFORD. The gentleman realizes that the gentleman is undertaking to provide for a motion to suspend the rules on a Senate bill. The last six days of the session are given over to motions to suspend the rules.

Mr. GARRETT of Tennessee. That is correct.

Mr. STAFFORD. But there is only this one day remaining for the consideration of the lengthy Calendar for Unanimous Consent.

Mr. GARRETT of Tennessee. I am perfectly willing that the full day should be taken up under the rules.

Mr. STAFFORD. And as it has been taken up on prior Mondays, it has been the habit to call the Unanimous Consent Calendar until half past 2 and then recognize Members to move to suspend the rules.

Mr. GARRETT of Tennessee. That is perfectly all right. Gentlemen can take care of themselves at that particular time, when that arises.

Mr. MANN. Oh, they can not.

Mr. GARRETT of Tennessee. I do not know why.

Mr. MANN. They do not get the chance.

Mr. GARRETT of Tennessee. The gentleman from Illinois can.

Mr. MANN. I very seldom have anything on the calendar.

Mr. GARRETT of Tennessee. I never have had in my life.

Mr. MANN. This Senate bill, of course, can be taken care of later.

Mr. FOSTER. Oh, we ought to pass it.

Mr. MANN. There are a lot of things on the Unanimous Consent Calendar also that we ought to pass. We want to give an opportunity to pass most of the things, but the gentleman does not.

Mr. GARRETT of Tennessee. Does the gentleman think he is fair in that statement?

Mr. MANN. It is true; I do not know whether it is fair or not.

Mr. GARRETT of Tennessee. The Committee on Rules, of course, is being constantly pressed.

Mr. MANN. I have a bill before the committee myself, which I hope it will report.

Mr. GARRETT of Tennessee. I know; and I think probably we will take care of that. The gentleman means his resolution?

Mr. MANN. Yes.

Mr. KITCHIN. Then let us do this: Go until 5 o'clock, and we then will have the usual number of hours, with the extra hour obtained by meeting at 11 o'clock. We can go until 5 o'clock on the Unanimous Consent Calendar.

Mr. RAYBURN. Is this bill the gentleman from Tennessee is talking about a Senate bill?

Mr. GARRETT of Tennessee. It is; and it is on the Union Calendar.

Mr. RAYBURN. Why not make this arrangement? If they get through with the Unanimous Consent Calendar before 4 o'clock——

Mr. KITCHIN. Then one gentleman will just sit here and object to everything, and we will get through the Unanimous Consent Calendar in an hour. I believe we can all come to this agreement. We usually have adjourned at 5 o'clock, and we are going to meet at 11 o'clock. Let us say that we will dispose of the Unanimous Consent Calendar at 5 o'clock, and then we will have the six hours of time.

Mr. MANN. If we can wait until 5 o'clock. It seems to me that we ought to dispose of these bills. This will be the last opportunity. Gentlemen want to come in and take up the time with a bill that can be passed at any time before the end of the Congress, motions to suspend the rules being in order at any time within the last six days, and in a short session the six days are fixed.

Mr. KITCHIN. Can not we agree that the Unanimous Consent Calendar should run until half past 3?

Mr. MANN. I think if we have the time on Monday, we ought to put it in on the Unanimous Consent Calendar. I think we ought to call the Unanimous Consent Calendar clear through on Monday.

Mr. STAFFORD. We have agreed to meet at 11 o'clock, with the tacit understanding that we would take up that calendar.

Mr. KITCHIN. Let us take up the Unanimous Consent Calendar until 4 o'clock.

Mr. GARRETT of Tennessee. Then let us let it go along under the general rules of the House. Mr. BANKHEAD ought to have recognition to move to suspend the rules on this bill, and if conditions are going to be imposed upon the Speaker that he shall not recognize anyone to move to suspend the rules, then we would better proceed under the general rules.

Mr. WALSH. Will the gentleman from Tennessee yield?

Mr. GARRETT of Tennessee. I do not know whether I have the floor, but if so I yield.

Mr. WALSH. The gentleman seems to be holding the floor in pretty good shape. Could not the gentleman from Alabama secure consent from the Speaker to move to suspend the rules——

Mr. GARRETT of Tennessee. Oh, the gentleman from Illinois objects to that very thing.

Mr. WALSH. But the gentleman will not let me finish the inquiry. Does not the gentleman think the gentleman from Alabama could secure consent from the Speaker to make his motion to suspend the rules on the sixth day prior to the adjournment of this session of Congress?

Mr. GARRETT of Tennessee. I do not know about that; I do not know what the condition of business will be in the last six days.

Mr. BANKHEAD. Mr. Speaker, I want to say to my friend from Massachusetts, if I may be permitted, that this bill is so imperative in its character and nature and in the benefits that will be derived from its passage that it ought to be considered immediately for the reason that hundreds of men, discharged soldiers, are being discharged from the hospital without any opportunity on the part of the Educational Board to get in touch with them in order to give them the benefit of this retraining provided by law.

Mr. WALSH. Yes; but you will have to wait until the 27th of the month before the bill can become a law.

Mr. MANN. It will not become a law until the 4th of March, anyhow.

Mr. GARRETT of Tennessee. There was an agreement in the Committee on Rules—if there is any representative of the minority present from the Committee on Rules——

Mr. MANN. They are always present, like the ladies.

Mr. GARRETT of Tennessee. And there has been an agreement that they would not report a resolution to make this privileged, because it could be called up under suspension next Monday.

The SPEAKER pro tempore. Has the gentleman from North Carolina any request to prefer?

Mr. KITCHIN. Just one moment; let us have that understanding, that only the Bankhead bill will be——

Mr. MANN. I think we ought to spend all day Monday on the Unanimous Consent Calendar.

Mr. KITCHIN. The Rules Committee, I understand, unanimously believed that this bill ought to have a rule.

Mr. MANN. Oh, gentlemen know perfectly well this bill can be passed during the last six days of the session, and it is not fair to the House to try to insist upon taking up the time now that ought to be given to other bills.

Mr. RAYBURN. The truth is that all the time ought to be given to the Unanimous Consent Calendar because there are many very important bills on that calendar that ought to be passed.

Mr. STAFFORD. That is what the gentleman from Illinois is trying to bring about now.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 1 minute p. m.) the House, under its previous order, adjourned until to-morrow, Sunday, February 16, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Postmaster General, transmitting list of records, papers, and documents recommended for destruction (H. Doc. No. 1795); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting estimates of appropriations required by the Treasury Department for the fiscal year 1920 (H. Doc. No. 1796); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting a communication from the Secretary of the Navy submitting a deficiency estimate of appropriation for contingent, Navy, for the fiscal year ending June 30, 1919 (H. Doc. No. 1797); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a deficiency estimate of appropriation required by the War Department for censorship of mails, enforcement of the trading-with-the-enemy and espionage acts., etc., Panama Canal, for the fiscal year 1918 (H. Doc. No. 1798); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting estimate of appropriation to cover amount required to complete the Coast Guard cutters authorized by act of August 29, 1916, March 4, 1917, and March 28, 1918 (H. Doc. No. 1799); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Acting Secretary of the Treasury transmitting copy of a communication from the Acting Secretary of Commerce submitting a deficiency estimate of appropriation required by the Bureau of Fisheries for a power lighter for Alaska fur-seal islands, for the fiscal year 1919 (H. Doc. No. 1800); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Postmaster General, submitting a deficiency estimate of appropriation, payable from the postal revenues, for twine and tying devices for the fiscal year ending June 30, 1919 (H. Doc. No. 1801); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Acting Secretary of the Treasury transmitting copy of communication from the Secretary of the Interior, submitting a deficiency estimate of appropriation required by the Geological Survey for examination and classification of lands for homesteads, fiscal year 1919 (H. Doc. No. 1802); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Librarian of Congress submitting a deficiency estimate of appropriation required by the Library of Congress for distribution of card in-

dexes, fiscal year 1919 (H. Doc. No. 1803); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication to the Secretary of the Interior, submitting a deficiency estimate of appropriation required by the General Land Office for classification of lands involved in the Oregon and California forfeiture suit (H. Doc. No. 1804); to the Committee on Appropriations and ordered to be printed.

11. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting a proposed clause of legislation desired in connection with the authorization for passenger-carrying vehicles contained in the appropriation for general expenses of the Geological Survey (H. Doc. No. 1805); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII:

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 15987) to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of certain public buildings; and to authorize the purchase of sites for certain public buildings, and for other purposes, reported the same without amendment, accompanied by a report (No. 1070), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WALTON, from the Committee on the Public Lands, to which was referred the bill (S. 4743) for the relief of Francis Stewart, reported the same without amendment, accompanied by a report (No. 1073), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SANDERS of Louisiana: A bill (H. R. 15980) to amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel"; to the Committee on Agriculture.

By Mr. EMERSON: A bill (H. R. 15981) to allow certain sums to soldiers, sailors, and marines who were injured in the line of duty; to the Committee on Interstate and Foreign Commerce.

Mr. GOOD: A bill (H. R. 15982) authorizing the Secretary of War to donate to the town of Monticello, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McFADDEN: A bill (H. R. 15983) to abolish the bureau of Comptroller of the Currency and the office of Comptroller of the Currency, and authorizing the Federal Reserve Board to perform the duties thereof; to the Committee on Banking and Currency.

By Mr. STEAGALL: A bill (H. R. 15984) authorizing the Secretary of War to donate to the city of Opelika, Lee County, Ala., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 15985) authorizing the Secretary of War to donate to the village of Southampton, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MORIN: A bill (H. R. 15986) to incorporate the Mothers of Democracy of the United States of America; to the Committee on the District of Columbia.

By Mr. CLARK of Florida: A bill (H. R. 15987) to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of certain public buildings; and to authorize the purchase of sites for certain public buildings, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. RAMSEY: A bill (H. R. 15988) authorizing the Secretary of War to donate to the borough of Park Ridge, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15989) authorizing the Secretary of War to donate to the town of Blairstown, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROMJUE: A bill (H. R. 15990) authorizing and directing the Secretary of War to make certain donations of cannons and ordnance to designated towns and cities; to the Committee on Military Affairs.

By Mr. DENTON: A bill (H. R. 15991) authorizing the Secretary of War to donate to Oakland City College, at Oakland City, Ind., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15992) authorizing the Secretary of War to donate to Evansville College, at Evansville, Ind., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 15993) providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. BAER: A bill (H. R. 15995) authorizing the Secretary of War to donate to the city of Cando, N. Dak., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15996) authorizing the Secretary of War to donate to the town of Kindred, N. Dak., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McFADDEN: Resolution (H. Res. 578) that the Speaker appoint a committee of seven Members of the House to inquire into the official conduct of John Skelton Williams, Comptroller of the Currency; to the Committee on Rules.

By Mr. SWIFT: Resolution (H. Res. 579) to pay one month's additional compensation for clerk hire to Members not elected to the Sixty-sixth Congress; to the Committee on Accounts.

By Mr. NICHOLS of Michigan: Resolution (H. Res. 580) directing the Attorney General to furnish the House of Representatives certain information in regard to discharged soldiers, sailors, and marines wearing the uniform after their discharge; to the Committee on the Judiciary.

By the SPEAKER: Memorial of the Legislature of the State of South Dakota, memorializing Congress to cooperate with the Dominion of Canada in the enlarged canalization of the St. Lawrence River for the passage of ocean-going vessels into the Great Lakes; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of South Dakota, favoring the naming of the Panama Canal the Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

Also, memorial from the Legislature of the State of Ohio, relative to the matter of freight rates on materials for public works; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Illinois, requesting the Federal Government to pay at least six months' salary to every soldier, sailor, and marine upon his return to civil life; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of Wisconsin, relating to the establishment of a league of nations; to the Committee on Foreign Affairs.

By Mr. EMERSON: Memorial from the Legislature of the State of Ohio, relative to matters of freight rates on materials for public works; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Memorial from the Legislature of the State of Wisconsin, relating to the establishment of a league of nations; to the Committee on Foreign Affairs.

By Mr. GARNER: Memorial of the Legislature of the State of Texas, opposing Government ownership of telegraph and telephone lines and favoring their return to private ownership; to the Committee on the Post Office and Post Roads.

By Mr. KETTNER: Memorial from the Legislature of the State of California, relative to the plan recommended by the Hon. F. K. Lane, Secretary of the Interior, for the placing of returning soldiers upon farms; to the Committee on Appropriations.

By Mr. MANN: Memorial of the Legislature of the State of Illinois, urging payment of at least six months' salary to soldiers, sailors, and marines upon their discharge; to the Committee on Military Affairs.

By Mr. NELSON: Memorial from the Legislature of the State of Wisconsin, relating to the establishment of a league of nations; to the Committee on Foreign Affairs.

By Mr. CARY: Memorial from the Legislature of the State of Wisconsin, relating to the establishment of a league of nations; to the Committee on Foreign Affairs.

By Mr. BENJAMIN L. FAIRCHILD: Memorial of the Legislature of the State of New York, opposing the St. Lawrence Ship Canal; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of New York, protesting against legislation for the development of the St. Lawrence River between Montreal and Lake Ontario to make it navigable for ocean-going vessels; to the Committee on Rivers and Harbors.

By Mr. YOUNG of North Dakota: Memorial from the Legislature of the State of North Dakota, relating to the value and importance of an adequate system of highways; to the Committee on Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII,

Mr. WARD introduced a bill (H. R. 15994) for the promotion and retirement of Lieut. Col. Samuel R. Jones, Quartermaster Corps, United States Army; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of citizens of Ives, Wis., favoring converting portion of T. N. T. plant into a zoological garden; to the Committee on Public Buildings and Grounds.

Also, petition of Woman's Fortnightly Club, of Milwaukee, Wis., indorsing Lewis-Raker bill giving rank to nurses connected with the Army of the United States and urging passage of same when it is presented to Congress; to the Committee on Military Affairs.

By Mr. COOPER of Wisconsin: Petition of sundry citizens of Racine, Rock, and Kenosha Counties, Wis., asking for repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of Board of Control of the Kenosha (Wis.) Chamber of Commerce, asking that the telegraph and telephone lines be returned to their various owners at once; to the Committee on Interstate and Foreign Commerce.

Also, petition of Chamber of Commerce, Kenosha, Wis., for Senate bill 4987; to the Committee on Education.

Also, petition of Kenosha Retailers' Association, of Kenosha, Wis., indorsing Senate bill 4987; to the Committee on Education.

Also, petition of members of the faculty of the high school at Kenosha, Wis., asking for enactment of Senate bill 4987; to the Committee on Education.

Also, petition of officers and employees of J. I. Case Plow Works, Racine, Wis., asking Congress to enact legislation to allow discharged soldiers and sailors six months' extra pay; to the Committee on Military Affairs.

Also, petition of members of Parent-Teachers' Association of Kenosha, Wis., urging enactment of Senate bill 4987; to the Committee on Education.

Also, petition of the Daughters of the American Revolution of Kenosha, Wis., urging enactment of Senate bill 4987; to the Committee on Education.

By Mr. COOPER of West Virginia: Petition of citizens of Logan, W. Va., urging the retention by the Government for a time of the telephone and telegraph lines of the country; to the Committee on Interstate and Foreign Commerce.

By Mr. DARROW: Petition of the Philadelphia Chamber of Commerce, disapproving the continued exercise of Government control or operation of public utilities, particularly control of wire communication; to the Committee on Interstate and Foreign Commerce.

By Mr. DILLON: Petition of Rotary Club of Mitchell, S. Dak., to change name of the Panama Canal to the Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. ELSTON: Petition of Alameda County Nurses' Association, indorsing Raker-Lewis bill to grant rank to Army nurses; to the Committee on Military Affairs.

By Mr. ESCH: Petition of Philadelphia Chamber of Commerce, disapproving the continued Government control or operation of public utilities, especially of wire communication, in this country; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY of Pennsylvania: Petition of Pittsburgh Board of Trade, opposing reestablishment of Turkish authority over Syria; to the Committee on Foreign Affairs.

By Mr. KETTNER: Petition of residents of the city of San Bernardino, headed by Mr. T. Huysing, relative to Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. LONERGAN: Petition of South Congregational Church Brotherhood, of New Britain, Conn., in favor of a league of nations; to the Committee on Foreign Affairs.

By Mr. MERRITT: Petition of Bernardino Council, No. 1350, Knights of Columbus, of Shelton, Conn., urging the passage by Congress of a resolution requesting President Wilson to bring before the peace conference the question of granting the right of self-government to the people of Ireland; to the Committee on Foreign Affairs.

By Mr. HOLLINGSWORTH: Memorial of Ohio State Board of Education, favoring passage of the Smith-Bankhead bill; to the Committee on Education.

Also, memorial of woman's committee, Ohio branch, Council of National Defense, asking appropriation for the women in industry service, Department of Labor; to the Committee on Appropriations.

By Mr. MANN: Petition of council of the city of Chicago, concerning compensation for honorably discharged soldiers and sailors; to the Committee on Military Affairs.

Also, petition of Illinois Nurserymen's Association, indorsing action of Federal horticultural board in re quarantine No. 37; to the Committee on Agriculture.

By Mr. MAPES: Petition of citizens of Holland, Mich., for the withdrawal of the United States soldiers in Russia; to the Committee on Military Affairs.

Also, petition of 106 citizens of the State of Michigan, for the enactment of a law providing for the Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORES of Indiana: Petition of 73 citizens of Indiana, urging passage of bill similar or identical with House bill 10550, providing for national ownership and Government operation of all railroads within the territory of the United States and its possessions, necessary for the furnishing to the people of the United States, including all lands, terminals, and equipments required or desirable for successful operation; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of bean growers of southern California, urging the Government to invest not less than $20,000,000 in beans; to the Committee on Appropriations.

Also, petition of citizens of Penryn, Las Molinas, Rocklin, and New Castle, Cal., urging the repeal of the zone system; to the Committee on Ways and Means.

Also, petition of John Ratto, of Jackson, Cal., against the tax of 5 per cent on film rentals; to the Committee on Ways and Means.

Also, petition of Anderson and Wood Theater, Redding, Cal., against the proposed tax of 5 per cent on film rentals; to the Committee on Ways and Means.

By Mr. STINESS: Petition of Division No. 4, Ancient Order of Hibernians, of Providence, R. I., favoring self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. WATSON of Pennsylvania: Petition of Business Men's Association of Pottstown, Pa., favoring a reasonable period to allow for the necessary preparation and adjustment by the owners of the great wire system under Federal control; to the Committee on Interstate and Foreign Commerce.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 16, 1919.*

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore [Mr. BUTLER].

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our Heavenly Father!

> That God which ever lives and loves,
> One God, one law, one element,
> And one far-off divine event,
> To which the whole creation moves,

We thank Thee that the door of the holy of holies is ever open to Thy children, where they can commune with Thee, find inspiration to guide them in the duties of life, consolation for their sorrows, solace for the loss of loved ones, and everlasting hope.

We meet here to-day in memory of four great men, who wrought on the floor of this House for their constituents, their respective States, and the Nation they loved.

May those who knew them best speak from their hearts, that their records may be left in the archives of the Nation they loved, that others may read and be inspired with patriotism and devotion.

Comfort those who knew and loved them with the eternal hope that sometime, somewhere, they shall meet them in a land where partings shall be no more and love shall find its own; and everlasting praise be Thine, through Him who demonstrated that life is stronger than death. Amen.

THE JOURNAL.

The SPEAKER pro tempore. The Clerk will read the Journal of yesterday.

Mr. ESCH. Mr. Speaker, I ask unanimous consent that the reading of the Journal be dispensed with on this occasion.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the reading of the Journal be dispensed with. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER pro tempore. The Clerk will now read the special order for to-day.

THE LATE REPRESENTATIVE JAMES H. DAVIDSON.

The Clerk read as follows:

On motion of Mr. COOPER of Wisconsin, by unanimous consent,

Ordered, That Sunday, February 16, 1919, be set apart for addresses upon the life, character, and public services of Hon. JAMES H. DAVIDSON, late a Representative from the State of Wisconsin.

Mr. COOPER of Wisconsin. Mr. Speaker, I move the adoption of the resolutions which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 581.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JAMES H. DAVIDSON, late a Member of this House from the State of Wisconsin.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The question was taken, and the resolutions were unanimously agreed to.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. COOPER] will please take the chair.

Mr. COOPER of Wisconsin took the chair.

Mr. ESCH. Mr. Speaker, we are met to-day to pay our tribute of respect to a departed colleague. It is fitting on such an occasion to give expression to our feelings as to the life, character, and public services of one of our number whose life work has ended, but whose influence and good example are destined to abide with us. While no longer present in the body, his genial character and friendly administrations have left a lasting impression upon our memories.

Our colleague, the Hon. JAMES H. DAVIDSON, was a native of New York, and received his education in that State, graduating from the Albany Law School in 1884. Since 1887 he was a resident of Wisconsin, and prior to entering the House had served as district attorney of Green Lake County and as city attorney of his home city, Oshkosh. His public duties were performed in such an efficient and conscientious manner as to win the respect and confidence of the people and result in his election to the Fifty-fifth Congress and each succeeding Congress, including the Sixty-second. He was defeated for reelection to the Sixty-third Congress after having had the distinction, with one exception, of holding in our State the record of continuous service in the House for 16 years. Mr. DAVIDSON's retention in office was a fine illustration of the fact that Wisconsin was learning the lesson, long taught by Maine and many of the Southern States, that longevity in service is the surest way to secure prestige and influence in the councils of the Nation. While none of us can advocate this policy without being charged with being actuated by a selfish motive, the fact remains, and the records of this House abundantly prove, that the chairmanships and the power and influence they assure and the places of leadership go to men of long and continuous service.

Had Mr. DAVIDSON been elected to the Sixty-third Congress he would have been the ranking Republican on the important Committee on Rivers and Harbors. His long membership on this committee made him an expert on water transportation matters, and no one doubted his qualifications for the chairmanship had his party remained in power. His work on this committee was characterized by conservatism and sound judgment, and the fact that his district bordered on Lake Michigan stimulated in him an ambition to master the navigation needs of the Great Lakes. His vision, however, was too broad to be limited to the horizon of his own district or State. By extensive travel and painstaking investigation he sought to understand and meet the problems of all parts of the United States.

For many years, and while a member of the Committee on Rivers and Harbors, he was also chairman of the Committee on Railways and Canals, and, while this is one of the minor committees of the House, it enabled him to study the intimate relationship between rail and water transportation, a subject now of supreme importance.

After an absence of four years Mr. DAVIDSON was elected to the present Congress and was honored by an appointment upon the Committee on Military Affairs, one of the most important committees in this war Congress. Its labors began with the calling of the special session on April 2, 1917, and had continued almost without interruption up to the time of his death, in August of last year.

Wisconsin during the 71 years of her statehood has sent 105 different members to this House. Among these were men who attained national prominence. Doty, Washburn, Rusk, and La Follette became governors, while Durkee, Sawyer, Mitchel, La Follette, Stephenson, and Lenroot became United States Senators. Rusk was also appointed Secretary of Agriculture by President Harrison. In this group of distinguished men we readily give to our deceased colleague an honorable place. While no leading act of legislation can be placed to his credit, he was ever mindful of the needs and best interests of his constituents. Representing a district largely devoted to dairying, he was influential in protecting this industry by aiding in the framing and enactment of the oleomargarine act. Having hundreds of Civil and Spanish War soldiers as constituents, he worked diligently in their behalf. No request made of him went unheeded, no letter remained unanswered.

Mr. DAVIDSON was an able and earnest speaker. On the all too rare occasions when he occupied the floor he commanded the attention of the House by his mastery of facts and clearness of presentation. In public speaking he never stooped to demogogic appeal, but through fairness to those who opposed him sought to win his cause. While neither aggressive nor radical by disposition, he stood by his convictions. In all things he was patriotic and honest and his word was unquestioned. Whatever fate befell him he accepted it with the spirit of a true philosopher. His geniality, modesty, and fairness characterized him at all time and won for him the love, admiration, and respect of us all.

Mr. DAVIDSON loved his home. His domestic life was ideal. His wife, two sons, and a daughter were objects of his constant and tender solicitude. We who were with him daily knew the pride he felt in having a son in the service. He died too soon to see the fruition of his hopes. To those he left behind there goes out from us a feeling of profound sympathy. He was in his best years, life had yet much of promise for him, and his taking off seems like sunset at noonday; and yet we must be reconciled, for was not his life in the hands of "Him who doeth all things well"?

Mr. STAFFORD. Mr. Speaker, in this Chamber a week ago there gathered the members of both Houses of Congress, the only living ex-President, all the members of the Cabinet, the members of the Supreme Court, and the representatives of the Diplomatic Corps, to do honor to a great American, Theodore Roosevelt. We listened with rapt attention to the great eulogy delivered by the scholar of the Senate and one of the elder statesmen, the Hon. HENRY CABOT LODGE. To-day we meet to pay the last tribute to the memory of our departed colleague, the Hon. JAMES H. DAVIDSON. In my fourteen years of service only one other instance has happened, that when Hon. Henry C. Adams died, where the State has lost a Representative during his service in Congress.

No Congress in its history has suffered so great a toll in the death of Members than this now nearing its close. The problems that have required solution, the tenseness of situations, the added burdens of legislation, and office duties directly traceable to the world war sapped the vitality of all, undermined in some instances the strongest constitutions, and brought death to a large number. Many quaked under the stress and strain, and I fear my colleague DAVIDSON was one of this number.

In the maelstrom of congressional life it is not the rule, no matter how long you are associated, to learn much about the lives and careers of Members before their entrance to Congress. My estimate of JAMES H. DAVIDSON is limited to my observation of his work since 1903, when I first became associated with him. He had preceded me three terms, and was then on the Committee on Rivers and Harbors. Here he served under the master mind and leader, Hon. Theodore E. Burton, chairman of the committee. Even at that early day, which position became more pronounced as his services continued, DAVIDSON was regarded as an authority on river and harbor improvements.

According to the unwritten rule in Congress, he gave first consideration to his committee work. This engrossed the major

portion of his legislative time; but he was alert to give close attention to the demands of his district. No member could have achieved the distinction which was his, to have served continuously for 16 years, without having reflected truly the best expression of his district.

He was modest and unassuming, and yet in debate he was a forcible speaker. When he spoke he commanded and held the attention of the House. In Congress brilliancy counts less than good judgment and willingness to work. The esteem in which he was held by his colleagues was in one instance exemplified upon his reelection to Congress after an interregnum of four years. Though the membership of the House had changed in the interim, the record he had made of conscientious application to duty and of rare judgment brought him appointment to the only vacancy on the important Committee on Military Affairs. Many sought this position because of its great vantage in shaping the Government's military policy during the world war, into which we were then just entering. Because he had voted his convictions on all questions relating to the war, and had voted against the declaration of war, no Member in the House questioned his appointment on this committee or ever doubted his loyalty to his Government after Congress declared war.

Then came the heavy work in the Committee on Military Affairs, the making ready when our country was so ill-prepared to bring success to our standard on the European field of battle. For more than a year he toiled ceaselessly in committee to provide adequately the sinews of war that brought about ultimate victory. It was under this heavy strain that he quaked. He had extracted too much from nature's reservoir, and, as is so often the case, after long unrequited service to country, he found his health undermined just as the Congress was about to take a much-needed rest to permit of the restoration of health to Members after the exacting service. But he had been too faithful a public servant, he had drained the cup of life in his country's cause, and death came suddenly to his exhausted body.

I wonder whether his constituents knew and appreciated the sacrifice and work in his country's cause which brought his life to this untimely end.

Mr. FREAR. Mr. Speaker, as has been just stated by my colleague, this great Hall was filled last week with a distinguished assemblage gathered to do homage to that great American, Theodore Roosevelt, a good man whose impress has been left upon the lives of those of his own day and generation and upon the history of our country.

In this same historic Hall, which has been the scene of another statesman's labors for nearly a score of years, we again gather to do homage to that lovable man who in like manner was an honored public servant, cut down in his prime and during the period of his greatest usefulness.

Our former colleague, JAMES H. DAVIDSON, would have wished for no higher eulogy than to be remembered as a friend of men. Of splendid attainments and of strong attractive personality, he was known throughout his own loved State of Wisconsin and in this great legislative body as an able, patriotic, conscientious Representative, who made the cause of his people and of his country his own.

Men are useful to the world in which they move according to their opportunity to serve and their willingness to serve wholeheartedly and effectively. Measured by that simple standard, no man was more honest or faithful in his performance of public duties than our colleague, JAMES. H. DAVIDSON, and few men will be more missed from his circle of immediate friends than our friend in whose memory we meet to speak to-day.

Coming from the home district of distinguished public men of former years, including Senator Sawyer, Gen. Bragg, and "Gabe" Bouck, all notable men once familiar to these Halls, we who knew "JIM" DAVIDSON recognized in him a faithful representative of a strong people and a worthy successor of those who had gone before.

Stricken down at a time when his services on the great Military Committee would have been of great value to that committee and to his country during the midst of war, and before our Armies had been able to take active part in the great conflict he actively joined in preparing us for the struggle and then dropped out from our circle before many of us realized his serious illness.

His wife and loved ones, so suddenly bereft, lost a devoted husband and an affectionate father, while we, his associates, lost an able colleague and friend, and his State, together with this great legislative body in which he so long and honorably served, lost a faithful and distinguished public servant.

Warm-hearted and gentle by nature, he was yet strong in his convictions. I well remember his firm stand on grave public matters wherein momentous questions were involved, and his associates will bear testimony that he ever performed his public duties with fearless, conscientious judgment unaffected by personal considerations. No higher praise need be awarded any man.

As we go along the pathway of life, passing so rapidly on the downward stretch of the last half that we find the mileposts confronting us with ever-increasing frequency, we learn that he who gives the best that is in him for the good of others, who dedicates himself to the service of those about him, finds in that same service a pleasure and a contentment that is the certain reward of giving.

Such was the philosophy, under divine guidance, of our colleague, whose self-sacrifice and efforts to serve those about him made him so greatly esteemed by his fellows. He was high-minded and a strong man among men—a man whose place can not be filled, and a friend who will never be forgotten.

Mr. VOIGT. Mr. Speaker, the first Member of this House who extended to me the hand of welcome and fellowship was our deceased colleague, JAMES H. DAVIDSON. Shortly after my election in 1916 I received a letter from Mr. DAVIDSON, whose district and mine were adjoining, in which he offered his assistance in acquainting me with the duties of my new office. Later on he invited me and another new Member elect to visit him at his home city of Oshkosh. We gladly availed ourselves of his kindness, and spent some enjoyable and profitable hours with him. I had made a mental memorandum of innumerable points on which I sought light. When I recall now all the questions with which I plied him, I say he had a right to consider me green indeed. If he did, he did not show it, but answered all my questions with sympathetic courtesy and patience.

From that day on Mr. DAVIDSON and I became warm friends, and him, like other men who have counseled and aided me when I stood in need, I shall always hold in grateful remembrance.

Our deceased friend was born at Downsville, N. Y., in 1858. Like many men who have attained prominence, he taught school and studied law. He graduated from the Albany Law School in 1884. Three years later, following the advice to "go West, young man," he moved to Princeton, Wis., and opened a law office. In 1888 he was elected district attorney of his county, and from that time until his death he was in the political arena. In 1892 he removed to Oshkosh, one of the largest cities of Wisconsin, where there was greater opportunity for the display of his powers. In 1896 he was elected a Member of the Fifty-fifth Congress, and was reelected for seven consecutive terms, serving his constituency from 1897 to 1913. He was defeated in his candidacy for the Sixty-third and Sixty-fourth Congresses, but was reelected to the Sixty-fifth.

His long service as a Member of this House is almost a conclusive testimonial to his ability and integrity as a representative of the people and as a man. An election to this body is in itself evidence of character and ability, but an election for nine terms is an indorsement of public duty ably and conscientiously performed, to add to which would be mere surplusage. The people whom he represented knew him best, and notwithstanding the onslaughts which political campaigns bring on, they honored him time and again by commissioning him as their representative here.

After I came to Washington as a Member of the Sixty-fifth Congress I had the good fortune to associate with our deceased colleague almost daily. I frequently sought his advice in matters of routine, and discussed with him some of the questions of the day. He was always courteous and willing to be of assistance in any way he could, and I considered it a privilege to feel that I might go to him at any time and get the benefit of his many years of experience.

Mr. DAVIDSON was a man who was modest and retiring in his disposition, but he possessed firm will power. He was no friend of bombast and sham. He had a strong sense of right and duty, and his sole aim was to let his every act be for the best interests of his constituents and his country.

For some months before his death it was apparent to our delegation that our deceased friend was in failing health, although none of us realized that he would soon be with us no more. He bore his ailment with great fortitude and rarely complained. During this time he frequently expressed to me solicitude for his family. He was intensely devoted to and proud of his wife and his two sons and daughter. To his bereaved family our sympathy goes out to-day.

Our deceased colleague died here in Washington on August 6 last. It was my privilege to be in the congressional party that attended the last rites at his home. Here were assembled many of his friends, with whom we joined in paying a tribute of respect and affection. With simple and impressive ceremonies the mortal remains of JAMES H. DAVIDSON were laid away among murmuring trees and beneath a wealth of flowers, but his spirit will always be with us.

Mr. CLASSON. Mr. Speaker, unfortunately I did not know JAMES H. DAVIDSON very long.

I say unfortunately, because I knew him long enough and well enough to realize that it would have been rare good fortune to have known him longer and better.

I first met him when he was a practicing lawyer and city attorney of Oshkosh, before his first election to Congress, which occurred in 1896, more than 22 years ago.

From that time I never saw him until he had again been elected after being out of Congress for four years.

I had just been elected and went to Oshkosh to see him and talk with him about some things which I wanted to learn about before coming to Washington. My reception and treatment by Mr. DAVIDSON at that time made an impression upon me which led me to resolve that I would become better acquainted with him, which I did, and I may say that our relations were rather intimate during the months of the special session and those of the regular session before he became too ill to attend to his duties.

Many men from his own and other States who were Members of the House during his first period of service, which covered 16 years, can and do testify to his faithful, painstaking, and able work here.

I know that his district is one containing varied and important industries and includes several of the principal cities of Wisconsin, and that in it are many men of ability and high standing, and the fact that such a constituency was content to be served for years by him demonstrates the satisfaction which he gave to his people as a national legislator and the confidence which they reposed in him; and the fact that he was returned after an interval of four years, during which period he was the nominee of his party in two unsuccessful contests, shows that he was considered a fit and popular standard bearer of his party.

It is of the side of Mr. DAVIDSON that I knew best that I wish to speak for a moment. He was a man of unfailing courtesy and kindness of heart, always considerate of others, absolutely conscientious, and with the highest moral courage; devoted to his duty and to his family and his friends; and I have never yet seen a man, woman, or child who knew JIM DAVIDSON who was not his friend.

Naturally he had sharp political and other differences of opinion with many people, but such differences never caused anyone to lose his admiration for him as a clean and honorable opponent and a courteous, high-minded, lovable gentleman.

Mr. Speaker, I can say only that which I know. I knew him and loved him, and those who knew him loved him and miss him.

His life and death were a beautiful fulfillment of the admonition of the poet:

> So live that, when thy summons comes to join
> The innumerable caravan that moves
> To that mysterious realm where each shall take
> His chamber in the silent halls of death,
> Thou go not, like the quarry-slave at night,
> Scourged to his dungeon, but, sustained and soothed
> By an unfaltering trust, approach thy grave
> Like one that wraps the drapery of his couch
> About him and lies down to pleasant dreams.

Mr. LAMPERT. Mr. Speaker, I wish to speak briefly of JAMES H. DAVIDSON as a man. For 26 years I have known him well. It has been my good fortune to have been associated with him in many ways and to have known his reaction to many different circumstances.

JAMES H. DAVIDSON loved people. His home life was beautiful. As husband and father he counseled and advised. He felt and knew that each must live his own life and that there is, therefore, no place for a dictator where democracy is or is to be.

He used to walk to and from his office along Algoma Street. There was always a cheery greeting for everyone—a wave of the hand, a smile, and a word. This did not come from habit nor was it assumed. It was the genuine expression of his love for folks. Farmers used to go up to his office just to greet him, and go away again reassured that JIM DAVIDSON was just as human as ever.

And he loved his town and his State and his country and all mankind in the same sincere, human way. You could not shake his hand and look into his kindly eye without knowing that he had a philosophy of life that was genuinely human through and through.

And therefore he had friends wherever he was known. The newsboy, the bootblack, the mill hand, the lumberjack, the storekeeper, the farmer, the captain of industry, the minister, the statesman, all knew JIM DAVIDSON and loved him. He had many opponents, but no enemies. This was not because he lacked clear judgment or because he lacked will power. On the contrary, his judgment was clear and farseeing; his mind, once made up, was constant and unswerving. He saw the big things in big ways, and he also saw in each person that he met the substantial and fundamental elements that make human life a thing of priceless value.

And so he went about his work in a kindly, sympathetic, farseeing way. He refused to be troubled because some things did not go just as he thought they ought to go, for he knew that his way was not the only way, his view was not the only view. This explains that almost unexampled consideration which he showed, and also that gentlemanliness which was so characteristic of him. He was schooled in the forms of politeness, but he was never formal. Politeness and gentlemanly conduct were as natural with him as was the beating of his heart.

JAMES H. DAVIDSON was a man to whom those in trouble instinctively turned, and never in vain. It was not that people expected him to remove the cause of their trouble so much as it was that they knew he could help them to adjust themselves to a changed world in a reasonable way. His advice and counsel were sought on all sorts of troubles, for he knew how to find the brighter side. He knew and lived the philosophy which Longfellow expressed in his poem, The Rainy Day; that philosophy which led Garfield to say to that great crowd in New York immediately after the assassination of Lincoln: "God reigns, and the Government at Washington still lives."

It was this faith in the final outcome of things, this faith in the integrity of the human soul, that gave him his poise and his balance. He was serene and undisturbed by things which caused frenzy in some who had less interest in the outcome than had he. He never lost command of himself, and therefore he never lost the confidence and respect of those with whom he was associated. He did not have to retract and explain and start anew. Instead he kept steadily on, gaining every day in knowledge, in insight, in power, and in genuine worth.

He was an incessant worker. He wanted to know all that was to be known about the subjects that came to his congressional committees. If a new woodworking machine had beeen installed in one of the factories of his home town during his absence, he wanted to know all about it. And in all that touched his life, and especially in all of that for which as a public servant he had a responsibility, he sought information, knowledge, and understanding. He never formed snap judgments, and he was not ashamed to say that he did not know. He was devoted to the underlying truth of things, to which even his partisanship never blinded him.

And it was thus that he developed a judicial attitude of mind. He weighed the pros and cons of things, turned them over in his keen and fertile mind, and thus reached conclusions that were sound. He was never wrong on great, fundamental issues.

And thus he was a self-made man—not simply in the sense that he sought and struggled and won, but in that deeper sense which means that through his efforts he became one of God's noblemen, "fed from within with all the strength he needs."

Such a man is loyalty itself. He saw the faults of men, but he estimated men in terms of their virtues. He was a party man because he saw that only through parties can come that adjustment and readjustment of social relationships which spells progress; and therefore, while he was a party man, he regarded his party as a means to an end that was greater than the party. That end was to him the welfare of his country, of our democracy. And even beyond all this was an abiding faith in the brotherhood of man in the fatherhood of God. Matrixed in this faith, he was always loyal to those things which square with it.

Kindly, sincere, clear-sighted, conscientious, considerate, gentlemanly, sound, loyal—such he was when the Angel of Death summoned him from our midst. And now he sleeps in the bosom of Mother Earth, beside the river he loved so well, missed and mourned by those whom he had loved and helped—sleeps until God shall call him home.

Mr. CARY. Mr. Speaker, we are again gathered to pay our last tribute of respect to one whom has gone from us to join the vast silent majority who have crossed the river of death.

I wish to add my tribute to those of my colleagues who have so ably described the worth and manhood of JAMES H. DAVIDSON and to lay upon his grave the wreath of kindly memory that he so well deserved. It was my privilege to meet him in the Sixtieth Congress. I was a new Member and he an old one, and I shall long remember his cordial welcome to me and the helping hand he extended in advising and counseling his new confrere from the Badger State.

JAMES H. DAVIDSON had the sturdy common sense and rugged sincerity that came to him as a priceless inheritance from his ancestors, and living as he did in the robust and liberty-breathing air of the great Northwest he partook of all the

characterictics that make the men of the forests of Wisconsin such splendid citizens of a splendid country.

He was an ardent and consistent Republican, but free from all that was narrow in his partisanship; he placed a true and steadfast Americanism above all party creeds, and was never afraid to voice his convictions on all public questions as his own conscience dictated. He was defeated a few years ago, and those of us who had remained were glad, indeed, when the news came that he had been returned, and we found our old friend and colleague the same genial, rugged, and sincere man who had left us for a season. But he did not remain with us long. He "came back" triumphantly, but it was but for a little space, and then, in the full vigor of his manhood, he was stricken and died practicaly in harness.

All that is left now of JAMES DAVIDSON is the memory of his manly character and the name he has left behind him, but it is the priceless heritage of an unstained reputation that he has left and a name that will be remembered as long as honest worth, sincerity, and integrity are hallmarks of gentility in a Republic that does not depend on the quarterings of heraldry to make her noblemen and aristocracy.

Robert Burns has well said:

A king can mak a belted knight,
A marquis, duke, and a' that,
But an honest man's abuin his might,
Guid faith he mauna fa' that,
For a' that and a' that,
Their riband, star, and a' that,
The rank is but the guinea's stamp,
The mon's the gowd for a' that.

So let us, as we stand beside the bier of one who has gone before, see in his life and death the lesson that in this country of ours a reputation based on honesty and sincerity is worth more that the ratings of a commercial agency or the accolade of a monarch; that the confidence of a constituency and the respect of a community is worth more than a patent of nobility; and that in this democracy of ours we shall still build monuments to those who hold fast, as JAMES H. DAVIDSON did, to the simple, sturdy virtues that have made our country the hope of the world, the despair of the tyrant, and the last abiding place of the spirit of freedom that shall never die while America holds her place among the nations of the earth.

Mr. ADOLPHUS P. NELSON. Mr. Speaker, as a citizen of Wisconsin, I have known for many years of the large and eminent services of our colleague, the late Hon. JAMES H. DAVIDSON, and wish to-day to bear testimony of his noble life and distinguished career, always devoted to the best interests of his district, his State, and his country.

Though stricken in the very prime of life, he had still wrought long enough and well enough to leave his memory and services indelibly impressed upon his associates, his State, and his Nation. Such men never die.

His kind, genial, and manly spirit teaches us to-day that "honest toil is holy service, faithful work is praise and fame."

JAMES H. DAVIDSON was known as an able and conscientious legislator and tireless worker, and brought to bear both in the committee room and upon the floor of the House rare judgment and efficient leadership. He stood ready always to do his best when duty called. He taught us to carry hopeful hearts and cheerful brows, and that we must mold the life of our Nation by the force of great moral ideals, and rule through the royalty of principle that can never be discrowned.

His public life, as well as his private life, was marked by a purpose of real service and uplift in which sacrifice of self was never considered but freely spent for those he loved and served. The words of the great Christ find a rare application in the life of our lamented colleague when he said, "Whosoever will be great among you, let him be your minister, and whosoever will be chief among you, let him be your servant."

JAMES E. DAVIDSON was happiest when he could be of the greatest service to his fellow men and his country. He always resolved to exert to his utmost his rare mental and physical powers to the end that there might be maintained in this world a permanent Christian civilization and life. Our friend and colleague, always true in his fellowship, tender in his sympathy, and noble in his ideals, will continue to live and to bless the world.

We bow at his grave to-day with profound sorrow and mingle our grief with the grief of his family and of those who knew and loved him best, and sincerely mourn the loss, in the very prime of life, of one of Wisconsin's noblest sons, of whom it may well be said:

We live in deeds, not years; in thoughts, not breaths;
In feelings not in figures on a dial.
We should count time by heart throbs:
He most lives who thinks most, feels the noblest, acts the best.
Life is but a means to an end, that end
Beginning means an end to all things—God.

At this point Mr. BUTLER resumed the chair.

Mr. ESCH. Mr. Speaker, in view of the fact that some Members are not present, I ask unanimous consent that an opportunity may be afforded to all Members to insert remarks in the RECORD on the life, character, and public services of the Hon. JAMES H. DAVIDSON.

The SPEAKER pro tempore. Without objection, the request will be granted.

There was no objection.

THE LATE REPRESENTATIVE WILLIAM A. JONES.

The SPEAKER pro tempore. The Clerk will report the next order for to-day.

The Clerk read as follows:

On motion of Mr. MONTAGUE, by unanimous consent,

Ordered, That Sunday, February 16, 1919, be set apart for addresses upon the life, character, and public services of Hon. WILLIAM A. JONES, late a Representative from the State of Virginia.

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent for the present consideration and adoption of the resolutions which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 582.

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. WILLIAM A. JONES, late a Member of this House from the State of Virginia.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The question was taken; and the resolutions were unanimously agreed to.

The SPEAKER pro tempore. The gentleman from Virginia [Mr. FLOOD] will take the chair.

Mr. FLOOD took the chair.

Mr. MONTAGUE. Mr. Speaker, exercises by this House in memory of my late colleague WILLIAM A. JONES have been delayed in order to obtain copies of the memorial proceedings had in his behalf by the people of Manila and the Legislature of the Philippine Islands, proceedings so appropriately related to this occasion that I request unanimous consent that they may be made a part of the memorial record of our deceased colleague.

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent that the memorial proceedings referred to be made a part of the memorial record of our deceased colleague. Is there objection?

There was no objection.

Mr. MONTAGUE. Mr. Speaker, I also ask unanimous consent that any absent Member unavoidably detained from these exercises to-day may be permitted to extend his remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Virginia also asks unanimous consent that any Member unavoidably detained may have permission to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MONTAGUE. Mr. Speaker, amidst the accumulated work and labor of the closing days of this Congress, the last of the 14 Congresses in which my late colleague continuously served, we may well pause to recall the life, character, and public services of a Representative so able, faithful, and successful.

WILLIAM ATKINSON JONES was born at Warsaw, the county seat of Richmond County, Va., on March 21, 1849, and there he lived until his death in the George Washington University Hospital, in the city of Washington, on April 17, 1918. He came from honorable American stock. His great-grandfather, Joseph Jones, was a general in the Revolutionary War, an intimate and trusted friend of Lafayette, and subsequently postmaster of Petersburg, Va., by appointment of Jefferson. Thomas Jones, the son of Joseph, married Mary Lee, the daughter of Richard Lee, long a member of the Virginia House of Burgesses from Westmoreland County, a first cousin of the famous Richard Henry Lee; and from this marriage was born Thomas Jones, the second, who married Anne Seymour Trowbridge, of Plattsburg, N. Y., who were the father and mother of him to whose memory we would at this hour pay homage. I should add that James Trowbridge, his maternal grandfather, was recognized by the Congress for his gallantry at the siege of Plattsburg in 1814. So he came of goodly heritage, a heritage of which he never boasted, but which he exemplified by a life of high purpose and eminent usefulness.

His boyhood fell upon the stormy days of the great war between the States and upon its abhorrent aftermath. His father, a man of character and force, an intrepid soldier upon many a field of battle, a lawyer of success, and a judge of uprightness, realizing the temper and promise of his son, entered him as a cadet in the Virginia Military Institute in the fall of 1864, where he remained until the evacuation of Richmond, serving as occasion required with the corps of that famous institute in defense of the capital of his State. Thus as a boy of 16 he did arduous and valiant military service. He was then placed in Coleman's School, at Fredericksburg, a fine academy, from which he entered the University of Virginia in October, 1868. In this institution, with a corps of great professors and with a remarkable student body, upon all of whom he made an enviable impression, he worked faithfully and successfully, graduating with distinction in its school of law in June, 1870. Here, too, he was noted as an athlete, as those of us who knew him 25 years ago in his great vigor and physical beauty can well appreciate.

But, Mr. Speaker, education is not alone obtained from academies and universities, from study and observation, but largely though unconsciously from environment and the habits and traditions of the social group with which one comes into immediate contact. Perhaps not since the days of Athens did so small a section of country with a population so negligible in numbers ever put upon the stage of public activity in so brief a time so many great and illustrious men as were found in the period just prior and subsequent to the Revolution, in the Northern neck of Virginia, a narrow strip of country lying between the Potomac and Rappahannock Rivers. Within a few miles of Mr. JONES's home were born Washington, Madison, and Monroe; "Light Horse Harry" Lee, of revolutionary renown; Richard Henry Lee, the mover of the Declaration of Independence and the rival of Henry as the orator of the Revolution; Francis Lightfoot Lee, the signer of that document; Charles Lee, Attorney General in Washington's Cabinet; Arthur Lee, the negotiator of the treaty of 1778 between the United States and France, and later Robert Edward Lee, ranked by many eminent critics as the foremost military captain of the English-speaking race; while close by lived John Taylor, of Caroline, who wrought mightily for free institutions, and George Mason, the author of the first Bill of Rights formulated in America, and regarded by Washington as having the finest intellect of his time.

These mighty names and their mighty deeds, contributing so largely to the standards of patriotism and public life of America, found young JONES not unresponsive to their nourishing influences and ennobling traditions. Such an atmosphere, such historic and patriotic associations, constitute a fortunate school within which to rear an American statesman.

In July, 1870, he was admitted to the bar of his native county, where his character, ability, learning, and industry soon bore him to the very front of his profession. Within three years after coming to the bar he was elected Commonwealth's attorney by the people of his county, which office he filled with rare distinction and satisfaction for 10 years. He was a fearless, sometimes a stern, but always a just prosecutor. In the year 1890, when he was elected to the Fifty-second Congress, he was at the head of the bar of his section of Virginia, appearing with success in many important cases in the State and Federal courts. At the bar as upon the hustings he was a powerful advocate, a student of facts and of law, presenting his cases not always with the utmost tact but with a directness and power of argument that was usually irresistible. He did not thrust the rapier, he rather wielded the broad blade, and, sustained by a moral force, a mental vigor, and a commanding presence, he made one of the most formidable and successful advocates of his State before juries and courts, nisi prius and appellate.

Mr. Speaker, by heredity, by education, and by historic and patriotic environment, it seemed quite inevitable that he would devote himself to public affairs. So we find him very early in life the bold and brilliant defender of his party's faith and the fame and good name of his Commonwealth. He was frequently impressed for duty upon the hustings, and in some instances he met in debate the ablest men of the opposition from home and abroad. And none met him who ever forgot him, and many of his ablest antagonists cherished no wish to cross swords with him again. At times he was almost merciless in debate. His intensity of conviction, his accurate and quick perception of the weak joint in the armor of his opponent, made him one of the most formidable debaters of his State in his day and generation. This may seem exaggerative by those of this House who only saw him of recent years, bending under the weight of pain and disease, but those who have known him as I have known him, who have heard him as I have heard him, will unhesitatingly confirm this appreciation of his extraordinary forensic power.

Mr. Speaker, the qualities which I have mentioned, together with his compelling personality, his vehement confidence in the potency of free institutions, and his contributions of speech and pen to the public questions of the day led to his nomination to the Fifty-second Congress in a memorable campaign over a very popular opponent, the Republican Member of the district. Nor was his victory ephemeral. He was no erratic comet, but rather a fixed star, growing in steady and expanding radiance. So from his election in 1890 to the day of his death he received the continuous and deepening confidence of a great constituency, and it may be truthfully affirmed that had he lived through the fall of 1918 he would have been nominated and elected without opposition.

Once or twice his district was changed, but these changes brought him constituents of equal if not increased friendliness and confidence. Nor did he employ the usual methods of securing political support. In his long career and contests he never by word or letter personally solicited a single vote, unless appeals to the people through the press and from the rostrum should be so construed. Indeed, save in rare instances he never sent out a public document unless he had a specific request therefor.

He approached his constituents as he would have them approach him, upon a plane of mutual respect, consideration, and confidence. But no Member of this House was ever more watchful of the rights and interests of his constitutents, singular or collective. He never spared himself in their behalf, and among the last of his public acts, performed with great pain and inconvenience, was his irrefutable presentation of a great harbor improvement to the Chief of Engineers.

Mr. Speaker, I should not undertake on this occasion to assemble and assess all the public services of my late eminent colleague, but I would mention two instances as best exhibiting the true temper and test of his political ideals, which were to be found in his unvarying and vehement conviction of the right and success of peoples to govern themselves.

The first instance was the effective part he took in his own State in behalf of the direct election of United States Senators by the people, and, pending its accomplishment by constitutional amendment, his able, brilliant, and persistent efforts in behalf of a ballot primary as the means of instructing or controlling the State legislature in the selection of Senators. The wisdom of his statesmanship in advocacy of such methods I will not discuss, my purpose being only to show his political convictions, his confidence in the right of the people to elect their political agents as essential to the proper maintenance of free institutions.

The second instance evidencing the same faith, was his able and indefatigable efforts to give to the Filipinos the fullest measure of self-government compatible with their political development, and with the ultimate purpose of their complete independence. The merits or demerits of his views upon this subject I will not now discuss save to observe that his service in behalf of these distant peoples was the crowning achievement of his public life as it was the supreme evidence of his political faith and philosophy. He firmly believed that all just governments should rest upon the consent of the governed—this conviction was the source and object of his constant activities.

Mr. Speaker, many here recall his presence on this floor battling for this ideal and for this legislation. We recall how he seemed to forget his physical limitations, and with a memory of all the facts and history involved in the question, with his soul aglow at the prospects of the larger liberties which the legislation would promote, by argument and tact and tenacity, he guided through this House that great measure which will make his name blessed for evermore by the people of these faraway isles, as it is already embalmed in their grateful and fervent affections.

I accompanied him from the House to his committee room after the final passage of that measure. Tired and worn was he, but no word of personal exultation did he utter, only with winsome smile and subdued voice was a simple expression of gratitude that he had helped in his day and generation to extend the frontiers of human freedom. This was the great achievement of his long career, an achievement that will be memorialized in enduring form by the peoples of the Philippine Islands, and a culmination worthy of the best traditions of American statesmanship.

Mr. Speaker, I must now close my inadequate appreciation of this incorruptible public servant, this brave man, with resolute tenacity of purpose, with abounding confidence in the merits of any cause which he espoused, and fearless determination to give to it all of his strength and courage, to speak most briefly of his capacity for friendships. He had many friends and in them he saw little but what was good. He was slow to give his

affections, but once given they were inflexible. It would be invidious to call the roll of his true and tried friends. But one I will ever remember, who from college to casket gave him an unbroken flow of affection, and who with sad face and moist eyes came in the early morning from another State to view the remains of his dead friend. And there are those of this Congress, amidst the associations of this Hall, who will recall the beautiful friendship so long existing between him and the brilliant De Armond of Missouri.

I would not lift the veil which hides the outer world from the activities and felicities of his home life, save to say that he was a kindly neighbor, a delightful host, a dutiful and affectionate son, a true and faithful husband, and a generous and loving father. He truly met all of the near and tender relations of life.

His death has wrung grievously the hearts of many and he will long be missed by his district, his State, and this House, in which he was for so many years a distinguished Member. The funeral committee of this House will ever vividly recall the glowing and gorgeous spring morning when troops of friends and neighbors gathered about the open grave in the cemetery of Saint John's Church, in full view of his home, when amidst the singing of birds and the moaning of friends he was laid away in the soil he loved so well.

Mr. Speaker, he was ready for the summons. He was aware of the slender thread of life left him, for the pain and agony of his fatal disease told him only too plainly of the nearing end. But—

> Men must endure
> Their going hence as their coming thither;
> Ripeness is all.

He was indeed the "full corn in the ear," ripe and hanging lightly to be plucked by the Hand Divine. With courage and hope he quietly met the end, and at this hour I pay my homage to the memory of a true patriot, a great public servant, a noble and high-minded man, Virginia's loyal son, America's defender, and my dear friend.

Mr. Speaker, in accordance with the request heretofore granted, I insert herewith the memorial in behalf of our late colleague by the people of Manila and the Legislature of the Philippine Islands:

THE PHILIPPINE LEGISLATURE TO WILLIAM ATKINSON JONES.

SPEECH DELIVERED BY SECRETARY OF THE INTERIOR RAFAEL PALMA ON THE OCCASION OF THE MEMORIAL SESSION OF THE LEGISLATURE IN HONOR OF THE LATE CONGRESSMAN JONES, AUTHOR OF THE FUNDAMENTAL LAW OF THE PHILIPPINES.

The event which we have now the honor to commemorate, while it would seem as already past, awakens in our soul the indefinable emotion of a fresh anguish, of a painful and deep stab that but yesterday was in our hearts. On the 16th of April this year the faint accent of the cable transmitted from one end to the other of this archipelago the news that Representative Jones of Virginia was seriously ill. This message of sorrow produced in all parts of the islands a sensation of anguish and the soul of the whole country felt the profound alarm that something was being lost which was a part of it, something which was to it intimate and familiar. When after a few days later the cables flashed the sadder news of his demise a general consternation overran the Filipino homes, drowning their inhabitants in profound mourning and meditation.

It is not necessary to reason out, to look for the explanation of, this logical sentiment. The world lives on the law of contradiction, on opposing ideas, on schisms of interests, on passions that mar. But amid all these contradictions and antitheses the sentiment that compels man to recognize with piety, with love and gratitude, the value of a good received, of a favor generously and disinterestedly lavished, is uniform, is universal. It is thus that the Filipino people, after experiencing the first moments of stupor and pain, arose like a single soul to give a vigorous expression to its sincere condolence for the bitter loss, and in the messages which came from the remotest confines of our municipalities, from our political, civic and social organizations, as well as in the memorial services rendered for the departed, the language of man exhausted the vocabulary of pain, that vocabulary that can not, and can never, inclose the multifarious sentiments of the human heart. After all those manifestations of pain, after all that expression of love and gratitude which the memory of Congressman JONES kept burning in the soul, this legislature, as the incarnation of the Filipino people, can not forget him during these sessions. This legislature is his own creation, his own work, as well as of Congress, and it would be guilty of a breach of courtesy and gratitude if it were to let this session pass without honoring the memory of that great public man, who, belonging as he did belong to a distinct race, thought much of the Philippines, identified himself with the interests of the Filipinos, and who, in justice and in truth, has a right to claim a place in the honor roll of our own heroes and to own a sanctuary in every Filipino home and heart.

William Atkinson Jones, in fact, more than a glory to America, is a glory to the Philippines. America might have been the scene of his efforts and triumphs, but the scene of his glory is the Philippines. It is here where his work exerted and will exert a beneficial and lasting influence. It is here where his spirit and his genius have been most understood and appreciated and where the legislation that bears his name will yield the most timely fruits and will be the object of the veneration and the admiration of generations and generations of Filipinos.

It is wonderful, it is interesting, to observe how, once in a while, history presents to us men of extraordinary minds and character, of pure and elevated principles, whose work and whose influence, instead of ending with the confines of their country, extend far beyond, stamping their profound impress on the ideas and on the political life of other races. For this reason, Lord Chatham and Lafayette are better loved and venerated in the United States than in their own countries; Pi and Margal and Morayta more popular in the Philippines than in Spain. And something more: These men may belong to their own countries by birth, but they belong more principally to the countries they have chosen for the scene of their conquests, as the object of their zeal and love, countries that received the nourishment of their doctrines and examples and profited from their deeds and exploits. Thus the geniuses who enlightened the world by the inventions of their science, Franklin, Newton, Marconi, are said to be men without a country—they belong to humanity.

It is true that in his land, Virginia, William Atkinson Jones will receive the honor and the respect it owes him as one of its illustrious sons. But I doubt very much whether they could love him with the same piety and the adoration of the millions of Filipinos, to-day and to-morrow, who owe to him in their present situation the restitution of that God-given attribute of leading a life as free citizens of a country, as a people who can manage their own affairs and whose ultimate destinies they can mold in accordance with their own principles and inspiration. I doubt whether Virginian posterity can lavish on his memory the blessings and prayers which will be lavished upon it by Filipino posterity that has seen the progress of the cycle of its emancipation—that cycle which has proved and is proving too difficult for many countries to traverse—by means of that magnificent piece of legislation that is now constituting the cornerstone of our political life.

William Atkinson Jones is not only a glory which we may claim; he is besides a symbol, the symbol of true and genuine Americanism. He is for us one of the exemplars of that American tradition of not reconciling the conscience and the judgment to the insecure opinions of the vulgar but only to the permanent interests of human liberty. He did not concur in that absurd commonplace of considering the acquisition of the Philippines as a design of Providence or as a rich spoil of war destined to render commercial benefits and political aggrandizement to his Nation. On the contrary, he has been one of those rare and privileged minds who, placing themselves above all and any kinds of national egotism, resorted for inspiration to the ideals of that noble galaxy of men who prepared the American Declaration of Independence and dictated the principle of liberty to the peoples of the world.

Hailing from Virginia, and saturated with the atmosphere of that land enhallowed by the examples of life and death of Washington, readily did he see in the Filipino struggle for liberty an honorable object to which he could worthily dedicate the best efforts of his upright mind and of his generous heart. When, with wondering eyes, he beheld that far from the confines of his country the war was being waged on a weak and defenseless people that did nothing but to uphold its right to liberty, surely, he did not find it difficult to understand that the Filipinos were sustaining their cause with the same spirit of valor, with the same unutterable passion for liberty which burned in the soul of the American colonists of '76 when they tried to cast away the chain that bound them with England.

In this way, thereafter, with a consistency which resisted all fatigues, with a vigor and courage which seemed not the attributes of his years, with a clear vision of the rôle his nation was destined to play in the shaping of world destinies, he dedicated the last 15 years of his public career to sustain outside and inside the American Congress the sacred cause of Philippine independence. For years his generous attempts failed to arouse any interest in Congress. But when in 1912 the men of his party assumed the reins of power, it did not take him long to present his first bill on Philippine independence, providing for the establishment of a Filipino government which, after eight years, was to be declared independent. The presentation of this bill proved beyond reasonable doubt that the Democratic party honorably intended to give a definite solution to the Philippine problem to the chagrin of those men who saw in the promises of the opposition party mere whims that would never be realized when said party comes into power. The bill did not pass through successfully, due to the stern opposition which confronted it in and outside Congress, but such did not in any way serve to discourage the efforts of Representative JONES, for whom defeat served but to double his energy and to reinforce a will which not only awaited the victory but desired the compensation. In this way he introduced another bill on the same subject, which, after passing through countless obstacles, was finally converted into law, that law which is at present the organic charter of the Filipino people and the reach and consequence of which, while apparently affecting only the Filipinos, will undoubtedly, in course of time, inevitably affect the fortunes of the other dependent peoples on earth.

Must I speak yet of the patience, the tenacity of purpose and action, the spirit of sacrifice and of valor, which he showed during all that time in the defense of the Filipino cause as if it were his own cause? Did he expect any favor or recompense from the Filipinos? No; he alone depended on his conviction, on the traditions of his country, and for this reason stood alert, restless, but always firm, maintaining his belief and his interest till the end, in the confidence—what do I say?—in the assurance that in such way his nation not only was doing justice to a dependent people, but was also showing faith to its traditions, those traditions which have come to make of the American Continent the universally recognized continent of freedom.

He saw what others did not see. With ample prophetic vision he faced not only the present but the future and, purging it of all prejudice of race and civilization, endeavored to assure, more than the material supremacy, the permanent spiritual sovereignty of the United States in the Filipino heart. Was he deluded? No, a thousand times, no. Never had the Filipino people shown more faith in the American Nation than when under the government established by the Jones law. Never the American flag was held dearer, more respected, in Luzon as in the Visayas and Mindanao, as to-day the clouds of uncertainty of the past were dispelled and the eyes could see with clearness the indubitable sign of the future. Never as to-day had the Filipinos felt and expressed their loyalty with more freedom from timidity and baseness, with more frankness in the expression of truth, and never had they shown more willingness to maintain public order, to render their bit of sacrifice with America in her critical moments. Never had the interest and the patriotism of the Filipinos been more active and energetic as in these days to develop the sources of wealth and of common prosperity, to initiate and stimulate those enterprises so necessary to the enhancement of the highway of national greatness. Against all the auguries and predictions of the pessimists, the progress in all the walks of ordinary life in this country is moving with order and regularity, under the protection of an honorable, efficient, and judicious government.

These results plainly justify the confidence which Representative JONES has deposited in the Filipino people. He had faith in the goodness of man, in the work of his creation, in human nature. He was of those who think that the Creator has never denied a people the power and the intelligence to lead its own life, to develop its own prosperity, and attain its own well-being and happiness. With what pride, therefore, and with what satisfaction he must have greeted the noble and gallant response of the Filipino people to the confidence placed in them, by discharging efficiently the new additions to their powers. And when death closed the last page of his life, Congressman JONES brought to the grave that greater satisfaction born of the conviction of having planted the seed of goodness and seen it burgeon on the furrow. If the teachings of his doctrines and of his works are to mark the path of the future, if the motives enunciated in the preamble of his law and written down by his own pen are to serve as the guide and measure of the future relations between the American and Filipino peoples, I do not have the least doubt that his spirit, wherever it might be, will feel satisfied at seeing the realization of a work which death has cut short.

It is just that we should pay our tribute to the memory of Congressman JONES, that we offer on this occasion the most precious flowers of veneration and love for him who has been the loyal champion, and will be, in history, the father of the Filipino Nation. It is just that we vote resolutions expressive of our sorrow, in the name of the Filipino people whom we represent, and erect on his resting place in Virginia a mausoleum paid in public subscription by the sons of the Philippines. All this, and much more, the illustrious dead deserves for all that he has done for our country. We can not answer for the future. But if the life of an individual is short that of a nation is long. The Philippine nation must have to emerge some day, and the final outcome of the events in Europe, assuring for the future the formula of a just peace and the relations of sympathy and understanding among nations big and small, not founded on violence but on free will, would seem to assure its realization. I hope, therefore, that the Filipino nation will prove that it never forgets those who worked for its well being. And in the capital of the nation, when this shall have built its valhalla (temple of fame), Congressman JONES will figure among our greatest heroes and his statue will stand in a public place to remind not only the American people but the entire world of the truth of the maxim that "the greatest good, the most positive good that can be rendered all peoples is that of their own liberty."

ORATION DELIVERED BY GOVERNOR GENERAL FRANCIS BURTON HARRISON AT THE MEMORIAL MASS MEETING SERVICES FOR THE LATE HON. WILLIAM ATKINSON JONES, APRIL 30, 1918.

As an American I am proud to listen to the eulogies of Representative JONES by leading men of the Filipino race; as a friend of the Filipinos I am glad to witness once more an enduring proof of their gratitude and recognition of the noble work done in their behalf by an American leader.

Through many years of a long and honored life Mr. JONES labored earnestly and without self-interest for the liberties of the Filipino people. He was fortunate to live long enough to see a great part of his work crowned with success. He had also the satisfaction of knowing that his great fight for the immortal principle that Government should exist only with the consent of the governed is the truest exposition of Americanism. Thus, his struggle was not only in behalf of Filipino ideals but to uphold American principles.

I had the privilege of knowing Mr. JONES well during the years of our congressional service together, and what always impressed me, in addition to the nobility and generosity of his character, was the absolute sincerity of his nature and his deep devotion to principle. He had, moreover, a thorough understanding of the Filipino people and a complete confidence in their abilities and in their future.

It is impossible for me to describe how much I owe to him and to his memory. At all times and upon every occasion he was prompt, decisive, and unfailing in his generous support of my work here. He enjoyed the entire confidence and respect of President Wilson, and has been of inestimable value to the Filipino people during these years of uncertainty so happily resolved by the passage of the law of liberty which bears his honored name. His work will now be taken up and carried on with vigor by his distinguished successor, Mr. GARRETT of Tennessee.

As long as the Filipino nation shall endure, the memory of Mr. JONES will live, not only in monuments and in name but in the hearts of the people. Happy indeed is the man who can go to his eternal rest with the gratitude and affection of an entire race; who can enjoy to the last the blessing of "Well done, thou good and faithful servant"; who can carry with him the conviction that each and every Filipino, from the highest to the most humble, has secured a greater opportunity in life through his efforts. The pity of it is that he could not have lived on to see the independence of the Philippines he loved so well.

This is a wonderful thing—this demonstration to-night, in memory of a man who lived and died 12,000 miles away. If we could suppose his immortal soul to be still sentient of human emotions, we could believe that his heart would now swell with joy. But it is not enough that he should know of this in those immense and distant regions to which his soul has been drawn. He should know that through generations yet unborn his name will be mentioned with respect by orators on the platform, and that his memory will always "smell sweet and blossom in the silent dust" of the Philippines. He will expect more from all of you than respect and honor. When that glorious day shall come that you take your stand among the sisterhood of nations, you must remember that Mr. JONES's spirit up above will be watching over you with deep and tender solicitude; that through the trials and tribulations of a young republic, through sunshine and through shadow, in gladness and in sorrow, in failure and in success, his spirit will be with you; and, could he from far above speak to you in human voice, I am sure that he would call in clarion tone: "I expect every Filipino to do his duty."

Mr. TOWNER. Mr. Speaker, the service of WILLIAM ATKINSON JONES as a Representative from the State of Virginia began with the Fifty-second Congress. He became chairman of the Committee on Insular Affairs at the commencement of the Sixty-second Congress. It was at that time I became associated with him as a member of that committee, and such association continued until the time of his death.

Under the rules of the House all proposed legislation concerning the islands which came to us as a result of the war with Spain is within the jurisdiction of the Committee on Insular Affairs. A brief period of military occupancy followed the adoption of the treaty by which we assumed jurisdiction of the islands—an organic act under which the Philippines were governed until the passage of the law now in operation was enacted by Congress in 1902.

Under the act of 1902 the complete pacification of the islands was accomplished. Local laws were enacted, courts of justice established, sanitation effected, a public-school system inaugurated. In general great progress in all directions was made. Still it was understood both by the people of the islands and by the people of the United States that the law of 1902 was but a temporary enactment and that the time had arrived for further legislation under which a larger measure of self government should be given the islands. To the character of such legislation the gentleman from Virginia had given much study and thought, and to its formulation he gave serious attention immediately he became chairman of the committee.

The original draft of the bill was exclusively the work of Mr. JONES; but preliminary to its submission to the full committee it was informally submitted for consideration to the ranking member of the majority, the gentleman from Tennessee [Mr. GARRETT], and to myself as ranking minority member. Frequent and sometimes prolonged consultations were held. Although there was frequent disagreement, our relations throughout were the most cordial. When the bill was presented to the full committee there was little controversy over the legislative provisions. The only controversy that arose and upon which there was political alignment was over the preamble.

The preamble referred to stated in several whereases the future purpose of the people of the United States with regard to the Philippines. This declaration of purpose had its origin in a series of events which it may be of interest briefly to review:

March 20, 1912, at the opening of the Sixty-second Congress Mr. JONES, for the first time chairman of the Committee on Insular Affairs, introduced a bill "to establish a qualified independent government for the Philippine Islands and to fix a date when such qualified independence shall become absolute and complete." The bill provided that "on and after the 4th day of July, 1921, the full and complete independence of the Philippines shall be, and is hereby, acknowledged."

The bill was favorably reported by the Committee on Insular Affairs and placed on the calendar of the House. Opposition developed among the majority and it was not pressed for passage. Soon afterwards the Democratic Party in its national convention at Baltimore announced its platform regarding the Philippines, declaring for the independence of the islands not at any fixed time, but "as soon as a stable government can be established."

In accordance with this announced policy of his party, on July 11, 1914, Mr. JONES introduced a bill in the preamble of which it was declared that the purpose of the United States was to give the Philippine Islands "absolute and complete independence" when "a stable government can be established." The bill was favorably reported by the committee and passed the House, but failed of consideration by the Senate.

Practically the same bill was introduced by Mr. JONES in the next Congress. The bill was favorably considered by the committee, but was not reported by reason of the action of the Senate. The chairman of the Committee on the Philippines in the Senate [Mr. HITCHCOCK] introduced in the Senate a bill alike in substance with the Jones bill. As it was reported from the committee, however, it had a different preamble, which declared that independence would be given the Philippines "when in the judgment of the United States it will be to the permanent interest of the people of the Philippine Islands."

The debate in the Senate centered around this declaration, and after it had proceeded several days the Senator from Arkansas [Mr. CLARKE] introduced an amendment directing the President to withdraw our authority and control of the Philippines, and to recognize their independence in not less than two years and not more than four years from the approval of the act. The amendment was adopted to the astonishment of everybody, the preamble was withdrawn, and the bill passed the Senate and came to the House. When considered in the House, the debate centered on the Clarke amendment, which was finally stricken out and the Jones bill, with its preamble promising independence "as soon as a stable government can be established," was substituted, adopted, and is now the law.

It was only an act of simple justice that in this manner was brought about the passage of the Jones bill. Without much division of sentiment that was the desire of the House. The minority, while opposing the preamble, favored the legislation, of which the preamble was really not a part. Besides, the minority recognized the power and right of the majority to enact its

views into law, and if any bill giving expression to such views was to pass, the minority desired it should be the bill prepared and presented by Mr. JONES, who was held in highest esteem by the entire membership of the House.

In the minority report on the Senate bill, which I prepared and presented, I said:

The minority members of the committee are glad to express their profound respect and affectionate regard toward this nestor of the House [Mr. JONES], whose record of continuous service is longest among the entire membership of that body. It may not be improper to express the hope that his party associates in the House may substitute his bill for the Senate bill, so that its passage may be the crowning act of a long, an honorable, and a distinguished career of public service.

In practical operation the Jones law has proven successful and satisfactory. Under it the people of the islands have continued progressive and prosperous. The proof given by this legislation, with its large measure of self-government, has satisfied the people of the Philippines that the United States has no other desire than the happiness and well-being of their people. In the enactment of the Jones law the United States was but carrying into effect the declaration of President McKinley, made in 1900, that the government of the islands which the United States intended to establish was "designed not for our satisfaction or for the expression of our theoretical views, but for the happiness, peace, and prosperity of the Philippine Islands."

The effect of this legislation has been also satisfactory to the people of the United States. They have a higher respect for the capacity of the people of the Philippines for self-government. They have a greater belief in their gratitude and loyalty. The spontaneous exhibition of patriotic devotion given by the people of the Philippines when the United States entered the war against Germany and the generous offer of their sons in defense of this country and in support of the cause for which we fought has touched the hearts of Americans most deeply.

The people of the Philippines early learned of the devotion of Mr. JONES to their cause. He was from the first their champion. They watched the progress of his bill with continued and deep interest. When its success was finally announced their enthusiasm was most strongly made manifest by cheers and honors for its author. When the sad message was carried across the Pacific that their friend and benefactor was dead there was universal grief and mourning in the islands.

The Philippine Review, a most excellent and remarkably able journal, said:

When the sad news of the death of WILLIAM ATKINSON JONES, the name that stands with that of Rizal as the greatest sponsor of Philippine liberties, was known to the Filipino people, the profoundest sorrow was felt in every home in the islands. His death is considered as a national tragedy and mourned by the entire nation.

The Hon. Manuel L. Quezon, now president of the Philippine Senate, who, as Delegate from the islands to the Congress of the United States, was associated with Mr. JONES throughout the long struggle to secure the passage of the JONES law, and without whose able and devoted labors its passage could not have been secured, said:

The death of Mr. JONES, the most loyal and sincere friend of the Filipino people and constant champion of their liberties, is the greatest national loss suffered by our country since Rizal was taken away from us. The most patriotic Filipino could not have consecrated himself more completely to the defense of our interests.

Hon. Aergio Osmena, the able and greatly loved speaker of the Philippine House of Representatives, said:

It is impossible to express in words the profound grief which now shrouds the Filipino people. If Mr. JONES had been a Filipino, his never flagging interest for this country would have given him the right for the complete recognition of all. The fact that Mr. JONES, without being of our race, concentrated all his energy and enthusiasm for nearly 20 years to our cause, makes him so deserving of our respect and our gratitude that it would not be sufficient that with a throbbing heart before his tomb we tender him our tears and our affections. He will live while there breathes a Filipino.

It is a great accomplishment to have been of real service to ten millions of people. It is a still greater accomplishment to have won their confidence and love. To have become a necessary part of the history of a people is to reach the highest place to which human ambition can aspire. Such was the accomplishment, and such will be the place in history of WILLIAM ATKINSON JONES, whose memory we honor on this day.

Mr. GARRETT of Tennessee. Mr. Speaker, the man whose memory we formally honor to-day in accordance with the custom of the House was an intellectual and physical aristocrat, but a temperamental and spiritual democrat.

He was born of Virginia and Massachusetts. Through his veins there coursed the best blood of the Old Dominion and the Old Bay State. His father was of the proud and honorable citizenry of Virginia; his mother a most conspicuous representative of the culture and charm of Massachusetts.

Thus bred, he could not normally have been other than the gentleman he was.

The district which he for so long a time represented in the Congress of the United States is made up of a territory as historic as any spot of like dimensions on the earth. Within its confines were born three Presidents of the United States—Washington, Madison, and Monroe—men, by the way, who were not made great by becoming President, but who made the presidency great. They were practical architects and builders of states and nations.

There, too, was born Gen. Robert Edward Lee. Others might be mentioned—statesmen, writers, soldiers, clergy. That section of tidewater Virginia has produced them all. Scarce a square mile of that territory but is hallowed by some tradition which is sacredly great.

Hon. WILLIAM A. JONES was worthy, both personally and officially, the fine traditions and spirit of that great section whence he came.

Physically he was of well-nigh perfect proportion and build. His features were of finest line, his bearing was one of gracious dignity and unostentatious knightliness. His gentlemanliness came from the heart out. It was inbred; it was of the warp and woof of his spirit.

Intellectually I think we may justly say, measuring our words as we say it, that he was profound. He had a very thoroughly disciplined mind, and a very active and nimble one. He discerned in a flash what many others were compelled to toil and grope for. He was a broad-based lawyer. I mean by this that he understood the philosophy of the law, comprehended its purposes, appreciated its deepness.

Quite naturally, possessing the mental traits he did, he understood history. I do not mean simply that he knew history; I mean that he understood it. He comprehended its philosophy, too. He caught the significance of events as applied to human life and destiny. Thus, Mr. Speaker, he was prepared to be and was a great lawmaker. Understanding life, knowing human nature, having information of the past which was accurate, and being able to analyze with quick and usually unfailing accuracy the significance of great activities, he was prepared for great work, and he rendered it.

It is no part of my purpose to review here to-day the history of our acquisition of the Philippine Islands and Porto Rico.

It is fair to say that the former came to us unexpectedly to 99 per cent of our population. Their coming marked an epoch in the life of our Republic.

Whatever views gentlemen may entertain as to the ethics, the policy, the wisdom of our taking them, all will join in the assertion that it was epochal.

It brought new and unknown problems for our solution. The gravity of our responsibility was appreciated nowhere more than in the House of Representatives of the United States, which prepared to meet it.

There was accordingly created a committee to deal with these grave and intricate things—the Committee on Insular Affairs.

I think it is safe to assert that no stronger legislative committee was ever created than that first Committee on Insular Affairs. Of course, all the big men in the House could not be placed on it; there were too many, but all who were placed on it were big, intellectually and morally.

Mr. JONES was made the ranking minority member of this great and then overwhelmingly important committee. From that time forth the solution of problems affecting the Philippines and Porto Rico became his great official life work. Other duties he met, of course, but the insular themes were his first and constant study.

He had very pronounced convictions as to both the theoretical and practical phases of these problems. I was not a Member of this Congress during the early years when these questions were being dealt with, and of course my knowledge of what occurred is only historical, but from what I then learned by reading the current news and comment and from what I later learned of the character and force of Mr. JONES by personal contact with him, I can readily understand that although in the minority upon the committee, his force must have even then been greatly felt, and I dare say modified in a measure, at least, the general policy pursued by the Congress.

In later years, when his party came into power, he became chairman of this committee. His death, by the way, removed from the committee the last of the Democrats who were appointed upon it at the time of its organization. I am not sure, but I think our colleagues, Mr. COOPER of Wisconsin, who was its first chairman, and the former Speaker of this House, Mr. CANNON, are the only Members of the House now who originally were upon that distinguished committee.

When Mr. JONES became chairman he immediately set himself to the task of trying to write his ideals into the law. He had no easy task, as I have good occasion to know, because I had the honor of being intimately associated with his activities and know the difficulties that confronted him, both in Congress and out.

He did not, indeed, succeed in accomplishing the full measure of his purposes and desires, but he was able—having in this the cooperation of almost all—to greatly increase the quantum of power to be exercised by the people of Porto Rico, and to liberalize the government of the Philippines to a point that was scarcely supposed possible by many a decade ago. The Philippine bill likewise carried in it a declaration of purpose on the part of Congress which gives assurance of ultimate absolute independence.

This latter thing was the great hope of Mr. JONES from the time I first became officially associated with him upon the committee in the Fifty-ninth Congress. If he could have but seen the full consummation of his great dream of Philippine independence I think he would have died supremely and superbly happy.

I need not dwell here upon the feeling which exists toward Mr. JONES in the Philippine Islands, because I am sure all know that his is the best-loved name of all the Americans who have had to do with Philippine affairs.

He justly deserves these honors. He was from the beginning struggling for these ideals. In this, I think, he represented the real, deep thought and feeling of America. As a matter of fact, Mr. Speaker, this thought has been nearly always reflected, but it has not been always possible of accomplishment in the measure that Mr. JONES was able to give.

Just here I think it quite proper to say that the first chairman of the Committee on Insular Affairs—and that was before my first service in Congress—was Mr. COOPER of Wisconsin, *as I said* a few moments ago. I happen to know historically of a very great fight for a very great principle made by the gentleman from Wisconsin, and I happen to know—or, at least I think I know, and I think when the history of the Philippine Islands is written—by Filipinos or by Americans—that those writing it should know and say that it was largely due to the forceful energy of the gentleman from Wisconsin that there was put into the original organic Philippine act the recognition of the principle of representative government in the Philippines; that is to say, the election of an assembly. The gentleman from Wisconsin did great work along the line of self-government even in those days.

The gentleman from Virginia followed under different conditions and in different days. He wrought well and wisely. He was grounded in the principles of liberty. He was grounded in the spirit of democracy.

I think I shall not refer to any of the personal phases of our relations. He was a man of intense convictions—I do not know whether it would be proper to say prejudice or not. It has always been a difficult thing for me to distinguish at times between convictions and prejudices. He was a very aggressive man. When he felt, in committee or elsewhere, that he was being obstructed for trifling purposes, or for any purpose that was not sincere and in good faith, it was very terrible to have to deal with him.

He was a most lovable man in his private life, as I know, because I had opportunity of being associated with him. He was a man of tender sentiment, graceful in person, gracious in his temperament and demeanor, a chivalrous, splendid, knightly gentleman.

The SPEAKER pro tempore. The gentleman from Texas [Mr. SLAYDEN] is recognized.

Mr. SLAYDEN. Mr. Speaker, it is a melancholy pleasure to pay tribute to the memory of a man who was both wise and good. In the course of my service of 22 years in this House I have met no man who in my opinion measured more fully up to that high standard than our lamented friend.

Soon after coming to Congress I was thrown into more or less intimate relations with that chivalrous Virginian gentleman, WILLIAM A. JONES, and as that intimacy grew so did my love and respect for him. He was tall enough to see beyond the confines of a congressional district, or even over the boundary of a State. In his desire for justice he compassed the universe. He stood for justice and humanity everywhere and fought for the rights of Asiatics just as earnestly and courageously as for those of his own fellow Americans.

The greatest work done by our distinguished friend during his long legislative service was of a purely American nature, although primarily in behalf of aliens. His public service was a reaffirmation, by vote and speech, of the rights of man as set out in the Declaration of Independence. His character and mind were illustrated in his noble efforts to help a foreign people on whom an outside power had imposed an unwelcome government. That it is a beneficent government, and in the main wisely administered, does not alter the fact that it is unwelcome. I recall no instance in all history where alien government has been acceptable to any people. No people of spirit have ever cheerfully consented to it, and the Filipinos, who were the special wards of Mr. JONES, have repeatedly shown that they do not lack spirit.

Mr. JONES did not believe in the government of the conqueror. He was too thoroughly American for that, and held firmly to the fundamental American faith that Governments derive all just powers from the consent of the governed. He was not dazzled by the glamour of colonial empire, nor drawn into a compromise with conscience by the possibility of profitable trade.

An honest thinker, the thought never came to him that a political act which would be wrong when done by a German or Austrian could be right when done by an American, and even less so when associated with the possibility of profit. He had no patience with the cant and hypocrisy that plead for democracy and self-government on one continent and deny it on another. He could not be persuaded that principles are lost in crossing the seas, or less insistent in Asia than in Europe and America.

He was the commanding figure among many leaders in the fight for justice for the Philippines from the time those islands passed to the control of the United States. Although occasionally defeated, he was encouraged and sustained by the thought that right must ultimately prevail. His devotion to their cause earned him the gratitude and love of 10,000,000 people, and his memory will be forever linked with the blessings of liberty and independence which they are destined to enjoy.

He was a member of the Anti-Imperialist League, an association of gentlemen who for 20 years have given freely of their time and means to see that American principles of government shall be applied to the Philippines. That organization, more, perhaps, than any individual, in or out of Congress, knew and appreciated the work that Representative JONES did for the establishment of the political rights of the Filipinos. It relied on him, and he never failed to meet its expectations.

Mr. Speaker, it may be said to the credit of the American Congress that, with all but a relatively few Members, the occupation of the archipelago has always been regarded as a temporary measure. In the minds of most Members, including many who have for this or that reason voted against the grant of independence to the Filipinos, there has persisted the thought and purpose to concede it to them at some convenient season. In some instances these votes were, I believe, in response to party exigency and political platforms and not a true reflection of the views of Members. It is one of the evils of party government—which system, let me say in passing, I believe in—that such things do occasionally happen.

Of course, strange as it may seem, there have always been some of our fellow citizens who believed that we should keep the islands for commercial exploitation, but I will not reflect on my countrymen by believing there have ever been more than a negligible number. It is the basest form of kaiserism.

I was here when Dewey won his victory at Manila, and like most of my countrymen I began to make the acquaintance of the Philippine Islands, which until then had been a mere geographical expression. Instantly and instinctively I saw what might happen and what, in fact, did happen later, if we should assume political control of that far-away territory, and my fight against it began at once. So did that of my friend WILLIAM A. JONES. As he and I saw it so did many others, some of whom occupied high official positions. It was frankly said by such men that the association would be unfair to the people whom the fortunes of war had made politically dependent on us for the time being and would in the end mean disaster for the United States.

The inconsistency with the political principles of the Declaration of Independence and with our declared policy as to the American continents was pointed out and the whole policy of expansion by military conquest protested against.

These were the circumstances that compelled, and the people who organized the Anti-Imperialist League. The loyalty of that association to true Americanism commands the respect of all thoughtful and patriotic people.

In these days political writers and speakers are expressing an old thought in a new phrase. "Self-determination," which President Wilson pleads for so eloquently, and to which our associates in the great war are pledged, is only the American

idea of government by the consent of the governed. More than 140 years ago we declared any other form of government to be unjust, and it can not be made just, even when imposed by our own Republic. Our ancestors made themselves immortal by that declaration, even as Rizal, Quezon, Osmena, and other great Filipinos are marked for immortality for doing precisely the same thing.

Mr. JONES rejoiced in the prosperity and comparative freedom that came to the Filipinos under American direction. He pored over the statistics of their growing trade and was pleased that a large share of it is with the United States. But he rejoiced more that the ease and comfort that came to the Filipinos did not seduce them from the thought of independence. I believe that if they had ever shown any lessening of loyalty to that principle it would have broken his great heart. For the nearly 20 years that they have been bound to us by the treaty signed in Paris he labored in their interest and in harmony with sound Americanism to break the tie. In that cause he never slept at his post, never ceased from his labors.

In 1912 he and I, on his suggestion, visited the governor of New Jersey, then become the presidential candidate of our party, to invite his attention to the repeated declarations in Democratic national platforms in favor of the complete independence of the Philippine people. The progress since made in the direction of conceding to them the right of self-government, which we claim for ourselves may, in some measure, be due to the earnest argument made on that occasion by Representative JONES.

From the beginning of the war we have all hoped for an early victory over the hosts of autocracy and evil headed by the German Emperor and that civilization would be rescued from its great peril and the council of peace assembled. The President has said that the small nations shall live and shall have their own governments based on the will of the people to be governed and that they shall determine its form. It is a noble thought, nobly expressed, but has its embarrassments. How will we meet the jeers and scorn of the despoilers of Poland, Serbia, Rumania, Bohemia, and Belgium, if our own hands are not clean, if we still maintain unwelcome government in the Philippines? Surely, sir, our own house must be set in order before we can undertake to direct the affairs of Europe. Such, I feel sure, was the wish and thought of Mr. JONES.

He died happy in the knowledge that his work had been practically finished, that the Congress of the United States had solemnly declared in the act approved August 20, 1916, that the complete independence of the Philippine Islands should be formally recognized "as soon as a stable government can be established therein."

He was profoundly gratified that the Philippine government had become stable and that the Filipinos were demonstrating their fitness for independence.

Now, in the great world crisis they did even more to merit this recognition. They prepared and tendered an army of 25,000 men to serve with the United States and their allies in the war for democracy and "self-determination" in Europe. Shall we be faithless to the character of our own country and outrage the memory of the great Virginian whose memory we are honoring to-day by refusing to give him the greatest memorial possible, by refusing to link his name forever with the history of a free, independent, and grateful people? Shall we not be just to the Filipinos?

I submit, Mr. Speaker, for printing in the RECORD, as a part of my speech, resolutions of respect to the memory of WILLIAM A. JONES adopted by the Anti-Imperialist League, and an estimate of his character and services by Mr. Erving Winslow, of Boston, the secretary of that organization.

MEMORIAL OF THE HON. WILLIAM ATKINSON JONES.

(By Erving Winslow.)

WILLIAM ATKINSON JONES, whose public service in the Congress of the United States was unprecedently monumental in quality as in duration, will be honored there by his colleagues for what it contributed to the national welfare, as Virginia has testified to his devotion to that of his State, and as those who regarded him as his wards "in loco parentis," the Filipino people, have in every possible way manifested their gratitude for his great share in causing the door to be opened for them presently to enter into an independent life.

It may be permitted to add a humble but most sincere testimony to Mr. Jones's memory for his noble world service, such as few men of our own or of any time have rendered to mankind. In the good fight which he fought he gave us encouragement to believe that his hands were stayed up by our loyal support, such as the warrior lawgiver of old received from his followers when his were made steady, like our hero's, until the going down of the sun.

To Mr. JONES is due a conspicuous part in the establishment by statute of the United States of a great principle which has acquired such momentum that both sides in the great war claim it as their own—one in sincerity and the other with the hypocrisy which is the tribute paid to right by wrong.

The right of "self-determination" to be a free and independent nation was conceded by many great men of both the Democratic and Republican Parties as one to be granted within a measurable period of time, even at the moment when sovereignty was obtained over the Philippines by the treaty with Spain. A declaration to this effect was in fact only defeated in the Senate by the casting vote of the Vice President. Mr. JONES supported the original position of the Democratic Party, and joined in those assurances given to the Filipinos through their friends and the party platforms and our declarations that with watchful waiting their cause was being kept alive. He took an active part in the preparation of the bill H. R. 79, which was introduced in the first session of the Fifty-sixth Congress by Senator WILLIAMS, then a Member of the House, while the Filipinos were still fighting for their liberty, promising it to them after a few years' probation if they would lay down their arms. No action was taken upon it by the committee to which it was referred.

From April 11, 1899, when the transfer of sovereignty from Spain to the United States took place, to July 1, 1902, the distracted Filipinos were subjected to three distinct forms of government, differing materially from each other. On the latter date what was fitted to be, as it was declared to be, only a temporary measure of civil administration was put in force and limped along with much dissatisfaction in the United States and the archipelago.

Before the first inauguration of President Wilson Mr. JONES, in his devotion to the cause of Philippine independence, had prepared and submitted to him the draft of an "organic act," which obtained Mr. Wilson's approval, establishing a system of self-government, with such conditions as would lead up, in his opinion, to a status that might deserve and receive the grant of independence—such as had been the platform of the Democratic Party in three preceding national conventions succeeding its attitude upon the question taken when the treaty with Spain was pending. The bill H. R. 22143, Sixty-second Congress, that Mr. JONES offered, was reported from the Insular Committee, of which he was chairman, April 26, 1912. The bill fixed the date for this grant as eight years from its passage; but it was never acted upon, because immediate concerns of Philippine administration of a critical nature, relating to the Friars' lands, took precedence of opportunity given in the House to the chairman of the Committee on Insular Affairs. Not until August 26, 1914, could Mr. JONES introduce as an "organic act" his bill H. R. 18459, which, while containing a statement in its preamble that the United States "purposes to withdraw its sovereignty from the Philippine Islands," did not fix a date therefor. Mr. JONES said in his report accompanying the bill:

"It has not been deemed wise to attempt to fix the precise time for establishing Philippine independence, inasmuch as conditions may be of a nature to render possible such separation even sooner than could be properly fixed in an act of legislation. The theory upon which the proposed measure has been framed is that the Filipino people possess the capacity for self-government and are entitled to enjoy it. It is believed that with the opportunity for conclusive demonstration of their ability in this direction the date of complete independence will not be long deferred."

Though, under conditions of enfeebled health, Mr. JONES, in charge of the bill, supported by the eloquent and earnest champion of his people, Commissioner Quezon, made a brave and successful contest for his "creation," which was passed October 14, with a few amendments, and sent to the Senate, where, however, it failed of adoption.

With characteristic perseverance and enthusiasm, Mr. JONES presented substantially the same bill as H. R. 1 on the opening day of the Sixty-fourth Congress, December 6, 1915, which was referred to the Insular Committee. In similar form, a bill (S. 381) was passed in the Senate, sent to the House of Representatives, and referred to its Insular Committee also, with the startling amendment, that had been offered and engineered by Senator CLARKE, which established the "transfer of possession, sovereignty, and governmental control of the Philippine Islands, to be completed and become absolute not less than two years nor more than four years from the date of the approval of this act." Senator CLARKE's characteristic audacity had swept away the Senate's opposition, and, though Mr. JONES with his political acumen must have recognized the fact that in practical details the enactment would require much reshaping, his single-hearted devotion to the cause and loyalty to the administration which had approved it led him to cause S. 381 to be substituted in his committee for his own bill H. R. 1, and to be reported favorably. It was fated to defeat in the "House of its friends." Once more the high-hearted and gallant JONES faced the situation and moved the substitution of his "organic act," H. R. 1, with its strong preamble as follows:

"Whereas it was never the intention of the people of the United States in the incipiency of the War with Spain to make it a war of conquest or for territorial aggrandizement; and

"Whereas it is, as it has always been, the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein; and

"Whereas for the speedy accomplishment of such purpose it is desirable to place in the hands of the people of the Philippines as large a control of their domestic affairs as can be given them without, in the meantime, impairing the exercise of the rights of sovereignty by the people of the United States in order that, by the use and exercise of popular franchise and governmental powers, they may be the better prepared to fully assume the responsibilities and enjoy all the privileges of complete independence:" etc.

This act was passed by the House May 1, 1916, and sent to conference. It was reported to the Senate August 14 and passed August 16, reported to the House August 15, passed August 18, and approved by the President August 29.

It is believed that Mr. JONES first suggested to the President the name of Governor General Harrison, whose appointment was so fortuitous, and which has led to a well-controlled development of Filipino self-governing capacity beyond all expectations.

It is most gratifying to know that he who was the best possible judge of this success, as preliminary to the goal—Philippine independence—though his own share therein sought no public expression, felt a grateful consciousness of it. In a letter he wrote a few weeks before his death to a friend, he said:

"From what I have been able to learn of conditions in the Philippines, never before have their inhabitants been blessed with an equal amount of happiness, contentment, and prosperity to that which they are now enjoying. This, I am assured, even by those who doubted the wisdom of the passage of the organic law under which the Filipinos are now living, is chiefly due to the enactment of that legislation, and never before have the Filipinos manifested a like amount of good-will for the people of the United States. The state of general contentment which exists throughout the islands, and the many mani-

festations of loyalty on the part of their inhabitants to the American Government, is not due, as has been asserted in certain quarters, to the alleged fact that they have lost their desire for complete independence. On the contrary, I believe it is true that the increased measure of autonomy which they now enjoy has but stimulated their desire for complete autonomy and absolute independence."

At one time when Gov. Gen. Harrison had expressed some doubts whether his health would permit his longer retention of his post (fortunately since dispelled) only one name was mentioned among the Filipinos and their friends for the succession—him who thus might actually share, as the representative of the United States, in the coronation of his work. A once contemplated visit to the Philippine Islands was hailed there with enthusiastic anticipation as the opportunity for a national welcome by a grateful nation.

From the long campaign, implying a close touch and much correspondence with Mr. JONES, it is difficult to discriminate between the admirable characteristics exhibited by our great and good friend. Perhaps that modesty and courtesy which welcomed his followers and admirers to a cooperative place in his counsels were most impressive to them.

He was firm in principle, but accessible to compromise or concession in detail; fiery in zeal, but capable of patient restraint; quite independent, but dutifully so within the circle of party and official loyalty; brilliant in repartee, but with a thrust so fair that its keenness left no festering wound! The Anti-Imperialist League, cohort of the legion which followed the eagles of "the noblest Roman of them all," has expressed thus its sense of their loss—the loss of two nations:

"*Resolved*, That the Anti-Imperialist League, in mourning the death of WILLIAM ATKINSON JONES, which evoked such deep feeling among its members, is anticipating the response which will come from the grateful people of the Philippine Islands when they hear that their patient and zealous advocate is no more.

"During the latter part of his veteran service in Congress he gave himself without stint to the cause of the Filipino people, especially to that which he believed to be of the first importance, preparation for their independence, believing it to be the fulfillment of the duty owed to them as well as to the United States.

"As chairman of the Insular Committee of the Sixty-fifth Congress he was enabled at last to obtain acceptance of his own 'organic act' (the Jones bill) for the self-government of the Philippines, which, though in feeble health, he supported against embittered opposition with wonderful tact, discretion, and courtesy such as won him the respect of his adversaries, the admiration of the league, and the passionate devotion of the Filipino people, who kindled bonfires on every hill, held meetings to applaud him, and gave his name to public places.

"Not only did this act establish a well-considered system of self-government and make a reality of what was once a catch-word, 'the Philippines for the Filipinos,' but it contained a promise that in due time the United States would grant autonomy to the archipelago.

"Mr. JONES lived to see his work tested thoroughly, to see abuses corrected, extravagance checked, and executive, legal, and legislative offices working well and in entire harmony with the supreme representative of the United States, Governor General Harrison, but he felt that his great reward would come when the end should crown his splendid service, hoping for 'his people,' as his last letter said, that everything would 'serve to hasten the hour when they should be granted complete independence.' To that end we, his associates and followers, as his best memorial, pledge our renewed devotion."

The SPEAKER pro tempore. The gentleman from Virginia [Mr. SAUNDERS] is recognized.

Mr. SAUNDERS of Virginia. Mr. Speaker, we are gathered together to-day to pay those tributes to the memory of a departed friend which are prompted by the affectionate regard in which he was held in this body. In length of service in the House of Representatives, Mr. JONES was exceeded by only one Member from his native State, in the entire history of that Commonwealth, and paralleled by but few in the entire country. He was first elected in 1890, and at the time of his death was rounding out a notable career of continuous service.

WILLIAM ATKINSON JONES was born in Warsaw, Va., in 1849. As a boy he served for a time in the Confederate army, principally in the defense of Richmond. At the conclusion of hostilities, he resumed the studies which the war had interrupted, and graduated in the department of law at the University of Virginia in the year 1870.

That same year he began the practice of his chosen profession in his native town. His success was rapid and uninterrupted, and graduated in the department of law at the University early turned to politics, and took an active part in the heated controversies, both local and national, which marked that period. In 1890 he was first elected to Congress, and from that time forward he was successively chosen from his district to represent it in this body.

There are several things to be noted in connection with this long and unusual service. In the first place it very clearly shows that Mr. JONES represented a homogeneous people, holding a steady attitude toward public questions, and free from those violent fluctuations of sentiment which so often defeat a representative, at the very time that he is attaining a position to be of the highest service to his constituents. Again this fact of long and continuous service, indicates that the representative was in some degree an unusual man, and by reason of conspicuous merit was able to maintain his hold upon his people. Even a constituency in the highest degree stable and conservative in its attitude would not retain in its service for so protracted a period a man who did not establish in their judgment his supremacy over his compeers and competitors. Mr. JONES, particularly in the early period of his career as the Member from the first district of Virginia, had some hard-fought political battles, in which the issue was in doubt. But as time progressed, he so established himself in the confidence and affection of the voters of that portion of the State that both nominations and elections became a mere matter of form. Our friend possessed a clear intellect, a cool and well-poised judgment, high ideals, rugged integrity, a natural aptitude for debate, and unusual capacity for hard and grinding work. It was inevitable that a man possessing these qualifications would succeed, first at the bar, and then in this deliberative body, where he served so long, and with such distinction.

The district which he represented comprises the bulk of those counties in which the first settlements were made in Virginia. These counties were the birthplace of a number of the most distinguished men that Virginia has contributed to the councils of that Commonwealth, and of the Nation. Washington, Madison, Monroe, Lee, and many other great men, hailed from that portion of our State. The present population of the district are in large measure descended from the first settlers, with but little admixture of other stocks. Nourished upon the traditions of their great forbears, living somewhat away from the established lines of travel in Virginia, they have preserved to a large extent the old outlook upon fundamental national questions, a profound reverence for the Constitution, and an indisposition to accept in haste new doctrines, destructive of the old, and in many cases with nothing to be said in their behalf, save the insistent demand that they should be accepted merely because they were new. Cherishing this attitude himself, Mr. JONES was the ideal Representative for such a constituency. I would not for a moment be understood as suggesting that either he, or his people, were narrow, provincial, backward, and unprogressive. Far from it. He kept abreast with the movements of modern thought, accepting after full consideration that which upon the whole seemed to represent progress, but firmly rejecting the chaff that was presented to him in the name of progress.

By virtue of his membership on the Committee on Insular Affairs, Mr. JONES was naturally brought into intimate contact with the problems of life, and government in Porto Rico, and the Philippines. He was the firm friend at all time of the people of those islands, and believed that they were capable of self-government, and home rule, in the present, not at some indefinite time in the future.

He took an active part in the construction of the last Philippine act, an act that may almost be called a constitution for the islands. While the act fell far short of his conception of a proper measure of home rule for the islanders, it represented a great step forward, and if he had lived, it would have given him the keenest delight to read the last report made by Governor Harrison, upon the progress that the Filipino people have made in the direction of substantial self-government, a government in which efficient native administrators have largely replaced foreigners, and have evidenced the very highest capacity to administer civil government in all of its details. Knowledge of this success on the part of his Filipino friends would have delighted his heart, justifying as it has done, his confidence that if given the opportunity, the people of those islands would show themselves capable of self-government, and entitled to be relieved from a condition of foreign tutelage.

As a debater in this body until ill health overtook him, Mr. JONES shrank from no encounter. He possessed in an unusual degree the power of lucid and perspicuous speech, though at times he rather overelaborated his subject by too great attention to detail. He was held in high esteem by all of his colleagues who recognized the purity of his ideals, and the clarity of his intellect. During the latter years of his membership in this body he was not a frequent participant in its debates. The steady progress of the disease which finally overcame him, while it did not seem in any wise to affect the vigor of his intellect, indisposed him to physical exertion. His last extended appearance on the floor was in connection with the Philippine bill, a measure that was very dear to his heart. His contributions to the debates upon that measure, both to the general debate, and under the five-minute rule, showed that he had lost nothing of his informing capacity when dealing with a measure which he had made the subject of study. Throughout the entire progress of the bill, he showed himself a master at all times of the whole subject matter, both in the large view, and in the minuter details which are so often inadequately apprehended by the committee reporting a bill, and insufficiently presented.

Mr. JONES was one of the most indefatigable members of this body in looking after the interests of his constituents, whether those interests took the form of legislation, or of some detail requiring attention at the departments.

It was this indefatigable industry in all matters large and small, his rugged integrity, his power of lucid speech, his devotion to the interests of his constituents, his high ideals, and his upright life, that explain his remarkable hold upon his constituents. No district, it may be said without offense to any one, or implied criticism of any one, ever had a more faithful representative, or one serving them with an eye more single to their interests. He was a valued friend, and I mourn his loss, feeling that Virginia, and in particular the district which he represented so long, and so ably, are the poorer by his death.

The SPEAKER pro tempore. The gentleman from the Philippine Islands [Mr. DE VEYRA] is recognized.

Mr. DE VEYRA. Mr. SPEAKER, I must not elude my duty to participate in the memorial services of to-day. Being a Filipino and one of the representatives of a nation for whose welfare Congressman JONES dedicated his best efforts, I would be uneasy, I would be recalcitrant to my official duties, if I should desist from joining this affectionate tribute given him by his comrades. This is because Filipinos owe WILLIAM ATKINSON JONES a gratitude great and sincere; we are his debtors forever.

It was Commissioner Quezon, my predecessor in office and a coworker of Congressman JONES in the same enterprise, who said that, after that of Rizal, our national hero, JONES's death is the greatest loss that has befallen the Filipino people. Mr. Quezon had a happy thought when he uttered that great truth—a great truth echoing the beatings of every Filipino heart.

The names of Rizal and JONES will, indeed, go down in history intertwined. They signify the moral union of two peoples, the American and the Filipino. The altruism of one and the gratitude of the other make them brothers.

Rizal and JONES are two symbolisms. Rizal dispelled our sleep of centuries and awakened the conscience of the masses. JONES enthroned our rights, making us conscious of a juridical existence with a promise of a grander national future cheering us on and on. The one was a hope, the other a reality. Rizal was the flower containing the pollen in which JONES had become the fruit. Rizal launched the campaigns for our social rehabilitation and laid the bases of our nationalism. JONES espoused the seasoned effects of those campaigns and revealed to the American people a national unit desirous of enjoying the full rights and attributes of an independent existence. The Filipino patriot was the key of gold which unlocked the destinies of a people; the American patriot was the clarion which blazoned forth America's official recognition of their national aspirations. Rizal fell a victim to Spanish muskets, singing:

> I die just when I see the dawn break,
> Through the gloom of night, to herald the day.

JONES was summoned by death hardly having witnessed the operations of the law he indited; but he, like Rizal, died on the eve of the great readjustments which surely must transpire when the greatest treaty in history shall have been concluded. Thus, together, Rizal and JONES—their epochal labors—may be said to constitute the foundation stones of the future Filipino nation.

One of the best eulogies of Congressman JONES delivered in the Philippines was that of Senator Rafael Palma, the present secretary of the interior, in the joint session of the two houses of our legislature. In summarizing the general impression produced by the death of the noble Virginian, Mr. Palma said:

> On the 16th of April of this year [1918], the faint accent of the cable transmitted from one end to the other of this archipelago the news that Representative JONES of Virginia was seriously ill. This message of sorrow produced in all parts of the islands a sensation of anguish, and the soul of the whole country felt the profound alarm that something was being lost which was a part of it, something which was to it intimate and familiar. When after a few days later the cables flashed the sadder news of his demise, a general consternation overran the Filipino homes, drowning their inhabitants in profound mourning and meditation. * * * The Filipino people, after experiencing the first moments of stupor and pain, arose like a single soul to give a vigorous expression to its sincere condolence for the bitter loss, and in the messages which came from the remotest confines of our municipalities, from our political, civic, and social organizations, as well as in the memorial services rendered for the departed, the language of man exhausted the vocabulary of pain, that vocabulary that can not, and can never, inclose the multifarious sentiments of the human heart.

Nothing would be lost—rather, it would be proper to repeat here the expressions of grief, of love, and of gratitude of the Filipino people on the death of their benefactor. But it is not easy to comprehend their feelings, impossible to accurately portray them here. This is because the Filipinos have come to regard Congressman JONES not only with fondness but also with an affection that approximates idolatry.

JONES's colleagues in this House and his friends have spoken and will ever speak of his legislative works and of the distinctive phases of his attractive personality. Certainly he possessed a noble spirit, an admirable self-denial, an absolute unselfishness; he had a devotion to duty that was characteristically American; he was persistent and resolute in his battles for lofty ideals; he was a good friend, a loyal companion, an affectionate father; in short, the irreproachable model of a citizen.

The Filipinos have much to say concerning him which, though identical with what Americans say, may have a different significance, because it comes from the lips of another race possessed of different customs.

Note, nevertheless, that although we are different from you in various respects, there exist fundamental elements which make possible mutual understanding between us. We are Christians; we are the only Christian nation in the Orient. Our Christianization is not of one, two, or three generations merely. It dates far back into the sixteenth century. It began even before the discovery of the Mississippi, before the foundation of the thirteen colonies, and long before the arrival of the *Mayflower* in the waters of New England. For three centuries occidental civilization had been transfiguring our national structure. Thus it was that America, much to her surprise, found in the Philippines a people fairly well occidentalized.

From across the Pacific, therefore, Filipinos and Americans can, figuratively speaking, shake hands. We understand you well. Our sense of gratitude is the same as yours. And we are well known for our gratefulness. "In this country," said a Spanish governor general, referring to the Philippines, "there blooms as if by spontaneous growth the flower of gratitude."

Permit me to illustrate my point by an emotional incident. On April 8, 1918, my wife and I learned, with great alarm, that the night before Congressman JONES had been suddenly attacked with paralysis. We hurried to the hospital to visit him. It was not a case of mere courtesy, but of an affection almost filial. The patient was in bed unconscious. Mrs. Jones and Mrs. de Veyra had already met each other in Manila and had seen each other here many times before. When they saw each other then they embraced and bitterly wept together, the tears of the American lady mingling with those of the Filipino in common grief. That incident conveys a meaning which no eloquence can adequately explain. It is an incident which is entirely private and whose mention in this august Hall might be inappropriate, but is justifiable in order to show with what regard Congressman JONES is held by the country.

We like him as a father. The immense good which he had done for our country has evoked in us this sentiment. It was with a paternal spirit that he dealt with my predecessor. JONES and Quezon had helped one another for full six years promoting a common cause. When Commissioner Quezon left for the Philippines, to be the bearer of the new enactment, the two men parted in tears.

We like JONES, indeed, as a father. He was always willing to help us in our difficulties and his counsels we always sought. More than this, it was he who gave our country political recognition. It was he to whom we are indebted for the modernization of our institutions. He was the author of our new organic law, bearing the promise of this Republic that the Philippines will in time be made absolutely free. He is to us, therefore, what King John and the framers of the Magna Charta are to Englishmen. He is to us what Jefferson and the signers of the immortal Declaration of Independence are to Americans.

If I may justify this parallelism, permit me to recall the situation of the Philippines before August 29, 1916, the date when President Wilson affixed his signature to the Jones law. What were we then? An almost voiceless people, with a peculiar system of laws, neither a colony nor a territory—a thing undefined in terms of colonial history.

Imagine a people which Spain had educated for three hundred and fifty years, but whose national ideals had been repressed. It was a nation which believed in the doctrines of democracy and was impatiently desirous of seeing itself completely independent. It had no mother, and it did not wish to have a stepmother. In the transmutation of its social and political institutions it studied the conditions of your Commonwealth, the most democratic Commonwealth of the world. Far from silencing our aspirations, the study convinced us that those aspirations were legitimate, and they accordingly flamed anew. The youthful nation felt in its veins the awakening of a new life, was the more encouraged, and became more impatiently eager to direct its own destinies.

For a time, however, it seemed as if fate had wafted us forevermore under the domination of this Republic. Influences counter to altruism and ambitions which defile democratic traditions had won the day in this country. The Philippines was

placed first under a military régime, and then under a provisional civil government from the year 1902.

The man whose memory we honor to-day was then already a Member of the House. As a member of a party which had championed the best traditions of America, he sympathized from the very beginning with national aspirations of the Filipinos; and although, with his party, he was defeated in Congress on the question of what should be the status of the Philippine Islands, he did not abandon the enterprise, pinning his hopes upon better times.

The opportunity soon came with the victory of his party in 1912. The Democratic Party, as already indicated, has always cherished the national tradition of not embarking in an enterprise which carries with it the domination of an alien race. In the presidential campaigns of 1900, 1904, 1908, and 1912 it had consistently maintained the same policy concerning the Philippines, with minor alterations as to form.

Hence it was that stupendous forces had to array themselves in order to bring about the ratification of the treaty of Paris. And even in the discussion of the organic act of 1902, the claim of the Democratic Party that the desires of the Filipino people be respected was vigorously asserted.

Congressman JONES was not unmindful of these antecedents when in 1912 he presented his first bill giving autonomy to the Philippines. Being a man of conviction and of courage, and, more than this, a man of lofty ideals, he felt that the opportunity he awaited had come, and he renewed with vigor the campaign for the restoration of the political rights of the Filipinos. Four years later he was triumphant.

It was through Congressman JONES, therefore, that the Democratic Party fulfilled a promise that was proclaimed repeatedly during four consecutive presidential campaigns. It was through him that America translated into concrete letters an item of her genuine democracy—the nondomination of another people against their consent.

America should appreciate the generous endeavors of this illustrious son! The Democratic Party should revere him as one of their brilliant satellites! Both America and the Democratic Party owe him a debt of gratitude for having thus staged in colonial history the pageant of a lustrous altruism!

In the hearts of the Filipinos the memory of WILLIAM ATKINSON JONES will ever be dearly cherished. Long will we pay tribute to that magnanimous man. While it can not be said of him that for the Filipinos he is "First in peace, first in war, and first in the hearts of his countrymen," indisputably he is the American most dear to our hearts.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri [Mr. DICKINSON].

Mr. DICKINSON. Mr. Speaker, WILLIAM A. JONES, of Virginia, was my friend, and for him I entertained a high regard and sincere friendship, commencing with my coming to Congress in the winter of 1910. I first met him in November, 1909, at Butler, Mo., where he attended the funeral services of his close personal friend, the gifted DAVID A. DE ARMOND, whose tragic death brought sorrow to so many. I was first attracted to Mr. JONES by the known close friendship that existed between him and DE ARMOND, who for nearly 20 years represented here with marked ability the sixth congressional district of Missouri, beginning their terms together in 1890, their relations were as close as brothers. The fact that I was the successor and friend of Mr. DE ARMOND brought me more quickly into a personal relation with WILLIAM A. JONES, whose friendship and courtesy I deeply appreciated. For two years I was a member of the Committee on Insular Affairs, of which he was the able chairman for a number of years. During that service he was the author of constructive legislation for the Philippine Islands and for Porto Rico, meeting the hopes of those peoples and the best judgment of our own country. With singular ability he met the task assigned to him, and for the work done he will long be held in grateful remembrance in the affections of both the Filipinos and the Porto Ricans who yearned for a happy settlement of their troublous conditions. I hope the laws enacted by Congress through the guidance of this distinguished Virginian will help to bring lasting peace and prosperity to these countries now so closely allied to us.

It was my fortune a few years ago, with two other Members of Congress—Judge TOWNER, of Iowa, and Judge HARDY, of Texas—to go on a delightful trip by boat down the Potomac into his district as his guest. He showed us many places of interest, among them, Stratford, the historic home of the Lees, in Westmoreland County, Va. It was at Stratford that Robert E. Lee and Light Horse Harry Lee were born and reared. A wonderful brick mansion of ancient structure nearly 300 years old still graces this home. He took us also to the place where George Washington was born, and where a beautiful shaft is erected as a monument to his memory, upon the spot where once stood his colonial home, his birthplace, now long since destroyed by fire. This shaft was erected through the efforts of Mr. JONES. In this same county, he showed us where Monroe, of historic fame, one of the Presidents, had lived. A ragged old oak tree stands there as a modest sentinel near where the house once stood in which Monroe lived, but now long since gone. No monument there to mark the home of him who gave name to the famous Monroe Doctrine, only an old field, uncultivated and uncared for, now owned, I was told, by an old negro man, a relic of the days of slavery, when master and slave lived in harmony together. The recollection of this trip will always be a pleasure to me.

Long service in Congress, his faithful discharge of duty, his marked ability, and his success as a legislator, and particularly as chairman of the committee which he honored, made him the fit and worthy Representative of a great and historic Virginia district, which continued to send him here for a long period of years, serving at his death his fourteenth term in Congress. What a tribute to a great public servant, so long honored by his district, whose confidence he deservedly retained, faithful to the end. The high office was to him a position of trust, worthily bestowed and honorably held. He died in the harness of official life and the memory of his charming life and the splendid record left by him will not only be a sweet heritage to those who loved him but will be his monument, worthily erected by his own services well rendered by this distinguished Virginian and strong American citizen. He lived a good life. He traveled safely along the paths of a well-ordered career. From the mysteries of life he has gone into the shadows of the great beyond, and if a well-spent life and honorable career can open the gates of eternal life to a true soul, WILLIAM A. JONES is now already safe in the enjoyment of an assured reward.

The SPEAKER pro tempore. The Chair recognizes the gentleman from the Philippine Islands [Mr. YANGCO].

Mr. YANGCO. Mr. Speaker, I am certainly grateful to the House for the privilege extended to me of saying a few words on this occasion. I have anxiously desired to pay in this Hall a formal tribute of affection and respect to Congressman WILLIAM A. JONES, of Virginia, not only that I may echo the voice of my country, but also that I may express my proper sentiments.

I met Mr. JONES on one of my visits to this country four years ago. The personality of the Congressman was simply arresting, and the impression he left in me on that first meeting I shall never forget. His mode of speech, measured, firm, and emphatic, was such as to send a thrill of admiration in one's being. That gentle and piercing glance, lucid eyes, spoke of a grandeur of soul within the man. They concealed firm resolve and devotion to a just cause.

I have seen Mr. JONES many times thereafter. As if by a magnetic force I found myself being drawn to him, and I have liked him more and more. He was one of those few individuals whose influence, once felt, is difficult to elude.

As chairman of the Committee on Insular Affairs, Mr. JONES was well known in the Philippines. His repeated attempts to secure for the Philippines a more liberal form of government, one that was to be consonant with the rapid advancement of the archipelago, were hailed there with delight; and the people have looked upon him as the leader of their cause in this body.

The early part of the year 1916 was a period of intense labor for Congressman JONES. He had just secured the favorable report of the committee on his bill with regard to the Philippine Islands, and the Senate Committee on the Philippine Islands was disposed to take the same favorable action. That was the same bill which to-day is the new organic act of the Philippines. It did not embody all that Mr. JONES had desired to be embodied in its provisions, nor was it a complete response of America to the righteous claims of Philippine nationalism, but it was the only kind of more liberal legislation for the Philippines which bore the promise of sanction in both Houses of Congress. As Senator ROBINSON has said in one of his recent speeches, the opposition to that bill, as well as to the Clarke amendment, "was organized and powerful, and the contest was one of the fiercest he had observed in Congress during 15 years' service." Mr. JONES worked for the passage of the bill with the energy, the firmness, and the fortitude of an apostle. He was even branded as a traitor to the Republic, but his adamantine courage faltered not. He was convinced of the justice of the cause he championed, and he labored on and on. Who knows

but that his exertions then were the immediate cause of a physical collapse which soon thereafter ensued.

But the bill of his endeavors passed both Houses of Congress, and he heard from across the ocean the jubilant acclaim of a grateful people.

The month of September, 1916, ushered a new era in the history of the Philippines. It was then that the Jones law operated in full force. The government of the Philippines was reorganized. Many changes were introduced. Among these were the creation of the Philippine Senate, elected by direct popular vote. In every department of government the natives were given a participation greater than ever before. For the first time they became real participants in the guidance of their own affairs. It was the boon of the Jones law, and the name of the Congressman was on every lip from one end of the archipelago to the other.

The Jones law was not a premature piece of legislation. The Filipinos have more than measured up to the expectation of its author. The machinery it created is to-day functioning smoothly. The people have become more contented. Knowing that America's promise of complete independence will some day be redeemed, they have concentrated their energies on the task of making the progress of the land most substantial. We are to-day advancing by leaps and bounds. We will set a record in colonial history.

A little incident is not out of place in this connection. I remember that when the Jones bill was being discussed in Congress there was a prominent American attorney in the Philippines who hurried to these shores in order to aid in the general campaign against the passage of the bill. He went back disappointed. Shortly before Mr. JONES's death the same attorney appeared at his office and congratulated him for the splendid results which the new form of government has brought about in the Philippines. "But, my friend," inquired the Congressman, "were you not here two years ago to oppose with your influence and power the passage of my bill?" "It is true," replied the attorney, "but you were right and I was wrong."

Hardly, however, had the new order of things been inaugurated when our benefactor and friend passed into the Great Beyond. His death is a national loss to my country. His name will ever be chiseled in the tablets of our memory. We love him, because he made possible for us the dawn of a grander day; because he opened the vista of a cheerful national future. The greater Philippines that is hoped to be coming, when the realignments of the world's dominions shall have been completed, will be the most fitting monument to his name and deeds.

Mr. Speaker, I find no words forceful enough with which to express the grief of my people for the death of Congressman JONES. Never in the annals of our land have we, as a people, felt so bitterly the death of an alien friend. It seems as if something has been wrenched away from our national being—something torn away from the very fibers of our hearts.

From most of the provinces and municipalities of the Philippines resolutions of condolence have come in numbers; many municipalities have already taken steps to perpetuate his name in stone, if not in marble. Manila, the capital of the archipelago, will name after him the largest and most costly bridge that spans the Pasig River. The Philippine Legislature has appropriated funds for the erection of a mausoleum over his tomb in Warsaw, Va., his home town, and a monument in Manila. All these, gentlemen, are but the pallid signs of the gratitude of my people to the man. In our heart of hearts we miss him and mourn his loss.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Porto Rico [Mr. DAVILA].

Mr. DAVILA. Mr. Speaker, less than two years have elapsed since that memorable occasion, of singular historical significance for the people of Porto Rico, when a venerable and manly voice rose in this Chamber, filling it with the intonation that comes only from true greatness and farsighted statesmanship, to urge, I dare say, to demand for the last time, as it had repeatedly demanded before, that a new charter of liberties, involving reforms of a fundamental character, be granted to that island of the West Indies which destiny brought within the folds of the American flag as a result of the Spanish-American War. The voice was that of the late Hon. WILLIAM ATKINSON JONES, of Virginia; the occasion was the final debate in this House on the organic act now in force in Porto Rico. It is, therefore, but fitting that I, as the representative of the people for whose betterment and progress he did so much from his office as a Member of this Congress and from his post of honor as chairman of the Committee on Insular Affairs, in this solemn moment, when the daily labors of this body have been suspended and his former colleagues congregate to do honor to his memory and to mourn his loss, should unite my voice to theirs in formal and heartfelt recognition of his noble and successful efforts in behalf of my countrymen.

Representative JONES took the first step in the path of our liberty, supplying the basic draft for a new law, which although it does not contain all the justice that Porto Rico demands, it, nevertheless, represents considerable progress in the recognition by Congress of our political rights. Other statesmen will come after him to continue the work he started, applying thereto broad views and, as in his case, a great spirit of justice; but to him should go the credit for having initiated this worthy task.

It was my good fortune and privilege to have met and admired Mr. JONES during the later days of his life, some months before his death deprived this body of his able counsel and services, and I found it a source of great satisfaction to me that my personal contact and association with him, although regrettably short, should have enabled me to confirm the esteem and admiration that I had previously conceived for him at a distance, from Porto Rico, where his altruistic utterances had already resounded. It is not for me, however, to recount his many virtues and the brilliancy of his record as a Member of this august assembly; others have done that more ably and eloquently than I can.

But I would be derelict in my duty were I not on this solemn occasion to record the fact that the demise of this venerable statesman caused profound grief among the people of Porto Rico, who loved and honored him in life as they will continue to love and honor his memory, and who look upon his disappearance as a great loss, not only to the present, but also to the future generations of the island—to the present one, because it knows that it has lost a friend who was ready at any time to place the formidable power of his energy and prestige on the side of those who struggle for immediate and wider concessions to the native islanders along the line of self-government; and to the future ones, because, if his enthusiastic espousal of the reform measure, which is now a law, is to be taken as an index of the attitude he would have adopted with reference to the determination of the final political status of the island as regards her relations to the central Government of the United States, we feel warranted in the belief that, had he lived and statehood for Porto Rico as a solution of this problem should be concluded impracticable, as it is believed by prominent leaders here, he would have supported with equal enthusiasm and vigor the establishment in Porto Rico of an independent republic, politically removed from this great country, but bound forever to it by indissoluble ties of friendship, gratitude, and interest. And I am sure that he would not have proposed any measure of definite character with regard to our status without a previous consultation of the people of Porto Rico in accordance with the right of self-determination.

No posts in the legislative system of the American Government are so vital to the people living in our island possessions as are those of chairmen of the committees of the House and Senate dealing with our insular affairs. Upon the views of the men who occupy these two positions the hopes and aspirations of the island people depend to a degree that can hardly be realized by those Americans who live within the confines of the continental United States.

At no time since Gen. Miles and his army of deliverance landed on their shores 20 years ago has the status of the Porto Rican people been clearly defined. The Philippines coming into the American system under similar conditions and practically with the same aspirations has had its future definitely mapped out, due largely to the untiring and statesmanlike labors of him whose memory we have met to honor to-day; and the status of Porto Rico alone has remained unsettled, although he did much toward establishing a definite policy and system of government for that island.

It is not too much to say, Mr. Speaker, that during the tenure of his office as chairman of the Committee on Insular Affairs more was accomplished in this direction than in all of the preceding years of the American occupation. That fact was fully recognized by our people and for that reason the reorganic act which bears his name will keep his memory alive in Porto Rico for generations yet to come. I have recently referred upon this floor to the anomalies of our status, and this is not the occassion to more than refer to the subject. But I am glad of the opportunity to say that from the Stygian darkness that surrounded the Porto Rican situation for nearly 20 years Congressman JONES did much to lead his country to the light. And for the beginning that we were able to make, by reason of his assistance, along the road which leads to complete sovereignty we will always feel profoundly grateful.

That gratitude was manifested in an official way by the Legislature of Porto Rico, speaking for the people as a whole. I was requested by cable to express their deep sympathy to the family in their bereavement. And when I accompanied the casket back to the Old Dominion to lay him at rest in the soil that has received back so many illustrious sons whose labors in this life have been spent in the unceasing struggle for human freedom, I went not only as a member of the funeral committee of this House, but as the official representative of a million and a half Porto Ricans who mourned his death as sincerely as did the people of Virginia.

I am glad to have heard the name of my country from the lips of the chairman of the committee on Insular Affairs, the gentleman from Tennessee [Mr. GARRETT], the Representative from Virginia [Mr. SAUNDERS], and the Representative from Missouri [Mr. DICKINSON]. I thank them for their recollections. I feared that the name of my country was to be entirely ignored and that no mention was going to be made of the efforts of Mr. JONES in favor of Porto Rico. I do not say that as a complaint. I recognize that the work of Mr. JONES in his labors for the independence of the Philippine Islands was more conspicuous than the work done in favor of Porto Rico, and it is natural that the speakers should have given special attention to the principal achievements of our lost friend. I want, however, to remind you of the fact that there is an island in the Caribbean Sea belonging to the United States, which wants to be fully known to this country, and which expects to receive in the near future entire justice at the hands of the people of the United States.

Mr. WATSON of Virginia. Mr. Speaker, in offering a word of respect to the memory of Mr. JONES, I can not pretend to speak with the intimate knowledge of his character and career possessed by others who have preceded me. Before I came to Congress my acquaintance with him was but casual. My home in Virginia was remote from his own, and there was but slight intercourse between his constituency and mine. But his ancestors on one side had gone from my section of the State, and his kinspeople were among my personal friends and neighbors.

It was for this reason that I felt an interest in his career, and that when I came here I sought with him, as opportunity offered, relations of respect and good will. While, by reason of his failing health, our intercourse was limited, I came close enough to his life and work to conceive great respect for his character and ability.

He was no ordinary man. In the mutations of public life no ordinary man can stay in Congress 27 consecutive years. In a popular government it is inevitable, and it is right that the people should differ respecting public measures, and the Representative who to-day is in the high tide of public favor may to-morrow find his opinions have ceased to reflect the constituent will and be compelled to yield place to another; likewise, should no public measure intervene conflicting personal ambitions not infrequently arise to work a change in representation. But notwithstanding these causes for change, ever operative in Virginia as elsewhere, Mr. JONES succeeded in retaining the undiminished confidence and support of a high-class constituency for nearly 30 years. With one exception, no man in Virginia has come to this body for so long a consecutive period; and of the ten thousand, living and dead, who, since the beginning of the Government, have attended here, but few, indeed, have enjoyed such unbroken public favor.

Such a record speaks for itself; and without high qualities of head and of heart no man could hold it.

It would be interesting to speculate upon the causes of success in a public career so long sustained. Men differ, perhaps, less in intellectual endowment than they do in industry and force of will. Were I called upon to analyze Mr. JONES's personal equipment for the public service, without detracting from his mental ability, I would say his will power and capacity for labor were his distinguishing characteristics. Who of those called to witness his last days could question the will and the industry that, despite disease and infirmity, held him to the ceaseless grind of our routine work here and enabled him to meet daily the exacting demands of public duty? What an inspiration to others was the spectacle of his leaning form and enfeebled step as he slowly wended his weary way in and out among us nearly to the end! Rarely has there been such a triumph of mind over the weaknesses of the flesh.

Strong will and persevering endurance were certainly marked traits in his character. But in this world of balanced compensations we are frequently called to pay a penalty even for our virtues, and these traits may at times have betrayed him into a too persistent maintenance of his own opinions. There were some, perhaps, urgent upon their own views, who thought him obstinate, and his leadership was sometimes embarrassed by what they deemed his unwillingness to compromise conflicting opinions. That he was a man of warm feeling and positive convictions was undoubtedly true, and that he was emphatic and, occasionally, combative in their assertion is likewise true. He had that kind of courage, none too common in public place, to stand up and be counted even in a minority of one.

After all it is not so easy to draw the line between personal conviction and public duty—between the respect a man owes himself and the regard that is due to the opinions of others. The Representative who has no convictions of his own we should not expect to long defend any cause. The thoughtful student of our institutions would, perhaps, say that there was less of courage than intelligence in public life, and that public assemblies were more in need of backbone than of brains. Whatever else he was, Mr. JONES was not a timeserver nor a courtier; the band wagon had no attractions for him; he never crooked the pregnant hinges of the knee that thrift might follow fawning.

He was not an old man, as men reckon time, but he had lived to see many changes in the history of his country. He was born under the institution of slavery, in a slave Commonwealth, and when there were 4,000,000 slaves in his native land; he lived to strive to give freedom and independence to 10,000,000 dependents in the far-away isles of the Pacific. As a cadet youth he bore arms for the Southern Confederacy; he died a lawgiver of the restored Union. He saw the end of an era—one civilization pass away and another civilization rise to take its place. He saw the domestic institutions of his people—their whole social and economic fabric—perish in the shock of war; comfort, ease, and wealth destroyed in the twinkle of an eye, and poverty, toil, and want come in their stead. He underwent the rule of the stranger and the freedman—a combination of avarice and ignorance which well nigh extinguished the hopes of his people; but he lived to see the survival of the fittest at last, and to take a man's part in the restoration of his country.

Surely a life crowded with such scenes and activities as these was neither uneventful nor unimportant.

Mr. Speaker, I was among those designated in the past year to attend the funeral obsequies of our deceased colleague. It was a melancholy privilege, yet I doubt if any who were of that company will ever forget the occasion and the journey to his last resting place. The contrast between the dust and toil of this crowded Capital in times of war and that remote Virginia hamlet could not have been greater had we been transported to another world. In fact, we were in another world, yet fragrant with the breath of the past and surrounded on all sides by monuments of a bygone age.

There on the tidewater between the Rappahannock and the Potomac beat the heart of the Old Dominion in the days before the Revolution; hard by were the birthplaces of many of the fathers of the American Republic; and here and there towering above the silent landscape like lone sentinels of the past stood "Stratford" and "Mount Airy" and "Sabine Hall"—the venerable mansions of the Lees, the Taylors, and the Carters. The gracious hospitality of the people bespoke the old civilization. Returning spring had brought back the green grass and the sweet flowers of nature; the whole scene was that of tranquillity, and the very atmosphere was restful.

There upon his native heath, amid the scenes of his childhood, among his kindred and his friends, we laid our distinguished colleague to rest.

After life's fitful fever he sleeps well.

Mr. BLAND of Virginia. Mr. Speaker, the people of the first congressional district of Virginia desire that on this occasion I testify anew to the love and esteem which they bore the Hon. WILLIAM A. JONES. He was their Representative in this Hall for many years. He was my friend. Yet I know that I can not tell how completely his people loved and trusted him.

Mr. JONES was unostentatious. He was unaffected. He loved the truth for itself. To him the language of fulsome flattery would have been repelling. Given his choice now, he would select the language of unfeigned affection, and, as best I may, I shall try to set for my remarks here the limitations he would most prefer.

Memorial exercises must carry a note of sadness. Yet when a Member dies it is fitting that his fellows see that he is not forgotten. It is well that they pause long enough to strew flowers upon his tomb, and to wreathe immortelles for his memory. The death angel ever hovers near. During the past 12 months death has been busy in this Hall. His shafts have been flying fast. For many the last roll call has sounded. Fortunate is the man whose life has been crowded to the full with labors well done and worth the doing. Fortunate is the

world when one's life has been crowned with achievements which have added to the sum of human happiness. Such a life we contemplate now. So lived and died WILLIAM A. JONES.

We turn to-day to Mr. JONES in last farewell, to tell the story of his life, to pay a just, though humble, tribute to his memory, and to say to him, in the language of love, "Dead but not forgotten." Other tongues used to the language of eulogy will tell how faithfully he worked and how full of wisdom were his words of counsel. Be it my part to say, "His people loved him." As the years passed, there came the abiding assurance that while he might be here, then to the extent that he could control justice would be done and right would prevail. With calm confidence in his judgment, industry, and truth, they were content. When the sad intelligence flashed forth that their old-time friend and counselor was gone, their heads were bowed as one. They lamented sorely him upon whom they had learned so completely to rely, for with them the question as to any matter had ceased to be, "What will Mr. JONES do?" but it was, "What is the right of the cause?" for well they knew that as Divine Providence gave him the light to see the right, so the right would be done.

For nearly 28 years Mr. JONES served his people in this Hall. He saw many changes. His colleagues from Virginia have all gone. With him in that first Congress wherein he served were, among others, in this body Charles T. O'Ferrall, William H. F. Lee, and H. St. George Tucker, while in the Senate were the eloquent John W. Daniel and the beloved John S. Barbour. On this floor, not to mention many illustrious names, were Hilary A. Herbert, John H. Bankhead, and old Joe Wheeler, of Alabama; Charles F. Crisp, of Georgia; Jonathan P. Dolliver, of Iowa; Isidor Raynor, of Maryland; Henry C. Lodge, of Massachusetts; Bryan, of Nebraska; De Armond, of Missouri; Bourke Cockran and Sereno Payne, of New York; Joseph W. Bailey and Roger Q. Mills, of Texas; and William L. Wilson, of West Virginia.

The now splendid States of Arizona, New Mexico, Oklahoma, and Utah were then only Territories.

The times have changed. Others have come to occupy the stage, and new issues confront the world. Great questions have been settled or have become of minor importance. The chasm left wide open by civil strife has slowly closed. While here Mr. JONES saw that valiant son of the South, his former colleague on this floor, old Joe Wheeler, leading the Federal armies to a glorious victory. He lived to see the sons of men who had worn the gray fighting side by side with the sons of men who had worn the blue, and doing and dying for the glory of their reunited country. Soon peace waved her magic wand. Agriculture smiled, and industry made merry music. For a little while the doors of the Temple of Janus were closed, and Mr. JONES knew the heart-cry of his people that they might remain closed forever. But that could not be, and ere he went to sleep, war had again descended on his land.

In his career here, Mr. JONES played a manly part. He was a constructive statesman. To the solution of many perplexing problems he brought a well-trained and an honest mind. He kept ever before him the splendid ideals of his country and her fundamental principles. Nor did he swerve either to the right or to the left in their application. He was a man of strong personality, of courageous convictions, determining for himself the right of every cause and fighting to uphold that right to ultimate defeat or to final victory. For him there could be no compromise where the question was one of right or wrong. On such a question there could be for him neither half way ground nor answer of expediency. Having entered the lists, he fought with massive strength and crushed his adversary beneath an avalanche of important and pertinent facts. He who dared once to weigh him lightly as a foe never made that mistake twice.

Mr. JONES's life was given to service. The youth heard Virginia call, and bared his breast in her defense. The man served his State as prosecuting attorney until his fame spread beyond his county. Then, called to the service of the Nation, he gave the best that was in him. He looked ever to the Constitution of his country and emulated the spirit of its founders.

Time will not suffice to chronicle in detail his distinguished career. By his services for the Filipinos and Porto Ricans he made himself immortal. As their champion he will always be remembered and loved. As the eyes of free America must turn to Virginia and rest lovingly on the birthplace and the burial place of Washington, so the eyes of a different race in a distant sea, through coming years, will turn with increasing love to Warsaw, Va., and pay the tribute of a tear as they rest upon that green grave in a quiet churchyard wherein sleeps their great champion and friend.

In this great service which Mr. JONES rendered there is no mystery. In his district the first apostle of American freedom, Nathaniel Bacon, had closed his mighty labors and found a final resting place. Mr. JONES was born in a county adjoining that wherein the Father of his Country first saw the light of day. Hard by was the birthplace of that great Virginian, Robert E. Lee. Just a little way was the home of Light Horse Harry Lee of immortal fame.

Not far away was the home of James Monroe. The district which he represented was inhabited by a people who gloried in the splendid traditions of a mighty past, and who acknowledged no masters. With them Washington, Jefferson, Madison, Monroe, and Tyler were household words. Each epoch of our country's history had here the echo of heroic deeds. In his district the final struggle for American freedom had been fought and won, and it is not strange that in his periodical visits to his people, as he paused for a little while on the sacred plains of Yorktown, his soul caught the exultant cry of his fathers, and the freedom which they had won for him, his sympathy, his love, his unwavering zeal and his splendid genius made possible for the Filipino. Though strength failed, there was no abatement in his mighty efforts. He fought on until Filipino freedom was assured.

Hear him as the great work of his life reached consummation. When standing on this floor he said:

> Mr. Chairman, permit me to say in conclusion, that fervently believing with that great apostle of human liberty, Thomas Jefferson, "that the people of every country are the only safe guardians of their own rights," my prayer is that the day is not far distant when we shall see arise in the Far East a free and independent Christian nation, to be known throughout the world as the "Republic of the Philippine Islands."

Speaking of the great measure which came from his hands and carried hope and comfort to the Filipinos, Mr. JONES said:

> When the President of the United States affixes his signature to this already too long-delayed measure of justice and right, it will mark an epoch in the history of this Nation as well as in that of the Philippine Islands, for the pages of the annals of the world will be searched in vain for its counterpart. For it not only bestows upon the Philippine people a measure of self-government such as they have never enjoyed under the sovereignty of this or any other nation, but it establishes what to them is dearer than all else—the everlasting covenant of a great and generous people, speaking through their accredited representatives, that they shall in due time enjoy the incomparable blessings of liberty and freedom.

I can not close, Mr. Speaker, without calling attention to the tribute which on August 18, 1916, the able delegate from the Philippine Islands paid Mr. JONES on the floor of this House. It is worth repetition here. Voicing the sentiments of his people, that delegate, turning to Mr. JONES, said:

> Mr. JONES, I have witnessed your untiring work on this bill; I have seen your unselfish devotion to the cause of Philippine independence, honestly believing that it was demanded by God's own law, but also by the best interests of your country and mine. As the chairman of the Committee on Insular Affairs, which is in charge of legislation affecting the Philippines, you have considered it to be your paramount duty to write into law the covenant of your fathers and the spirit of America—freedom for all. By this bill, which is the result of your hard labor—labor you have carried out at the risk of your own life, for you have been working in spite of ill health—you are entitled, in my estimation, to a prominent place in the list of the advocates of human liberty. Surely your name will be written in letters of gold in the history of the Philippine Islands. You have earned not only the eternal gratitude but the love of every individual Filipino. God bless you.

In less than two years from that day the summons had come. The last roll call had been answered.

To-day the eyes of the world rest upon Paris. America stands there as the hope of the future, and President Wilson has been greeted as the personification of freedom. Permit me to say just here that when our late great struggle came on, and liberty-loving, unselfish, glorious America sprang to the front, the work of WILLIAM A. JONES for Filipino freedom sent her forth as the champion of liberty, bearing an untarnished escutcheon and flashing a stainless blade.

In conclusion, let me say of him what he said on a similar occasion of another great Virginian. Standing on this floor, Mr. JONES said of John S. Barbour that which is so true of himself that I now pay to him the tribute which he then paid to another.

> He was a politician of stainless honor, a statesman of spotless personal character, and a patriot who loved his country with all the intensity of a heart that was comprehensive enough to embrace humanity itself. And again, he was, withal, the kindliest, tenderest, and most generous of men.

At this point Mr. BUTLER resumed the chair.

THE LATE REPRESENTATIVE JOSHUA F. C. TALBOTT.

The SPEAKER pro tempore. The Clerk will read the next order.

The Clerk read as follows:

> On motion of Mr. MANN, by unanimous consent,
>
> *Ordered*, That the order heretofore agreed to, fixing Sunday, February 9, 1919, as a day for addresses upon the life, character, and public services of Hon. JOSHUA C. TALBOTT, late a Representative from the State of Maryland, be set aside, and that Sunday, February 16, 1919, be designated for such addresses.

Mr. COADY. Mr. Speaker, I offer the following resolutions.

The SPEAKER pro tempore. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 583.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JOSHUA F. C. TALBOTT, late a Member of this House from the State of Maryland.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The question was taken and the resolutions were unanimously agreed to.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. LINTHICUM] will take the chair.

Mr. LINTHICUM took the chair.

Mr. SHERWOOD. Mr. Speaker, I presume I knew Comrade TALBOTT as well during my fifteen years of service here as any Member outside of his own State. I knew him as a friend and gentleman of the highest type. I remember a roll call when my so-called dollar-a-day pension bill was pending, when he (being a Confederate soldier) voted "aye." That vote always appealed to me. Another brave Southern soldier, Capt. Lamb of Richmond, Va., who served on the staff of Gen. Robert E. Lee, also voted "aye." Mr. TALBOTT, if he had lived to the end of his term, would have served 24 years in this historic Chamber, longer than any Member who ever represented the State of Maryland. I remember in 1911 there were but 391 Members of Congress and of that number only four were Members 20 years before, or in 1891. They were JOSEPH G. CANNON of Illinois, SERENO E. PAYNE of New York, General BINGHAM of Pennsylvania and JOHN DALZELL of Pittsburgh. This House of Representatives is a political slaughterhouse, it seems, for new Members. From 1865 to the commencement of the Sixty-fifth Congress, a period of 50 years, 5,447 had served in this uncertain Chamber and of that number only 22 had served for 20 years. To-day of our whole number of 435 Members we have only present here on this floor three Union soldiers, Col. HOLLINGSWORTH of Ohio, Mr. OSBORNE of California, and myself. And there are only two Confederates, Gen. ESTOPINAL of Lousiania and Col. STEDMAN of North Carolina. An old soldier who served in that war on an occasion of this kind in talking of a departed comrade can not fail to be reminiscent. It seems to be natural.

I remember one battle of the Civil War—the battle of Franklin, Tenn.—on the 30th of November, 1864, when there were, all told, about 85,000 men engaged, and there were more generals, more major generals, and lieutenant generals killed in that battle of five hours than in all the great "world's war," where 17,000,000 were engaged. That is a startling statement, but I believe it to be true. This, because modern warfare is mostly at long range. The peculiarities of our Civil War pertain to no other war in all history. It was the only war in all history where the soldiers on the march and around the bivouac fires at night sang patriotic songs of their own composition. That was true both of the North and the South, and the literature of that war is among the best in the English language. In a time like that and amid the intense feeling which prevailed both North and South patriotic inspiration rose above the level plane of prose into the higher altitude of inspired song. Hence it is true that with the exception of Lincoln's Gettysburg oration, that wonderful story by Edward Everett Hale—A Man Without a County—one or two orations by Col. Robert G. Ingersoll, and one by Henry Ward Beecher, the literature of the war is its lyric poetry. On the southern side it is equally true, with the exception of one or two state papers by Jefferson Davis, some orders to his soldiers by Stonewall Jackson, and Gen. Robert E. Lee's farewell to his army, the literature of the South was its poetry. We had during the Revolutionary War of seven years not a single patriotic song written, during that whole period, and none by soldiers. The same in the Mexican War and the same in the War of 1812; but in our Civil War there were over 50 patriotic soldier songs written in the North and nearly as many in the South. Among the most notable of those songs on the part of the North was Julia Ward Howe's great lyric poem, The Battle Hymn of the Republic. Sheridan's Ride, by Thomas Buchanan Reade, is probably the most powerful dramatic poem of the war.

And the most dramatic lyric of the South was Maryland, My Maryland, written by James R. Randall, of Maryland. I remember an incident in connection with that song. I was made the field officer of the day in east Tennessee upon our arrival under Gen. Burnside, and I was selected that night, as the field officer of the day, to locate the picket line around our army at the bend of the Holstein River, 20 miles south of Knoxville. I was just locating the left of the line along a road that ran by the river, and was about to return to camp, when I heard a fine soprano voice singing:

The despot's heel is on thy shore, Maryland!
His touch is at thy temple door, Maryland!
Avenge the patriotic gore
That flecked the streets of Baltimore,
And be the battle queen of yore,
Oh, Maryland, my Maryland.

I had not heard the voice of a woman in song for over a year. I looked down in the thicket, and there I saw through my field glass a girl at a piano singing, and an officer standing behind her, and I saw, by the turn of his collar, that he was a Confederate officer. Just then one of my pickets fired a shot; then I heard the clang of sabers and the clanking of hoofs, and a band of Confederate scouts rode out into the darkness. I never knew who wrote that song until at Salisbury, N. C., after the war. It was printed on a piece of brown paper, and signed by James R. Randall, of Maryland.

Another song that was sung in the South after the war was written by Father Ryan, of Mobile, who was chaplain of an Alabama regiment, "The Conquered Banner." He wrote that song at Knoxville, Tenn., in a single hour the day after Lee surrendered. All the emotions of his heart, all of human sympathy and human sorrow was expressed in that wonderful song. Here is a couplet from it, that I remember:

Furl that banner, for it's weary;
Round its staff 'tis drooping dreary.
Furl it, fold it, it is best,
For there's not a man to wave it,
And there's no one left to lave it
In the blood which heroes gave it.
Furl it, hide it, let it rest!

One of the most poetic and beautiful songs of the war was written by Marie La Costa, of Virginia, entitled, "Somebody's Darling." It was sung all over the North during the war without its southern origin being known. It seems as if it might be called the universal mother cry of all war-cursed nations.

There was another peculiarity of our war. None of the antebellum poets, except Whittier, wrote a patriotic war song during the whole war. All the patriotic songs were written by men who were obscure before the war. And another peculiarity of our war is that not a single patriotic song has been written of national import in all the 50 years since the war. And here at the close of this great war, a world war for democracy, with the most alluring shibboleth that was ever put before an army, we find not a single poem has been written that will live in history, during this whole war.

As to my departed friend, let me say he did his duty well. His record here, for 23 years, shows him standing as a Member devoted to the best ideals. He had the courage of his convictions. He stood true to his convictions with absolute fidelity during his whole career. I am proud to do honor to his memory. In September, 1867, at Columbus, Miss., a band of splendid southern women, only two years after the war decorated the graves of Union and Confederate soldiers alike. This act, so patriotic, so courageous at that time, inspired one of the grandest poems of the after-war period, written by a gifted Mississippi poet, Francis Miles Finch. I recollect a couplet:

No more shall the war clouds sever,
Nor the winding rivers be red.
They banish our anger forever,
When they laurel the graves of our dead.
Under the sod and dew
Waiting the judgment day,
Under the lilies the Blue,
Under the roses the Gray.

In that quiet cemetery at Cockeyville, in that old graveyard at the rear of the church, lie the last remains of our departed friend, and his memory will be kept green by those who loved him best. With every coming spring kind hands will strew flowers over his grave, and above the grass under which he sleeps the snowy magnolia will diffuse a sweeter balm, and the wild passion flower, winding its sweet tendrils among the waving grasses, will gather tears beneath the stars and shed them in the sunlight.

Mr. CLARK of Missouri. Mr. Speaker, our well-beloved friend J. FRED C. TALBOTT, was a member of what may not be improperly denominated "The Old Guard" of the House of Representatives. Since TALBOTT departed there are only two left—Mr. Speaker CANNON and Gen. SHERWOOD. Long may

these two remarkably preserved and able veterans remain as splendid samples of a generation which has passed away. In the last decade TALBOTT's thoughts were almost entirely of men and things of the past. Not only his thoughts but his conversation and his anecdotes concerned them. He talked most interestingly about the distinguished men who were on the boards when he first entered Congress away back in 1879 and in the years immediately following.

According to his way of thinking there were giants in those days. Samuel J. Randall, one of his heroes, was speaker. In the Senate were John T. Morgan, of Alabama, Augustus H. Garland, of Arkansas, Henry M. Teller, of Colorado, Orville H. Platt, of Connecticut, Thomas F. Bayard and Eli Saulsberry, of Delaware, John B. Gordon and Benjamin H. Hill, of Georgia, David Davis and John A. Logan, of Illinois, Joseph E. MacDonald and Daniel W. Voorhees, of Indiana, William B. Allison and Samuel J. Kirkwood, of Iowa, John J. Ingalls, of Kansas, James B. Beck, of Kentucky, Hannibal Hamlin and James G. Blaine, of Maine, William Pinkney White, of Maryland, George F. Hoar, of Massachusetts, Thomas W. Ferry and Zachariah Chandler, of Michigan, William Windom, of Minnesota, L. Q. C. Lamar, of Mississippi, Francis M. Cockrell and George G. Vest, of Missouri, John P. Jones, of Nevada, Roscoe Conkling, of New York, Zebulon B. Vance, of North Carolina, Allen G. Thurman and George H. Pendleton, of Ohio, J. Donald Cameron, of Pennsylvania, A. E. Burnside, of Rhode Island, Wade Hampton, of South Carolina, Isham G. Harris, of Tennessee, Richard Coke, of Texas, George F. Edmunds and Justin S. Morrill, of Vermont, and Matthew H. Carpenter, of Wisconsin—with others hardly less distinguished.

Some of the more celebrated Members of the House in TALBOTT's first Congress, the Forty-sixth, were James B. Belford of Colorado, Joseph R. Hawley of Connecticut, Alexander H. Stephens of Georgia, Joseph G. Cannon, William M. Springer, Adlai E. Stevenson and William R. Morrison of Illinois, James B. Weaver of Iowa, James A. McKenzie, J. Proctor Knott, John G. Carlisle, J. C. S. Blackburn of Kentucky, Randall L. Gibson of Louisiana, Thomas B. Reed and William P. Frye of Maine, George D. Robinson of Massachusetts, Julius Cæsar Burrows of Michigan, Hernando D. Money and Charles E. Hooker of Mississippi, Richard Parks Bland, A. H. Buckner, and John F. Phillips of Missouri, Samuel Sullivan Cox, Fernando Wood, Levi P. Morton, Warner Miller, Frank Hiscock and Elbridge G. Lapham of New York, Benjamin Butterworth, John A. McMahon, Joseph Warren Keifer, Frank H. Hurd, Thomas Ewing, William McKinley, jr., and James A. Garfield of Ohio, Henry H. Bingham and William D. Kelly of Pennsylvania, Nelson W. Aldrich of Rhode Island, Robert Love Taylor, Leonidas C. Houk and Benton McMillan of Tennessee, John H. Reagan, David B. Culberson, and Roger Q. Mills of Texas, John Randolph Tucker, Joseph E. Johnston and Eppa Hunton of Virginia, John E. Kenna of West Virginia, and Edward S. Bragg of Wisconsin.

No wonder our genial friend TALBOTT liked to talk of these men. They were splendid themes for any conversationalist. He was essentially a hero worshipper, and the talents and virtues of his friends lost nothing when he discoursed about them.

He was a very young Confederate soldier and was fond of relating his war experiences, some of which were highly amusing.

Had he remained continuously in the House from his first entrance to his final exit, his service would have been 39 years; but his victories were mingled with defeats, so that he served only 22 years.

The great problem nearest his heart and to which he devoted his energies was a big navy. He thought about it, talked about it, and no doubt he dreamed about it. Now that he is gone from among us, it is pleasant to remember that his last appearance in the House and that, too, with the seal of death upon his face, was to get the conference report creating a big navy adopted. He had ridden his hobby for nearly four decades; his task was done. So, happy in the achievement of a great work, he fell asleep. Assuredly, some battleship should be named the J. FRED C. TALBOTT.

Mr. PADGETT. Mr. Speaker, I regret that the poverty of my language will deny to me both the opportunity and the privilege of adequately expressing the deep sense of appreciation of the high character and the warm personal friendship that I entertained for Mr. TALBOTT. For 12 or 14 years, laboring together on the Naval Committee of the House, we were associated very closely and very tenderly, and during all those years there was nought else for him except the very highest regard and the tenderest feelings.

I regarded him as a man of high character, noble impulses, and lofty aspirations, a man who was intensely devoted to the interests and the welfare and the success of the American Navy. He was proud of the history of the Navy. He had a high esteem for the officers and the men of the Navy, and never at any time did there come to him any thought except the thought of devoting the best efforts, the best aims, and the best purposes of his life, to the upbuilding and the stabilizing of the American Navy. And I can truly say that the Navy, and, beyond the Navy, the country, owes him a deep sense of appreciation for his untiring effort and his unceasing labor for placing the American Navy upon the pedestal of respect and confidence and honor which it enjoys to-day in the public esteem, not alone of the American people, but of all the world.

He was also deeply interested in the Naval Academy at Annapolis, Md. He believed that the Naval Academy was the agency, the instrumentality chosen for the production, for the training, for the development, for the broad and yet deep and fundamental education of the officers of the Navy, who should give the Navy character and who should render it efficient and capable at all times of discharging the duties and meeting the obligations that rested upon it.

There is a little coincidence: Mr. TALBOTT was a Member of Congress in the Forty-seventh, the Forty-eighth, and, I believe, the Forty-ninth Congress. During that time Gen. Washington C. Whitthorne represented in Congress the same congressional district that I have the honor to represent, living in the same town, and Gen. Whitthorne, during the time that the Democrats had control of the Congress, was chairman of the Committee on Naval Affairs; and Mr. TALBOTT served with him as a member of that committee, and he served with me during the years that I have been a member of that committee, both as a member and as chairman. Out of this there grew an interest and a friendship, a sentiment, if I may so speak, that coupled my thoughts back into the history of the Navy when it was very small. Back in those years the appropriations for the Navy, all told, were perhaps less than $20,000,000. Mr. TALBOTT lived in his service to see them grow in the last year to $1,600,000,000 and more in one year. That, of course, was a war period, but he had seen the Navy become the pride of the American people, and he had the satisfaction of knowing that during these years he had contributed materially and substantially to its growth and development and was entitled to a share of the gratitude and appreciation of the American people.

Mr. TALBOTT was a man of a lovable personality. I select my words with care, and I wish to emphasize the expression—a man of a lovable character. There are men who have their strong intellects, who may have great energy, who may have strong points, and yet are repellent in their approach. Mr. TALBOTT possessed a lovable personality in a degree that drew to him a large circle of friends. It was to me a source of pride and gratification that when I attended his funeral and his burial and saw the great concourse of people gathered, it was one constant chorus, one unbroken expression of love and affection that his people manifested and expressed for him. Mr. TALBOTT was possessed not only of a lovable personality, but he possessed a sweet spirit. Often have I heard him speak tender sentiments to manifest the sweet spirit that he possessed toward his fellow Members and toward his acquaintances.

Mr. Speaker, it has been said that it is a good thing to be a great man. I want to reverse it. It is a great thing to be a good man. And Mr. TALBOTT, with his lovable personality, with his sweet spirit, with the other traits of his character that endeared him not alone to his associates here, but to all who knew him, was a good man.

He was a man who had a keen sense of humor. He was not what you would call in the ordinary term a humorist; he was not what you would designate as a wit; and yet he had a keen, delicate sense of humor. He did not always look at the somber, serious, disconsolate side of life.

There was in his disposition and in his temperament that sense of humor that gave a sparkle to his life, that gave a zest and a pleasure to be with him where one could see, in his own life and in the association of his fellows, that which carried with it that light of humor and friendship that endears men to each other.

He was a fine judge of human nature. He had the faculty of sizing up men. It seems that some men have that faculty by intuition, to look into and analyze the character and the elements that constitute the composition of human nature. He was a fine judge of human nature as it manifested itself in everyday life. I have already said that he had a strong hold upon his friends. He gripped them to him because his friends saw in him and realized that he was made up of those noble qualities, those essential attributes, that we characterize as the noble attributes of a noble man. And that is why it was that he was, all through these many years, able to keep himself in-

gratiated in the love and the affection of his people, to receive their commendation, and to hold himself close to their hearts. He exercised, by virtue of his intellectual and his noble qualities, a great influence in the community in which he lived.

That was one of the things that I heard expressed so often when I attended his funeral and his burial. The plain people, not speaking designedly, not testifying in flattery, but expressing the feeling that was uppermost in their hearts, spoke of the great influence that during all these years he had exercised in the community. And likewise he exercised a great and a lasting influence and made an impression upon the democracy of his State and of his community.

Greatly beloved, highly honored, and much respected, he reached a ripe old age, full of honors and full of love and respect. Like the corn, he ripened for the shock. The end came. I thought, and I have often thought, of that illustration of the apostle: The seed, the flower, and the fruit. We take in our hand the little seed. We can not understand it. It looks simply like an object. We do not know the inherent life that is in it. We may subject it to the microscope, and still we can not see the life in it. You may analyze it, and you can not find the life in it through the chemist. But place it in the ground and let the sunshine and the moisture come on it, and there comes the beautiful growth, full of the flower, radiant and brilliant in beauty, and then the rich, full, luscious fruit. And so it is when we place the bodies of our loved ones "earth to earth, ashes to ashes"; not more mysterious, but along the same lines, the providence of God can bring out the flower and the fruition of an eternal life from the crumbling of the clay in the breaking down of the mortal.

We placed him in the grave in that beautiful country churchyard, where loved ones who had gone before were buried. Alongside of his loved ones we placed him, on the western slope of the hill, toward the sunset, and on that beautiful afternoon the sun was making it all radiant in beauty, and making the western horizon a vast expanse of golden loveliness. The thought came to me that the soughing of the winds amidst the tresses of the trees will be a requiem—a sweet song over the grave of an honest man; and the rays of light, breaking through the foliage of the forest trees, will shine upon the grave of a man whose life was a blessing to his country, and whose work was a benediction to his people. We laid him away in that thought, looking to the higher, the better, the nobler, the grander life that comes to the just and the pure.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. COADY] is recognized.

Mr. COADY, Mr. Speaker, the first session of the present Congress began on Monday, April 2, 1917, in pursuance of the proclamation of the President.

Since that day, thirteen Members of the House of Representatives have died, and of all these deaths—an unusually large number—none created more real, genuine sorrow among our Members than that of my colleague, the Hon. JOSHUA FREDERICK COCKEY TALBOTT, who represented the second Maryland district in this body for over twenty-three years.

There are only two Members whose first service here antedates Mr. TALBOTT's. They are the gentleman from Illinois, former Speaker CANNON, and the gentleman from Ohio, Gen. SHERWOOD; and only three Members who have to their credit more terms than he had.

Mr. TALBOTT had been a Confederate soldier, and his death leaves on this side of the Capitol only two others who followed the Stars and Bars, the gentleman from Louisiana, Gen. ESTOPINAL, and the gentleman from North Carolina, Maj. STEDMAN.

Mr. TALBOTT was born on July 29, 1843, near Lutherville, Md., where he spent the greater part of his life, and in which town he died. Early in his life he was elected State's attorney for his county, and almost continuously thereafter he held public office; and all the public places he held, except one, he was elected to fill by the votes of the people. From the very start of his career he assumed a leadership in politics that was never thereafter successfully challenged, and for a half century he was active in the councils of his party, and for many years he was Maryland's representative on the Democratic national committee, a highly coveted honor.

Mr. TALBOTT had been a member of the Naval Affairs Committee of the House for a long time, and ranked next to its chairman. He was a big Navy man—the Navy was his hobby, and he never wavered in his support of all measures for its enlargement. To the work of this committee—work that he loved—he devoted his time and energy. Because of his impaired health he was unable to participate actively in the debates on the various naval appropriation bills, but he was always on the floor when such measures were under consideration, conferring with his colleagues on the committee, and assisting them with his counsel and advice. He was an authority on the Navy and a highly respected one; and he was known and loved by everyone in the service. This love was shown by the presence at his funeral services of three admirals, other naval officers, and a large number of sailors and marines.

In announcing his death to the House I said I had never heard him speak ill of anyone, and I want to repeat that statement. He was kind, affable, and one of the most delightful companions I ever met. It was a real treat to be in his company, and I always enjoyed a chat with him. He was bright, always optimistic, and brimful of interesting reminiscences. He was loved by his friends, and he had an influence in this body that was remarkable.

I consider it a privilege to have served with Mr. TALBOTT. As a Marylander, I am proud of his achievements, and, in common with his other friends, I deeply deplore his death.

Mr. ZIHLMAN. Mr. Speaker, it was given to me to know the Hon. J. FRED C. TALBOTT, intimately only during the late years of his life, which will always be a source of regret to me.

Even before I knew him I had learned to respect and admire his many sterling qualities, and to marvel at the place held in the affections of his people.

When we consider that he was first elected to public office nearly a half century ago, or, to be exact, 48 years ago, and that he was the acknowledged leader of his party in his county and district at the time of his death; and that his people manifested their love and esteem for him at all times and places, his hold upon their affections seems to me little short of marvelous.

That section of Maryland where Mr. TALBOTT was a dominant power for so many years is perhaps the richest section of Maryland. The county where he lived is the largest in population and contains more wealth than any other county in the State.

Many strong men from an intellectual and political standpoint came forward in that long period, but none ever contended successfully with him for political supremacy; and most of those who might have made formidable competitors in the field of politics became his friends and personal followers when they learned to know the man and admire his many sterling qualities of heart and mind. "Marse FRED" TALBOTT, as he was known throughout his native State, loved his people and delighted to serve them, and they in turn delighted to honor him, and manifested their affection at every opportunity.

One of the last official acts of his long and active career was to come here from his home near Baltimore to try and be of service to the son of one of his neighbors, and a volume could be written and not hold one-tenth of the acts of kindness and helpfulness performed by this remarkable man during his many years in public life.

He at all times voted his sentiments and convictions, as a public statesman of the school of thought to which he belonged and was proud to represent; and he told me upon one occasion that his people had never criticized a single vote of his on any important question during his long career in the House of Representatives.

During the long deadlock over the naval appropriation bill last summer he remained here in Washington as one of the conferees, taxing his failing strength beyond what a man in his condition could expect to endure, because he believed with his country at war it was his duty to remain and assist in every way in facilitating an early and harmonious agreement with the Senate.

I visited him at his hotel in Atlantic City in August of last year, when he was somewhat improved after the breakdown which followed his work here on the naval bill, and he told me with pardonable pride of his unanimous nomination by his party for reelection, and that it was his ambition to serve one more term in the National Congress. This ambition was denied him, for he died before the election was held.

As Mr. Coady has said, Mr. TALBOT was what is known as a "Big Navy Man." He believed we should have as big and as powerful a Navy as the country's interests demanded, and he worked for that principle in season and out of season, and few of those who heard him will forget the pride in his voice and manner when he took the floor the day before the United States declared war upon the Imperial Government of Germany and said:

> The Navy is ready! We are ready to fight at the drop of a hat, and I am going to maintain that position as long as I represent my people, and I do not believe my people will change me as long as I say that.

I desire to read in part his address upon that memorable occasion, when the Nation he loved was about to be plunged into the black and unfathomable abyss of war, and the branch of the service he loved and had helped to build to its present

great strength and power was to be tried in the fire of achievement:

Mr. TALBOTT. Mr. Chairman, I had not intended to address the House on this resolution, because every man, woman, and child in the congressional district that I represent knows as well as they know that they live that I am for my country and for every right that belongs to it on the land or on the sea. [Applause.] I would not make an address at all, except some gentlemen have addressed the House and have indicated that there is a lack of preparation for this emergency. That is not correct. This Nation to-day is prepared to meet any other naval power on the globe except England. Man for man, gun for gun, ship for ship, we can lick the world; and it is not good taste and it is not patriotism to try to convey to the people of this land that we are not prepared when we are. [Applause.] We are a great deal better prepared than the world knows of, and it is good policy that the world should not know all that we are doing and have been doing in the past. This resolution is going to be adopted, and it is a very serious and a very critical time in the history of this Nation. War is all that Gen. Sherman said it was, and he helped to make it so [laughter], and I would tell him so if he were alive.

I had a little something to do with it, not very much, but in my humble way I did, and I do not wish to talk about it. What in the world is this Nation to do? What in the world can we do except fight, and we know how? We have got to fight. Now, do not be uneasy, do not be at all uneasy, about the outcome. It is going to cost some money and it is going to cost some lives. Now, this war is not half as vital as some people think. It is not half as dangerous just now as some people think. We had a hearing in the Committee on Naval Affairs where everybody asked questions, although I did not ask many. Admiral Benson, I think, was on the witness stand. I said to him, "Admiral, if this country was to get into trouble and we had to transport an army to the Philippines or to Hawaii or to some place, and as admiral of the Navy you would be called upon to see that they got there safely, what is the first thing you would do?" He said, "The first thing I would do would be to clear the ocean of the enemy's fleet." Now, that is all in a nutshell. [Laughter and applause.] That is the whole case. Now, before the enemy gets here they must clear the ocean of our fleet. For God's sake, let us have a fleet and have one that they never will clear off the ocean. [Applause.] Now, that is all of it. We need not fear invasion.

We need not fear any power on earth so long as we have a Navy, one that can not be cleared off the sea. It is the duty of our people to see that we have a Navy like that and to maintain it. You know I am the proudest man in this House, and I have the right to be. I introduced in the Forty-seventh Congress the original resolution giving authority to the Naval Affairs Committee to take up the question of the rehabilitation of the Navy of the United States and had it passed, and introduced an amendment that established the gun factories. I am a Navy man, and I believe a Navy is the one safeguard of this Nation [applause], and if you will only have a Navy you can lick the world. [Applause.] Now, I am not going to talk about the resolution. Everybody knows who knows anything about me that I am ready to fight at the drop of a hat. [Applause.] And I am ready for my country to fight at the drop of a hat, and I am going to maintain that position as long as I represent my people, and I do not believe my people will ever change me as long as I say that. [Applause.] Now, some gentlemen may for various reasons vote against this resolution. Some people may say, I have got this kind of a constituency or that kind of a constituency. They are all mistaken. Any man who votes here because he has got a constituency of a certain nationality and votes to please them makes a mistake. [Applause.] I want him to know that the people who he is voting to please came here to get rid of that kind of a government. [Applause.] That is why they are here. They are not here because they love us so much, but they hated where they came from. [Laughter and applause.] I want to tell you one thing. Do not you think for a moment that by so voting you are going to please them. They will not respect you for that vote. [Applause.] And the people that agree with the President of the United States and me will not respect you. [Applause and laughter.] So you are going to be caught, like the nigger's coon trap, agwine and acomin'.

Mr. Speaker, it is good for an American to have known and to have enjoyed the friendship of FRED TALBOTT. Kindly, fearless; a two-handed fighter, yet kindly, filled with homely philosophy and axioms; rich in the history and rue of the past; alert to his duties and to the needs of the present; clear eyed and unafraid as to the future; accommodating and full of good logic and sound and wholesome advice; to know him was to love him and to cherish his suggestions and respect his full judgment.

To have lived, to have been honored by a loyal, patriotic people for so long a period is a great achievement. To have held their love to the end of his long life is testimonial to his strong and lovable character, breadth of mind, and innate goodness of heart.

Happy is he who knows that he will go to his last resting place, when the day comes, with as rich a heritage of love and esteem as was given to FRED TALBOTT by the people who knew and trusted him.

And when the twilight hour drew near,
He stood beside the silent sea;
And in his heart there was no fear
Of all its dread immensity.

He waited there in perfect faith,
And while the fading day grew dim,
The boatman's hail, the voyage of death,
Meant only going home to him.

Mr. COADY. Mr. Speaker, I ask unanimous consent that my colleagues, Mr. MUDD and Mr. PRICE, both of whom are unavoidably absent to-day, and the gentleman from Alabama, Mr. HEFLIN, be permitted to extend and revise their remarks in the RECORD; also all other Members of the House who may care to do so.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

Mr. BENSON. Mr. Speaker, no one appreciates more than I do my inability to say anything that would add to the high esteem in which we all hold the memory of the late Hon. J. FRED. C. TALBOTT.

My first recollection of Mr. TALBOTT goes back to the days when he was bitterly opposed in the primaries, when my father was opposed to him on one occasion. There was a paper published in our county (the name of which I have forgotten), and it came to our home. I, then a boy 10 or 12 years of age, had been reading this paper, and had formed a very unfavorable and unfair opinion of him, based upon what that paper contained.

About that time, upon leaving my father's office one day, I met Mr. TALBOTT on his way to Calvert Station in Baltimore, and walked with him about two squares; and from that day until his death we were friends. As a boy I was impressed by his wonderful kindliness, his keen sense of humor, and his friendly treatment of me, the son of his principal opponent.

My relations with Mr. TALBOTT were very intimate. I know that he would have made a brilliant success as a lawyer, and that his sound business judgment would have brought him success in any field of endeavor that he might have chosen. But, as we all know, he chose for his life work to represent his people in this body. He lived through two of the most important periods in the history of the American people. He served as a Confederate soldier when a youth. At the close of the Civil War he returned and took up his work among his own people. Big as his heart was, and as much inclined as he was to stand by his friends as individuals, I know that the real love of Mr. TALBOTT was for his country and for the great party with which he was allied. A goodly share of his love was for his people at home. Mr. TALBOTT loved the people of Maryland. He loved more people than any man I have ever had the pleasure of knowing, and I sincerely believe there were many, many people, great and small, who loved him—and they had abundant reason for so doing.

Upon one occasion we were returning from Manchester, in Carroll County, Md., in an automobile with former Representative Henry of Texas, and Mr. TALBOTT said to Mr. Henry: "Bob, you live a long way from your constituents, and it has some advantages; you are not bothered by them at all; it is too hard for them to reach you. But, while I live within an hour's ride of my constituents, it has its advantages; and one big advantage is that rarely a day goes over my head that I do not have the opportunity of making some poor fellow feel happier." We all know that to be true; and when a man is inspired by such feelings—love of country, love of State, love for his people—an intelligent man, a humane man—one can readily understand why he possessed such great influence in national affairs.

The Baltimore Sun in an editorial published a short time prior to his death paid Mr. TALBOTT the following tribute:

Mr. TALBOTT'S very serious illness will bring not merely passing regret but genuine grief to a larger number of Marylanders than would a similar illness of almost any other man in the State. The second district Congressman has not always been enlightened in his politics, but he has always been unexceptionable in his human sympathy. To the whole of Baltimore County he has been really a friend and neighbor, helpful, thoughtful, kindly. These qualities in him were inherent; they were not the result of calculating political sagacity, and his success in political life was largely due to the fact that there was no sham or pretense about him. His fine humanity won for him the absolute devotion of his constituents and his followers; it won for him the affection and respect of his fellow-Congressmen. Their unfeigned sorrow at this time is a splendid tribute to him.

Mr. TALBOTT had the confidence, esteem, and friendship of President Wilson. During his last illness the President wrote Mr. TALBOTT as follows:

My Dear Mr. TALBOTT: I need not tell you how distressed I have been, along with all your friends, at your illness, but I send you this note of genuine sympathy with the hope that it may cheer you a little to know how anxiously and affectionately your friends are awaiting for your recovery. Cordially and sincerely, yours,

WOODROW WILSON.

No reference to Mr. TALBOTT would be complete that did not call attention to his foresight as to the needs of the Nation when, more than 20 years ago, he began the advocacy of and constantly fought for a large and effective Navy. He told me last spring, when he was quite ill, that no matter what anyone said to him he was going to sign the conference report on the naval appropriation bill if it killed him. He did sign it, and I believe the work he did in that committee for his country and for the Navy and for us all, at a time when his health was seriously impaired, unquestionably helped shorten his days. I believe that he felt his work was largely done, and could he have lived to see the present war successfully concluded he would have considered his work finished.

Mr. TALBOTT held the affection and esteem of his constituents through all the years of his public life; he won and retained their loyalty and confidence to the end. No one could have had more sincere friends among the Members of Congress than

he. To mention his name to a Member is but to bring forth the most sincere expression of esteem and friendship. He lived a long and useful life in the service of his country, respected, honored, and loved by his constituents and associates.

At this point Mr. COADY took the chair.

Mr. LINTHICUM. Mr. Speaker, "Hon. JOSHUA FREDERICK COCKEY TALBOTT," as historians will know him; "Uncle Fred," as his friends knew him; "Marse Fred," as he was affectionately called by his colored admirers; and "Just for Congress TALBOTT," as his political friends were wont jokingly to speak of him, has passed to the great beyond.

Born on the 29th of July, 1843, educated in the public schools of his native State, he was truly a product of Maryland in every sense. He reflected it in his daily life, in his intercourse with the people, and in his work in Congress. Ever alert to the welfare of the country, he was particularly animated and interested when the interests of Maryland were concerned. Though a great admirer of the people of all sections of our country, having a broad and comprehensive vision, a man who stood steadfastly for the Union, and a friend of the man in blue, yet he felt that the interests of Maryland and her people were largely wrapped up with the Southland; that her love and friendship were a part of its very fabric and foundation; that the beauty and glory of its history and the mandates of its traditions should be the admiration of all. The well-groomed or the tattered form of the man in gray—the man of the lost cause—needed but to approach Mr. TALBOTT when he became the personification of kindness and hospitality itself. Not alone did he talk for the South, but he fought for her; he was willing to lay down his life for the cause.

In 1864, at the age of 21, he joined the Second Maryland (Confederate) Cavalry, and served to the close of the war. He was so genial, lovable, humorous, and generous that he made friends in every walk of life and in every line of endeavor he traversed. In the Army he was the life of his company and the pal of the boys; as John Williams—his barber in the Capitol barber shop—who was a body guard in the Confederate Army, tells us, when he saw him at Petersburg, Va., "He was here and there and everywhere making fun for the boys, and singing 'Maryland, My Maryland.'" He was a boy among the boys until his very death, and a tower of strength and action among the men who make business and mold history.

If I should be asked what contributed most to Mr. TALBOTT'S success in business and public life, I should say it was his high regard for his word. A promise once made by him was worth more than a bond with a hundred golden seals. He made few congressional speeches, but his word to support a measure carried with it not alone his vote, but his active influence as well. He was a plain man, devoid of hypocrisy and deceit; he did not pretend to be what he was not, nor to favor a measure or proposition when he was opposed to it. He never tried to balance himself on the stilts of neutrality, but rather to adopt that scriptural injunction, "He who is not with me is against me." When he took a position he remained put, and all the king's horses and all the king's men could not move him from it.

I shall always consider it a precious heritage that I was his colleague in Congress for more than seven years. I was with him when the glory of the Democratic victory and control of the House shone upon his countenance as we organized for the extra session in 1911, when Mr. TALBOTT, strong and vigorous, swore in Hon. CHAMP CLARK as Speaker, as he did at each succeeding Congress, being dean of the Democrats. I was with him when he returned from his greatest sadness, the funeral of his wife, Laura Cockey Talbott. She was the playmate of his boyhood, his sweetheart of youth, and his dearest companion and wife for more than 44 years—the pride and glory of his young ambition, the sweet ornament of his mature fame, and the best love of his ripened age. From this time on one could see that, though Mr. TALBOTT was trying to be his former self, there was a gnawing sadness, a lonesomeness beyond repair.

I was with him when the war in Europe broke out, in August, 1914. I can see his grave face and apprehension, but never did he have the least fear that Germany could cope with the American Navy. If he had been a fetish worshiper the American Navy would have been his god.

I was with him when America declared war, in April, 1917, and I beheld in him the old war horse of former days. I can well imagine what he was thinking as he looked back through the corridor of time, some 50 years, to Civil War days. "Oh," thought he, "how I would like to have the strength and vigor of those days when my horse and I swam the Potomac and I fought with Harry Gilmor's men. To-day I should have a chance to fight a real enemy and not my countrymen."

I was with him during the succeeding months of his life while Congress voted billions of dollars and provided the mobilization of millions of men, while he, as a member of the Naval Affairs Committee, labored day after day with energy and zeal, though his form bent lower each day under the strain and his eyes began to lose their luster of former years.

The great naval bill appropriating more than a billion and a half dollars had been passed by both Houses; it was in conference. Mr. TALBOTT, worked down to weakness itself, often tottering to the Capitol on the arm of a page or sometimes on that of a colleague, refused to leave for a rest until the bill was finally passed. He then took a vacation; but the damage had been wrought. "Greater love hath no man than this, that a man lay down his life for his friend."

The last time I saw him he was surrounded by his friends at a gathering in his district where he was the central figure of 5,000 of his people. I had spoken in his stead, and was to leave the following day for the battle fields of Europe. I took his hand; he clasped mine in both of his, saying, "See all you can, but don't risk unnecessarily, and come back safe; we will all be glad to welcome you home." Thus I left him in the mellow sunset of a well-spent life. Though it was not accorded me to see him again, I shal profit by the years I spent with him as his colleague, his friend, and his great admirer.

He was a friend of truth, of soul sincere;
In action faithful, and in honor clear;
Who broke no promises, served no private ends,
Sought no title, and forsook no friends.

On the 8th day of October, just two days before I reached America again, he was laid to rest in his native county, surrounded by hundreds of his friends, committees of the Senate and House of Representatives, admirals of the Navy, and amid the firing of a salute by sailors of the Navy, and the sounding of taps. Did he know he would soon leave us? I believe he did. One afternoon he came to my office and saw my wife, who was his staunch friend. As he handed her his autographed picture he said: "Here is something I want you to have." This hangs conspicuously in our home to-day.

He had reached that time of life when the souls of the great and small alike beat at the bars of the cage of life in an effort to catch a glimpse of the great beyond, to hear a whisper of those who have gone, to feel the faintest spiritual "touch of a vanished hand," the faint "sound of a voice that is still."

Mr. TALBOTT, a great success as a lawyer, early took up a political career and was a well-known figure at State and national conventions for many years. He was first elected to the Forty-sixth Congress, and, with few interruptions, remained in this body until the time of his death. His great work was upon the Naval Affairs Committee. He saw the vision long before most men beheld it, and stood always for a big Navy. He believed America should be in position to protect herself, and refused to rely upon the protection of another. He preached "big Navy" in season and out, and on several occasions prevented the House by his vote and silent work from cutting down its naval program. I am glad that it was granted him to see the great wisdom of his decision, to realize the appreciation of the people for his work. It can not be adequately estimated just how much his services meant to the Navy, and thereby the safety of the American home and the success of the war. It is a delicate and touching tribute that a destroyer will bear the name *Talbott*.

A man who can continue as leader for the many years Mr. TALBOTT did and be returned to Congress during 40 years has a testimonial which needs no elaboration. Kipling has expressed the thought most admirably:

Old Ninevah town has nothing to give
For the place where a man's own folks live;
He might have been that, or he may be this,
But they love him or hate him for what he is.

Maryland is proud to have contributed many great men to the American Government and is proud to have added another to the list of her distinguished men. This man of practical ideas, dreamer of great dreams, a man to whom principle was the correct thing in life, a fighter who loved a fight and believed in the justness of his cause, a devoted husband, a loyal friend, and a patriot who was an American through and through.

Mr. Speaker, I ask unanimous consent to extend in the RECORD by printing the funeral sermon on Mr. TALBOTT delivered by Rev. Dr. Arthur B. Kingsolving, St. Paul's Protestant Espiscopal Church, Baltimore.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland? [After a pause]. The Chair hears none.

At this point Mr. BUTLER resumed the chair.

THE LATE REPRESENTATIVE EDWARD E. ROBBINS.

The SPEAKER pro tempore. The Clerk will report the next order.

The Clerk read as follows:

On motion of Mr. CRAGO, by unanimous consent.

Ordered, That Sunday, February 16, 1919, be set apart for addresses upon the life, character, and public services of Hon. EDWARD E. ROBBINS, late a Representative from the State of Pennsylvania.

Mr. CRAGO. Mr. Speaker, I present the following resolutions which I send to the Clerk's desk and ask for their immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 584.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. EDWARD E. ROBBINS, late a Member of this House from the State of Pennsylvania.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The question was taken and the resolutions were unanimously agreed to.

Mr. CRAGO. Mr. Speaker, in the closing days of the last session of a Congress which will go down in history as probably the most momentous Congress in our Nation's existence, we pause for a few hours to record our estimate and appreciation of the life and public career of one of our number who in the very midst of his public service and days of usefulness answered the summons—lights out; rest; eternal rest.

Col. EDWARD EVERETT ROBBINS, a Representative of the twenty-second district of Pennsylvania in the Sixty-fifth Congress, who had been reelected as a Member of the Sixty-sixth Congress, died at Somerset, Pa., Saturday, January 25, 1919.

Owing to the fact that I have enjoyed a personal acquaintance with Col. ROBBINS extending over a period of more than a quarter of a century, I have deemed it proper to embrace in my remarks a short record, giving dates, where possible, of some of the important events of his life.

Col. ROBBINS was born on a farm near Robbins Station, Westmoreland County, Pa., September 27, 1861. His father was Joseph Robbins and his mother Margaret Christy Robbins, whose ancestors had settled there during the early years of the existence of Westmoreland County. He spent his early life on his father's farm, attending the public school. Later he attended the Elders Ridge Academy, the Indiana State Normal School, and Washington and Jefferson College, from which college he graduated in the class of 1881. At the time of his death he was a trustee of this famous institution of learning. After graduation from college he took a course in law in the Columbia Law School, New York, and then entered the law office of John F. Wentling, one of the most prominent members of the Westmoreland County bar. A few years later he was admitted as a member of this bar, where he practiced the profession of law until the time of his death.

POLITICAL CAREER.

Soon after his admission to the bar Mr. ROBBINS began to take an active interest in politics and soon was made the nominee of his party for district attorney. He was a Republican, believing thoroughly in the principles and policies of his party. In 1888 he was elected a member of the Pennsylvania State Senate for the regular term of four years, and here he may be said to have begun his political career. After completing his term as senator he resumed the practice of law, but in 1896 he became the nominee of his party for Representative in Congress from what was then the twenty-fifth district, and was elected a Member of the Fifty-fifth Congress. From this time until he was again elected to Congress in 1916, he always took an active part in political affairs, and during the campaigns was often called upon to preside at meetings and make addresses for his party and its candidates. In 1916 he was nominated as the Republican candidate in the twenty-second district, composed of the counties of Westmoreland and Butler, and was elected to that office by a large majority. Soon after taking his seat he began to take an active part in the work of this body. He was constant in his attendance at the sessions of the House and followed closely all the matters under consideration. He was ever alert and active, watching every bill which could in any way affect his district and State. His knowledge of the people and the business interests of his district made it possible for him to render efficient service; and few Members worked longer hours and gave greater thought to their duties than did Col. ROBBINS. He was renominated as his party candidate for the Sixty-sixth Congress without opposition, and at the general election was elected by a largely increased majority.

MILITARY CAREER.

In 1887 Col. ROBBINS enlisted as a private in Company I, Tenth Regiment, National Guard of Pennsylvania. In 1889 he was appointed by Col. A. L. Hawkins, as quartermaster of the regiment, with the rank of first lieutenant; it was while serving in this capacity during the Homestead strike in 1892 that my personal acquaintance with Col. ROBBINS began, and this acquaintance and personal association has continued all these years. In 1894 he was appointed quartermaster of the Second Brigade, with the rank of major, on the staff of Brig. Gen. John A. Wiley. While serving in this capacity he answered the call of the President in 1898, and reported with his brigade at Mount Gretna, Pa.

When the Pennsylvania National Guard was mustered into the service no officer above the rank of colonel was mustered in, and as a result the brigade and division staff officers were not taken into the Federal service.

Gen. Wiley was, however, later commissioned by President McKinley, as a brigadier general of Volunteers, and Col. ROBBINS, then a member of Congress, offered his services and was commissioned as captain, and assigned to duty as quartermaster of the First Brigade, Third Division, First Army Corps, Chickamauga, Ga., on the staff of his old brigade commander, Gen. Wiley. He was promoted to major, and sent to Porto Rico, and later to Cuba, as quartermaster of the U. S. transport *Seneca*, and served in Porto Rico and Cuba until the end of the war. Soon after being mustered out of the United States service, when the National Guard of Pennsylvania was reorganized, he was appointed quartermaster general of the Pennsylvania Division with the rank of colonel. In this position he served for several years, and then severed his connection with the National Guard and, while always interested in military affairs, he never again took an active part as a member of any military organization.

LEGAL PROFESSION.

Being admitted to the Westmoreland County bar in 1886, while holding public office and positions of trust in business affairs, Col. ROBBINS continued the practice of his profession, and at the time of his death was a member of the law firm of Robbins & Wyatt. That he was held in high esteem both as a man and a lawyer the sentiments expressed by the speakers at a meeting of the Westmoreland Bar Association attest. Judge Copeland said of him:

He lived an active, deedful life, and died while yet the future beckoned to him with the alluring promise of future work and success. He had the good fortune to be born in the country. The distractions of the town and city are there lacking and a boy thus becomes acquainted with himself and becomes sensible of the great mysterious world within himself before the attractions of the outer world make their appeal to him. He practiced law, served in the State senate, served twice in Congress, had experience in military life. He was engaged in the coal business, the banking business, and numerous enterprises, and in all he strenuously sought to excel.

Mr. Albert H. Bell said of him:

That 35 years of rather close association with him, beginning in our student days, had cemented a friendship between us that neither political differences nor the most heated conflicts in professional life had ever weakened. This intimate, early association with Mr. ROBBINS gave an insight into his inner life and character which has rescued me from the error of misjudgment of him and has kept the taper on the altar of our friendship burning with steady light at times when he was assailed by the fiercest storms of his political and professional life.

He had a mind of fine natural endowment. He could perceive quickly, assimilate readily, reason correctly, and reach convictions that he could express with force and vigor. He was a man of tireless industry.

BUSINESS LIFE.

The practice of law by one who gives his whole life to it is not always attended with great financial returns, and thus it is that many practitioners of the law turn their thoughts to some line of business which promises greater financial returns. Living in a section of the country rich in mineral wealth, chiefly bituminous coal, and being associated closely with men engaged in the production of coal, Col. ROBBINS became interested in coal mining and bought much undeveloped coal land. To this work he brought that same energy and perseverance which had brought him success in other lines, and he succeeded in accumulating a sufficient amount of wealth to make it possible for him to live well and maintain a family in every comfort, and this phase of his life made his work in Congress a pleasure, for while he continued some of his business connections, they were so organized that he did not need to give them much personal attention, and he thus could give himself unreservedly to the work of Congress.

He was a Presbyterian in his religious affiliation, being a member of the First Presbyterian Church, of Greensburg, Pa.

He was vice president and director of the Safe Deposit & Trust Co., of Greensburg; a member of the Westmoreland Country Club, the Americus Republican, and the Athletic Clubs, of Pittsburgh, and the Elks Club, of Greensburg.

The history of Westmoreland County, Pa., is rich with important events of our development as a Nation. In marking locations and preserving the evidences of this early period the people of the county have taken a great interest. In this work Col. ROBBINS took an active part, and on different occasions he has made historical addresses in dedicating memorials erected to mark the locations where events of world moment happened more than a century and a half ago.

FAMILY LIFE.

Col. ROBBINS had been practicing law for ten years, had served in the State senate of Pennsylvania for four years, and had established at least a State-wide reputation when he was married, in 1896, to Luella Stauffer Moore, of Greensburg, Pa. To this union two sons, Edward E., jr., and William M., were born. Both the sons and Mrs. Robbins survive Col. ROBBINS, and mourn the loss of a father and husband, whose home and family were to him a constant joy, and a place which ever had for him the real meaning of the word "home." His domestic life was ideal, and, after all, when we recall the triumph in business, in politics, in social life, and all the other activities of society, the one place where there is perfect accord, where there is real happiness, where life is really lived, is the happy old-fashioned American home, where free from the struggles, safe from the flings and stings of those with whom we have contended, a man can plan and purpose for those he holds most dear and know that in that charmed circle every heart beats in sympathy with his own, and there he can renew the strength which carries him through life's never-ending struggle.

To-day we mourn the loss of a trusted associate taken away in the full vigor of life, when for him there seemed to be in store many years of useful service. His family can hardly realize that the one to whom they looked for guidance in every crisis is no more. Business men, professional men, strong men in every walk of life mourn his departure and realize that he filled a place, gained by his own indomitable energy and will, which will be difficult to fill. Here in the presence of death all enmity and discord cease, and through the gloom men look out on life with a new realization that no one can know nor foretell the hour when through the twilight and the dark we swiftly pass from this to endless life.

Citizen, soldier, business man, statesman, father, husband, friend, the record is written and well written; and on memory's altar will ever glow a wealth of love and affection for one who through life was loyal to home and country, and measured up to the full stature of man.

How well he fell asleep!
Like some proud river widening toward the sea;
Calmly and grandly, silently and deep,
Life joined eternity.

* * * * * * *

Gone, the light and glory of the day,
Here, the solemn silence of the night,
There, the faith that ever leads the way,
Faith which visions endless light.

Mr. WATSON of Pennsylvania. Mr. Speaker, we assemble to pay tribute to our colleagues, whose lives were closely linked with the war Congresses, and who recently passed from human mystery to Divine understanding. Each in his way performed his duty, as he believed to be right, each rendered valuable service to the country, each left affectionate recollections in our hearts.

I speak more particularly of my friend and fellow colleague of Pennsylvania, who faithfully and conscientiously represented his district in formulating the laws of our Republic.

He was a student of economic questions, familiar with the polite literature of all ages, a man of acute knowledge of the industries of his State, which he jealously guarded, a learned lawyer of wide experience, a banker of keen perception, a soldier who rendered important military service to the Nation during the Spanish War.

Life, in the abstract, is one chain fettered together by human conception—men die, but their minds live, thus civilization moves onward. There is no limit to the intellectual development of the human mind, the mind is God's will, the mind never dies, thus society progresses through the unbroken chain of the mentality of man.

Men are singled by nature, with positive powers, to evolve new thoughts, new ideas, for the benefit of the world, leaving in their wills a heritage to all mankind. Why one is born to power and another to live in obscurity is a secret that rests with Providence.

EDWARD E. ROBBINS was an indefatigable worker; his mind was being daily repaired by diligent application. He had strong logical powers and exercised them in debate. He studied legislation with attention and deep thought. He had high regard for virtue. His opinions were mastered by lofty ideas. He gave his talents in the interest of the public good, for peace and concord.

Simplicity always prevails in a noble nature. This trait of character governed his policies. He swayed an influence of leadership. Thus recognized, he was called to positions of trust, in the religious, social, political, and business activities of his home town. He had the welfare of the Government at heart, never wavering from his convictions. He was a patriot persuaded by truth and reason.

We are born to die, then live again, immortal, in the kingdom which has no end, a kingdom of glory and of peace. So our colleague passed on to immortality.

Mr. MOORE of Pennsylvania. Mr. Speaker, an early training in western Pennsylvania, where he was born, rounded out at the Columbia Law School in New York, equipped our colleague, the late EDWARD EVERETT ROBBINS, to return to his home in Westmoreland County to practice law. The young man had been a member of the bar for the short period of two years, however, before the people sent him to the State senate of Pennsylvania. There is no better stepping stone to the councils of the Nation than that afforded by the State legislature. Well grounded, both in theory and practice, with the experience which one must necessarily acquire in the senate of the second State of the Union, it was logical that the aggressive young lawyer and State senator should advance to the Congress of the United States. This he did upon election from the old twenty-first district, now the twenty-second, in 1896. He was 35 years of age when he reached this body. That was before the Spanish-American War. It so happened along with his other activities that Mr. ROBBINS had taken a deep interest in the affairs of the National Guard of Pennsylvania. He enlisted as a private in the famous Tenth Infantry in 1887, and aided in the upbuilding of that organization, the personnel of which has figured so creditably in the war in Europe, until 1894, when he had attained the rank of major.

We have often heard with patriotic pride of the Muhlenbergs and the Bakers, who having been in Congress when war broke out, departed from these legislative Halls to don the military uniform for active service, and it is a source of gratification to-day that we can point to Members of the present House who yielded up their service here for actual service at the front. It is no less a matter of satisfaction, exemplifying the patriotic alertness of our departed colleague, to know that he is entitled to rank with those who made this noble sacrifice. At the outbreak of the Spanish-American War, in 1898, he quit the Fifty-fifth Congress to enter the military service as a volunteer. I shall not give in detail the record he then made, except to say that in various capacities, his usefulness and serviceability constantly increasing, he held on to the end of the war, being mustered out as a major. Subsequently, in 1900, the governor of Pennsylvania conferred upon him the rank of colonel and made him quartermaster general of the National Guard of Pennsylvania.

Col. ROBBINS returned to Washington for the Sixty-fifth Congress. He had devoted himself during the interim to his law business, to mining, and banking, and other commercial pursuits, for which he seemed thoroughly well adapted. It was apparent upon his reentering Congress that the intervening years had broadened his mind and increased his power to serve the people.

He was here when a state of war was declared against Germany. His practical experience with respect to Army organization gave to his views upon such war problems as came before the Congress a special significance. To some extent also he specialized upon mining problems, particularly those relating to the fuel supply and the acquisition of minerals needed for war purposes. He was a student of all legal problems. It was his practice to watch bills relating to the judiciary and to methods of procedure in the courts. Probably no Member devoted himself more assiduously to Supreme Court opinions as they affected the interpretation of statutes. It was noticeable that Col. ROBBINS was jealous of the integrity of the law-making power.

Mr. Speaker, in this great body of 435 picked men, coming as they do from every corner of the Nation and representing views sometimes so divergent as to excite our special admiration of the national unity which prevails, it is difficult for one man to advance far ahead of his fellows. It is only by the closest application and the strictest adherence to details and to duty that this can be done. Those who have risen in influence and leadership have not ordinarily done so through mere popularity; nor is ability without application the talisman. Col. ROBBINS evidently knew all this as a result of his earlier experience in the House. It is not clear that he aspired to leadership, but it is known to all his surviving colleagues that he was gradually attaining a position amongst his fellows here that commanded their respect and confidence.

His industry and his attainments counted for much, but his close study of details, the thoroughness with which he went at his work, the regularity of his attendance, the readiness with which he participated in debate, all tended to prove that he was one of the strong men in council, and that the day was not far off when he would be recognized as one of the Nation's leaders.

But, Mr. Speaker, as we have so often observed, it is not for us to question the taking off of those of our colleagues who are called in their prime. In the case of Col. ROBBINS, whom we knew so well and esteemed so much, we may wonder, we may even ask, if there be another who can fill his place. Our hearts may be heavy with the thought that what was builded so high in our hopes for him is so suddenly and so ruthlessly shattered. We may sympathize with the bereaved ones and let out to them the emotions that afflict our souls. This we may do as a duty we owe to the memory of our colleague, to those he loved, and to ourselves. But we can not overcome the inevitable. We must "carry on," even as did our lamented colleague, doing the best we know how, serving faithfully as he did, until "taps" sound for us as they did for him.

Mr. CLARK of Pennsylvania. Mr. Speaker, EDWARD EVERETT ROBBINS was born, reared, educated, lived, worked, and passed away in the State of his nativity, Pennsylvania. The hurrying months have come and gone until the circle of two years has been well-nigh completed since first we met here. Meanwhile death has invaded our membership all too frequently, and but recently it has "laid its pallid hand upon the strong man and the strong man has fallen and the flashing eye is dimmed." Whenever a friend or a relative is taken away men are accustomed to pause for a short time from their daily activities, some mourn in silence, some give expression to the sad sighing of their hearts in words of sorrow that fall from their lips, and some there are who for a moment reflect upon the significance of birth, the meaning of life, and the mystery of death. And yet the problem remains unsolved. Whenever a colleague or an associate or one who has attained distinction passes away, there rises a duty which the living owe to the dead. In the discharge of that duty, solemn as it is, we are met here this day. EDWARD EVERETT ROBBINS was my office neighbor. He came from my State. He was my associate upon the floor of this House. He knew many of my acquaintances. We have strolled the streets of this city together at different times. We have exchanged views upon important pending legislation and on varied subjects. He was my friend. I grew to know the man, his methods, his purposes, his opinions, and his work. His education, his wide range of duties in civil life, his military experience, his participation in the halls of legislation of his State and his country gave him a great fund of information of inestimable value in equipping him for the serious work upon which he entered when this Congress convened.

He brought to the investigation of any subject under consideration a trained mind. His arguments were logical, forceful, his statements concise, and his judgments sound, his mental processes were rapid, his industry intense, his integrity was unquestioned, his character above reproach, and that, after all, is the best asset a man can have. He was resolute and firm in his convictions. His reputation was not confined to the boundaries of his own district, it extended far beyond. He was a most potent factor in the deliberations of the House, and a commanding personality therein. His voice, his wisdom, his judgment, and his experience will be greatly missed in the solutions of those perplexing and vexing military, economic, and social problems which have already risen above the horizon of our national life. Some men like so to live that when they have gone they will be held in loving remembrance by those whom they have left behind, some there are who like so to work that when the last dread summons comes they may know that the influence and the results of good deeds wrought here may be projected far into the future. Our colleague has secured both of these. He lived as though he were to die to-morrow, and he worked as though he were to live forever. His labors are finished, his life is ended, the door was open, he had crossed its threshhold; he is absent but not forgotten.

Mr. ROSE. Mr. Speaker, this day has been set apart to pay tribute to the life and character of EDWARD EVERETT ROBBINS, late Representative from the twenty-second congressional district of Pennsylvania.

My acquaintance with the deceased extended over a period of many years, beginning with our student life in Washington and Jefferson College from which Mr. ROBBINS graduated in the year 1881, and later was selected as a trustee of that institution, and was such at the time of his death. At no time was there a suggestion of a difference in our friendly relations.

Following his graduation from Washington and Jefferson College, he took a special course in the Columbia Law School, of New York City, and was admitted to the bar of Westmoreland County in the year 1886, and shortly thereafter enlisted in the National Guard of Pennsylvania as a private in Company I, Tenth Regiment Infantry, and subsequently was engaged in the Spanish-American War, doing service in Porto Rico and Cuba, and because of special and noteworthy service rendered, was advanced to offices of trust and honor in his command, and gained and maintained the confidence of all who were under his authority. The death of Congressman ROBBINS marks the first among the members of Congress who served in the Spanish-American War.

My association with Mr. ROBBINS following his graduation was at no time close, and for that reason I do not have first-hand knowledge of the many political struggles through which he passed in his native county before his recognition as one of the leaders in the party of his choice in the section of the State where he resided.

He was engaged in every political contest of note in his city and county and always contended earnestly and openly for the candidate of his choice and made all of his fights in the open, and as a result bitterness was engendered at times, but through it all my friend always observed the amenities of life and emerged from every contest with his record for fairness maintained.

My first association with him, after our graduation from college, was at Harrisburg, Pa., at the time of his election as senator by the voters of his native county in the year 1888, and I observed his course with a great deal of interest, as he early evinced an aptitude for legislative work and gave every promise of being further honored by the people whom he served. His ability soon carved a place for him and brought early recognition from his large constituency, who at a later period showered him with yet greater honors.

In the year 1896 he was elected to the Fifty-fifth Congress and at that time showed great familiarity with the tariff legislation of the country and was engaged in many colloquies upon the subject of the tariff with the Hon. John Dalzell, one of the acknowledged leaders in the lower branch of the Congress at that time, and in all of which Mr. ROBBINS lost nothing by comparison.

He left the Fifty-fifth Cogress to aid his country in the Spanish-American War, and, upon being mustered out, resumed the practice of the law in Greensburg, Pa., and achieved high distinction at the bar of his native county, a bar which is admittedly one of the strongest and best in the Commonwealth of Pennsylvania.

His clientage was large, and we find him taking part in many of the leading cases which occupied the attention of the courts of his county and in the appellate courts of the State.

In addition to the arduous duties devolving upon Mr. ROBBINS as a lawyer, and in which profession he was a pronounced success, he was also signally prosperous as a coal operator, banker, and financier, and enjoyed great popularity among the people of his native county, a popularity gained by close application to his duties, fair dealing, and a profound sense of honor.

His private and public life was above reproach, an inheritance which can not be measured in words, and which should and will be highly prized by his immediate family and those acquainted with his appreciation of a high sense of duty and rugged honesty.

His zeal and energy were unbounded, and as a mark of esteem and confidence in his integrity and lofty purposes, he was chosen to succeed himself in the Sixty-sixth Congress by a majority decidedly pleasing and gratifying to him and his many friends. To the work of the next Congress he had planned to devote all of his time and effort, and it is not too much to say that the splendid record already made and the work done by him during the sessions of the present Congress that he would have taken his place among the acknowledged leaders in this

branch of the Congress. Unless unavoidably absent Mr. ROBBINS was always found in his seat at every session of the Congress, and gave the closest attention to every bill brought before the House for consideration, and showed a familiarity with the merits or demerits of any proposition which claimed the attention of those of you who have seen long service in this branch of the Congress.

Leaving Washington for the last time he made known his plans to me, and I gained the impression from his conversation that he was free from all physical ailments and that he would return on the following Monday and apply himself even more energetically to his work as a Member of Congress than had marked his career up to that time, a condition almost unthinkable to those who were closely associated with him during the sessions of the Sixty-fifth Congress.

All of his well-conceived plans were frustrated, however, for while awaiting trial of a case in which he was personally interested in the courts of Somerset County, Pa., he was stricken with the then prevailing disease of influenza, and although attended by the most skillful physicians that could be procured, succumbed within one week to the ravages of the dreaded malady, and gave up his life in the midst of brilliant achievements and with every promise of added laurels to the splendid record already made, and gaining even greater honors than those already bestowed upon him.

Our friend passed from us as suddenly as a star falls, so usual and yet so startling,

A flash of the lightning, a break in the wave,
Man passes from life to his rest in the grave.

In his death we are reminded that—

The thoughts we are thinking our fathers would think,
From the deaths we are shrinking, our fathers would shrink;
To the life we are clinging our fathers would cling,
But it speeds for us all like a bird on the wing.

The Members of the present Congress are familiar with his activities on the floor of the House. He was deeply interested in all public questions. He was at all times alive and alert and intensely active in all legislation affecting the people, and especially the soldiers of any of the wars in which this country was at any time engaged.

He was a hard-working, painstaking legislator; his mind was keen and alert; his perceptive qualities were of a high order; his diction well-nigh perfect; and he was no mean antagonist to the army of ready, forceful debaters who have seen long service in the House. He had a fine command of the English language, and was making rapid strides to a commanding position in the work of the lower branch of Congress. He was a close student of governmental affairs and was a strong consistent opponent to any form of extravagance, and it is but fair to say that he enlisted his splendid qualities in any movement looking to the betterment of the conditions of the people of the country. He was fair, yet outspoken and fearless; courageous to a degree, yet never questioned the motive of his antagonist in any controversy in which he was engaged.

He strongly favored equal service from all citizens and had no patience with those enjoying our rights and our liberties, our schools and institutions in times of peace, with the privilege of protection and the right of gaining a fortune under our form of government, and yet unwilling to share the burdens thrust upon us during the stress of war. Against such conditions he was unalterably opposed, and allowed no opportunity to pass wherein he could denounce a system which would tolerate or countenance such anomaly, as he conceived it. Who will say that he was in error in taking a position so high and patriotic?

He was in great demand as a public speaker throughout the congressional district which he so ably represented, and but a few days before stricken with his last illness was well received in a public address made before the firemen of his home city, when a flag which was presented to them by Mr. ROBBINS was unfurled.

For his charitable acts he will be long remembered—he has left behind him a large circle of friends to mourn his loss.

As one of the committee selected to attend the funeral services of the late Representative ROBBINS in Greensburg, Pa., I desire to note that the large concourse of people present on that occasion was a sure evidence of profound sorrow and realization of a great loss, so that I feel justified in presenting his life as an example of true American manhood and worthy of emulation by all who love patriotism, righteousness, and truth. May he rest with his fathers in the peace he has earned.

Mr. STAFFORD. Mr. Speaker, it is not hyperbole of phrase but well deserved that of the many men whom I have known in the past 16 years representing the Keystone State in this House none gave greater promise of distinction than our late colleague, whose memory and work we assemble here to-day to honor.

No death has shocked the House so generally as that of our dear friend ROBBINS. Only a week before he left here for the last time I had yielded time to him in general debate. He left here in apparent good health. No intimation that he was not in the best of health had reached us. Then came the sad new that appalled us all.

ROBBINS in the brief span of one term had won a forward place in the work of the House. This position was of his own creating. His aptitude for and willingness to follow the details of legislation brought him this reward.

As a manifest of the regard in which he was held, I wish to cite a conversation had about 10 weeks before his death with one of the leaders of the House in which I suggested the need of having a strong Committee on Expenditures in the next Congress to investigate the contracts and expenditures of the Government during the war. My friend ROBBINS was suggested as having the ability, the courage, and the willingness to undertake this exacting work. I heartily concurred that he would make an exceptional chairman.

So many men come to Congress and are content in giving attention to the needs of their districts and to vote on measures that are presented from time to time. Not so with ROBBINS. He regarded service on the floor as of the first importance. He was in active attendance no matter how minor the legislation, contributing his best judgment through debate and by amendment to the subject before the House. And the greater surprise is that he worked so faithfully and earnestly though he had a competence that would have inclined the average Member to a life of ease.

His essential strength was in having good business judgment as well as a trained legal mind. Rarely are Members so favorably equipped. His wide experience made him valuable on the floor and in committee during the consideration of the great business problems continually arising.

Fluent in speech, ready in debate, full of valuable knowledge, in one brief term his training and willingness to work brought him distinction in House affairs. With the House under the control of the Republicans in the coming term, he was destined to gain further renown and distinction.

The House and the country can ill spare such a conscientious, earnest, and faithful public servant. I liked him much. He was an honest coworker. I am saddened when I think I shall not see his genial countenance again.

EXTENSION OF REMARKS.

Mr. CRAGO. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have the privilege of extending and revising their remarks in the RECORD on the life, character, and public service of the late Member from Pennsylvania, Mr. ROBBINS.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Then, in accordance with the resolution previously adopted, the House (at 5 o'clock and 20 minutes p. m.) adjourned until Monday, February 17, 1919, at 11 o'clock a. m.

SENATE.

MONDAY, *February 17, 1919.*

(Legislative day of Thursday, February 13, 1919.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

JOHN K. SHIELDS, a Senator from the State of Tennessee appeared in his seat to-day.

CONDITIONS IN RUSSIA.

Mr. MYERS. Mr. President, I was not in the Senate Saturday, when the Senator from Colorado [Mr. THOMAS] made some remarks about an article by Mr. George Rothwell Brown in the Washington Post of that date upon evidence of anarchy and treason in this country. Had I been here I would certainly have indorsed what the Senator from Colorado said at that time, and I now indorse all of it. I was very much stirred by the article in question by Mr. Brown, and I wish Congress and the entire country might be stirred about it. It graphically depicts a serious and deplorable condition.

I am deeply impressed by an article on the same subject by Mr. Brown in this morning's Post, and also an article in the same paper by Col. Archibald Hopkins. There can be no doubt that there is a thoroughly organized, widespread, systematic

propaganda, backed by ample funds, in this country to overthrow our Government and substitute for it Russian Bolshevism. I believe the people of this country should understand what Russian Bolshevism is. I think they ought to know the conditions in Russia. They should be given wide publicity, so the people of this country may know what it is that some scheming traitors would bring upon this country and substitute for orderly government.

I have two articles of moderate lengths by reliable writers about conditions in Russia. I shall not take the time of the Senate to read them, but I ask that they may be printed in the RECORD in connection with my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

GRAND DUKE WARNS BOLSHEVISM MUST BE STAMPED OUT.

PARIS, *January 20.*

"I wish the Americans could realize what an immediate danger not only to Europe but to their own country lies in the present Bolshevism in Russia. There is not a moment to be lost. If it is not stamped out at once inside Russia, in Moscow itself, its headquarters, it will inevitably spread to the other countries and to your country."

The Grand Duke Alexander of Russia spoke with the earnestness of conviction in an exclusive interview given to the World correspondent in his room at the Hotel Ritz.

In the middle forties, 6 feet 2 inches, spare and wiry of build, he is an impressive figure. His handsome and distinguished face, with its high forehead; straight, slender nose; hazel eyes; and brown peaked beard, lacks the high, broad cheekbones frequently characteristic of the Russian. He spoke very simply and sincerely in fluent English.

"First of all, I want you to know that I am not speaking as a grand duke. It would be only natural for people to think that I am talking from a self-interested point of view. But I can only assure you that although I happen to be a grand duke I am not speaking as a grand duke, but merely as a Russian.

"If only the present anarchy which is destroying Russia can be stamped out I do not care what kind of government the Russian people wish to adopt. Let them have a republic by all means if they choose. Personally, I do not believe that Russia is far enough advanced yet to make a republic the most successful form of government for her people, with their 90 per cent peasants, of whom only a tiny fraction can read and write. But if they want a republic, by all means let them have it. But the one imperative thing is to crush this Bolshevism, which is not the political philosophy which it pretends to be, but merely organized pillage and assassination by anarchists and thousands of liberated criminals.

"You know they have now actually socialized the women in many districts—force them to be the common property of the men of the community and plan to have the State raise the fatherless children.

"It would not take an allied army of more than 80,000 men to give us all the support we need to liberate Moscow. These men would not be asked to fight. It is better anyway that none but Russians shall do the fighting necessary to liberate Russia. All the allied army would be used for would be to prove the allied support, and thus encourage the Russians to join our ranks and to advance in the rear of the Russian army of liberation, protect its lines of communication, and police the regained territory.

"Why should the Russian population be more disposed now to rise in aid of an anti-Bolshevik army than it was when Gen. Alexieff and others vainly counted on their help?" I asked.

"Because when Gen. Alexieff and the others made their attempts to free Russia the Bolsheviki had just completed the distribution of the land among the peasants, and these were satisfied with a régime which gave them the land. But since then things have changed. The peasants still hold the land which the Bolsheviki distributed among them, but the Bolsheviki have now socialized the product of this land.

"For instance, if a peasant raises a pig on his land and takes it to market to sell it, the Bolsheviki local authorities step in, take from him the price he gets for his pig, and divide it between him and the neighboring peasants who have no pigs to sell. So all the more industrious peasants have become dissatisfied and say to themselves, 'We own what we raise on it?'

"Yes; they are ripe to join any Russian movement which guarantees them the retention of the land and promises them the ownership of its fruits. And this we must do: The land must never be taken away from the peasants. It would simply precipitate a new revolt. But the Government should issue enough bonds to furnish an amount adequate to recompense the former owners of the land for its loss. The unexploited wealth of Russia is so prodigious that out of it such a loan could be repaid in a few years.

"Of course it is true that Russia, with the land thus distributed, will for some years lack the productiveness of the Russia of the old landlord system, for in the past it has been demonstrated that an acre of land belonging to the holdings of a big landlord produced a lot more than an adjoining acre of similar land cultivated by a small peasant proprietor. This is because the peasant does not use the improved machinery and methods of the big landowner.

"Nevertheless, in time this may change. In Siberia, for instance, where the more progressive and energetic peasants emigrated to get land and where the land is equally divided, the production is good and the population has killed or driven out the Bolsheviki and is running an orderly government of its own.

"This is proved by the mutinies and uprisings that they are now constantly engaged in against the Bolsheviki all over the agricultural districts of Russia, despite the terrible atrocities with which the Bolsheviki punish such revolts.

"And not only the agriculturists are disaffected. Do you know that they have socialized all the houses of a value of more than 1,000 rubles? That means that any man having such a house has all the rooms in it taken away from him except what he and his family can be crowded into, and the rest of his house is handed over to the tramps and criminals who have no houses of their own.

"Then, another reason that will make our success sure is the number of officers and bourgeois soldiers in the Bolsheviki Army who will come over to us if they have any chance.

"The Bolsheviki, by their four-class feeding system, have actually forced these loyal men into joining their ranks to save their families from complete starvation, since the soldiers and workmen who are in the first of these four classes are the only ones who are allowed a decent ration of food for their families. There are actually many of our generals now in command in the Red armies for this reason and thousands of lesser officers. We have a list of the generals, and these, unfortunately, will have to be executed when captured, so they will not join us, but all the lesser officers and members of the business class will."

"What do you think of the peace conference as concerns Russia?"

"As a Russian, I am sad that such a conference can meet without Russian representation. It seems to me a singular situation that such a conference can undertake to make a world peace and bar out any representative of some 40,000,000 people (which is about the population of the portions of Russia already liberated from the Bolsheviki and now under orderly government). And these 40,000,000 Russians belong to a nation which, despite its subsequent misfortunes, sacrificed millions of its manhood in fighting for the allied cause and indubitably saved the allies from complete defeat more than once.

"And this leads me to one infamous lie started by the German propagandists which I want to correct. That is that the Czar and Czarina were pro-German. I was head of the air service in the Russian Army, and as such was constantly at headquarters and thus in frequent contact with the Czar, who, for that matter, is my brother-in-law, as I married his sister.

"I knew better than anyone how profoundly loyal to Russia he was up to the very end. And as for the young Empress, she was almost fanatical in her hatred of the Germans. It sprang partly, perhaps, from a personal loathing she had for the Kaiser himself in spite of his relationship to her. But I know that she hated the Germans worse than I did.

"The real trouble was that the Czar spent his entire time at headquarters absorbed in the military problems which were continually arising on one part or another of our immense front all the year around. Thus, he gave no time at all to internal affairs. Now, he was profoundly suspicious of everyone except his wife, in whom he had the most devoted confidence. He therefore accepted her suggestions on internal appointments and affairs, and she was badly advised by some people who undoubtedly were pro-German. But as for either the Czar or the Czarina having been pro-German, I repeat that is an infamous lie, which I wish to denounce."

—

AN EQUALITY OF MUD AND MISERY.

[An article from the Nieuwe Rotterdamsche Courant, by Mynheer Oudenyk, acting minister for Holland at Petrograd, and a resident of Russia for 25 years.]

Bismarck once uttered the wish that to the Socialists should be given a country where they could work and handle affairs and show what they would attain by the accomplishment of their ideals. It seems as if Providence has designed Russia for this trial.

The result is that there exist more tyranny, cruelty, bribery, and misery under the new "free" government than under any other government Russia has known.

A small group of people has purposely, with the utmost refinement and with staggering perseverence, wiped out Russia's wealth, her prosperity, and her future. Whatever was in Russia has been thrown down and crushed or "investigated" so thoroughly that nothing remains.

Petrograd is empty; the few people outdoors wander about like specters, with pale faces and hollows around their eyes and mouths from hunger. The horses drop in front of the carriages from mere exhaustion. The dogs in the streets are bony, shivering creatures.

I have had Russians come to me and swoon in my arms from hunger and misery. They had heard that the Netherlands ambassador would, perhaps, be able to help them. Every institute of public charity and common assistance has been wrecked and ruined. The International Seafarers' Home at Petrograd, even, has not escaped. The old captain and his wife, who managed the home for years, have been put out without means of subsistence. All their protests have been of no consequence. Commerce, industry, banking, and mining have stopped entirely. The banks have been plundered, and all the money values and shares have been taken into custody. The records of notes and drafts have been scattered to the four winds. With confiscated goods the Bolsheviki try to create a barter with foreign countries.

A total annihilation of the present system is the only possible saving of Russia. The country, with the greater part of its inhabitants, has been thrown into the deepest misery and despondency. There are no foodstuffs any more. The distribution of food tickets is useless, as in most cases one can not get anything on them. Railway traffic has almost stopped, and, accordingly, the import of food. Only on the big lines some traffic is maintained, but the trains creep along from one station to another, and after one hour's ride they stop for one hour and a half. No organized schedule is kept. The carriages have been entirely plundered, the brass work, the curtains, racks, and coverings of the seats have gone. Traveling has been made almost impossible by an unheard-of passport tyranny. To buy a railroad ticket one needs a special permit. On the road from Petrograd to Moscow your baggage is examined three times. Thus the inhabitants are imprisoned in the cities, left to despotism, hunger, and a want of the most needful articles.

It is impossible to escape from the country, as the frontiers are hermetically closed to those who have not sufficient means to bribe the frontier guards. The population seems to lack all energy to rise against its oppressors. All the energy of the people has been systematically crushed. There is no police, no safety service, no jurisprudence. In their place came terrorism and despotism. Never under the old régime were there so many imprisonments, so many executions in masses as we see now daily. Many a time have I seen a crowd of weeping women in front of the prisons looking for their husbands, brothers, and sons taken from them without trial and whose whereabouts they did not know. Heartrending tales I have heard from these women.

The "freedom" system of the Bolsheviki has destroyed and ruined everything; it has erected nothing. All that the Bolsheviki can do is to display fine words in the newspapers and at lectures, but the simple truth is that the people are given to hunger and misery as they have been never before in any country on the globe. Nothing is left even for the proletariat. Smuggled goods are all one can get for exorbitant prices. The clandestine trade with provisions is indescribable. One pound of butter costs $25 to $35; one pound of meat, $11 to $12.50; bread, $7.50 a pound, which is, for all that, a moist and uneatable straw paste. Of course, these are the prices of smuggling, but the fact that they are paid shows how far famine has gone.

The "distribution" had divided the people into four classes. The largest class (who get most) includes the "elite" of the laboring element—those who do heavy labor and the outcasts of the community, among whom are mixed released criminals and such elements. They get

a nominal allowance of one-half pound of bread a day. The second class, including the laborers on lighter work, have only a right to one-quarter of a pound of bread a day. The lower officials, from the third class, get one-eighth of a pound of bread daily, and the lowest class, the bourgeois, do not get anything. In truth, the whole system means that most of the people get nothing. Coal has been out for a long time. Public industries, gas and electricity factories are kept going with naphtha for fuel, but this is running out, too. I tremble when thinking of the sufferings of the Russian people in the coming winter. It is easy to understand that health conditions are very poor. The hospitals, however, are in total disorder and medicines are hardly to be had.

On the anniversary of the revolution, November 7 and 8, many arches were erected in Petrograd, and the public buildings were covered with large strips of white cloth on which unintelligible futuristic pictures and Bolshevik inscriptions had been designed. Three hundred thousand yards of cotton goods were used for this purpose, and this while the population is lacking all material for underwear. The workingmen working on these arches received $125 wages a day. Such instances describe fully Russia's mismanagement.

The lightheartedness with which money is given out is unbelievable. They jingle with millions and billions as if these were of no importance. Just before I left a decree had been issued ordering a single levy of ten billions. The bourgeois have to pay this. It is inconceivable how they can find the money, as they have been gradually stripped of their belongings, and the one single levy will therefore mean the giving up of everything thus far left to them. Money, as a matter of fact, is easy to be got—one has only to print it. The presses are lenient. The only trouble to come is that the blue ink for coloring the notes will give out. Every day a new amount of unnumbered, unsigned notes is circulated, and nobody knows how many are issued, and the notes are not properly covered by gold specie. The total amount of the paper money (the only money in circulation) can safely be estimated to be $25,000,000,000. What is to become of the credit of the country under such circumstances?

Violently the people are robbed until their last penny has been taken. They are put out of their houses and offices and given out to misery. Half of the shops in Petrograd are closed, after having been ruined. The other half can not sell before the "distribution."

The shopkeepers have no voice in their own business. In their places the clerks are managing the affairs. They prescribe their own wages and working hours. Personally I have seen an example of despotism. A man had a small shop in a provincial town, but his standing was no better than any common laborer. Because he had a shop he was considered a bourgeois. This shop was taken away from him and he was thrown into prison, while his family were left to provide for themselves. They got his release at last for a high ransom, but what can he do at present? There is no work for a bourgeois. On the little money left to him he can not live without giving suspicion to the authorities. Without means of subsistence he and his family were without food and nearly insane. Suicide is very often the only way out for those unfortunates. Every one owning a few thousand rubles tries to keep them and is for that already marked as a capitalist. Thus the Government can only count on the very poorest classes, on those who have nothing and are nothing. Among the farmers, too, they can only count on the poorest ones, who have no land of their own and in many cases not even a hut to live in. All the land, it is said, belongs to the nation. In results this nationalization means that one person takes what is robbed from another.

In many cases the farmers even do not want this nationalized land, as they are afraid that in their turn they will be regarded as bourgeoisie. The result of all this is that the land remains uncultivated or is insufficiently fertilized. On the whole farming has stopped for the greater part. Everything that has been nationalized or socialized seems to have been touched by a withering hand; it fades and dies. The socialized tug service on the Volga, formerly of great importance for grain and petroleum transport, has stopped. The barges are rotting in the river. Foreign shipping is of no importance any more. So many formalities have to be observed that business has been made impossible. Large placards on the street corners call on the proletariat to take possession of the houses of the bourgeoisie. The people are put out of their homes with two hours' notice and must leave their furniture. Constantly one sees so-called confiscated furniture taken out of the houses while the inhabitants are left to find other quarters.

This is such a common sight that one hardly notices it. The tragedy of a family losing in a few hours all they and their ancestors have earned and worked for has become such a daily occurrence that one passes unmoved, hardened by the sight of too much misery.

Servants lead a miserable existence. Nobody can employ them, and at their wits' end they go and offer their services for nothing just to have a home and food. Many bourgeoisie have tried to earn their living by selling newspapers and sweets, and the tales of ex-generals selling newspapers and princesses serving in shops and at counters are no imaginary tales. But this, generally their only means of living, has also been forbidden to them. Those who possessed jewelry, antiques, or costly furniture have tried to sell them when they needed money. This also has stopped. The transportation of furniture without special permission (of course unattainable for a bourgeois) has been prohibited.

The army itself is disorganized. The troops in the service of the present Government are composed of the most extreme Reds, kept by extraordinarily high pay and extra food rations.

The public is utterly ignorant of what is happening in other countries as well as in their own. Only Government newspapers are issued, and they give only one-sided and misleading news.

The censor is a hundred times more exacting than under the old régime. In the beginning some German papers could be had at Petrograd, but their import has been stopped lately, so we were totally ignorant of what happened in the universe. Unemployment has risen enormously. Never before has the world witnessed such an intentional annihilation of products and means as we see now in Russia.

All factories are ruined. The engines are taken away or transported from one factory to another. The object of this is obvious. The few workingmen who are still willing to work must earn enormous wages, while they do very little work. Thus the employers are obliged to throw great sums of money to the workers while their output is paralyzed for a long time, perhaps for good. Only a large importation of foreign capital shall be able to restore the thus spoiled industries. Nowhere is there any sign of enthusiasm for the present Government.

The population has lost all energy and seems paralyzed. The Bolsheviki enjoy themselves in theaters and moving-picture shows, at concerts and dances. In the imperial palace they have installed a moving-picture theater. But the bourgeoisie dare hardly show themselves in the streets, because public safety is very lax.

In the cities I have not seen much drunkenness. A great deal of brandy is made in the country, but in the cities alcohol is so scarce that all the eau de cologne and even all the polish has been drunk.

Of course, the situation is relatively better in the country, where the farmers try to keep as much as possible of their grain and other products. The great quantities of grain and minerals in Siberia are unattainable by the Soviet Government.

The Dutch colony has almost entirely left Petrograd, for the foreign population is as little safeguarded against the terrorism of the Bolsheviki as the Russians themselves. Those who remained have closed their offices, and, like the bourgeoisie, they lead a pitiful existence trying to sell things in the streets. Instead of lifting the lower classes to a higher level, the new system has dragged everything above them down into their mud and misery.

CALLING OF THE ROLL.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Colt	Kendrick	Pomerene	Thomas
Fletcher	Kenyon	Ransdell	Townsend
Gay	Knox	Reed	Trammell
Gore	McLean	Robinson	Underwood
Gronna	McNary	Saulsbury	Wadsworth
Hale	Moses	Shafroth	Walsh
Henderson	Myers	Sheppard	Warren
Hitchcock	Nelson	Sherman	Williams
Jones, N. Mex.	Page	Smith, S. C.	
Jones, Wash.	Poindexter	Smoot	
Kellogg	Pollock	Spencer	

Mr. SAULSBURY. The senior Senator from Maryland [Mr. SMITH] is absent on account of illness.

Mr. SHEPPARD. I wish to announce that the Senator from South Dakota [Mr. JOHNSON] and the Senator from Nevada [Mr. PITTMAN] are detained on official business.

I wish also to state that the senior Senator from Texas [Mr. CULBERSON] is absent on official business.

Mr. McNARY. I should like to announce the absence of the following Senators on official business: Senators ASHURST, NUGENT, LA FOLLETTE, CURTIS, and FERNALD.

Mr. TOWNSEND. I desire to announce the absence of my colleague [Mr. SMITH of Michigan] on account of illness. He has a general pair with the senior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. SMOOT. I wish to anounce the unavoidable absence of the Senator from Indiana [Mr. NEW] on official business.

The VICE PRESIDENT. Forty-one Senators have answered to the roll call. There is not a quorum present.

The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. KIRBY, Mr. LENROOT, Mr. MCKELLAR, Mr. NORRIS, Mr. OVERMAN, Mr. SIMMONS, Mr. SWANSON, Mr. VARDAMAN, and Mr. WEEKS answered to their names when called.

Mr. CUMMINS, Mr. CHAMBERLAIN, Mr. PENROSE, Mr. MCCUMBER, Mr. LODGE, Mr. DILLINGHAM, Mr. CALDER, Mr. LA FOLLETTE, Mr. NUGENT, Mr. SMITH of Arizona, Mr. HARDWICK, Mr. STERLING, and Mr. KING entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present.

LEAGUE OF NATIONS.

Mr. WILLIAMS. Mr. President, I find in this morning's Washington Post on the first page a portion of a speech made by ex-President Taft, at Missoula, Mont. It bears the usual Taft earmarks of clarity and brevity of expression and legal and judicial ability. I ask unanimous consent to have it inserted in the RECORD as a part of my remarks.

There being no objection the matter referred to was ordered to be printed in the RECORD, as follows:

WILLIAM HOWARD TAFT ASKS THANKS BE GIVEN FOR LEAGUE—DECLARES PRESIDENT IS TO BE WARMLY CONGRATULATED—CONTENDS SENATE SHOULD GIVE HIM UNANIMOUS SUPPORT SINCE FOURTEEN NATIONS ALREADY HAVE DONE SO.

(By William Howard Taft.)

MISSOULA, MONT., *February 16, 1919.*

All who have pressed for a league of nations to maintain peace and prevent war must thank God as they read the provisions of the constitution of the league upon which the nations in conference at Paris have agreed. President Wilson is to be warmly congratulated that the league of nations which he promised to the harassed allied peoples in his messages and addresses and has urged before the conference has taken such a form. It is a real league. It has clinching and cinching provisions. It imposes on all the great powers and all others who enter the league a solemn covenant not to begin war until the differences have been submitted either to arbitration and award or to the executive council of the league as a conciliating body.

MAY ACT TO SECURE COMPLIANCE.

The parties covenant to obey the award if the executive council unanimously recommend a compromise, and if the party against whom it is made complies with the recommendation the other party covenants not to go to war. If the power does not comply, then the council may take steps to secure compliance. If a party breaks its covenant in

these regards and goes to war, a complete boycott of the recalcitrant is required of all members of the league. The break of covenant is an act of war against all the other members of the league. The executive council is then to recommend what military forces each member of the league should furnish to protect the covenants of the league. The members are to share the loss arising to any member of the league by reason of the boycott. The boycott is to prevent commerce not only between the outlaw nation and its citizens and the members of the league and their citizens, but is to be extended to prevent commerce of the outlaw and its citizens with nonmembers of the league. It is to be a complete isolation.

RECOMMENDS MILITARY QUOTA.

It will be thus seen that economic pressure will be forced that all members of the league are bound to use in every case of a breach of covenant in beginning war. The contribution to a military force to suppress war is not objectory, but the council is to recommend what contribution each league member should make. Moreover, each member is required to give passage over its territory to forces of the league engaged attacking the recalcitrant. It would be difficult to make stronger provisions that have a tendency to force league members into war with covenant breakers without creating a distinct and positive objection to make war.

The members of the league, whether they fight or not, are not neutrals in the modern sense. They must prevent intercourse of nonmembers of the league with the recalcitrant nation. They must yield a right of way to league military forces attacking that nation. The recalcitrant may therefore properly regard them as belligerents and enemies. Provision is made for future creation of an international court, but meantime arbitration before agreed arbitrators is provided.

On the whole, the short program of the League to Enforce Peace, adopted in June, 1915, differed but little from the nub of this, except that military contribution is not expressly obligatory and that in this either party to a difference may avoid a court and an award and seek a council of conciliation in the executive body of the league, where unanimity of recommendation is required.

ADOPTED BY GEN. SMUTS.

The proposal to use compulsion to secure submission rather than execution of judgment or recommendation came from the program of the League to Enforce Peace, and was adopted by Gen. Smuts in a remarkable brochure submitted by him December 16, 1918. It is understood that the President was much impressed with the paper of Gen. Smuts, and his plan as well. We may be certain the constitution as now adopted was largely taken from his recommendation. He argued for the joint obligation of league members to use force, which was only partly adopted, as I have pointed out. He, too, recommended required submission of the justiciable questions to a court, and of nonjusticiable questions to a conciliation council, as the League to Enforce Peace had done.

But the Smuts plan was much more comprehensive than that of the League to Enforce Peace. From that plan came the mandatory system of administrating backward countries and international cities as wards of the league through competent and existing governments as agents answerable to the league. From that plan came the union of all present international bureaus under the league, as well as the permanent secretariat. He advocated international labor reforms through the league, and this function is left to be developed under the league. He, too, brought nonmembers of the league under its influence and action.

AN INDISPENSABLE FEATURE.

The giving to the five great powers five votes in an executive council of nine is one of the most important features of the constitution, and is indispensable to any practical working of it. They are the responsible members who are to do the work to be done. The minor States of the league enjoy its protection, but will not be willing to expend money or effort in maintaining its authority. They should not be permitted to arrogate to themselves equal authority with the great powers, and thus seriously interfere with the league's efficient operations. This is a sufficient safeguard against too early admission of Germany.

One admirable feature of the constitution is its elastic character. The President has commented on it. It may be that, as the concrete problem of keeping peace between the new republics and the old countries, out of which they have been carved, presents itself in detail, special measures for the raising of military forces may have to be incorporated. Doubtless other readjustments will have to be made as experience shows their necessity.

PROVIDES FOR DEVELOPMENT.

In other words, this fact does not rigidly maintain the status quo, but makes provision for development and progress among the nations. In many instances, too, the old and paralyzing requirements of unanimity of action by the powers has been departed from.

Now that President Wilson brings back to us a real league, and has fully made good his announced purpose, it would greatly please the country if the Senators could give him unanimous support. The 14 nations have done so, why not the Senate? Such action would be heard around the world with acclaim.

Article 10 covers the Monroe doctrine and extends it to the world. The league is not a supersovereign, but a partnership intended to secure to us and all nations only the sovereignty we can properly have, i. e., sovereignty regulated by international law and morality and consistent with the same sovereignty of other countries. The United States is not under this constitution to be forced into actual war against its will. This league is to be regarded as in conflict with the advice of Washington only with a narrow and reactionary viewpoint. Let us hope that a forward-looking Senate will not seek to defeat this grand advance of mankind toward a just and lasting peace.

PETITIONS AND MEMORIALS.

Mr. JONES of Washington. I have here a petition sent me by the Minute Men of Seattle, Wash., urging the deportation of alien slackers. The petition is similar to those I presented the other day. I move that it be referred to the Committee on Immigration.

The motion was agreed to.

Mr. JONES of Washington. I present a memorial from the Legislature of the State of Washington that I ask may be printed in the RECORD and referred to the Committee on Interstate Commerce.

The memorial was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
THE STATE OF WASHINGTON,
DEPARTMENT OF STATE.

To all to whom these presents shall come:

I, I. M. Howell, secretary of state of the State of Washington and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 9 with the original copy of said senate joint memorial No. 9 now on file in this office and find the same to be a full, true, and correct copy of said original and of the whole thereof, together with all official indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Washington. Done at the capitol, at Olympia, this 10th day of February, A. D. 1919.

[SEAL.]

I. M. HOWELL,
Secretary of State.
By J. GRANT HINKLE,
Assistant Secretary of State.

Senate joint memorial No. 9.

To the President of the United States and to the Director General of Railroads:

Your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent that—

Whereas on the 29th day of August, 1916, the Congress of the United States of America did authorize the President of the United States to take possession of and operate the transportation systems of the United States and thereafter authorized him to initiate rates thereon; and

Whereas prior to the taking possession of the Northern Pacific; Great Northern; Oregon-Washington Railroad & Navigation; Chicago, Milwaukee & St. Paul; Spokane & Inland Empire; Spokane, Portland & Seattle Railway systems in the State of Washington by the President of the United States, there existed in said State a practice by said railway systems of granting the following rates upon gravel, crushed rock, and sand for the building of highways by the State and counties, paid for by public funds, as follows: One cent per ton per mile for a short haul of 50 miles or less, and three-fourths cent per ton per mile for greater distances, with a minimum of $5 per car; a ton to be 2,000 pounds, the cars to be loaded approximately to their weight capacity. It being further understood that in the use of the rates above named for distances between 50 and 100 miles, the basis of charge should be 1 cent per ton per mile for the first 50 miles and three-fourths cent per mile for each additional mile above 50 miles until the rate of 75 cents was reached; and

Whereas on the 25th day of May, 1918, acting for and on behalf of the President of the United States, the Director General did issue his General Order No. 28, under and by virtue of which all rates for the hauling of gravel, crushed rock, and sand were increased 1 cent per 100 pounds; and

Whereas on this 13th day of June, 1918, the practice of allowing special rates upon road material was withdrawn as to the systems above named; and

Whereas the State of Washington and the several counties thereof are now about to engage in a program for extensive road building in order to give employment to its inhabitants and the demobilized soldiers, thereby aiding in the reconstructive program so essential to the welfare of the people of the whole Nation; and

Whereas the excessive cost of labor, which it is essential shall be maintained until there is a fall in prices of the necessities of life, which excessive labor cost is a deterrent in carrying out an extensive road program; and

Whereas the difference in the cost of hauling gravel, crushed rock, and sand under the rate prescribed by said order No. 28 of the Director General is viewed as a war measure and one inimical to a reconstructive and reorganized program: Therefore

It is most earnestly and respectfully urged that said General Order No. 28 as to rates upon gravel, crushed rock, and sand to be moved in the State of Washington in public-road building be set aside and the rates stated in the practice above mentioned be restored on all railroads in said State under Federal control.

The secretary of state is hereby directed to cause a certified copy of this memorial to be sent to the President of the United States, to the Director General of Railroads, and to each of the Senators and Representatives in Congress from the State of Washington.

Passed the senate February 7, 1919.

LOUIS F. HART, *President.*

Passed the house February 7, 1919.

FRED A. ADAMS, *Speaker.*

(Indorsed:) State of Washington, ss. Filed in the office of secretary of state February 10, 1919. I. M. Howell, Secretary of State.

Mr. JONES of Washington presented a petition of sundry citizens of Everett, Wash., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Everett, Wash., praying for the withdrawal of American troops from Russia, which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Lodge No. 1181, Benevolent and Protective Order of Elks, of Bremerton, Wash., and a petition of sundry citizens of Seattle, Wash., praying for the deportation of those aliens who, in order to escape military service, revoked their first citizenship papers, which were referred to the Committee on Immigration.

Mr. MYERS. I present a joint memorial of the Legislature of the State of Montana, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

House joint memorial 5.

Memorial to Congress of the United States to enact such legislation as may be necessary to permit the honorably discharged soldier, marine, or sailor to retain in his possession such clothing as under the provisions of paragraph 1165, Army Regulations, he is permitted to take to his home.

To the honorable Senate and House of Representatives in the Congress of the United States of America:

Your memorialists, the members of the Sixteenth Legislative Assembly of the State of Montana, the senate and house concurring, respectfully represent:

Whereas "under the provisions of paragraph 1165, Army Regulations, an enlisted man honorably discharged is permitted to wear one suit of uniform outer clothing from the place of termination of his active service to his home, which clothing will be returned within four months after termination of his active service by mail, under a franked label"; and

Whereas the soldiers, marines, and sailors who have been or are now in the service of the United States that the world might be made safe for democracy, willingly went forth to defend the principles of freedom and right, knowing that they might at any time be required to make the supreme sacrifice; and

Whereas these soldiers, marines, and sailors have taken much pride in their uniforms and wish the privilege of keeping them in their possession: Now, therefore, be it

Resolved by the house (the senate concurring), That we, the members of the Sixteenth Legislative Assembly of the State of Montana, do hereby petition and earnestly pray the Congress of the United States to enact such legislation as may be necessary to change the provisions of paragraph 1165, Army Regulations, and make it possible for an honorably discharged man to retain "one suit of uniform outer clothing."

Resolved further, That a copy of this memorial be forwarded by the secretary of state of Montana to the Senate and to the House of Representatives of the United States, and that copies hereof be transmitted by the secretary of the State of Montana to the Senators and Representatives of Montana in Congress.

O. W. BELDEN,
Speaker of the House.
W. W. MCDOWELL,
President of the Senate.

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of the State of Montana, do hereby certify that the above is a true and correct copy of house joint memorial No. 5, relating to honorably discharged soldiers, sailors, and marines retaining their uniforms after discharge, enacted by the sixteenth session of the Legislative Assembly of the State of Montana, and approved by S. V. Stewart, governor of said State on the 11th day of February, 1919.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Montana at Helena, the capital, this 12th day of February, A. D. 1919

[SEAL.] C. T. STEWART.

Mr. MYERS presented a petition of sundry farmers of Gibson, Mont., praying for the enactment of legislation guaranteeing the $2.26 minimum price on the 1919 wheat crop, which was referred to the Committee on Agriculture and Forestry.

Mr. MOSES. I present a resolution adopted by the Board of Trade of Concord, N. H., relative to a continuance of the Federal control and operation of telephone and telegraph lines, which I ask to have printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

The resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

Resolution unanimously passed by the Concord Board of Trade, Concord, N. H., February 13, 1919.

Whereas the remarkably difficult problems resulting from the war and the coming period of business readjustment render it exceedingly difficult, if not wholly impossible, for the owners of the great telephone and telegraph systems now under Federal control to successfully resume the operation of the same without remedial legislation and the provision of some reasonable period in which to allow for the necessary preparation and readjustment; and

Whereas to properly consider these problems in all their intricacies will require much more time than is available in the present short session of Congress, and unless some action is taken at this time the properties will be returned to the companies owning them upon the proclamation by the President of the ratification of peace treaties without any advance notice being given and without any period for proper and necessary readjustment; and since such a period of readjustment is of exceedingly vital importance to the business interests of the Nation: Therefore be it

Resolved, That this organization go on record as favoring the enactment by Congress of some law which will continue the control and operation of such utilities by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed; be it further

Resolved, That a copy of this resolution be sent to the Senators of this State and to the Representative in Congress of this district.

CONCORD BOARD OF TRADE,
By HERBERT W. RAINIE,
Secretary.

Mr. CHAMBERLAIN. I present a resolution adopted by the Legislature of the State of Oregon, relative to captured German cannon, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Senate joint memorial 10.

Whereas the soldiers, sailors, and marines of the State of Oregon had an honorable and glorious part in the recent world's war; and

Whereas the Army of the United States of America captured many cannon from the enemy during said war; and

Whereas the people of the State of Oregon desire to have some of the trophies captured by the Army of the United States, in which Oregon men played so conspicuous a part: Now, therefore, be it

Resolved, That our Senators and Representatives in Congress be memorialized to use their influence to secure such action or legislation as will result in the gift from the War Department of the United States to the people of Oregon of two large German cannons, captured in engagements in which Oregon soldiers participated, to be permanently placed upon the capitol grounds at Salem, Oreg., and that a copy of this memorial be transmitted to the Senators and Representatives in Congress from the State of Oregon.

Adopted by the house January 31, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 28, 1919.

W. L. VINTON,
President of the Senate.

Mr. CHAMBERLAIN. I also present a resolution adopted by the Legislature of the State of Oregon favoring the granting of six months' additional pay and allowances to honorably discharged soldiers and sailors, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Senate joint memorial 6.

To the honorable Senate and House of Representatives of the United States of America, in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas since the signing of the armistice, on November 11, 1918, which practically brought to a conclusion the greatest war in history, our soldiers, sailors, and marines are being rapidly mustered out of the service of the Government and are being turned from their triumphant warfare in behalf of civilization to their former peaceful vocations in civil life; and

Whereas our Federal Government has failed to make suitable provisions for the support and maintenance of our returning heroes from the time of their honorable discharge until they have had an opportunity to return to their respective homes and again obtain employment of a character adapted to their qualifications, and many of them when discharged are without means to provide themselves with the actual necessaries of life; and

Whereas others of our allies in the great conflict have made provision for their discharged warriors by granting them from three to six months' additional pay from the date of their discharge and by equipping them with civilian clothing; and

Whereas no army or navy has ever fought more brilliantly or with greater valor, nor has any ever won such sweeping and overwhelming victory as have the Army, Navy, and Marines of the United States in the terrible conflict just ended, and none are more deserving than our splendid heroes, whom we all delight to honor: Now, therefore, be it

Resolved, That we, your memorialists, the Senate and House of Representatives of the State of Oregon, in regular session assembled, do respectfully and earnestly petition the Congress of the United States to forthwith provide by appropriate legislation that each soldier, sailor, and marine who has been honorably discharged from the service of our country since November 11, 1918, be granted six months' extra pay from the date of his discharge, the same to be payable at the earliest possible time, and that each soldier, sailor, and marine who was in the service of his country during the present war and prior to November 11, 1918, who shall hereafter be honorably discharged shall on the date of his discharge be paid as extra compensation a sum equal to six months' pay at the rate of the pay he was receiving on the day of his discharge; and, further, that each person entitled to receive such extra pay under such legislative enactment be provided with or paid the value of one civilian suit of clothes: Be it further

Resolved, That the chief clerk of the Senate of Oregon be, and he is hereby, directed to forward a copy of this joint memorial, under his certificate and seal, to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Representative from Oregon in the Congress of the United States.

Adopted by the house January 31, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 22, 1919.

W. J. VINTON,
President of the Senate.

Mr. CHAMBERLAIN. I present a resolution adopted by the Legislature of the State of Oregon, favoring the independence of Armenia, which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

The resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Senate joint resolution 5.

To the honorable Senate and House of Representatives of the United States of America, in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, in regular session assembled, respectfully and earnestly represent that:

Whereas the United States is upholding the traditions of her historic past, and the ideals which are the foundation of the Republic has become "The home of freedom, and the hope of the downtrodden and oppressed among the nations of the earth"; and

Whereas the great heart of our people has constantly bled in sympathy and our indignation has as often been stirred by the ever-recurring, inhuman barbarities of the cruel Turk toward the virtuous, peaceable, and Christian Armenian peoples; and

Whereas after centuries of oppression, unspeakable atrocities, massacres, and deportations, the Armenian people are still about 3,000,000 in number, and out of the fearful carnage that is just closing in Europe have emerged with a small Armenian Republic in their ancestral home; and

Whereas history has proven that the cruel Turk awaits an opportunity to continue his outrages against this innocent people, who have a recognized capacity for self-government, and, with adequate protection, can establish a strong Armenian Republic at this crossroads of contending nations: Now, therefore, be it

Resolved, That we, the legislative assembly, ask the United States, by this resolution, to assist in every way possible to help the cause of an United Armenian Republic, embracing all Armenian peoples under the principle of self-determination, and that the United States tender to such Republic its sympathy and moral support in achieving such result; and be it further

Resolved, That the chief clerk of the senate of the State of Oregon be directed to transmit a copy of this memorial to the President of the United States, the Secretary of State, the President of the United States Senate, the Speaker of the House of Represenatives of the United States, and to each of the Senators and Representatives of the State of Oregon in Congress.

Adopted by the house January 31, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 22, 1919.

W. J. VINTON,
President of the Senate.

Mr. CHAMBERLAIN. I also present a resolution adopted by the Legislature of the State of Oregon, favoring an adequate merchant marine, which I ask to have printed in the RECORD and referred to the Committee on Commerce.

The resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Senate joint memorial 14.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas conditions of unemployment exist and threaten to become more aggravated during the period of reconstruction upon which our Nation has entered following the great war; and

Whereas in order to encourage the production of commodities and the consequent employment of labor and the stimulation of commerce and industry, a merchant marine is absolutely essential for the Pacific Coast States; and

Whereas no adequate merchant marine now exists on said coast: Therefore be it

Resolved, by the Senate of the State of Oregon (the House of Representatives concurring), That the Congress of the United States be, and it is hereby, memorialized to take immediate action by the passage of such legislation as will create, foster, and maintain an adequate merchant marine for the handling of products of the Pacific coast, and that such legislation include such readjustments or absorptions of tolls and other charges as will give ships of American registry at least an equal standing with ships of foreign registry; and be it further

Resolved, That the governor of the State of Oregon transmit copies of this joint memorial to the governors of the States of Washington and California, requesting that the legislatures of said States take immediate action to call the attention of the Congress of the United States to the existing emergency; and be it further

Resolved, That the governor of the State of Oregon transmit copies of this memorial to the President of the Senate of the United States and to the Speaker of the House of Representatives of the United States, and to each Senator and Representative in Congress from the State of Oregon.

Adopted by the house February 7, 1919.

(Signed) SEYMOUR JONES,
Speaker of the House.

Adopted by the senate February 7, 1919.

(Signed) W. J. VINTON,
President of the Senate.

Mr. CHAMBERLAIN. I present a resolution adopted by the Legislature of the State of Oregon, relative to the construction of ships for foreign account, which I ask to have printed in the RECORD and referred to the Committee on Commerce.

The resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

House joint memorial 10.

Whereas the American Emergency Fleet Corporation and Shipping Board have forbidden American shipbuilders to take foreign contracts in the building of ships; and

Whereas the American shipbuilding industries have been prevented from doing their part toward making good the world's shortage in ships caused by the war; and

Whereas many civilian workmen have been thrown out of employment at a time when the labor market is being filled with discharged soldiers; and

Whereas American industry is given a setback when going through a period of transition; and

Whereas many of these contracts would be received by American shipbuilders at this time, providing the opportunity would be given to the shipbuilding industry to accept and complete contracts for foreign ships; and

Whereas the objections on the part of the Shipping Board to permit American shipbuilding industries to take foreign contracts is driving this business and probable contracts to other countries and interfere with the employment of American labor: Now, therefore, be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring therein), That Congress, and particularly the Representatives of the State of Oregon in Congress be memorialized to use their influence to bring about such legislation, or action on the part of the United States Shipping Board, as will permit the American shipbuilding industries to take and complete contracts for the building of ships for foreign countries; and further be it

Resolved, That the chief clerk of the house be, and he is hereby, directed to forward a copy of this joint memorial under his certificate and seal to the President of the Senate and the Speaker of the House of Representatives and to each Member from Oregon in the Congress of the United States.

Adopted by the senate January 30, 1919.

W. J. VINTON,
President of the Senate.

Adopted by the house January 20, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that House joint memorial No. 10 is a true copy as passed by the house and senate as above indicated.

W. F. DRAYER,
Chief Clerk of the House.

Mr. CHAMBERLAIN. I also present a resolution adopted by the Legislature of the State of Oregon, relative to completion of the construction of steel and wooden ships now under contract, which I ask to have printed in the RECORD and referred to the Committee on Commerce.

The resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Senate joint memorial 12.

Whereas on account of the cessation of wooden shipbuilding in Oregon large numbers of men have been thrown out of employment during the winter season; and

Whereas the United States Shipping Board has recently made an order, the result of which is to discontinue the building of a large number of steel and wooden ships already under way, by order of the Government; and

Whereas this will throw out of employment a large number of men and will entirely dislocate the labor situation in Oregon, causing hardships and distress; and

Whereas Oregon has not been derelict in any of her duties toward the Government during the recent world war: Now, therefore, be it

Resolved, That the Congress of the United States be earnestly requested to appropriate sufficient funds for finishing the steel and wooden ships now under contract, and that a copy of this memorial be transmitted to our Senators and Representatives in Congress, and that a copy thereof be sent to the President of the United States, and a copy to the Speaker of the House of Representatives.

Adopted by the house January 30, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 30, 1919.

W. J. VINTON,
President of the Senate.

Mr. KELLOGG. I present petitions signed by a large number of farmers in the State of Minnesota, praying that the guaranty for 1919 wheat be made good. I move that the petitions be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. HARDING. I present a joint resolution passed by the Legislature of Ohio, which I ask to have printed in the RECORD and referred to the Committee on Interstate Commerce.

The resolution was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Joint resolution (H. J. Res. 18) memorializing the President of the United States, the Congress of the United States, and the United States Railroad Administration relative to the matter of freight rates on materials for public works.

Whereas many public improvements for which there is an imperative need have been postponed on account of the existence of a state of war between the United States of America and the Imperial German Government, and in order that the energies of the people might be directed unreservedly toward the winning of the war; and

Whereas one of the greatest problems confronting the State and Nation at the present time is the furnishing of immediate employment to a large amount of idle labor released from other activities by the victorious termination of the war; and

Whereas the national administration has urgently requested the resumption of the construction of public works on a large scale, the Congress of the United States is proposing to appropriate large sums of money for such purpose, the governors of many States have recommended and are engaged in procuring other large appropriations for the same purpose, and minor political subdivisions are preparing to liberally finance public improvements of great magnitude; and

Whereas, in the judgment of the General Assembly of the State of Ohio, the problem of furnishing immediate and profitable employment to idle labor can be best solved by immediately embarking upon the construction of the many much-needed public improvements which have been delayed by war conditions; and

Whereas, in the judgment of the General Assembly of the State of Ohio, freight rates on materials designated for use in constructing public works should be immediately reduced, and any increase in the same will defeat its own purposes by forcing a curtailment of shipments and at the same time, by discouraging the movement for a program of public improvements, render futile all efforts to give employment to idle labor; and

Whereas one of the greatest and most serious obstacles to the immediate resumption of activity in the construction of public work is the present high freight rates on materials, and more especially certain proposed revisions and readjustments of such freight rates, which proposed revisions and readjustments create a situation of uncertainty, making it impossible for engineers to intelligently estimate the cost of public works and making it impossible for contractors to bid thereon: Now, therefore, be it

Resolved by the General Assembly of the State of Ohio, That the President of the United States, the Congress of the United States, and the United States Railroad Administration be, and they hereby are,

memorialized and respectfully but most urgently requested to take such action as will immediately and effectively prevent any upward revision in the freight rates upon materials entering into the construction of public works; and

That, if in the judgment of the proper authorities of the National Government charged with the administration of such matters, the employment of idle labor in the construction of public improvements is a matter of importance, and if, in the judgment of such officials, it be not incompatible with the general welfare, there be forthwith made a reduction in the freight rates upon all materials transported over the railroads of the United States for use in connection with the construction of any public improvements carried forward by the Federal Government or any department thereof, or any State, county, township, city, village, school district, or other political subdivision; and

That upon the passage of this resolution certified copies thereof be forthwith forwarded by the secretary of state of the State of Ohio to the President of the United States, the Presiding Officers, and Members from Ohio of both branches of the Congress of the United States, and the Director General of Railroads.

CARL R. KIMBALL,
Speaker of the House of Representatives.
CLARENCE J. BROWN,
President of the Senate.

Adopted February 3, 1919.

UNITED STATES OF AMERICA,
STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE.

I, William D. Fulton, secretary of state of the State of Ohio, do hereby certify that the foregoing is a true and correct copy of house joint resolution No. 18 as adopted by the General Assembly of Ohio on the 3d day of February, 1919, and filed in the office of the secretary of state on the 12th day of February, 1919, and is now on file in this office and in my official custody.

Witness my hand and official seal at Columbus, Ohio, this 13th day of February, A. D. 1919.

[SEAL.] WILLIAM D. FULTON,
Secretary of State.

Mr. PAGE presented the petition of Fred A. Snyder and 48 other citizens of Rutland, Vt., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE presented a petition of the Woman's Club of Houlton, of the Travelers' Club of Belfast, and of the Current Events Club of Gardiner, all in the State of Maine, praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

Mr. NELSON presented petitions of sundry farmers in the State of Minnesota, praying for the enactment of legislation guaranteeing the $2.20 minimum price for the 1919 wheat crop, which were referred to the Committee on Agriculture and Forestry.

Mr. TOWNSEND presented petitions of sundry citizens of Detroit and of the Loyal Lodge Black Knights of the Camp of Israel, No. 48, of Flint, all in the State of Michigan, praying for the withdrawal of American troops from Russia, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Hillsdale, Mich., praying for the early return of American troops from abroad, which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Lodge No. 187, Brotherhood of Railway Clerks, of Marquette, Mich., and a petition of the Trades and Labor Council of Port Huron, Mich., praying for the proposed extension of Federal control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of sundry post-office employees at Manistee, Mich., praying that the reclassification of salaries of postal employees be made permanent, which was referred to the Committee on Post Offices and Post Roads.

He also presented the petition of Fred C. Hensler, of Grand Rapids, Mich., praying that appropriations be made for the continuation of public improvements in order to give returning soldiers and sailors employment, which was referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Bay City, Mich., praying for the enactment of legislation relative to the maintenance of kindergarten schools, which was referred to the Committee on Education and Labor.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. ROBINSON:

A bill (S. 5618) authorizing and directing The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. NORRIS:

A bill (S. 5620) granting an increase of pension to Charles H. Coleman; to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5621) authorizing the Secretary of War to donate to the town of Gray, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McKELLAR:

A bill (S. 5622) granting an increase of pension to Samuel Hawkins (with accompanying papers); and

A bill (S. 5623) granting a pension to Nancy Cook (with accompanying papers); to the Committee on Pensions.

By Mr. HARDING:

A bill (S. 5624) granting an increase of pension to William C. Wilson; to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 5625) granting a pension to Emeline Hartley; to the Committee on Pensions.

PUNISHMENT FOR SEDITION.

Mr. JONES of Washington. I introduce a bill and ask that it may be read at length and referred to the Committee on the Judiciary.

The bill (S. 5619) defining sedition and providing a punishment therefor was read the first time by its title, the second time at length, and referred to the Committee on the Judiciary, as follows:

Be it enacted, etc., That any person who knowingly utters, writes, prints, distributes, circulates, or who knowingly aids in distributing or circulating any words or arguments urging, advocating, or inciting or calculated to incite resistance to law by force or violence, or who urges, advocates, or incites a change in the form of government or the Constitution of the United States except through or by the orderly and duly constituted manner shall be guilty of sedition, and upon conviction thereof shall be fined not less than $5,000 and imprisoned at hard labor for not less than five years, and if an alien upon the expiration of his sentence shall be deported from the United States and forever barred from reentering the United States or any territory under its jurisdiction.

WOMAN SUFFRAGE.

Mr. JONES of Washington. I ask leave to introduce a joint resolution. The Senate has already acted upon the joint resolution providing for woman suffrage. It has disposed of that subject so far as bills that are pending are concerned for this session. In order that there may be a resolution before the committee with reference to this matter I introduce a joint resolution proposing an amendment to the Constitution providing for woman suffrage and ask that it may be read and referred to the Committee on Woman Suffrage.

The joint resolution (S. J. Res. 223) proposing an amendment to the Constitution of the United States extending the right of suffrage to women was read the first time by its title, the second time at length, and referred to the Committee on Woman Suffrage, as follows:

Resolved, etc., That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

"ARTICLE —.

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. Congress shall have power, by appropriate legislation, to enforce the provisions of this article."

RIVER AND HARBOR APPROPRIATIONS.

Mr. MOSES and others addressed the Chair.

Mr. FLETCHER. I wish to call attention to the fact that the Senate took a recess on Saturday, and there is a measure before the Senate, the river and harbor bill. I do not like to object to the transaction of routine business, but it would save time, and I think we can attend to those matters just as quickly to dispose of the business before the Senate first. That is the regular order, and I think we ought to have the regular order.

The VICE PRESIDENT. The Senator from Florida calls for the regular order, which is the river and harbor bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

M. KENYON. I think the next amendment is the one relating to the Oklawaha River.

Mr. FLETCHER. That is correct.

The VICE PRESIDENT. The pending amendment of the committee will be stated.

The SECRETARY. On page 12, line 15, after the word "improvement," the committee proposes to insert the following words:

For improvement of Oklawaha River in accordance with the report submitted in House Document No. 514, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $100,000.

Mr. KENYON. Mr. President, I propose to introduce an amendment to this amendment raising the question of the contribution by the State to this proposition. I think if there is any proposition in the bill, outside of the Ouachita River, that would be a test of whether Congress under any circumstances with any condition of fact should vote any appropriation out

of any river and harbor bill, it is this item. Here is a proposition that is entirely within a State. Why, if the proposition is to be adopted, should not the State or local interests pay some part of it?

Mr. SMOOT. They ought to pay all of it.

Mr. KENYON. The Senator from Utah suggests that the State ought to pay all of it.

The Senator from Florida [Mr. FLETCHER] who, of course, favors this proposition very strongly, and has done so for a number of years, explained to the Senate on Saturday what the proposition was. I think one must gather from his remarks that the urgency of the proposition is brought about by the situation as to railroad rates. The destruction or the rotting of a crop of potatoes—and that condition was not confined alone to this particular part of Florida, but was found in many other parts of the country—the Senator explained was occasioned by the fact that the potatoes could not get to market or could not get to Camp Johnston, at Jacksonville, and consequently potatoes were brought a thousand milles from Maine, although these potatoes were close at hand and might have been used. That would seem to be more of an indictment of the management of the Quartermaster's Department of the War Department of the Government. So, under the Senator's statement, I think we are brought to face the proposition: Is Congress willing to engage in building canals and deepening streams in order to control railroad rates? I do not know whether Congress is willing to engage in that kind of enterprise or not, but I think not. Here is a river entirely within a State, practically paralleled on one side by a railroad 5 or 6 miles away from the river, and on the other side by another railroad farther away. Under the argument of the Senator from Florida—and that argument can be practically applied to hundreds of streams in this country—because the railroad rates are so very high that it is difficult, if not impossible, to get the produce to market the Government should parallel the railroad with an improved kind of canal or river, a ridiculous proposition.

The Senator says, in response to a suggestion that must have been in his mind that this is purely a State proposition, that the Oklawaha River is connected with the St. Johns River, and the St. Johns River is connected with the ocean, and so with all the seaport towns along the Atlantic. If that argument is good, Lizard Creek, which flows through my farm in Iowa, ought to be improved at Government expense. It is connected with the Des Moines River; the Des Moines River flows into the Mississippi; the Mississippi flows into the Gulf of Mexico; the Gulf of Mexco is connected with the ocean; and the Mersey River is connected with the ocean; and Liverpool is on the Mersey; so that Lizard Creek is entitled to improvement on this proposition of improving anything that affects international commerce.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. KENYON. I yield.

Mr. THOMAS. I trust that the fact that Lizard Creek is not included in this bill is not the motive which impels the Senator from Iowa to oppose this appropriation?

Mr. KENYON. No; it is not. I have managed to get along so far improving a portion of Lizard Creek at my own expense.

But you can not get away from the proposition when you vote on this appropriation that here is a river entirely within a State, not connected directly with the ocean, as is the distinguished Raccoon Creek, which Senators may have heard about in the debate on Friday and Saturday last, which it is proposed to improve for the purpose of regulating railroad rates or possibly for the purpose of booming real estate. The commerce on this mighty stream has gone down to almost nothing. It did not have far to go. The commerce in 1916, outside of rafting logs, as I remember the figures, was about 11,000 tons. I will refer to the report and put the figures in correctly.

Why do I say this about railroad rates? I do not know that this question is disputed. In the House on January 24, 1917, a distinguished Representative from that part of the country was asked about this question. He was asked:

> Mr. HULBERT. The Oklawaha River runs parallel to the railroad, doesn't it?
> Mr. CLARK. Yes; but some distance from it.
> Mr. BOOHER. Is there a railroad on both sides of the river?
> Mr. CLARK. Yes. Here is the Atlantic Coast Line right here.
> Mr. BOOHER. How close does that get to the river?
> Mr. CLARK. Oh, I do not know how close.
> Mr. BOOHER. What is the average distance from the river of the railroad on the west?
> The CHAIRMAN. The Atlantic Coast Line is nearest.
> Mr. CLARK. The Atlantic Coast Line is the nearest. I can not say what the average distance is; it is so crooked.
> The CHAIRMAN. It varies, probably, from 5 to 10 miles.

Other evidence was introduced, as referred to on the other side, relative to that matter.

On page 5 of House Document No. 514, with relation to this river, so-called, is found this from the report of Col. Beach, Corps of Engineers. I am reading portions of it, because I want them to go into the RECORD. Of course, I realize that no one present is paying any attention to these things.

> There seems to be a very general demand for this improvement and a firm belief that it would result in a very marked development throughout the adjacent country and create a commerce of considerable magnitude. There is a large section of very rich and fertile country tributary to this waterway and to the lakes at its head, which is being converted into orange groves and truck farms. It is stated that under present conditions business is hameperd by high transportation charges and by congestion in rail freights during the busy season, and that relief can be obtained only by a competitive waterway.

Mr. WADSWORTH. Whose testimony is that?

Mr. KENYON. That is the testimony of Col. Beach, of the Corps of Engineers. This report of the Board of Engineers is signed by him.

On page 27 of this report, following the enthusiastic indorsement of this project by the Chamber of Commerce of Leesburg, are set forth the freight rates, which are very high. This proposition not only seems to be to adjust freight rates, but it has a good deal of the element of boosting real estate in it. The distinguished chairman of this committee wrote a letter, which appears on page 25 of the report hereinbefore referred to, in which he sets forth what Messrs. Kyle and Young have done on the developments there. Reading from that letter:

> Messrs. Kyle and Young, I know—and there are others ready to undertake such developments—are, at enormous expense to themselves, opening up for cultivation areas of rich lands bordering on the Oklawaha. About the only means of transportation available to them is this waterway. There are thousands of acres of fertile prairie lands in the valley of the Oklawaha, and also timbered land adjacent to the river in the northern portion.

In Mr. Young's letter he shows the tremendous work they have done in redeeming some 4,000 acres of land along the Oklawaha. In this same House proceeding to which I have referred, of January 24, 1917, which will be found in the CONGRESSIONAL RECORD, on page 2184, it was stated that as a result of work done on the Oklawaha River, land which they called hammock land had increased in value from fifty to about two hundred dollars an acre.

Now, I submit that if a Government improvement, which is necessary for one purpose, can redeem land, well and good, but land that is increased in value from $50 to $200 an acre by that improvement ought to bear some portion of the expense of the improvement. The testimony through all these documents goes to show that while that may not be the real purpose of this improvement, yet the improvement is going to unite in a way with the Young project in redeeming vast or large quantities of land. Those local interests ought to contribute to this proposition.

I wish to put in the RECORD a little more from Mr. Young's letter, which is made a part of this document. I do not know that I ought to take the time of the Senate to read it, for I have no desire to delay this bill in any way; but I will read a part of Mr. Young's letter, as follows:

> Another feature, which I have been cautioned by some interested friends not to advance as an argument to this honorable board, but believing as I do that it is an injustice to this board to suppose that it would fail to give each improvement to the country due consideration in each connection with this work, I therefore beg to call attention to the improvements that naturally come to these lakes in the way of building of fine homes and developing a section of the country that would be the pride of all Florida, and in this way develop a magnificent passenger traffic along this canal and throughout all these lakes, whose borders embrace some 200 to 300 miles of territory.

In the proviso that is found on page 2 of this report the board expresses this opinion:

> *Provided*, That any land necessary for the construction of the waterway shall be given to the United States without charge; that interested property owners shall agree to protect the United States against claims for damages on account of any land that may be flooded—

And so forth.

There are interested property owners all along this project, and my contention is that those interested property owners, if we are going into the business of taking a purely local river within a State and improving it, in fairness, in justice, and, it seems to me, as a matter of common financial sense, ought to pay some part of it, and undoubtedly they would be willing to do so, for there was at one time a proposition to change the plan of this improvement and so coordinate it with this land scheme that a part of the cost would be paid by the land interests.

Anyone who desires to follow the romance of this wonderful river will find interesting reading as to the land development on page 6 and on page 9 of this report. It arouses the enthusi-

asm of those who have invested money along this river or in the vicinity of it; it arouses the enthusiasm naturally of the people of Florida that this improvement shall be made at public expense.

Now, what is the commerce of this river? There ought to be some prospect of commerce; there ought to be some little commerce in the past to justify what has been done, for enormous sums of money have been spent on this river. In 1915—this will be found in the report of the engineers—the commerce amounted to 29,393 tons, and of that logs made up 27,624 tons. So there was a net commerce of those commodities which can be considered commerce, outside of logs rafted, of 1,769 tons. Now we are asked to commit Congress to the proposition of expending three-quarters of a million dollars—$733,000, I think the figures are—on this project.

What was the commerce last year? I am sure that that will be interesting to this large assembly of Senators. Last year on this stream, after the Government had appropriated $97,621.95, there was a commerce of 11,265 tons, of which 7,306 tons were made up of cypress and pine logs.

It may be interesting, just as a matter of history, to place in the RECORD a few things about the Oklawaha. In the Engineer's Report, Part I, 1918, we find these interesting observations:

> The stream was obstructed by logs, snags, overhanging trees, and accumulations of drift and aquatic vegetation, and navigation was impeded by narrow places and sharp bends. The controlling depth was 3.5 to 4 feet from the mouth to Silver Springs Run, and about 2 feet to Lake Griffin. The channel width varied from 22 to 175 feet.

On page 749 of the report it is further stated:

> All of the lower river traffic utilized the improved channel and was benefited thereby. This amounted to 64.8 per cent of the total commerce and was composed of rafts of logs, but the rafts were towed by motor boats drawing from 3 to 3.5 feet.

I do not know just what the available balance on hand is that could be applied to this river. The recommendations of the engineers, I observe, call for $175,000 for the first payment. I should like to ask the chairman of the committee why this bill carries $100,000, instead of $175,000, for the first payment? Has there been any change in the recommendation of the engineers?

Mr. FLETCHER. There has been no change in their recommendation. Perhaps it would have been better to have made the item $175,000, but it was supposed that $100,000 would be sufficient to start the work, and we wanted to make it as small as we reasonably could. I am perfectly willing, however, to amend it so as to make that item $175,000.

Mr. KENYON. I do not doubt that, Mr. President, but I wondered why it was not made $175,000, for there is no recommendation that I have been able to find for an appropriation of $100,000.

Mr. FLETCHER. No.

Mr. KENYON. Maj. Slattery recommended different payments of $160,000 a year, but the last recommendation was for $175,000 for the initial appropriation, and, of course, if the project is to go through, it might as well go through in the form in which it has been recommended.

Mr. FLETCHER. I think perhaps it would have been better to have had the item conform precisely to the report, but it is, of course, entirely a matter for Congress to determine what the initial appropriation shall be. The recommendation is for $175,000. We made it less than that, hoping that it would not meet objection, but I am perfectly willing to make the appropriation larger.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. KENYON. The smaller amount makes it more difficult of passage—the higher the appropriations the easier they are passed.

Mr. SMOOT. Mr. President——

Mr. KENYON. I yield to the Senator from Utah.

Mr. SMOOT. I wish to call the Senator's attention to the fact that Maj. Slattery recommended that the first payment, as the Senator has said, be $160,000, but on April 7, 1913, a colonel of the Corps of Engineers, Dan C. Kingman, in his report to the Chief of Engineers, makes this statement:

> I think that an improvement of this character would pay, and I recommend that it be undertaken as soon as the pressure of more important work permits the money to be applied to it. As other important works are completed in Florida, it would be proper to take up this work, and it could be begun with a moderate expenditure, say of about $100,000 a year, or even $75,000, if the larger amount could not be spared, and by beginning at the lower end the work would be beneficial, the locks would extend pool navigation, and the improvement could be utilized as fast as it was finished.

That is the later report. Is the Senator from Florida willing to amend this item by putting in $75,000, instead of $100,000?

Mr. FLETCHER. No; I think it ought to be $100,000. Col. Kingman was then a division engineer. He suggested, as the Senator has read, that the initial appropriation should be something like $100,000, or even $75,000; but the Board of Engineers recommended $175,000. I put in the amendment the sum of $100,000, which I thought would be sufficient to begin the work.

Mr. KENYON. I am going to offer an amendment to the amendment, Mr. President, but in connection with the Oklawaha River, which presents itself to us so frequently, I find a prophecy made by former Senator Burton in the RECORD of February 13, 1915, when the Kissimmee, the little sister of the Oklawaha, was left out of the bill, and the Oklawaha, too, at that time for some reason. He said:

> Good bye, Kissimmee;
> Farewell, Tampa Bay;
> It's a long way to Oklawaha,
> But we'll try to get there some other day

And we have now arrived, after these four years of struggle, at the Oklawaha project. I suppose by four years more we will arrive at the Kissimmee project, which at least sounds better than the Oklawaha. With nearly $18,000,000,000 of liberty loans, with $12,000,000,000 of taxation, is the Congress of the United States willing to go out to the people with this next liberty loan and tell them that they are expected to buy bonds to carry on such a project as the Oklawaha River and the Ouachita River?

I do not know but that the people are willing to do it, and simply to accept the doctrine, "Oh, it is not much. It does not amount to much. It is only $100,000 this year, and the whole project will not run much over a million dollars." If we are never going to start anywhere, even in small amounts, to begin to save money, we never will be able to hold down any taxation in this country.

I have such respect for the Senator from Florida that I hesitate to talk about this project as I feel, and I do not want to violate any rules in talking about a State; but while, as he says, this project has been approved by engineers, it has always encountered more or less opposition in Congress; and while these engineers are high-minded men, of course, they are influenced by the arguments that are presented to them by Senators and by Congressmen. I do not know that many men are influenced by the arguments of Senators and Congress, but where things involve appropriations that are desired in the carrying out of great scientific programs that appeal to men's vanity, and when Senators argue, as they do, that the board itself is on trial, it does influence these engineers.

I have here parts of a speech on one of the rivers of this country, where the engineers had reported unfavorably, a speech delivered by a distinguished Senator, who went at them in a very persuasive way, and who also argued to them that they themselves were on trial. He was so persuasive that they changed their plans to some extent. Of course, if Congress is simply to be bound by what the Army engineers do, and if we have no right to criticize them, or any right to differentiate our views from theirs, without being accused of calling them dishonest, what is the use of considering any of these bills? Congress has abdicated enough power without abdicating power to the Army engineers.

So I shall ask for a record vote on this amendment. I will not support the project, even if this amendment should be adopted; but I am going to try to get a yea-and-nay vote, so that the constituents of Members of Congress will have a record to enable them to find out whether or not Congress cares a tinker's—you know—about money. The cheerful hilarity with which we vote away these funds is alarming.

Mr. President, I send to the desk an amendment which I propose to the committee amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 12, line 19, it is proposed to strike out "$100,000" and insert the following:

> $50,000: *Provided*, That one-half of the entire expense of said project shall be paid by the State of Florida or by local interests under such arrangements as may be made by the Chief of Engineers.

Mr. WADSWORTH. Mr. President, may I ask the Senator from Iowa a question about his amendment? Do I understand that it reduces the total or aggregate cost of the improvement to $50,000, $25,000 of which is to come from the community?

Mr. KENYON. Oh, no. The committee amendment carries $100,000. My amendment would require $50,000 of that $100,000 to be paid by the State or local interests.

Mr. WADSWORTH. Is the Senator sure that it reads that way?

Mr. KENYON. It is a little hard to phrase. I have had some difficulty in phrasing it; but the plan is to pay so much per year until this project is completed, at a cost of $733,000. Of the amount paid each year, under this amendment, half is to be paid by the Government and half is to be paid by the State or local interests. That is the purpose of the amendment.

Mr. VARDAMAN. Mr. President, I agree with the Senator from Iowa that it is well to take a record vote on matters of this character; and, so far as I am personally concerned, I should be glad to have a record vote on every important piece of legislation. The blessed sunlight of publicity is always healthful, and there can be no objection to the representatives of the people making a record for their constituents to contemplate.

I know that the rivers and harbors bill is not perfect. It is not altogether free from objectionable appropriations; but I have observed that the money appropriated for rivers and harbors is more universally scattered over the entire country than the appropriations carried in almost any other bill. I am not, however, going to speak to the merits of this proposition; but I find very few appropriations in this particular bill that are not necessary. The things to be done are for the good of the people who pay the taxes and support this Government. I wish we had begun to practice economy, as suggested by the able Senator from Iowa [Mr. KENYON], before we wasted the $100,000,000 which was given to Mr. Hoover to spend on the people of Europe.

But I did not rise for that purpose, Mr. President. I rose for the purpose of calling attention to a matter that has received a good deal of consideration at the hands of the Senate.

If ever in the history of America it were well for men in authority to speak with candor the words of wisdom, truth, and reconciliation, now is the time. The manifestations, the symptoms of unrest and dissatisfaction are observed on every hand. No man was ever convinced by abuse. Arguments are necessary if we would direct the channels of thought of the erring brother in politics. Intolerance always breeds trouble. It is so rarely that we see a sustained, philosophical discussion of current political questions in the editorial columns of the partisan newspapers of to-day that when I observe an editor trying to lead the people aright I wish to commend his intelligent and patriotic efforts in that regard.

I find in the Washington Herald of Sunday, February 16, an editorial entitled "What breeds Bolshevism?" and I wish to place it in the RECORD as the better expression of my own views upon that important question. I wish every thoughtful statesman in public life might read this editorial, appropriate it, digest it, and make it a part of his mental body. It is a moral and intellectual tonic. I am not going to take the time of the Senate to read it, but I ask to have it printed as a part of my remarks.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Without objection, it is so ordered. The Chair hears no objection.

The matter referred to is as follows:

WHAT BREEDS BOLSHEVISM?

"What breeds bolshevism?

"Hunger; injustice; persecution.

"And, resulting from these—anger.

"Get people mad, give them a grouch, at something or about something, and you have the germs of bolshevism.

"That's the way it was in Russia under the Czar.

"Everybody—literally everybody—was angry; had a grouch, generally a just grouch with good cause.

"To mention those who had grouches, one would have to run the whole roster of creeds, parties, professions, classes, races, cities, towns, districts.

"There was more Bolsheviki sentiment in Russia under the Czar than there is to-day under Lenine and Trotzky.

"As soon as the Czar went the more intelligent Russians lost their anger and set to work like sane men and good citizens to make a new Russia. They forgot old grudges; they cut themselves off the Bolsheviki list.

"There were others so unjustly treated, so downtrodden, so hopeless, so boiling with rage and hate they could not quench their feelings. Their grudges lived. They responded to the wild call of Lenine and Trotzky. They are the Bolsheviki of to-day.

"Had the Czar ruled wisely, justly, these grudges would not have arisen; he would be on his throne to-day.

"Wherever injustice was greatest in Russia, wherever people had the greatest cause for anger and the best reason for holding a grudge, there the Bolsheviki call found the largest following. Witness the sailors and the Jews.

"The poorest Bolsheviki in Russia is the peasant.

"In fact, he isn't a Bolsheviki at all.

"He hadn't been made so angry as had his city brothers, the factory workers and miners.

"The peasant, as soon as he got his own little slice of land, lost what anger he had against the former great landowners and settled down to enjoy his new-won possessions.

"It wasn't so easy for the factory worker and miner to get their rewards of revolution. They are still hungry, still uncomfortable—still Bolsheviki.

"Bolshevism, as it works out in Russia, is about nine-tenths revenge for past evils and one-tenth hope for a better world.

"Food, and warm, comfortable homes are the greatest enemies to Bolshevism. They are the only ones that can rout it.

"People can not be angry with a government, or an employer, under which they have plenty, under which they have good food and warm homes.

"Men don't leave good jobs, warm homes, happy families, and filled cupboards to carry a black flag, shoot machine guns, and face death in the cause of Bolshevism just for fun.

"The leaders of Bolshevism never create it.

"Bolshevism is not bred by speeches and arguments, but by hunger and injustice.

"Where Bolshevism is not bred, it will not thrive."

Mr. VARDAMAN. Now we will vote on the Senator's amendment.

Mr. RANSDELL. Mr. President, I just wish to say a word about this Oklawaha project. It has been before Congress several times, and I understand it has passed both Houses once and went out when we adopted a lump-sum appropriation.

This project has been very carefully examined by the engineers. The reports show that it was approved by the local engineer, Capt. J. R. Slattery—I know him well; he is one of the finest men I have ever known—by Col. Dan C. Kingman, afterwards Chief of Engineers and a general in the Army; by the Board of Engineers for Rivers and Harbors; and by the Chief of Engineers. I have looked into it as well as I can, and it meets my hearty approval. I believe it is a good project. It is true there is not a great deal of commerce upon it, but how it is possible to have commerce upon an unimproved river which is very shallow I do not understand. There is a great deal of commerce in the vicinity. I know it is impossible to have commerce on a railroad before the railroad is built or to have commerce upon an ordinary highway before the highway is built. A large portion of this stream is so shallow that it is practically impossible for boats to run upon it.

I wish to make just a brief statement about how conservative the engineers are, and I am glad the senior Senator from Utah [Mr. SMOOT] has come into the Chamber. I want to call his attention to a little colloquy that occurred between us two days ago in regard to the number of projects and the percentages that were reported favorably and unfavorably by the engineers. I promised to get him the statement, and if he will turn to volume 2 of the three-volume report, beginning at page 2001, he will see that it is a very brief report of the Board of Engineers for Rivers and Harbors dated July 20, 1918. On page 2003 he will note that the total investigations ordered by Congress from the date of the organization of the Mississippi River Commission in 1902 up to and inclusive of 1918, until the date of the report, was 2,220. That many reports had been ordered. One thousand nine hundred and thirty-one of these projects have been examined and reported upon. Of these 671 were favorable, 1,260 unfavorable, and the per cent of favorable reports was 34.7. You will note that in the right-hand column about the center of the page. I stated several days ago that about 60 per cent of the projects examined by the Board of Engineers and the engineers were unfavorably reported. This official and itemized report shows that 65.3 per cent of all projects examined by the engineers were reported upon unfavorably. It speaks for itself. I will ask that that table go in as a part of my remarks.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears none.

The table referred to is as follows:

Statement showing the number of favorable and unfavorable reports submitted by the board on investigations called for by Congress.

Authority for investigations.	Investigations ordered.	Reported on to June 30, 1918.	Favorable.	Unfavorable.	Per cent of favorable reports.	Remarks.
Act of—						
June 13, 1902...	170	170	52	118	30.6	
Mar. 3, 1905....	176	176	74	102	42.0	
June 28, 1906...	2	2	1	1	.....	
Mar. 2, 1907....	200	200	108	92	54.0	
May 28, 1908...	1	1	1	.....	.....	
Mar. 3, 1909....	274	274	120	154	43.8	
June 25, 1910...	187	187	62	125	33.7	
Feb. 27, 1911...	90	90	28	62	31.1	
July 25, 1912...	226	223	70	153	31.4	
Mar. 4, 1913....	122	119	43	76	36.1	
Mar. 4, 1915....	219	203	40	163	19.7	
July 27, 1916...	128	102	13	89	12.7	
Aug. 8, 1917....	84	35	2	33	5.7	

Statement showing the number of favorable and unfavorable reports submitted by the board on investigations, etc.—Continued.

Authority for investigations.	Investigations ordered.	Reported on to June 30, 1918.	Favorable.	Unfavorable.	Per cent of favorable reports.	Remarks.
Resolutions, fiscal year—						
1904	13	13	5	8	.....	
1905	6	6	4	2	.....	
1906	4	4	1	3	.....	
1907	26	26	13	13	.....	
1908	7	7	3	4	.....	
1909	14	14	5	9	.....	
1910	15	15	7	8	.....	
1911	9	9	2	4	.....	No recommendation regarding worthiness in 2 cases: reduction in 1 case.
1912	5	5	3	.....	.....	No recommendation regarding worthiness in 2 cases.
1913	12	12	2	6	.....	No recommendation regarding worthiness in 4 cases.
1914	14	14	5	2	.....	No recommendation regarding worthiness in 7 cases.
1915	4	4	1	3	.....	
1916	8	6	2	1	.....	No recommendation regarding worthiness in 3 cases.
1917	10	10	2	4	.....	Modification of project recommended in 4 cases.
1918	4	4	2	2	.....	
Total	2,220	1,931	671	1,260	34.7	

Mr. RANSDELL. Now, I wish to call attention to another thing in connection with these reports. Most of them are not new projects at all; they are mere changes or modifications of old projects. A river is being improved or a harbor is being improved. Owing to the increase of commerce or of the greater draft of the steamboats or the ships, it becomes necessary to enlarge the harbor or to deepen the stream. The engineers are authorized and required to make a further examination with a view to a modification or enlargement and a very large percentage of these 2,220 surveys were modifications of old projects.

In the pending bill there are about 80 new projects so called. I have gone over the bill very carefully, and I find that of these new projects only 34 per cent are really new projects. The others are modifications of old projects. I have the table before me.

Real new projects in pending river and harbor bill.

Locality.	Amount carried in pending bill.	Total estimated cost.
Tenants Harbor, Me	$18,750	$18,750
Delaware and Chesapeake Canal, Del. and Md	3,000,000	8,000,000
Tangier Channel, Va	16,434	16,434
Newbegun Creek, N. C	5,000	5,000
Channel connecting Thoroughfare Bay and Cedar Bay, N.C.	9,000	9,000
Barataria Bay, La	32,000	61,700
Bayou des Cannes, La	.....	500
Brazos Island Harbor, Tex	66,000	66,000
Baudette Harbor, Minn	5,000	5,000
San Rafael Creek, Cal	27,300	27,300
Skamokawa Creek, Wash	1,800	1,800
Anacortes Harbor, Wash	89,000	89,000
Port Gamble Harbor, Wash	12,000	12,000
Nawiliwili Harbor, Hawaii	250,000	1,086,000
Suisun Bay Channel, Cal	64,500	64,500
Total	3,596,784	.....

That is a total of $3,596,784 of new projects in this bill, which carries a total for so-called new projects of $10,460,364. So when the engineers are called upon to examine these new projects they turn down a great percentage of them; they turn down practically two-thirds of them, and about two-thirds are mere modifications of old projects. I do not see that men could be very much more conservative than these men have been. I think these two tables will prove very enlightening.

Mr. President, just a word more as to the Oklawaha. This conservative Board of Engineers, which has the record I have just stated here, has through every one of its bodies approved most heartily this Oklawaha project. I think, Mr. President and Senators, we can safely follow them in making the appropriation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa [Mr. KENYON] to the amendment of the committee.

Mr. KENYON. If we have reached a vote on the amendment to the amendment, we should have a quorum here. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Iowa suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brandegee	Johnson, Cal.	Nelson	Smoot
Calder	Jones, N. Mex.	Norris	Spencer
Chamberlain	Jones, Wash.	Page	Sterling
Colt	Kenyon	Poindexter	Sutherland
Culberson	King	Pollock	Thomas
Cummins	Kirby	Ransdell	Trammell
Dillingham	Knox	Robinson	Underwood
Fletcher	La Follette	Shafroth	Vardaman
France	Lenroot	Sheppard	Wadsworth
Gerry	Lewis	Sherman	Weeks
Gore	McCumber	Simmons	Williams
Harding	McKellar	Smith, Ariz.	Wolcott
Hardwick	Moses	Smith, S. C.	

Mr. SMOOT. I wish to announce that the Senator from Indiana [Mr. NEW] is absent on official business.

Mr. LA FOLLETTE. I wish to announce that Senators WALSH, KENDRICK, NUGENT, CURTIS, FERNALD, MCNARY, and ASHURST are detained upon the Committee on Indian Affairs.

Mr. RANSDELL. My colleague [Mr. GAY] is absent on official business.

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. There is a quorum present. The question is on agreeing to the amendment of the Senator from Iowa to the amendment of the committee.

Mr. SMOOT. Mr. President, I wish to say to Senators present that the pending item is the most indefensible and the most unjust provision in the whole river and harbor bill; and that is saying something.

Mr. President, this river, so called, is all within the boundaries of the State. If there is any reason why the Government of the United States should spend money upon that river for interstate commerce or any other commerce, I do not know of it.

Let me call the attention of Senators to the fact that rivers in the Western States have never been improved in any way by the Government; I mean rivers that are within the boundaries of States. Not only that, but rivers in the Western States on which a water power can be developed the Government of the United States will not allow such development without paying a royalty. If the power bill now in conference becomes a law, no power can be developed upon western rivers totally within the States unless a royalty is to be paid to the Government. But here we find a project totally within the State and the Government is asked to spend $100,000 this year upon it. Before it is completed there will have to be spent at least $1,000,000 upon it. Why this discrimination?

Mr. President, if this item remains in the bill, there is no earthly chance of eliminating any other item, no matter how indefensible.

Perhaps I may say that there will be added another project to the monuments of waste that have been called to the attention of the Senate so many times in the past, such rivers and inlets as the following: The inland waterway from Norfolk to Beaufort, N. C.; Coosa River, Ala.; St. Lucie Inlet, Fla.; Brazos River in Texas; Red River, Ark.; Arkansas River in Arkansas; the Tennessee River in Tennessee; the Fox River in Wisconsin. I could go on and enumerate many others, but those I have already called the attention of the Senate to are sufficient.

There was a law passed by Congress a few years ago reading as follows:

> The Chief of Engineers is directed to make a report upon any other projects, river or harbor, the further improvement of which, under present conditions, is undesirable, or in which modifications of the plans on projects should be made.

That law was passed upon a river and harbor bill for the very purpose of calling attention to the rivers and inlets I have just named.

Has there been any report received? None whatever. Are the appropriations being made for these very projects in this bill? Certainly, and they will continue to be made as long as Congress will vote the money, as it has done in the past.

It has been stated to-day, or at least intimated, that the river and harbor bill is justifiable, because it scatters the appropriations more widely than any other appropriation made by Congress. This I can not agree to.

Mr. VARDAMAN. And the Senator might add that it tends for the creation of benefits of commerce that contribute to the well-being of the mass of the people.

Mr. SMOOT. In this connection let me call attention to the fact that this bill calls for $100,000 for this river, with an ultimate estimated expenditure of over $1,000,000. The Govern-

ment has already spent $98,000 upon it, and the larger part of that money was for the cutting of hyacinths in order to secure 1,760 tons of freight for the year 1916. I am not going to take the time of the Senate to read the report, and yet you will find in it a recommendation that the money shall be expended, but there is not a word of evidence that will justify the expenditure of money basing it upon the amount of commerce that can possibly be developed. It is not interstate commerce, but local in its character.

I was very glad the Senator from Iowa [Mr. KENYON] called attention to the fact that connected with this improvement there seems to run through it all a real estate proposition. No one can read Mr. Young's letter without seeing that the principal object of starting the project was to make valuable a tract of land that had been improved by Mr. Young and Mr. Kyle.

Now, are we going into the question of improving rivers and inlets to enhance the value of a certain tract of land owned by a corporation or company, no doubt, that will make money out of it? The evidence shows that they want this improvement for another reason, that a certain piece of land should be drained, and if it is drained the value of it will be at least $250 an acre, but the suggestion is made that the benefited parties pay $10 an acre toward the draining of the land.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Will the Senator from Utah yield to the Senator from Florida?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. FLETCHER. I wish to correct the Senator. He is under a total misapprehension about this project. He does not understand it at all, as shown by the fact that he makes a statement here that the project was instigated in order to help out the development of a land enterprise along its borders. The fact is that Mr. Young never went to the Oklawaha River; there was no land development whatever there until after this project was approved by the engineers. It was in contemplation of its development and the completion of the project that people undertook these large enterprises close to the borders of the river, and they have waited all these years in order to be given that facility for moving their products that the Government promised to give them, in effect, because the engineers had approved of the project before they ever went there. What is the use of saying that the whole movement was initiated in order to help out landowners and land development? All this land development has taken place since the surveys were made, since the investigation and the studies were made, and since the report was submitted by the engineers.

Mr. SMOOT. Mr. President, let me read what Mr. Young said. That is the best way to answer the Senator. On April 15, 1913, Mr. J. D. Young addressed a letter to the Board of Engineers for Rivers and Harbors, and this is what he said:

> In reference to the suggested improvement, for the joint purposes of navigation and reclamation on the Oklawaha River, Fla., I beg to say if a successful plan of drainage was coupled with the features of navigation—

Note the word "navigation," with a commerce of 1,730 tons—

> whereby the large tracts of muck prairies north of Lake Griffin were made available for agricultural purposes, I think a just pro rata part of cost for the landowners in this section to pay would be $10 per acre for all lands thus successfully drained—that is to say, where the flood or overflows from the river is kept off of those lands, the landowner, of course, to take care of all surface drainage by lateral ditches, according to his own notions.
>
> As to the question of plans for the successful drainage of these lands, I would prefer not to offer my layman opinion. I am positive, however, from my knowledge of the situation, that a most successful reclamation can be embodied with the feature of navigation, and as owner of considerable of these lands I would be willing to pay the amount named above.

But you do not find any provision in the bill that there shall be $10 or any other amount paid by Mr. Young. There is $100,000 initial appropriation for the project to carry out just what Mr. Young asked for at that time.

The Senator from Iowa called attention to another part of this report showing conclusively that the opinion of Mr. Young was that the values of his tract of land would be increased if the project was undertaken and finished.

Mr. President, if we are going to undertake to improve or to spend money upon all the creeks in this country that are within a State, why should not the Western States claim similar appropriations? So long as I am in the Senate I shall never ask a dollar for such improvements in my State. I do not believe that it is right; I do not believe it can be justly defended. If we begin now, there is no telling where it will end. This is the proper time to stop it; and if the Senate will vote this item out, I think that hereafter there will be no such projects presented to Congress.

Mr. WADSWORTH. Will the Senator from Utah say how long this project has been pending before Congress in one form or another?

Mr. SMOOT. I think it is eight years since it was first brought to the attention of Congress, but I can presently give the Senator the exact time.

Mr. FLETCHER. The report of the engineers in reference to the improvement is dated January, 1914.

Mr. SMOOT. Was that the first report?

Mr. FLETCHER. No; the local engineer, Capt. Slattery, made his first report in December, 1911.

Mr. SMOOT. That is eight years ago, as I stated.

Mr. FLETCHER. There have been surveys ordered for the improvement. The river has been navigated for 50 years, if that is a matter of any interest.

Mr. SMOOT. Mr. President, there is one other reason advanced now why this appropriation should be made, and that is that we ought to expend money upon the river so as to control railroad rates. The history of expending money upon rivers to control railroad rates is that the railroads can drive commerce off the river any time, unless transportation is controlled as to rates. That happens not only in this country; but take the great River Rhine, with railroads running on both sides of the river, with a commerce more than that of all of the commerce in all of the rivers of the Southern States many times over, and, if rates were not controlled by the government itself the railroads would take all of the commerce off the river, with the exception of floating logs and barges of sand and rock. That is about all the commerce that is carried on many of our rivers to-day.

Mr. KENYON. May I ask the Senator from Utah a question?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Iowa?

Mr. SMOOT. I yield.

Mr. KENYON. I desire to ask the Senator a question. Two members of the committee have told me that they were not present when this Oklawaha item was brought up in the committee. I should, therefore, like to ask the Senator from Utah if he believes that any amount of evidence or any amount of argument could ever defeat any item in a river and harbor bill after the item has been reported out of the committee?

Mr. SMOOT. I will say to the Senator that the vote on this item will be a test of that question.

Mr. KENYON. I think so.

Mr. SMOOT. I think if this provision shall be voted in by the Senate of the United States it will be just as well for the Senator from Iowa or myself or any other Senator to save his breath in trying to eliminate any project in a river and harbor bill that may be reported by the committee.

Mr. KENYON. I agree with the Senator that that is true, if it can not be done in this case.

Mr. SMOOT. If this project shall be approved by the Senate of the United States, any project can be approved by it if it is reported from the committee.

The Senator from Iowa made a statement that two members of the committee were not present when this item was inserted in the bill. Those same members have told me that they were not present, and I expect at least those two members of the committee to vote against it.

Mr. President, I do not wish simply to stand here and take the time of the Senate; but if this item is agreed to by the Senate of the United States, I am going to give up all hope of ever eliminating any item that may be in the bill after it shall have been reported from the committee.

Mr. FLETCHER. Mr. President, I only want to add just a few words to what I have already stated about this project.

I am utterly surprised to learn of the attitude of the Senators who have spoken with regard to this item in the bill. It is perfectly astonishing to me. They evidently are influenced by preconceived views and impressions about the Oklawaha River, because in the effort to defeat river and harbor legislation that stream has been made the butt of jest and criticism for years past, originating in another body. There is absolutely no justification whatever for the condemnation by those Senators of this project. The statement is made that the river is entirely within a State, and that therefore the Federal Government ought not to spend a dollar on its improvement. That argument would apply to four-fifths of the items in this bill and in every previous river and harbor bill.

Mr. SMOOT. Mr. President, then I want to say to the Senator from Florida, if that is true, that is the strongest argument that I have ever heard made by any Senator in the Senate of the United States against such bills.

Mr. FLETCHER. It is perfectly absurd to urge such an argument; it is utterly unreasonable. Why, I have not the patience to deal with such an argument. If I characterized it as it should be characterized, I should probably go outside of parliamentary rules.

The Hudson River is in a State; the Allegheny River is in a State. There are rivers provided for in this bill in California, in Oregon, in Washington, in every other State all through the West, which are confined within State lines where improvements must be made.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Colorado?

Mr. FLETCHER. Yes.

Mr. THOMAS. But the rivers which the Senator from Florida has mentioned are navigable rivers.

Mr. FLETCHER. This is a navigable river, and has been for 50 years navigated; it is not only navigable, but it is navigated.

Mr. THOMAS. A large river which has an immense commerce is very different from the many little streams. If the river of which the Senator from Florida is speaking is of the same class as those he has mentioned, then, of course, his argument is applicable.

Mr. FLETCHER. Certainly.

Mr. THOMAS. But the Senator will not deny that there are many rivers within States that are not navigable, but which are included in this bill.

Mr. FLETCHER. No; I do not think so. There is not one. I can not imagine that there is such an inclusion in this bill anywhere. I deny that. I challenge the Senator to point out such an instance.

The Oklawaha River is a tributary of the St. Johns River; the St. Johns River is not an insignificant stream. It is 1½ miles wide for over 100 miles of its length and 27 feet deep now from the ocean to the docks at Jacksonville. The project, when completed, means 30 feet depth of that river from the ocean to Jacksonville. That river is over 250 miles long, all within the State. It is something of a river, and it is something of a commerce which moves on that river. It is 30 feet over the bar, and a ship can limp over that bar on the darkest night without any pilot, and can carry 30 feet up to the docks at Jacksonville, when a few bumps in the river are removed, as is now being done. This river, as I have said, is a tributary of the St. Johns River, and just as important a stream for the whole country as are the tributaries of the Delaware, the tributaries of the Hudson, or the tributaries of any other improved waterway leading to the highway of the ocean.

Mr. SMITH of Arizona. Or the tributaries of the main railroads?

Mr. FLETCHER. Certainly.

Mr. SMOOT. Will the Senator say how deep that river is to-day?

Mr. FLETCHER. As the report shows, the river has been in recent years obstructed somewhat by logs, which have been allowed to drift into it, to be unloaded on its banks and thrown into it in some way, and is shallow to a point where it is not fit for the use of boats that ought to be used on it and that are required for the commerce of the region. At certain seasons of the year it is too shallow to navigate with boats or barges that will move the commerce of the stream; but it is a navigable river. Boats have run on it for all these years, and, by putting in the lock at Lake Griffin, a lake that is 8 miles across, connecting with Lake Harris, which is over 20 miles across, and Lake Eustis, another beautiful lake, all composing a part of these tremendously important waterways, commerce can move down the St. Johns River and from there out to the world. A lock is needed at Lake Griffin, so that the water can be maintained at all seasons of the year to a depth of 7 feet. That is all that is required.

Mr. SMOOT. Will the Senator deny the fact that the commerce on that river for 1916 was only 1,760 tons?

Mr. FLETCHER. I am not surprised that the commerce is small, because the river needs improvement. Here is what the engineers say——

Mr. SMOOT. Was there ever a year in the history of that stream when the commerce was any more than that I have named?

Mr. FLETCHER. Here is what the report says:

> The commerce of the towns in the lake region during the past year was as follows—
>
> And the improvement of this waterway means the giving of water transportation to these towns:

Towns:	Tonnage.
Leesburg	32,364.5
Eustis	24,000
Mount Dora	4,043
Tavares	43,803
Tangerine	3,300
Lisbon	1,578
Total tonnage per annum	109,088.5

Mr. SMOOT. That is carried by railroad.

Mr. FLETCHER. That is carried now from those cities and not moved by water, but it would all be in a position to be moved on this waterway if the improvement were made. All of this commerce was hauled by rail. The water-borne commerce of the lower river for the calendar year 1910 amounted to 99,188 tons. That is the report of the engineers. The development of commerce can not be expected until the proper facilities are provided.

But the argument was made about the Oklawaha River—and there is where the false impression, in my judgment, originated—that it flows through a marshy, submerged prairie, an utterly worthless country, and that there could not be any cultivation of lands along its borders or any development of any sort because the whole prairie was overflowed. That was the argument when these reports first came in. It develops now that there was no foundation for that argument, because, as a matter of fact, it has been demonstrated that in that prairie there are over 20,000 acres of as fertile land as can be found in this country, all susceptible of cultivation. How do I know that? Because 1,000 acres of it in one compact body is under cultivation to-day and produces 100 bushels of corn per acre and 200 bushels of potatoes per acre in the same year without the use of fertilizer at all, and then follow with hay and other substantial crops. That has actually taken place on the banks of the river. Therefore the argument that this river ran through a swampy country that was submerged and could not be cultivated at all failed; and gentlemen now in reply—since it has been demonstrated that there was no truth whatever in that statement, since it has been demonstrated that there are lands amounting to over 20,000 acres along the borders of the stream fertile and actually capable of producing these staple crops, such as corn, potatoes, and hay, three crops a year in all—say it is the business of the landowners to improve this river.

Now we come back to the proposition. It can no longer be said that the river flows through an impossible country or a swampy area that has no value, because actual experience has demonstrated to the contrary since these reports first came in. The first report made by Maj. Slattery in 1911 was in favor of this project. It finally got up to the Board of Engineers. The Board of Engineers sent a special committee down there, as shown by the report. Do not take my word for it. Read the report on page 2, from which I quote, as follows:

> These reports have been referred, as required by law, to the Board of Engineers for Rivers and Harbors, and attention is invited to its accompanying report, dated December 3, 1913. In connection with its consideration of the subject the board visited the locality on April 13, 1913—
>
> The Board of Engineers for Rivers and Harbors, in Washington, visited the locality—
>
> held a public hearing near Leesburg, and made a personal inspection of the stream. The board is in general accord with the views of the district officer and the division engineer regarding the advisability of the proposed improvement, but it believes that the lock-chamber dimensions proposed should be increased from 30 feet wide by 125 feet long to 36 feet wide by 160 feet, usable length. The estimated cost of the project, as thus modified, is $733,000, and $12,000 per annum for maintenance. The board expresses the opinion that the present and prospective commerce is sufficient to justify the United States in undertaking this improvement.

Then follow some conditions as to local cooperation, which we adopt. The local interests are to put on boats that are to connect with Lake Harris, and that sort of thing; and we approve of those conditions when we adopt the project upon the conditions set forth in the report. There is local cooperation, and there will be local assistance there to complete this highway of commerce.

The board went there, visited the ground, and then made this report; yet Senators here undertake to criticize this project after that personal inspection by the members of the Board for Rivers and Harbors. They come back here and approve of the project. Then the report goes to the Chief of Engineers, and he approves it; it comes to Congress, and the House Committee on Rivers and Harbors adopts it; it goes to the House, and the House adopts it and sends it to the Senate; the Senate committee adopts it, and it comes here. That was the year when we had a lump-sum appropriation of $20,000,000 to take the place of the usual river and harbor bill; and that is why this project with others went, for the time being, by the board. That is the history of it.

Now, again, the Commerce Committee reports this amendment. There is no more meritorious project in the whole bill. Senators say they want to put the Senate on record regarding this item. I want to do that, too, for there is no vote that I shall cast in connection with this bill of which I will be as proud as I will be of my vote for this project. Senators do not know what they are taking about when they undertake to criticize

and denounce this item as they have done here. There is no ground whatever for the criticism. It is a waterway which is 94, plus 32, plus 4 miles in length, a total of 130 miles. It connects with the great lakes I have mentioned; it affords an outlet for the commerce of that entire lake region. The magnificent orange groves on the borders of these lakes furnish tons and tons of freight that would move down the Oklawaha River.

Along the banks of the river are thousands of acres of citrus groves. Along the banks of these lakes that will reach this river, and along the banks of the river itself, are these thousands of acres of the most fertile land that can be found in this country, and actually to-day producing staple crops such as I have mentioned.

To say, then, that this is a stream of no consequence, flowing through a region of swamps, and without any merit, is perfectly unreasonable. There is not the slightest foundation for it. It ought to have been improved long ago. To say that there is a land speculation about it is equally ridiculous. These people went in there after Maj. Slattery had reported in favor of this improvement and bought these alleged-to-be-worthless swamp and overflowed lands along the banks of this river. They have gone on at their own expense to dig canals and to develop those lands. It is perhaps true that this enterprise was all undertaken upon the faith that this improvement would be made, and that they would be able to get their products to market by this river, but they have gone on anyhow, and now they are forced to haul these products from 5 to 10 miles over these sandy roads, at enormous cost and expense, in order to reach a railroad which fixes rates on the products much higher than it would fix if there were competitive water transportation.

I am not saying that we ought to improve a lot of waterways in order to control railroad rates. I am not claiming that, but I do submit that it is a material thing for the Congress to consider whether the improvement of a waterway will be of benefit to a community, and that benefit may rest upon whether or not there will be a reduction of freight rates or freight burdens upon those communities.

For instance, Sanford is on the St. Johns River, 210 miles south of Jacksonville. The Oklawaha River flows into the St. Johns River about 95 miles south of Jacksonville. The Atlantic Coast Line Railroad runs from Jacksonville to Sanford. Both this railroad and the Seaboard Air Line connect Jacksonville with Leesburg. Sanford, being on the river, has water competition. In this report Gen. Sackett gives the freight rates from Sanford to Jacksonville, as compared to the freight rates from Leesburg to Jacksonville, practically the same distance, handled by the same railroad, Sanford having water competition because it is on the river, Leesburg not having water competition because the Oklawaha River, which goes to Leesburg, is not improved.

These are the existing freight rates for 100 pounds between these two places and Jacksonville, Sanford, and Leesburg:

First class: Leesburg, 68 cents; Sanford, 37 cents.
Second class: Leesburg, 62 cents; Sanford, 32 cents.
Third class: Leesburg, 57 cents; Sanford, 29 cents.
Fourth class: Leesburg, 45 cents; Sanford, 24 cents.
Fifth class: Leesburg, 38 cents; Sanford, 19 cents.
Sixth class: Leesburg, 33 cents; Sanford, 16 cents.

Thus it will be seen that the freight rates on all classes of freight from Leesburg average nearly twice the rates from Sanford, practically the same distance from Jacksonville, the one having water competition because it is on the St. Johns River, and the other not having water competition because the Oklawaha River is not sufficiently improved to give any substantial competition. Now, that is the difference.

But in addition to Leesburg this waterway, as I say, will connect with all these other important towns and villages and cities, beautiful cities, and prosperous communities all about them, groves, truck farms, nurseries, kaolin mines. There are on the borders of these lakes the finest beds of clay for making hard-surfaced roads that can be found anywhere in this country, and that clay might reach other communities through this waterway if it is improved. I have traveled in automobiles over roads made from that clay as fine as any roads about Washington. It is a rare and valuable product, but it can not be hauled out by railroad to other communities. It could move on this waterway.

With all those things contributing to the commerce of the river when the river is improved, it seems to me it is almost wicked to sit here and allow this important highway of commerce, or what might be made an important highway of commerce, to go unimproved. The engineers would have been absolutely neglectful of their duty if they had not indorsed and recommended this improvement. There was no escape from it once they went there and looked over the situation. They did make the indorsement; and, as I say, it has been passed on in the other body and passed on by this committee. Of course it is possible that there were two members of the committee not present when this item was considered. It is impossible to keep the full membership of any big committee, especially a committee as large as this, of some 20 members present all the time. We were considering this bill for some 10 days, day after day, item by item, every single item in it, and there were times when two or more members were not present; but the item is reported here.

I submit that it would be absolutely discriminatory and unjust, and a violation of every rule that has been enforced by Congress heretofore, to require that the State of Florida or local interests must contribute one-half of this amount. I never heard of such a thing as a State being required to do that in any measure. In some instances the bill provides that the local interests shall contribute a certain proportion. In certain instances they have contributed as much as one-half. In the case of Houston, Tex., they propose to contribute one-half, and that is sometimes done; but there is no reason for putting that burden upon the local interests along the Oklawaha River, as proposed by this amendment.

I therefore hope that the amendment of the Senator from Iowa to the amendment of the committee will be defeated.

Mr. KENYON. Mr. President——

Mr. FLETCHER. I yield to the Senator from Iowa.

Mr. KENYON. Does the Senator know why this project was not included in the bill by the House?

Mr. FLETCHER. I have no idea. I do not think it was brought to the attention of the committee or urged there. I do not know about that.

Mr. KENYON. The Senator, I think, left the inference by his remarks that it had been approved by the House, but he referred to past years?

Mr. FLETCHER. Past years—1914.

Mr. KENYON. Not this year.

Mr. FLETCHER. In 1914 it was approved by the House and passed by the House, and then it came over here and went into our bill as we reported it to the Senate; but the Senator will recall that subsequently we agreed upon a lump-sum appropriation of $20,000,000, which took the place of that bill. That is the history of it.

Mr. RANSDELL. Mr. President, will the Senator yield?

Mr. FLETCHER. I yield.

Mr. RANSDELL. The Senator from Utah stated that the western rivers were not asking for any appropriations. I will ask the Senator from Florida if we have not made some very nice appropriations in this bill for the Sacramento, Feather, San Joaquin, and Mokelumne Rivers, in the State of California, which are entirely in that State, and which carry $222,000?

Mr. FLETCHER. I think that is so.

Mr. RANSDELL. Also, if we have not made a pretty good appropriation for the Coquille, Coos, Siuslaw, and Yaquina Rivers, in the State of Oregon; also, a very good appropriation for the Willamette River, in the State of Oregon, which carries a very considerable appropriation; also for a number of rivers in the State of Washington. They are all in the West.

While I am on my feet I should like to say, if the Senator will permit me, that there are a number of rivers wholly within the limits of certain States which carry an enormous commerce, beneficial to the whole Nation. The Hudson River is entirely within the State of New York, and it benefits the entire United States. It is one link in the great connecting chain which the State of New York has built between Lake Erie and that river. All the western country gets the benefit of it. The lower end of the Mississippi is entirely in my State for about 250 miles. It serves a very great commerce. The Standard Oil Co. has an enormous refinery at the city of Baton Rouge, two hundred and odd miles above the mouth, and deep-sea vessels go to that refinery. The Allegheny River, for which we appropriate a million dollars in this bill, is wholly within the State of Pennsylvania. We have not made a wiser appropriation. There is a big commerce on that river. There are a number of rivers in this country which are entirely within one State, and yet their commerce is interstate; it is national; it is beneficial to the whole country. We could not possibly follow such a rule as that.

Mr. JONES of Washington. Mr. President, I am a member of the Commerce Committee, and I regret to feel compelled to oppose an amendment that has been reported by the committee. I want to support the recommendations of the committee whenever I possibly can.

As the chairman has said, it is impossible for members to attend all of the meetings of the committee. While the Commerce Committee was considering this measure, a subcommittee of which I was a member had imposed upon it the duty of

considering an appropriation bill, and so it was impossible for me to be present at all the meetings of the Commerce Committee. I was not there when this amendment and two or three other amendments putting new projects on the bill were adopted. I am sorry that I can not agree with the chairman of the committee as to the importance or the necessity or the justification of putting this project on the bill, but I can not.

I do not, however, attach any importance to the suggestion that because a stream is wholly within a State appropriations should not be made for it. The Constitution gives Congress authority over navigable streams, regardless of whether they are wholly within a State or partly in one State and partly in another; and so I can see no force in the objection to making an appropriation for the improvement of this river simply because it is entirely within the boundaries of the State of Florida. That does not appeal to me at all. As the Senator from Louisiana [Mr. RANSDELL] and the Senator from Florida [Mr. FLETCHER] have well said, there are many streams wholly within certain States that have tremendous commerce and for which we are fully justified in making appropriations.

I have one fundamental objection to incorporating this project in the bill as it is reported by the committee. I have always taken the position that in the case of a project of any considerable magnitude, at any rate, and, I think, as to every project that we decide ought to be taken up, provision should be made for its completion, unless there is a very strong showing that it can be completed in units, giving to the Government and to the commerce affected decided benefits by partial expenditures.

This project is going to cost over $733,000. That is the project that we are adopting with this item. This $100,000 is simply the beginning. It is a piecemeal appropriation, and it is following a piecemeal method of carrying on this work; and all experience shows that is the most extravagant and expensive way to carry on work of this kind. If this project were deemed desirable, provision should be made for its completion, either by the appropriation of all the money that is required for its completion or by a partial appropriation, with an authorization to make contracts and finish the work. That is the most economical and expeditious way to carry on these projects.

I have always been opposed to this piecemeal way of doing things. That is one of my main objections to the item incorporated in the bill. Even if I believed it to be a justifiable and meritorious project, I would not be in favor of putting it in this bill in this way, and would not be in favor of putting it in the bill until we could provide for its completion.

The action of the House in a former Congress has been referred to, and I think it has been pointed out that this item was included in the bill at one time. That may be true; but it has not been put in this bill by the other body of Congress. The chairman of the committee suggests that it was not considered by the House. I think the Senator is mistaken in that.

Mr. FLETCHER. If the Senator will allow me, I did not mean to say that that was the case. I said I did not know about that. I do not know whether it was considered, or whether it was presented there, or not; but the Senator will remember that during the last two years we have not carried any new projects except war-emergency projects, and that is one reason why I think it has not been considered before since 1914, because after that we adopted the policy of appropriating for maintenance and for necessary improvements of existing projects, and only those projects were added as new projects which were considered essential in the prosecution of the war, until we reached this bill.

Mr. JONES of Washington. Mr. President, I have the report made on the bill in the House, and it is reasonable to assume that this item was considered by the House committee and that the House committee did not believe it came within the scope of the policy that it felt it should follow in putting new projects on the bill. They did not say that it was not meritorious; I do not want to leave the impression that I think they made an adverse report upon it; but they decided, as I understand it, that it would be their policy to put certain new projects on the bill; and that in determining the ones that should be put on they would compare the merits of the various projects; and they put on the bill only the projects that they deemed to be most meritorious, and those that in their judgment should be taken up under the present conditions and at the present time. They recognize the state of the finances of the Government; they indicate that they took into consideration the burdens placed upon our people, and they wanted to make these burdens as light as possible, consistent with what they believed to be the best interests of the country. They say here in their report:

> The committee were confronted with the proposition of adopting some new projects in this bill. Very few new projects have been adopted since the river and harbor acts of 1916. The last two river and harbor acts were enacted during the progress of the war, and only such new projects were contained therein as were intimately associated with the prosecution of the war and so recommended by the Secretary of War. After mature deliberation the committee concluded that the public interest demanded the adoption of new projects which were meritorious and urgent.

They not only decided that any project in order to be adopted should be meritorious, which, of course, would be taken without question, but that there should be urgent need as to why it should be taken up now. They state:

> The war has acutely emphasized the necessity of additional instrumentalities of transportation, and our waterways afford the most practicable and available method of adding to those facilities.

Mr. FLETCHER. May I interrupt the Senator?

Mr. JONES of Washington. Yes.

Mr. FLETCHER. I do not want to have the impression left that the House considered the item and rejected it. The Senator does not go that far, but the implication might lead to that extent. I am quite sure, I can say to the Senator, and my information comes from a source that I can not question at all, that the item was not presented to the House at this time.

Mr. JONES of Washington. I am going to read now from the report of that committee, which indicates, to my mind at any rate, that the information which the Senator has is incorrect. Here is what the report of the committee says:

> There are about 200 new projects upon which favorable reports have been submitted by the Secretary of War.

This is a new project, upon which a favorable report had been submitted by the Secretary of War. It must have been included in the 200, and this is what the committee says:

> All these reports were carefully studied and analyzed, and about 70 new projects were selected therefrom.

Mr. President, I can not escape the conclusion from that statement, made by the chairman of the committee in submitting his bill to the House, that this project was one of the 200 that was carefully studied and anaylzed before they determined upon the projects they were going to include in the bill. So the House committee did not consider this as one of the projects of sufficient urgency to warrant them in putting it in the bill.

As I said, I do not want to give the impression that the House rejected the project as not meritorious, but they evidently did not consider it of sufficient urgency to insert it in the bill.

Of course, their action in not considering it sufficiently urgent to put it on this bill would not preclude us from putting in a project that we considered urgent and sufficiently urgent to warrant us in putting it in, but when we come to the merits of the project itself, I do not see that it presents any case of urgency at all. I am not impressed very much with its merits either, or that it would be worthy of being incorporated in this bill in ordinary times under ordinary conditions, but there certainly is not anything which shows that it is especially urgent from the standpoint of the Government's welfare or the local development and need that would be met by it.

The reports with reference to it are peculiar, to say the least. In the first place, we are acting upon a report made by the Secretary of Commerce upon a survey made away back in 1911, seven or eight years ago. In the statement made by the Chief of Engineers he said:

> The commerce of the stream now amounts to about 100,000 tons per annum.

This was January 7, 1914. I do not know what he means by that, in view of some facts that I am going to call attention to in a moment. An indorsement by the Board of Engineers on April 2, 1912, says this:

> Except perhaps for a small amount of local commerce there is none by water in the upper section of the river, but on the lower river it is reported as amounting to nearly 100,000 tons, about 80,000 tons of which consists of logs.

You do not need any great development of canal or of waterway to float logs down, especially of the size that they are in the southern section of the country.

Here is a statement contained in volume 1 of the report of the engineers for 1918, showing the commerce on the stream. It does not conform to the statement made in this report, or if it does it shows a tremendous falling off in commerce immediately after 1912, when it was stated there were about 100,000 tons, of which 80,000 were logs. This states that in 1913 the tons of freight on this river were 14,622. Then, for 1914 there was quite an improvement; the tonnage was 34,420 tons. In 1915 it was 29,393 tons. Then there comes a tremendous falling off. I do not imagine from the statement made with reference to the character of business and the character of commerce on this stream and the general character of the country and the resources and the industries that the war had very great effect upon the business there. Yet in 1916 the tonnage had gone down from 29,000 tons to 15,864 tons, and for 1917 there is a still further decrease in the tonnage to 11,265 tons.

Yet, Mr. President, we are asked to begin the construction of a project that upon the estimates of the engineers will involve at least $733,000. The experience generally is that projects cost far more than the estimates. So I think we can safely say that in the adoption of this item we are inaugurating a million-dollar project for a 6-foot channel to carry farm produce and garden produce and float logs along a stream where the tonnage now is only a little over 11,000 tons.

Of course, there might be a good deal of this tonnage carried by water if there was a sufficient channel, but is that a sufficient warrant to us to appropriate millions of dollars for the improvement of various streams? The engineers say there is so much tonnage of business at this town and so much tonnage of business at that town and so much tonnage of business at another town, but that it is all carried by rail.

Mr. President, if that argument is to appeal to us to appropriate money here for the improvement of streams, we will be appropriating for practically every stream throughout the country, whether it is navigable or not. I have never thought about asking for appropriations for improving for navigation purposes the Yakima River in the State of Washington. It empties into the Columbia, that is made navigable to the mouth of the Yakima River, which connects with the ocean. Yet that stream runs through a valley that produced this last year agricultural products valued at almost $40,000,000. There is not any way of getting those products out except by rail, and yet it is all tributary to the Yakima River. There is far more water running in the Yakima River than there is running in the Oklawaha.

Mr. President, according to this report and according to the engineers, there is not enough water to furnish facilities for navigation without the construction of dams and locks. We have an abundance of water in the Yakima River; it would need no locks and dams to hold it and raise it so that we could have a sufficient depth, but that is what they seem to want here. But, Mr. President, that would not be any justification for endeavoring to make the Yakima a navigable stream for the carrying of these products to market, as large as they are.

The Board of Engineers has recommended this project, and yet it is a peculiar report, to say the least of it. They do not seem to be very enthusiastic over it. You can not get very much in this report to indicate that they were really very enthusiastic over it. In the first place they say:

> The board was not convinced by the data presented that the United States would be justified in undertaking this improvement at the cost involved and interested parties were so informed and given an opportunity of presenting their views.

Then the board went down and made a personal examination, but there is not a thing in this report which indicates what they found from the personal examination that convinced them of the importance of the project and the merits of it. They do say this as to one suggestion that was made to them when they went there:

> It was stated by one of the interested parties that a modified plan of improvement might be devised which would afford navigation and at the same time drain and make available for cultivation large areas of land similar to that now under improvement by Kyle and Young.

They directed the local engineer to look into that proposition to see whether or not it would be wise to incorporate that in the project, and I make no criticism of that. I think that was all right. If in the development of these projects other interests can be benefited without any more expense to the Government, I see no objection to the Government conforming its projects and its plans so as to meet such a situation as that. But the local engineer reported that to do what was suggested here would entail a modification of the project so as to make the expense to the Government many thousands of dollars more than it otherwise would be. So they did not approve that. Then they go on to say:

> The lock chamber dimensions proposed by the district officer, as stated above, were 30 feet by 125 feet. Believing that these dimensions were too small to provide for the commence that might be expected to develop on this waterway in the future, and that the estimates in some respects were inadequate, the board secured additional data from the district officer, and a revised estimate * * *. The modified estimate is $733,000 as against $616,000 submitted in the original report.

There is nothing thus far that indicates what special information was given to the board in order to convince it that its opinion that this was not a desirable project was erroneous. Then they say, and this seems to be about the only reason that one can gather from this report as to why they changed their minds—

> There seems to be a very general demand for this improvement and a firm belief that it would result in a very marked development throughout the adjacent country and create a commerce of considerable magnitude.

Mr. President, you can not find a community that has a possible development of a project that would involve the expenditure of large sums of money by the Government where there is not a general demand for it in that locality.

Then they go on to refer to a large section of rich and fertile country tributary. That must have been brought out in the first hearing. That must have been brought out in the report of the local engineer. Then it is stated that "under present conditions there is a congestion of freight" and that "transportation of freight is hampered." Those things must have been brought out by the local engineer. Those things must have been before this board before it reported that it was not convinced as to the merit of this project. Then they say:

> It is believed that the present and prospective commerce is sufficient to warrant the United States in undertaking this improvement along the lines proposed by the district officer at a total estimated cost of $733,000 and $12,000 annually for maintenance.

Provided that certain conditions are fulfilled.

Mr. President, I can see nothing in these reports that indicates any special benefit that is coming to commerce or to the United States from the further improvement of this stream. It is not to be overlooked, and it has already been referred to, that we have spent nearly $100,000 already on this river, with the result that the commerce has greatly diminished rather than increased, whether it may be attributable to that expenditure or not. It is a fact that, according to the report of the engineer, a commerce of 100,000 tons in 1912 had dwindled to 11,000 tons in 1917. Yet we have expended nearly $100,000 in the improvement of the stream.

Mr. President, the engineers do not recommend this way of carrying on this project. They recognize the merit of the principle I first suggested with reference to matters of this kind, that it should not be done by piecemeal appropriations, but that provisions should be made under which and by which the project can be completed within a reasonable time, and they say:

> The first appropriation should be $175,000, and subsequent appropriations so made as to complete the work within a period of four years.

Mr. President, there is not any provision here that will insure the completion of this project within four years. There is not any provision in the bill which insures the rapid and economic carrying on of this project. In my judgment, if this project should be taken on at all, we should appropriate $175,000 and authorize contracts for the balance. But, Mr. President, I do not believe that there is any showing here as to any urgency for the taking on of this proposition. I can not see very much merit in the project under any conditions, but I am willing to withhold a definite and fixed judgment upon that until the future. I am satisfied that there is no justification whatever in putting this project on the bill; that the project is not so urgent and not so meritorious as to warrant it. Furthermore, whenever we do take this project on we ought to provide for its economical and prompt completion.

Mr. SHERMAN. Mr. President, I have read this amendment as carefully as I can, and such material as I can gather that is pertinent to it. The letter referred to in the document read by the Senator from Utah [Mr. SMOOT] would cover about 15,000 acres of improvement. It is estimated by the writer, Mr. Young, that there is a benefit of $10 per acre as a result of this improvement. That would be about $150,000 which would inure to private benefit. Ordinarily private benefits are distributed over the property improved. I believe it ought to be done in a case like this. If the Government appropriates anything, it ought to be only a part.

I know there are many meritorious undertakings where the private owner ought not to be compelled to bear the entire cost. At least, however, there ought to be an apportionment of the costs. There is no attempt at apportionment here. It is simply to get the benefit at the Government expense, like so many of these undertakings.

This bill contains many old friends. When I read it alongside of the bills of several years ago, many of those old friends, it is true, are absent. My regrets, however, are tempered with the knowledge that they are not dead. They merely sleepeth. They will emerge when normal times return and we are free from the menace of war, in all their primeval glory, increased in number and vigor. They will be restored from their hibernation to increased activity, and they will come again with literally hundreds of thousands and millions of dollars of appropriations for those antique friends now absent from the bill. There are enough of them here to stamp it as unworthy in its entirety, as being condemned by the bad sufficiently to kill all the good.

If it be an improvement to commerce, then I quite agree with the Senator from Washington [Mr. JONES] that it all ought to be provided for in a connected way, that the appro-

priations should be made in an entirety, so that the engineers may plan the work and know where it begins and where it ends. As it now is it is a mere experiment, built by chance, and appropriated by piecemeal. All such appropriations have no end. They are like the poet's brook:

Men may come and men may go,
But these appropriations go on forever.

Out of the many millions that are expended—and we are soon approaching the billion dollar mark—on the river and harbor appropriations, not one great public improvement ever completed has risen to the level of its prediction.

Let me refer to one such in my own State, known as the Illinois & Michigan Canal. Nearly $8,000,000 has been expended in that undertaking. To-day it is not a highway of commerce. During the war it was not a highway of commerce, either in winter or summer, when ice locked or when smiling under the summer sun; there was no tonnage on that channel worthy of the expenditure.

The figures in 1915, for instance, the last that I have available on the desk, show that the commercial traffic on the Illinois & Michigan Canal, sometimes known as the Hennepin improvement, was a total of 11,279 tons; that is, carried both ways. The Government tonnage was 20,997 tons, making a total of 32,276 tons for that year. If I take 5 per cent as the rate on the original expenditure of $7,600,000, there would be earned on that 5 per cent investment a total interest of $380,000 annually. If I take the commercial tonnage carried on this canal of 11,279 tons, I find that it cost $33.60 a ton for every commercial ton that was carried over the canal in 1915.

In 1916 it was no better, and in 1918, last summer and fall, it was a mere rendezvous for basket picnickers. Wherever there was shade along the bank, wherever its current promised good fishing, there the people congregated not for commercial purposes but for amusement and recreation.

I *might* paraphrase the distinguished woman in history, who, shortly before she was beheaded, lamented: "Oh, liberty, what crimes are committed in thy name!"

Oh, commerce, in all these numerous appropriations appealed for here, Mr. President, what crimes are committed in its name! Their number is legion; their appropriations increase and they have risen to a bad eminence.

Men telegraph to me to help on levee improvements, just as this improvement will be, for private benefit. I can not do so, even though they be my own constituents. They are along the Mississippi River. Some of them have the right idea. If they can not get help from public authority, they form drainage districts, levee districts, and by taxation distributing the benefits on the property improved, they issue bonds, levy taxes, and make other improvements out of private means. The land gets the benefit. It is fertile land. The deposits left by the overflows make it the most inexhaustible character of soil known. I know of some of this land that has been cultivated in my own State for nearly 180 years, and still it is fertile and produces crops. The American Bottom, on the Illinois side, opposite Missouri, has been cultivated from the time the French first came and settled in that province. But such improvements ought to be made by private means. Such lands, when reclaimed from floods and overflows, are productive. They will raise the best crops in the world. The Government does not get the benefit; the owners of the land do.

If I take the entire tonnage of the Illinois & Michigan Canal, Government and commercial, a total of 32,276 tons, it costs for the entire number of tons $11.70 per ton on a 5 per cent interest basis upon the initial cost of $7,600,000. That is the highest freight rate which is paid in the world and it is utterly unjustified by anything either now or hereafter.

Not long ago—released January 31, 1919—our Director General of Railways published an annual report. There are many things in this report which I should greatly like to comment upon, but I am anxious to save time. Among other things not contained in the report is the fact that he has diverted about $12,000,000 of the legitimate earnings of the steam railways to promote waterways, to make improvements, to buy terminals, to erect proper apparatus and accommodations at the terminals, to buy barges, tugs, boats, and so forth, for the purpose of improving waterway transportation.

The Mississippi River from Cairo to the Gulf is the best waterway in the world, taking it in its present condition, miles below the chain of rocks south of St. Louis. There at low water the chain of rocks thrown up by the earthquake of 1811, reaching from the State of Missouri over into southern Illinois, impedes river traffic at low water. Unless those rocks are blown up, at low water steamboats drawing a great deal of water can not get across. Ordinarily there is not much trouble there. But from Cairo to the Gulf there is the best waterway known. It is practically paralleled on both sides by steam railways, especially on the one side by the Illinois Central. The steamboats, with this great line of waterway traffic open for the year, have, however, steadfastly lost this traffic. What used to be 3 miles of steamboats tied up at the levee at St. Louis are confined to a few, which one can count on the fingers of one hand, and the whole traffic has decayed.

It is said that it is very unfair that the railways should have entered into destructive competition. Why should the Government undertake to interfere with the laws of transportation? Why should it undertake to impose upon anybody a more expensive transportation? Oh, it is said, water competition will reduce the price of freight on steam roads. Well, if the Government can not reduce it now, when it has power, what possible reason is there to suppose it would reduce it at any other time? Mr. McAdoo continues here, saying:

Hundreds of millions of dollars have been expended by the Nation, the States, and citizens for the purpose of developing our inland waterways and for the construction of canals. Thousands of miles of rivers, canals, lakes, and bays are ready to assist in moving our products. These waterways, with the exception of the Great Lakes, are not being extensively used.

The Mississippi River has been ready ever since the white man came to this hemisphere; ever since the great Mississippi Valley was settled. Since the railways have been built; since the steam roads have been carrying freight in every direction, the Mississippi River has been ready; it has been opened; and nobody has profitably put a tow of barges there, even in this day of multiplied internal-combustion engines, where a barge can be self-propelled, and is not required to be taken in tow; but it has developed no traffic. Many associations of public-spirited gentlemen—Mr. Kavanaugh, of St. Louis, and many others—have had river meetings, have proclaimed its merits, and have endeavored to secure the necessary capital to improve river traffic, but in all that time no improvement has been made worthy of note here. The channel has been there, but private enterprise, that is more vigilant and observing than any other form of undertaking, has steadfastly neglected to avail itself of what is claimed here as a very necessary public improvement, to be aided by the Government and by such appropriations. Mr. McAdoo continues:

It has seemed to me evident that by developing transportation on the waterways and coordinating and articulating them with a unified railway system, we shall bring about a correct solution of the rail-water controversy, which has been in progress for 50 years. This is possible with the railways under Federal control. I doubt if any of our rivers or canals will become active factors of transportation if the railroads are turned back to private control. The old methods of railway competition with the waterways doubtless will be revived and the waterway experiment may not be able to survive that competition.

Anything in the transportation world that can not survive competition does not deserve to survive. Why should the nurturing hand of the Government be reached out to support something that can not support itself? Will it be a benefit? It is bound to burden the Public Treasury. Does it help the general mass of people for the Government to tax its property owners, its active portion of the population, to support a dwindling form of transportation that never was able to support itself and never did become a material factor in the transportation world since locomotives were invented and put upon rails.

That is not the only vision which the Director of Railways has. He couples it up with the Government ownership for five years or permanently, possibly, of the railways in order that every community which is now engaged in promoting river and harbor bills may join in keeping the railways for five years or forever. There are enough improper influences joined with this bill now, Mr. President, without appealing to others; but it is the same old story. I do not wish to take much time on this particular amendment, but I am reminded that there is a tremendous combination always on these bills. Otherwise they could not live a moment; they would wither under criticism or they would fade away under the superb nonsense that attends their framing and passage. If it were not for all of these things together they would not live in this Chamber 24 hours.

In union there's strength. All for one and one for all is the slogan that inspires and invigorates this annual foray on the defenseless Treasury. See the clans gather from afar and march with the appropriation quickstep, a glad light beaming from each hungry patriot's eye. Everyone can see by the dawn's early light the millions that gleam in the logroller's sight, while the creeks and the bayous and frog ponds galore make the taxpayers swear and feel painfully sore, the sandbars and sawyers, the snags and the scows, the Congressmen's schemes and the engineers' rows, the dredges and shovels, the dikes and the dams spend enough cash to break two Uncle Sams. The troop blithely gathers from hill and from plain, from mountain peaks, snowcapped again and again, down from alkali dust, from sagebrush and pine, they gather their cohorts,

line upon line; they move down together, one seems but a dab, but when all march along to the loot step of grab, a fearful procession gaining strength as they come, it's the I. W. W.'s, the Bolshevist bum of all legislation that unravels our roll, depletes our exchequer, and gravels our soul, hangs on the majestical rivers that flow from the far north and their mantles of snow, that run by the wheat field and the corn in its rows and ripples along where the cotton boll blows; they sap and they burden, they dog and deface the Great Father of Waters in grafting disgrace; their impudent face in desert and swamp is everywhere seen as they brazenly romp from valley to sea, from prairie to lake as the rivers and harbors the lawmakers rake.

With apologies to Walt Mason, I now again fall into commonplace prose.

The ancient and more or less honorable pursuit of logrolling never produced so robust and expensive a progeny as this compound plexus of some good and much evil. They reverse the laws of population, for the younger exceed the elder in size and strength and they are brought forth in war, famine, and pestilence with unvarying regularity. At times they inspire in the observer a sentiment of awe like a convulsion of nature in the periodical reappearance of the bill propelled by an unseen but irresistible force across the stage of this Senate. No one's name is ever attached to the hydraheaded financial miscarriage. Nothing arrests its progress. It moves with the calm serenity of fate. It looks neither to the right nor the left, but heads for its goal heedless of environments and protests. Born in committees and subcommittees in the cavernous depths of nowhere in particular, at the appointed time it emerges upon the committee table an impudent foundling and a predestined orphan from the beginning.

It is impervious to criticism and the more it is banged about and cuffed and cursed the bigger it grows. At last it bursts the narrow limits of the committee room defying the world, the flesh and all the fallen angels it confidently stalks forth into this chamber. The United States Senate is as helpless as Frankenstein before his weird monster evolved in the uncanny chemistry of the novelist's brain. Editors have exhausted their vocabularies and their wits to check it. It bears legions of scars inflicted by hardy Congressmen. Over them all it moves unabashed with the stolid unconcern of a steam roller and the nervous temperament of a British tank. It leaves the knights of the paste pot and shears flabby and speechless. The statesmen gaze at the satanic apparition with disgust and silent amazement. It out-Herod's their worst and reduces them to servile inaction. The public condemns it and it has no friends visible in the seats of the mighty. It is an enigma and a mystery, the conundrum of the generation and the despair of the frugal and industrious. It marches with unconcern, void of scruple or conscience, to the public coffers, seizes its millions and sinks back into the oozelike depths as an antediluvian monster of a prehistoric age. No one mourns its departure, for everybody knows it will come again from nowhere and seize the National Treasury ad infinitum. It is the joint product of that fearful chamber of horrors known as the Board of Engineers and the American candidate for office. What one can not contribute, the other does, and between them the offspring becomes the potential villainy of later days.

So regular are the visits of this nameless pillager if it should fail to appear it would be deemed that the body politic was in a bad way, indeed, and that it boded some strange eruption to the State. Some doctors of the applied science of statecraft have even intimated the river and harbor bill is like a carbuncle. It is much better to have the humors come to a head and get rid of them than to have them frisking about one's circulatory system. Another theory was submitted to me by a doctor of divinity, a most learned man, a predestinarian and firm believer in original sin. This bill he regarded as an inevitable evil sent by an all-wise Providence to fit us by our struggles with it for a more perfect life hereafter. I am disposed to accept the theological solution of this cryptic scourge of mankind.

If, in the fullness of time the sun of our beloved Republic shall, like that of Ninevah and Tyre, sink to rise no more, the last voices heard in the twilight of history, when the dust of ages is beginning to settle on this domed and pillared Capitol, will be a plaintive wail for a few more millions for Trinity River, Tex., and a hoarse cry for enough to pull the snags out of the mouth of the roaring Gasconade.

So it will go on. The bill ought to carry a "banner with a strange device," not that known of the poet, not "Excelsior," but "E pluribus unum," for it is, indeed, Mr. President, one of many. If any single proposition in this bill had to stand upon its individual merits, it would perish the first legislative day it was before this body. It is only by the union of many interests far and near, good and bad, different and indifferent, the union of all, without regard to the merits of any, that it becomes the everlasting financial scourge it is.

Nowhere in this country is there any support for it in public sentiment. People may talk of the Mississippi River, but little money is expended for that great waterway. Three million dollars is expended for the Ohio, $1,250,000 for the Passes or mouth of the Mississippi, a small sum above $250,000 from the mouth of the Mississippi River north. In this bill are a total of nearly $33,000,000, the greater part of which amount is for improvements benefiting private interests, making land overflowed of value, but which are of no value whatever to commerce, either public or private.

I would rather lose every dollar that is appropriated in this or any future river and harbor bill for the Mississippi River and the Great Lakes than to vote for the measure in the form it has appeared in this Chamber since I have been a Member of it. We can make our own improvements if the Government takes Federal money away from us or Congress punishes us for not joining in this highest product of the logroller's art. We have been anxious to do so at times, but have been denied that privilege, because we can not obtain from the Federal authorities the necessary license to spend our own money. So there is even now punishment, I repeat, Mr. President, in the section of the country from which the great production and commerce come now inflicted upon both people of the Great Lakes or the Mississippi River.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). The question is on agreeing to the amendment of the Senator from Iowa to the amendment reported by the committee.

Mr. KENYON. The Senator from Wisconsin [Mr. LENROOT] wishes to speak very briefly on this matter. I think he is the last Senator who desires to speak on it, but I will have to ask for a quorum to secure his presence. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McNary	Smith, S. C.
Baird	Harding	Martin, Ky.	Smoot
Bankhead	Henderson	Moses	Spencer
Beckham	Jones, N. Mex.	New	Sterling
Brandegee	Jones, Wash.	Norris	Sutherland
Chamberlan	Kellogg	Overman	Thomas
Colt	Kenyon	Page	Trammell
Culberson	King	Pittman	Vardaman
Cummins	Knox	Poindexter	Wadsworth
Curtis	La Follette	Ransdell	Warren
Fletcher	Lenroot	Shafroth	Williams
France	McCumber	Sheppard	Wolcott
Gay	McKellar	Simmons	
Gronna	McLean	Smith, Ariz.	

Mr. SHEPPARD. I wish to announce that the Senator from Ohio [Mr. POMERENE] is detained on official business.

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, a quorum is present. The question is on the amendment of the Senator from Iowa to the amendment reported by the committee.

Mr. LENROOT. Mr. President, inasmuch as I am a member of the committee that reported this bill and was not able to be present at the meeting of the committee when this item was considered, I feel that I ought to say a word with reference to my position regarding it.

I do not subscribe to all that has been said with reference to a waterway lying wholly within a State not being a proper subject of Federal improvement. Many important waterways in the country, as has been pointed out, do lie wholly within a State, but upon them is carried a vast commerce. As to any navigable waterway—and the waterway in question is navigable—it is wholly within the jurisdiction of the Federal Government, and no improvement can be made upon such a stream, although it does wholly lie within a State, if it be navigable without the consent of the Federal Government. But merely because it is within the jurisdiction of the Federal Government, that does not mean that the Federal Government ought to expend money upon it; and it seems to me very clear, upon all the facts concerning this river, that it is not a waterway upon which the Government should be called upon to expend any such amount of money as is proposed under the project now under consideration.

Under the estimate, it will call for a Government expenditure of $733,000; but Senators will bear in mind that this estimate was made in 1914, and the engineers now estimate that upon the basis of present cost they must add 50 per cent to every such estimate, which means that under the present basis of cost this improvement would cost more than $1,000,000. And what will be secured by the improvement? The most that is claimed for

it is that it will take care of a purely local commerce, originating upon the land tributary to the river itself. But it is not even claimed that if this improvement is made commerce will be carried upon this river when it is improved. Indeed, just the contrary appears in every report that has been made. While it is true that this project has been favorably recommended by every engineer and every board, it is also true that they have recommended it upon the theory that if this expenditure is made, railroad rates will be reduced; and if it were not for that theory it is very plain that not one of the Government engineers would have favorably recommended the project.

That brings us back to a question that I discussed very briefly the other day as to the policy of Congress with reference to expending large amounts of money upon our rivers and our waterways, not for the purpose of transporting commerce upon them, but to secure a reduction in railroad rates. I am surprised that anyone will any longer defend for a single moment that theory; and that is all that this appropriation rests upon, because I think the chairman himself will admit that if it were not for the supposition that this improvement would reduce railroad rates it would not have been recommended by any engineer in the War Department. That is plain. Take every one of the reports that are made.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Florida?

Mr. LENROOT. Yes.

Mr. FLETCHER. Since the Senator challenges my admission or denial, I must say, in justice to myself, that I think the improvement would have been recommended irrespective of that, because of the need of means of transportation all along this valley, including even the lakes to which the river extends, where it is perfectly apparent that staple products and citrus fruits and all those things that reach foreign markets must be hauled at least 8 or 10 miles or more to a railroad station.

Mr. LENROOT. Well, now, let us see. Assuming that this improvement would cost a million dollars, the reports state that the annual maintenance charge after the improvement is completed, as I recollect, will be about $12,000 per year. That is correct, is it not?

Mr. FLETCHER. That is correct.

Mr. LENROOT. Four per cent on a million dollars is $40,000. Add to that the $12,000, and it will cost the Government every year $52,000; and what will be secured by it? Granting the transportation of citrus fruits and the commerce that the chairman speaks of, is the Government justified in contributing $52,000 every year for the purpose of saving a small amount in railroad rates?

I agree that there is one class of waterway upon which the Government is justified in expending money, even though only a small amount of commerce shall be carried upon that waterway, and that is a waterway where the country roundabout has no railroad facilities whatever, because the improvement of that kind of a waterway is the only means of securing the development of the country. But where a territory has railroad communication, as this territory has—there is a railroad paralleling this river all of the way, within 4 or 5 miles of it—shall it be said that because farmers will have to haul their products 2 or 3 miles farther to a railroad than they would have to haul them to a wharf upon this waterway, therefore a million dollars of Government expenditure is justified? Why, Mr. President, if that be true, if the Government shall ever own and operate the railroads of this country, if we shall adopt that theory, we will put railroads gridironing this country about 10 miles apart. Farmers elsewhere have to haul their products 4, 5, 10 miles—yes, and in the West they have to haul them as much as 20 miles and more.

But this is not the kind of a case where that is the only way of building up the country, because they now have railroad communication; and with reference to the way in which this country is prospering now I want to read from one of the letters found in the report from the Board of Trade of Tavares, one of the towns that are asking for this improvement. They say, after stating what enterprises and industries are now located in this vicinity:

> The low rates this waterway will give us will many times multiply the organizations now at work. Our wild lands, all of them, three years ago sold from $3 to $5 per acre. The same are now selling for $25 to $100 per acre in this lake region.

Does that look as if they had to have this waterway in order to utilize their lands and develop them, when under present facilities lands have increased during the past five years from three and five dollars per acre to $25 and $100 per acre?

But, Mr. President, in every one of these various letters from the various commercial organizations in the towns asking for this improvement, in every one of the reports that have been made by the Board of Engineers, the division engineer, and the district engineer the favorable report has been based upon the assumption not that great commerce will be carried upon the river but that the improvement will compel a reduction in freight rates. Every report states that very fully, and in one of them, I think it was the report of the division engineer, he goes into a computation of the entire commerce of this region, both by rail and by water, and by water, as has already been said, it only amounts now to 11,000 tons per year; and I want to read from the report:

> From the foregoing statement it will be seen that there are approximately 500,000 to 600,000 tons of freight, the transportation charges on which will be affected more or less by the improvement of the Oklawaha River. The present freight rates to Leesburg, Ocala, and Sanford are given below. Sanford is on the St. Johns River at a greater distance from Jacksonville than Leesburg or Ocala, and has rail and water transportation to Jacksonville and from Jacksonville to northern ports. Leesburg and Ocala have only rail transportation to Jacksonville, the Oklawaha River in its present condition being of no use.

Then they give the table of the comparison of rates. On sixth-class freight, for instance, from Leesburg the rate to Jacksonville is 33 cents per hundred pounds, while from Sanford, upon the St. Johns River, it is only 16 cents per hundred. The report goes on:

> If, as a result of the improvement of the river, there should be a general reduction of 15 cents per hundredweight in rail rates, approximately the existing difference between the Sanford and the Leesburg and Ocala rates on sixth-class goods, the total saving in freight would amount to $1,800,000. I do not believe that any such saving as this is probable, but I believe it will be conservative to estimate that a saving of 15 cents per hundredweight would result on 200,000 tons, making a total annual saving of $600,000 if a 6-foot channel were provided.

It will be observed that there is no estimate made of the commerce that will be carried over this river when it is improved. The estimate is made upon what will be saved in freight rates, and comparing that by the rates that are charged from Sanford, upon the St. Johns River. That comparison having been made, I was interested in ascertaining what the condition was at Sanford and how much of the commerce of Sanford was being carried by water upon the St. Johns River. Turning to the report upon that portion of the St. Johns River, upon which Sanford is situated, I find this, under the heading of "Effect of improvement":

> The improvement has made navigation in this stretch much more easy, certain, and expeditious, and has enabled larger boats, with greater carrying capacity, to be used between Jacksonville and Sanford. The existence of the water route to Sanford has been a factor in the development of the country and has kept freight rates 50 per cent lower than they are in territory without water competition.

Then I looked to see what the commerce was upon the entire stretch of the St. Johns River—115 miles, as I recollect, in this particular stretch—and I find that in 1917 the entire commerce upon this portion of the river was only 108,000 tons. Upon the basis of the same estimate, instead of 200,000 tons being carried upon the Oklawaha by water, it would be only a mere fraction of that; and if there be any benefit resulting from the improvement it must be considered to come almost wholly in the reduction of railroad rates.

As to the rates at Sanford being 50 per cent lower than the rates at Leesburg, one of two things must be true—either the rate from Sanford by rail to Jacksonville is too low and ought to be raised or else the rate from Leesburg to Jacksonville is too high and ought to be lowered; and it ought not to cost a million dollars of Government money to lower that rate, when we have an Interstate Commerce Commission whose business it is to see that just rates are accorded. Why, if we are to make appropriations in river and harbor bills upon the theory that the appropriation is justified if the potential water competition shall result in lowering rates, there is no end to river and harbor appropriations, and in all time to come we could not find money enough in any form of taxation to pay the bills.

With reference to this appropriation, Mr. President, I expect that it will be adopted; but I want to make this statement now: If this appropriation is adopted in this bill, and then we treat in the same way every other application having the same merit as this one, an annual river and harbor bill of $1,000,000,000 will not be sufficient to cover the expenditures. If we once start out upon this kind of a proposition, which goes further than any project that has been adopted since I have been a Member of Congress, it seems to me that the committee hereafter will have a right to assume that the Senate has adopted the policy, and thereby instructed its committee that if an appropriation or an expenditure of money will reduce railroad rates, irrespective of the justice of those railroad rates, the appropriation should be made. In that event we will have in the future river and harbor bills which will so arouse the indignation of the country that instead of securing legitimate and proper improvements upon all rivers we will have a sepa-

ration of harbors from rivers, and then rivers will have to stand upon their own merits.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Iowa [Mr. KENYON] to the amendment of the committee.

Mr. KENYON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his named was called). I have a general pair with the senior Senator from Maryland [Mr. SMITH], who is necessarily detained from the Senate. I therefore withhold my vote.

Mr. SHERMAN (when his name was called). I am paired with the senior Senator from Kansas [Mr. THOMPSON], who is absent, and I therefore withhold my vote. If at liberty to vote, I should vote "yea."

Mr. WOLCOTT (when his name was called). I transfer my general pair with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Virginia [Mr. MARTIN] and vote "nay."

The roll call was concluded.

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX]. In his absence I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. KENDRICK. I transfer my general pair with the Senator from New Mexico [Mr. FALL] to the Senator from California [Mr. PHELAN] and vote "nay."

Mr. COLT. Has the senior Senator from Delaware [Mr. SAULSBURY] voted?

The PRESIDING OFFICER. He has not.

Mr. COLT. I have a general pair with that Senator, which I transfer to the senior Senator from Idaho [Mr. BORAH] and vote "yea."

Mr. HARDING (after having voted in the negative). I find that the junior Senator from Alabama [Mr. UNDERWOOD] is absent. I therefore withdraw my vote.

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. SMITH of South Carolina (after having voted in the negative). I inquire if the senior Senator from South Dakota [Mr. STERLING] has voted?

The PRESIDING OFFICER. He has not.

Mr. SMITH of South Carolina. I transfer my pair with the Senator from South Carolina [Mr. STERLING] to the Senator from Idaho [Mr. NUGENT] and will allow my vote to stand.

Mr. WILLIAMS (after having voted in the negative). I voted by inadvertence, thinking that my pair, the senior Senator from Pennsylvania [Mr. PENROSE] was present. I find that he is not. I transfer that pair to the senior Senator from Arkansas [Mr. ROBINSON] and will allow my vote to stand.

Mr. BRANDEGEE (after having voted in the affirmative). I am paired with the senior Senator from Tennessee [Mr. SHIELDS]. I transfer that pair to the junior Senator from Massachusetts [Mr. WEEKS], and will allow my vote to stand.

Mr. FLETCHER (after having voted in the negative). Has the junior Senator from Massachusetts [Mr. WEEKS] voted?

The PRESIDING OFFICER. He has not.

Mr. FLETCHER. I have a general pair with that Senator which I transfer to the senior Senator from Arizona [Mr. ASHURST], and will let my vote stand.

Mr. BANKHEAD. I wish to announce that my colleague [Mr. UNDERWOOD] is detained by illness.

Mr. HARDWICK. My colleague [Mr. SMITH of Georgia] is absent on account of a cold.

Mr. KIRBY. The senior Senator from Arkansas [Mr. ROBINSON] is detained on official business.

Mr. POMERENE. I wish to announce that the Senator from Delaware [Mr. SAULSBURY] is detained by illness in his family.

The result was announced—yeas 31, nays 32, as follows:

YEAS—31.

Baird	Johnson, Cal.	McCumber	Shafroth
Brandegee	Jones, Wash.	McLean	Smoot
Colt	Kellogg	McNary	Spencer
Cummins	Kenyon	Moses	Thomas
France	King	New	Townsend
Gore	La Follette	Norris	Wadsworth
Gronna	Lenroot	Page	Warren
Hale	Lodge	Poindexter	

NAYS—32.

Bankhead	Henderson	Overman	Smith, Ariz.
Beckham	Jones, N. Mex.	Pittman	Smith, S. C.
Calder	Kendrick	Pollock	Sutherland
Culberson	Kirby	Pomerene	Swanson
Fletcher	Lewis	Ransdell	Trammell
Gay	McKellar	Reed	Vardaman
Gerry	Martin, Ky.	Sheppard	Williams
Hardwick	Myers	Simmons	Wolcott

NOT VOTING—33.

Ashurst	Harding	Penrose	Sterling
Borah	Hitchcock	Phelan	Thompson
Chamberlain	Hollis	Robinson	Underwood
Curtis	Johnson, S. Dak.	Saulsbury	Walsh
Dillingham	Knox	Sherman	Watson
Fall	Martin, Va.	Shields	Weeks
Fernald	Nelson	Smith, Ga.	
Frelinghuysen	Nugent	Smith, Md.	
Goff	Owen	Smith, Mich.	

So Mr. KENYON's amendment to the amendment of the committee was rejected.

Mr. SMOOT. Mr. President, the Senate voted against the amendment offered by the Senator from Iowa [Mr. KENYON] requiring the State and beneficial interests to pay one-half the amount. There may be some Senators who are opposed to the principle of improving our rivers and harbors in that way, but now, if the Senate is to vote upon the amendment itself, I ask for the yeas and nays upon it.

The yeas and nays were ordered.

THE MICHIGAN CONTROVERSY.

Mr. THOMAS. Mr. President, much has been said in recent years of the superman. From Nietsche, the German, to SHERMAN, the capable and satirical Senator from Illinois, his praises have been sung and his deficiencies exposed. We may never encounter this superior creature, but we can not fail to recognize him should he appear.

But what of the sublunary man, by which I mean the man who will not play the game by rule, yet who seems to play it well, who makes no claim to extraordinary talent, but rather decries the acclaim to unusual merit, which success always inspires? May we not describe the superman by contrasting him with his sublunary satellite, who either escapes notice or encounters hostile criticism where he is fortunate enough to escape calumny. Let me therefore investigate briefly and specifically some of the attributes of what for want of a better name I shall call the sublunary man. And since illustration is attractive as description, I shall draw a brief outline of some incidents in the career of Mr. Henry Ford, now in the limelight, chiefly as an object of political satire and denunciation, and who seems to me entitled to some distinction, creditable or otherwise, as a sublunary man who does things in his own way and generally does them well. I am not familiar with the story of his life and never met him but once. I know something of his methods only in common with the mass of my countrymen.

Mr. Ford enjoys one point in common with the superman in that he was born at an early period of his life. The divergence began almost immediately, for supermen are raised on bottles. As a boy he seemed anxious to better prevailing conditions. So he turned his young mind to mechanics and utilized his leisure hours in experimenting with methods of auto propulsion. Ultimately he evolved a horseless machine, driven by an internal combustion motor, and proceeded to make it available for practical use. This sublunary man then organized a small concern with very modest capital, officered by himself and some supermen.

He very soon became beset by the sublunary notion that the motor car should not be considered and manufactured solely as a toy for the well to do, but as a necessary implement of industry at a price within the reach of all. Supermen demonstrated to the satisfaction of all but him that this idea was Utopian; the device could be utilized by commerce and industry, but not cheaply. So he left them and set up shop for himself. Selling out for a very modest sum, he organized the Ford Motor Co., with a capital of $2,000,000, of which he reserved 51 per cent for himself, and began the production of a very cheap but very serviceable car. While supermen criticized and condemned, he began producing cars and persisted in doing so, first by hundreds, then by thousands, then by tens of thousands, then by hundreds of thousands every year. Within half a decade he had literally spread them over the face of the earth. They became, indeed, as one of his critics has caustically declared, a common denominator of modern civilization. They became more than that, because they long ago crossed the frontiers of civilization and are familiar pioneers in all the uninhabited and unsubdued regions of every hinterland. Supermen, lagging far behind, long ago began to imitate what they had demonstrated to be an impossibility and made cheap cars, too.

Mr. Ford's company soon began to make money faster than its shareholders could spend it. By 1914 its annual profits exceeded fifty millions of dollars, or twenty-five times the amount of its capital. Fifty millions is 10 per cent of five hundred millions, and, of course, the value of the shares was multiplied more than two thousand fold.

The superman of modern times would have developed this wonderful business along modern lines of financial procedure.

He would have increased his capitalization to not less than $500,000,000, preferred and common, with a guarantee of 7 per cent on preferred, balance to common, and given the latter the benefit of the stock market, which would have sent it to $300 per share. He would also have plastered the enterprise with a huge bond issue, never to be paid, save as to the interest. This practice conceals large profit, reduces the percentage of dividends, and escapes a large income tax.

But this sublunary individual wholly disregarded the policy introduced and sponsored by all the supercaptains and financiers of the last half century. He did not even shrink from acquainting the public with every item entering into his prodigious prosperity. He simply amended his company charter by authorizing an increase of the capital to $20,000,000 and kept grinding out his jitneys, which a perverse but appreciative public gobbled up as fast as he could make them. And he has paid whatever taxes Uncle Sam has seen fit to exact from him.

Since I have been in the Senate Congress has passed four revenue bills and is about to pass another. We provided for an income tax in 1913 and have increased it several times. We have taxed and are taxing war and excess profits. We have had delegations representing every possible interest subject to these levies, pleading, debating, and protesting against revenue legislation directed against their respective pursuits. All save this sublunary man. He came not to us, nor did he bombard us by letter or telegram. He said, "Do what the public needs require and I will pay the score."

Mr. Ford also conceived the notion that a minimum living wage, a share of the profits to the wage earner, and a helping hand to the convict begging for a chance to redeem himself was practicable, so he established a minimum wage of $5 per day, with participation in the profits, and gave work to the unfortunate class whose records have banned them from the avenues of industry.

The supermen denounced the scheme. They did more than predict; they announced its failure. But sublunary obstinacy and defiance of precedent persisted and won, while the Ford profits increased in generous abundance. His workmen are content. Strikes are unknown to his establishment and prosperity generously diffused.

Mr. Ford has an only son. He differs from the sons of many supermen. He is not given to wasting his father's substance in riotous living. He has no public record for overindulgence in wine, women, and song. His father apprenticed him to his business and taught it to him from its rudiments to its terminals. He then placed him in charge of it. When America declared war, 50 per cent of the Ford factory was transformed and devoted to war work. The draft came, and young Ford claimed exemption because this work demanded his personal supervision. Many supermen, some with sons in bureau positions, making them immune from bombs, gas, airplanes, and influenza, some with brave boys at the front, and some with boys exempt, protested; but the boy was excused upon the ground assigned. This I neither approve nor condemn. Injustice may have been thereby wrought upon others, but, alas, his was not a solitary case. But he was the son of a sublunary man, so he has been made to suffer for his own and the sins of others.

Ford says he has always been a pacifist. This may be a sublunary falsehood, but he has always asseverated it. In 1916 he chartered a ship, filled it with the choicest collection of cranks that ever defied the storms of Neptune, and started for the seat of war. Its mission was peace without victory. Before the first seasick spasms were over the symbolic dove was slaughtered by the cabin passengers and an exterminating war of gases inaugurated. The sublunary proprietor of the asphyxiating argosy soon realized that his associates were impossible and his mission ridiculous. He left his aggregation of neurotics at the first opportunity and has borne the resultant ridicule with no word of protest. He paid the bills and took his medicine. This, in a superman, is called moral courage; in a sublunary man it is pacifism with a yellow streak.

With the declaration of war, Ford declared that the best way to secure peace was to win the war quickly by its vigorous prosecution. At the request of other manufacturers he improved and vastly cheapened cylinder construction for the Liberty motor and conducted the manufacture, under contract, of caissons, motors, ships, and other necessities of war. He announced at the outset that he would return to the Treasury every dollar of profit coming to him on Government work, and he has done so. He could not make the same pledge for other shareholders, as a superman might have done. Such conduct, unique and unusual, could not escape censure. The precedent was destructive and demoralizing. It was therefore uncandid and sinister. Conservatism shrank from it, fearing contamination. Ridicule became strident and skepticism vociferous. The Ford output, especially in ships, has been attacked as spurious and deficient. I do not believe it, because such is not the reputation of the Ford product. As far as I know, this conduct of the sublunary man has no imitator.

At the instance of the President, Ford last summer became a candidate for the Senate. He announced the submission of his name to all parties upon all tickets. If any party nominated him, he would run. If all of them did, so much the better. But he would subscribe to no platform and contribute to no campaign fund. No superman ever imagined, much less proposed, such a program. No politician ever evolved such a thing as a moneyless campaign by a multimillionaire candidate since the days when money was invented and coined. To elect such a man on such an announcement would establish a precedent that might wreck the financial schemes of every professional patriot in the Union. Why nominate the rich man who declines in advance to be shaken down? That was a prospect more terrible than a proposed reduction of duty on Pennsylvania steel. It meant a shattering of idols and might become chronic. This sublunary man's announced abstention from the use of money in a campaign involving his own candidacy would be unwise if it were not asinine. True, the law limits expenditures to a maximum supposedly within the reach of all, but that has proved only a seeming obstacle. Why should not this singular man, although nothing but a candidate by request, conform to established and respectable usages, let his friends and relatives spend lavishly in his behalf? Then he would only need make and file his affidavit that they acted without his knowledge and consent. He could thus pluck the fruit while they harvested the thorns. This stubborn violator of the rules could not be made to perceive that only heart burnings and censure could flow from his conduct. Indeed he at once encountered object lessons confirming that fact, for many stalwart men of Michigan at once voiced themselves in passionate protest. Like the old lady in Oregon, they became so angry they felt like sallying forth at once and breaking all the ten commandments.

One party nominated Mr. Ford. The other chose a safe and sane man, in behalf of whom his friends and relatives expended nearly $200,000, all without his knowledge and absolutely without his consent. On the face of the final election returns, and probably due to the continued altruistic generosity of said friends and relatives, with the continued ignorance of the candidate, and wholly without his consent, Mr. Ford was defeated. Subsequent inquiry revealed the possibility that a recount publicly made would show a different result. Ford has therefore asked for an investigation from the only forum which can grant it. Supporters of his opponent, a gentleman without knowledge, and presumably below the age of consent, oppose this chiefly because Ford is a pacifist and idealist. Moreover, he is destitute of partisan conviction and acknowledges no partisan affiliation. He has therefore been and will continue to be the subject of ridicule, misrepresentation, and contumely here and elsewhere. That master of the science of satire and sarcasm, the distinguished junior Senator from Illinois, has made Ford the object of the most picturesque and cynical denunciation. The sublunary man has not so far replied in kind or at all. I hope he will not, for the scripture somewhere saith: "Jest not with a rude man, lest thy ancestors be disgraced." No man may forecast what the results of efforts at contest will be. We know they are doubtful, since to seat a man in the Senate having money, yet who will not swell campaign funds with it, would be a perilous innovation. The political business would suffer serious injury and add many politicians to the swelling ranks of the unemployed.

When the city of Detroit needed a great hospital, Ford proposed to build it at his own cost provided he could retain the power of its exclusive management. Here he encountered only sullen resistance. Choice bits of patronage otherwise available to political doctors and retainers seeking positions and scorning jobs never materialized in this hospital built by a crank and operated by a theorist. But it seems to have become a popular public benefaction.

Finally, this sublunary man has bought a newspaper, and, of course, in a singular fashion for a grotesque purpose. It is located in a small city near a mighty city. Its new proprietor will convert it into an agency for the dissemination of his own views. It will be weekly or daily as the demand for it shall require. It will neither seek advertisements nor solicit circulation. Profit is a secondary consideration. No superman would ever operate a modern journal in such fashion. Here, too, his critics, with a seemingly strange lack of discrimination, continue their uniform chorus of detraction.

As one of Mr. Ford's gentler adversaries I regret exceedingly that he has embarked upon the shoals and reefs of journalism. Many men, better perhaps than one of sublunary distinction, have done the same thing, only to encounter shipwreck and disaster. Many others have achieved success by the sacrifice of peace and comfort. Ford may succeed through the very audacity of his innovation. I hope so; but I shall not be surprised if the venture should deliver him into the hands of his enemies.

Ages ago a very wise old man exclaimed: "Oh, that mine enemy would write a book!" If that be a perilous experiment, but attractive to one's enemies, how much more so is the printing of a newspaper. Journals amounting to anything breed opposition and engender animosities. Those not amounting to anything, like the good, die young. Editors are seldom popular. One of my predecessors in this body once said he derived much comfort from the fact that no man was ever hung for killing an editor.

Our sublunary man is now embarking upon a foggy sea, bound for an unknown port. He will reach it if anybody can, although Tray, Blanche, and Sweetheart will trail and torpedo him should his vigilance relax. Whatever his fate, posterity will award him a meed of praise vouchsafed to very few supermen of his generation.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The VICE PRESIDENT. The question is on the amendment of the committee, to insert, on page 12, beginning in line 15, what will be read.

The Secretary read as follows:

For improvement of Oklawaha River, in accordance with the report submitted in House Document No. 514, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $100,000.

The VICE PRESIDENT. The yeas and nays have been ordered upon agreeing to the amendment; and if there be no further debate upon it, the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). Having a general pair with the senior Senator from Maryland [Mr. SMITH], who is necessarily absent, I withhold my vote.

Mr. LODGE (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. SMITH]. I understand he is absent, and I withhold my vote.

Mr. SWANSON (when the name of Mr. MARTIN of Virginia was called). My colleague [Mr. MARTIN of Virginia] is detained from the Senate on account of illness. I will let this announcement stand for the day.

Mr. MOSES (when his name was called). I have a general pair with the Senator from Kentucky [Mr. MARTIN], who is absent, and I withhold my vote.

Mr. REED (when his name was called). Making the same transfer of my pair as on the last vote, I vote "yea."

Mr. SHERMAN (when his name was called). I have a general pair with the senior Senator from Kansas [Mr. THOMPSON] and therefore withhold my vote. If I were at liberty to vote, I would vote "nay."

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. I transfer that pair to the Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. VARDAMAN (when his name was called). I have a pair with the Senator from Wisconsin [Mr. LA FOLLETTE], who is absent, and I withhold my vote.

Mr. WALSH (when his name was called). I inquire if the Senator from New Jersey [Mr. FRELINGHUYSEN] has voted?

The VICE PRESIDENT. He has not.

Mr. WALSH. I have a general pair with that Senator, and in his absence I withhold my vote.

The roll call was concluded.

Mr. WOLCOTT. I transfer my pair with the Senator from Indiana [Mr. WATSON] to the senior Senator from Virginia [Mr. MARTIN] and vote "yea."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], which I transfer to the junior Senator from South Carolina [Mr. POLLOCK] and vote "yea."

Mr. VARDAMAN. I transfer my pair with the Senator from Wisconsin [Mr. LA FOLLETTE] to the Senator from Arizona [Mr. ASHURST] and vote "yea."

Mr. FLETCHER. I have a general pair with the Senator from Massachusetts [Mr. WEEKS], which I transfer to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. KENDRICK (after having voted in the affirmative). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from California [Mr. PHELAN] and let my vote stand.

Mr. LODGE. I transfer my pair with the Senator from Georgia [Mr. SMITH] to the Senator from New York [Mr. WADSWORTH] and vote. I vote "nay."

Mr. LODGE subsequently said: I was informed that the Senator from New York [Mr. WADSWORTH] had not voted. I understand that he has voted. Therefore I am obliged to withdraw my vote and stand paired with the Senator from Georgia [Mr. SMITH].

Mr. WILLIAMS (after having voted in the affirmative). By inadvertence, thinking the Senator from Pennsylvania [Mr. PENROSE] was present, I cast my vote. I have a standing pair with him. I transfer my pair to the Senator from Idaho [Mr. NUGENT] and let my vote stand.

Mr. POMERENE. I wish to announce that the Senator from Delaware [Mr. SAULSBURY] is detained by illness in his family.

Mr. KIRBY. The senior Senator from Arkansas [Mr. ROBINSON] is detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD]; and

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON].

The result was announced—yeas 33, nays 29, as follows:

YEAS—33.

Baird	Hardwick	Overman	Smith, S. C.
Bankhead	Henderson	Pittman	Swanson
Beckham	Jones, N. Mex.	Pomerene	Trammell
Chamberlain	Kendrick	Ransdell	Vardaman
Culberson	Kirby	Reed	Williams
Fletcher	Lewis	Sheppard	Wolcott
Gay	McKellar	Shields	
Gerry	Myers	Simmons	
Gore	Nelson	Smith, Ariz.	

NAYS—29.

Borah	Jones, Wash.	McNary	Sutherland
Brandegee	Kellogg	New	Thomas
Calder	Kenyon	Norris	Townsend
Cummins	King	Page	Wadsworth
Curtis	Knox	Poindexter	Warren
France	Lenroot	Shafroth	
Gronna	McCumber	Smoot	
Johnson, Cal.	McLean	Spencer	

NOT VOTING—34.

Ashurst	Hitchcock	Owen	Smith, Mich.
Colt	Hollis	Penrose	Sterling
Dillingham	Johnson, S. Dak.	Phelan	Thompson
Fall	La Follette	Pollock	Underwood
Fernald	Lodge	Robinson	Walsh
Frelinghuysen	Martin, Ky.	Saulsbury	Watson
Goff	Martin, Va.	Sherman	Weeks
Hale	Moses	Smith, Ga.	
Harding	Nugent	Smith, Md.	

So the amendment of the committee was agreed to.

Mr. KENYON. Mr. President, I wish to give notice that I reserve a separate vote in the Senate on this amendment and on the amendment which I proposed to this amendment. I shall offer my amendment to the amendment in the Senate.

The VICE PRESIDENT. The Senator from Iowa can reserve a vote on this amendment, and he can offer his amendment to the amendment in the Senate. He can not reserve his amendment.

Mr. KENYON. I understand that, but I put it in the way I did out of abundance of caution.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 12, line 19, after the words "in all," to strike out "$117,000" and to insert "$347,000."

The amendment was agreed to.

The next amendment was, on page 12, line 23, before the word "improvement," to strike out "completing" and insert "for," so as to read: "for improvement of channel from Tampa Bay to Boca Ceiga Bay."

The amendment was agreed to.

The next amendment was, on page 13, line 1, after "$10,700," to insert: "for improvement of Sarasota Bay in accordance with

the report submitted in House Document Numbered 844, Sixty-third Congress, second session, $92,000."

Mr. KING. I should like to ask the Senator in charge of the bill if this is a new project.

Mr. FLETCHER. It is an improvement of an old project.

Mr. RANSDELL. It is for the improvement of an old project.

Mr. FLETCHER. It provides for a new improvement. Portions of Sarasota Bay have been improved heretofore.

Mr. KING. This project was not in the House bill?

Mr. FLETCHER. Oh, no. Of course, if we intended to accept the House bill there was no need of referring it to any committee. We might as well agree to it at once. There are a good many matters involved in this bill, and we did not feel absolutely bound by what the House has done or has failed to do.

Mr. KING. I understand that, Mr. President, but usually the House adopts a large number of projects, and those that are adopted, as I understood the Senator to say a few days ago, are adopted upon reports made by the engineers.

Mr. FLETCHER. This project has a favorable report of the engineers, I will say to the Senator. That report is found in Document No. 844.

Mr. KING. Does the Senator know why this project did not appeal to the House Committee on Rivers and Harbors?

Mr. FLETCHER. I do not think it was presented to them or considered by them at all. It is a very worthy project, and it will cost very little.

Mr. KING. I have not yet had an opportunity to examine this project, but if the vote on it is in the affirmative, I shall reserve a separate vote in the Senate on it.

Mr. FLETCHER. I thank the Senator.

The VICE PRESIDENT. The question is on the amendment of the committee.

Mr. KENYON. Mr. President, I had intended to offer some suggestions on this amendment and also on the one in reference to the Ouachita River, but if the Oklawaha River improvement can be put into an appropriation bill by the committee and be supported by the Senate, there is absolutely no use in wasting any time discussing any kind of an appropriation that may be reported to the bill. For my part, I am not going to waste any more time on it. What little remains in the Treasury can go into these creeks.

Mr. SMOOT. Mr. President, I desire to say, now that the Senate has agreed to put into this bill the improvement of the Oklawaha River, indefensible as it is, and as the Senate is perfectly willing to squander money in this way, so far as a river and harbor bill is concerned, the Senate may load the bill to the guards and take all of the money out of the Treasury they desire; I am not going to try further to prevent it.

Mr. RANSDELL. We are willing to take the responsibility.

Mr. SMOOT. I know the Senator is, and has always been, and will always be, so long as the amount of money goes into his State that does go there.

Mr. RANSDELL. Only a small part of it goes my way.

Mr. KING. Mr. President, I want to ask the Senator from Florida [Mr. FLETCHER] and the Senator from Louisiana [Mr. RANSDELL] how many projects contained in this bill are receiving appropriations that are within the State of Louisiana, within the State of Florida, and within the State of Texas?

Mr. FLETCHER. Mr. President, of course I dislike to take time to go into that matter, but I have analyzed this bill with some reference to that suggestion, and I find, dividing the country into North Atlantic, South Atlantic, Gulf, lower Mississippi, upper Mississippi, Ohio and Allegheny, Great Lakes, and Pacific, that the amounts carried in the bill will be as follows:

North Atlantic section of the country, north of the Potomac River and east of the Mississippi, for maintenance, $422,000; for improvement and maintenance, $11,185,794.

The South Atlantic section, south of the Potomac River, $679,300 in maintenance items and $3,454,400 for improvement and maintenance.

The Gulf, for maintenance, $369,500; for maintenance and improvement, $3,765,500.

The lower Mississippi River, maintenance, $169,000; maintenance and improvement, $640,000.

The upper Mississippi River, maintenance, $715,000; maintenance and improvement, $671,000.

Ohio and Allegheny Rivers, $8,000 for maintenance and for improvement and maintenance, $4,300,000.

I will say that the chief amendments made by the Committee on Commerce to this bill have been to add $3,000,000 to the Ohio River and $1,000,000 to the Allegheny River. Those are the chief items of all the amendments made by the Commerce Committee to this bill.

We did not hear very much of this abuse of river and harbor bills and all this slurring about this being a "pork barrel" bill until the Ohio River projects were all adopted by Congress. Now, what do they amount to? The Ohio River project alone calls for an expenditure of $73,088,114. The total expenditures up to June 30, 1918, were $46,235,306 on the Ohio River. The amount estimated to complete it is $23,265,488. The outstanding liabilities and contract obligations amount to $3,587,320. I repeat, the item for the Ohio River of $3,000,000 which we added to this bill and the item of $1,000,000 for the Allegheny River constitute the chief items that the Committee on Commerce proposed as amendments to the bill.

Referring to the subdivisions I have mentioned, the Great Lakes section carries for maintenance $456,800 and for maintenance and improvement $2,166,270.

The Pacific section carries $1,043,700 for maintenance and for maintenance and improvement $1,906,100. The general appropriation for maintenance and improvement is $750,000, making the total for maintenance $3,863,300 and for maintenance and improvement $28,839,064.

The Mississippi River and tributaries south of the Ohio River, I referred to as the lower Mississippi, and the Mississippi River and tributaries north of the Ohio River I referred to as the upper Mississippi.

That will give the Senators the apportionment, I might say, of the amounts carried in this bill. It will be found that in the North Atlantic section $11,500,000 in the bill is appropriated as against about $3,500,000 in the South Atlantic section. That does not include the Ohio and Allegheny improvements, which would add $4,300,000 more.

Mr. KING. I should like to ask the Senator if he thinks there was any justification for making the large improvements upon the Ohio River which have been made, whether commerce warranted any such expenditures as have been made, and such as are contemplated being made by the Government?

Mr. FLETCHER. The Senator from Louisiana [Mr. RANSDELL] is more familiar with the Ohio River projects than am I, but, speaking briefly, I will state that I do not claim the Government has made any mistake in entering upon that great work. I do say that it was satisfactorily shown to our committee—and I approve of it—that since we are committed to a project, since we have adopted the project, we ought to go on and complete these locks. Therefore, we felt that we ought to make the necessary appropriations in order to do that.

Mr. KING. If the Senator will pardon me, I have made some little computation, and I find that the cost to the Government for each ton carried upon the Ohio River is more than $3 per annum, and the amount of tonnage is less now than for the year 1917 than it has been for preceding years, or at least for a number of preceding years. My information is that there is no increase in the amount of tonnage carried upon the river. There does not seem to be the necessity for this enormous expenditure, nor any necessity for the appropriation of the amount which this bill carries for this particular item.

Mr. FLETCHER. The Senator from Utah will realize that the commerce is there; but, of course, it can not move by the river until these projected improvements are made. When they are completed, I have not any doubt that the calculations of the engineers will be fully realized; but, until they are completed, it is very expensive to handle what traffic does move in that way. It can only move at certain seasons.

Mr. KING. In 1913 I find from this report of the engineers on page 1305—I do not want to make any mistake—which relates to that project, as I understand these pages, and the Senator from Louisiana will correct me if I am in error——

Mr. RANSDELL. I will do so, provided the Senator is in error as to what the commerce for 1913 seems to have been.

Mr. KING. The commerce for 1913 was 8,000,000 plus short tons and for 1917 it was 4,000,000 plus short tons.

Mr. RANSDELL. That is right.

Mr. KING. So there is a reduction in the commerce in that period from 8,000,000 plus short tons to 4,000,000 plus short tons. I might say, in passing, that, after examining a large number of these projects, I find a constant diminution in the amount of traffic upon the rivers. That is notably true upon the Missouri, the Mississippi, the Red, the Brazos, the Tombigbee, the Kentucky, the Cumberland, and many other rivers too numerous for me to now take the time to mention.

Mr. RANSDELL. Mr. President, I will say to the Senator that the commerce on the Ohio has not been increasing for several years because in 1910 we finally adopted the project for the improvement of that river with a depth of 9 feet at the lowest stages between Pittsburgh and Cairo, at an estimated cost of $63,000,000. We have been carrying it on at the rate of about $5,000,000, a year. There is a very large commerce tributary to the river. Before we had so many railroads on both banks of the river, serving the country which was naturally

tributary to the river, a very large commerce did move on the Ohio River.

The city of Pittsburgh is at the head of the Ohio River and has the largest commerce in tonnage of any place on earth. Its tonnage is supposed to be about five times in volume that of the city of New York itself. I do not mean to say that it is five times as valuable, for a great deal of the tonnage on the Ohio consists of coal, iron ore, iron and steel, and the products of iron and steel. The city of Pittsburgh and the region on the river for about 50 miles below that city are perfect beehives of industry. There are a great many manufacturing enterprises of every kind and sort on and adjacent to the river. I took a trip down the river several years ago from Pittsburgh to Cairo—1,000 miles—and I was struck by the great number of people living on the banks of the river, the number of prosperous and successful towns along its course, and the various kinds of industries collected there. The center of population in this country is on the banks of the Ohio River, or very near its banks, in the State of Indiana. It is literally the center of industry, enterprise, and population in the United States. The river runs east and west for a thousand miles through a most populous and busy section.

It is true, as stated by the Senator, that the commerce of the river does not show an increase between 1913 and 1917; but the Senator will admit that we have had the greatest war in all history going on during most of those years, and that, while many kinds of business have moved forward very rapidly and the commerce adjacent to the North Atlantic Ocean has been colossal, the commerce everywhere in the western section of the country has been a great deal less than it was formerly.

Another fact I wish to call to the Senator's attention is, that we are going ahead as rapidly as we can to improve the Ohio River. It is being done by means of locks and dams. Those locks and dams are made of concrete and steel and masonry of various kinds, and during the process of construction they interfere a great deal with navigation. It is almost impossible for boats to move freely up and down that river when the lock work is going on.

Let me also remind the Senator from Utah that one of the tributaries of the Ohio at the city of Pittsburgh is the Monongahela, which last year carried 16,000,000 tons of commerce, valued, I think, at $64,000,000. At Pittsburgh it joins the Allegheny, and the two form the Ohio. The Allegheny River had a very large commerce, which is growing larger all the time; and there is no doubt, sir, that if we can improve that river according to the plan adopted by Congress in 1910, it will develop a marvelous commerce, a truly colossal commerce, that will benefit all the people of the Nation. It is as worthy a project as ever was adopted.

Let me say further to the Senator that, even if a mistake has been made, it was first made in 1876, for Congress undertook the improvement of that river in 1876, under a project to give it 6 feet of water between Pittsburgh and Cairo. Unfortunately, we have gone on ever since that time, more than 40 years, under a piecemeal system of appropriations. If we had carried it through in a rapid, businesslike manner, as a good business man would have done, if it had been his own project, the river would now be carrying a great commerce. It can not carry it normally because every year the water gets low, being only from 2 to 3 feet at many points in the shallow places in that river.

We are trying by this project to give a minimum of 9 feet at all stages by a lock-and-dam system in which, I think, there are 53 locks and dams. The whole stream will be canalized. The dams will raise the water below and back it up to level of the water above, and by a system of pools boats can go all the way down the stream.

There is a very respectable commerce on the river at the present time, a commerce that actually amounts to a great deal in dollars and cents, and it will be very much greater, I am sure, when the work is finished. A railroad could not be expected to do much if it had broken links in its chain, and there are a number of broken links in this canal chain of 1,000 miles.

Mr. KING. Mr. President, just a few words, I will not say in reply to, but in relation to the matter to which the distinguished Senator from Louisiana has just referred.

I wish to say, in passing, that it really is quite distressing for me to oppose a measure that the Senator from Louisiana and the Senator from Florida so earnestly and, I believe, so sincerely advocate. The high character of each of these distinguished Senators causes me to hesitate when they announce so positively certain facts relative to these improvements and compels more or less of investigation before I can be prompted or induced to vote against the positions which they take.

I have made a considerable examination, Mr. President, of the rivers and harbors of the United States which have been the subject of legislation upon the part of the Government. I have spent a great many hours—indeed, a number of days; weeks, in fact—in examining the thousands of pages of reports which have been submitted during the past 15 or 20 years by the departments and agencies of the Government that have had control of river and harbor improvements; and, with all due respect to my distinguished friends—and I do not say this in any spirit of criticism or of hostility toward them—my judgment is—and I sought to reach a fair and dispassionate judgment—that the overwhelming majority of the projects which have received appropriations from Congress lacked real, genuine merit; and my opinion is, based upon examination of the thousands of pages of reports—and I examined the question with a real desire to reach the truth—that at least 50 per cent, if not more, of the appropriations made by Congress have been wasted.

The Senator from Louisiana refers to the fact that the appropriations have been made in a piecemeal fashion, and that the work of improvement has been conducted in a piecemeal way. The Senator is absolutely correct. The system which has been employed is one to be condemned. No business man would ever undertake the construction of works or enter into any business of magnitude, pursuing the same course which the Government of the United States has adopted with respect to the improvement of rivers and harbors. The system which has been adopted is one to be condemned, and the sooner we reach a rational, scientific basis for dealing with rivers and harbors the better it will be for the people and the better it will be for the Government. It, of course, is an absurd way to appropriate a few thousand or a few hundred thousand dollars to-day, or for one year, for a given project and depend upon subsequent appropriations to complete the project, and have the work carried on year after year, with interruptions, in a sort of intermittent fashion. It leads to waste and extravagance, and ultimately, of course, it brings the whole project into contempt, ridicule, and disfavor. Many of the projects which have been undertaken and completed by the Government, if there had been a sufficient appropriation made in the beginning, and if the Government had concentrated its efforts toward the completion of the project and completed it quickly, would have cost the Government perhaps 50 per cent only of the ultimate cost, and the result, of course, would have been very much better for those who are to use the streams.

I have wondered why it was that, with the experience through which we have passed, the universal condemnation of the scheme that has been adopted by the Government, there has not been developed a rational and scientific plan of dealing with the rivers and harbors. We have engineers, great engineers, in the United States, men who have addressed themselves to these great questions, men who have studied the Suez Canal, who have aided in the construction of the Panama Canal, and are acquainted with great engineering problems. I have wondered why it was that the Government had not secured the services of men of that character and authorized them to devise and formulate and complete a rational and scientific plan for dealing with rivers and harbors.

Mr. KNOX. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Pennsylvania?

Mr. KING. I yield to the Senator.

Mr. KNOX. I merely wish to inform the Senator from Utah that, in respect to the Ohio River improvement, the Government did have one of its greatest engineers and one of the greatest engineers in the world, in Gen. Sibert, who built the Gatun locks at the Panama Canal.

Mr. KING. I am very glad to learn that; and I recall, since the Senator mentions it, in reading the reports that the project to which the Senator refers was developed along the lines indicated in the report of Gen. Sibert.

Mr. KNOX. Let me add that Gen. Sibert had personal charge of the work for a great many years.

Mr. RANSDELL. Mr. President, will the Senator from Utah permit me in connection with what the Senator from Pennsylvania has so well said, to make a brief statement?

Mr. KING. Certainly.

Mr. RANSDELL. Gen. Sibert was in charge on the Ohio River and did some remarkably fine work there. I think he was one of the board of engineers who made the report to Congress on the Ohio River, which was finally adopted in 1910. That report showed that it would cost about $63,000,000 to finish the work, and, as I recall, it was thought by the engineers that, if they could proceed at the rate of $5,000,000 a year, there would be a very satisfactory rate of progress. The Sena-

tor will recall that in the case of the Panama Canal it took us about 10 years to finish the work. With the expenditure of $5,000,000 a year on the Ohio, permitting a certain degree of commerce in the meantime, it would take about 12 years to finish the project. It was fully discussed, as I recall, when the bill providing for this project was being framed, and it was thought at that time that that would be a satisfactory progress. Personally I will say that I should like to see it progress at a very much more rapid rate. I think it would be far better if we would give from ten to fifteen million dollars per annum for this great project until it is finished.

Mr. VARDAMAN. Mr. President, will the Senator permit me to interrupt at this point?

Mr. KING. I will be very glad to yield to my friend from Mississippi.

Mr. VARDAMAN. I am glad the Senator from Utah is calling attention to the mistake the Government has made in pursuing this piecemeal policy. Congress passed a bill a year and a half ago authorizing the expenditure of $45,000,000 on the Mississippi River, the citizens along the line of the river to contribute in the ratio of 1 to 3. That act contemplates the completion of the Mississippi River levees in five years, with an annual appropriation of $10,000,000.

I understand that the Board of Engineers have assumed the right to say that probably $6,700,000 will be the amount they need this year for Mississippi River improvements. In utter disregard of an enactment by the Congress fixing the amount to be appropriated annually at $10,000,000 and requiring the completion of the Mississippi River levees in five years, the Board of Engineers have advised the Congress, I am told, that $6,700,000 is all they want or will use in this work. It strikes me, Mr. President, that this is an unwarranted assumption of authority on the part of the Board of Engineers. Just how the Board of Engineers will assume to ignore a solemn enactment of Congress in a matter of this grave importance I do not exactly understand; but I hope that the remarks made by the able Senator from Utah may be taken by the Board of Engineers as a warning that Congress will not permit to go unnoticed the board's disregard of its legislative enactment.

Mr. KING. Mr. President, I recall, from the investigations which I have made, some facts which corroborate the statement made by the distinguished Senator from Mississippi. It merely illustrates the truth of the observation made by the Senator from Louisiana [Mr. RANSDELL] that the piecemeal system of dealing with this great problem is one that results in waste and is injurious in every conceivable way to the commerce of the country and to the Nation itself.

Mr. VARDAMAN. There is no doubt about it. I remember, Mr. President, that I quoted from the Board of Engineers in support of the bill, passed a year and a half ago, providing for the expenditure of $45,000,000 for the maintenance and completion of the Mississippi levee system, figures which were prepared and furnished for me especially, showing that if Congress would appropriate or agree to appropriate a sufficient sum of money to complete the levees, and complete them in a short time, it would result in a saving of from 35 to 40 per cent on the total cost of the finished enterprise. I am glad the Senator has called attention to that matter, because I want the work which was contemplated would be done under the flood-control bill to be completed in accordance with the terms of that measure; and so far as I am concerned I am not going to consent that the Board of Engineers shall in any way modify or change the intent and purpose of that law. There is no excuse at this time for not carrying out the purposes of the flood-control bill. There is an ample supply of labor, the people living along the Mississippi River have contributed their pro rata share of this fund, and for the Government to fail to carry out the terms of the flood-control bill, I submit, will not be acting in good faith with the people of that section particularly and the people of the United States generally. It is not the function of the Board of Engineers to make law; but, as trained officers of the Army, they understand better than I do or you do, Mr. President, that their duty is to obey the law.

Mr. KING. Mr. President, it was not my intention to occupy the time of the Senate to-day in discussing the measure now under consideration, but the unrestrained indorsement of this bill by members of the committee and Senators who have spoken in its support, and the general defense of the present system of dealing with rivers and harbors, impel me to submit some observations. I am also led to do so because I can challenge attention to an amendment which I deem of great importance and which at the proper time I shall ask the Senate to adopt.

The Senator from Mississippi [Mr. VARDAMAN] stated, in substance, during the discussion to-day that the method of selecting projects for development by the Government was satisfactory and that none was selected until it was clearly established that it was meritorious and was essential to the commercial needs of the country. I am compelled to dissent from the position taken by the advocates of this bill and the defenders of the river and harbor measures which at each session of Congress are brought forward for consideration.

During the past two years I have given considerable attention to the subject of rivers and harbors and the general question of developing the inland waterways of our country. I have examined hundreds of reports relating to projects which have been selected for development under the river and harbor bills by the Federal Government and have read thousands of pages prepared by engineers and commissions dealing with appropriations made by the United States for the improvement of harbors and hundreds, if not thousands, of streams and inland waterways in our land. I have attempted to ascertain the facts in regard to the appropriations made by the Federal Government for inland-waterway development and for the improvement of our national harbors, for the purpose of determining whether the plan under which we are operating was wise and expedient or whether it was unwise and inexpedient and extravagant. I have examined the three volumes recently submitted by the engineers who have charge of the rivers and harbors of our country. Those volumes, consisting of several thousand pages of closely printed matter, contain an enormous amount of data concerning the streams and harbors which have received appropriations from the Government. After spending days and weeks in examining these reports and available data bearing upon these questions, I have reached the conclusion that the plan which has been followed for so many years by the Government in selecting projects for development and improvement has been not only defective and unwise, but it has resulted in waste and extravagance to such a degree that, in my opinion, at least one-half of the nearly $1,000,000,000 expended by the United States upon creeks, streams, rivulets, and harbors has been absolutely wasted. I have found but few who have attempted to defend the plan adopted and followed by the Government in dealing with the development of inland waterways and harbors. There have been some organizations that were directly benefited in the expenditures made by the Government that have signified their approval of the plan.

The Dredge Owners' Protective Organization has carried on for many years a propaganda in favor of large appropriations for rivers and harbors. The members of this organization have had and now hold contracts with the Government amounting to millions of dollars for dredging creeks and streams and harbors. Doubtless these contracts were profitable to the members of this organization, and they have earnestly endeavored to secure larger appropriations in order that they might secure additional contracts which would result in greater profits.

The National Rivers and Harbors Congress is an organization which, to use its own language, "is working earnestly to secure the adoption by the Federal Government of a permanent waterway policy that will provide for improving all the worthy waterways of the Union." It frankly proclaims that "funds are needed to carry on the work which the National Rivers and Harbors Congress has persistently urged, and to the end that a strong demand may come from every section of the Republic that we earnestly invite your financial cooperation."

This organization has boldly announced its determination to secure annual appropriations of at least $50,000,000 from the Federal Government, to be expended for rivers and harbors. It carries on a constant propaganda in favor of large appropriations by Congress and seeks to arouse the people to demand appropriations increasingly large from year to year.

I regret to say that the present plan of dealing with our waterways finds ardent supporters in the Congress of the United States, notwithstanding the fact that there has been vigorous condemnation of the method adopted in preparing river and harbor bills, and of the policy which has been followed by the Government in dealing with the question of water transportation. Engineers and students of governmental and industrial questions have been unsparing in their criticism of this plan, and of the waste of public moneys resulting therefrom. Many Congressmen and Senators familiar with the system have denounced it as wasteful and vicious. When Theodore Roosevelt was President, in a special message to the Senate and House of Representatives on the 8th of December, 1908, speaking of this question, he used the following language:

> Action should be begun forthwith, during the present session of the Congress, for the improvement of our inland waterways—action which will result in giving us not only navigable but navigated rivers. We

have spent hundreds of millions of dollars upon these waterways, yet the traffic on nearly all of them is steadily declining. This condition is the direct result of the absence of any comprehensive and far-seeing plan of waterway improvement. Obviously, we can not continue thus to expend the revenues of the Government without return. It is poor business to spend money for inland navigation unless we get it.

Inquiry into the condition of the Mississippi and its principal tributaries reveals very many instances of the utter waste caused by the methods which have hitherto obtained for the so-called "improvement" of navigation. A striking instance is supplied by the "improvement" of the Ohio, which, began in 1824, was continued under a single plan for half a century. In 1875 a new plan was adopted and followed for a quarter of a century. In 1902 still a different plan was adopted, and has since been pursued at a rate which only promises a navigable river in from 20 to 100 years longer.

Such shortsighted, vacillating, and futile methods are accompanied by decreasing water-borne commerce and increasing traffic congestion on land, by increasing floods, and by the waste of public money. The remedy lies in abandoning the methods which have so signally failed and adopting new ones in keeping with the needs and demands of our people.

In a report on a measure introduced at the first session of the present Congress the Secretary of War said: "The chief defect in the methods hitherto pursued lies in the absence of executive authority for originating comprehensive plans covering the country or natural divisions thereof." In this opinion I heartily concur. The present methods not only fail to give us inland navigation, but they are injurious to the Army as well. What is virtually a permanent detail of the Corps of Engineers to civilian duty necessarily impairs the efficiency of our Military Establishment. The military engineers have undoubtedly done efficient work in actual construction, but they are necessarily unsuited by their training and traditions to take the broad view and to gather and transmit to the Congress the commercial and industrial information and forecasts upon which waterway improvement must always so largely rest. Furthermore, they have failed to grasp the great underlying fact that every stream is a unit from its source to its mouth and that all its uses are interdependent. Prominent officers of the Engineer Corps have recently even gone so far as to assert in print that waterways are not dependent upon the conservation of the forests about their headwaters. This position is opposed to all the recent work of the scientific bureaus of the Government and to the general experience of mankind. A physician who disbelieved in vaccination would not be the right man to handle an epidemic of smallpox, nor should we leave a doctor skeptical about the transmission of yellow fever by the Stegomyia mosquito in charge of sanitation at Habana or Panama. So with the improvement of our rivers. It is no longer wise or safe to leave this great work in the hands of men who fail to grasp the essential relations between navigation and general development and to assimilate and use the central facts about our streams.

Until the work of river improvement is undertaken in a modern way it can not have results that will meet the needs of this modern Nation. These needs should be met without further dillydallying or delay. The plan which promises the best and quickest results is that of a permanent commission authorized to coordinate the work of all the Government departments relating to waterways, and to frame and supervise the execution of a comprehensive plan. Under such a commission the actual work of construction might be intrusted to the Reclamation Service, or to the military engineers acting with a sufficient number of civilians to continue the work in time of war; or it might be divided between the Reclamation Service and the Corps of Engineers. Funds should be provided from current revenues, if it deemed wise; otherwise from the sale of bonds. The essential thing is that the work should go forward under the best possible plan and with the least possible delay. We should have a new type of work and a new organization for planning and directing it. The time for playing with our waterways is past. The country demands results.

Later in my remarks I shall direct attention to the suggestion contained in Mr. Roosevelt's message in relation to a permanent commission to frame and supervise the execution of a comprehensive plan. The words of President Roosevelt constitute a strong arraignment of the system which seems to be fastened upon the Nation and from which we apparently are unable to free ourselves. President Roosevelt properly denominates the course pursued "as playing with our waterways." He urges a comprehensive plan of dealing with the subject; a plan scientifically conceived and scientifically executed. He uses strong words in denouncing the course of the Government as shortsighted, vacillating, and futile, and in directing attention to the fact which is known to all who have made any investigation that with the increasing expenditures made by the Government for the improvement of rivers and harbors the commerce carried upon the same has diminished.

I desire, Mr. President, to call attention to some remarks made in this Chamber on the 20th day of February, 1913, by a Senator whose long and splendid public career has endeared him to all true Americans. There is no more careful legislator in this or any other legislative body and none more patriotic and devoted to the public welfare than the senior Senator from Minnesota [Mr. NELSON]. Hon. Francis G. Newlands, long a distinguished Senator from the State of Nevada, and whose untimely death we so much deplore, was addressing the Senate upon the question of the development of the waterways of our country. He called attention to the debate which had taken place, and stated, in substance, that the Senator from Ohio, Mr. Burton, had admitted "that the system hitherto pursued regarding the river and harbor appropriations has broken down," and then declared that the situation indicated the necessity of some legislation "that will enable the treatment of a river in such a way as to make it beneficial for every public use; the necessity of legislation which will bring about cooperation between the sovereigns having jurisdiction over detached uses of our waters, so as to bring about their highest development, with a view to meeting all the demands of civilization." Senator Newlands further stated, "The Senator from Ohio has been for the last three or four years presenting his indictment not only against the bills providing for rivers and harbors, but against the system which has grown up with reference to the development of rivers and harbors." Then follows the statement made by the Senator from Minnesota to which I just referred:

> Mr. President, in answer to the kindly question of the Senator from Nevada, I beg leave to say that in a general way the Senator has expressed my sentiments. I have come to the conclusion that we could do much better work and should squander less money if we appropriated a gross sum and placed it in charge of a board of five or seven competent Army engineers with power to determine what improvements should be made, and where, in our rivers and harbors.

I pause long enough here to say that I differ with respect to the personnel of the commission. The recommendations which have been made by Army officers show that many of them were not competent, and that they failed to measure up to the high responsibilities which rested upon them. There may be something in the training of the Army officer that has not equipped him in the highest degree for this kind of service, but certainly, from my knowledge of the recommendations of the Army officers and the many projects that they have approved that ought to have been condemned, it would be a mistake in my opinion to have Army officers constitute the entire commission. I am not criticizing Army officers; they have their proper place and their proper function, but I should prefer for this work men from civil life—men whose experience is of a different character than that of Army officers. In the language of President Roosevelt, they "are necessarily unsuited by their training and traditions to take the broad view."

Proceeding with my reading from the remarks of the Senator from Minnesota:

> While a great many of the improvements we are making are fully justified in the interests of navigation, yet my observation has led me to believe that in a great many instances we really squander money. It is wasted on improvements that never ought to have been made, but what can we do? Representatives and Senators are clamorous; they introduce their bills, and it is utterly impossible to resist them. I think it would require almost supreme power to infuse a new spirit into Representatives and Senators, as well as into the American people, to bring about a reform.
>
> I think the work should first be started through our great newspapers and the magazines, from the pulpit, and along educational lines to infuse people with a new spirit, with less of the spirit of Mammon, so that we would all come to look upon this question just as we would if it were our own business.

The statement of the Senator from Minnesota constitutes a strong indictment of the present system. He states that in a great many instances we are squandering money. It is wasted on improvements that never ought to have been undertaken.

Let me pause here for the purpose of challenging attention to a situation that in part accounts for the defects and weakness of the method which has been followed. The Senator from Minnesota says:

> What can we do? Representatives and Senators are clamorous; they introduce their bills and it is utterly impossible to resist them. I think it would require almost supreme power to infuse a new spirit into Representatives and Senators, as well as into the American people, to bring about a reform.

It is embarrassing and perhaps may be regarded by some as improper to direct attention to the course pursued in securing appropriations for creeks and streams. But I submit that it is a fact with which we are familiar, that frequently the inhabitants of a district within the borders of which are rivulets or streams or harbors conceive the idea of obtaining a Federal appropriation for the improvement of the same. It may be that the streams are too small for use in carrying commerce, and that even if sufficiently large to bear boats or barges no use for commercial purposes would be made of the same. Nevertheless, there is a chance under the present system of obtaining money from the Federal Treasury to be expended in the district. Thereupon a movement is started. Some person who desires a contract to dredge the creek secures signatures to a petition, or he interests the local business or civic organizations, and soon petitions, resolutions, and memorials inundate Congress, and the Representative of the district or the Senators from the State are importuned to obtain an appropriation for the improvement of the so-called waterway. A bill is introduced in perhaps both the House and the Senate under which an examination of the project is called for and the necessary appropriation is made. In this way it becomes a part of the river and harbor bill. It is this that the Senator from Minnesota had in mind when he employed the language just read from his statement.

The Senator from Nevada, Mr. Newlands, continuing the discussion, stated:

> I call attention to the remarks of the Senator from Minnesota, who has long served upon the Commerce Committee of the Senate, who has had a large experience in the development of our rivers, who has served on committees that have made investigations of the Mississippi, the

Missouri, and other rivers, and whose experience has probably been as large as that of any Member of this body. He testifies to the ineffectiveness of the present system, and the Senator from Ohio [Mr. Burton] has also testified to it. * * * He said there has been lack of care in the selection of projects and lack of care in methods. He speaks of the ineffectiveness of expenditures already made, but he also speaks of the experimental side of this question as if we had to go through a further period of experiment before we could agree upon an effective system.

I called attention a day or two ago to the views of former Senator Burton and to his unqualified disapproval of our present river and harbor system. In 1913 Senator Burton denounced the present system as unsound and vicious and used these words:

For years we have been struggling under a vicious system of river and harbor improvements. For instance, the river and harbor bill of 1910 contained items favoring 296 out of the 391 congressional districts. This bill was a masterpiece of geographical distribution and a striking tribute to the cohesive power of legislative logrolling.

He *further* stated:

There are two ways of framing a river and harbor bill. The popular method of drawing a bill is to make such concessions to all the different States and localities that you will have an overwhelming support for the measure. The other method, and the right one, is to select those projects which would benefit the whole country and then finish them with promptness. The first method is irresistible. It will win every time—consult the wishes of the varied localities and projects of the country and they will all join together and pass a bill.

He also states that communities and individuals backed by the press constantly insist that large and frequently unjustifiable appropriations be made for local districts. He further calls attention to the evil effects of the existing system and gives numerous illustrations of waste resulting therefrom. He refers, as an example, to Red River in Louisiana, Arkansas, and Texas, upon which the Government had expended at that time more than $3,000,000. Notwithstanding this enormous appropriation prior to 1912, over the entire stretch of 476 miles below Fulton Harbor, the entire traffic consisted of but 10 tons of grain, 16 tons of provisions, 26 tons of fish, and 10 tons of ice. There were, however, some logs floated down the river, but more timber was floated before the improvements were made than at any time thereafter. In addition to more than $3,000,000 expended for improvements the river and harbor bill for 1912 carried an appropriation of $50,000 for the stretch of the river referred to. And, of course, annual appropriations therefor will be made notwithstanding the fact that the river serves no useful purpose. Every ton of merchandise and grain, which constituted the commerce for the year referred to, cost the Government $806. Two years before the extent of the commerce was 835 tons, 62 tons more than in 1912.

Mr. Woehlke, in an article appearing in the Technical World magazine for June, 1913, points out the defects of the present system and the waste of public treasure for the alleged development of inland waterways. He refers to the numerous and insignificant streams which have been the recipients of large appropriations at the hands of Congress, and points out that the appropriations were wasted; were mere "sops" to local communities and districts, and did not contribute to the development of commerce in any way. He calls attention to one stream in Texas which has cost a large sum and which calls for $25,000 annually to keep the mouth of the stream open. In 1911 there were only 3,063 tons carried upon this river. In Delaware a little rivulet received $88,000 for improvements on a 12-mile section, and this calls for an annual maintenance charge of $5,000. The average commerce was 10,000 tons, and this has decreased. Mr. Woehlke shows that upon this stream there "is a national subsidy of 7 cents per ton-mile." The average cost of moving a ton 1 mile by rail is just one-thousandth of this subsidy.

I have examined many hundreds of the projects which have received the approval of engineers and Congress upon which in the aggregate millions and tens of millions of dollars have been expended, and I do not hesitate to say that many of them were wholly devoid of merit, and that the appropriations made were improper and were a total loss to the Government. These projects found places upon river and harbor bills by the methods which have been so strongly condemned by ex-President Roosevelt, Senator Burton, and others, who have familiarized themselves with the plan pursued by the Government in dealing with rivers and harbors. I have stated, and the records are replete with facts supporting this statement, that a propaganda is carried on for the purpose of securing large appropriations from Congress in behalf of waterway projects both good and bad. Local communities join in this propaganda and clamor for large appropriations from the Federal Treasury. Members of the Engineer Corps seem to lend themselves to the propaganda and give encouragement to organizations formed for the purpose of obtaining Federal appropriations. Abandoned canals, which have proven to be worthless, are frequently unloaded upon the Government.

With the development of railroads, local canals that had at one time served local communities in a small way ceased to be used for any purpose whatever, but the Federal Government became the object of attack, and these abandoned and worthless projects became children of the Government, receiving constant appropriations, notwithstanding they served no beneficial purpose. Enterprising communities in various States saw opportunities of uniting little creeks by a series of canals and connecting waterways and carried on vigorous campaigns until the Government became the victim, and the doors of the Federal Treasury were opened and poured forth their treasures to consummate the schemes. Hundreds of insignificant streams, unknown even to the masses of the people of the States in which they were located, took on the importance of navigable streams, and after energetic campaigns had been conducted for a sufficient length of time, they found places in the archives of the Government and were denominated "inland waterways for interstate commerce purposes." Hundreds of creeks flowing but a few cubic feet of water per second, and in many instances flowing intermittently only, have become a part of the inland waterway system of the United States and have received in the aggregate millions of dollars from the Federal Treasury.

A perusal of the reports which have been submitted by the engineers show that in hundreds of instances there never has been and never will be any commerce upon hundreds of these streams, and that upon many others there was a greater tonnage carried before the Government improvements were made than thereafter. Indeed, it would seem from an examination of the thousands of pages of reports submitted that the commerce upon many, if not a majority, of the streams diminished as the appropriations increased. Many of the little creeks and streams, and indeed some of the large rivers, were used for the purpose of floating timber before any appropriations were made. As the quantity of timber along their banks diminished the use of the streams for any purpose grew less. The expenditure of large sums in dredging the creeks was of no advantage to commerce, because after the timber had been removed from the lands adjacent to the streams there was no "commerce" to be carried by the streams.

I called attention to the fact that there was an organization known as the National Rivers and Harbors Congress with headquarters at Washington, which has been an earnest propagandist in favor of enormous appropriations by Congress for rivers and harbors. This organization publishes its proceedings and boldly challenges attention to its purpose and its work. I have in my hand a volume containing the proceedings of the ninth annual convention of this organization, held in this city in 1912. On the first page, under the heading "Foreword," I read that one of the speakers, referring to the organization, stated that—

during its brief existence [it] has done so much for all river and harbor improvements throughout the country. Under its alliterative slogan of "A policy and not a project" it has assisted in creating a sentiment in favor of that class of work which is Nation-wide in its range and all but irresistible in its force. Legislators recognize its influence and political parties feel and yield to its power.

In examining many of the reports of the annual proceedings of this organization I find constant reference to the important work of this organization and its success in molding public sentiment and obtaining appropriations for the inland waterways of our Nation. One of the speakers in the ninth convention stated:

We must keep friends with the members of the Rivers and Harbors Committee, because it is to them that we must look to carry out our suggestions.

It is not uncommon for Army officers who are connected with the Engineer Department to address these conventions. I have before me an address delivered before the National Rivers and Harbors Congress, December 7, 1911, by Brig. Gen. William H. Bixby, Chief of Engineers. It was presented to Congress later and printed as Senate Document No. 549. In the course of his address he referred to the fact that he had addressed the Congress the preceding year. He then states:

The work of your association last year undoubtedly aided very decidedly the passage of the river and harbor bill last winter, and has made it much easier for the Federal Congress at its present session to continue its now practically adopted policy of annual appropriations for river and harbor work. I advise, however, that you continue your energetic efforts in the further education of the general public to the advantages of river and harbor improvements to the desirability of securing appropriations of funds in such amounts and at such times as will insure a businesslike prosecution of such improvement work until it is accepted as just as much a necessity to the whole country as the Postal Service.

USEFULNESS OF COMMERCIAL ORGANIZATIONS.

I feel in duty bound to urge upon you again this year, as last year, the desirability and even necessity of your giving active, energetic encouragement to the establishment or further development at each large water-front town or city of a live, active, progressive, commercial club or chamber of commerce, or its equivalent, devoted to business ob-

jects such as those which concern your association. In such matters your work can best be done by each individual in his own home city. Such commercial organizations should accumulate a solid array of facts, as well as arguments, which can be used by Engineer officers having to report upon the advisability of proposed improvements, and be given also by you to your local Congressman for use before the committees of the Federal Congress, when the latter are considering and deciding upon the appropriations to be actually made.

I call especial attention to the plan which Gen. Bixby advises. He suggests that the organization continue "energetic efforts" in the further education of the general public to the advantages of river and harbor improvements, to the desirability of securing appropriations of funds in such amounts, and so forth. The general appreciates the importance of organizations, and, as will be observed, he urges, as he had done the preceding year, the necessity of giving active, energetic encouragement to the establishment or the further development of active progressive commercial clubs and chambers of commerce or their equivalent. He further urges that local organizations should accumulate a solid array of facts as well as arguments which can be used by engineer officers having to report upon the advisability of proposed improvements and be given also by you to your local Congressman for use before the committees of the Federal Congress when the latter are considering and deciding upon the appropriations to be actually made. Mr. President, this address of Gen. Bixby may be considered by some as within the line of his duty. I refrain from making such comment as in my opinion its character calls for. It, however, does illustrate one thing; that is, that the engineers exhibit a remarkable interest in promoting projects. The subtle suggestion will not be overlooked that efforts must be made to prepare for the Engineer officers who have to report upon the advisability of entering upon the projects called to their attention. It is manifest that this advice of Gen. Bixby has not fallen upon deaf ears. It is not surprising when the Chief Engineer urges organizations, local as well as others, in order that they may be ready to present to subordinates of the general reasons why creeks and rivulets and streams should be developed at the expense of the Federal Government, that individuals, towns, cities, counties, civic and business organizations, should clamor for enormous appropriations from the Government to be spent within their districts. It is not to be wondered at that engineers going into a district to examine some little stream should be impressed with its importance and with the wonderful possibilities of commerce. It is a matter of common knowledge that exaggerations, grotesque and fantastic, abound to produce governmental appropriations upon unimportant and unknown streams and creeks.

I recall reading something of the campaign conducted for the development of what is known as the Hennepin Canal. There have been expended upon this canal more than $8,000,000. The Senator from Illinois [Mr. SHERMAN] honors me with his attention, and I venture to state in his presence that this money expended in his State has been a complete waste. However, the Army officers, engineers, and others interested in securing large appropriations from the Government engaged in the wildest campaign for the purpose of having the Government adopt this as a national project. The claim was made that it would connect the Great Lakes and the rivers of Illinois with the Mississippi, and that millions of tons annually would be carried, to the great benefit of the country. In examining the report I find that the representations made were untrue; that the advertising campaign was shameful and misleading; and that the canal has served no useful purpose.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Utah yield to the Senator from Illinois?

Mr. KING. I yield to the Senator.

Mr. SHERMAN. I wish to state to the Senator, in connection with his reference to the glowing prospects promised for the Illinois-Michigan Canal, commonly known as the Hennepin Canal, that if such a prospectus had been issued by any private enterprise and I had sold "blue-sky" stock on such a prospectus, I would be doing penal servitude in the penitentiary.

Mr. KING. That is an illustration, Mr. President, of this beneficent (?) system. According to the Senator from Illinois, those engaged in promoting this scheme to secure millions from the United States Treasury made such representations that had similar ones been made with respect to some private enterprise they would have violated some criminal statute, and the punishment might have been a few years in the penitentiary. How many more appropriations have been secured under like conditions and like circumstances?

I find that Gen. Bixby also delivered an address to the National Rivers and Harbors Congress on December 8, 1910. He again urges the congress and local communities to activity for the purpose of securing appropriations. He says:

In other words, you have before you, as a natural duty, the development of a strong public opinion in favor of waterway improvement up to its economical limits, and the transmission of such opinion to your Congressman in such tangible form that he can use it efficiently on the floor of Congress.

The Army Engineer Corps is already guaranteeing an economical and advantageous expenditure of the amounts appropriated, and recommending projects of undisputed worthiness, and Congress will assign the appropriations you desire just as soon as you convince Congress as a whole that such appropriations are not only desired but are urgently needed in the public interest.

Your congress, in connection with its affiliated local associations, has already aroused a strong public interest and opinion in the matter, but it still remains for you to furnish solid arguments and good reasons in tangible form for use in debates. What is needed from you is not mere opinions, but a solid array of facts as to existing products demanding transportation, as to factories demanding encouragement by better transportation, as to comparative rates of rail and water transportation in places needing help, as to the reasons why available existing water routes are not used, and suggestions how the terminal facilities now absent, though much needed, can be guaranteed to future shippers, and a multitude of related facts and suggestions of a business nature and of a political economical nature which can only be secured by the establishment on each river and harbor and at each large water-front town or city of a live, active commercial club devoted to business objects rather than to mere social pleasures. The existing enthusiasm of your association might easily work wonders in such directions if properly directed upon each individual's home city.

I call attention to the manifest purpose of the general to secure strong organizations in favor of appropriations from Congress. He speaks about arousing a strong public interest and opinion in favor of waterway improvement and "the transmission of such information to the Congressmen." Reference is made to affiliated local associations, and the organization which he is addressing is declared to have aroused in connection with its affiliated local associations "a strong public interest and opinion in the matter." It is to be noted that the general perceives that there are water routes that are not used, and it is apparent that he is eager for appropriations in order that they may be "developed." He calls attention to a fact that there are waterways that were once used but now abandoned, and urges that steps be taken to bring them back into use. He again emphasizes the necessity of having active commercial organizations in the various districts, and "existing enthusiasm is expected to easily work wonders (to secure appropriations) if properly directed upon each individual's home city." It is clear that this is an invitation for the National River and Harbor Congress to bring pressure, directly and indirectly, by organized effort or otherwise, upon each individual Congressman where there is a stream or creek that it is conceived may possibly be developed. It is not to be wondered at that, in view of the suggestions made by the Chief Engineer of the rivers and harbors, there is pressure brought upon Senators and Congressmen and demands made for appropriations to be expended within their districts and States. It would seem that there is an organized effort, boldly and openly declared, to influence Congress and to procure Federal appropriations. It is recognized that communities, left to themselves, would not conceive of the possibility of securing appropriations for insignificant streams and creeks rising and sometimes sinking within their districts; but, of course, with a campaign being carried on of the character suggested by the Chief of Engineers, local interest can be very quickly stimulated. The people of a local community can be made to appreciate that the expending of a few hundred thousand dollars upon a little creek will be of advantage to them. It will afford employment to a number of people and will furnish one or more customers to the merchants in the neighborhood. And so, Mr. President, projects find their way into the river and harbor bills through the devious course suggested in the address of the Chief Engineer.

Several years ago, by act of Congress, a National Waterways Commission was appointed consisting of seven Members of the Senate and five Members of the House of Representatives. This commission was required to investigate questions pertaining to water transportation and the improvement of waterways and to make recommendations to Congress. In January, 1910, it submitted a preliminary report which was included as a part of the final report presented to Congress in 1912. Among the questions considered by the commission was "the reasons for decline in inland waterway transportation." The commission recognized the imperfection of the plan under which Congress had made hundreds of millions of dollars of appropriations for the development of rivers and harbors, and in the report it refers to the "manifest decrease in water-borne traffic on the majority of the rivers and inland waterways of the country." Notwithstanding the enormous appropriations made for the purpose of stimulating commerce upon the inland waterways, the commission's report shows the absolute decrease upon many of the streams and a material falling off with respect to others. Among the streams referred to by the commission were the following:

Upper Mississippi, where the decrease in traffic between 1889 and 1906 was 85 per cent; the Illinois River, between the two

periods, showed a decrease of 41 per cent; the Missouri River and other tributaries above St. Louis, 49 per cent; the lower Mississippi River system showed a decrease, between the periods referred to, of 59 per cent.

The commission referred to some of the important factors causing a decrease of the water-borne traffic and emphasized the advantages which railways have in competition with water routes. The fact was also pointed out that improvements upon inland waterways have been urged for the purpose of lowering railroad rates, and the commission states that the argument has frequently been made that even if the river channel should not be used at all it would be profitable to spend money solely for the effect upon rail rates. This view the commission regards as a transparent fallacy, and invites attention to the fact that railways do not constitute an uncontrollable monopoly which can not be reached by legislation and other orderly and legal methods, and condemn the theory that it is necessary in order to secure lower railroad rates that expenditures of large sums of money be made upon streams within our country which will thereafter remain wholly or partially unused. There is no question but what the many streams and creeks upon which millions and tens of millions of dollars have been squandered were selected for alleged waterway improvement, for purposes other than to be used in the interests of commerce; and the reason why so many of them never have been used and never will be used, notwithstanding the expenditures made upon them, is because they were never adapted for commerce and it was never expected that they should be employed for that purpose. The commission invites attention to the fact that there has been a lack of cooperation upon the part of business and local communities with the Federal Government in the development of waterways. One of the principal experts used by the commission was Mr. E. O. Merchant, and the commission inserts in their report as an appendix a paper submitted by him which discusses in a full and comprehensive way some of the problems of water transportation. In the concluding pages of this paper Mr. Merchant states that appropriations should not be made for promoting navigation unless they bear some relation to the benefits to be derived. He says:

It is unwise to make a $1,000,000 improvement where only a few thousand tons of traffic are in sight.

He urges that a classification of existing projects be made so that those whose improvement is most needed and will result in a prompt increase in traffic should be undertaken and completed first. He states that various plans have been suggested for the purpose of securing "the better administration and coordination of waterway improvements in this country" and refers to the fact that the commission recommended that a permanent commission be established for this purpose. Mr. Merchant condemns the policy of improving waterways not for the purpose of securing means of transportation but for the purpose of reducing railway rates.

Senators have heard, perhaps not in the debate upon this bill but upon many other occasions, that the Government should spend money upon its inland waterways for the purpose of securing better railway rates. Both the commission and Mr. Merchant denounce this view and state that experience has condemned it as fallacious and unsound.

Mr. Merchant states:

Experience has demonstrated that waterways can not be relied upon as the great cheapeners and regulators of railway rates which they once were supposed to be. The railways have demonstrated their ability to control or crush out water competition unless prevented by proper legislation. The reduction of railway rates at river points results in a maladjustment which is not beneficial to the country as a whole. No European country uses its waterways to control railway rates. That is accomplished by the proper administrative bureau of the Government, and the waterways are improved with the idea of securing additional means of transportation. Until we adopt the same policy in this country the money expended for the promotion of navigation will result in little benefit. The waterways can not be used at the same time as means of transportation and as a regulator of railway rates. One use necessarily eliminates the other. If railway rates are reduced, the waterways lose their traffic, the capital invested in shipping is withdrawn, the equipment is allowed to deteriorate, and the additional means of transportation is lost to the public when a congestion of traffic occurs and the rivers are especially needed for the movement of freight.

Mr. President, I have here the statements of many persons who have given attention to the development of our inland waterways as well as the harbors of our country, but I will not take the time of the Senate to read from them. It is sufficient to say that there is almost universal condemnation of the present plan of our Government in dealing with this important question. Attention is repeatedly called to the fact that some scientific and comprehensive plan must be adopted before there can be a proper development of the rivers and harbors of the United States. The present plan, it is contended, produces what the public denominate "pork-barrel" appropriation bills. Writers and speakers constantly associate river and harbor bills with the bills passed for post office and other public buildings. The manner in which public-building bills have been prepared has been a national scandal. It has offended honest and patriotic people in our country. Millions of dollars have been squandered in buildings not required by the Government. The term "log-rolling" and the word "trading" are frequently employed in the literature treating of river and harbor and public-building bills, and the charges are constantly reiterated that bills of this character are passed through Congress under circumstances and conditions that do not square with the ethics which should control honest and just legislation. Literature upon our waterways also refers to the "piecemeal" plan under which projects have been developed and completed. In view of the practically well-nigh universal disapproval, and indeed the condemnation of our Government's policy in dealing with rivers and harbors, I have been surprised at the tenacity with which Congress has adhered to a discredited, defective, and archaic plan. Efforts which have been made to secure reforms have proven abortive. It seems well-nigh impossible to effectuate legislative reforms. Senators will recall the words of the distinguished Senator from Minnesota [Mr. NELSON] which I quoted a few moments ago, wherein he stated, after showing the manner in which these appropriation bills are formed,

What can we do? * * * I think it would require almost supreme power to infuse a new spirit into Representatives and Senators as well as into the American people to bring about a reform.

For years Senators and Representatives as well as students of the water transportation problem have recognized the imperative necessity of a reform, of a change in developing and improving waterways, but it has been impossible to secure such reform. The denunciations of the press, the criticisms from all parts of the country, the commendation given to such successful efforts—all these have not been sufficiently potential to change the present system, condemned, discredited, and denounced.

Senator Newlands, in speaking of the method after condemning the present system and by way of reply or rather supplementing the statement of the Senator from Minnesota, said:

Why should the Senator from Minnesota be compelled to come here to Congress with this specific project and ask our assent? Why should any Senator or Representative be compelled to come here with reference to every project of this nature when by general legislation we can provide for cooperation between the Nation and the States and provide a fund under which that cooperation may be accomplished? Why should the time of the Congress of the United States be taken up in the constant discussion of individual projects here and there all over the United States, which may be multiplied indefinitely if we once enter upon the question, when by turning the matter over to a competent board, with ample funds, as we did the Panama Canal and the reclamatory work, we will secure not only more effective results but more speedy results?

Mr. President, from the huge pile of reports and documents which I have before me, I picked up at random a few moments ago a river and harbor bill approved March 4, 1915. From page 7 to page 15, inclusive, I notice several hundred new projects placed in the bill for examination and for the development of which doubtless it was hoped by Congressmen and Senators appropriations would be made.

Under the plan of preparing these bills a Senator or Representative doubtless received petitions from some district in their State or from some commercial organization or municipality asking an appropriation for the improvement of some little creek or stream. Thereupon a bill was introduced providing for an examination of the same and in some instances, as I understand, asking for an appropriation. The substantial feature of the bill found its way into the appropriation bill, and the engineers having the expenditure of the appropriations and charge of the rivers and harbors were to make an examination. Senators will recall the words I read from the message of President Roosevelt, wherein he stated that these engineers are "unsuited by their training and traditions to take the broad view and to gather and transmit to the Congress the commercial and industrial opinion and forecasts upon which waterway improvement must always so largely rest."

I submit that a careful examination of the thousands of projects favorably reported upon by the engineers justify in every respect the criticism by President Roosevelt.

I submit, further, that in too many instances local influences sway the judgment of those sent to make the examination and lead to egregious blunders and to the commission of positive wrongs against the Government. If I had time I could call attention to pages of testimony showing that engineers when they came to make examinations would be met by delegations, and they would be feted and banqueted. Of course, the purpose was to secure a favorable report upon some little stream or

creek which it was hoped would receive immense appropriations from the Federal Treasury. It is human nature, of course, to present as strong a case as possible to the representatives of the Government. Accordingly the delegations and local representatives would depict in glowing terms the scenic beauties of the district, the enormous commerce that would be developed, the latent possibilities of the territory through which the little creek flowed, and indeed everything that the local Demosthenes could state with all of the embellishments that those seeking the appropriations could devise were urged in behalf of the appropriation sought.

It is needless to state that campaigns of this character too often become resistless, and any opposition is swept away as by a mighty rising tide; and so a recommendation would be made by the engineer and another so-called "project" would thus be added to the long, long list of rivers and harbors and creeks and rivulets and streams which we find in appropriation bills and which have taken from the Public Treasury nearly a billion dollars.

Mr. RANSDELL. Will the Senator permit a question?

Mr. KING. I am very glad to yield.

Mr. RANSDELL. I have before me the report of the Board of Engineers for Rivers and Harbors, appearing on page 2003 of the Engineer's report for 1918. That report shows that the bill to which you refer—the bill of March 14, 1915—contained orders for 219 surveys. Two hundred and three of the 219 had been reported on up to the 30th of last June. Forty of those were favorable and 163 were unfavorable. Nineteen and seven-tenths per cent of the whole were favorable. All the balance were turned down.

Mr. KING. I am very glad to learn that the engineers who made these examinations had the discriminating judgment to turn down the number which the Senator says——

Mr. RANSDELL. That is the official report.

Mr. KING. I am calling attention to the act of 1915 to show the method employed in framing these bills. I ask the Senator from Louisiana how these 219 items got in the river and harbor appropriation bill for 1915?

Mr. RANSDELL. I imagine they were put in on amendments introduced into the House and into the Senate by Representatives in Congress and Members of the Senate, and I imagine that those Senators and Representatives made very strong claims before their respective Houses, advocating the projects that they wanted to have surveyed. I have no doubt the constituents of the Senators and Representatives appealed to them and insisted that the project ought to be improved; and acting on the information furnished by their constituents they had the survey ordered. But in more than 80 per cent of the cases the constituents proved to be wrong, and the engineers in spite of all the banquets to which the Senator alludes, in spite of all the scenic beauties shown them, turned down over 80 per cent of these surveys.

Mr. KING. Will the Senator assure this body that they are not like Banquo's ghost and will not rise again?

Mr. RANSDELL. It is the custom in the Senate and in the House not to order a resurvey for at least six or eight years after one has been made. Of course conditions might change. We have a very rapidly growing country, and commerce might develop very rapidly in some neighborhoods, a great mine might be developed, or a tremendous lot of sawmill industries, or something of that kind, and a big commerce would probably be developed which would necessitate that they should make a resurvey inside of seven or eight years, but ordinarily we would wait a good while before we ordered another. That is the rule.

Mr. KING. The statement of my friend corroborates what I have stated, that the present system permits and indeed practically requires Senators and Congressmen responding, as my friend admits, to the importunities or petitions of constituents to introduce bills in their respective bodies calling for appropriations to be expended in the districts represented by the petitioners.

Mr. RANSDELL. The Senator criticizes that system, but I respectfully urge that he has not pointed out a better.

Mr. President, it is right hard to construct and very easy to pull down. The argument of the distinguished Senator from Utah reminds me of a story I once heard. I will illustrate it. The illustration will not be very long. I shall not take much time.

Mr. KING. My purpose is to conclude this discussion as soon as possible.

Mr. RANSDELL. A great author said that the argument of a number of people trying to pull down the Christian religion reminded him of the power of a 5-year-old boy armed with a sharp hatchet and placed on a ladder before a masterpiece of Michelangelo. It is the power of that baby to destroy. He, an infant only 5 years old, could cut it in pieces in five minutes and do absolutely nothing to replace the great masterpiece which money can not buy. There never was but one Michelangelo, there probably never will be another, but this little baby could completely destroy that wonderful masterpiece by being placed before it and given a hatchet.

Now, I say to the Senator that we have to do something to develop our waterways. We have got to develop our transportation system. We have had these waterways. The God of Hosts gave them to us. We used them for thousands of years before there were any railroads. They have been the cheapest of all known means of transportation and certainly the Senator would not argue that we ought not to use these waterways.

Now, as we ought to use them, and the Senator criticizes the present system, I submit in all fairness it is his duty to offer a better system. But he has not done that. We ought to get something better before we continue to criticize and destroy what we have. We have all done the best we could, I know. I see Senators around me who have been here for 15 or 20 years. They have been trying to get some things better and I believe gradually we are getting things better. If we could find a better method I for one would like to adopt it in this bill.

Mr. KING. The suggestion made by the Senator that if I become an iconoclast and attempt to destroy a system I should submit a better one is fair and legitimate argument and calls for a fair and honest reply, and before concluding my remarks I shall attempt to point out a better plan, although in what I have heretofore said I submit that this has already been done. I want to add, however, by way of parenthesis, in reply to the statement made by the Senator, that we have waterways and that "the God of Hosts gave them to us"; that he and the proponents of the present system of developing the streams of our country are trying to defy the Master Builder of whom he speaks. I beg that I shall not be considered sacrilegious in replying to the Senator's statement, but it is manifest that those who are attempting to convert little rivulets and insignificant creeks into streams to carry upon their bosoms the commerce of the land are ignoring all physical conditions and established and acknowledged laws limiting the activities and conduct of man. These efforts defy nature and can not result otherwise than in waste, willful and profligate. To expend huge sums in dredging and in constructing locks and dams and canals, as has been done in hundreds of cases, is wholly unjustifiable, and in my opinion can not be defended. Local communities in absorbing the money taken from the Treasury derive a temporary profit, but the interests of commerce are not subserved, and the taxpayers and the Government are robbed.

Mr. SMOOT. Let me suggest to my colleague that there may be only one great artist, as the one referred to by the Senator from Louisiana, but there will be more than one river and harbor bill.

Mr. RANSDELL. I hope so.

Mr. FLETCHER. Mr. President——

Mr. KING. I will yield to the Senator from Florida in a moment. No matter how wonderful the river and harbor bill now under discussion may be, it can scarcely be said by its most enthusiastic supporters that it bears any resemblance to the immortal productions of Michelangelo. His genius has never been surpassed, and in sculpture and in painting he reached the highest levels of art and beauty. As long as men love the beautiful and the sublime, they will worship at the shrine of Michelangelo and glorify his immortal achievements. But the river and harbor bill, both this one and its predecessors, if the Senator will pardon me, seems to me to be wonderfully human, singularly finite, and manifest the multitudinous imperfections and frailties to which flesh is heir and human wisdom is subject.

Mr. RANSDELL. If the Senator from Florida will allow me, the Senator from Louisiana did not intimate that it was the work of Michelangelo, but he did try to show that even in a matter of that kind the man who destroys ought to offer something better. The man who wanted to pull down the beautiful Christian religion which gives so much happiness and comfort to people could do no more to replace it than the little baby of 5 could do to replace the beautiful masterpiece.

No, I am not pretending that this river and harbor bill is anything very magnificent. I think it is full of defects. I would like to see it better. I will say to the Senator, if I had my way I believe I could write a better bill. But I have not had my way. I have gone on with the restrictions of legislation to which all of us have to submit, and I have done the best I could, assisting in my humble way. Again, I submit the man who wants to destroy that which has grown up here in the last

40 or 50 years, the best system we could evolve in 40 or 50 years, ought to suggest something better.

Mr. KING. May I ask the Senator one question? Is it not a fact that the way he would improve the present bill would be by appropriating more money?

Mr. RANSDELL. I would appropriate perhaps more money now, but I would bring it to a close. I would take the Ohio River, for instance, and find out what an engineer, like Gen. Sibert, said would be enough to finish it, and I would apply to the Ohio River exactly the same system that we applied to the Panama Canal. We told the engineers, "Here, we have the Panama Canal. Go there and bring it to a close as quickly as possible under the most scientific method you can apply and send us the bill." That is what I would do. I would authorize these engineers when a great project was adopted to finish it, and be businesslike. It would take a great deal less money in the long run, I would say. But we are approaching that, let me repeat.

Now, take the Delaware River. It is a great project. It is connected with a great city. The engineers said they can not use advantageously more than the amount of money we are giving them in this bill. They had to their credit between four and five million dollars, and we are giving them an additional million dollars. The work on the Delaware River has to be done with dredges. It has to be done with human means. It takes a certain number of laborers and a certain number of very extensive mechanical appliances known as dredges to move the material out, and they can not use in the coming year more than the $5,000,000 which they have. Now, why give them any more?

I will say to the Senator we are approaching as near as possible this ideal condition which he and I both wish to reach. On the Ohio River they had $8,000,000, which they have, plus the $3,000,000 we are giving them in this bill, making a total of $11,000,000, which will be about all they can advantageously expend in one year, and as we are having annual river and harbor bills we will give them only what they can expend in a year. That is all they need. That is the process.

Mr. KING. The Senator from Florida rose, and I yield to him.

Mr. FLETCHER. The Senator suggested that Congressmen and Senators press upon Congress for appropriations for the projects he mentioned—201 bills, he said.

Mr. KING. The Senator will pardon me. I asked the Senator from Louisiana how those items got in the bill and, as I understood him, his reply was that Senators and Congressmen at the request of their respective cities and districts introduced bills and those bills found an outlet, if I may be permitted the expression, in this bill.

Mr. FLETCHER. That is quite true, but the point I make, and the Senator from Louisiana is entirely correct about it, is that those bills do not call for an appropriation at all. They simply call for an investigation, that is all, and merely ask that the engineers may survey and investigate and make an examination into projects. They do not ask for an appropriation right out; they do not even recommend an appropriation; they simply provide that Congress shall authorize the engineers to make an investigation of the project.

Mr. KING. I am aware of that fact, not only because of this bill but I had read many of the reports that had been submitted with respect to these projects. But the point I was going to make when I invited attention to this bill was that it was difficult to emancipate ourselves from the traditions and the systems of the past. The old tradition was and is, and the old plan was and it is still adhered to, that Senators and Congressmen will introduce bills for the purpose of having some project examined, and under the present plan those projects, meritorious or otherwise, find some official recognition. They find their way into bills and examinations are made and engineers are sent to examine them, and they are amenable to whatever influences, whatever conditions, surround them when they reach the places where the examinations are to be made. The result is that there have found their way into appropriation bills hundreds of projects which experience has condemned as unworthy, as not possessing merit, and as not being necessary for the commercial needs of the people, either State or National.

Now let me call attention to some of these items in the 1915 bill. I admit, as the Senator said, that the majority of them did not finally receive appropriations, but it illustrates the method, the plan that has been pursued in the past, and this plan hangs upon us and binds us as with chains that can not be broken. The clammy hand of the old past rests upon us and we seem unable to remove it and adopt a rational, living, scientific plan, one that commends itself to the judgment of honest, intelligent, and fair-minded men.

Mr. RANSDELL. Will the Senator permit me to state just a little fact in connection with what he has there?

Mr. KING. I shall never get through if the Senator interrupts me so frenquently.

Mr. RANSDELL. I simply want to show in connection with this bill of 1915, to which you alluded, that it contained 219 projects. You were proceeding to discuss it, and I showed you the report indicated that 19.7 per cent of them were favorably reported. Gen. Taylor, the Assistant Chief of Engineers, tells me that out of 310 surveys acted on unfavorably under the bills of 1913 and 1915, the one which you have in your hand, I believe, and 1916, 255 went no further than a preliminary survey and a very slight preliminary examination; that over 82 per cent were reported on adversely upon the preliminary survey. I simply wanted the Senator to have that fact in discussing the matter.

Mr. KING. I remember the former statement made by the distinguished Senator, and I have no reason to challenge it; and, indeed, I would not when my friend states something as a fact, because I know he is especially buttressed with respect to whatever he states concerning rivers and harbors. But let me call attention to some of these great (?) streams that have been discovered and given life in the river and harbor bill.

The Coosa River; St. Lucie Inlet; mouth of the Cape Neddick River; Belfast Harbor; Indian Creek, Merrimac River; Mystic River—I will not pause to comment upon the name which is suggestive of many things; Point Judith Pond; Shetucket and Quinebaug Rivers; Tuxis Island; Quinnipiac River; Mill River; Morris Cove; and another Mystic River—and we will reach Mystery River pretty soon.

Mr. KENYON. Are there two Mystic Rivers?

Mr. KING. Apparently. One Mystic River is in Massachusetts, I think, and as to the other, I have not yet discovered just where it is.

Mr. KENYON. That is the mystery.

Mr. KING. The Sebethe River, from its mouth to a point at or near the city of Bristol, and a canal from a suitable point on the Sebethe River to New Britain, Conn; Farmington River; Harbor of Refuge at Duck Island; Rouse Point Harbor; Pugsley Creek; Newark Bay; Shrewsbury River; West Creek, N. J.; Adams Creek, N. J.; Forked River, N. J.; Dividing Creek, N. J.; Pensauken Creek, N. J.; Patapasco River; Smith Creek; Nanjemoy Creek; Knapp Narrows; Piscataway Creek; Pagan River—we will come to Heathen and Mythology Rivers soon; Little Wicomico River; Neuse River; Shallotte River; South Fork of Edisco River; cut between Bailey's cut of the Satilla River and the head of Dover Creek; and so on, page after page. Mr. President, of these unknown, many of them unknowable, creeks and rivulets and streams that were presented for consideration at the hands of the Senate of the United States and of the House of Representatives.

In this same bill I find that a number of projects upon which large sums of money were expended were recognized as so unnecessary that the engineers are directed to make reexaminations with a view to their abandonment. I have made some investigation, but have been unable to ascertain whether the reexaminations were made. Mr. President, it will be a difficult thing to throw off any of these unworthy and wasteful projects. They are like vicious and blood-sucking parasites. They will adhere to the Government, extracting from the Public Treasury until the public conscience is aroused to the folly and wrong of this indefensible system.

I invite attention to the river and harbor bill approved August 8, 1917. It contains several pages of new projects. I have not had time to count or examine them in detail, but from such a hasty examination as made, I believe I am safe in saying that there are considerable more than a hundred. I notice among them such mighty streams as Sterling Basin, Kill van Kull (New York), Harbor of Silver Lake, Ocracoke Island (North Carolina), Smiths Creek, Broad Creek, Queens Creek, Northeast River, Little River, all in North Carolina; Bohicket Creeks, Church Flats, and Lynchs River, S. C.; also Banana Creek, Indian and Halifax Rivers, Withlacoochee River, Lake Worth Inlet, Peace River, Braden River, Hillsboro River, Fla.; Bayou Tigre, also the construction of a waterway to connect Atchafalaya River and Bayous Courtableau, Teche, and Vermilion, Bayou Dorcheat, Bayou Terrebonne, Bayou Lacassine, Bayou Chene, Shallow Bayou, all in Louisiana.

The bill which is now being considered contains 70 new projects, and I make bold to predict that before it leaves the Senate others will be added by way of amendments. As I recall, the Army engineers, keeping in view the condition of the Treasury and what might be denominated the necessities of the war, asked for $12,000,000 only for the coming year. When the bill left the House it carried $26,939,344. Of this amount, $2,934,000 were

for maintenance, $15,077,500 for continuing the improvement and maintenance; for surveys and contingencies, $150,000, and for new projects $8,768,844. The bill now comes to us from the Senate carrying appropriations amounting to $32,702,364. It will be seen that the Senate has increased the number of projects and has also increased the amount of the appropriation. I respectfully submit that the amount carried by the bill is not justified under the present conditions. I contend that there are many items in the bill wholly unworthy and that a large portion of the amount appropriated will prove of no advantage in developing our waterways and, indeed, will be wasted. The heavy drafts made upon the Treasury of our country by reason of the war are not taken into account. The spirit of economy which now, more than at any other time, should guide the conduct of the National Legislature is not reflected in any of the pages of this bill. I do not desire to harshly and unfairly criticize this bill and the many items therein, but I do most earnestly insist that we would be better serving the country if the appropriation carried in this bill was limited to $12,000,000. Senators will bear in mind that there are approximately $45,000,000 now in the hands of the Secretary of War for the purpose of being expended during the coming year in river and harbor improvements. This amount, together with the $12,000,000 which I have suggested, will be all that can be economically and prudently expended during the coming year.

I appreciate that any attempt to reduce the appropriation will fail. It would be a most remarkable thing—a course which would be deemed miraculous—if any item in a river and harbor bill were eliminated or reduced. I have made some examination, with a view of ascertaining whether there had ever been a reduction in the amount carried in a river and harbor appropriation bill after it had been reported to either the House or the Senate, and my recollection is that in every instance the bill left the House or the Senate calling for a larger appropriation than that provided when it first appeared in the House and when it first reached the Senate. Appeals for retrenchment and economy meet with deaf ears now, and the appropriation bills that we are considering carry sums so huge and amounts so enormous as to terrify every thoughtful American. If appeals are made for reductions they fall upon deaf ears. The wine of war is still in our veins, and the huge sums which the war demanded produced such intoxication that apparently we still suffer from its effects. I have upon a number of occasions appealed to the majority party in the Senate to live up to the traditional record of the party, and in the face of insistent demands for appropriations to resist the same and stand for economy in every branch of the public service.

If time permitted I should like to call attention to hundreds of the projects provided for in river and harbor bills to millions and tens of millions of dollars that have been expended, and to demonstrate from the official reports that the money expended has been wasted and that the streams upon which it was spent serve no useful purpose and carry no commerce; but, notwithstanding this record which rises up in condemnation of the plan we are pursuing, we still adhere to the same. Senator Newlands devoted his splendid talents to reform this discredited and archaic system under which we were operating. He hoped that under the amendment to the river and harbor bill approved August 1, 1917, a change in the plan might be effectuated. Senators will recall the amendment, which is as follows:

SEC. 18. That a commission, to be known as the Waterways Commission, consisting of seven members to be appointed by the President of the United States, at least one of whom shall be chosen from the active or retired list of the Engineer Corps of the Army, at least one of whom shall be an expert hydraulic engineer from civil life, and the remaining five of whom may each be selected either from civil life or the public service, is hereby created and authorized, under such rules and regulations as the President may prescribe, and subject to the approval of the heads of the several executive departments concerned, to bring into coordination and cooperation the engineering, scientific, and constructive services, bureaus, boards, and commissions of the several governmental departments of the United States and commissions created by Congress that relate to study, development, or control of waterways and water resources and subjects related thereto, or to the development and regulation of interstate and foreign commerce, with a view to uniting such services in investigating, with respect to all watersheds in the United States, questions relating to the development, improvement, regulation, and control of navigation as a part of interstate and foreign commerce, including therein the related questions of irrigation, drainage, forestry, arid and swamp land reclamation, clarification of streams, regulation of flow, control of floods, utilization of water power, prevention of soil erosion and waste, storage, and conservation of water for agricultural, industrial, municipal, and domestic uses, cooperation of railways and waterways, and promotion of terminal and transfer facilities, to secure the necessary data, and to formulate and report to Congress, as early as practicable, a comprehensive plan or plans for the development of waterways and the water resources of the United States for the purposes of navigation and for every useful purpose, and recommendations for the modification or discontinuance of any project herein or heretofore adopted.

Mr. VARDAMAN. That is the Newlands bill.

Mr. KING. As the Senator suggests, that is what is known as the Newlands amendment to the river and harbor bill of 1917. Senator Newlands had for years attempted to have a broad, scientific, and modern plan adopted of dealing with the harbors of our country as well as the streams over which Congress has jurisdiction. President Roosevelt had urged a "new type" of work for our rivers and harbors, "a new type of work and a new organization." He insisted that there should be a modern way of dealing with water transportation to meet the ways of a "modern nation." I think it is a matter of common knowledge that Senator Newlands had impressed upon President Roosevelt, as well as other leaders in public thought, that a change in dealing with the problem of water transportation was imperatively needed. Senator Newlands had repeatedly offered in Congress measures—broad, sweeping, and comprehensive in their terms—which would have brought about reforms. The amendment which I have just read, offered by Senator Newlands, was a preliminary step to the consummation of his masterful plan. Senators will recall that a number of commissions exist having to do with our rivers and harbors. There is a Mississippi River Commission, which was created by the act of Congress of June 28, 1879, which was charged by that act with the duty of completing the hydrographical survey of the river and its tributaries and to devise jetty and levee systems. The last report of the commission is dated July 24, 1918, and shows that it has expended more than $96,000,000.

In 1902 a Board of Engineers was created by Congress in the office of the Chief Engineer of the Army, and it had various duties to perform. By the act of March 3, 1909, its duties were extended to include the establishment of terminal and transfer facilities and develop the utilization of water power for industrial and commercial purposes, and so forth; and by the act of July 25, 1912, its powers were further amplified. The Secretary of War has control of the appropriations for the improvement of rivers and harbors, and he exercises authority through the Chief of Engineers and the Board of Engineers of the Army. Senators will observe that the Newlands amendment to the act of 1917 seeks to coordinate the activities of all commissions and contemplates the placing in the hands of the commission created by the amendment of all authority and the necessary power to deal with harbors and inland waterways and all cognate questions. I stated that this amendment was a preliminary step to the consummation of the broad plan which Senator Newlands had in view. As I understand, his plan contemplated that there should be appointed a board or commission which would have full and exclusive control under Congress of the harbors and of all streams subject to the jurisdiction of the Federal Government; that this commission should devise a plan to conserve the waters forming the streams of the country and their proper utilization for irrigation, navigation, and all proper purposes; that their plan should provide a scientific, rational, and comprehensive system for the improvement of such streams as were necessary in the interest of trade and commerce; that appropriations made by Congress should be expended by such commission, not as desired in the interest of any particular locality or district, but in consonance with the national, comprehensive, and modern plan worked out and approved and for the benefit of the people generally and in the interest of commerce.

Mr. VARDAMAN. Mr. President, I should like to ask the Senator if anything has been done by the President in the creation of the commission which this law authorizes.

Mr. KING. I regret to say that the President has not yet appointed the members of this commission. Of course, it is realized that the pressing responsibilities resting upon the Executive growing out of the war have occupied his time, and I have no doubt that he felt that this question, important though it may be, could be deferred until the war clouds had passed away, but I have no doubt but that in the near future a commission will be named.

I earnestly insist that the time has come when we should overthrow the archaic and wasteful plan which we have followed and adopt a wiser and a more rational one. I shall offer at the appropriate time an amendment to the pending bill which I sincerely hope will be adopted. The amendment is a substitute for the pending bill and is as follows:

That the sum of $12,000,000 be, and is hereby, appropriated for the fiscal year 1920, out of any money in the Treasury not otherwise appropriated, to be immediately available, to be expended under the direction of the Waterways Commission created by the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved August 8, 1917, for the necessary and proper construction, completion, repair, preservation, and maintenance of harbors, river channels, canals, embankments, levees, wharves, and water terminals, within the United States, its Territories and possessions.

SEC. 2. That the floating plant, consisting of dredges, barges, towboats, snag boats, and all other equipment under the control of the Mississippi River Commission and of the Chief of Engineers of the Army, is hereby

placed within the control, use, and possession of said Waterways Commission to carry out the provisions of this act.

SEC. 3. That the Mississippi River Commission created by the act approved June 28, 1879, and the Board of Engineers created by section 3 of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902, shall be abolished and terminated at the end of the present fiscal year, and that after the 30th day of June, 1919, said waterways commission shall become invested with all the powers and duties presently exercised by the Chief of Engineers of the Army, the Mississippi River Commission, and said Board of Engineers with respect to the maintenance and improvement of the harbors and waterways within the United States, its Territories and possessions.

Senators will observe that it calls for an appropriation of $12,000,000 only for the fiscal year 1920. This sum is to be placed in the hands of the commission created by the Newlands amendment and to be expended by it upon such waterways and harbors as may be deemed necessary. Of course, I would prefer to see a law enacted which would take the place of our existing statutes, but which would be framed upon the theory set forth in the Newlands amendment just referred to. This commission, however, can be made permanent and absorb all other organizations dealing with harbors and waterways and have its powers somewhat enlarged and its duties more clearly defined. I felt that it would be impossible to secure the passage of an act of the character referred to, but did hope there would be very strong support of the amendment which I have just read and which I shall offer as a substitute for the pending bill.

It seems so plain to me that our present system is defective that my amendment should receive the unanimous support of the Senate. If Senators do not think the amount of $12,000,000 is sufficient for the current year in order to carry on necessary improvements of our harbors and waterways, the amount could be increased; but I do insist that we should now inaugurate the reform which has been too long postponed. Whatever amount Congress shall consider necessary—imperatively necessary—for the current year should be placed in the hands of a commission consisting of men of the highest standing, integrity, and *ability*, with authority to expend the same wherever it would best serve the end in view and the needs of commerce. I can not conceive of any sufficient reason why this plan should be rejected. As stated, our present plan has proven defective. It has broken down and stands condemned before the public.

The Newlands amendment calls for the creation of a commission consisting of seven members, one of whom shall be of the Engineer Corps of the Army, at least one of whom shall be an expert hydraulic engineer from civil life, the remaining five of whom may be selected from civil life or the public service. This permits the President to select men of the highest standing and ability in the Nation. Under this authority a commission of really great men can and doubtless will be selected. They will be chosen because of their knowledge of the problem growing out of the development of our inland waterways, the conservation of our water supply, the improvement of our harbors, and the extension of our commerce. A commission of this character, invested with sufficient authority, would make a comprehensive survey of the United States, formulate a plan, modern, progressive, scientific, and national in scope and character, dealing with this great question. It would call, of course, for the expenditure, over a series of years, of a large sum. Streams and harbors would be selected for improvement not because of local interest or local appeals but as a part of a broad national program. The present and past method of selecting projects for development and improvement would thus be eliminated. The evils which have been condemned in the present system would not exist. Such a plan prepared by a commission of the character referred to would be submitted to Congress, and upon approval the necessary appropriations would be made for its execution. Under this plan whatever appropriations were made would be placed in the hands of the commission and expended by it in harmony with the plan and for the purpose of its development and ultimate completion.

If a great building is to be constructed competent architects are selected; it is planned in every detail; other buildings are examined; the sources of architectural knowledge are drawn upon, and plans commensurate with the magnitude of the undertaking are prepared and adopted. Then, and not till then, is the construction of the building entered upon. When entered upon the work is prosecuted in a proper and rational manner. There is coordination of all activities and uniformity in the work performed. We have been following a plan entirely different. We have had no plans and there has been no systematic, uniform, scientific development. A little of the foundation of the building has been dug, and then work abandoned. Material has been placed upon the ground before needed. Doors have been prepared for the building without determining what the size of the openings for the same would be; and so confusion and waste have resulted.

If the commission to which I have referred shall be created and a plan of waterway and harbor development formulated and adopted, then there will be real improvement of our waterways. Congress will not spend its time in receiving petitions for the "improvements" of unknown rivulets and creeks, and it will not be preparing appropriation bills carrying hundreds of items of appropriation for the same. There will be an annual appropriation made to the commission, to be expended in the manner the accepted and comprehensive plan calls for, in order that the work may go forward systematically, scientifically, and in a manner to secure a perfected and comprehensive system commensurate with the needs of the Nation.

Mr. RANSDELL. Will the Senator yield for a question?

Mr. KING. Yes.

Mr. RANSDELL. I wish to ask the Senator if he would be willing to vote for a lump-sum appropriation of an amount sufficient to improve all the rivers and harbors of the country and irrigate all the arid lands and improve or drain all the swamp lands and purify all the streams, as contemplated in the commission which was created under the terms of the Newlands bill?

I ask the question because the bill contemplates all of those things. Indeed, as the Senator will recall, it proposes to take the water when it falls from the clouds and utilize that water or follow it through all of its courses for the uses of human beings, in the rivers for navigation, in the arid lands for irrigation, in the cultivated fields for agriculture, and in forestry. It follows it, in fact, in every way, shape, form, and fashion; and the commission was to make a general report to Congress advising proper expenditures for all these purposes. Now, my question is, Does the Senator think he would be willing to vote that lump sum if this great commission should recommend it?

Mr. KING. Mr. President, the Senator's question can not be answered in a word. As I have indicated, the commission created under the Newlands Act is rather for investigation and advisory purposes, and its duties and powers are not as extensive as should be possessed by a commission constituted to carry out the broad national plan and program for which I am contending. But, as I have stated, we find a law in existence providing for a commission with rather broad powers, though its chief purpose is rather that of investigation and recommendation than the execution of a proper and comprehensive plan of waterway development. If my amendment should be adopted I would expect at the next session of Congress the enactment of a law using this commission as the nucleus or basis, which law would increase the powers of the commission, enlarge its authority, define its duties, and give it permanency. But I think it very much wiser to commit to this commission the expenditure of any amount which we may now appropriate for rivers and harbors than to enact the measure now before us and perpetuate the present inefficient system.

The commission to be appointed by the President under the Newlands amendment could properly function for the economical and proper expenditure of any amount which Congress may appropriate under this or succeeding bills.

Mr. RANSDELL. Mr. President——

Mr. KING. But—if the Senator will pardon me for just one word further, then I will yield—I do believe that a commission that has power and is authorized to deal with the question of improving the waterways of the United States and that is authorized to deal with the conservation of the streams over which the United States has jurisdiction could secure better results than possibly could be obtained if a number of commissions were intrusted with such responsibilities and if the present plan is adhered to. I believe a single authority with broad powers would prevent duplications and conflicts. A single body or commission controlling the headwaters of the Mississippi and other interstate streams having authority to provide plans for their development for the purpose of commerce and the protection of their banks, to the end that contiguous property shall not be destroyed, with authority to execute such plans and to provide against floods and all other matters referred to in the Newlands amendment, would certainly be competent to expend any appropriation which this Congress will make for the improvement of the harbors and waterways of our country.

Mr. RANSDELL. Mr. President, if the Senator will permit me, I will state that the Senator from Nevada, Mr. Newlands, had in mind such a broad, comprehensive plan, which was to be worked out by his commission; but, let me say, it was an investigating commission. It was not intended to execute. It was to investigate all of these subjects and report to Congress, not

intending to execute unless Congress authorized it so to do. We have a great many commissions on various things. For instance, the arid lands are under the control of the Interior Department. The Mississippi River Commission is in charge of flood control on that great river.

The work of improvement for navigation is under the control of the Engineer Corps of the Army. It is possible that we will reach an ideal stage at some time; and it was in the hope of reaching this ideal stage that Congress created this National Waterways Commission, which is commonly known as the Newlands Commission.

Personally I hope that the President of the United States will appoint the commission, and we will see whether or not this commission can get up some better system than we have operated under in the past. I will say to the Senator that I agree with him that we have not had the work carried on in a very wise way. I do not want to criticize, but I should like to remind him that the great ex-Senator from Ohio, Mr. Burton, whom he seems to laud so highly in many respects, was for a great many years chairman of the Rivers and Harbors Committee of the House, and by all odds the most influential man in either branch of Congress in creating and passing legislation to put us in shape to go ahead with these great works. We have gotten away from his ideas, to some extent, since he left the committee, in 1910, but we are doing the best we can. I think we are making very fair progress.

I will say that I should like to see much larger sums appropriated. I should be glad to see these works pushed very much more rapidly; and if the Senator would help us to pass these bills instead of opposing them, as he does, if he would be constructive in his policy rather than destructive, I believe that we would very much more rapidly get on the ideal plan that he seems to favor.

Mr. KING. I can not reply to my friend in the language of the Scripture. "Almost thou persuadest me," although the Senator from Louisiana makes now, as he always does, most earnest, eloquent, and persuasive arguments in support of propositions for which he is contending.

Mr. President, I deny that I am destructive because I oppose rivers and harbors bills which, in my opinion, after careful examination of reports, contain many items that ought not to receive attention at the hands of Congress. The Senator admits—not only now, but in the remarks which he made a short time ago—that the policy which we have adopted conduces to waste and that the work has "not been carried on in a wise way." He condemned, a few moments ago, the policy of piecemeal construction and confesses that the Newlands Commission was created for the purpose of reaching an "ideal" system. His position must be, therefore, that the plan that has been pursued by the Government is not an efficient, suitable, or scientific one. Is it destructive to oppose a system which the Senator himself concedes has not effectuated the best results and that everybody who has made a careful and disinterested examination of the subject concedes has resulted in waste, extravagance, and inadequate results?

The Senator refers to the fact that the former Senator from Ohio, Mr. Burton, though he was the chairman of the committee in the House for many years, did not elaborate a different plan. I do not know the reason why Senator Burton and those associated with him did not secure the passage of a broad, national, and scientific plan. However, it is well known that he and others severely criticized the present plan, and, as Senators know, in the report submitted by Senator Burton and others in 1912, known as "The National Waterways Commission Report," many recommendations were made for the purpose of improving the plan now in force.

However, Senators know the difficulty of securing legislative reforms. We often follow the line of least resistance. Those coming to the Senate and to the House find certain channels, and I was about to say certain ruts, well defined, along which so many illustrious ones have passed. We soon find ourselves within their banks and walls, and it requires almost superhuman strength to escape therefrom and to get upon other levels where a more commanding sweep and vision will be had. Reforms come gradually, and the most beneficent results are the product of evolutionary growth. The accretion of experience adds to the sum total of human knowledge, and upon the stepping-stones of the dead past and of the experience and struggles of those who have gone before we attain higher things and reach higher levels.

Mr. President, if my amendment is adopted I feel confident that this discredited system under which we are operating will come to an end. The commission, as soon as appointed, will enter upon the investigation of the questions committed to its charge. They will study in a scientific and national way the question of water transportation and the improvement of rivers and harbors, the impounding of waters in order to prevent floods destructive to the banks and channels of navigable and improved streams, and, generally, all allied and cognate matters. They will prepare a plan embodying their investigations and researches and submit it to Congress for consideration. Upon the approval of the plan in toto or in modified form the country will know what waterways are to be improved, the nature and extent of the same, and the appropriations required for such purpose. With this information Congress can act intelligently. It will know what annual appropriations will be required in order to complete the adopted plan and can meet the same free from the influences and unhampered by the importunities of local sections and communities.

Some further legislation will be required in order to confer upon the commission the authority and power necessary to the accomplishment of the purpose suggested; but I repeat that the adoption of the amendment which I have read is not only a step in the right direction, but it carries us a long way toward the goal for which all who desire the welfare of our country are striving. There is no doubt but what our Nation needs safe and commodious harbors, not only for our own ships but for the ships of other nations. We have an expanding domestic market, but we need foreign markets. It is important that every legitimate and proper step be now taken to increase our foreign trade and commerce. The nations of the world need our raw materials and many of them are calling for our finished products. It is a difficult task to readjust our industrial and economic system to the conditions which the immediate future demands. The products of field and mine and factory must be multiplied, and we must carry to the lands beyond the sea the products of which we must produce a surplus. The interests of labor must constantly be before our eyes and no opportunity must be ignored that will make for the prosperity and welfare of the toiling masses.

Those streams that can properly aid commerce should be improved. For these and other reasons I am urging a policy that will conduce to the development of commerce, the legitimate and proper improvement of rivers and harbors, and the general welfare of the people of our country. In this hour of readjustment of business, and when marked changes will be realized in our economic conditions, we should be quick to discard the discredited and outworn policies and to adopt in their stead measures which rest upon a sound and substantial base. I earnestly commend the plan embodied in my amendment to the favorable consideration of the Members of this body.

Mr. KIRBY. Mr. President, I only want to say a word.

If we had the system of waterway navigation that has been suggested by the Senator from Utah, if we had the plan already made, and if we had the system already constructed, under the condition existing in this country to-day it would be an absolute and a flat failure. So many millions of dollars have been expended on the Ohio River. It runs through the richest and most productive part of the country. There is as much water going down to the sea through that river as there has ever been. The towns have developed; the country has prospered; commerce has grown and increased rapidly; and what do you find? That after all this expenditure of money there is 50 per cent less commerce carried on the Ohio River now than there was 4 or 5 or 10 years ago.

What is the trouble? Is it because a competent engineer has not laid out this work, or because it has not been well constructed? No. Is it because the commerce is not there to carry? No. What is the trouble, and what is going to continue to be the trouble? If you had all the best engineers in the world to lay out one of these watercourses, and had all the improvements constructed as they ought to be constructed, with conditions existing as they now are, it would be a failure, so far as carrying commerce is concerned. Why? Because under the existing conditions there is a rate-making power for carrying and transporting the products and commodities and commerce of this country that is allowed absolutely to suppress and destroy any possibility of competition on the waterways; and so long as that unrestricted power exists, that long will your waterways be a failure in the United States, and that long will they not carry your commerce. You had better get to thinking about that a little while thinking about the other phases of the matter.

The great Creator, when He put us in this world, indicated that we were to be moved by but two incentives—the hope of reward and the fear of punishment. What incentive is there to carry commerce upon these rivers if nothing can be made out of it? If, because of the competition of these other carriers who control the carrying trade of the country, it must be done at so low a rate that nothing can be made out of the service, it will always be a failure. That is where the trouble lies. That

is the condition you see now, and you might just as well get to thinking about it somewhat along that line. You would better put the control on where it needs to be put on. You would better put it on where it will be effectual and where it will provide relief.

They say we have started out and by piecemeal and installment we have constructed some of these improvements. That is true. We have a general system which, if followed and carried out, would improve the rivers to the point where they would carry this commerce that is there to be carried under such conditions, of course, as would be remunerative for the carrying. The people along these rivers have asked Congress to do this. What for? They do not, in fact, want water transportation. They want the possibility of water competition that will reduce freight rates to them, and they want their stuff carried on the railroads. That is about what the condition is in this country; and they have appealed to Congress for this relief, because the possibility that commerce will be put upon the water does bring relief to them.

That is about what is the matter with this country, so far as the improvement of our inland waterways is concerned. That is the reason why I insisted upon the Director of Railroads exercising authority, under this bill that he has, to improve the waterways while the railroads are under Government control, while the Government can say something about fixing the rates. I said: "Let these barges be put on the lower Mississippi River, and let the commerce there be developed under fair and equal conditions." It is there to be carried. The necessity exists for both forms of transportation.

Why do I say that? Because when the emergency arose the railroads were unequal to carrying the commerce of the country and the soldiers of the country, and we could not carry them on the water, because there were no facilities for doing so.

These improvements have been started. They will be beneficial if we can ever make the right sort of conditions along this other line. They have proved somewhat beneficial in giving the people down by these rivers the possible competition by water that did help them in the matter of freight rates. That is just about what is the matter with this country, so far as I can see; and that is the reason why you never are going to have successful inland-waterway transportation so long as the railroad companies are allowed to control the freight rates.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. SMOOT. I ask to have the amendment stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. At the top of page 13, after the numerals at the end of line 1 and after the semicolon, it is proposed to insert "for improvement of Sarasota Bay in accordance with the report submitted in House Document No. 844, Sixty-third Congress, second session, $92,000."

The amendment was agreed to.

The next amendment was, on page 13, line 4, after the words "in all," to strike out "$17,700" and insert "$109,700," so as to read:

In all, $109,700.

The amendment was agreed to.

The next amendment was, on page 13, after line 9, to insert:

Carrabelle Bar and Harbor, Apalachicola, St. Joseph and St. Andrews Bays, Apalachicola and Chipola Rivers, and channel from Apalachicola River to St. Andrews Bay, Fla.; Flint River, Ga.; and Chattahoochee River, Ga. and Ala.: For maintenance, $87,000.

The amendment was agreed to.

The next amendment was, on page 14, line 20, after the words "Ship Island Pass," to strike out "$50,000" and insert "$100,000," so as to make the clause read:

Gulfport Harbor, Miss.: Continuing improvement and for maintenance of anchorage basin at Gulfport and channel therefrom to the anchorage or roadstead at Ship Island, and for the improvement and maintenance of channel at Ship Island Pass, $100,000.

The amendment was agreed to.

The next amendment was, on page 14, line 22, after the word "maintenance," to strike out "$10,000" and insert "$25,000," so as to make the clause read:

Pascagoula, Wolf, Jordan, Pearl, and East Pearl Rivers, and Biloxi Harbor, Miss.: For maintenance, $25,000.

The amendment was agreed to.

The next amendment was, on page 14, line 25, after the word "maintenance," to strike out "$700,000" and insert "$1,250,000," so as to make the clause read:

Passes at the mouth of the Mississippi River: Continuing improvement and for maintenance, $1,250,000.

The amendment was agreed to.

The next amendment was, on page 16, line 10, after the word "Louisiana," to insert "for maintenance, $7,000," so as to make the clause read:

Bayous Vermilion, Nezpique, des Cannes, Plaquemine Brule, and Queue de Tortue, Mermentau River, and Calcasieu River and Pass, La.: For maintenance, $7,000. The project for Mermentau River and tributaries is hereby extended to include Bayou des Cannes as far up as the Evangeline Bridge in accordance with the report submitted in House Document No. 1398, Sixty-fifth Congress, third session.

The amendment was agreed to.

The next amendment was, on page 16, line 18, after the word "navigation," to strike out "$20,000" and insert "$30,000," so as to make the clause read:

Removing the water hyacinths, Alabama, Mississippi, Louisiana, and Texas: For the removal of the water hyacinth from the navigable waters in the States named in so far as it is or may become an obstruction to navigation, $30,000.

The amendment was agreed to.

The next amendment was, on page 16, line 22, before the word "improvement," to strike out "continuing" and insert "for maintenance, $25,000; continuing"; in line 24, after "$400,000," to insert "for improvement of Houston Ship Channel, in accordance with the report submitted in House Document No. 1632, Sixty-fifth Congress, third session, and subject to the conditions set forth in said document, $950,000: *Provided*, That not more than $275,000 shall be expended in the construction of each of the dredges; in all, $1,375,000," so as to make the clause read:

Galveston Harbor, Galveston Channel, Port Bolivar Channel, Texas City Channel, and Houston Ship Channel, Tex.: For maintenance, $25,000; continuing improvement by construction of sea-wall extension to protect Galveston Channel, $400,000; for improvement of Houston Ship Channel, in accordance with the report submitted in House Document No. 1632, Sixty-fifth Congress, third session, and subject to the conditions set forth in said document, $950,000: *Provided*, That not more than $275,000 shall be expended in the construction of each of the dredges; in all, $1,375,000. The unexpended balances of appropriations heretofore made for the improvement of channel to Port Bolivar are hereby made available for improvement in accordance with the report submitted in House Document No. 1122, Sixty-fifth Congress, second session.

Mr. SMOOT. Mr. President, I have already stated to the Senate that I am not going to spend any more of my breath or strength in trying to defeat items that have been inserted in the bill; but I know there are some Senators who desire some explanation of this remarkable item, and I had hoped that the Senator from Texas [Mr. SHEPPARD] would give us some information with relation to it. The Senator from Texas is now in the Chamber.

Mr. FLETCHER. Mr. President, while the Senator from Texas is looking up his data I will state that this item is inserted in the bill on the recommendation of the engineers, and there is a very liberal contribution there. I think local interests put up one-half of the total cost. It was intended that provision should be made for the construction of two dredges, and this appropriation covers that. The committee added to the recommendation of the engineers the proviso that not more than $275,000 shall be expended in the construction of each of the dredges, so we put that limitation on it. If they find that these dredges are going to cost very much more than they would cost under ordinary conditions and in excess of $275,000 each, then they can not build the dredges; but we limited the expenditure for dredges in that way.

Mr. SMOOT. The Senator does not think for a moment that they are going to cost more than $275,000 apiece, does he? There was a provision for the purchase of a dredge in connection with the dredging of the channel of Brunswick Harbor, and it was stated then that the cost of the dredge would not exceed $220,000. I do not think there is any question but that these dredges can be purchased for $275,000 each.

Mr. FLETCHER. Two hundred and twenty thousand dollars? That is a different kind of dredge, I think.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wisconsin?

Mr. SMOOT. I do.

Mr. LENROOT. I will say to the Senator that this limitation was put on in committee at my suggestion. Gen. Taylor stated that the dredges that they intended to build for this work would cost $350,000 each, and as the committee believed that we ought not at this time to go into such an undertaking at such a high cost Gen. Taylor finally said that the dredges could not be built at once, anyway, and that the department would be willing to cut that down, I think, 30 per cent, in round numbers, so that if these dredges are built it will be at a lower basis of cost than the estimate upon which this appropriation is based.

Mr. SMOOT. The dredge for Brunswick Harbor was a sea-going dredge. They had ordinary dredges that they could use,

but they did not have a seagoing dredge; and the price of that dredge was to be $220,000.

Mr. LENROOT. That is true; but these dredges, they stated, would have a very large capacity. I remember it very distinctly, because I suggested that with merely a limitation of $275,000 the money might be utilized to purchase one of the cheaper dredges, and I was assured that advantage would not be taken of the situation in that way.

Mr. SHEPPARD. Mr. President, I have here the engineers' report, recommending——

Mr. SMOOT. If the Senator will wait just a moment, until I can get the attention of the Senator from Florida, it may not be necessary even to refer to the report. I understood the Senator to say that the appropriations made here for the Galveston Channel and the Houston Ship Channel are to be augmented by a considerable amount from the people of Texas, or the local interests of Texas.

Mr. SHEPPARD. The people of Houston are to provide one-half of the cost of the project. This will mean that they will contribute something over $1,100,000.

Mr. SMOOT. Has this channel been used in the past?

Mr. SHEPPARD. It has. I have here a statement of the tonnage.

Mr. SMOOT. I do not want the Senator——

Mr. SHEPPARD. Let me say also the people of Houston have already contributed over four million dollars in connection with the channel, the Government about four and a half millions. The present depth has proved insufficient for the vessels that must use the channel in order to transport the products of some 22 or 24 large industries that have already been established along the banks of the channel. The people of Houston have established on this channel probably the finest and most modern municipal warehouses and wharves in the country, equaled in efficiency of equipment only by similar facilities at the Panama Canal. Free wharfage is provided.

Mr. SMOOT. Why did the people of Houston contribute in this way? Do they know that every other project here is to be paid wholly by the Government?

Mr. SHEPPARD. They regarded this project of such pressing importance that they announced their willingness to contribute.

Mr. SMOOT. Then do not let us wait one moment; let us give them every dollar they ask. If there are any people on earth who are so perfectly willing to put up a dollar in order to get a dollar out of the Treasury of the United States for the project of a canal, let us give it to them quickly.

Mr. SHEPPARD. I am glad to hear the Senator give expression to that sentiment. I do not think any other people in the United States have shown such determination, such courage, and such vision in connection with a great waterway project as have the people of Houston in connection with this ship channel.

Mr. SMOOT. There is one other question. The maintenance charge here seems to be rather high. Why do not the people of Houston divide the maintenance charge with the Government?

Mr. SHEPPARD. That particular feature was not suggested in the hearings.

Mr. SMOOT. I will say to the Senator, if I know the situation down there—and I will admit that I am not very familiar with it—a maintenance charge for this canal is going to be very expensive. Am I correct in that, and can the Senator tell what the amount will be?

Mr. SHEPPARD. About $325,000 a year.

Mr. SMOOT. That, of course, is an immense amount of money for just simply maintenance charges. I would like to ask the Senator if he will not accept an appropriation for maintenance of $25,000, providing that a similar amount shall be advanced by the people of Houston, Tex.?

Mr. SHEPPARD. In view of the fact that the people of Houston have already contributed one-half the original cost, I think it would be unfair to ask them to share the maintenance cost, inasmuch as the commerce of the whole country is benefited by the project.

Mr. SMOOT. I will say to the Senator, though, that there is no such maintenance anywhere in the United States.

Mr. SHEPPARD. This maintenance charge is due to the fact that the channel is some 50 miles long, a large part of it traversing Galveston Bay. This makes maintenance at times more difficult than would ordinarily be the case. I think you will find that it is not any more expensive than any project of a similar character in the United States.

Mr. SMOOT. I do not think there is another one like it.

Mr. SHEPPARD. Perhaps not; but——

Mr. SMOOT. Is the fact that the people of Houston are willing——

Mr. SHEPPARD. Let me call attention to the Delaware River. I say to the Senator the maintenance of the channel of the Delaware River from the sea to the harbor at Philadelphia, I am informed, is proportionately higher than will be the maintenance of this channel, and that it is the same way with the Mississippi to New Orleans. The same is probably true as to the channel in the Columbia River.

Mr. SMOOT. That is quite different.

Mr. SHEPPARD. Not when you compare the size of the cities, the population supplied, the tonnage, actual and potential, involved.

Mr. SMOOT. I guess I had better quit saying anything or else they will put in a provision here that it shall all be paid by the Federal Government, and I do not want that to happen.

Mr. SHEPPARD. Not at all, Mr. President.

Mr. FLETCHER. I think the Senator ought to be content to leave the item as it is. That total charge for maintenance covers not only the present improvement but the whole channel.

Mr. SMOOT. But it is admitted, of course, that the maintenance charge will be $350,000 a year.

Mr. FLETCHER. Three hundred and twenty-five thousand dollars.

Mr. SMOOT. I say that is a large maintenance charge.

Mr. FLETCHER. That is for the whole channel. Five million dollars has already been expended.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 17, after line 21, to insert:

Brazos Island Harbor, Tex.: For improvement in accordance with the report submitted in House Document No. 1710, Sixty-fifth Congress, third session, and subject to the conditions set forth in said document, $66,000.

The amendment was agreed to.

The next amendment was, on page 18, line 7, after the word "document," to strike out "$50,000" and insert "$75,000"; in line 12, after the words "in all," to strike out "$90,000" and insert "$115,000," so as to make the clause read:

Harbor at Sabine Pass and Port Arthur Canal, Sabine-Neches Canal, and Johnsons Bayou, La. and Tex.: For maintenance, $40,000; completing improvement of harbor at Beaumont in accordance with the report submitted in House Document No. 2033, Sixty-fourth Congress, second session, and subject to the conditions set forth in said document, $75,000: *Provided*, That local interests shall furnish and maintain such protection works as in the judgment of the Chief of Engineers may be necessary for the safe passage of vessels through the lock in the Sabine-Neches Canal near Port Arthur, Tex., and the entrances thereto; in all, $115,000.

The amendment was agreed to.

The next amendment was, on page 18, line 15, after the word "maintenance," to strike out "$15,000" and insert "$35,000"; and in line 19, after the words "in all," to strike out "$315,000" and insert "$335,000," so as to make the clause read:

Red, Black, Ouachita, Tensas, Boeuf, and Saline Rivers, and Bayou Maçon, Bartholomew, D'Arbonne, and Corney, Ark. and La.: For maintenance, $35,000; continuing improvement of Ouachita River in accordance with the report submitted in Rivers and Harbors Committee Document No. 7, Sixty-fifth Congress, second session, $300,000; in all, $335,000.

Mr. KENYON. Mr. President, I do not want to see all these appropriations on page 18 go through without at least making an objection to them. I shall take only a few moments of the time to refer in this connection to the amendment which follows the one now under consideration for the Ouachita River. I think, however, that is not an amendment by the committee.

As I said before, as long as the Oklawaha River has gone into the bill it is perfectly useless to try to keep anything out or get anything out of it, but I do want the RECORD to show something about the Ouachita River and these other minor streams.

It is very interesting to note that while we have appropriated $4,289,359 for the Ouachita River, which I think is a project that never was adopted by Congress and that has been partially condemned, at least by Army engineers, we still go merrily on and carry $300,000 in this bill for further work in locks and dams on the Ouachita River.

On page 2680 of part 2 of the report of the engineers for 1918 is some very interesting reading about this mighty stream. They report:

The U. S. snag boat *Jos. E. Ransdell* was laid up at Jonesville, La., from July 1 to August 27, 1917.

Some Senators are great enough to have cigars named after them and others to have snag boats, but this snag boat was a busy snag boat. This summary of the engineers shows the work done by this boat:

Snags pulled, 885; stumps pulled and destroyed, 327; shore snags cut, 15; logs removed from channel, 4; leaning trees cut, 14; cost per obstruction removed, $10.58.

That includes the snags and stumps in the bottom of this stream and the trees leaning over the side of the stream.

The U. S. steam derrick boat *No. 2*, which appears to be the name of no Member of Congress, was also laid up at Calion, Ark., from July 1 to August 28, 1917. On the latter date the boat began working upstream in Ouachita River, and after reaching Frenchport Shoals it returned and carried on its operations downstream. The work performed is shown in this summary.

Snags pulled and destroyed, 1,833—

Doing more work than the snag boat *Jos. E. Ransdell*—

stumps pulled and destroyed, 428; shore snags cut, 834; logs removed from channel, 171; leaning trees cut, 970; side jams removed, 2; cost per obstruction, $1.51.

This derrick did vastly more work per obstruction removed than the other snag boats.

Mr. SMOOT. Was it laid off for a rest during any part of the season?

Mr. KENYON. It was laid up from July 1 to August 28.

Mr. SMOOT. It had quite a vacation?

Mr. KENYON. Yes. The commerce on this stream for that year, as reported by the engineers, was 178,136 tons, which sounds very large; but of that timber barged was 134,466 tons and timber rafted was 10,800 tons, so that there was, as a matter of fact, last year about 34,000 tons of freight carried on this stream for which we have appropriated $4,389,000 or thereabouts. That is the kind of proposition we are invited to go ahead and contribute $300,000 more of public money to.

I wonder just what the people are going to think when we go out to them on the next liberty-loan campaign and invite them to save and stint themselves and contribute in liberty bonds to such projects as this.

There was another snag boat down there—the *T. W. Howell*—but that was employed on the Black River.

The main business on these rivers seems to be pulling snags and stumps out of the bottom.

The other rivers that are included in this are the Bluff River, or the Boeuf River. I believe on that river last year there was a good deal of work. The amount of freight on the Bluff River was 2,649 short tons. We have appropriated over $100,000 on that river. According to the commercial statistics, the season of navigation for the calendar year 1917 between the month and Alto, La., opened January 1 and closed June 30. I have given the commercial statistics of 2,649 short tons, but, of course, it was hard to move commerce because of the situation of the snags and the location of the stumps:

Snags cut and destroyed, 163; stumps destroyed, 1; shore snags cut, 242; logs removed from channel, 108; leaning trees cut, 792; trees girdled, 84.

Then, on the Saline River, something of a salty proposition, "snags pulled, 14; stumps pulled, 42; cost of obstruction removed, $5.36." The only commerce there is rafted timber. We have appropriated $36,190, not a large sum on that river, and for the Black and the Red Rivers—the Red, a river distinguished, I believe, by the fact that near its banks was the birthplace of the Senator from Louisiana—the sum appropriated here is very small to carry on the work of these rivers outside of the Ouachita. It may be that has to be done. It will be going on when we are gone and our grandchildren are here. But how we can justify $300,000 on this Ouachita River is beyond my comprehension. All I have to say is I hope somewhere around the country by the quiet fireside the people may read some of these things about the mighty operations of these snag boats getting the stumps out of the bottoms of these wonderful rivers and arouse their enthusiasm for the cheerful way in which we vote away the people's money.

I am not going to make any motion as to this, because I know it is perfectly useless. I shall record my vote against the whole bill because of this class of appropriations that are in it.

The PRESIDING OFFICER. The question is on the amendment of the committee.

The question being put, a division was called for.

Mr. RANSDELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Jones, N. Mex.	New	Smith, S. C.
Calder	Jones, Wash.	Norris	Smoot
Chamberlain	Kellogg	Nugent	Spencer
Colt	Kendrick	Penrose	Sutherland
Cummins	Kenyon	Pomerene	Thomas
Dillingham	Knox	Ransdell	Trammell
Fletcher	La Follette	Robinson	Vardaman
France	Lenroot	Shafroth	Wadsworth
Gay	Lodge	Sheppard	Warren
Harding	McKellar	Sherman	
Henderson	Martin, Ky.	Simmons	
Hitchcock	Moses	Smith, Ariz.	

Mr. POMERENE. I have been requested to announce the unavoidable absence of the senior Senator from Maryland [Mr. SMITH] because of sickness, and also the absence of the senior Senator from Delaware [Mr. SAULSBURY] because of sickness in his family.

The PRESIDING OFFICER. Forty-five Senators have answered to their names. A quorum is not present. The Secretary will call the names of the absent Senators.

The Secretary called the names of the absent Senators and Mr. KIRBY, Mr. ASHURST, Mr. WILLIAMS, Mr. KING, Mr. CURTIS, Mr. REED, and Mr. GRONNA answered to their names when called.

The PRESIDING OFFICER. Fifty-two Senators having answered to their names, a quorum is present.

Mr. KING. I wish to announce that the Senator from North Carolina [Mr. OVERMAN] and the Senator from Delaware [Mr. WOLCOTT] are detained on official business.

Mr. RANSDELL. Mr. President, just one word of explanation. I shall not detain the Senate. I simply want to say that this item of $300,000 for the Ouachita River was included in the bill by the House of Representatives. It is intended practically to finish the great work of locks and dams on that river which was begun many years ago; it was begun in 1902 and carried on since then. There were originally nine locks and dams. Several of them have been cut out by modifications of the plan. The engineers have modified this plan as adopted by report numbered 7, which was sent to the House of Representatives on the 16th of October last. They reduced the original estimate from $1,224,000 to $362,000, which they say will finish the work and give 400 miles of slack-water navigation up to the city of Camden in the State of Arkansas.

The House of Representatives appropriated $300,000 of that $362,000, and that is the project we are voting upon. I ask for a vote on the amendment.

The PRESIDING OFFICER. The Chair will state to the Senator from Louisiana that the amendment now under consideration is the amendment on page 18, line 15, striking out "15,000" and inserting "35,000."

Mr. RANSDELL. I ask the Chair's pardon. That is for maintenance on several rivers—the Red, Black, Ouachita, the Tensas, Boeuf, and Saline Rivers, and Bayous Macon, Bartholomew, D'Arbonne, and Corney, Arkansas and Louisiana.

There is a very considerable commerce on those rivers. It aggregates, I should say, fully 250,000 tons annually, and is worth at least four or five million dollars. I have the items here, but I do not care to take the time of the Senate to read them. We are asking a maintenance item of $35,000 for these rivers.

Mr. SMOOT. Did the other House have this information when they provided for an appropriation of $15,000?

Mr. RANSDELL. No, sir. The Senate raised the maintenance item.

Mr. SMOOT. But, Mr. President——

Mr. RANSDELL. If the Senator will pardon me, I will explain it. The Senate had additional information from several division engineers. It was reported to us by Gen. Taylor, assistant to the Chief of Engineers. We took his advice with regard to this and a number of other maintenance items which the Senator from Utah will see were raised. We had supplemental reports relative to the matter.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. PENROSE. Mr. President, in the confusion prevailing in the Chamber I did not quite hear the Senator's statement as to whether these are rivers or creeks.

Mr. RANSDELL. One of them is the Red River, sir, which is over a thousand miles long and which was formerly navigable for 1,000 miles. It once had a wonderful commerce on it, though it has not a great deal now. The other is the Ouachita River, which is navigable for 400 miles. Some of them are what we call creeks down in Louisiana—which are called "cricks," I believe, up in the Senator's part of the world—some of them are called bayous. I do not know what you call them, but they are sluggish streams that have more or less commerce on them.

Mr. PENROSE. Then, Mr. President, I am safe in making the statement that they are creeks in Louisiana, but are rivers in the river and harbor bill.

Mr. RANSDELL. No, sir; a river that is navigable for 1,000 miles, like the Red River, would not be a creek even in Pennsylvania; a river that is navigable for 400 miles, like the Ouachita, would not be a creek even in Pennsylvania.

Mr. PENROSE. I should like to make one further query: What is the character of the materials carried over these magnificent streams?

Mr. RANSDELL. If the Senator wants to take the time of the Senate to have it reported, I shall be very glad to give it to him.

Mr. PENROSE. I do not want to delay the bill a moment.

Mr. RANSDELL. The commercial statistics here on——

Mr. PENROSE. Take the Red River or the Red Creek, whichever it is.

Mr. RANSDELL. The engineers' report, I will say to the Senator, will give him all that. If he will look on page 1095 of the engineers' report in reference to the Ouachita River he will find that the commerce on that river was 178,136 tons in 1917, valued at $4,981,000.

Mr. PENROSE. What kind of commerce?

Mr. RANSDELL. I am going to try to answer the Senator. The freight carried during the calendar year 1917 consisted of logs, farm products, and general merchandise. Recent large increases of tonnage are due to improved crops, general business, and inadequate railway service.

The Arkansas River, I will say, runs through a very rich region.

Mr. KENYON. Before the Senator from Louisiana leaves the Ouachita River I do not want the distinguished Senator from Pennsylvania to be under any misapprehension about the commerce which is carried on that river. While it is shown in the report that 178,000 tons of commerce were carried, I want to advise the Senator from Pennsylvania that in the same report it is also shown that 144,000 of that 178,000 tons consisted of timber, which was barged and rafted down the river.

Mr. PENROSE. Oh, yes.

Mr. KENYON. Leaving something like 34,000 tons of real freight.

Mr. PENROSE. Then the river must really be improved for the accommodation of rafts more than for vessels?

Mr. RANSDELL. Mr. President——

Mr. FLETCHER. Mr. President, I think this whole business is not in good faith, but it is all for the purpose of killing time, and delay, and all that.

Mr. PENROSE. The Senator may speak for himself on that.

Mr. FLETCHER. I want to say that the total item for maintenance on general projects, including five rivers, as put into the House bill, was $15,000 for one year. That is for the maintenance of all the rivers mentioned in this group. We have increased it by $20,000, so as to make the appropriation $35,000 for the maintenance for one year of this group of waterways. Now, what is the use of taking up any time talking about that item? We based our action on the recommendation of the Chief of Engineers, through Gen. Taylor, who said that, according to the latest data, that amount would be necessary for this purpose.

Mr. KENYON. I desire to say that if the Senator from Pennsylvania will consult the report of the engineers he will find that this money is necessary to take stumps out of the bottoms of these rivers.

Mr. PENROSE. As I understand—I hope I am not mistaken—this magnificent stream, full of stumps, practically carries no commerce except log rafts.

Mr. RANSDELL. The Senator is mistaken about that. There is a very considerable tonnage of cotton and commodities of that kind. I will state to the Senator that, according to the report read by the Senator from Iowa, that commerce is valued at $4,981,000. That can not be all logs; but even if it were I will say to the Senator that logs constitute a very valuable commerce at times. I will say further to the Senator that the work on that river has never been finished. It is one of those incomplete lock-and-dam projects, the completion of which would give complete navigation up to the city of Camden; and when it is finished we hope to develop a large commerce; but we can not get the boats up there on uncompleted parts of the river. It is only the lower part of the river that is being used.

Mr. PENROSE. The evidence is that no boat ever goes up the river, and the only stuff that comes down is logs. What is the use of the Government expending millions of dollars to improve a stream that never will have anything go out of it except rafts? When the forests are destroyed or consumed the improvement will be useless.

Mr. RANSDELL. The Senator is very much mistaken as to that.

Mr. PENROSE. That is the evidence.

Mr. RANSDELL. There is a very fine body of country on either side of the river, and there are many people living there. There is a railroad on the side of the stream, and there is a very considerable development in that entire territory for 400 miles on either side of the river. I have tried to explain to the Senator that the water is very low at certain seasons of the year, and a big commerce can not be developed there when the river can not be used to any very great extent; but when the work is completed it will be used.

Mr. PENROSE. Well, Mr. President, if the Senator from Louisiana will assure me that the shores of the Red River are equally prosperous, I will not inquire further. Does the Red River carry all this magnificent commerce also?

Mr. RANSDELL. The Red River has some commerce.

Mr. PENROSE. "Some?"

Mr. RANSDELL. It is a very rich country on both banks and has railroads on both banks.

Mr. PENROSE. It is not quite so strong a proposition as the other river.

Mr. RANSDELL. The Red River is not being improved by means of locks and dams as is the Ouachita. There is a great deal more railroad opposition, I will say, along the Red River, there being railroads on both banks of that stream, while there is only one on the banks of the Ouachita.

Mr. PENROSE. I am a little worried for fear the Red River has not received a large enough appropriation this year, but I will not delay the bill any further.

Mr. RANSDELL. If the Senator wants to have the appropriation increased, that will be satisfactory.

Mr. KIRBY. Mr. President, I will say that the Senator from Pennsylvania is entirely correct about it; the appropriation is not nearly large enough.

Mr. WILLIAMS. Mr. President, this entire debate discloses the fact, with which every intelligent American citizen is already acquainted, that there are two great things that the American Republic ought to reach out and grasp, if it can. One is a national budget to harmonize and synchronize expenditures and revenues. The other is a national board of public works, including rivers and harbors and public buildings, under a law whereby the Congress of the United States can say to the executive department of the United States, "We find that we can appropriate this amount of money to public works this year, including rivers and harbors and public buildings and whatever other public works there may be," and we will appoint, as the Republic of France does, a commission on public works or a board of public works, and they shall dispose of that appropriation independently of the Senator from Mississippi, the Senator from Iowa, the Senator from Utah, and the Senator from Pennsylvania, and they shall take that amount of money and put it where it is most needed, and most immediately needed, for the purposes of commerce and the public business of the United States. Yet I dare say that if I offered an amendment to that effect at any time, perhaps the very first man to object to it would be the Senator from Pennsylvania [Mr. PENROSE]; perhaps the very first man to rise and say that Congressmen have certain rights, certain rights of logrolling and agreeing with one another about where the money shall go and whether part of it shall be devoted to improving navigation around Philadelphia and up the Delaware River and in other places in which the Senator is interested—perhaps the very first man in this body to arise and oppose that sort of a proposition would be the Senator from Pennsylvania.

Mr. PENROSE. Mr. President, I am willing to say to the Senator now that I will vote for his proposition if he will introduce it as an amendment to the pending bill.

Mr. WILLIAMS. Oh, Mr. President, the Senator's camouflage is so patent that even a stupid German airplane could not fail to discover it. He is merely trying to defeat the river and harbor bill. Four or five propositions have already been introduced with no other motive and no other expediency and no other hope. Now, the Senator expects to make of me a fool and a tool to do his work in this connection. I have been very frequently a good deal of a fool and sometimes unconsciously a tool, but I never was a fool for his speculation nor a tool for his operations, because his operations have always been too transparent or too translucent, at any rate.

Mr. President, until we do come to a national policy of public works, independent of legislative logrolling, we must continue to pass rivers and harbors bills according to the present system, for a good deal of the work must be done. I have stood at the other end of the Capitol and this end for over a quarter of a century, and I have frequently been compelled to vote for rivers and harbors projects that in some few particulars were, in my opinion, absolutely unworthy in order to get through great schemes that were vitally important to this Republic. I could name the Sacramento, in California; the Mississippi River, draining 22 States; I could name a canal that ought to be built from the Tennessee to the Mississippi, close to Memphis, Tenn., and cut off 600 miles of navigation; I could name an intracoastal canal that will avoid the wreckage around Cape Cod and Nantucket and around Hatteras, and that might possibly go through Florida and through the sounds of the Mexican Gulf to avoid the typhoons out in the Gulf itself. I could name a

number of things if I could think of them on my feet on the spur of the moment, but I can not.

What is the ultimate right solution? What is the honest thing to do? Let us put the canals and rivers and harbors and public buildings under the control of a board of public works, and let Congress at each session say: "Here are so many thousands or millions or hundreds of thousands of dollars," whichever it may be, "that the Government can spare this year for that purpose, and this board must expend it, and it must determine priorities while expending it"—priorities of importance and of national necessity. Who would be the first man in this body to object to this? I imagine it would be the Senator from Pennsylvania, unless I offered it as an amendment right now for the purpose of defeating this bill. I imagine that the representatives of the great State of New York would be about the second to come in and oppose it. I imagine that the representatives of the great State of Illinois, with their great scheme of a canal from the Great Lakes to the Mississippi, would be next, for fear, in their opinion, that a board of public works might not think that was of vital importance.

Now, let us be honest with one another, and let us be honest with the people. There never was a rivers and harbors bill passed without some objectionable features upon it. There never was a public buildings bill passed without some objectionable features upon it. But just as long as you keep up the congressional system of controlling the expenditure of money for public works you will have that difficulty, and just the minute you stop the congressional control of those expenditures that difficulty will disappear. The moment you make these works absolutely national, with a big "N," and submit them to a board of engineers—hydraulic, electric, navigation, merchant marine, experts of every sort—qualified to deal with harbors along the seacoast, with inlets from the sea, with great national streams draining 22 States, as the Mississippi River does, that minute you will strike the right course and you will get rid of this so-called "pork-barrel" question.

I am tired of it, as far as I am concerned. I have been forced, year after year and year after year, to vote for inconsequential propositions in order to get a proper appropriation for the great Mississippi River Valley, and the Ohio River, and the Missouri River, and the Sacramento River, and a possible canal from the Lakes to the Mississippi and down to the mouth of the Mexican Gulf. I have been forced, in order to get that, to vote for a whole lot of things that I knew were not founded on any common sense. But when a fellow comes to me and says, under the present system, "If you do not agree to vote for Goose Creek I will not agree to vote for the Mississippi or the Sacramento or the canal," what would I have to do, as a man of ordinary common sense? I simply had to say, "All right; I will vote for Goose Creek," and I voted for it. Yet these gentlemen get up, like the Senator from Iowa [Mr. KENYON], with no rivers and no harbors, the Senator from Colorado [Mr. THOMAS], with no rivers and no harbors, the Senator from Utah [Mr. SMOOT], with no rivers and no harbors, and they make the welkin ring with discords; and yet I dare say if we should organize a board of public works composed of expert engineers and leave them with large discretion, even the Senator from Utah and the Senator from Colorado and the Senator from Pennsylvania—who, by the way, is merely camouflaging—the other two of them, at any rate, would agree to let it go. They would say, "Here are so many millions a year that we will give to public works. That much we can spare; that much we can give to the progress and commerce of the American Republic; but we are not going to leave it to Congressman A from the State of B, and to Congressman C from the State of D, and to Congressman E from the State of F to logroll the final results."

But as long as you do leave it to them to logroll the final result I am going to logroll the Mississippi Valley's part of it, because it is the only way in the world of getting a proper appropriation for an important and vital public commercial purpose, and you know it as well as I do. You know that if you beat this bill to-day you would hurt the American Republic very much. You might kill a few undeserving projects upon it, and you would, but at the same time you would kill a whole lot of vital projects that are necessary, that ought to be passed by the will of every man who loves the American Republic and wants it to progress.

While I do not remember quite all the appropriations that the State of Pennsylvania has by political influence or otherwise procured on rivers and harbors bills from the day the American Republic was founded down to now—and I do not think I would be far wrong if I should say that she had gotten over 50 per cent of the money actually expended from the day George Washington was inaugurated down to now—I rather doubt—that might be offensive—I rather distrust—that also might be offensive—I rather do not believe that I know that the Senator from Pennsylvania really is in earnest. [Laughter.] That is not offensive.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Pennsylvania?

Mr. WILLIAMS. Oh, of course.

Mr. PENROSE. The only improvements that I recall that the State of Pennsylvania has ever had in a river and harbor bill are the improvement of the Delaware River and the port of Philadelphia—which is a national proposition, not local, and brings returns to the Government in increased customs revenue—and two or three dams in that part of the headwaters of the Ohio that are located in Pennsylvania. There is nothing else.

Mr. FLETCHER. How about the Allegheny?

Mr. PENROSE. I say, that is the headwaters of the Ohio, and happens to run into the Ohio. Further than that, it happens that Pennsylvania pays one-sixth of all the revenues of the country, and might very easily say that it is entitled to a little more.

As far as the Pennsylvania items in this bill are concerned, I would cheerfully leave them to this national board that the Senator from Mississippi describes. I have not asked for a dollar in the bill for my State, and I do not know that any of the Pennsylvania Congressmen have. They have not been called upon to defend the Pennsylvania items. They are the voluntary recommendations of the Engineer Department, and are in the bill on their merits. They are not logrolling, scandalous, improvident, ridiculous schemes, like digging out a river 3 feet deep in order to float logs down it.

Mr. WILLIAMS. Mr. President, the Senator from Pennsylvania is one of the most peculiar products of God that ever was created by God's free will. The Senator from Pennsylvania tells me that neither he nor any of the Members of Congress from Pennsylvania have tried to put anything upon this bill, or upon past bills.

Mr. PENROSE. No; I said this bill.

Mr. WILLIAMS. He tells me that they have been so pure and so chaste and so nice and so sweet that they have never asked anything of Congress for Pennsylvania. He tells me that whatever Pennsylvania has gotten has come by the free report of the Engineer Department. Well, everything that Mississippi has gotten has come by the free report of the Engineer Department. Mighty near everything that Louisiana has gotten has come that way—not all. Pretty nearly everything that Florida has gotten has come that way. All that Kentucky has gotten and all that Tennessee has gotten has come that way. Everything that California has gotten has come that way.

Mr. PENROSE. Mr. President——

Mr. WILLIAMS. I beg the Senator to wait a minute.

Mr. PENROSE. I just wanted to say one word to the Senator.

Mr. WILLIAMS. In a minute. All that the Engineer Department has done has been to deal with the subject matters submitted to them, and they have recommended most of them; and even the Engineer Department is slightly controlled by the fear that a conglomeration of voices in the Senate and in the House, constituting the Congress of the United States, might overslaugh them if they did not recommend certain things. It is the idlest thing in the world to say that a State did not come up as a State to plead for this or that or the other thing against the engineers. Mississippi bears a considerable part of this appropriation—I do not know how much, but it is considerable for Mississippi, being as poor as we are—but I could say, with the Senator from Pennsylvania, that Mississippi has not asked for anything; that everything recommended for streams in Mississippi has been recommended by the engineers; but, back of all that, of course, Pennsylvania and Mississippi both were attempting to influence the engineers to some extent.

Now I yield to the Senator from Pennsylvania.

Mr. PENROSE. Mr. President, I only wanted to try to drive the Senator's logic into a better channel. It seemed to me it went off a little.

Mr. WILLIAMS. The Senator means a narrower channel.

Mr. PENROSE. I do not understand that the Board of Engineers is enthusiastically recommending all of these projects. It simply reports the character of the commerce and the depth of the streams and the amount of work necessary. Certainly not one of them would survive before such an organization as the Senator has outlined—not one of them.

Mr. WILLIAMS. Mr. President, I agree with the Senator from Pennsylvania—although I very seldom can find any mental

room for agreement with him—that the Board of Engineers are not enthusiastic about any of these things. The Board of Engineers are mentally and mathematically and engineeringly equipped to see what the proposed projects are, and they recommend them, and enthusiasm is a psychological manifestation that does not accompany their reports. But the Board of Engineers have been no more psychologically enthusiastic about schemes for Mississippi than they have been about schemes for Pennsylvania. The truth is that the Board of Engineers was convinced by argument that certain schemes ought to be recommended. That is the first truth. The second truth is that the Board of Engineers, like any other ordinary human board, is fallible and sometimes makes mistakes, and a heap more mistakes in Pennsylvania than they ever made in Mississippi, from the beginning of this Government down to now.

There is no State in this Union which has gotten more out of the National Treasury for its own benefit than Pennsylvania, playing fast and loose from early in the history of this country, first Federalist and then Democratic, next Whig, and then Democratic, and fastening its policies entirely upon the proposition of sucking pap from the public teat. There is no State equal to it.

Mr. PENROSE. Mr. President——

Mr. WILLIAMS. Wait one minute.

Mr. PENROSE. I am going to wait.

Mr. WILLIAMS. There is no State, from Virginia, the mother of States——

The PRESIDING OFFICER. The Chair suggests to the Senator from Mississippi that the question of the course of the State of Pennsylvania may not properly be impugned in the Senate.

Mr. WILLIAMS. What is the Chair's statement?

The PRESIDING OFFICER. The Chair suggests to the Senator from Mississippi that it is not in order to assail the course of the State of Pennsylvania or any other State under the rule of the Senate, and the Chair respectfully suggests to the Senator from Mississippi that in the opinion of the present occupant of the chair his remarks are of that character.

Mr. WILLIAMS. If that is the opinion of the Chair, I can not make any objection. I have the highest regard for the Chair, not only officially but personally. If the Chair thinks I said anything that was out of order, I will ask the reporter to strike it out, under the supervision of the Chair, if necessary.

Mr. PENROSE. I do not care to have it stricken out.

Mr. WILLIAMS. But the Senator from Pennsylvania had charged two or three Southwestern States with taking advantage of their position in order to draw "pap" from the Federal Treasury.

The PRESIDING OFFICER. The Chair did not hear the Senator from Pennsylvania make such a statement. If he made such a statement, the Chair holds that it was out of order.

Mr. PENROSE. The Senator from Mississippi is absolutely wrong. I made no such statement.

Mr. WILLIAMS. You mean that you made no such statement?

Mr. PENROSE. I did not.

Mr. WILLIAMS. Mr. President, if the Senator from Pennsylvania did not make any such statement or any such insinuation, one or the other, then I am more lacking in mental perspicuity than I had even suspected myself of being, and I have suspected myself very frequently of being lacking in a great deal of mental perspicuity.

Mr. FLETCHER. May I interrupt the Senator for a moment?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Florida?

Mr. FLETCHER. I was going to suggest to the Senator that we come to a vote on this question now if he will permit us to vote on it and dispose of it. I hope we may dispose of the whole bill. The Senator from Utah [Mr. KING] has an amendment that I think he wants to have passed on a little later, and we can probably reach that.

Mr. WILLIAMS. I would rather sacrifice my lingual appetite or anything in the world than to delay this river and harbor bill for five minutes. I will conclude my argument right now unless the Senator from Pennsylvania wants to continue it.

Mr. PENROSE. Mr. President, I did not think that it was worth while for me to invoke the rule of the Senate about the unparliamentary practice of reflecting on any State represented on this floor. The imperial Commonwealth of Pennsylvania speaks for itself, especially during the last three years, when 40 per cent of the munitions of war were furnished from that Commonwealth, and more soldiers than any other State except New York, and it suffered more fatalities than all the Southern States put together, and is paying $1,000,000,000 into the Treasury under these enormous taxes.

But I will close with this observation: That these projects that I have referred to, limited, as far as my recollection goes, to the Delaware Harbor, which is a national affair, contributing as a port of importation revenue second or third to that of New York among all the ports of the country, and two or three dams on the Allegheny River, have all been assisted by appropriations from the State legislature, particularly the Delaware River. I do not have the figures available, but a very large proportion of this work that the Federal Government is aiding has been sustained and paid by the appropriation of millions of dollars not only by the legislature but by the city of Philadelphia, and I venture to say that the State of Louisiana or the city of New Orleans or the State of Mississippi have never contributed one dollar to help themselves on a project of this character.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi will suspend. The rule of the Senate touching this subject is well known:

> No Senator in debate shall refer offensively to any State of the Union.

The Senator from Mississippi, in the opinion of the present occupant of the chair, made remarks which referred offensively to the State of Pennsylvania, and the Senator from Pennsylvania in the remark last made by him, in the opinion of the present occupant of the chair, referred offensively to the State of Mississippi and other States. The Chair asks the Senators to proceed in order. The Senator from Mississippi has the floor.

Mr. WILLIAMS. I ask unanimous consent, so far as I am concerned, that any remarks of mine which were in the opinion of the Chair reflective upon the Commonwealth of Pennsylvania shall be stricken from the RECORD.

The PRESIDING OFFICER. Without objection, leave will be granted.

Mr. PENROSE. Hold on, Mr. President. I do not know what the view of the Chair is, but I absolutely dispute the proposition that I referred offensively to any State. I stated a fact, and certainly the statement of a fact can not be a reflection. When I stated the fact that no local appropriation has been made for these projects I think I was well within my rights.

The PRESIDING OFFICER. In the opinion of the present occupant of the chair it was a violation of the rules of the Senate.

Mr. WILLIAMS. I think the present occupant of the chair——

Mr. RANSDELL. Mr. President, I insist on saying that the statement of the Senator from Pennsylvania is not the fact.

Mr. WILLIAMS. I think I have the floor.

The PRESIDING OFFICER. The Senator from Mississippi has the floor and must proceed in order.

Mr. WILLIAMS. Mr. President, I have offered to have stricken from the RECORD every word that in the opinion of the Chair was a reflection upon the Commonwealth of Pennsylvania. I never intended it that way. I was merely attempting to counteract the camouflage of the Senator from Pennsylvania. The Senator from Pennsylvania has not requested to strike out what he said about the Commonwealth of Mississippi. Therefore I want to answer that.

The PRESIDING OFFICER. The Senator will proceed in order.

Mr. WILLIAMS. Mr. President, the Senator from Pennsylvania has just stated that in so far as river and harbor projects for the benefit of the State of Mississippi were concerned, Mississippi has never contributed a dollar. Do I understand the Senator as having said that or not?

Mr. PENROSE. Except to prevent floods and bank up the shores along the river. They may have spent money for that, but I refer to purposes of navigation.

Mr. WILLIAMS. Of the entire improvement of the Mississippi River in building levees along its shores——

Mr. PENROSE. Oh, yes.

Mr. WILLIAMS. In order to increase the velocity of the stream and wipe out its bottom and create a greater commerce or room for commerce, the State of Mississippi along its shores has contributed two-thirds of the entire amount. I am right now a taxpayer in the delta of the river in the State of Mississippi paying 9 mills on the dollar for Mississippi River improvement work.

Mr. PENROSE. They are levees, are they not, along the shore to keep the river from overflowing the farms along the banks?

Mr. WILLIAMS. Of course.

Mr. PENROSE. They do not have to do with commerce.

Mr. WILLIAMS. If the Senator from Pennsylvania knew a thing at all about water engineering he would know this much at any rate, that when you confine a great and powerful stream between its banks it washes out its bottom and keeps it clean, and if you leave it to flow all over 100 miles on each side of the stream it fills up in the middle and after a while you have no stream at all.

If the Senator has any doubt about that he can learn about the work of Col. Eads, who built the Mississippi jetties down at the mouth of the river, and who made out of a 13-foot channel a thirty-odd foot channel, by merely confling the river to its banks.

The Senator discloses the most world-wonderful ignorance of hydrostatics. He does not seem to know that if you confine the body of a great river within certain limits and make it flow with greater velocity you increase the volume of the current and the increase of the volume of the current carries the sand and the loam down to the Gulf, or to the Atlantic, or to the Pacific, as in the case of the Sacramento River, because in the case of the Sacramento River we have done exactly the same thing.

One of the peculiarities about a Pennsylvania politician is this: That he sort of takes for granted somehow or other that he knows it all. He does not require any expert information to assert a proposition; he merely requires to say that he "comes from Pennsylvania, and then he says that next to New York Pennsylvania is the greatest State in the Union," and then, after that, he goes on a little while afterwards and says "Pennsylvania pays more taxes than anybody." Then the New York fellow gets up and says that New York pays even more taxes than Pennsylvania. When it comes to corporation taxes this similitude of truth is owing to the fact that the headquarters of the great corporations are in New York and Philadelphia, and when it comes to the whisky taxes, and the tobacco taxes, and things of that sort, the truth is that Pennsylvania and New York do not pay them at all. They merely put the product in the market and the consumer down in Mississippi, Kentucky, and Tennessee pays the taxes.

Mr. SMOOT. Will the Senator yield to me to submit a motion to take a recess until 11 o'clock to-morrow?

Mr. WILLIAMS. No; because I do not think we ought to do that, but I will yield for a motion for almost any other purpose. I do not want to take a recess until 11 o'clock to-morrow.

I think there has been a whole lot of filibustering over on your side and a little of it over here, some from some Western States, to defeat this river and harbor bill. I think a lot of you have been offering one proposition after another to displace the river and harbor bill with no hope of getting your propositions through but with the purpose of shelving the river and harbor bill. I think you are honest and agree with me about that. That is a fact. That is what you have been doing. Now, I am not going to agree to quit in order to allow anybody to offer that motion, but I am going to quit, because I believe I have sufficiently dealt with the Senator from Pennsylvania. If he is willing to quit, I am willing. So I will quit anyhow, without any agreement, without any negotiation, without any covenant, and without any league of peace. I will just quit.

Mr. PENROSE. In order that there may be no misunderstanding, I merely want it understood that I object to anything going out of the RECORD relating to this debate.

The PRESIDING OFFICER. Objection is made.

Mr. WILLIAMS. Objection to what?

The PRESIDING OFFICER. The Senator from Pennsylvania objected to striking from the RECORD any part of the debate. The present occupant of the chair wishes to state that in his opinion——

Mr. WILLIAMS. I have no view upon that one way or the other. I am merely adhering to the wishes of the Chair.

The PRESIDING OFFICER. The Chair will state that in the opinion of the present occupant of the chair the Senator from Mississippi was transgressing the rule of the Senate which the Chair quoted a moment ago, and in his reply the Senator from Pennsylvania trespassed upon that rule. The Chair was merely calling the attention of Senators to the rule and requested that the rule be observed.

Mr. WILLIAMS. Mr. President, I have only one thing to say about that. I am willing for both to go out or neither; I care not which.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee, on which a division was demanded.

Mr. KENYON. A division or a yea-and-nay vote?

The PRESIDING OFFICER. A division was demanded.

Mr. PENROSE. Let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). Making the same announcement of my pair and its transfer as before, I vote "yea."

Mr. LODGE (when his name was called). I have a general pair with the Senator from Georgia [Mr. SMITH]. In his absence I withhold my vote.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING], which I transfer to the Senator from Illinois [Mr. LEWIS] and vote "yea."

The roll call was concluded.

Mr. REED. Making the same transfer as on the last vote, I vote "yea."

Mr. MYERS. Has the Senator from Connecticut [Mr. McLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I have a pair with that Senator, which I transfer to the Senator from Oklahoma [Mr. GORE], and I vote "yea."

Mr. SUTHERLAND (after having voted in the affirmative). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM[. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and let my vote stand.

Mr. FLETCHER (after having voted in the affirmative). I have a general pair with the junior Senator from Massachusetts [Mr. WEEKS]. I transfer my pair to the Senator from Texas [Mr. CULBERSON] and allow my vote to stand.

Mr. MARTIN of Kentucky. Has the junior Senator from New Hampshire [Mr. MOSES] voted?

The PRESIDING OFFICER. He has not.

Mr. MARTIN of Kentucky. In the absence of that Senator, I transfer the general pair which I have with him to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS].

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY].

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH].

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON].

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH].

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN].

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD].

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN].

The Senator from North Dakota [Mr. McCUMBER] with the Senator from Colorado [Mr. THOMAS].

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON].

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 32, nays 12, as follows:

YEAS—32.

Ashurst	Jones, Wash.	Pittman	Simmons
Bankhead	Kendrick	Poindexter	Smith, Ariz.
Calder	Kirby	Pollock	Smith, S. C.
Fletcher	Lenroot	Pomerene	Sutherland
Gay	McKellar	Ransdell	Swanson
Hardwick	Martin, Ky.	Reed	Trammell
Henderson	Myers	Robinson	Vardaman
Jones, N. Mex.	Nugent	Sheppard	Williams

NAYS—12.

Curtis	Kenyon	New	Spencer
France	King	Penrose	Wadsworth
Kellogg	La Follette	Smoot	Warren

NOT VOTING—52.

Baird	Goff	McLean	Shields
Beckham	Gore	McNary	Smith, Ga.
Borah	Gronna	Martin, Va.	Smith, Md.
Brandegee	Hale	Moses	Smith, Mich.
Chamberlain	Harding	Nelson	Sterling
Colt	Hitchcock	Norris	Thomas
Culberson	Hollis	Overman	Thompson
Cummins	Johnson, Cal.	Owen	Townsend
Dillingham	Johnson, S. Dak.	Page	Underwood
Fall	Knox	Phelan	Walsh
Fernald	Lewis	Saulsbury	Watson
Frelinghuysen	Lodge	Shafroth	Weeks
Gerry	McCumber	Sherman	Wolcott

Mr. PENROSE. There is no quorum present, and I suggest to the Senator from Florida that he move to adjourn.

Mr. FLETCHER. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The Chair will direct the Secretary to call the names of absent Senators.

Mr. PENROSE. No; the Secretary will have to call the roll.

The PRESIDING OFFICER. Yes. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Kellogg	Poindexter	Smoot
Bankhead	Kirby	Pollock	Spencer
Curtis	Lenroot	Pomerene	Sutherland
Fletcher	McKellar	Ransdell	Swanson
France	Martin, Ky.	Reed	Trammell
Gay	Myers	Robinson	Wadsworth
Hardwick	New	Sheppard	Warren
Henderson	Nugent	Simmons	Williams
Jones, N. Mex.	Penrose	Smith, Ariz.	
Jones, Wash.	Pittman	Smith, S. C.	

The PRESIDING OFFICER. Thirty-eight Senators have answered to their names. A quorum is not present. The Secretary will call the names of absent Senators.

Mr. FLETCHER. I move that the Sergeant at Arms be directed to request the attendance of the absent Senators.

Mr. CURTIS. I move that the Senate adjourn.

The PRESIDING OFFICER. The Senator from Kansas moves that the Senate adjourn, which motion takes precedence even of the motion of the Senator from Florida. The question is on the motion of the Senator from Kansas. [Putting the question.] The noes seem to have it.

Mr. PENROSE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MARTIN of Kentucky (when his name was called). I transfer the general pair which I have with the junior Senator from New Hampshire [Mr. MOSES] to the Senator from Nebraska [Mr. HITCHCOCK], and vote "nay."

Mr. MYERS (when his name was called). I make the same announcement as on the former vote as to the transfer of my pair, and vote "nay."

Mr. REED (when his name was called). Making the same transfer of my pair as on the last vote, I vote "nay."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. As that Senator is not present, I withhold my vote.

Mr. WOLCOTT (when his name was called). I transfer my general pair with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Virginia [Mr. MARTIN], and vote "nay."

The roll call was concluded.

Mr. FLETCHER. I make the same transfer of my pair as on the last vote and vote "nay."

The result was announced—yeas 13, nays 30, as follows:

YEAS—13.

Curtis	Lenroot	Smoot	Warren
France	New	Spencer	
Jones, Wash.	Penrose	Sterling	
Kellogg	Poindexter	Wadsworth	

NAYS—30.

Ashurst	King	Pollock	Smith, Ariz.
Bankhead	Kirby	Pomerene	Smith, S. C.
Fletcher	McKellar	Ransdell	Swanson
Gay	Martin, Ky.	Reed	Trammell
Hardwick	Myers	Robinson	Williams
Henderson	Nugent	Shafroth	Wolcott
Jones, N. Mex.	Overman	Sheppard	
Kendrick	Pittman	Simmons	

NOT VOTING—53.

Baird	Goff	McCumber	Smith, Md.
Beckham	Gore	McLean	Smith, Mich.
Borah	Gronna	McNary	Sutherland
Brandegee	Hale	Martin, Va.	Thomas
Calder	Harding	Moses	Thompson
Chamberlain	Hitchcock	Nelson	Townsend
Colt	Hollis	Norris	Underwood
Culberson	Johnson, Cal.	Owen	Vardaman
Cummins	Johnson, S. Dak.	Page	Walsh
Dillingham	Kenyon	Phelan	Watson
Fall	Knox	Saulsbury	Weeks
Fernald	La Follette	Sherman	
Frelinghuysen	Lewis	Shields	
Gerry	Lodge	Smith, Ga.	

So the Senate refused to adjourn.

Mr. FLETCHER. I renew my motion that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. GERRY and Mr. HARDING entered the Chamber and answered to their names.

Mr. STERLING, Mr. KENYON, and Mr. LA FOLLETTE entered the Chamber and answered to their names.

After a little delay, Mr. WOLCOTT entered the Chamber and answered to his name.

After further delay, Mr. LODGE, Mr. PAGE, Mr. SHAFROTH, Mr. CALDER, Mr. KING, and Mr. GORE entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). Fifty Senators have answered to the roll call. There is a quorum present. The pending amendment will be stated.

The SECRETARY. The pending amendment of the committee is, on page 18, line 15, where it is proposed to strike out "$15,000" and insert "$35,000," so as to make the clause read:

Red, Black, Ouachita, Tensas, Boeuf, and Saline Rivers, and Bayous Macon, Bartholomew, D'Arbonne, and Corney, Ark. and La.: For maintenance, $35,000.

The PRESIDING OFFICER. The yeas and nays have been ordered on agreeing to the amendment, and the Secretary will call the roll.

RECESS.

Mr. FLETCHER. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 7 o'clock and 15 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, February 18, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 17, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father who art in heaven, we bless and hallow Thy name for the deep and ever-abiding faith which through all the vicissitudes of life, its sorrows and disappointments, holds us close to Thee, inspires to pure ideals, and leads on to victory.

Increase our faith that we may be true to ourselves and follow the dictates of conscience, until we all come unto the measure of the stature of the fullness of Christ; and Thine be the praise forever. Amen.

The Journals of the proceedings of Saturday, February 15, and of Sunday, February 16, 1919, were read and approved.

EXTENSION OF REMARKS.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the National Security League investigation.

The SPEAKER. The gentleman from Illinois asks leave to extend his remarks on the subject of the Security League investigation. Is there objection?

Mr. GARD. Reserving the right to object——

Mr. WALSH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. KING. A point of order, Mr. Speaker. Is this to my request?

The SPEAKER. Does the gentleman from Massachusetts object?

Mr. WALSH. I am waiting until the gentleman makes his point of order.

The SPEAKER. What point of order does the gentleman make?

Mr. KING. The point of order is that the request was put.

The SPEAKER. The rules have to be construed liberally. It is not too late.

Mr. WALSH. Mr. Speaker, reserving the right to object, I should like to ask the gentleman whether he is to publish any part of the proceedings of the committee or to comment upon the investigation in any way? It would seem to me it might well be deferred until after the committee has reported.

Mr. KING. I desire simply to print my own statement before the committee, principally for distribution in my own district.

Mr. WALSH. That has been printed by the committee, as the gentleman knows.

Mr. KING. In the form of hearings.

Mr. WALSH. Yes.

Mr. KING. But I can not get enough of them from the committee.

Mr. WALSH. If that is all the extension consists of, I will not object.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, is the gentleman a member of the committee on investigation?

Mr. KING. No, sir; I am not.

Mr. STAFFORD. He is a member that the league sought to put out of business.

Mr. GARNER. If the gentleman will permit, under the rules governing printing, can not the gentleman take the extract from that hearing and have it printed and sent into his district without having it put in the CONGRESSIONAL RECORD?

Mr. KING. It is possible that might be done.

Mr. GARNER. Would not that answer the same purpose?

Mr. KING. I do not think it would.

Mr. GARNER. The gentleman wants the record to show it appeared in the CONGRESSIONAL RECORD. The gentleman would prefer to have it go in that way?

Mr. KING. Yes, sir.

Mr. GARD. Further reserving the right to object, does the gentleman want to print the statement he made before the committee himself?

Mr. KING. Yes, sir; as a witness.

Mr. GARD. And not any comment on the action of the committee? I do not think that should be done, as the committee has not reported it.

Mr. KING. It contains no comment of that kind.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5580. An act granting the consent of Congress to the counties of Martin and Bertie, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C.; and

S. 5478. An act granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River.

The message also announced that the Senate had passed the following concurrent resolution:

Senate concurrent resolution 32.

Resolved by the Senate (the House of Representatives concurring), That there shall be printed and bound, under the direction of the Joint Committee on Printing, 14,100 copies of the proceedings and the eulogies delivered in Congress on Theodore Roosevelt, late a President of the United States, with illustration, of which 4,000 copies shall be for the use of the Senate, 8,000 copies for the use of the House of Representatives, 2,000 copies for the use of the Senators and Representatives of the State of New York, and 100 copies, bound in full morocco, for the use of Mrs. Theodore Roosevelt: *Provided*, That there shall be included in such document the proclamation of the President and the proceedings in the Supreme Court of the United States on the death of Mr. Roosevelt, an account of the funeral services, and other matters as may be deemed appropriate.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 8625. An act to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay wagon-road grant, to provide for the disposition of said lands, and for other purposes; and

H. R. 12863. An act to provide revenue, and for other purposes.

CONTESTED-ELECTION CASE—GERLING AGAINST DUNN.

Mr. WILSON of Louisiana. Mr. Speaker, I desire to submit a report (No. 1074) from Election Committee No. 1 for printing, under the rules, in the contested-election case of Jacob Gerling against Thomas B. Dunn, from the thirty-eighth congressional district, State of New York, and I give notice that I will call it up to-morrow.

Mr. MANN. Is it a unanimous report?

Mr. WILSON of Louisiana. Yes, sir.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Report from Committee on Elections No. 1 on the contested-election case of Jacob Gerling *v.* Thomas B. Dunn, from the thirty-eighth congressional district of the State of New York.

The SPEAKER. If it is a unanimous report and nobody wishes to discuss it, I think we might dispose of it now.

Mr. WILSON of Louisiana. I will say for the benefit of the House that the contestant does not claim in his petition that he was elected.

The SPEAKER. Is this a unanimous report?

Mr. WILSON of Louisiana. Yes, sir.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution No. 585.

Your committee therefore recommends to the House the adoption of the following resolution:

"*Resolved*, That THOMAS B. DUNN was duly elected a Representative in this Congress from the thirty-eighth congressional district of the State of New York and is entitled to retain a seat herein."

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. The Clerk will report the first bill on the Unanimous Consent Calendar.

Mr. BLANTON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BLANTON. I ask unanimous consent to proceed for five minutes on the subject of the condition of the Thirty-sixth Division in France.

The SPEAKER. Could not the gentleman put it off until to-morrow? This is unanimous-consent day and suspension day, and the last one that there will be.

Mr. BLANTON. If the Speaker prefers——

The SPEAKER. Yes.

CLEVELAND NATIONAL FOREST.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 10587) granting to the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER. The gentleman from Wisconsin objects. The bill is stricken from the calendar.

MINAM NATIONAL FOREST, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10394) to add certain lands to the Minam National Forest, Oreg.

The title of the bill was read.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. SINNOTT. Mr. Speaker, I move that this bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Oregon moves that the bill be considered in the House as in Committee of the Whole. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That the following described lands be, and the same are hereby, included in and made a part of the Minam National Forest, subject to all prior valid adverse rights, and that said lands shall hereafter be subject to all laws affecting national forests: Sections 34 and 35, the north half of section 36, township 7 south, range 43 east, and sections 2 and 3, township 8 south, range 43 east, all of Willamette meridian, in Oregon.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SINNOTT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

NATIONAL SANITARIUMS BY FRATERNAL ORGANIZATIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 249) to authorize the Secretary having jurisdiction of the same to set aside certain public lands to be used as national sanitariums by fraternal or benevolent organizations, and for other purposes.

The title of the bill was read.

The SPEAKER. This bill is on the Union Calendar.

Mr. WALSH. They have got to get consent to consider it first.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, is there anyone here to look after the bill? I do not see the gentleman from California [Mr. RAKER] here.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that the bill be passed over informally, in the absence of the gentleman from California.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the bill be passed over informally. Is there objection.

Mr. JOHNSON of Washington. I object to that. There are too many bills on the calendar to do that.

Mr. BURNETT. That would carry it to the foot of the calendar.

Mr. JOHNSON of Washington. All right. I ask that it be placed at the foot of the calendar without prejudice.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

CLEVELAND NATIONAL FOREST.

Mr. OSBORNE. Mr. Speaker, I have requested the gentleman from Wisconsin [Mr. STAFFORD] to withdraw his objection for the time being to the consideration of the bill H. R. 10587, the San Diego water bill, on account of the absence of Mr. KETTNER, and he has consented.

The SPEAKER. Does the gentleman from Wisconsin withdraw his objection?

Mr. STAFFORD. Oh, no, Mr. Speaker; I merely have no objection to having the bill passed over without prejudice.

The SPEAKER. The gentleman from California asks unanimous consent that the bill be placed at the foot of the calendar without prejudice. Is there objection?

There was no objection.

MEMORIAL TO FRANCIS ASBURY.

The next business on the Calendar for Unanimous Consent was the resolution (S. J. Res. 107) authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury.

The title of the resolution was read.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, I will object to the resolution in its present form to give authority to locate a monument or memorial, or whatever it is, on almost any available public ground in the District of Columbia.

Mr. BANKHEAD. If the gentleman will permit me, I was the author of a similar resolution, which was a House joint resolution. It unanimously passed the Senate, and was referred to the Committee on the Library, and received the unanimous support of that committee. This is similar to another bill introduced about the same time, authorizing a memorial of the same character to be erected in memory of a distinguished Catholic prelate. That was passed some time ago by the House. I would like to know what objection the gentleman has to the form of this resolution.

Mr. MANN. This is to erect a monument on any public ground, practically, that is owned by the Government in the District of Columbia. There have been a lot of monuments erected where they ought not to be. Everybody who has that right wants to grab the best place that is left, regardless of anything else, and when I have been here in recent years I have objected, unless we could know something about where it was proposed to erect these monuments and what they were to be.

Mr. BANKHEAD. I will state to the gentleman from Illinois that the Methodist denomination has for a number of years been undertaking the collection of a fund for the purpose of erecting a monument or memorial suitable to commemorate the life and character of Bishop Francis Asbury in the city of Washington. They have at last secured, by private contributions from members of the Methodist denomination, a fund to erect a monument commensurate with the value and eminence of his life as a missionary and evangelist. It is not the intention, as I understand it, to select a prominent site down here in the immediate city, but, as was suggested by the chairman of the Committee on the Library, Mr. SLAYDEN—who, I regret, is not present at this moment, because I am certain he could give that information—the intention was to locate it in a more remote and probably suburban site. I hope the gentleman from Illinois will not object to it. It is a matter that has been pending here ever since the beginning of the Sixty-fifth Congress. I think it is in the form of the usual resolution.

Mr. MANN. It is in the form, possibly, of the usual resolution. It is in the form that usually used to be agreed to, and the result has been that there have been a lot of monuments located in Washington in places where they ought not to be, wholly inappropriate. I have no objection to the erection of a monument or memorial of some sort to Bishop Asbury, but I am not willing to give the right to anybody who is desirous and ambitious to erect a monument in the most conspicuous place in Washington without any control by Congress of those memorials. We have got one illustration down here of the Grant Monument, located where it ought not to be. It was not located by Congress, as suggested by the gentleman from Wyoming. It was located in spite of a vote in this House which did not quite equal two-thirds, but was much more than a majority, protesting against that location under general language previously used in such bills or resolutions. Now, if they want to find some place and specify it, it is just as easy to specify it, to begin with, as to leave it unspecified and unknown.

Mr. BANKHEAD. The gentleman from Illinois will recognize that that has not been the procedure heretofore with reference to resolutions of this character. The bill I referred to a moment ago, that was passed here at a former session, was in the identical form of this. I forget who was the ecclesiastical dignitary who was honored on that occasion.

Mr. MANN. That may be. I presume I was not here. The last one that was considered when I was here—and I do not know that that was finally disposed of—was for President Buchanan. I objected to that until we knew where it was to be located.

Mr. BANKHEAD. Will the gentleman allow me to ask him a question?

Mr. MANN. Always.

Mr. BANKHEAD. What suggestion would the gentleman make that would allow me to have this matter considered by the House?

Mr. MANN. I do not know where the monument ought to be located, but I think they ought to find out where they want to locate it, and then ask Congress for permission to locate it there.

Mr. BANKHEAD. If that suggestion had been made heretofore to those interested in the construction of this monument, for which the funds have been provided and the resolution for which has already passed the Senate and has been unanimously recommended by the Library Committee of the House, it would have given them a reasonable opportunity to have met that contingency and the objection of the gentleman.

Mr. MANN. I have objected at various times to just such things that did not specify the place.

The SPEAKER. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the resolution will go off the calendar.

Mr. MANN. I have no objection to the resolution going to the foot of the calendar.

Mr. BANKHEAD. I ask unanimous consent that it may remain on the calendar without prejudice—that it may go to the foot of the calendar.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

BATTLE MOUNTAIN SANITARIUM.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13440) transferring jurisdiction and control over Battle Mountain Sanitarium of the National Home for Disabled Volunteer Soldiers from the Board of Managers of the National House for Disabled Volunteer Soldiers to the Secretary of War for use for Army hospital purposes for the period covered by the exigencies growing out of the present war.

Mr. GANDY. Mr. Speaker, I ask unanimous consent that this bill, which is No. 250 on the Calendar for Unanimous Consent, be passed over without prejudice.

The SPEAKER. The gentleman asks unanimous consent to send this bill to the foot of the calendar. Without objection, it will be so ordered.

There was no objection.

PATENTS TO CERTAIN PUBLIC-LAND ENTRIES.

The next business on the Calendar for Unanimous Consent was the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, in going over this report I found one claim in which the Milwaukee Lumber Co.—whoever they are—are interested. The report of the Secretary of the Interior as to that claim was adverse. That is the Elizabeth Davis claim, which is found on page 4. The report says that if we should pass the bill authorizing the issuance of a patent to Elizabeth Davis it would jeopardize the rights of the Government in a suit now pending for the recovery of some $4,000 for some timber on this tract——

Mr. GANDY. Let me say to the gentleman from Wisconsin that it was the intention of the committee and of the Department of the Interior to pass title only to the land and not to the money for the timber heretofore sold. That was the intention of the Public Lands Committee. An amendment has been submitted by the Department of Agriculture, and at the proper time I will offer it.

Mr. STAFFORD. Will the gentleman read, for information, the amendment that he suggests?

Mr. GANDY. The amendment I propose to offer reads as follows:

Provided, That the issuance of a patent shall not release the Milwaukee Lumber Co. from its obligation to pay the United States for the value of the timber cut upon this land.

Personally I did not think that was necessary, because the provision in the bill makes no reference to a former homestead entry. It simply patents the land. I do not think the issuance of a patent would affect the previous sale of the timber.

Mr. STAFFORD. That removes one objection to that claim. Now, there is a further objection that the department offered to it. If my memory serves me, the department says that it is necessary for the Government to have some right of way over this tract of land.

Mr. GANDY. I went over this item with the officials of the Forest Service after the bill had been reported, and the amendment which I have read is the only amendment they suggested. They were perfectly willing that with that amendment the bill should be passed.

Mr. STAFFORD. I will direct the attention of the gentleman who is sponsor for this claim to the fact that the Secretary of the Interior has made a report on this case, and I direct his attention to this language:

If it be deemed advisable also, in view of the suggested need of a highway across the land, it might be provided that such patent should be subject to an easement across said land for roadway purposes and for any other purposes which the interest of the United States may require.

Would the gentleman have any objection to incorporating in this paragraph the following:

The reservation to the Government of the United States of an easement across said land for roadway or other purposes which the interests of the United States may require.

Mr. GANDY. I have no objection to that except this—I want to be entirely frank with the gentleman—I have opposed to the best of my ability that sort of a reservation in any patent, which clouds the title forever. A person who has that sort of a patent does not know at what time some officer of the Government is going to step in and ask him to move his buildings or ask to put a road through a cultivated field, and all that sort of thing.

Mr. STAFFORD. The Government never released its right to the timber on this land, and if it granted a full patent to the land the Government would have no right to reach the timber. This person, whoever she may be, has no absolute claim to this tract of land, otherwise she would not come to Congress for a special act.

Mr. GANDY. I will accept the amendment in this particular case. I was saying that as a general proposition I think it is a bad policy to cloud a title with this sort of a reservation.

Mr. STAFFORD. There is another claim called to my attention by a Member of the House who is not present. That is the so-called Markley claim. I have gone over it carefully and I do not think it should be included in this bill. I can not see why that claimant has any claim in equity.

Mr. GANDY. I want to say in regard to the Markley claim that my understanding is Markley contested the homestead entry of some one whose name has slipped my memory on the supposition that the same practice prevailed there that prevails in the other public-land States. If he had contested a homestead entry in South Dakota or in Wyoming he would have acquired a preference right and could have filed on the land.

Mr. STAFFORD. If the gentleman will permit, this entry was made under special conditions that the land should be open under sealed bids to the highest bidder, and a special law provided for the sale of such lands when for any reason the land is not taken.

Mr. GANDY. I was coming to that feature of it. It transpired after Markley had won his contest that the conditions under which this land was opened were such that he did not acquire a preferential right and could not file on the land as they do in other public-land States.

Mr. STAFFORD. The hearings show that the entry was canceled without any hearing.

Mr. GANDY. That simply means that the homesteader defaulted.

Mr. STAFFORD. After making a payment of one-fifth of the purchase price of $1,800 he did not go ahead.

Mr. GANDY. Under the general practice that would have given Markley a preferential right.

Mr. STAFFORD. Yes; but not under the law applicable to these lands.

Mr. GANDY. I want to say that if the gentleman feels keenly about the Markley claim I am willing to strike it out.

Mr. STAFFORD. At the request of a Member of the House who has asked me to object—and I think the facts warrant me in doing so—to the Markley claim, I will object. On the assurance that this item will be stricken out and that the other amendment will be carried, I have no objection to the bill.

Mr. GANDY. I accept the gentleman's proposition.

The SPEAKER. Is there objection?

There was no objection.

Mr. GANDY. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. GANDY. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill under the five-minute rule for amendment, as follows:

Elizabeth Davis, for the east half of the northwest quarter, northeast quarter of the southwest quarter, and northwest quarter of the southeast quarter, section 28, township 47 north, range 3 east, Boise meridian, lying within the Coeur d'Alene National Forest, in the State of Idaho.

Mr. GANDY. Mr. Speaker, I offer the following amendment: Page 4, line 14, after the word "Idaho," strike out the period and insert a colon and add the following paragraph:

Provided, That the issuance of a patent shall not release the Milwaukee Lumber Co. from its obligations to pay to the United States the value of the timber cut from this land.

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment, to come in after the amendment just adopted.

The Clerk read as follows:

At the end of the amendment insert "with the reservation in the Government of the United States of an easement across said land for a roadway or other purposes which the interest of the United States may require."

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 6, line 17, insert:
"Alexander F. McCollam, of Yankee Jims, Placer County, Cal., for the lands described in homestead entry No. 07349, Sacramento series, being homestead entry survey No. 147, in section 28, township 14 north, range 10 east, Mount Diablo meridian, in Sacramento land district, in Placer County, Cal., and containing 1.16 acres, according to official plat of homestead entry survey No. 147, in the Tahoe National Forest, made July 19, 1915.

The committee amendment was agreed to.

Mr. GANDY. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 7, line 2, add a paragraph, as follows:
"Francis Stewart, for the southwest quarter, section 33, township 28 south, range 7 west, New Mexico meridian, Las Cruces land district, New Mexico, upon the payment of $1.25 per acre within six months after approval of this act."

Mr. GANDY. Mr. Speaker, I want to explain that amendment, and if there is any objection to it I will drop it out. The Francis Stewart case is on all fours with the Alma Harris claim carried in this bill and which passed this House as a separate bill. Stewart was a homesteader right close to Columbus, N. Mex., and upon orders of the military commander at the time of the Mexican border trouble he was compelled to leave his homestead and stay away such a length of time as made it impossible for him to offer acceptable proof. The item is offered upon the initiative of the Secretary of the Interior, and he sends with it a statement that he thinks the equities in the case are the same as those in the case of Alma Harris, and that favorable action ought to be had.

Mr. MANN. The gentleman stated that heretofore the House passed this bill—this Congress?

Mr. GANDY. This Congress heretofore passed the Alma Harris item as an individual bill.

Mr. MANN. Is that this item?

Mr. GANDY. No; this is one on all fours, having the same state of facts.

Mr. MANN. This man was taken into the Army service?

Mr. GANDY. No; but because of the unsettled condition of the border near Columbus, N. Mex., at the time they had the border raids, the military commander directed certain people to leave their ranches, and this man was directed not to remain on this homestead because he might be subject to raids from bandits from across the border.

Mr. MANN. And this is to give him that land?

Mr. GANDY. This is to give him that particular land. He was not able to make an acceptable proof because of that absence.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 9, following line 3, insert the following as new paragraphs:

"Homestead entry of Frank D. Ovesen, No. 031912, made March 1, 1916, for the northwest quarter of the northwest quarter, section 9, and the west half of the southwest quarter and the southwest quarter of the northwest quarter, section 4, township 34 north, range 19 east, Montana meridian.

"Homestead entry, Bismarck, N. Dak., No. 019577, made by Peter Andersen on October 13, 1916, for the west half, section 24, township 129 north, range 81 west, fifth principal meridian.

"Homestead entry No. 011395, made by Lizzie G. Garin for the west half of southeast quarter, section 3, west half of northeast quarter, section 10, township 35 north, range 3 east, Montana principal meridian."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 10, following line 14, insert the following as new paragraphs:

"Homestead application 032086, Rapid City series, of Frank Walsh, for the southwest quarter section 2, township 6 south, range 1 east, Black Hills meridian.

"Homestead application 014702, Belle Fourche series, of Fred F. Fuller, for northeast quarter section 27, and west half of northeast quarter and west half of southeast quarter section 22, township 16 north, range 8 east, Black Hills meridian.

"Homestead application 037708, Rapid City series, of Otto F. Schroeder, for north half of northwest quarter of northwest quarter, northeast quarter of northwest quarter, north half of southeast quarter of northwest quarter, and north half of northeast quarter of section 2, township 1 north, range 6 east, Black Hills meridian.

"Homestead application 016665, Belle Fourche series, of Clyde M. Giddings, for the west half of the northeast quarter and the north half of the southeast quarter of section 7, township 9 north, range 4 east, Black Hills meridian.

"Additional homestead application, Glasgow, Mont., No. 049920, filed by Peter W. Hockert, for the north half of the south half, section 25, township 26 north, range 32 east, Montana meridian."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 12, strike out the following:

"SEC. 6. That the patent heretofore issued to George E. Windecker for the east half, section 21, township 34 north, range 14 east, Montana meridian, in the State of Montana, be, and the same is hereby, validated."

Mr. RAKER. Mr. Speaker, I think this amendment ought not to be adopted. On pages 36 and 37 of the report is to be found the statement of the Secretary of the Interior. This young man made an application for a homestead entry and then made final proof and has used and cultivated the land. The Secretary of the Interior reports as follows:

It would therefore appear that, aside from the misstatements as to his age, the patentee complied with the homestead laws as to improvement and cultivation and made good use of the land. In view of this fact and of the fact that the entryman is now over the age of 21 years and still in possession of the land, this department will not interpose any objection to the validating measure if, under the circumstances, Congress deems such relief equitable and proper.

Senator MYERS, chairman of the Committee on Public Lands of the Senate, appeared before the House committee and presented this case very fully, as well as did Mr. EVANS, a Member of the House. My recollection is, it was thought advisable, without any real contest of any kind, to eliminate the matter from the bill. This young man evidently made a mistake as to his age, and the question is now pending to show that there was no fraud in the matter. The matter was submitted after an examination by a special agent to the Secretary of the Interior, and the record submitted to the Attorney General's Office to cancel the patent. Of course, that is the only way it can be done. The boy has his patent and is in possession, cultivating and using the land. The case is one of those where there was no wrong contemplated. The Attorney General's Office has not commenced an action to cancel the patent, but is awaiting the action of Congress.

That is the same way with the other departments, and from the record as referred to it seems to me when the matter was before the committee and now that the House ought to allow this young man to receive his patent to his land under all of the facts of the case, particularly on the ground, as the Secretary says, that he complied with the improvement and complied with the cultivation. He made good use of the land. He is an American citizen. He is of age. He is now in possession of the land, using it, and because of his indiscretion in trying to get the land too early, if this amendment is adopted, the young man will lose his land. An effort has been made a number of times to allow boys 18 years of age to obtain patents.

Mr. GANDY. Mr. Speaker, will the gentleman yield?

Mr. RAKER. Yes.

Mr. GANDY. I just want to say that it was the opinion of the committee in considering this that this young man undoubtedly now could refile on this land, inasmuch as he has become of age. If the young man had gone out there alone and filed on this land on some erroneous advice, I would not feel keenly about it; but he went there with his parents, and there is no question in the world that his father and mother knew he was not of age when he swore that he was, and they lived with him on this land.

Mr. RAKER. Mr. Speaker, I can not yield except for a question. On page 36 of the report we find the following language in regard to the statement:

I am further advised that the Commissioner of the General Land Office, by his letter of February 7, 1917, to the Chief of Field Division, instructed him to demand of patentee a reconveyance to the United States of the patented premises, and that the General Land Office could give patentee no assurance whatever that he would be allowed to make a second entry of the patented land if it was reconveyed; that if such an application should be tendered it would be considered upon its legal merits as they then existed.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. RAKER. Mr. Speaker, I ask for two minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RAKER. There is no reassurance. That was the contention made before, that he refile; but suppose the boy did go there with his father and mother, and suppose his father and mother did know that his age was not what he stated, that is but natural. There can be no doubt about that, but it is the case of the boy, the young man. You say that you will cancel his patent by a proceeding in court, a judicial proceeding commenced by the United States Government, and then, after it is canceled, give him a right to refile on the land. What benefit is that to him? No injustice has been done. He is not a criminal at heart; he is a good American citizen; and from the facts presented why should not his claim be validated instead of having the patent canceled by judicial proceeding?

I do not believe that the fact that the father and mother knew should be charged up to the young man. I believe that the committee would be doing justice——

Mr. MANN. Will the gentleman yield?

Mr. RAKER. I will.

Mr. MANN. Is it the position of the gentleman that the young man did not know how old he was?

Mr. RAKER. There is nothing strong on that—there is nothing strong in regard to that.

Mr. MANN. I asked the gentleman's position. I have been listening to all that he said.

Mr. RAKER. I find nothing from the record——

Mr. MANN. The gentleman seems to put it on the parents. Is it the gentleman's position that the young man did not know how old he was?

Mr. RAKER. He did not say.

Mr. MANN. What does the gentleman say?

Mr. RAKER. I do not know.

Mr. MANN. Oh, well, like the young man.

Mr. RAKER. That is nothing against a young man or a young woman that they can not give their exact age. Lots of them can not give the exact age. That is nothing against the boy and his rights. He has done everything that any other man would have done if he had not been in error as to his age——

Mr. MANN. Including one thing that the others would have done; that is, give the facts.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 7. That the Secretary of the Interior be, and he is hereby, authorized to allow Thomas M. Gray, of Brocket, N. Dak., to make homestead entry for the east half of the southeast quarter, southwest quarter of the southeast quarter, and southeast quarter of the southwest quarter, section 14, township 29 north, range 7 east, Montana meridian, hereby restored to entry from withdrawals in connection with the St. Mary Canal and Milk River project: *Provided*, That said Gray tender a proper application therefor within 90 days from receipt of notice from the register and receiver that the land is subject thereto.

Committee amendment: Page 12, line 7, strike out the figure "7" and insert in lieu thereof the figure "6."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 8. That the Secretary of the Interior be, and he is hereby, authorized to allow Alfred St. Michell to make homestead entry for the northwest quarter of the southeast quarter, section 10, township 21 north, range 24 west, Montana meridian: *Provided*, That he file a proper application for the land and pay the appraised price therefor within 60 days from receipt of notice from the register and receiver that the land has been opened to entry.

Committee amendment: Page 12, line 19, strike out the figure "8" and insert the figure "9."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 9. That the Secretary of the Interior be, and he is hereby, authorized to allow Dorothea V. Stillman to make homestead entry for the east half of the northwest quarter, section 32, township 21 north, range 19 west, Montana meridian: *Provided*, That she file a proper application for the land and pay the appraised price therefor within 60 days from the receipt of notice from the register and receiver that the land has been opened to entry.

Committee amendment: Page 13, line 3, strike out the figure "9" and insert the figure "8."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 10. That John McW. Ford, of Shreveport, La., be, and hereby is, authorized to enter, at the minimum price of $1.25 per acre, lot No. 7, of section 14, township 18 north, range 14 west, Louisiana meridian, Caddo Parish, La., in virtue of his long settlement, bona fide title and possession, and valuable improvements thereon.

Committee amendment: Page 13, strike out lines 11 to 17, inclusive.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 11. That the Secretary of the Interior be, and he is hereby, authorized to issue a patent to Christian Frederickson, of Ray, N. Dak., upon homestead entry No. 01209, made at Williston, N. Dak., on October 27, 1908, for the northwest quarter of the northeast quarter of section 32, in township 157 north, of range 96 west, of the fifth principal meridian, upon which satisfactory proof of compliance with law has been filed, provided he shall have paid the price of fifteen and seventeen one-hundredths acres at the rate of $1.25 per acre.

Committee amendment: Page 13, line 18, strike out the figure "11" and insert the figure "9."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 12. That the Secretary of the Interior be, and he is hereby, authorized to allow Lloyd B. Barley, of Barley, Mont., to make individual selection, within one year from the date of the approval of this act, of 160 acres of unappropriated surveyed nonmineral public land, upon his filing formal relinquishment of all right and claim to the former entry and reconveyance of same to the United States: *Provided*, That the right of selection hereby granted shall not be assignable but must be exercised by the said Lloyd B. Barley in person, or in case of his death, by or in behalf of the decedent's heirs: *Provided further*, That the land selected shall be of similar general character to that in the original homestead, but if selection is made of land designated or subject to designation, under the enlarged homestead act, double the area of the selection authorized in the foregoing paragraph may be selected: *Provided further*, That the selection hereby authorized may be made subject to existing laws relating to surface entry, with reservation of minerals to the United States.

Committee amendment: Page 14, line 5, strike out the figure "12" and insert the figure "10."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 13. That the Secretary of the Interior is hereby authorized to sell and patent to Laura E. Graves, of Columbia, La., lots 3, 5, 6, 9, and 10, and southwest quarter of southeast quarter; west half of southwest quarter and lots 7 and 8; and northwest quarter of section 36, township 14 north, range 4 east, Louisiana meridian, situated in Caldwell Parish, La., at $1.25 per acre, lands which she and her grantors have occupied, under claim and color of title from the State of Louisiana, ever since November 4, 1854: *Provided*, That application for the purchase of the described tracts, under this authorization, be filed at the United States land office in Baton Rouge, La., within 60 days from the passage of this act.

Committee amendment: Page 14, strike out lines 24 and 25, and page 25, lines 1 to 12, inclusive.

The question was taken, and the amendment was agreed to.

Mr. GANDY. Mr. Speaker, I ask unanimous consent to make a statement in reference to the amendment just agreed to. The House committee reported against that item for the reason that in the report of the Secretary of the Interior he said if it should appear to the satisfaction of Congress these folks have been in undisputed possession of this land through all the years—I think it dates back to 1858—he believed this bill should be enacted, and no evidence was introduced on that subject. Since the bill was reported that evidence has come in—one of the Louisiana Members has it—and I understand it will be presented to the conferees. I have not had an opportunity to go over it, but in order that the House may understand why that was stricken out and one other which is on all fours left in I make this statement. The evidence was submitted in connection with the item on pages 16 and 17, but was not submitted on the item just passed.

The Clerk read as follows:

Committee amendment: Page 15, after line 12, insert the following as new sections:

"SEC. 11. That the homestead entry numbered 037153, made by the heirs of Victoria A. Thomson, deceased, for the northeast quarter section 4, township 8 north, range 14 east, Montana principal meridian, be, and the same is hereby, validated, and the Secretary of the Interior is hereby authorized to issue patent thereon upon the submission of satisfactory proof of compliance with the laws under which the entry was allowed.

"SEC. 12. That the Secretary of the Interior be, and hereby is, authorized to issue patent to C. R. Shaw, Allen Shaw, and Robert Shaw for the lands described as lot 1 of section 13 and lot 1 of section 14, in township 1 south, range 16 west of the Huntsville meridian, containing 24 19/100ths acres, according to the official plat of survey now on file, known as State Line Island, situated in Lauderdale County, Ala., on the payment of $1.25 per acre.

"SEC. 13. That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent conveying all the right, title, and interest of the United States to the southeast quarter of section 28, township 12 north, range 12 east, Columbia County, Wis., to H. B. Rogers, upon the payment by him to the United States of the sum of $1.25 per acre."

The question was taken, and the amendments were agreed to.

The Clerk read as follows:

Committee amendment: Page 16, after line 12, insert the following as a new section:

"SEC. 14. That the Secretary of the Interior is hereby authorized and directed to sell to S. S. Markley, within a period of 90 days from and after the passage of this act, at the original purchase price of $1,800, the southeast quarter of section 2, township 3 south, range 12 west, Indian meridian, Cotton County, Okla., and issue to him a patent therefor."

Mr. STAFFORD. Mr. Speaker, I rise in opposition to the amendment. I suppose there will be no contest after the understanding had with the gentleman from South Dakota.

Mr. FERRIS. I do not know what the understanding was. What is the objection?

Mr. STAFFORD. The gentleman was on the floor when we had the understanding.

Mr. FERRIS. I was here, but did not hear what was said. What is the objection to the bill?

Mr. STAFFORD. This matter was called to my attention some months ago by a Member who is not present. I looked over the private bill that this relates to and examined the report on this item. It seems that back in 1907 entry was made by one Ross when this pasture reserve of the Kiowa, Comanche, and Apache Indian reservation was opened to settlement. The entry was under the act of June 5, 1906. Under that act it was provided that the land should be opened to entry at certain specified bids. Mr. Ross bid $1,800 for the land. Thereafter one Snell S. Markley, who now seeks to get the land, made a contest. Seven years afterwards, in 1914, the contest was abandoned——

Mr. FERRIS. Not abandoned; the contest was decided in favor of him. The law did not allow him a preference right to enter even though he won it in the contest.

Mr. STAFFORD. Later Mr. Ross made default, and the entry was canceled without any hearing by the General Land Office on February 7, 1914.

Mr. FERRIS. That is right.

Mr. STAFFORD. The mere fact that Markley filed a contest gave him no right whatsoever to this land.

Mr. FERRIS. It could be contested, but the contestant did not acquire the preference right to enter that is usually accorded a successful contestant.

Mr. STAFFORD. Because under the law opening the land to entry——

Mr. FERRIS. It was subject to contest, but the contestant did not get anything. He did not get any preference right.

Mr. STAFFORD. The contestant did not get anything.

Mr. FERRIS. That is true.

Mr. STAFFORD. The entryman paid one-fifth of the $1,800 and forfeited it. Seven years afterward this man Markley, because he happened to enter a contest with the entryman, wishes to gain title to this land.

Mr. FERRIS. By paying the highest bid for it?

Mr. STAFFORD. The highest bid that is named, but not the highest bid which may now be obtained for it. This land is sold under the law and offered as unsold tracts to the highest bidder. Now, I suppose this land—I do not know—may be worth several thousand dollars. Markley wants to come in here and lay claim to it; but he has no right to it whatsoever, no superior right, just because he made a contest against the original entryman.

Mr. FERRIS. I know the gentleman is exacting an agreement here that this item go out or he will kill all these omnibus bills. Of course, I do not want to kill all of these 50 odd bills just to save mine.

Mr. STAFFORD. I have gone over these items.

Mr. FERRIS. So have I, and the gentleman has probably singled out the only little bill I have had for four or five years and eliminated it, and because I was not on the job he has entered an agreement to strike this out of the bill. It seems to me the gentleman might have called it to my attention.

Mr. STAFFORD. I will say to the gentleman, to justify my views, that if I had known it was the gentleman's bill I would certainly have called it to his attention. The gentleman was on the floor with other members of the Oklahoma delegation, and no protest was made at all.

Mr. FERRIS. I was sitting over there with some other gentlemen. Somebody said the gentleman from Wisconsin was knocking one of my bills.

Mr. STAFFORD. If this matter had not been called to my attention by a member of the Committee on Indian Affairs——

Mr. FERRIS. What member?

Mr. STAFFORD. I will say on my responsibility that a member of the Committee on Indian Affairs asked me to object to

this bill when it came up on the Private Calendar. I have no further interest in the matter.

Mr. FERRIS. I want to be heard a moment here. Mr. Chairman, the Secretary of the Interior sent this little relief bill down with a large number of other bills and asked that it be enacted, urging that there were strong equities and that it had been before the department a long time, and he hoped that Congress would enact them. When I was out home sick with influenza the Committee on Public Lands put this in the omnibus bill for minor unimportant bills. At another time it was reported as a private bill that I introduced. The facts are all in the reports from the Secretary. I hope the gentleman will tell me who objects to this bill, because I think there is no valid objection to it. He has allowed page after page of these small bills to go through where they pay nothing for the land, and this gentleman provided for here has to pay $1,800 and get a piece of bald prairie land, and the gentleman singles that out and puts a condition precedent that he will not allow this omnibus claim bill to be presented unless they strike this provision out. He allows all the others to go without any payment for the land whatever.

Mr. MONDELL. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. MONDELL. The contestant was not to blame for the fact that it took seven years to have the case decided?

Mr. FERRIS. No; and my information is the poor fellow has been living on the land and making a home on it, a piece of land that the original occupant paid one-fifth for and moved away. It was abandoned. The original purchaser did not want it. He never even came back.

Mr. MONDELL. If the contest had been decided immediately there would have been no question raised by anyone about the value of the land?

Mr. STAFFORD. Even then he would not have had a right to enter the land.

Mr. MONDELL. He says a mistake is made there.

Mr. FERRIS. We have a very peculiar law on this land, that you can contest and cancel a claim, but you do not get anything as a result of it. They are merely performing a task for the Government. This man did not know it. He prosecuted the claim up to the last resort, spending his own money. This man Markley, I am told, had been living on this piece of land and making a home on it. The gentleman, by knocking this amendment out, will cause the piece of land to be put up at auction and sold out from under him and give it to somebody probably for a few more dollars. I was in hopes to save a home for him.

Mr. STAFFORD. Can the gentleman inform the House, if he knows the facts, what is the value of the land?

Mr. FERRIS. I do not know what the value is. It is prairie land, without a stick of timber on it, and located in the "Big Pasture." It is away north of the oil field and has no value whatever for oil. I never saw Markley. I never saw the land, but I know the general character of all that land down there. I do not know him, or anything of the kind, but the gentleman is doing the man who has a piece of land, and is willing to pay $1,800 for it, a great injustice. If the gentleman is doing that in order to hurt me, I will say that it does not hurt me.

Mr. STAFFORD. I do not want the chairman of the committee to have any such thought. I did not know that the gentleman from Oklahoma—and I say that in all sincerity—was interested in the bill. A gentleman who is a member of the committee asked me two months ago that if that bill was called up, to oppose it. He told me to look into it. I did not make any promise. I have no personal interest in the matter. I wish, Mr. Speaker, in view of the fact that the gentleman from Oklahoma thinks it a personal matter, to withdraw any reservation I made when this bill was under consideration. I do not think it was fair for the gentleman to think it is personal to him. I have no personal interest in the matter, even though the gentleman from Oklahoma has been chairman of the Democratic congressional committee.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to proceed for five minutes more.

Mr. MANN. I hope the gentleman will withdraw his request. Let us get along. Then the gentleman will start something else.

Mr. FERRIS. No. I want to help some. I do not want to have a controversy with the gentleman. I ask unanimous consent for one minute.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. FERRIS. Now, I do not want the gentleman from Wisconsin [Mr. STAFFORD] and myself to misunderstand each other about this matter. I am satisfied that the gentleman from Wisconsin has obtained some information from somewhere that was not right. If the gentleman will tell me, I will take it up with him personally and publicly and debate it with him. Here is a case where a man is compelled to pay all that the land is worth, and probably more. He is singled out and not even permitted to pay full value for the land and acquire it.

Mr. STAFFORD. In justice to myself, I want to say that I have gone over these claims. There was a Davis claim, where the Milwaukee Lumber Co. was interested, and in that case I asked that the interests of the Government be protected against the interests of the Milwaukee Lumber Co. I do not think the gentleman from Oklahoma had any right to make the reflection on me that he has made in this discussion.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. GANDY. Mr. Speaker, I did not understand from the vote that the amendment was agreed to.

Mr. FERRIS. I do not think we ought to agree to the amendment after the gentlemen have made an agreement. I do not want any agreements violated. I am merely sorry the agreement was made. I think it will do a very poor man an injustice, but I have hastily presented the matter as best I could.

Mr. MANN. A number of gentlemen voted for it, and a greater number voted against it, as I understand.

The SPEAKER pro tempore. The Chair will again put the question. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

SEC. 15. That the Secretary of the Interior is hereby authorized to issue and patent to Ella Oliver Richardson and Edmund Richardson the west fractional half of southwest fractional quarter of section 2, 27.24 acres; all fractional section 11, 320 acres; all that part of northeast quarter of northwest quarter section 13 lying west of the eastern boundary of what was formerly section 40, approximately 24.84 acres; northwest quarter of northwest quarter section 27, 39.95 acres; south half of northeast quarter and northwest quarter of northeast quarter section 28, 106.91 acres; all situated in township 18 north, range 10 east, Louisiana meridian, being approximately 518.93 acres in East Carroll and Madison Parishes, La., upon payment to the Government the sum of $1.25 per acre, lands which they and their grantors have occupied under claim and color of title and open and notorious possession for upward of 50 years: *Provided*, That proper application for the purchase of these lands be filed hereunder in the district land office within six months from the passage of this act, and that no adverse claim thereto be officially on record as pending when the application is allowed and the sale is made.

The SPEAKER pro tempore. There is a typographical error in this amendment. Without objection, the Clerk will be instructed to correct it.

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

SEC. 16. That the location No. 33 in township 6 north, range 9 west, second principal meridian, Indiana, which has been surveyed in the name of William Watson, as appears from the field notes of survey on file in the General Land Office, be, and the same is hereby, confirmed to the said William Watson, and the Commissioner of the General Land Office shall issue his certificate as register ex officio and cause a patent to be issued for said claim to William Watson, his heirs, assigns, and legal representatives: *Provided*, That this act and the patent which may be granted in pursuance of the same shall only operate as a relinquishment on the part of the United States, and shall in no way prejudice any valid adverse right, if such exist, to the said land; the intent being that title shall inure to the true owners of the land under the laws of Indiana, including laws of limitation and prescription, as though patent had issued during the lifetime of said William Watson.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

SEC. 17. That the homestead entry No. 06376 made by James Parmeter on February 10, 1914, for the west half of the southeast quarter and the east half of the southwest quarter, section 15, township 5 south, range 30 west, fifth principal meridian, on which proof of compliance of law has been made, be, and the same is hereby, validated, and the Secretary of the Interior is hereby authorized to issue patent thereon.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 18. That the additional homestead application No. 027498, filed by Andrew J. Brasswell on July 16, 1913, be, and the same is hereby, validated and allowed as to the west half of the southeast quarter, section 32, township 14 south, range 36 east, New Mexico principal meridian, effective as of the date filed, and that the State of New Mexico,

through its proper officers, be, and it is hereby, authorized to select 80 acres of surveyed, nonmineral, unappropriated, and unreserved public land in lieu of the above described tract.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 19. That upon the tender of a valid and sufficient soldiers' additional right, within a period to be fixed by the Secretary of the Interior, in support of the pending application of Hugh L. Shafer, known as Great Falls serial No. 045534, to enter the northeast quarter of the southeast quarter of section 32, township 22 north, range 12 east, Montana meridian, the Secretary of the Interior is hereby authorized to issue patent for the land herein described to George Van Voast, in whose interest said application was submitted, notwithstanding the intervention of any claim to the land not lawfully initiated prior to the filing of said application by Hugh L. Shafer.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 20. That the Secretary of the Interior is hereby authorized and directed to permit Nathan L. Seamon to make a second homestead entry: *Provided*, That in perfecting title to any homestead entry made under the provisions hereof said Seamon shall be entitled to claim credit for all residence, cultivation, and improvements shown in connection with his former entry, known as Denver serial 011928, and, if such entry is commuted, shall be entitled to credit for the $200 paid in connection with said Denver entry: *Provided*, That Seamon first reconvey to the Government the land embraced in said former entry.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 21. That Clarence Hazelbaker is hereby granted right of selection of 80 acres of unappropriated nonmineral, unreserved public lands of the United States in lieu of lands described as follows: The west half of the northeast quarter of section 15, township 31 north, range 3 east, Boise meridian, for which patent was issued him upon his final homestead certificate, but which it subsequently appeared was included in the land patented to Me-yone-yah, under Indian allotment No. 1287, in the Nez Perces Indian Reservation: *Provided*, That the land selected shall be of similar general character to that in the original homestead, but if selection is made of land designated or subject to designation under the enlarged homestead act, then selection may be in double the area of the original selecttion, and if selection is made under lands available for entry under the stock-raising homestead law, then selection may be made in area equal to four times the area of the selection authorized heretofore.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GANDY. Mr. Speaker, I offer the following amendment.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from South Dakota.

The Clerk read as follows:

Mr. GANDY offers the following amendment: Page 21, at the end of the bill, insert a new section, as follows:

"SEC. 22. That Rebecca C. Pepper is hereby permitted and given the right to select from lands subject to homestead entry in the United States 80 acres of such land, and upon selection being made the Secretary of the Interior be, and is hereby, authorized and directed to execute proper conveyance of title to such land to said Rebecca C. Pepper without requiring her to comply with any of the usual homestead provisions as to residence on or improvement of such land: *Provided*, That the land selected shall be of similar general character to that in the original homestead, but if selection is made of land designated or subject to designation under the enlarged homestead act, then selection may be in double the area of the original selection, and if selection is made under lands available for entry under the stock-raising homestead law, then selection may be made in area equal to four times the area of the selection authorized heretofore."

Mr. WALSH. Well, Mr. Speaker——

Mr. STAFFORD. Mr. Speaker, I think some explanation should be given. I would like to inquire whether it is the purpose of the members of the committee to keep on adding private claims to this omnibus claims bill. This is really a private claim bill, which had no right on the Public Calendar or on the Unanimous Consent Calendar.

The SPEAKER pro tempore. The gentleman from South Dakota [Mr. GANDY] has the floor.

Mr. GANDY. Mr. Speaker, this is the only amendment I have. It is a bill that is on the calendar, and it is on all fours with other bills on the calendar. I yield to my colleague [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, I may say that this is a bill which by oversight was not called to the attention of the committee when they were making up this omnibus measure. It is a bill introduced by my colleague Mr. MCLAUGHLIN of Michigan, which passed the Senate in the Sixty-third Congress, and which was favorably reported to this House but failed to get action. It has been favorably reported by the Committee on the Public Lands in this Congress since the omnibus bill was reported, is on the Private Calendar, and therefore is not eligible to go on the Unanimous Consent Calendar. It is a bill to give Rebecca C. Pepper the right to make a substitution. On September 28, 1908, she was allowed to make a homestead entry of certain lands, the same, according to the Federal land office records at Marquette, Mich., being open to entry. She went on the land, and several years later, after she had spent about $2,500 on it, it was discovered that the lands were not subject to entry because of an old military bounty land warrant issued in 1866. And having been misled by the books of the land office, and having made these improvements, which she has lost, this bill merely proposes that she may have an opportunity to enter without residence an equal amount of other land in the State of Michigan open to entry; or, if it is of inferior value, that she may be allowed to enter 160 acres instead of 80; and as to all of that the Department of the Interior, both in 1913 and again in January of this year, has made favorable reports, which have been put into the report of the committee.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

Mr. GANDY. Mr. Speaker, it is very apparent that if the latest decision of the Chair with relation to section 14 is to stand, these sections will have to be renumbered; and I want to ask the gentleman from Wisconsin [Mr. STAFFORD], with whom I had an agreement with relation to section 14, from which he so graciously released me, if now, inasmuch as these sections would have to be renumbered, and inasmuch as there was a misunderstanding as to just what that vote was and how Members should vote on the amendment, he would have any objection at this time to returning to section 14 and taking the vote over again?

Mr. WALSH. I would object to it. We can not be voting on these things twice.

Mr. GANDY. Then, Mr. Speaker, I ask unanimous consent that the numbers of the sections be corrected.

Mr. MANN. The Clerk will properly number the sections.

Mr. FRENCH. Mr. Speaker, I offer the amendment which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FRENCH. Insert the following as a new section:

"SEC. 23. That Oliver P. Pring, of Lewiston, Idaho, is hereby granted right of selection of 160 acres of nonmineral unreserved public lands of the United States in lieu of lands purchased by the said Oliver P. Pring, for which patent was issued to Ulysses S. Bartlett upon his final homestead certificate No. 5689, but which it subsequently appeared was partly included in the land patented to Hattie Moody under Indian allotment No. 1711, embracing the following-described land: The east half of lot 4, section 35, township 36 north, range 4 west, Boise meridian: *Provided*, That the land selected shall be of similar general character to that in the original homestead; but if selection is made of land designated or subject to designation under the enlarged homestead act, then selection may be in double the area of the original selection, and if selection is made under lands available to entry under the stock-raising homestead law, then selection may be made in area equal to four times the area of the selection authorized heretofore."

Mr. FRENCH. Mr. Speaker, the House is entitled to an explanation of just what this amendment proposes to do. It proposes to grant to Oliver P. Pring the right to acquire a homestead of 160 acres of the lands described, or in lieu of not being able to acquire a homestead of 160 acres of land available under the general homestead laws, then double that amount under the 320-acre homestead law, or four times that amount under the stock-raising homestead law.

Mr. WALSH. Will the gentleman yield for a question?

Mr. FRENCH. Let me make my statement first. The facts are these: In 1897 the Government of the United States issued an Indian allotment to one Hattie Moody, which allotment included this particular land, amounting to 5 acres. Through some inaccuracy in keeping the records no notation was made in the matter, and several years later, or about 1908, Ulysses S. Bartlett was permitted to acquire the land under the homestead law, and a patent was issued. Bartlett sold the land. It passed through the hands of one or two innocent purchasers, and finally Mr. Pring acquired it. After Mr. Pring acquired the land and possibly had sold it—I am not sure on that point—it was discovered that there was a conflict as to the land, and that the land that had been patented to Bartlett had been allotted and patented in part to Hattie Moody. Subsequently in the United States district court the patent was canceled, so far as it involved the land in question. This tract of land is down on the river bottom, where it is very valuable. Before the matter was disposed of by the court, Pring went to the Indian woman and offered her $500 an acre for it. In order that you may know how valuable it is, I call your attention to the fact that he offered her $500 an acre for this particular tract. It was refused by her. Apparently there was nothing

for the court to do except to cancel the patent. Of course Mr. Pring is the loser. I have his affidavit here showing that he has lost something like $3,500. Now, there seems to be an objection to this bill, because we can not get it out of our heads that an acre of land is a unit of value and a medium of exchange. Gentlemen, if we still lived in an age when we kept books by cutting notches on sticks, there would be reason in that logic, but we have passed by those times. Case after case has been reported in this bill where the land did not involve as great a value and where we have permitted the person who was injured to go and acquire other lands. The last case on the bill is the Hazelbaker case. I suppose that the loss there to the original entryman is not nearly equal to the loss of Mr. Pring, yet, because we could measure it in approximately the same number of acres, no question was made, and we reported favorably on a bill to grant relief to that man. Yet here is a case where the land is valuable, worth $500 an acre nearly 10 years ago, and worth more than that now, but because it does not approximate in area 80 acres or 160 acres we say, "Why, we can not report any relief for him." I can not get any relief from the Claims Committee; I can not get any relief from the Indian Committee; I can not get any relief from the department. There is no place where this man can go for relief except here.

Mr. MONDELL. I assume that the claimant is not a qualified homestead entryman?

Mr. FRENCH. No; he is not.

Mr. MONDELL. And all you are doing is proposing to make him a qualified homestead entryman?

Mr. FRENCH. Yes; and let him take a homestead and let him be granted this land in lieu of the land that was erroneously patented to the Indian woman.

Mr. MONDELL. You do not grant him any particular tract?

Mr. FRENCH. No; we grant him the right to acquire a tract.

Mr. MONDELL. All you do is to make this claimant a qualified homestead entryman?

Mr. FRENCH. No; the language is practically the same as the Hazelbaker case, where it is granted to Hazelbaker the right to acquire land in lieu of land erroneously patented to Hazelbaker. Here we grant 160 acres in lieu of 5 acres, and if Pring can not find such land under the general law——

Mr. MONDELL. That is exactly what he could do if you make him a qualified entryman.

Mr. FRENCH. Then he would have to live on the land, prove up, and all that sort of thing.

Mr. MONDELL. All you do is to allow the man to make the entry?

Mr. FRENCH. No; we let him do what we have done in the Hazelbaker case—permit him to acquire land in lieu of it.

Mr. FERRIS. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. FERRIS. This was not considered by the committee?

Mr. FRENCH. It was considered by the subcommittee and was turned down.

Mr. FERRIS. This provides that the land can be had by the entryman without the payment of any money?

Mr. FRENCH. Yes.

Mr. WALSH. Will the gentleman yield?

Mr. FRENCH. I will.

Mr. WALSH. Has the bill ever been reported by any committee?

Mr. FRENCH. I have had it before the committee; the committee did not report it, but turned it down, and the Department of the Interior reported adversely on it.

Mr. WALSH. And the gentleman is asking the House to put on an amendment rejected by the committee of the House and reported upon adversely by the Interior Department. What are the particular facts why this amendment ought to be put in the bill?

Mr. FRENCH. Mr. Speaker, I suppose, if I have done nothing else I have at least focused attention on the absurd system under which we are working when a claimant having a legitimate claim against the Government has no place to go for relief.

I have introduced a bill that the department may have the power over small claims to adjudicate them, and that in certain cases they may be taken to the Court of Claims on appeal, and in case of large claims they may be taken to the Congress. What are we going to do? The Government was at fault in this case; it issued a patent of the land to an Indian woman and later permitted a homesteader to acquire the same land, which, when Mr. Pring owned it, was worth $500 an acre, and to save himself he was willing to pay the Indian woman $500 an acre and wipe out her claim. We are asking that he may not be allowed to lose the value of the land on account of the blunders of the Government, and there ought to be some way in which to find relief.

Mr. WALSH. Can the gentleman state the grounds on which the committee refused to report the bill?

Mr. FRENCH. I think the grounds are the ones that I have indicated, that the amount of the land is only 5 acres. There is one other point, and that is one relied upon in part by the department, that Mr. Pring knew that the land was Indian land before he bought it. He swears positively that he did not. More than that, it is clearly within the land purchased by Pring, according to the description of the patent, and it required action in the Federal court to set aside the title.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. McLAUGHLIN of Michigan. What the gentleman says indicates that this case is similar to the one I had.

Mr. FRENCH. With this exception: That this only involves 5 acres of land which are of great value, and in the gentleman's case he had a larger area—80 or 160 acres, I forget which—that could be taken care of by an even exchange. In this case we have only 5 acres, and it is worth more than 160 acres of any other land referred to in the bill.

Mr. McLAUGHLIN of Michigan. I am in thorough sympathy with the gentleman and what he is trying to do. There ought to be some way in which the department of the Government that makes serious mistakes involving land can correct these mistakes and make good the loss. In my case there was a schoolteacher of my district who undertook to get a patent on 80 acres of land. It was found to be subject to patent, and she located on it, put improvements on it, and expended $2,500.

Mr. FRENCH. I think we have taken care of that case in this bill.

Mr. McLAUGHLIN of Michigan. When she applied for a patent she was told that it had previously been patented to another party. She asked for redress, and the officials told her that the deed given by the Government is only a quitclaim and that there is no liability whatever on the Government. The only way for us was to come to Congress and ask for relief, and when we do so we are put off for years, as we are in this case.

The SPEAKER pro tempore. The time of the gentleman from Idaho has expired.

Mr. FRENCH. I ask for five minutes more.

Mr. MANN. Reserving the right to object, the gentleman has had how much time?

Mr. FRENCH. Ten minutes.

Mr. MANN. There are a lot of other cases on the calendar. Does not the gentleman think he has had a fair chance to make his statement?

Mr. FRENCH. When it comes to that, I have occupied little time of the House, but I am willing to recognize the fact that other Members are much interested in other bills, and I think, Mr. Speaker, I have said all I need to say.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Idaho.

The question was taken, and the amendment was agreed to.

Mr. McCLINTIC. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

At the end of the bill add a new section, as follows:

"That I. N. Ellis be permitted to purchase from the United States at the price of $1.25 per acre, lots 6 and 7 of section 3, and lots 4, 5, 6, 7, 8, 9, 10, and 11 of section 10, township 8 north, range 21 west, of the St. Stephens meridian survey, in Lawrence County, Miss., containing 234.82 acres: *Provided*, That nothing herein contained shall be so construed as to deprive Mack and John P. Sutton of any rights they may have under their pending application to make entry of portions of said lands under the homestead laws: *Provided further*, That application for the purchase must be filed within six months from the passage of this act."

Mr. STAFFORD. Mr. Speaker, I reserve the point of order on the bill.

Mr. McCLINTIC. Mr. Speaker, this is a measure that has been duly considered by the Public Lands Committee and afterwards referred to a special committee, and a hearing was had on the same. The special committee found that the bill should be enacted into law and reported it back to the Public Lands Committee with a favorable report. The bill is now on the Private Calendar. This is a case in which a party named Ellis and those through whom he received title from have had undisputed possession of the property for a period of 50 years. In 1916 the Government made a new survey, and in this new survey they found that this land that this man had been paying taxes on for a period of 50 years was not included in that which he originally obtained, and so the Public Lands Committee and the subcommittee, after considering the merits of the matter, reported this bill favorably to the House. It is on the Private Calendar and for that reason I wish to have it added to this bill.

The SPEAKER pro tempore. Does the gentleman from Wisconsin make the point of order?

Mr. McCLINTIC. Mr. Speaker, I hope the gentleman will not make the point of order. It has been duly considered by one of the large committees in the House and has been considered by a special committee. The Secretary of the Interior has reported favorably upon it. There is no controversy about it, and even the attorneys——

Mr. STAFFORD. Which committee reported favorably upon it?

Mr. McCLINTIC. The Public Lands Committee. And even the attorneys representing the two contending parties have agreed that the bill should be enacted into law.

Mr. STAFFORD. Mr. Speaker, after the House has adopted an amendment which the committee did not favorably report I do not think that it is consistent to make the point of order on one upon which it did favorably report. I withdraw the point of order.

The SPEAKER pro tempore. The gentleman from Wisconsin withdraws the point of order. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was agreed to.

Mr. GANDY. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER pro tempore. The question now is on the third reading of the Senate bill as amended.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. GANDY, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. GANDY. Mr. Speaker, eight of the items included in the bill just passed are on the Private Calendar as individual bills, and I ask unanimous consent that they be ordered to lie on the table, the bills being H. R. 4239, H. R. 1672, H. R. 13109, H. R. 3786, H. R. 12122, H. R. 10403, H. R. 11919, and H. R. 6052.

The SPEAKER pro tempore. The gentleman from South Dakota asks unanimous consent that the bills be enumerated on the Private Calendar, which have been incorporated within the bill just passed as amendments, do lie on the table. Is there objection?

There was no objection.

Mr. GANDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the bill passed and upon my services in this House.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

BRIDGE ACROSS MONONGAHELA RIVER, ALLEGHENY COUNTY, PA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13427) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Allegheny, in the Commonwealth of Pennsylvania, and its successors and assigns, to construct, maintain, and operate a bridge, with approaches thereto, across the Monongahela River, at a point suitable to the interests of nagivation, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. GARLAND. Mr. Speaker, I move to reconsider the vote by which the bill was passed and to lay that motion on the table.

Mr. KELLY of Pennsylvania. Mr. Speaker, I move to reconsider the vote by which the bill was passed and to lay that motion on the table.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

CANAL CONNECTING LAKE ERIE AND OHIO RIVER.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 11579) to authorize the appointment of a board of engineers to make a preliminary location, survey, and plans for a canal connecting the waters of Lake Erie and the Ohio River on the line of the Miami and Erie Canal from Toledo to Cincinnati, Ohio, and from a point near Defiance, Ohio, to a point in the southerly end of Lake Michigan, and to estimate the cost thereof.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill.

Mr. WELTY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice and be placed at the foot of the calendar.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that the bill be passed over without prejudice to go to the foot of the calendar. Is there objection?

There was no objection.

CIVIL RIGHTS OF SOLDIERS AND SAILORS.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13185) to amend paragraph 1 of section 200 of article 2 of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved March 8, 1918.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I wish the gentleman would explain the necessity for this now.

Mr. STEELE. Mr. Speaker, it is recommended by the Attorney General's Department, and until the war is actually ended there is some necessity for it, according to his statement. Technically the war is not over and probably will not be for several months, and perhaps more than that.

Mr. MANN. We have gotten along without it until the war was actually over, and what is the necessity for it now?

Mr. STEELE. The only change made by this amendment is to protect the rights of the United States so that they shall not be compelled to give an indemnifying bond. That is the only purpose of the amendment.

The SPEAKER pro tempore. Is there objection?

Mr. HUDDLESTON. Mr. Speaker, reserving the right to object, I should like to have the bill reported.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That paragraph 1 of section 200 of article 2 of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved March 8, 1918, be, and is hereby, amended to read as follows:

"SEC. 200. That in any action or proceeding commenced in any court if there shall be a default of an appearance by the defendant the plaintiff before entering judgment shall file in the court an affidavit setting forth facts showing that the defendant is not in military service. If unable to file such affidavit plaintiff shall in lieu thereof file an affidavit setting forth either that the defendant is in the military service or that plaintiff is not able to determine whether or not defendant is in such service. If an affidavit is not filed showing that the defendant is not in the military service, no judgment shall be entered without first securing an order of court directing such entry, and no such order shall be made if the defendant is in such service until after the court shall have appointed an attorney to represent defendant and protect his interest, and the court shall on application make such appointment. Unless it appears that the defendant is not in such service the court may require as a condition before judgment is entered that the plaintiff file a bond approved by the court conditioned to indemnify the defendant, if in military service, against any loss or damage that he may suffer by reason of any judgment should the judgment be thereafter set aside in whole or in part. And the court may make such other and further order or enter such judgment as in its opinion may be necessary to protect the rights of the defendant under this act: *Provided*, That in cases in which the United States is the plaintiff no indemnity bond shall be required, and court fees incurred by attorneys appointed to protect the interests of absent defendants, together with such attorneys' fees as the court may direct, shall be paid by the United States."

With the following committee amendment:

Page 3, lines 3 and 4, strike out "together with such attorneys' fees as the court may direct."

The SPEAKER pro tempore. Is there obejction to the present consideration of this bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. GARD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill for amendment.

The Clerk read the bill.

Committee amendment: Page 3, lines 3 and 4, strike out "together with such attorneys' fees as the court may direct."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. GARD, a motion to reconsider the vote by which the bill was passed was laid on the table.

VALIDATION OF CERTAIN PUBLIC-LAND ENTRIES.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13034) to validate and confirm certain erroneously allowed entries in the State of Minnesota.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That in all cases where Chippewa Indian lands in Minnesota, ceded under the act of Congress approved January 14, 1889 (25 Stat. L., p. 642), were assessed under the State drainage laws prior to the opening of the lands to entry, where the lands were subsequently opened to entry and were thereafter sold under the said drainage laws, and where cash entries for the lands were subsequently made as though authorized by the act of Congress approved May 20, 1908 (35 Stat. L., p. 169), such erroneously allowed entries, if otherwise regular, be, and the same are hereby, validated and confirmed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. STEENERSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

WAR WORKERS OF AMERICA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13072) to incorporate the War Workers of America.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, I object to this bill. There is another of similar tenor on the calendar.

The SPEAKER pro tempore. The gentleman from Massachusetts objects, and the bill is stricken from the calendar.

ADDITIONAL JUDGE, NORTHERN JUDICIAL DISTRICT, TEXAS.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13629) to provide for the appointment of an additional district judge in and for the northern judicial district of the State of Texas.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. CRAMTON. Mr. Speaker, I object.

Mr. SUMNERS. Will the gentleman withhold his objection?

Mr. CRAMTON. Certainly, I will withhold my objection.

Mr. SUMNERS. Mr. Speaker, I desire to make a very brief statement to the Members of the House with regard to this bill. Judge Meeks, who is the presiding judge of this district, is now in a sanitarium in California. He has been out of the district much of the time for the past two years. His health began to fail about 10 years ago, and since that time his health has been in a precarious condition. Last fall he had a stroke, and under the advice of his physician left the district. He was unconscious for a while and his physician states that he will not be able to return for at least a year and a half, and when he does return he will not be able to do the heavy work of the district. There is now pending in that district about a thousand cases. There has not been tried in that district but one civil case since last summer. The district is composed of about 99 counties, something in the neighborhood of 70,000 square miles of territory. It embraces the cities of Dallas and Fort Worth, 32 miles apart, which have a total population of more than a quarter of a million people. There is in this district about a million and a quarter of people. Now, to add to the difficulties of that situation, the judge of the eastern district, which is an adjoining district, is in a sanitarium now at El Paso. This bill was prepared by the Department of Justice and was introduced at the request of the Attorney General. The Attorney General came before the Committee on the Judiciary, having this bill in charge, and urged upon us that the situation obtaining in that district amounts practically to a denial of justice. Now, I am going to read a very brief statement which indicates some of the difficulties we are up against——

Mr. CRAMTON. If the gentleman would yield—I do not want to interrupt any statement the gentleman desires to make—but in view of the very unhealthy climate of Texas in reference to Federal judges I withdraw my objection.

Mr. SUMNERS. I thank the gentleman.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. SUMNERS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union and, pending that request, I desire to ask the Chair with reference to a parliamentary matter. A bill identical in purpose but very slightly different in language, has passed the Senate and is now on the Speaker's table. I desire to have the Senate bill substituted for the House bill.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent——

Mr. WALSH. What is the Senate bill?

The SPEAKER pro tempore. The gentleman asks unanimous consent that the bill be considered in the House as in Committee of the Whole——

Mr. MANN. We do not know it is to be considered at all if the request is granted. The gentleman, I understood, asked unanimous consent to consider the Senate bill in lieu of considering the House bill.

Mr. SUMNERS. That was the request I desired to make.

Mr. MANN. Is the Senate bill at the desk?

Mr. SUMNERS. Yes; I have sent it up. It has passed the Senate.

The SPEAKER pro tempore. The request the gentleman makes is that this bill be considered in the House as in the Committee of the Whole.

Mr. MANN. The Committee of the Whole can not substitute one bill for another. The House might do so.

Mr. SUMNERS. What I desire is that we may now consider the Senate bill, which is identical in purpose with the House bill.

Mr. MANN. It is not identical, but——

Mr. SUMNERS. And I desire to submit that request.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to consider the Senate bill in lieu of the House bill. Is there objection?

Mr. MANN. Let the Senate bill be reported.

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read as follows:

A bill (S. 5342) providing for the appointment of an additional district judge for the northern judicial district of the State of Texas.

Be it enacted, etc., That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the district court of the United States for the northern judicial district of the State of Texas, who shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present judge of said district.

SEC. 2 That whenever a vacancy shall occur in the office of the district judge for the northern district of Texas senior in commission, such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. SUMNERS. Mr. Speaker, I ask that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill for amendment.

The bill was read for amendment.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the House bill of similar tenor will lie on the table. Is there objection? [After a pause.] The Chair hears none.

On motion of Mr. SUMNERS, a motion to reconsider the vote by which the bill (S. 5342) was passed was laid on the table.

BRIDGE ACROSS ROCK RIVER, JANESVILLE, WIS.

The next business on the Calendar for Unanimous Consent was the bill (S. 5192) for the construction of a bridge across Rock River at or near South Jackson Street, in the city of Janesville, Wis.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the city of Janesville, in the State of Wisconsin, be, and the same is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Rock River at a point suitable to the interests of navigation, at or near the point where South Jackson Street, in said city of Janesville, connects with said Rock River, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. COOPER of Wisconsin, a motion to reconsider the vote by which the bill was passed was laid on the table.

LAFAYETTE NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (S. 4957) to establish the Lafayette National Park in the State of Maine.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, personally I have no objection to creating the Mount Desert Park or the Sieur de Monts National Monument, situated on Mount Desert Island, as a national park, but I question the propriety of giving the name of Lafayette to a small monument such as this, rather than having Lafayette's name attached to some large national park which might more fittingly express the obligation of our Government to that great revolutionary patriot.

Mr. PETERS. Mr. Speaker, if there were any larger park which the gentleman desired to have honored by this name, I can see force in his objection, but there is none, and there are many reasons why this is an appropriate name. This land which is the subject of this bill and is of about 5,000 acres in area now, and is to be increased by gifts to the Government to 10,000 or 20,000 acres, has very interesting historical relations with the French, having been discovered by Champlain in the very early part of the seventeenth century.

The people interested in this measure desired to change the name to Lafayette National Park. While I personally believe that the name of Mount Desert National Park might be more appropriate and more distinctly local, I deferred in my judgment to that of others interested in this matter. For that reason I hope the gentleman will not insist on his suggestion that the name be changed by amendment.

Mr. CRAMTON. Will the gentleman yield further?

Mr. PETERS. Certainly.

Mr. CRAMTON. It should also be noted in the statement of Secretary Lane that this proposed park is now the third among all national-park areas in the number of people visiting it annually, something like 50,000.

Mr. PETERS. I think it is the second, if the gentleman will permit me, in the number of people visiting it.

Mr. MANN. Will the gentleman from Maine yield?

Mr. PETERS. Yes.

Mr. MANN. If this should be named "Lafayette National Park" will you guarantee it will not be used by suffragettes for burning various things, which might cause a great forest fire?

Mr. PETERS. I wish to say that our suffragettes are not of the incendiary variety, and besides Maine voted 2 to 1 against suffrage about a year ago. So I do not think there is any danger along that line.

Mr. MANN. But Lafayette Park is used for that purpose almost daily, and everybody now knows where Lafayette Park is.

Mr. DALLINGER. You ought to change the name of the latter park to some other.

Mr. MANN. When Lafayette Park is mentioned—and nobody will say Lafayette National Park—there will occur to the mind of everybody in the country the front of the White House, where the suffragettes are engaged in burning some kind of a proclamation, trying to annoy President Wilson, or doing something else.

Mr. PETERS. As soon as we get suffrage all those objections will disappear entirely.

Mr. MANN. It will still be known as "Lafayette Park."

Mr. PETERS. But the value of the objection will cease.

Mr. MANN. Here is the name of a well-known park fronting the White House, across the Avenue from the President's Mansion, and now they want to name a park up in Maine and call it "Lafayette National Park." The word "National" will not be used, except officially, and no one will take the trouble to hunt it up and locate it. Everybody will think of Lafayette Park down here in Washington.

Mr. CRAMTON. I know, as the gentleman has stated, that it is called down here "Lafayette Park," but on the books is it not called Jackson Park?

Mr. MANN. I think that may be so.

Mr. McLAUGHLIN of Michigan. I think the gentleman will find that that is so.

Mr. PETERS. I think there will be no confusion in the minds of people visiting the area in question.

Mr. STAFFORD. I agree with the mover of the bill that the name "Mount Desert" would be more appropriate.

Mr. PETERS. I hope the gentleman will not insist upon it.

Mr. STAFFORD. All of us know the location of Mount Desert, and I am not going to enter an objection to the consideration of the bill just because I think the name of Lafayette is not fittingly connected with this small island park.

Mr. PETERS. It is a larger and more important park than remarks of the gentlemen might indicate. It is essentially a park and not a monument, and that is one reason why this bill should pass. Having now an area of 5,000 acres, it is hoped to increase it to 20,000 in the not distant future, all without cost to the Government, through the continuance of the public-spirited efforts of the farsighted and patriotic gentlemen (preeminently including Mr. George B. Dorr, of Boston and Bar Harbor) who have been devoting their energy to this matter for years.

The park already is an important national project, and its possibilities are immense.

It is the only national park area established for the use and enjoyment of the people east of the Rocky Mountains and the only national park area in the country bordering on the ocean and giving people contact with the sea or view of coastal scenery.

It is in the heart of the most beautiful and picturesque scenery on the Atlantic coast, if not in the world. It includes as its dominating feature the highest summit on the Atlantic shore. It is the only spot where the mountains meet the sea. It is in a climate eagerly sought by thousands for its invigorating and health-giving qualities in summer, autumn, and even winter. This New England section constitutes by far the greatest recreational asset in the country and the most available, lying within reach by motor, train, and boat from the most densely peopled section of the United States and of over half of its total population. This shore is being rapidly taken up in private occupation by people coming from every eastern and central portion of the country, and in a few years' time this tract, now nationally owned, will be the single spot of beauty on it freely open to the public and devoted to a public use.

It will furnish recreation and pleasure to different types of people to an extent greater than any other park possible in this country.

Is a man interested in geology? Within the area of this park are some of the most ancient and interesting mountain and rock formations in the world, clearly exhibiting to the trained eye of the geologist changes of level of the coast and the later movement of the ice sheet, which stripped from the land its ancient soil, wore down the hills which had been pushed up, cut the valleys, and formed the innumerable lakes and ponds, now filled with the clearest and purest of water.

Is a man interested in history? This land contains the site, in 1613, of the earliest French missionary settlement upon the continent. It was discovered by Champlain in 1604, who first landed and named these mountains, which for more than a century remained the property of France as a portion of her ancient Province of Acadia, granted in 1688 by Louis XIV to Cadillac, the founder of Detroit and early governor of Louisiana, passed by English conquest into the possession of Massachusetts and by her given to her last colonial governor, Sir Francis Bernard, as a reward for patriotic service.

Is a man interested in botany and forestry? This particular spot, for some reason, through a combination of soil and climate, is more earnest in its effort to grow things than any other place in that fertile section of the country. It is covered by an extraordinary variety of trees, shrubs, and flowers, and capable of sheltering and nurturing many others.

Is a man interested in wild life? This country is rich in bird life, and this particular spot under national management could be made a bird sanctuary of large importance, lying, as it does, directly in the course of the Atlantic coast migration route to the great summer breeding regions of the north. It was formerly a favorite haunt of moose, deer, and beaver, which need protection only to become again abundant. Trout thrive very plentifully in the lakes and streams, and it is alone among our national-park lands in the admirable opportunities it offers for deep-sea fishing.

For the tired professional man, business man, or mechanic it offers unexcelled facilities for recreation and health, walking and climbing its paths and trails, breathing the ozone of the forests mingled with the breath of the sea.

Secretary Lane has called attention to the fact that the creation of this park was not the result of chance but of care-

ful, thought-out intention. No better way of extending into the crowded eastern regions of the country the immediate benefits of our national-park system could have been devised. The bringing of this park into the national-park system will be of inestimable benefit to future generations.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. PETERS. Mr. Speaker, I move that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Maine moves that the bill be considered in the House as in Committee of the Whole. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That the tracts of land, easements, and other real estate heretofore known as the Sieur de Monts National Monument, situated on Mount Desert Island, in the county of Hancock and State of Maine, established and designated as a national monument under the act of June 8, 1906, entitled "An act for the preservation of American antiquities," by presidential proclamation of July 8, 1916, is hereby declared to be a national park and dedicated as a public park for the benefit and enjoyment of the people under the name of the Lafayette National Park, under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for Sieur de Monts National Monument.

SEC. 2. That the administration, protection, and promotion of said Lafayette National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provision of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes," and acts additional thereto or amendatory thereof.

SEC. 3. That the Secretary of the Interior is hereby authorized, in his discretion, to accept in behalf of the United States such other property on said Mount Desert Island, including lands, easements, buildings, and moneys, as may be donated for the extension or improvement of said park.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. PETERS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. PETERS. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject.

The SPEAKER pro tempore. The gentleman from Maine asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

FLATHEAD INDIAN RESERVATION, MONT.

The next business on the Calendar for Unanimous Consent was the bill (S. 940) to provide for the payment for certain lands within the former Flathead Indian Reservation, in the State of Montana.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER pro tempore. The gentleman from Wisconsin objects.

Mr. STAFFORD. Mr. Speaker, at the request of the lady from Montana I will reserve my objection.

The SPEAKER pro tempore. The gentleman from Wisconsin reserves his objection.

Miss RANKIN. Mr. Speaker, this bill provides that certain people who have taken up land on the Flathead Indian Reservation shall not be required to pay the amount asked for in the second appraisement.

When the Flathead Indian Reservation was opened to settlement, and there was quite a little confusion because some land which had been allotted to the Indians and was afterwards withdrawn, this land was not appraised at the time the settlers went in. The Land Department sent word that these settlers should be allowed to go on the land, and they went on with the idea that the land would be appraised at the same value as similar land. After they had entered this land a second appraisement was made, and now the question is according to which appraisement should they pay. This bill provides that those who settled between August 26, 1910, and June 14, 1911, shall be required to pay the amount asked for in the first appraisement, and that the money shall be authorized to be repaid to the Indians, covering the difference between the two appraisements.

Altogether this difference could not amount to more than $65,000. It is not exactly known how much land will be involved, but the amount will not exceed $65,000. I think that any private corporation or land company that made the representations to the people that the Government made to the people who entered this land on the Flathead Indian Reservation would certainly be held liable for this difference. The people who entered this land increased the value of it before the second appraisement was made, and at that time there was a boom in land values in that part of the country, which partially accounts for the difference in the appraisements.

Mr. STAFFORD. Mr. Speaker, will the lady from Montana yield?

Miss RANKIN. Yes; I yield to the gentleman.

Mr. STAFFORD. Under the first entry were not all the lands that had been appraised taken and sold to those who had made entry upon them? And is it not a fact that these persons who entered upon lands that were not appraised went there subject to the right of the Government to make any appraisal that it might see fit to make in the future?

Miss RANKIN. According to the letter from the Land Department——

Mr. EVANS. Mr. Speaker, will the lady yield to me?

Miss RANKIN. Yes.

Mr. EVANS. The situation was this: The land was partly appraised; a large portion was appraised. Let us assume that the first set numbers from 1 to 7. The second set represent a piece of land contiguous to the first, where the value was not appraised. The settlers went upon the second piece of land on the same day, perhaps, that settlers went on the first piece. The Government says in substance, "I can not accept your filing on the second piece until the first piece shall have been appraised." It took five years to get the first piece appraised.

Mr. MANN. This bill does not apply to those cases. This bill only applies to the land that was appraised in 1907 and 1908.

Mr. EVANS. It applies to lands that were settled upon at the date of the settlement of the lands in 1908, when they were appraised, but some of them were not settled upon until 1912.

Mr. MANN. It says, "lands which have been appraised at an amount in excess at which similar lands were appraised."

Mr. EVANS. The gentleman is right. These settlers went on the land in perfect good faith, with the assurance that the price would be no greater than the first appraisement.

Mr. STAFFORD. There was no assurance. It was understood that these lands should be sold at the appraised value, and certain of the lands were appraised. Those that entered upon the land paid the amount of that appraisal. The others went on land that had not yet been appraised, subject to the right of the Government to appraise the land later. The lands rose in value, and then the appraisers placed a higher value upon them than had been placed upon the land originally. Now they are trying to get something from the Government for nothing.

Mr. EVANS. The man who settled on the second piece of land added a value to it just as much as the man who settled on the first piece, because he built roads, and schoolhouses, and ditches, and farms.

Mr. MANN. Very well. Supposing that is the case. This was Indian land?

Mr. EVANS. Yes.

Mr. MANN. The Government acted as an intermediary between the Indians and the settlers on the land, to transfer the title to the settlers?

Mr. EVANS. Yes.

Mr. MANN. Why should the intermediary have to pay a large sum of money just because the title passed through the intermediary? If the first appraisement was sufficient to allow settlements with the settlers, why is it not sufficient to settle with the Indians? They are all residents of this same territory, are they not, both Indians and settlers?

Mr. EVANS. Yes. The only reason I could assign in answer to the gentleman's question is that the Government, by reason of its failure to appraise the second piece of land, made itself liable.

Mr. MANN. It is nonsense to talk about the Government paying this because it did not appraise the land. Now, here is the position: This bill was up here before, and the committee itself struck out the provision that the Government should pay the difference.

Mr. EVANS. Yes.

Mr. MANN. Here is a case where the Government is not interested in any way whatever financially. It passes the title from the Indians through the Government to the settlers.

Mr. EVANS. Yes.

Mr. MANN. An appraisement is made at a low rate on a part of the land. Settlers acquired part of the land on that basis. Their improvements added to the value of the land. The Indians did not add to the value of the land. The claim is

that the settlers added to the value of the land and that therefore the settlers who did not obtain the land on the first appraisement should now obtain it on the payment of the value of the land at the time of the first appraisement. Well, that is very much to the interest of the settlers. It may be just, but thereupon our good friends out there insist that because the Indians also live in Montana the Government also must pay them on the last appraisement, and give to the Indians the benefit of the additional value of the land, a value added by the settlers, but must not make the settlers pay that. Well, the Government is a bare trustee, and for acting as a bare trustee you want to make them pay a large sum of money. Is that fair?

Mr. EVANS. Would it be satisfactory to the gentleman to strike out the second section of the bill and let the first section pass?

Mr. MANN. It would be if it was a House bill, and so we could control it; but, being a Senate bill, if we pass it here it will have to go back to the Senate, and this will very likely be restored there.

Mr. STAFFORD. The insurmountable objection that I had to the bill was that it imposed an obligation on the United States Government, which had no possible financial interest in the matter.

Mr. MANN. I suppose eventually we will pay it anyhow, because we pay almost any old Indian claim in the course of time.

Mr. HASTINGS. Let me remind the gentleman from Illinois that you do not pay any Indian claim until after the lapse of about 100 years.

Mr. EVANS. Certainly this is a hardship on those people out there.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object to it in its present form.

Miss RANKIN. Mr. Speaker, I ask unanimous consent to have this bill passed over without prejudice, to go to the foot of the calendar.

The SPEAKER pro tempore. The lady from Montana asks unanimous consent that the bill may go to the foot of the calendar. Is there objection?

There was no objection.

MEMORIAL TO FRANCIS ASBURY.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. BANKHEAD. When we had under consideration the Senate joint resolution authorizing the erection of a memorial to Francis Asbury, the gentleman from Illinois [Mr. MANN] raised certain objections. I have prepared an amendment to the resolution and submitted it to the gentleman, and it meets with his approved, and I think will meet with the approval of the members of the committee. Therefore I ask unanimous consent to return to Senate joint resolution 107, and to clear up the matter by offering the amendment.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to return to Senate joint resolution 107, authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury, to which he proposes to offer an amendment. Is there objection?

Mr. STAFFORD. Let the suggested amendment be read first.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 2, line 5, after the word "memorial," insert the following:

"*Provided*, That the memorial herein provided for shall not be erected or placed on any part of the Mall or Potomac Park, nor on any ground within one-half mile of the Capitol."

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I am quite in sympathy with the position taken by the gentleman from Illinois, that all available tracts of land in the District of Columbia should not be preempted by the erection of monuments or memorials upon them, for worthy persons, it is true, but persons who are not known except perhaps to a small number. Would the gentleman have any objection to having the site chosen by the Commission of Fine Arts?

Mr. MANN. That is provided in the resolution, is it not?

Mr. STAFFORD. No; it merely says that it shall be approved by the Commission of Fine Arts. Of course, we know that on Connecticut Avenue——

Mr. BANKHEAD. What is the gentleman's suggestion?

Mr. STAFFORD. To have the proviso read:

Provided, That the design of the memorial shall be approved and the site chosen by the Commission of Fine Arts.

Mr. BANKHEAD. I have no objection to that. I shall be glad to accept that suggestion.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the joint resolution.

The Clerk read as follows:

Resolved, etc., That the Chief of Engineers, United States Army, be, and he is hereby, authorized and directed to grant permission to the Francis Asbury Memorial Association for the erection on public grounds of the United States in the city of Washington, D. C., other than those of the Capitol, the Library of Congress, and the White House, of a memorial to Francis Asbury, a pioneer itinerant, whose continuous journeyings through our cities, towns, villages, and early settlements, from 1771 to 1816, greatly promoted the interests of patriotism, education, morality, and religion and were a distinct aid to the American Republic: *Provided*, That the site chosen and the design of the memorial shall be approved by the Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of the said memorial.

Mr. BANKHEAD. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 2, line 5, after the word "memorial," insert the following:

"*Provided*, That the memorial herein provided for shall not be erected or placed on any part of the Mall, or Potomac Park, nor on any ground within one-half mile of the Capitol."

Mr. STAFFORD. Does not the gentleman think the exception more fitting to lines 5 to 9 carried in the bill?

Mr. BANKHEAD. It might be from the standpoint of literary construction, but I do not see that it adds anything to the exception.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 2, lines 2 and 3, strike out the words "site chosen and," and after the word "approved," in line 3, insert "and the site chosen."

Mr. WALSH. Does the gentleman think that is in accord with the construction he desires to have placed in the proviso?

Mr. STAFFORD. I hope so.

Mr. WALSH. I suggest that it needs the words "site shall be chosen."

Mr. STAFFORD. I accept the gentleman's suggestion, and I modify my amendment to that extent.

The SPEAKER pro tempore. The question is on the amendment as modified.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BANKHEAD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

STOCK-WATERING PRIVILEGES—FLATHEAD INDIAN RESERVATION, MONT.

The next bill on the Calendar for Unanimous Consent was the bill (S. 932) to provide stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I want to inquire if these lands are classified and appraised; and if so, whether they will be sold at the appraised value.

Mr. EVANS. I do not know whether they are classified. My understanding was that they were Indian lands that would be allotted, and when allotted they want to keep open a passageway, so that the cattle can get to the streams of water.

Mr. STAFFORD. The purpose is, as I gathered from the report, that these lands were to be opened for settlement. It may be that the lady from Montana can give the information.

Miss RANKIN. There are certain lands back in the hills that can be allotted for stock-raising purposes. There is no value to them unless they can have water. Trails have been formed by the cattle going to the water, and it is asked that the Department of the Interior withhold from allotment a narrow strip of land following these trails on the natural highway, so that the cattle may always find water. Then it will be possible to allot the lands back in the hills for stock-raising purposes.

Mr. STAFFORD. It is not the purpose to throw the lands open for settlement?

Miss RANKIN. No further than they are opened, but it is the purpose to withhold this land, so that the cattle can get to the water. It is already thrown open to settlement.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of an objection.

The SPEAKER pro tempore (Mr. GARNER). Is there objection to the present consideration of the bill?

There was no objection.

Miss RANKIN. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The lady from Montana asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act of April 23, 1904 (33 Stats. L., p. 302), entitled "An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana," and all amendments thereto, be amended by adding thereto the following section:

"SEC. 26. That the Secretary of the Interior be, and he hereby is, authorized and directed to designate as valuable for stock-watering purposes such of the unallotted and unreserved lands of the Flathead Indian Reservation, which border on streams, as may be subject to settlement and disposal under sections 9 and 13 of this act. Lands so designated shall be disposed of under the terms of this act, subject to the conditions, which shall be expressed in all patents issued for land so designated, that existing trails crossing said lands shall be kept open to the extent necessary to provide access for live stock to streams adjacent to said lands. The Secretary of the Interior is authorized and directed to perform all acts necessary to the enforcement of this condition."

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Miss RANKIN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LOTS FOR SCHOOL PURPOSES, SUN RIVER PROJECT, MONTANA.

The next bill on the Calendar for Unanimous Consent was the bill (S. 3571) granting lands for school purposes in lots No. 111 in each of the town sites of Fort Shaw and Simms, Sun River reclamation project, Montana.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be hereby authorized and directed to issue patent conveying lot No. 111 in the town site of Fort Shaw, Sun River reclamation project, Montana, to school district No. 82, Cascade County, Mont., and also lot No. 111 in the town site of Simms, Sun River reclamation project, Montana, to school district No. 39, Cascade County, Mont.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Reserving the right to object, I assume that there is some necessity for this legislation although the report does not indicate what it is. Have they not got the sites for schools for educational purposes?

Miss RANKIN. In the reclamation projects they have made no provision for school sites. This is to give school sites in these two townships. The town sites are laid out by the Reclamation Service. It is on Government land.

Mr. WALSH. There is no reservation in reclamation projects for school purposes?

Miss RANKIN. No.

Mr. STAFFORD. Mr. Speaker, there is an informal matter to which I wish to call the attention of the lady from Montana. There is an obvious customary clause omitted in line 1. It reads "that the Secretary of the Interior be hereby authorized." The customary language is "that the Secretary of the Interior is hereby authorized." The word "be" should be stricken out and "is" inserted.

Miss RANKIN. Then I ask unanimous consent to so amend the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, there is no information whatever in the report upon this bill. It is one of those reports sent in by the Secretary of the Interior Department and gives no information whatever. The so-called report describes the bill, and the description of the bill occupies most of the report, and then we find the following language:

Upon investigation of the matter I find that there would be no objection to the issue of such patent to the school districts, and I therefore suggest favorable action on the bill.

That is about the limit! We go far enough in accepting the reports of the departments of the Government, and I have always insisted that we have a report from the department, but the object of that is to get information. There is no information here about this case. Although I do not know anything about it, having no information whatever before me, I presume that we have already given the State of Montana her proportionate share of school lands, and generally where additional lands are desired, it has been the practice to permit the school districts to acquire them upon paying the minimum price per acre. Whether there is an acre or more here I do not know. Probably no one else here knows how much there is. The Secretary of the Interior has not given us that information. All we know is that it is lot 111 in the town site of Fort Shaw, and a lot of the same number in the town site of Fort Simms. Does anybody know how much the lot is?

Mr. EVANS. As a Representative from Montana, I will state that I do not.

Mr. BAER. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. BAER. I surveyed a great many of these lots——

Mr. MANN. That may be true, but the gentleman has not surveyed lot 111, has he?

Mr. BAER. I may have surveyed this lot in the city of Simms, and that is what I was about to refer to. The average size of the lots run about 50 by 140.

Mr. MANN. Nobody knows whether this is the average size lot or not. I have had a good deal to do with lots myself, and I know quite a good deal about it, but when the Committee on the Public Lands comes before the House with a bill to give away public land, it ought to give us some information, and when a bill is referred to the Department of the Interior for information, that department ought to give some information in addition to redescribing the title of the bill.

The Secretary has given us a report about 10 or 12 lines long, and all but a couple of lines of the report repeat information already in the bill. Out of respect to the lady from Montana [Miss RANKIN], and because she will not be with us in the next House, which I very much regret [applause], I am not going to object to the consideration of the bill, because the amount involved can not be very much; but I shall in the future, as I have in the past, object to considering bills of this character by unanimous consent which come before the House with no information.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Miss RANKIN. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill for amendment under the five-minute rule.

The Clerk again reported the bill for amendment.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word. Although the bill is not in the customary form, yet because it is a Senate bill, and because the intent of Congress is known, I shall not press the amendment I suggested in respect to the form of the bill.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Miss RANKIN, a motion to reconsider the vote by which the bill was passed was laid on the table.

GIG HARBOR MILITARY RESERVATION.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 11219) providing for the appraisal and sale of the Gig Harbor abandoned military reservation, in the State of Washington, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask if the Clerk has a star print of the bill? A number of amendments were reported by the committee, but they are not shown on the print of the bill.

Mr. JOHNSON of Washington. Mr. Speaker, this bill is a print known as Calendar No. 327, carrying the same matter as the bill H. R. 11219, which is the bill carrying numerous amendments suggested by the Department of the Interior and adopted by the Committee on the Public Lands. This bill is the same as the bill H. R. 8749, and that bill was reintroduced to cover certain amendments requested by the Interior Department.

Mr. MANN. Of course, I have no way of telling what the committee had in its mind, but this is what the committee reports:

The revised bill is H. R. 11219, which the Committee on the Public Lands recommends with the following amendments.

If those are not amendments to H. R. 11219, then the committee has expressed itself in a very unfortunate way.

Mr. JOHNSON of Washington. The committee made three additional amendments. I hope the gentleman will not object to the consideration of the bill, but will let us make the amendments on the floor.

Mr. MANN. I asked if there was a star print, thinking perhaps that the gentleman on looking at the bill would find that the amendments were not reported and would have a star print of it made.

Mr. JOHNSON of Washington. I would like to say that in order to conform to requests of various departments, I am about to offer still another amendment.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire of the gentleman why the bill carries a provision that only one-tenth of the appraised value shall be paid in cash and the balance in nine equal installments, with interest at the rate of 4 per cent?

Mr. JOHNSON of Washington. That is following the plan heretofore followed in legislation affecting abandoned military reservations in that section of the United States. There were and are still a number of them, most of them small. This one is only eighty-odd acres.

Mr. STAFFORD. As I understand, where we have heretofore granted deferred payment it has usually been for a period of no longer than five years and the interest rate has been not less than 5 per cent.

Mr. JOHNSON of Washington. I think these proposed provisions are about the same as in the cases of abandoned military reservations 23 and 24. At any rate, it comes up from the Interior Department fully recommended.

Mr. STAFFORD. Does the gentleman believe when you are going to sell land under deferred payments that it should not be as low a rate as 4 per cent?

Mr. MANN. We have frequently done it.

Mr. JOHNSON of Washington. I shall be satisfied with any reasonable per cent of interest.

Mr. MANN. Of course the interest rate has increased some, but we have frequently done it at 4 per cent.

Mr. STAFFORD. What is the interest rate in the gentleman's State?

Mr. JOHNSON of Washington. It varies, but I presume it is 8 per cent generally in the State of Washington.

Mr. LA FOLLETTE. The gentleman will understand that 8 per cent would be on short loans, but 6 per cent is the rate on real estate.

Mr. STAFFORD. Does not the gentleman think it should be 5 per cent.

Mr. JOHNSON of Washington. I do not object to any reasonable figure.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk began the reading of the bill.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. STAFFORD. When will amendments to the respective sections be in order—at the conclusion of the reading of the sections or the reading of the bill?

The SPEAKER pro tempore. This is the first reading of the bill. If gentlemen desire to offer amendments, there can be a second reading of the bill.

The Clerk read as follows:

Be it enacted, etc., That the Gig Harbor abandoned military reservation in sections 5 and 8, all in township 21 north, range 2 east, Willamette meridian, in the county of Pierce and in the State of Washington, be caused by the Department of the Interior to be surveyed and subdivided into tracts and lots to conform as far as practicable to the tracts and lots lawfully occupied by the tenants thereon on December 5, 1917.

SEC. 2. That after said survey and the approval thereof by the Commissioner of the General Land Office the plat thereof shall be filed in the office of the register and receiver in the manner provided by law, and thereafter any lawful lessee in actual occupancy on December 5, 1917, of any portion of the lands described in section 1 hereof who made actual settlement thereon in good faith under the terms of a lease by the War Department, or a sublease thereunder on said date, or the heirs or assignees of such lessee or sublessee, shall be entitled to purchase for the appraised value one of such surveyed tracts so occupied, no right of purchase of such lessee or sublessee to exceed the lands actually occupied and improved by him on December 5, 1917, and in no case exceeding 10 acres in a body, according to Government surveys and subdivisions thereof, upon the payment to the Government of a sum of money equal to the appraisal value thereof, such appraisement to be made as provided by law: *Provided*, That payment to the Government may be made in one sum, or one-tenth cash and the balance in nine equal annual installments, with interest at 4 per cent per annum, as the purchaser may elect.

SEC. 3. That if any tract of the lands described in section 1 hereof be not purchased by the lessee or sublessees, his heirs or assigns, as provided in section 2 of this act, within 90 days after the same becomes subject to purchase under the provisions of this act, then and in that event the Secretary of the Interior is hereby authorized to dispose of the remaining lands under the provisions of the act of Congress of July 5, 1884, entitled "An act to provide for the disposal of abandoned and useless military reservations," and the said lessees, sublessees, heirs or assigns, in occupancy of lawfully leased tracts on December 5, 1917, who do not purchase such tracts shall have the privilege of removing from their tracts any and all improvements made thereon, and the Secretary of the Interior is authorized to reappraise any unsold tracts from time to time before offering the same for sale under said act of July 5, 1884.

Mr. JOHNSON of Washington. Mr. Speaker, I ask that the House consider amendments proposed in the report on this bill, beginning with page 2, line 15, after the word "law" insert the following——

Mr. MANN. It should be page 2, line 18.

Mr. JOHNSON of Washington. Yes; page 2, line 18, add the following amendment: After the word "law" insert the following:

Provided, That in making such appraisements the appraisers shall not include the improvements thereon made by the occupants of such land.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 18, after the word "law" insert the following:
"*Provided*, That in making such appraisements the appraisers shall not include the improvements thereon made by the occupants of such land."

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Washington. The next amendment is, page 2, line 21, after the word "annum" insert the words "payable annually."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 21, after the word "annum" insert the words "payable annually."

The question was taken, and the amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I would like to offer an amendment to the section under consideration. Line 21, page 2, strike out the word "four" and insert "five."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 21, strike out the word "four" and insert the word "five."

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Washington. Now, Mr. Speaker, another committee amendment. Page 3, line 11, strike out the words "and all improvements made thereon" and insert the words "buildings placed thereon."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 11, strike out the words "and all improvements made thereon" and insert the words "buildings placed thereon."

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Speaker, since this report was made by the Committee on the Public Lands, dated January 15, this year, carrying with it a report from the Interior Department, dated April 1, 1918, that department has made a supplementary report, dated February 12, this year, asking for an amendment providing for a place for a light post site. I feel that in good faith I should offer the amendment as suggested in the supplementary report from the Interior Department, and I ask the Clerk to read.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 3, add a new section, as follows:

"SEC. 4. That any land needed for lighthouse or roadway purposes may be segregated or reserved for such use, and the land so segregated or reserved shall not be subject to disposal hereunder."

Mr. WALSH. Mr. Speaker, I would like to ask the gentleman, is there a lighthouse at this harbor now?

Mr. JOHNSON of Washington. There may be a light post. This speaks of a light post. I think there is not a full-fledged lighthouse there. The Department of Commerce, however, has written the Department of the Interior asking for a reservation, and names one particular lot, lot 1, as desirable to be reserved for lighthouse purposes, and asks for the reservation of a roadway through lots 4 and 5. This amendment is to cover that.

Mr. WALSH. Yes; but this does not cover it. It would cover lots 1, 2, and 3; this amendment would cover several lots.

Mr. JOHNSON of Washington. Well, it might, of course, but not likely, unless bureaucracy simply runs wild. This designation of lots 1, 4, 5, and so on, is not, I believe, official. Therefore I can not propose designation by lots in the amendment. This is but an 80-acre tract of land.

Mr. WALSH. Eighty acres; but if the Department of Commerce wants 80 acres for a lighthouse site, which the War Department no longer needs for a military reservation, and the Interior Department does not dispose of under present law, the gentleman has no objection?

Mr. JOHNSON of Washington. Oh, well, I might as well say I have no objection. I hope it will not be that way. I get so tired, I will say to the gentleman, of running down, hat in hand, to this department and kow-towing to that department on some small thing that ought to be passed through Congress on its own merits, and getting reports and supplemental reports and departmental amendments and committee amendments, that I have given up all thought of having these various abandoned military reservation bills put through with uniform provisions. I have to take what I can get and swallow all amendments, foolish or otherwise. You can not get a bill out of committee until you have received a favorable report on it from some bureau, and then the committee will not let the bill come to the House until it hangs on a few amendments just to show its authority. This bill is a case in point.

Mr. WALSH. I understand. The gentleman is now offering an amendment from the department to the House that has not even been considered by the committee.

Mr. JOHNSON of Washington. It is sent to me by the chairman of the Committee on Public Lands. I am presenting it simply as a matter of good faith. I would be glad to specify the particular lot No. 1, but I do not know as it officially has that designation in an abandoned military reservation.

Mr. WALSH. I will not object. I wanted to draw out that information.

Mr. JOHNSON of Washington. I agree with the gentleman thoroughly.

Mr. WALSH. I know the gentleman is considerable of a runner when it comes to attending to business in the departments of the Government. If it will relieve him, I want him to have this.

Mr. JOHNSON of Washington. Oh, of course, it is some relief; this bill has been so amended that its own father would not recognize any part of it, and can not take much pride in it. Mr. Speaker, I ask for a vote.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Washington [Mr. JOHNSON].

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Washington, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.

The SPEAKER pro tempore. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD on this bill. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Under the permission just granted, I desire to place in the RECORD the supplemental report from the Interior Department, to which I have referred. It is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 12, 1919.

Hon. SCOTT FERRIS,
House of Representatives.

MY DEAR MR. FERRIS: This department is in receipt of a letter from the Acting Secretary of Commerce, dated January 16, 1919, in which he suggests that if practicable there be reserved for the purpose of the Lighthouse Service of the Department of Commerce a sufficient area for a post light on lot 1, section 8, township 21 east, range 2 east, western meridian, Washington, together with a right of way to such reservation over said lot 1, and also over lots 5 and 6, section 5, said township and range. The lands described are included in the Gig Harbor abandoned military reservation.

Said letter calls attention to the fact that there is pending before Congress bill H. R. 8749, which provides for the appraisal and sale of said lands and requests that, unless there be objection to so doing, this department take such steps as may be necessary to enable the reservation for lighthouse purposes and to see that the proposed legislation if enacted into law will not in any way interfere with the interests of the Lighthouse Service in case the land and right of way be reserved as requested.

It does not appear that the lands needed for lighthouse purposes are occupied by any settler, and in view of the suggestions made by the Acting Secretary of Commerce it is recommended that bill H. R. 8749 be amended by adding thereto a fourth section reading as follows:

"That any lands needed for lighthouse or roadway purposes may be segregated or reserved for such use, and the lands so segregated or reserved shall not be subject to disposal hereunder."

The amendment of the bill in the manner suggested would enable the reservation of the lands needed for lighthouse purposes and also the lands required to afford a means of ingress thereto and egress therefrom.

Cordially, yours,

(Signed) F. K. LANE,
Secretary.

Mr. Speaker, it will be noted that the Lighthouse Service designates clearly the tract or lot it desires to reserve, and the portions of lots to provide an approach or roadway. For reasons stated, I have not designated in the amendment to the bill the lots by number, but the intent and purpose is clear.

BRIDGE ACROSS CONNECTICUT RIVER, IN MASSACHUSETTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13369) granting consent of Congress to the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Springfield and West Springfield, in said county and Commonwealth.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, and the city of Springfield, in said county, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Connecticut River at a point suitable to the interests of navigation between the city of Springfield and the town of West Springfield, in the county of Hampden, in the State of Massachusetts, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The following committee amendment was read:

Page 1, line 3, after the word "the," strike out: "consent of Congress is hereby granted to the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, and the city of Springfield, in said county, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Connecticut River at a point suitable to the interests of navigation between the city of Springfield and the town of West Springfield, in the county of Hampden, in the State of Massachusetts, in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906"; and insert the following:

"That the times for commencing and completing the construction of a bridge authorized by act of Congress approved August 25, 1916, to be built across the Connecticut River between the city of Springfield and the town of West Springfield, in Hampden County, Mass., are hereby extended one and three years, respectively, from the date of approval hereof."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

Mr. GILLETT. Mr. Speaker, this is a bill reported unanimously from the committee. It simply extends the time for constructing a highway bridge.

Mr. STAFFORD. Has the objectionable stage passed, Mr. Speaker?

The SPEAKER pro tempore. It has.

Mr. GILLETT. I can not conceive that anybody will object, so I will allow the bill to be put for passage.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SIMS, a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to read as follows: "To extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass."

MODOC NATIONAL FOREST, CAL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 17) to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, will the gentleman who is interested in this bill explain the purpose that is expected to be accomplished?

Mr. RAKER. The purpose of the bill is to add additional territory to the national forest. Before the committee at the same time was the bill S. 1847, and we agreed upon amendments to the Senate bill, which passed on the last Unanimous Consent Calendar, a bill that came from the Senate and was reported by Mr. TAYLOR for Mr. MONDELL. In H. R. 17, which

has been pending for some time, we finally corrected the language sufficiently to harmonize it, leaving it to cover such land as the Secretary of Agriculture might ask to go on, with the approval of the Secretary of the Interior. This is a tract of land that practically everyone in the community wants to be added to the forest reserve for protection.

Mr. STAFFORD. I notice the following language in the letter of the Secretary of Agriculture.

Mr. RAKER. We have corrected that.

Mr. STAFFORD. It says:

From the reports of forest officers it is learned that these tracts do not support commercial timber in sufficient quantities, nor is the forest cover thereon of sufficient value for stream-flow protection to warrant inclusion within the national forest for national-forest purposes.

Mr. RAKER. We have corrected that, on page 2 of the bill, lines 15 and 16, where we have added:

with the approval of the Secretary of the Interior.

So only such land goes in there as the Secretary of Agriculture requests and the Secretary of the Interior insists, for stream flow. It is identically the language of the bill that we passed last week. The committee had both bills up at the same time, and used practically the same language so as to cover the addition to the national forest.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. I will.

Mr. WALSH. This takes in about 2,200 acres.

Mr. RAKER. It takes more than that in. It is a larger tract. There are two tracts, one on the west side of the county, near a large tract, and there are only about 1,000 acres on the east side, which squares up with the Modoc National Forest and Fremont National Forest in Oregon. The Forest Service is very anxious about that being put in there. It was requested by everybody in that community.

Mr. WALSH. It is a large tract to square up the lines. What has that to do with the merits of the proposition, the having of about 2,000 acres to square up a line?

Mr. RAKER. The larger tract is over 22,000 acres.

Mr. WALSH. It may be; but there is nothing in the report that says anything of how large that larger tract is.

Mr. RAKER. Well, that is true; it does not.

Mr. WALSH. Why does it not?

Mr. RAKER. We used the same report. The same conditions existed in this as in the other, and no one raised the objection. We did not think it was necessary, because everybody in that community and in that country have filed petitions, and they have been sent down to the department, and the matter was presented to the committee that such land as may be needed for these purposes, namely, for the production of timber and the protection of stream flow and the proper preservation of the feeding pasturage on that land should be included.

Mr. WALSH. Well, I notice this language in the report of the Secretary of Agriculture:

It would seem to be the wiser policy to take this matter up as a whole and provide for regulative grazing on all the public domain, not otherwise disposed of, so long as it is under Government ownership. If, however, the Congress decides to add the lands in question to the Modoc National Forest at this time, the department would have no objection to the passage of the bill.

Mr. RAKER. May I answer that?

Mr. WALSH. Yes.

Mr. RAKER. The policy of the department is that they desire to class in all the public lands remaining in the United States in the forest reserves.

Mr. WALSH. "Class in"?

Mr. RAKER. Yes. They desire that they should make the land part of the forest reserves; in other words, extend the forest reserve law over the remaining public domain. The committee has never been favorable to that, and the people are not favorable to it. He therefore says that as a general policy, but that if these people want to grant the tract, just as you granted last week in the case of a similar kind of tract in Wyoming, to add to a national forest if the people desire it, he approved that inclusion and that addition to the national forest.

Mr. WALSH. Now, that is the objection of the Secretary of Agriculture. I would like to read to the gentleman what the Secretary of the Interior says.

Mr. RAKER. I would like to read that to you, if you will permit.

Mr. WALSH. If the gentleman is going to answer it in the manner in which he answered the objection of the Secretary of Agriculture, he need not do so, because I do not think he answered it.

Mr. RAKER. If the gentleman will put his question, I will answer it. I am familiar with the matter.

Mr. WALSH. I know. That is why I am asking the gentleman the question.

Mr. RAKER. The Department of Agriculture desires to classify or place in the national forest all the remaining public lands of the United States. The committee and the people are not favorable to that. Now, he says if these people in this community desire a small tract to be added to the national forest, he is favorable to it, but that there should be a general policy. The committee reported this unanimously, as they reported another similar bill two weeks ago, and therefore this particular tract of land is to be added to this particular forest under the law creating and setting aside that national forest.

Mr. WALSH. Which measure does the gentleman refer to, of two weeks ago?

Mr. RAKER. Senate bill 1847.

Mr. WALSH. What was that tract?

Mr. RAKER. That was in reference to some land added to the national forest in Wyoming; a tract of land.

Mr. WALSH. Of course, they did not have the objection of two Secretaries to that. But here is what the Secretary of the Interior says in regard to the policy of Congress for classification of lands suitable for stock-raising homesteads:

In view of this policy, of the classification contemplated by said act, and of the demand for homesteads, I do not believe the area in question should be added to the national forest or otherwise reserved at this time.

I would like to have the gentleman answer that objection.

Mr. RAKER. In answer to that the committee amended the bill so as to include, on page 2, lines 15 and 16, the following language: "With the approval of the Secretary of the Interior."

Mr. WALSH. Of course, that means that what Congress has directed shall meet with his approval before it is done.

Mr. RAKER. No. The Secretary of Agriculture requests certain lands to be designated and added to this forest. He presents that report to the Secretary of the Interior. If the Secretary of the Interior objects to the particular tracts, they are eliminated and only those tracts that the two departments agree upon are classified into the national forest.

Mr. WALSH. Well, Mr. Speaker, of course if that is so the Secretary of the Interior can entirely nullify this act, and it is likely that he will in view of his adverse report. If he is going to nullify the act, what is the use of passing it?

Mr. RAKER. Two weeks ago we passed another bill——

Mr. WALSH. Yes. The gentleman has already referred to that.

Mr. RAKER. I do that for the purpose of showing that the committee had these two bills before it at the same time and amended them in the same way. If lands are chiefly valuable for these purposes, they may be included in the national forest. We amended the Senate bill 1847, and we dealt with the bill H. R. 17 in the same way, adding certain lands to the Modoc National Forest.

Mr. WALSH. Well, Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Massachusetts objects.

MUNICIPAL WATER SUPPLY, SAN DIEGO, CAL.

The next business on the Calendar for Unanimous Consent was the bill (S. 3646) to grant rights of way over Government land for dam and reservoir purposes, for the conservation and storage of water to be used by the city of San Diego, Cal., and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. GRAHAM of Illinois. Mr. Speaker, reserving the right to object, I have looked over this bill hastily, and it seems to me to be important enough not to be considered in the way it will get consideration here if it is taken up, and therefore I will object.

Mr. KETTNER. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Illinois reserve his objection?

Mr. GRAHAM of Illinois. Yes; I reserve it.

Mr. KETTNER. Mr. Speaker, I would like to inform the gentleman from Illinois that this bill has passed the Committee on Public Lands twice and has passed the Senate. It is approved by the Secretary of the Interior and by the Indian Commissioner; in fact, it has been approved by all the departments. It means a great deal to the city of San Diego as a water supply for the city, which is growing very rapidly.

Mr. GRAHAM of Illinois. Well, conceding that to be true, what do we know about it? Here you are taking certain public lands that are reserved for certain purposes and giving them away to a municipality or permitting the municipality to take them. What do the Members of this House know about it and what do I know about it? I am entitled to be reasonably informed, it seems to me.

Mr. KETTNER. We have a favorable report here from the Committee on Public Lands, who considered the bill very carefully, and I would like to inform the gentleman that all California cities have had to acquire their water supply in a similar way. The city of Los Angeles had a bill pass the Congress granting a water supply from Owens River. Congress granted the Hetch Hetchy water supply to the city of San Francisco, and several similar bills have passed the House for cities in the State of Oregon.

Mr. GRAHAM of Illinois. If the gentleman will take the floor and go into this new plan, so that I and other Members of the House may know about it, I shall not object; but I do not propose to sit here and consent to the passage of a bill like this by unanimous consent without knowing what it is.

Mr. FERRIS. Will the gentleman withhold his objection until the gentleman from California can explain the bill? This is a very important matter. It involves the water supply of the city of San Diego.

Mr. STAFFORD. The gentleman has reserved the right to object.

Mr. GRAHAM of Illinois. Yes, I have reserved it.

Mr. KETTNER. Mr. Speaker, water is king in California. I think the gentleman is aware of that fact. The city of San Diego has grown very fast in the last two years. The census of 1910 gives San Diego something like 39,000 people. At the present time we have over 100,000, and we must have water. This proposition was taken up by the land office in Los Angeles and considered some two weeks by the register and receiver, and they both reported unanimously that the city should have this water supply. I introduced the bill over a year ago, and it was thoroughly investigated by the Indian Department. The Hon. Mr. Cato Sells made a trip to California to investigate this matter, and he reported favorably upon it. The Secretary of the Interior reported favorably. Some of the members of the Committee on the Public Lands, who considered this bill, made a trip to San Diego and went over this dam site, and reported favorably. In fact, everyone who has seen it and studied the question has reported favorably. I hope the gentleman will not object.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. KETTNER. Yes.

Mr. GRAHAM of Illinois. How much land is proposed to be taken?

Mr. FERRIS. It is only a right of way.

Mr. KETTNER. The land is mountainous. It is a dam site that we want. It is a narrow valley with steep cliffs on both sides. The land is not worth anything.

Mr. GREEN of Iowa. As I understand, this land is not useful for any other purpose whatever.

Mr. FERRIS. It is a barren waste.

Mr. STAFFORD. I wish to inquire of the gentleman, under the reservation of objection, whether the rights of the municipalities up the valley would be impaired by the granting of this privilege to the city of San Diego?

Mr. KETTNER. Not at all.

Mr. STAFFORD. It has been called to my attention from outside sources that if we should grant this privilege to San Diego it would interfere with the municipalities up the valley, whose names I have forgotten, in getting additional water supply.

Mr. KETTNER. I would like to explain to the gentleman.

Mr. STAFFORD. The gentleman cited the outrageous action of this House some years back in granting the right to overflow the most beautiful valley in California outside of the Yosemite, that known as Hetch Hetchy. That was done upon misrepresentation to this House. With others I voted for that without full knowledge of the facts. It was represented to be for drinking-water purposes, when in fact it was a water-power proposition. If the full facts had been disclosed to the House I question very much whether we would have followed Mr. Pinchot and Secretary Lane in granting that privilege. Now, I wish to ask, in this connection, is this for the purpose of securing a water supply or is it for the purpose of obtaining water power?

Mr. KETTNER. Purely for a water supply. It is not high enough for power.

Mr. STAFFORD. It has been represented that San Diego has other sources of supply that are available besides this.

Mr. KETTNER. We are trying to develop some other sources. The city is growing very fast, and both the Army and the Navy have recently established new activities there, such as the cantonment and the naval training station. The water is absolutely needed.

Mr. STAFFORD. I think the Senate bill has many objectionable phases in merely granting a right of way over public lands without compelling the city of San Diego to exercise those rights at any definite time in the future.

Mr. KETTNER. We do not want the Senate bill. We want the House bill. And in answer to the gentleman's former question, I will state that I am firmly convinced that the cities of La Mesa and El Cajon will be better protected under this bill than they are at the present time. I believe that the city of San Diego will purchase the Cuyamaca water-supply system from Mr. Fletcher. If they do not I feel certain they will not be able to carry the bonds to build the dam. I believe it is in the interest of Mr. Fletcher; I believe it is in the interest of the cities of La Mesa and El Cajon and also of the city of San Diego. I would not be in favor of voting bonds to build this dam unless the city of San Diego first purchased the Cuyamaca water system from Mr. Fletcher.

Mr. MAYS. The gentleman says it is in the interest of Mr. Fletcher and of these two other towns. Have they withdrawn their objection?

Mr. KETTNER. I do not think so. That is, Mr. Fletcher has not, but Mr. Fletcher has absolutely no confidence in some of our city officials; but I am firmly convinced that the city will not be able to vote the bonds unless they purchase the Cuyamaca system from Mr. Fletcher at a price to be fixed by the State utilities commission.

Mr. MAYS. Does the gentleman believe this bill fully safeguards the rights of Mr. Fletcher and of these other cities and towns?

Mr. KETTNER. I do.

Mr. MAYS. In what respect?

Mr. KETTNER. In every way.

Mr. MAYS. Does the bill contain any provision carrying protection to these towns?

Mr. KETTNER. Yes; it carries the clause that all these bills carry, that no rights which anyone possesses under the State laws of California shall be taken away.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GRAHAM of Illinois. Further reserving the right to object, I have not got very much information yet as as far as I am concerned, but I assume that if the gentlemen in the country where this is located have no objections, perhaps I should not block the passage of the bill. Therefore I withdraw my reservation.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I understand from the gentleman from California that if consent is given for the consideration of this Senate bill, it is his purpose to offer the House bill as a substitute?

Mr. KETTNER. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore (Mr. HASTINGS). This bill is on the Union Calendar.

Mr. KETTNER. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. KETTNER. Mr. Speaker, I ask unanimous consent to dispense with the reading of the Senate bill and read the House bill.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to dispense with the reading of the Senate bill and read the House bill. Is there objection?

There was no objection.

The Clerk read the House bill, as follows:

Be it enacted, etc., That the south half of the northeast quarter of the northwest quarter and the north half of the southwest quarter of section 8; the west half of the southwest quarter of the southwest quarter and the west half of the northeast quarter of the northwest quarter of section 9, all in township 15 south, range 2 east, San Bernardino base and meridian, within the Cleveland National Forest; and the southeast quarter of the southwest quarter and the southwest quarter of the southeast quarter of section 15; the northeast quarter of the southeast quarter of section 21; the northwest quarter of the northeast quarter, the northwest quarter, the north half of the southwest quarter, and the southwest quarter of the southwest quarter of section 22; the west half of the northwest quarter of section 27; and the east half of the northeast quarter, the southwest quarter of the northeast quarter, and the southeast quarter of section 28; and the northeast quarter, the west half of the southeast quarter, the east half of the southwest quarter, and the southeast quarter of the northwest quarter of section 33, all in township 14 south, range 2 east, San Bernardino base and meridian; also the north half of the southwest quarter and the southwest quarter of the southwest quarter of section 3, and lots 2, 3, 6, 7, 8, 9, 10, 11, and the south half of section 4, all in township 15 south, range 2 east, San Bernardino base and meridian within the Capitan Grande Indian Reservation, and all within the county of San Diego and State of California, are hereby granted to the city of San Diego, a municipal corporation in said county and State, for dam and reservoir purposes for the conservation and storage of water, whenever said city shall have provided compensation as hereinafter specified for

all property rights and interests and damages done to Mission Indians located upon the Capitan Grande Indian Reservation: *Provided*, That the lands herein granted shall not be sold, assigned, transferred, or conveyed to any private person, corporation, or association; and in case of any attempt to sell, assign, transfer, or convey, or upon a failure to use and apply said lands exclusively to the purposes herein specified, this grant shall revert to the United States.

SEC. 2. That the lands herein granted are and shall be subject to all legal rights heretofore acquired by any person, persons, or corporation in or to the above-described premises, or any part thereof, and now existing under and by virtue of the laws of the United States, and no private right, title, interest, or claim of any person, persons, or corporation in or to any of such lands shall be interfered with or abridged, except with the consent of the owner or owners, or claimant or claimants thereof, or by due process of law and just compensation paid to such owner or claimant: *Provided*, That the rights and claims of the Mission Indians of the Capitan Grande Indian Reservation, located upon the lands herein described and affected by the grant herein, shall be protected and provided for as hereafter set forth in section 3 of this act.

SEC. 3. That the law of eminent domain of the State of California is hereby extended over and made to apply to said lands, and the Secretary of the Interior or his duly authorized representative is hereby directed to appear on behalf of, in the name of, and to represent the Capitan Grande Band of Indians and the United States in any proceedings instituted by the city of San Diego to condemn the interest of said Indians in said lands: *Provided*, That any judgment or order of condemnation entered in such proceeding shall be binding upon said Capitan Grande Band of Indians only upon the approval by the Secretary of the Interior of the terms of said judgment: *Provided further*, That the Secretary of the Interior shall require from the city of San Diego in addition to the award of condemnation such further sum which, in his opinion, when added to said award, will be sufficient in the aggregate to provide for the purchase of additional lands for the Capitan Grande Band of Indians, the erection of suitable homes for the Indians on the lands so purchased, the erection of such schools, churches, and administrative buildings, the sinking of such wells and the construction of such roads and ditches, and providing water and water rights, and for such other expenses as may be deemed necessary by the Secretary of the Interior to properly establish these Indians permanently on the lands purchased for them; and the Secretary of the Interior is hereby authorized to expend the proceeds, or any part thereof, derived from this grant for the purposes above enumerated, for the exclusive use and benefit of said Indians: *And provided further*, That the grant made in this act shall not become effective until payment has been made of the sums herein provided for.

SEC. 4. That within one year after the approval of this act the city of San Diego shall commence condemnation proceedings to acquire the lands herein described and shall diligently prosecute such proceedings to a final judgment. Within two years after the approval by the Secretary of the Interior of any such judgment of condemnation the city of San Diego shall institute, and thereafter shall diligently prosecute, proceedings for the issuance and sale of municipal bonds to defray the amount necessary to satisfy any such judgment of condemnation, paying such additional sum as the Secretary of the Interior may require, as provided for in section 3, and providing for the acquisition, construction, and completion of a dam, reservoir, pipe line, and appurtenances thereto necessary or convenient to the storage and conservation of water upon the lands herein described for the purposes set forth in this bill. Within six months from the time of payment into the city treasury of the moneys realized from the sale of municipal bonds issued as herein provided the city of San Diego shall commence the construction of said dam and reservoir, and the same shall be prosecuted diligently, and no cessation of such construction shall continue for a period of three consecutive years, and in the event that the Secretary of the Interior shall find and determine that there has not been diligent prosecution of the work or that there has been a cessation of such construction for a period of three consecutive years, or that said condemnation proceedings have not been commenced and diligently prosecuted, or that municipal bonds have not been issued and sold as herein provided, then he may declare forfeited all rights of the grantees herein and request the Attorney General, on behalf of the United States, to commence suits or proceedings in the proper court having jurisdiction thereof for the purpose of procuring a judgment declaring all rights to be forfeited to the United States, and upon such request it shall be the duty of said Attorney General to cause to be commenced and prosecuted to a final judgment such suits or proceedings: *Provided*, That the Secretary of the Interior shall make no such findings and take no such action if he shall find that the issuance or sale of municipal bonds or the construction or progress of the dam or reservoir has been delayed or prevented by the act of God or the public enemy or by legal, engineering, or other difficulties that could not have been reasonably foreseen and overcome, or by other special or peculiar difficulties beyond the control of said grantee: *Provided further*, That in the exercise of the rights granted by this act the grantee shall at all times comply with the regulations herein authorized, and in the event of any material departure therefrom the Secretary of the Interior or the Secretary of Agriculture, respectively, may take such action as may be necessary in the courts or otherwise to enforce such regulations: *Provided further*, That if such dam be built the Indians of the Capitan Grande Reservation shall be permitted to reside on, occupy, and cultivate the lands of their present reservation up until within 90 days of the time when water for storage purposes will be turned into the reservoir to be constructed hereunder, provided such occupancy by the Indians will not materially hinder the construction of the dam and storage work, which fact is to be determined by the Secretary of the Interior.

SEC. 5. That said reservoir, when constructed, shall be maintained and controlled by the city of San Diego for the use and benefit of said city and the inhabitants thereof, and of such other municipalities within the county of San Diego, State of California, as may be now or hereafter furnished with water by said city of San Diego, and for the use and benefit of riparian owners along the San Diego River below the lands herein described, and for the benefit of persons, corporations, or municipalities situated along or adjacent to the pipe lines of said city of San Diego for the conservation and storage of water for domestic, irrigation, or municipal uses: *Provided*, That the city of San Diego shall sell to the United States for the use of the War and Navy Departments such water as the War and Navy Departments, or either of them, may elect to take, and shall deliver the same through its system in or near the city of San Diego to the mains or systems of such military or naval reservations in that vicinity as may be designated by the Secretary of War or the Secretary of the Navy, or both, under such rules and regulations as they or either of them may prescribe. In payment of such water and the delivery thereof the United States shall pay to said city of San Diego a rental to be calculated at a fixed rate per 1,000 gallons, said rate not to exceed the actual cost of such water to said city for all water so furnished, as determined by meter measurements: *Provided, however*, That the grantee shall at all times comply with and observe on its part all of the conditions specified in this act; and in the event that the sums are not reasonably complied with and carried out by the grantee upon written request by the Secretary of the Interior, it is made the duty of the Attorney General, in the name of the United States, to commence all necessary suits or proceedings in the proper court having jurisdiction thereof for the purpose of enforcing and carrying out the provisions of this act.

SEC. 6. That this act is a grant upon certain express conditions specifically set forth herein, and nothing herein contained shall be construed as affecting, or intending to affect, or in any way to interfere with the laws of the State of California relating to the control, appropriation, use, or distribution of water used in irrigation, or for municipal or other uses, or any vested rights acquired thereunder; and the Secretary of the Interior and the city of San Diego, in carrying out the provisions of this act, shall proceed in conformity with the laws of said State.

SEC. 7. That the grantee shall file with the Secretary of the Interior, within six months after the approval of this act, its acceptance of the terms and conditions of this grant.

Mr. CRAMTON. Mr. Speaker, I wish to offer an amendment. In lines 10 and 11, page 15, strike out, after the word "diligently," the remainder of the line and all of line 11 up to and including the word "years."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 10, after the word "diligently," strike out the language "and no cessation of such construction shall continue for a period of three consecutive years."

Mr. CRAMTON. Mr. Speaker, one fear I have had is that we might place certain powers within the hands of the city of San Diego, and by failure to use them they might permanently, or very nearly permanently, tie up the situation, stop developments by private companies, or by other public projects, and not succeed in doing anything themselves.

Section 4 allows them a great deal of time. They have two years after the approval of the judgment, and they have other extensions, and finally after the land is condemned and they pay the money into the Treasury they begin the work of construction of the dam and reservoir. Then, the bill proposes that the same shall be prosecuted diligently, "and no cessation of such construction shall continue for a period of three consecutive years." That to my mind would be a statement that Congress in its judgment thought that any construction would be diligent that did not cease for a period of three years. They might cease construction for 2 years and 11 months, go to work for a week, and then a new three-year period would begin. There would be no end to it. Hence I would omit that language and leave it that "the same shall be prosecuted diligently." Later it goes on to say that if the Secretary of the Interior shall find and determine that there has not been diligent prosecution of the work he may declare the right to forfeit it, and so forth. If this amendment carries, I would omit similar language later down. It seems to me that it does not injure anyone, and it leaves discretion in the Secretary of the Interior.

Mr. FERRIS. The only thought against that is that it is stated in the negative below.

Mr. CRAMTON. I hope to offer an amendment, if this one passes, to cure that.

Mr. EMERSON. Mr. Speaker, I rise to oppose the amendment. I ask unanimous consent to speak out of order for five minutes.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to speak out of order for five minutes. Is there objection?

There was no objection.

Mr. EMERSON. Mr. Speaker, I have been requested by many people along the chain of the Great Lakes and have received numerous letters and telegrams urging me to assist in bringing about, if possible, the construction of a ship canal connecting the Great Lakes with the Atlantic Ocean.

I can see the great commercial value to be derived by the construction of this waterway and the much-needed relief to the delays, inconveniences, and heavy expense incurred by congestion of freight traffic so often encountered on the railroads, especially the great trunk lines from Chicago to the Atlantic tidewater.

It is generally well known that I am a preparedness man; not necessarily a military-preparedness man but an industrial-preparedness man as well.

That I believe in American preparedness; and thus I am personally in favor of a ship canal as nearly as possible entirely within the boundaries of the United States.

We are annually confronted with car shortage to move heavy crops of the Central and Middle Western States that find the Atlantic seaboard the gateway for millions of tonnage for

foreign commerce. How often have we heard of the overcrowded condition of warehouses, docks, and piers and railroad terminals; could not the transportation of wheat, for instance, from the great Northwest to the Atlantic seaboard in vessels add greatly to relieving freight congestion and car shortage so often complained of?

If this be true with a part of the wheat crop, is it not true of every other commodity going to the eastern seaboard?

Would not the same condition maintain in westbound freight traffic to Great Lake points?

What we need in this country is a regulation whereby a shipper can send his goods from one point to another over railroads and water lines and give a bill of lading to the point of destination. This canal would cost in round figures a little less than $200,000,000—less than a fifth of the amount alleged to have been spent on aircraft production that rendered no service to this country at all during this war.

I am told that millions of dollars annually are lost by inefficiency of facilities for handling the enormous freight traffic at terminals.

If this be so, and a remedy can be provided by construction of a suitable canal over some properly established route, I think the Congress should move to build it.

I am told it would handle 10,000,000 tons of traffic every year.

That it would pay for itself within a few years.

That it would not only assist the country through which it passed, but would assist the extreme West and save millions of dollars to the people of this country every year.

The question is not whether we can afford to build it, but whether we can afford to be without it.

Let us stop for a moment and realize the long chain of great lakes along our northern border, adjacent to and affording facilities for transporting the products of vast agricultural territory, and along its shores are found many of the largest manufacturing industries of our country, all of which are closely identified with foreign commerce, and yet Congress has failed to provide an American commercial outlet for this great chain of lakes to the Atlantic tidewaters.

It matters little to me what route should be selected; that must depend upon the intelligence and engineering skill of our Government engineers that have to do with this branch of the work; but let us adopt a route, approve plans, and commence the construction of an overwhelmingly and almost indispensably needed artery for freight traffic that will reach every grower and producer east of the Rocky Mountains—if not directly, it will indirectly, by quieting the too-often cry of railroad companies that "We are short of cars and terminals are crowded."

In conformity with the provisions of the sundry civil act of June 4, 1897, to make surveys and examinations of deep waterways and routes most feasible and practicable between the Great Lakes and the Atlantic tidewaters, a board of engineers, appointed by the President, made surveys and examinations, including the estimated cost of deep waterways and the routes for this proposed improvement, and submitted to Congress through the Secretary of War an elaborate report thereon.

It occurs to me that this requisition of Congress, entailing the expenditure of large sums of money for making these surveys and investigations leading up to the location and designation of the most feasible and practical routes, was done for a purpose, and that purpose was designed by the large agricultural and manufacturing interests, and it was intended to build a canal, and any failure on the part of Congress to act was probably caused by the frequent changes in the personnel of Congress or powerful influences outside of Congress.

While I remain in this Congress it will be my constant aim to follow up legislation that will result in the construction of this much-needed waterway, which, according to the estimates of the engineers, will cost $197,393,203.

I therefore have prepared and presented a resolution bearing upon this subject, and at the proper time shall address the House in further detail.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

Mr. CRAMTON. Mr. Speaker, in lines 14 and 15 I move to amend by striking out in line 14 all after the words "the work" and striking out in line 15 all up to and including the word "years."

The Clerk read as follows:

Page 15, in line 14, strike out the language after the word "work," "or that there has been a cessation of such construction for a period of three consecutive years."

The amendment was agreed to.

The Clerk read as follows:

SEC. 6. That this act is a grant upon certain express conditions specifically set forth herein, and nothing herein contained shall be construed as affecting or intending to affect or in any way to interfere with the laws of the State of California relating to the control, appropriation, use, or distribution of water used in irrigation, or for municipal or other uses or any vested rights acquired thereunder, and the Secretary of the Interior and the city of San Diego in carrying out the provisions of this act shall proceed in conformity with the laws of said State.

Mr. GRAHAM of Illinois. Mr. Speaker, I call the attention of the committee to the fact that the word "appropriation" is misspelled in line 16, and move that the letters appearing there be stricken out and that the word "appropriation" be inserted.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 18, line 16, after the word "control" strike out "appropriaion" and insert "appropriation."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to return to section 5 in order that I may offer an amendment which I think is agreeable to everyone.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to return to section 5. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, I offer the following amendment, to be placed at the end of section 5.

The Clerk read as follows:

Add at the end of section 5, page 18, line 11, the following:
"*Provided*, That the city of San Diego is authorized to assign all its rights, powers, and privileges under this act to any public water district formed under the laws of California."

Mr. CRAMTON. Mr. Speaker, in connection with that amendment permit me to say that I understand from the statement of the gentleman from California [Mr. KETTNER], as made this afternoon upon the floor, and from personal conversation with him, that it is his hope and his expectation that the authority given under this bill may very possibly be used to secure the development of these waters for the use not only of the city of San Diego but of the other communities, chiefly in San Diego County, El Cajon, and La Mesa, and various irrigation projects. In other words, that a number of communities that are entirely dependent for their water supply upon these waters are not to be shut off, but that possibly some project for the common benefit of all may be worked out, and that that may be done under a water district that would include not only the city of San Diego but portions of San Diego County. I understand that that is a fair statement.

Mr. KETTNER. That is a very fair statement, and I concur in it.

Mr. CRAMTON. In addition to that, the gentleman from California [Mr. KETTNER] is aware that I have had some doubts in my mind about this legislation. Those doubts were aroused not only by my fear that these outside communities were not sufficiently protected but also by some feeling in my mind that there was a personal animosity existing between certain city officials of San Diego active in this project and a private concern, the Cuyamaca Water Co., and that possibly this legislation might not be so much to provide water supply for San Diego as to provide the destruction of the private corporation. The conversation I have had with the gentleman and his assurances have entirely removed my feeling as to that. I understand that those officials are not to predominate in this adjustment, and that these other communities are to be taken care of; in other words, there is to be a sincere effort to bring about a development of that water that will be for the benefit of all.

Section 5 as it is now provides that the "reservoir, when constructed, shall be maintained and controlled by the city of San Diego for the use and benefit of the city" and these other communities, and throughout the section limits the control and ownership to the city of San Diego. Therefore, if the gentleman's hope is realized, that instead of the city of San Diego undertaking this great project a larger water district shall undertake it, the bill would not fit. I have suggested this amendment which does nothing except to provide that if there is such an arrangement brought about and there is a joint effort upon the part of the city of San Diego and the communities of El Cajon and La Mesa, and so forth, to form one large water district, then the rights we give the city of San Diego may be assigned to that larger district. I hope the committee will accept the amendment.

Mr. KETTNER. Mr. Speaker, so far as I am concerned I will gladly accept the amendment.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the amendment as amended.

The amendment as amended was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended to read: "A bill granting to the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes."

On motion of Mr. KETTNER, a motion to reconsider the vote by which the bill was passed was laid on the table.

MODOC NATIONAL FOREST, CAL.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to return to the bill H. R. 17, preceding this, for I believe now there will be no objection to its consideration.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to return to the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 17) to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. Mr. Speaker, reserving the right to object, the committee has inserted an amendment in the first section of this bill referring to those portions of the two counties, as follows:

found by the Secretary of Agriculture to be available for the production of timber or the protection of stream flow.

Under that portion of the bill the only land that could be included in the forest would be those lands found to be, by the Secretary of Agriculture, available either for the production of timber or the protection of stream flow. Is that right?

Mr. RAKER. No.

Mr. MANN. Well, here is the way it reads, and I ask the gentleman to construe it.

Mr. RAKER. There was a little confusion and I possibly did not get the gentleman's question.

Mr. MANN. The language of the first paragraph of the amendment proposed by the committee——

Mr. RAKER. Yes; I have it.

Mr. MANN. Reads:

That any land within those certain portions of Modoc and Siskiyou Counties, Cal., found by the Secretary of Agriculture to be available for the production of timber or the protection of stream flow, described as follows—

And so forth—

may be included in and made part of the national forest.

They are only public lands available for the production of timber or the protection of stream flow——

Mr. RAKER. No.

Mr. MANN. Then what does that mean? That is what it says.

Mr. RAKER. I am trying to answer the gentleman, as I understand it clearly, so there can be no question. Now, turning to page 2——

Mr. MANN. But I am not turning to page 2; I know what is contained on page 2.

Mr. RAKER. That is what it means.

Mr. MANN. According to the first paragraph, no land could be included in the Modoc National Forest unless found by the Secretary of Agriculture either to be available for the production of timber or the protection of stream flow, according to the committee amendment which I read.

Mr. RAKER. Yes, sir.

Mr. MANN. But that is not what the gentleman wants?

Mr. RAKER. Not all of it. I know what the gentleman had in his mind. I was trying to cover it as clearly as I could.

Mr. MANN. Now, the Secretary of Agriculture says, "From the reports of the forest officers it is learned that those tracts do not support available commercial timber in sufficient quantities"—that disposes of the timber proposition—"nor is the forest cover thereon of sufficient value for stream-flow protection to warrant inclusion within the national forest for national forest purposes." That disposes of the second proposition. Now, what does the gentleman want?

Mr. RAKER. I want it for those two purposes, and the further purpose, lines 19 and 20, is for regulation and for improving the grazing thereon.

Mr. MANN. But the Secretary of Agriculture has reported that it is useless for the two first purposes he named, and yet under the committee amendment those are the only two purposes. I say to the gentleman from California if this bill passes in the form it is in, with the committee amendment, it will not add an inch, not a square inch, to the Modoc National Forest.

Mr. RAKER. Of course, as I view it in talking with officials, it will only include the greater part; but what I would like, if the committee will consent to it, in line 6, page 1, after the word "flow," is to insert the words "or regulation and improvement of grazing thereon."

Mr. MANN. That is what the gentleman wants?

Mr. RAKER. Yes, sir.

Mr. MANN. Yet the committee amendment would exclude that entirely——

Mr. RAKER. Well, I thought that was one object it will include.

Mr. MANN. I do not know whether the committee thought it will or not, but evidently they did not. Here is a bill designed to include in a national forest land in order to regulate and improve grazing thereon, and the committee proposed an amendment which would exclude that, and so they give the right to add land for purposes which the Secretary of Agriculture says do not exist.

Mr. RAKER. Well, the gentleman is correct.

Mr. MANN. And leaves it to him?

Mr. RAKER. I will try to get an amendment if I can to change it, because that is what I want to get.

Mr. MANN. I believe in adding to these national forests, so I will not object. I am trying to help the gentleman out; I do not always do it, but I usually do it.

Mr. RAKER. I thank the gentleman.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hear none. This bill is on the Union Calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That those certain portions of Modoc and Siskiyou Counties, Cal., described as follows, to wit:

Commencing at that point on the California-Oregon State line where the same crosses the west line of the Modoc National Forest, being in section 29, township 48 north, range 8 east, Mount Diablo meridian; thence southerly and westerly, following the meanderings of the said west line of said Modoc National Forest to the point where the same crosses the south line of township 45 north, range 4 east, Mount Diablo meridian, at the southeast corner of section 34 in said township; thence west following the section lines to the southwest corner of township 45 north, range 3 east, Mount Diablo meridian; thence north along the township line between ranges 2 and 3 to the point where the same crosses or intersects the California-Oregon State line; thence east along said State line to the point of beginning; also all of sections 34 and 35, township 48 north, range 16 east, and the west half of section 2 and all of section 3, in township 47 north, range 16 east, Mount Diablo meridian, be, and the same are hereby, included in and made a part of Modoc National Forest, Cal., for the purpose of regulation and improvement of the grazing thereon, and thereafter to be governed, controlled, and used under the same rules and regulations now in force or to be hereafter adopted governing said Modoc National Forest.

Committee amendment: Page 1, line 3, after the word "that" insert the words "any lands within."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Page 1, line 4, after the word "California" insert "found by the Secretary of Agriculture to be available for the production of timber or the protection of stream flow."

Mr. RAKER. Mr. Speaker, I offer the following amendment to be added after the word "flow": "or regulation and improvement of the grazing thereon."

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 1, line 6, amend the committee amendment after the word "flow" by inserting the words "or regulation and improvement of the grazing thereon."

The amendment to the amendment was agreed to.

The SPEAKER pro tempore. The question is on the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 15, after the word "meridian," insert the words "with the approval of the Secretary of the Interior."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 16, after the word "be," strike out the comma and the words "and the same are hereby."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 18, after the word "California," insert the words "by proclamation of the President."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 19, at the beginning of the line, insert the words "production of timber, protection of stream flow, or."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. RAKER, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. STEVENSON, by unanimous consent, was granted leave of absence for five days on account of attendance on a conference committee.

WAR MOTHERS OF AMERICA.

Mr. DENTON. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 15608.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 15608) to incorporate the War Mothers of America.

The Clerk began the reading of the bill.

Mr. WALSH. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present, and evidently there is none.

Mr. RUBEY. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Ashbrook	Edmonds	Langley	Scully
Barnhart	Estopinal	Lesher	Sears
Beakes	Fairchild, G. W.	Littlepage	Sells
Benson	Fairfield	Lunn	Shackleford
Birch	Farr	McCormick	Shallenberger
Blackmon	Fields	McCulloch	Sherley
Booher	Flynn	McKenzie	Sisson
Borland	Fordney	McLaughlin, Pa.	Smith, Mich.
Bowers	Francis	Madden	Smith, T. F.
Britten	Freeman	Maher	Snook
Brodbeck	Gallivan	Mason	Steenerson
Browne	Goodall	Miller, Minn.	Stephens, Miss.
Brumbaugh	Graham, Pa.	Moon	Stephens, Nebr.
Caldwell	Gray, N. J.	Morin	Sterling
Campbell, Kans.	Greene, Mass.	Nelson, A. P.	Strong
Cannon	Greene, Vt.	Nelson, J. M.	Sullivan
Cantrill	Griest	Nicholls, S. C.	Swift
Carew	Hamill	Nichols, Mich.	Tague
Carlin	Hamilton, N. Y.	Nolan	Taylor, Ark.
Carter, Mass.	Hamlin	Norton	Taylor, Colo.
Chandler, N. Y.	Haskell	Oliver, Ala.	Templeton
Church	Hayes	Oliver, N. Y.	Tinkham
Cooper, W. Va.	Heflin	Olney	Van Dyke
Copley	Heintz	O'Shaunessy	Vare
Costello	Helm	Park	Voigt
Cox	Helvering	Powers	Waldow
Crosser	Hensley	Pratt	Walker
Curry, Cal.	Hicks	Price	Watson, Pa.
Davey	Howard	Riordan	Webb
Delaney	Hutchinson	Roberts	White, Ohio
Denison	Johnson, Ky.	Robinson	Wilson, Ill.
Dent	Kelly, Mich.	Rouse	Winslow
Dooling	Kennedy, R. I.	Rowe	Woods, Iowa
Dowell	Kinkaid	Rowland	Woodyard
Drukker	Kreider	Russell	

The SPEAKER. On this roll call 290 Members, a quorum, have answered to their names.

Mr. RUBEY. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The Clerk will report the bill.

The Clerk completed the reading of the bill.

During the reading the following occurred:

Mr. CRAMTON. Mr. Speaker, a point of order.

The SPEAKER. What is the point of order?

Mr. CRAMTON. That there is not a quorum present.

The SPEAKER. Oh, we just counted one.

After the reading:

The SPEAKER. Is a second demanded?

Mr. WALSH. Mr. Speaker, I demand a second.

Mr. DENTON. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

Mr. CRAMTON. I object, Mr. Speaker.

The SPEAKER. The gentleman from Indiana [Mr. DENTON] asks unanimous consent that a second may be considered as ordered, and the gentleman from Michigan [Mr. CRAMTON] objects. The gentleman from Indiana and the gentleman from Michigan will take their places as tellers.

Mr. CRAMTON. Mr. Speaker, if it is in order at this time, I suggest the absence of a quorum.

Mr. FOSTER. That is dilatory. We just had a quorum counted.

The SPEAKER. It has not been more than five minutes since 290 Members answered to their names.

Mr. CRAMTON. It has been long enough to have them disappear.

The SPEAKER. The Chair construes that demand as dilatory and appoints the gentleman from Michigan [Mr. CRAMTON] and the gentleman from Indiana [Mr. DENTON] as tellers.

The House divided; and the tellers reported—ayes 48, noes 50.

The SPEAKER. The motion to suspend the rules does not receive a second.

VOCATIONAL TRAINING.

Mr. BANKHEAD rose.

The SPEAKER. The gentleman from Alabama is recognized.

Mr. BANKHEAD. Mr. Speaker, I move to suspend the rules and pass Senate bill 5038, with certain committee amendments.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 5038) extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act, approved June 27, 1918, and authorizing the Federal Board for Vocational Education to accept gifts and donations for specific purposes.

Be it enacted, etc., That the special fund for vocational education, authorized by section 7 of the vocational rehabilitation act, approved June 27, 1918, together with the items of appropriation made by said act, are hereby made available, in addition to the purposes therein prescribed, for such other expenses as in the discretion of the board is deemed necessary and proper for the payment of necessary travel, lodging, subsistence, and other expenses of disabled men while under investigation by the board to determine their eligibility for training under the act, and the purchase of supplies, equipment, and clothing for disabled men when ready to enter employment, and the traveling expenses of such men to place of employment and for supplementing any or all of the other items of appropriation made by said act.

The SPEAKER. Is a second demanded?

Mr. STAFFORD. Mr. Speaker, I demand a second. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Would it be proper for me to inquire, as there is a great number of Members here who would like to know, whether the calling of the Unanimous Consent Calendar is going to be resumed for the consideration of bills thereon this afternoon?

The SPEAKER. The Chair has agreed to recognize certain gentlemen. He agreed to do it a good while ago. The number has increased until there are now 24 of them. Of course the Chair does not undertake to stay here until 24 of them get the rules suspended. If the House wants to return to the Unanimous Consent Calendar after two more of these bills have been disposed of the Chair will have no objection.

Mr. STAFFORD. This is one of the two, then?

The SPEAKER. This and the next one. Then the Chair would have no objection to returning to the calendar.

Mr. STAFFORD. Will the Chair kindly indicate what are the other bills where he will recognize gentlemen to suspend the rules?

The SPEAKER. One of them is by the gentleman from Texas [Mr. SUMNERS], about a court.

Mr. WALSH. That is passed.

The SPEAKER. Does the gentleman say that the gentleman from Texas has got his bill passed?

Mr. STAFFORD. Yes.

The SPEAKER. The next one coming after that of the gentleman from Alabama [Mr. BANKHEAD] is that of the gentleman from Illinois [Mr. FOSTER], and then one by the gentleman from South Dakota [Mr. GANDY].

Mr. FOSTER. I do not think there will be much opposition to mine. It is so urgent that I wanted to be sure to get it up.

The SPEAKER. And Mr. RAYBURN'S bill.

Mr. STAFFORD. I think those bills on the Unanimous Consent Calendar will be reached.

The SPEAKER. The Chair promised this morning to recognize two gentlemen some time to-day, but the Chair has no sort of doubt but that half of these gentlemen on the list can get their bills passed by unanimous consent.

Mr. STAFFORD. There is a most important bill next on the Unanimous Consent Calendar and a number more.

Mr. WALSH. Several Senate bills.

Mr. STAFFORD. Yes; there are several Senate bills that should be passed, and passed expeditiously.

The SPEAKER. Is the gentleman from South Dakota [Mr. GANDY] here?

Mr. STAFFORD. We passed this morning a private claims bill which had no right on the Unanimous Consent Calendar. Still we passed it.

The SPEAKER. The gentleman was very generous. [Laughter.]

Mr. STAFFORD. I try to be generous at the close of a Congress.

Mr. RAYBURN. Mr. Speaker, I am willing to take my chances on the last six days.

The SPEAKER. All right. The gentleman from Oklahoma [Mr. CARTER] comes next. The Chair will recognize Mr. FOSTER and Mr. CARTER.

Mr. CARTER of Oklahoma. I am willing to take my chances on the Unanimous Consent Calendar.

Mr. FOSTER. If you are going to call this calendar through, I will have no objection to taking my chances along with everybody else.

The SPEAKER. When we get through with the bill submitted by the gentleman from Alabama [Mr. BANKHEAD], then——

Mr. BANKHEAD. Will the gentleman withdraw his request for a second?

Mr. GARRETT of Tennessee. While the good humor is on, why can we not get unanimous consent for the consideration of the Bankhead bill?

Mr. STAFFORD. It is not proposed to ask unanimous consent that a second be ordered.

Mr. FOSTER. Why not give unanimous consent for its consideration?

Mr. STAFFORD. All right; go ahead.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent for the consideration of the bill S. 5038, with sundry committee amendments.

Mr. STAFFORD. That is on the understanding that there will be none of the others called up.

Mr. CLARK of Florida. Mr. Speaker, the statement made by the gentleman from Wisconsin [Mr. STAFFORD] would indicate that it does not require unanimous consent that there shall be further suspensions to-day. I want to state that the Speaker kindly put me on the list. It is true I am very far down on the list, but I want a chance to move to suspend the rules and pass a public building bill.

The SPEAKER. The gentleman would not be reached under this suspension business for a week.

Mr. CLARK of Florida. I might if we should go on.

The SPEAKER. The gentleman is away down on the list.

Mr. CLARK of Florida. I do not want to if unanimous consent is required, but if none is required I will object.

The SPEAKER. The Chair recognized the gentleman from Alabama [Mr. BANKHEAD] to move to suspend the rules, and a suggestion came from somewhere to take up this bill by unanimous consent instead of wasting time to suspend the rules. The Chair asks if there is any objection to taking it up that way?

Mr. STAFFORD. Reserving the right, Mr. Speaker, I think there should be some explanation of the bill before that is done.

Mr. BANKHEAD. I intend to explain the bill. Is there any objection, Mr. Speaker?

Mr. STAFFORD. I renew my reservation of the objection, Mr. Speaker.

Mr. FOSTER. Then it will all be declared off. The gentleman from Alabama is going to explain the bill.

The SPEAKER. The gentleman from Alabama moves to suspend the rules. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the special fund for vocational education authorized by section 7 of the vocational rehabilitation act, approved June 27, 1918, together with the items of appropriation made by said act, are hereby made available, in addition to the purposes therein prescribed, for such other expenses as in the discretion of the board is deemed necessary and proper for the payment of necessary travel, lodging, subsistence, and other expenses of disabled men while under investigation by the board to determine their eligibility for training under the act, and the purchase of supplies, equipment, and clothing for disabled men when ready to enter employment, and the traveling expenses of such men to place of employment, and for supplementing any or all of the other items of appropriation made by said act.

Mr. BANKHEAD. Mr. Speaker, is a second demanded?

The SPEAKER. Is a second demanded? The Chair will ask the gentleman from Alabama, Are the amendments already in this bill, or does the gentleman propose to amend it?

Mr. BANKHEAD. They are printed in italics.

Mr. STAFFORD. I demand a second.

The SPEAKER. The gentleman from Wisconsin demands a second.

Mr. BANKHEAD. I ask unanimous consent, Mr. Speaker, that a second be considered as ordered.

The SPEAKER. The gentleman from Alabama asks unanimous consent that a second be considered as ordered. Is there objection?

Mr. CANNON. I object.

The SPEAKER. The gentleman from Illinois objects. The Chair appoints Mr. BANKHEAD and Mr. CANNON to act as tellers.

The House divided, and the tellers reported—ayes 111, noes none.

Accordingly a second was ordered.

The SPEAKER. The gentleman from Alabama is recognized for 20 minutes.

Mr. BANKHEAD. Mr. Speaker, I desire to secure, if possible, the attention of the House while I make an effort, as briefly as possible, to explain the purposes and the necessity for the passage of this bill. It will be recalled that section 7 of the act providing for the rehabilitation of wounded and disabled soldiers, which was approved on June 27, 1918, provided that the board was authorized and empowered to receive gifts or donations from either public or private sources, offered unconditionally, and that the moneys received as gifts or donations should be paid into the Treasury of the United States and constitute a permanent fund, to be called the special fund for vocational rehabilitation, and to be used under the direction of said board in connection with the appropriations then made or hereafter to be made to defray the expenses of providing and maintaining courses of vocational rehabilitation.

Section 8 of the bill appropriated an aggregate sum of $2,000,000 for the purpose of carrying it into effect.

When the joint committees of the House and Senate were having hearings to frame up this legislation, Dr. Prosser and others who were interested in the proposition, when asked to make an estimate of the amount of money that would be required for its operation for the first fiscal year, estimated that it would require the sum of $2,000,000; but on account of the well-known objections in both Houses of Congress to making lump-sum appropriations, it was suggested to him that he should undertake to budget the different items to be appropriated and used for the different purposes of the bill, and at that time it was very frankly conceded that it would be impossible to make an accurate estimate of the amount that would be used for each particular purpose. But in undertaking to do that, there were two items in section 8 of the bill to which I desire to call attention, and which are affected by the bill now pending before the House, one of them an item for renting and remodeling buildings and quarters, repairing, maintaining and equipping same, and for equipment and other facilities necessary for proper instruction of disabled persons, $250,000.

There is another item in the bill amounting to $545,000 for tuition for disabled persons pursuing courses in existing institutions, public or private.

In the course of the practical administration of the vocational rehabilitation act for disabled soldiers it has developed that the board did not require the amount of $250,000 provided in the first item I read for rent and so forth, but, as a matter of fact, on account of existing facilities, it has only become necessary for them to expend a small portion of that item.

It has also further developed that in the administration of the law up to date the board found that at the different institutions of learning in the States—the universities, normal schools, and other places where the States had provided the facilities for instruction of this character—the State authorities absolutely refused to require any compensation whatever, but very generously and patriotically tendered all of their State facilities to cooperate free of charge with the Federal board in the retraining of disabled discharged wounded soldiers. So it has been found that the board would need only a small portion of this item of $545,000 appropriated in the bill for the purpose of tuition.

So that, according to the hearings on the bill, of the amount originally appropriated for these two purposes which I have named there is an unexpended balance of approximately $700,000.

It has further become apparent in the operations of the board that while they do not need these items for the purposes stated, they do need them very seriously and very imperatively for other purposes. We had hearings on this bill. It passed the Senate in December without opposition, and it was explained by Dr. Prosser, Dr. Chandler, and other members of the Vocational Board that it developed that in the discharge of soldiers from the Army and Navy hospitals of the country after they had been physically and functionally rehabilitated it was found impossible, with the limited number

of agents in the field, for the Federal board to keep in close and intimate touch with these soldiers or to advise them or confer with them relative to the benefits conferred by this act; so that as a result of this situation, and on account of the very rapid discharge of these disabled soldiers from the various hospitals of the country, thousands of these men who, as a matter of fact, are entitled to receive the benefits of this humanitarian legislation that we passed affecting them, have not had the opportunity even to be informed specifically of the benefits accruing to them under its operations. The purpose of this bill is to authorize the Federal board to spend this unexpended sum—to coalesce these funds into one and spend it for the purpose of sending out their agents to the various hospitals in the country, of which the Army and Navy now have 120. Hundreds of men are being daily discharged from these hospitals without being informed, a great many of them, of the benefits of this act. And you may be surprised to learn that although the Surgeon General's Office promised sympathetic cooperation with the Vocational Board, up until December last the Federal board were deprived of the privilege of having their agents go into these hospitals or of disseminating their literature to these disabled men in the hospitals, and in the meantime thousands of soldiers had left the hospitals without receiving this information.

Mr. WALSH. Will the gentleman yield?

Mr. BANKHEAD. For a brief question.

Mr. WALSH. How many investigators has the board to travel about to these various States to make these inquiries?

Mr. BANKHEAD. I regret that I can not give the gentleman from Massachusetts that information.

Mr. WALSH. If this fund is made available for that purpose, of course the board will eventually have a vast army of them, will it not?

Mr. BANKHEAD. I hardly think that is a fair statement of what it will have. The purpose of the board is to use this money to put into the field a sufficient number of men to carry out adequately the purposes of Congress in passing this legislation, that is all.

Mr. BURNETT. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. BURNETT. Are these investigators to be appointed from civil life?

Mr. BANKHEAD. They are to be appointed under civil-service regulations in accordance with the terms of the vocational education bill.

Mr. TOWNER. Will the gentleman yield?

Mr. BANKHEAD. I will be glad to yield to my colleague.

Mr. TOWNER. And it is true that the Surgeon General's department has requested that the men be sent to hospitals so that they may at once be able to confer with those discharged from the hospitals, and thus save time.

Mr. BANKHEAD. That is the regulation now in existence.

Mr. SLAYDEN. Why can not the authorities at the hospitals be required to inform the soldiers of these benefits?

Mr. BANKHEAD. Under the orders issued on the 10th of December it is made the duty of those in charge of hospitals to inform from now on those disabled soldiers of their rights under the vocational bill.

Mr. BENJAMIN L. FAIRCHILD. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. BENJAMIN L. FAIRCHILD. Is it not true that the very purpose is to have these agents go to the hospitals, 142 in number, meet the soldiers at the hospitals and give them the benefit of this information, and does not that number—142 hospitals—very nearly answer the question of the gentleman as to the total number of agents that will be required?

Mr. BANKHEAD. That is correct, and in addition I want to say that there are thousands of soldiers entitled to the benefits of this act who have been discharged from hospitals from the Army and the Navy, now occupying the status of civilians, and we desire to get in touch with them. In that connection I want to say that there were, according to recent figures, December 28, 1918, 9,317 men whose compensation under the war-risk insurance, has not yet been determined. It is to be remembered that the vocational board can not undertake to exercise its functions until the awards are made by the Bureau of War Risk Insurance.

Mr. CANNON. Will the gentleman yield?

Mr. BANKHEAD. Certainly.

Mr. CANNON. I understand from what the gentleman has stated that in all of these 142 hospitals, and elsewhere, orders have been issued that these soldiers shall be fully informed of the benefits of this act.

Mr. BANKHEAD. Such orders now exist, but unfortunately for a long time they did not exist.

Mr. CANNON. So there is no necessity for 142 agents or three times 142 agents from civil life being sent out to perform the duty which would turn this charitable appropriation, devoted to another purpose, into an employment fund for people who desire to make a living that way.

Mr. BANKHEAD. I do not agree with the gentleman. The vocational board is administered by districts—12 or 14 districts. They have a district agent with headquarters, and in some districts there would not be any Army hospital at all. The gentleman from Illinois overlooks this important feature, the real spirit and purpose of the vocational act, to wit: That it is the duty of the board to advise, confer, and to talk with these men as to their future trades, to encourage them in taking one of these courses for their future benefit. So we would eliminate that personal factor in the event this legislation is not enacted. That is one of the purposes of the agent.

Mr. CANNON. I am one with the gentleman in giving all the education that practically can be given to these soldiers who have been wounded, so that they may have something to do and learn to do it; but I am fearful when you take this nearly a million dollars and divert it to the employment of people in civil life that it will become not for the aid of the soldier but for the aid of the civilian who is not a soldier.

Mr. BANKHEAD. I want to say that this is not the sole purpose. If you will read the report—and I am sorry I will not have time to go as fully into the matter as I would like—the purpose is to meet a situation of this sort: In many instances men are discharged from the hospitals without any means, without sometimes the opportunity to get home; they are crippled, an arm gone, or a leg gone, or two arms gone, and yet they are cured as far as the hospital is concerned. One purpose is that the fund may be used to give a small financial assistance to such penniless wounded victims.

Mr. KINCHELOE. Will the gentleman yield?

Mr. BANKHEAD. I will.

Mr. KINCHELOE. Where is there any provision in the bill that any part of this sum shall be paid for the expenses of these agents? It says for the payment of expenses of disabled men.

Mr. BANKHEAD. If the gentleman will read on page 2, it says, "and for supplementing any or all the other items of appropriation made by said act."

Mr. BENJAMIN L. FAIRCHILD. In many cases when the men are discharged from the hospital penniless it is because they have not been able to get pay from the War Department, and also by delay of records they are not able to get compensation.

Mr. BANKHEAD. I do not know what the reason is, and I do not care to go into that, for I do not think it is necessary in discussing the merits of this bill. But under the ruling of the Comptroller of the Treasury the gift fund provided for in section 7 in the original act could not be used for any of these humanitarian and necessary purposes that I have suggested. They said on account of the phraseology of the act these gifts should be limited to the purposes named in section 7 and could not be used for this other purpose.

The American Red Cross has come to the relief and has underwritten a credit of $100,000—put it into the gift fund; but under this ruling of the Comptroller of the Treasury, however anxious the board might be to take care of these wounded and crippled men, they can not do it unless we pass this legislation.

Mr. STAFFORD. Will the gentleman yield, and I will give him more time, if necessary?

Mr. BANKHEAD. I will be glad to yield to the gentleman.

Mr. STAFFORD. Mr. Speaker, will the gentleman explain what is the purpose, to its fullest extent, of the amendment of the committtee as carried on page 2, lines 7 to 9?

Mr. BANKHEAD. I should be very glad to do that.

Mr. STAFFORD. I yield to the gentleman five minutes of my time.

Mr. BANKHEAD. Mr. Speaker, it will be noted that the act as it passed the Senate, reading on line 3, provided that "the special fund for vocational education, authorized by section 7 of the vocational rehabilitation act," which is mentioned in section 7 of the original act, "is hereby made available, in addition to the purposes therein described, for such other expenses as in the discretion of the board is deemed necessary and proper."

The House committee inserted an amendment to strike out the word "is" and insert the words "together with the items of appropriation made by said act," so that we coalesce these two items contained in section 8 of the original act, to which I referred in the beginning of my remarks. In other words, the purpose of the amendment is to make available for the use of the fund all of the $2,000,000 appropriated for the purposes named in this amended act as well as for the purpose named in the original act.

Mr. STAFFORD. As I understand it, the maximum charge upon the Treasury for this purpose will be $2,000,000?

Mr. BANKHEAD. Two million dollars. It does not authorize the appropriation of a single additional dollar out of the Treasury of the United States, and I am very glad that the gentleman called my attention to that. It simply authorizes the expending of the aggregate sum of these two unused items for purposes I have suggested to the House. It does not make any additional charge on the Federal Treasury, but merely regulates the expenditure of the money carried in the original act.

Mr. CANNON. Mr. Speaker, may I ask the gentleman another question?

Mr. BANKHEAD. Yes.

Mr. CANNON. I understand that the Comptroller of the Treasury has prohibited by his construction the use of this money for the purpose as indicated that comes by gift, and that $100,000 has come by gift.

Mr. BANKHEAD. There is more than that, possibly.

Mr. CANNON. Has the gentleman or his committee thought of legislating to reverse that ruling?

Mr. BANKHEAD. I do not know what the rest of the committee have thought, but, as far as I am concerned, I will say that I heartily approve of this gift fund for this great and noble purpose.

Mr. CANNON. Would it not be better to reverse the ruling by legislation than to cut it off?

Mr. BANKHEAD. That is exactly what we are proposing to do by this legislation—to reverse this ruling.

Mr. CANNON. But to pay it from the Treasury.

Mr. BANKHEAD. Oh, no.

Mr. CANNON. Accept gifts?

Mr. BANKHEAD. My friend from Illinois must have forgotten the provisions of section 7 in the original act authorizing the acceptance of gifts and donations. It provided that they should be accepted when made unconditionally and put into the Treasury as a special fund, to be known as a fund for the vocational training of disabled soldiers.

Mr. CANNON. And that was wiped out by the decision of the Comptroller of the Treasury.

Mr. BANKHEAD. Whatever money has been in there has not been wiped out, but he held that the board could not expend it except for the purpose of tuition.

Mr. CANNON. Is it the object of this proposed legislation to enable the board to expend it?

Mr. BANKHEAD. It is.

Mr. CANNON. But it also enables the board to expend the $2,000,000 for the same thing?

Mr. BANKHEAD. Yes.

Mr. CANNON. Is there any necessity for spending more than the gifts at this time?

Mr. BANKHEAD. They are needing not only the $700,000 covered in this new legislation, left over out of the original act, but the $100,000 from the Red Cross, and they are needing infinitely larger sums to properly administer this law.

Mr. CANNON. Between this and the next fiscal year?

Mr. BANKHEAD. The gentleman is a member of the Committee on Appropriations, and he probably knows more about that subject than I.

Mr. MONTAGUE. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. MONTAGUE. As I understand the bill, it is to make available the existing gifts and future gifts, together with the $700,000.

Mr. BANKHEAD. That is the purpose of it.

Mr. MONTAGUE. And it carries no more burden to the Treasury?

Mr. BANKHEAD. That is true.

Mr. MONTAGUE. It simply consolidates the sum which is found to be not usable for other purposes?

Mr. BANKHEAD. And not needed for those purposes.

Mr. MONTAGUE. And makes it available for purposes that are immediately and urgently needed?

Mr. BANKHEAD. Yes; that is a correct statement of the purposes of the bill.

Mr. MONTAGUE. And specifies that in the act?

Mr. BANKHEAD. Yes.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. MANN. I understand that the gift provision in this bill is to be stricken out.

Mr. BANKHEAD. No; the gentleman is in error about that. If he will look at the part of the Senate bill stricken out he will see that refers to conditional gifts, and there was some objection in the Committee on Education to extending the gift proposition to those that were to be made for certain specific purposes.

Mr. MANN. I have not been able to find anything in the bill that would authorize expenditure of any money except that which was appropriated in the original act.

Mr. BANKHEAD. There is not, and that which may be in this gift fund.

Mr. MANN. Where is that in the bill?

Mr. BANKHEAD. The first section provides that the special fund for vocational education, authorized by the act, together with the items of appropriation made by said act, are hereby made available, in addition to the purpose therein prescribed for such other expenses as in the discretion of the board is deemed necessary and proper, and so forth.

Mr. BLAND of Virginia. Does not section 7 of the vocational act provide for gifts?

Mr. BANKHEAD. It does.

Mr. BLAND of Virginia. And this act makes those gifts now applicable to the items specified in section 8?

Mr. BANKHEAD. That is a correct statement, whereas if we do not pass this legislation those gift funds can only be used for purposes specified in the original act creating that fund, to wit, in the following language—

to be used under the direction of said board in connection with appropriations hereby made to defray expenses of providing and maintaining courses of vocational rehabilitation—

And the board does not need the money for this purpose.

Mr. BLAND of Virginia. But does include the items specified in section 8?

Mr. BANKHEAD. Exactly. Mr. Speaker, how much time have I occupied?

The SPEAKER. Twenty-two minutes.

Mr. KINCHELOE. Will the gentleman yield?

Mr. BANKHEAD. I will.

Mr. KINCHELOE. I desire to ask the gentleman if anything was developed in the hearing on this as to how much the number of these agents would be increased?

Mr. BANKHEAD. No; that testimony did not come out.

Mr. KINCHELOE. Can the gentleman state what the salary of these agents is?

Mr. BANKHEAD. I do not know what it is. Mr. Speaker, I would like to incorporate as a part of my remarks, and I ask unanimous consent to do so, because I think it will be interesting information to the Members of the House, a statement by the Federal Board of Vocational Education, showing the number of soldiers under treatment, and so forth, up until December 28, 1918.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

The report is as follows:

[Federal Board for Vocational Education, miscellaneous 80, Jan. 11, 1919.]

MARKING PROGRESS IN REHABILITATION OF THE DISABLED.

Disabled men registered with the Federal board on December 28, 1918, numbered 12,684. These were at the time of their registration all of them prospective candidates for vocational training and placement by the board. In 49 cases compensation for disabilities had been denied by the War Risk Insurance Bureau on or before December 28, in 9,317 cases compensation had not been determined at that date, and in 3,318 cases compensation had been awarded. Definite action providing training can not be taken in individual cases prior to the award of compensation by the War Risk Insurance Bureau, although in such cases contacts with the men can be established and preliminary vocational surveys completed.

The 14 district offices of the Federal board had reported 2,183 cases classified as prospects for training, and district case boards had recommended 520 men for specific courses of training. Men reported pending placement numbered 6,474, and the number of men reported as placed in civil employment was 1,455. In the table below the distribution of these cases is shown by district vocational offices. District No. 5, embracing the States of North and South Carolina, Georgia, Florida, and Tennessee, reported the largest number of registrations, 2,230. District No. 9 (Iowa, Nebraska, Kansas, and Missouri) reported 1,573 cases; district No. 2 (Connecticut, New York, and New Jersey), 1,420 cases; district No. 7 (Ohio, Indiana, and Kentucky), 1,317 cases; district No. 8 (Michigan, Illinois, and Wisconsin), 1,142 cases; and other districts smaller numbers, as shown in the table.

Information regarding men discharged or to be discharged from the Army or Navy is obtained from various sources, including the War Risk Insurance Bureau, the Department of Labor, hospital, the Red Cross, the man himself, and friends or relatives of the man. Contacts with the men registered are established immediately by letter or by personal interview. Vocational surveys are then completed to determine the man's vocational aptitudes, preferences, disabilities, and capabilities, and upon the basis of all data collected specific recommendations are made for training or placement, as the case may require.

DIVERSITY OF TRAINING PROVIDED FOR OUR DISABLED MEN.

A tentative classification of the first 157 cases approved for training indicates the wide diversity of vocations for which our disabled men are already being trained. For these first 157 cases 63 distinct courses of training are reported, as shown in the following summary statement. If the tabulation had been extended to include all of the 520 cases recommended for training by the district offices, an even greater diversity of courses would be shown:

First 157 cases approved for training, classified by character of course elected.

NUMBER APPROVED FOR TRAINING.

Character of course:	
Agriculture	18
Academic	1
Accountancy	6
Architecture	1
Animal husbandry	2
Auto driving and mechanics	3
Business course, general	12
Bookkeeping and office management	1
Banking	1
Bookkeeping	3
Building construction	1
Bookkeeping and farm production	1
Commercial	19
Civil engineering	2
Chemist	1
Dairying, scientific	2
Drafting	1
Electrical drafting	1
Electrical course, general	4
Engine designing and drafting	1
Embalming	1
Electrical plant operation	1
Exporting	1
Electrical engineering	3
General education	1
Jewelry and watch repairing	1
Jeweler	1
Law	4
Lip reading and bacteriology	1
Lip reading	3
Monotype operator	1
Machinist	1
Mechanical engineer	4
Mechanics and shop practice	4
Mechanical drafting	1
Machine operator	1
Marine gas-engine operation	1
Motor mechanics	11
Milk inspection	1
Medicine	2
Meat inspection	2
Normal teacher	1
Normal training	1
Oxyacetylene welding	1
Penmanship	1
Poultry raising	1
Poultry and swine raising	1
Store management	1
Show-card writing and painting	2
Special gas-engine course	1
Silversmithing and designing	1
Steam engineering	1
Secretarial course	3
Salesmanship	2
Stationary steam engineer	1
Scientific farm management	1
Sheet-metal designing	1
Telegraphy and business course	2
Telegraphy	3
Tailoring	1
Traffic management	1
Tool and instrument making	2
Window dressing and designing	1
Total	157

In 25 of the 157 cases some line of agricultural training—crop or stock farming, dairying, poultry raising, farm management—had been elected and approved after careful survey of the applicants' qualifications and preferences, and it would thus appear from the data already in hand that agriculture will attract a large proportion of the disabled men. Commercial courses had been approved in 19 cases, general business courses in 12 cases, and motor mechanics in 11 cases.

INSTITUTIONS PROVIDING TRAINING COURSES.

Evidence that our disabled men are being given worth-while training may be found in the character of the institutions in which they have been placed for training. The 157 first cases classified above were distributed for training to the institutions listed below. It should be noted, however, that in some instances men were sent for training directly into industrial establishments or were inducted directly into trades. In all such cases adequate provision has been made for instruction under proper guaranties and supervision.

List of institutions in which disabled men have been placed for training: Amherst College, Boston University Law School, Harvard University, Massachusetts Institute of Technology, Filene's Department Store, Tawley School of Engineering, Bryant & Stratton and Burdette Business Colleges, Soule Business College, Franklin Union College, Harvard Law School, New York School of Commerce, Columbia University, Colorado University, Pratt Institute, Lehigh University, Strayer's Business College, Maryland State Agricultural College, Howard University, David Rankin Trade School, Hampton Institute, Alabama Polytechnic Institute, Virginia Polytechnic, George Washington University, Maryland University, North Carolina Agricultural and Mechanical College, Tuskegee Institute, Tennessee State Agricultural College, Clemson College, University of Tennessee, Tulane University, Mississippi Agricultural and Mechanical College, Ohio State University, Baltimore Business College, Purdue University, Michigan State Agricultural College, Indiana State Normal College, University of Michigan, University of Illinois, Nebraska University, Dunmoody Institute, University of Nevada, University of California, University of Texas, American Institute for Banking.

NUMBER APPROVED FOR TRAINING INCREASING RAPIDLY.

Reports indicate that by January 31 the number of cases approved for training will be approximately 1,000. Preliminary surveys of individual cases are being completed by the district offices and recommendations for training forwarded to the central office for approval.

Federal board registration of disabled men for vocational training and placement to date, Dec. 28, 1918.

District.	Number of cases registered by Federal Board for Vocational Education.							
	Total.	War Risk Insurance action.			Prospects for training.	Case board recommendations.	Placement pending.	Placed by the board or self-placed.
		Compensation denied.	Compensation undetermined.	Compensation awarded.				
Total	12,684	49	9,317	3,318	2,183	520	6,474	1,455
District No. 1: Maine, New Hampshire, Vermont, Massachusetts, and Rhode Island	760	5	606	149	311	59	29	128
District No. 2: Connecticut, New York, and New Jersey	1,420	4	1,121	295	296	40	83	318
District No. 3: Pennsylvania and Delaware	623	2	462	159	112	38	.....	158
District No. 4: District of Columbia, Maryland, Virginia, and West Virginia	700	8	493	199	191	89	337	86
District No. 5: North Carolina, South Carolina, Georgia, Florida, and Tennessee	2,230	4	2,006	220	425	47	446	105
District No. 6: Alabama, Mississippi, and Louisiana	676	1	505	170	83	30	589	80
District No. 7: Ohio, Indiana, and Kentucky	1,317	.....	840	477	127	51	841	240
District No. 8: Michigan, Illinois, and Wisconsin	1,142	3	758	381	310	18	1,007	30
District No. 9: Iowa, Nebraska, Kansas, and Missouri	1,573	9	1,243	321	67	52	1,420	77
District No. 10: Minnesota, North Dakota, and South Dakota	334	.....	230	194	66	40	12	64
District No. 11: Wyoming, Colorado, New Mexico, and Utah	499	1	190	308	45	9	499	1
District No. 12: California, Nevada, and Arizona	649	5	387	257	47	18	540	99
District No. 13: Montana, Idaho, Oregon, and Washington	172	.....	109	63	13	6	170	5
District No. 14: Arkansas, Oklahoma, and Texas	589	7	367	215	90	23	501	64

Mr. STAFFORD. Mr. Speaker, I have had no requests for time in opposition to this bill. I have had a request for five minutes from the gentleman from Iowa [Mr. TOWNER], a member of the committee, and I yield him that time.

Mr. TOWNER. Mr. Speaker, I thank the gentleman from Wisconsin for his courtesy. Mr. Speaker, this bill has the unanimous consent of the membership of the committee. It is simply a bill to make available for purposes that are needed the funds already appropriated. Two hundred and fifty thousand dollars were appropriated for the purposes of paying rent and to provide buildings. It was found, very fortunately indeed, that the States and colleges very largely provided those necessary buildings without additional cost, so that the $250,000 is not all needed. Four hundred and fifty thousand dollars was provided for the payment of tuition. It was expected that tuition for the training of the soldiers would have to be paid for, but very fortunately, and to the great credit of the educational institutions of the country, they came almost unanimously to the board saying, "We will gladly give to the wounded soldiers their tuition free," so probably almost nothing will have to be paid for tuitions for the soldiers for their vocational rehabilitation. Besides this the gift fund provided for under the terms of the act was interpreted by the Comptroller of the Treasury to apply only for the purpose of tuition, the very thing that was not needed at all, so that fund was not available. Gentlemen, this is simply a bill for the purpose of carrying out the rehabilitation act, the great humanitarian and great patriotic act which we passed in the House here that gave to the disabled soldiers an opportunity to have provided for them an education particularly devoted to their individual requirements and adapted to their particular condition, so that they may become independent and self-supporting members of society. The operations of this act

have been marvelously successful in Canada and in England and in France, and we are only doing our part in this great work for the benefit of our soldiers. I yield to the gentleman from Ohio [Mr. FESS].

Mr. FESS. I desire to ask the gentleman if he knows whether thus far the work has been entirely satisfactory?

Mr. TOWNER. It has, I think, but it has been mainly organization work so far, I will say to the gentleman. Of course, the real work of the rehabilitation of the soldier has just commenced.

Mr. FESS. That is largely due to the fact that primarily the work is done in the hospital, and we have not reached the other yet?

Mr. TOWNER. That is very true, and these agents referred to are not agents going about the country soliciting or anything of that kind. They are representatives of the board who are sent to the various hospitals, these soldiers' hospitals under the control of the Army, for the purpose of cooperating with the Surgeon General's assistants in preparing these soldiers for the educational work.

Mr. SNOOK. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. SNOOK. So far as the act has been brought to the attention of the wounded soldiers of their right to have the benefits of it, has there been any difficulty in getting them to take advantage of that act?

Mr. TOWNER. We hardly have proceeded far enough, I will say to the gentleman, with that work to know. The work so far has not progressed far beyond organization, and the only thing we can say with reference to that is that it has been wonderfully successful in England and in Canada, our neighbor.

Mr. SNOOK. The main purpose of this is to bring to their attention the benefits that will accrue to them under this bill if *they take* advantage of it?

Mr. TOWNER. Certainly.

Mr. CANDLER of Mississippi. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. CANDLER of Mississippi. The gentleman from Alabama stated a moment ago that there had been thousands of soldiers discharged who had gone out of these hospitals that had not been notified of the benefits to be derived under this bill. Now, is it the purpose and object of the extension of this bill as amended to reach those soldiers as well as the ones who are still in the hospitals?

Mr. TOWNER. I will say that it is the thought by putting agents of the Rehabilitation Board in the hospitals, as the Surgeon General desires, it is expected it will not cost more than $5 per soldier to accomplish this necessary work of making the work of the Education Board immediately follow the work of the Surgeon General's office, whereas if these men have to go out and see these men and talk and induce them, as they have been compelled in large measure, it will cost $50 or $75 in each case.

Mr. BANKHEAD. That is after they have been discharged and gone out?

Mr. TOWNER. After they have been discharged.

Mr. CANDLER of Mississippi. Those that have been discharged will be furnished information and get the benefit of it?

Mr. TOWNER. Yes; and there will not be one single disabled soldier that will not have placed before him all the information necessary to assist him to take hold of this work.

Mr. CANDLER of Mississippi. I am delighted to hear that. I want the soldiers to have that benefit.

Mr. DONOVAN. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. DONOVAN. Was not the reason that some men have been discharged from the hospitals and now are afield as to the benefits of the act because the War Department did not permit the dissemination of this information in the hospitals before December 10?

Mr. TOWNER. That is very true; and from the further fact that since that time the board has not had money enough in order to carry out and secure the necessary assistants.

Mr. DALLINGER. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. DALLINGER. Is not one reason for the urgency of this bill the fact that a large number of men have been discharged from the hospitals and that their compensation status has not been determined, and this is to carry them over for subsistence and travel since that time?

Mr. TOWNER. That is true. As to all of this work, whatever the soldier may desire to do, who has been injured, wounded, or incapacitated in any way from following out his old vocation in whole or in part or in preparing for some new work, it is expected and provided that the board will assist him to do it.

Mr. SWITZER. Is the soldier actually receiving the benefits from this fund or is it used in organizations?

Mr. TOWNER. Oh, they are now receiving the benefit of the fund. I do not know how many.

Mr. SWITZER. I understood it was largely used in organizations.

Mr. TOWNER. It has been necessarily so, so far. But the very provisions of this supplementary legislation is to carry out quickly and without delay the purpose of the rehabilitation act. It is to tide over a dangerous interim that may exist between his discharge as a soldier and his entrance again into civil life. It is to help him to understand so he will accept the benefits of the training for success in life which the Government gladly tenders him. This is the object and purpose of this legislation, and it has no other object nor purpose.

Mr. STAFFORD. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I sympathize to the utmost with the effort to teach the maimed soldiers and others methods of earning their livelihood. I have been here long enough to watch the various and sometimes devious ways pursued by branches in the executive departments of the Government for getting hold of money. A good many departments think that the moment a sum of money is appropriated for a particular purpose, after investigation, under those departments, the money belongs to them. They think it is theirs. They will come before Congress and ask money to accomplish a special thing, and after consideration Congress grants them the money; and the moment it is appropriated these departments think they own the money. They object to having their activities circumscribed. They think they should be permitted to use the money as they please.

Now, this bureau has a right, I suppose—I am not very familiar with the legislation; I was not here when it was passed—to come before the Committee on Appropriations and ask to have reported in the sundry civil bill appropriations to carry out the purpose of the rehabilitation act. They are having hearings in the Committee on Appropriations now on the sundry civil bill. It is likely to become a law, if it becomes a law at this session, as soon as this bill becomes a law. But if they go before the Committee on Appropriations they have to specify what they want money for, and how much they need for a certain purpose, and be examined and cross-examined. They have to show the goods before they get the money. So what did they do? They find that in the original rehabilitation act there was a lot of money appropriated for which they had no use, and, thinking they own the money, they say, "Why should Congress tell us how we should use this money? That is none of your business up there. All you ought to tell us is that we can have a large sum, and we can spend it as we please." And having a sum in the neighborhood of three-quarters of a million dollars which they can not expend under the terms for which it was appropriated, and, thinking they own the money, they say, "Let us spend it as we want to." And that is what this bill says in effect.

Mr. DONOVAN. Will the gentleman yield?

Mr. MANN. I will.

Mr. DONOVAN. I was going to ask the gentleman, from the fact that this is a new enterprise, so to speak, and, as stated by the gentleman from Alabama, when the committee or the vocational board was asked to budget it they said in good faith at that time they could not make a definite appropriation by guesswork, there would not be a justification for their now coming in and asking after having had first an experience of that kind?

Mr. MANN. Why, they have the right to come in before the Committee on Appropriations, like other branches of the executive departments, and tell what they want the money for and how much. But they are not willing to do it. They think it is easier to work through a bill which lets them use the money as they please, on the plea—and that is the plea made by this bill—that this is not appropriating new money, that this is just a readjustment of the powers concerning the use of the money already appropriated; and we seem to act upon the theory that when we appropriate money we lift it up in our hands and put it over in a certain place, and it is there by itself.

Why, every year we appropriate millions of dollars for purposes for which the money is not used, and necessarily, but it is not paid out. There is not a branch of the Government that does not, every once in a while, try to say, "The money is ours, because it was appropriated. Let us use it for something else. We do not need it for the purpose for which it was appropriated."

If they have got a just claim for money they can get it just as quickly and specify what it is for and tell what they want to use and how much they want to use, instead of trying to "work" Congress. That is what this is. It is trying to "work" Congress. I have never had any patience with the executive branches of the Government which seek to slide in, if they can not get an appropriation from one committee, and run to another committee; which seek to slide in, and if they can not get it on the basis of the facts, try to divert it from something else which they can not spend it for. [Applause.]

Mr. STAFFORD. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. FESS].

The SPEAKER. The gentleman from Ohio is recognized for three minutes.

Mr. FESS. Mr. Speaker, the objection made by the gentleman from Illinois [Mr. MANN] is an objection with which all of us have sympathy, and for that reason when this bill was first written—I mean the original rehabilitation bill—providing for an appropriation of $2,000,000 it was written in a lump sum, $2,000,000. It was suggested, however, in the committee that if the sum could be apportioned to the varied divisions to which it was to be applied it ought to be done, because the Members of Congress dislike to vote money in that lump-sum method. Dr. Crosser, who was before the committee, said that it would be impossible at that stage to estimate the particular amount that would be needed for each of the activities specified, and it would be only a mere guess, and for that reason he questioned the wisdom of dividing it. However, the Members on the part of the Senate thought it should be divided and the Members of the House agreed to that. This was agreed to in the joint meeting of the two committees of the House and the Senate.

At this time, after the lapse of these months, there is a better chance to know what activities need the money than when we wrote the bill; and while I appreciate fully what the gentleman from Illinois says, and while I have a lot of sympathy for that position, yet really I do not believe that the criticism can be applied with as much force to this particular case as the interpretation that he has placed upon it would indicate.

Mr. STAFFORD. Mr. Speaker, I believe I have two minutes left?

The SPEAKER. The gentleman has two minutes more.

Mr. STAFFORD. I am asked by the gentleman from Massachusetts [Mr. DALLINGER] for time. I yield to the gentleman the time I have, two minutes.

The SPEAKER. The gentleman from Massachusetts is recognized for two minutes.

Mr. DALLINGER. Mr. Speaker, I am much obliged to the gentleman from Wisconsin for granting me all of his remaining time. I trust that the Members of the House will not refuse to suspend the rules and pass this very important bill. The gentleman from Illinois [Mr. MANN] has had something to say about the Committee on Appropriations. Mr. Speaker, when this crisis arose, of these crippled boys being discharged from the Army hospitals with their compensation status undetermined for weeks and sometimes for months at a time, making it impossible under the law for their regular civilian training to begin, the gentleman from Alabama [Mr. BANKHEAD] introduced a bill similar to this bill and went before the Committee on Appropriations to urge its immediate consideration and report. This was at the very beginning of the session in December, and the Committee on Appropriations took no action whatever. Moreover, nothing has been done by that committee since, and as a result of that fact the Board for Vocational Education has not been able to use this money already appropriated in the original rehabilitation act for the purposes specified in this bill, and thousands and thousands of crippled soldiers have had no provision whatever made for them, and many of them have been found begging on the streets of our large cities.

Mr. STAFFORD. Mr. Speaker, in fairness to the Committee on Appropriations, I do not think the gentleman ought to make the wild charge that nothing has been done. The subcommittee on the sundry civil appropriation bill last week gave a hearing to this board concerning their work, and I am certain that subcommittee is giving careful consideration to this appropriation.

Mr. DALLINGER. Mr. Speaker, what the gentleman from Wisconsin refers to is for the next fiscal year, beginning the 1st of July next. Something ought to have been done during the first week of last December. The matter was so important and so urgent that the Committee on Appropriations owed it to the country and to the crippled and disabled soldiers to bring in some sort of a bill, even a special deficiency bill. The Committee on Appropriations did not do it, and hence the Committee on Education has brought in this bill, and this House ought to pass it under suspension of the rules here and now.

It is said that this bill does not provide or specify what the money is to be spent for. Mr. Speaker, it expressly specifies that it is for "the payment of necessary travel, lodging, subsistence, and other expenses of disabled men while under investigation by the board to determine their eligibility for training under the act"—that is, during the time their compensation status is being determined by the War Risk Insurance Bureau—"and for the purchase of supplies, equipment, and clothing for disabled men when ready to enter employment, and the traveling expenses of such men to place of employment." In other words, it is to cover the gap between the time that these crippled soldiers are discharged by the military authorities from the hospital and the time their compensation is determined by the Bureau of War Risk Insurance, and they can go into actual training. It seems to me if Members of this House desire to prevent these soldier boys from being resentful against their Government for not giving them the opportunities which this Congress has provided, they will pass this bill, and pass it speedily. [Applause.]

The SPEAKER. The gentleman's time has expired. All time has expired. Those in favor of suspending the rules and passing this bill will say "aye"; those opposed will answer "no."

The question was taken.

The SPEAKER. In the judgment of the Chair, two-thirds having voted in the affirmative, the rules are suspended, and the bill is passed.

NEW TRIALS.

The next business on the Calendar for Unanimous Consent was the bill (S. 68) to amend section 269 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was read as follows:

Be it enacted, etc., That section 269 of the act approved March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary," be, and the same is hereby, amended so as to read as follows:

"SEC. 269. All of the said courts shall have power to grant new trials, in cases where there has been a trial by jury, for reasons for which new trials have usually been granted in the courts of law. On the hearing of any appeal, certiorari, writ of error, or motion for a new trial, in any case, civil or criminal, the court shall give judgment after an examination of the entire record before the court, without regard to technical errors, defects, or exceptions which do not affect the substantial rights of the parties."

The bill was ordered to a third reading, and was accordingly read the third time and passed.

EXCHANGE OF LANDS WITH THE STATE OF MONTANA.

The next business on the Calendar for Unanimous Consent was the bill (S. 2715) to authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. ALEXANDER). Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, I should like to ask the Member having this matter in charge to give a little fuller explanation than is contained in the report.

Mr. MANN. Mr. Speaker, I am not interested in this bill in any way whatever, but it proposes to authorize an exchange of land between the Government of the United States and the State of Montana in order to carry out the purposes of the Government in one of its reclamation projects, and the Secretary of the Interior, when this matter was up in July, 1917, stated that the Legislature of Montana would meet in 1919. I do not know whether that legislature has met and adjourned or not, but he stated that the State would endeavor to keep anybody off the land belonging to the State until the State legislature had met and had had an opportunity to pass an enabling act authorizing a transfer of the land. There seems to be no question but that it is desirable on the part of the Government of the United States to have the land transferred. The only question is whether the State of Montana will agree to it.

Mr. STAFFORD. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. STAFFORD. I believe it is customary in these bills providing for the exchange of land to insert a provision that the land exchanged shall be of substantially the same value.

Mr. MANN. That is customary in exchanges with private individuals or corporations; but here the Government of the United States is seeking to get land owned by the State of

Montana to use it for a reclamation purpose. I suppose the land will be of about equal value, but I think it is not customary to specify that in the law.

Mr. STAFFORD. It is not specified in this bill?

Mr. MANN. No.

Mr. STAFFORD. Though it does state, not exceeding the amount of land included in said object.

Mr. MANN. Yes.

Mr. STAFFORD. They may take land of a different character, forest land, which might be of much greater value than the land received from the State.

Mr. MANN. I do not think there is any danger of that.

Mr. WALSH. Mr. Speaker, what is the necessity for the exchange? That is what I am trying to ascertain. The report from the Acting Secretary of State as usual does not set forth the necessity.

Mr. MANN. In reporting the bill there was probably a slight error in not including the letter, which I have, which was sent to the chairman of the Public Lands Committee in the Senate, which is included in the Senate report. I presume in reporting it to the House somebody inadvertently left that letter out. The Government of the United States needs the land owned by the State of Montana in connection with one of its reclamation projects.

Mr. WALSH. That is sufficient. I withdraw the reservation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MANN. I ask to have this bill considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to considering the bill in the House as in Committee of the Whole?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That upon receipt of proper deeds from the State Board of Land Commissioners of the State of Montana, executed under authority of its legislative assembly, reconveying to the United States of America title to the northwest quarter of the northwest quarter section 2, north half of the northeast quarter and southeast quarter of the northeast quarter section 3, township 22 north, range 1 west, Montana principal meridian; northeast quarter of the northeast quarter, south half of the northeast quarter, and southeast quarter section 20, east half of the northeast quarter, and southeast quarter section 21, southwest quarter of the northwest quarter, east half of the southwest quarter, and southwest quarter of the southeast quarter section 27, northeast quarter, northwest quarter, north half of the southwest quarter, and north half of the southeast quarter section 28, north half of the southwest quarter section 29, southeast quarter of the northwest quarter section 30, north half of the northeast quarter, and north half of the northwest quarter section 32, north half of the northeast quarter, and northeast quarter of the northwest quarter section 33, east half of the northeast quarter, south half of the northwest quarter, east half of the southwest quarter, and west half of the southeast quarter section 34, township 23 north, range 1 west, Montana principal meridian, for the Muddy Creek Reservoir site, Sun River project; and the northwest quarter of the northeast quarter section 35, township 32 north, range 32 east, north half of the southwest quarter section 4, township 31 north, range 32 east, and all of section 36, township 32 north, range 31 east, Montana principal meridian, for the Nelson Reservoir site, Milk River project; the Secretary of the Interior is authorized to issue patents to said State for such vacant, surveyed, unreserved, unoccupied, nonmineral public lands as may be selected by said State within its boundaries, not exceeding the amount of land included in said deeds, and said land when so reconveyed shall not be subject to settlement, location, entry, or selection under the public-land laws, but shall be reserved for the use of the United States Reclamation Service for the purposes aforesaid: *Provided, however*, That the Secretary of the Interior may restore such lands as he may determine are not needed for said reservoir sites.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Miss RANKIN, a motion to reconsider the vote by which the bill was passed was laid on the table.

BLACKFEET RESERVATION IN MONTANA.

The next business on the Calendar for Unanimous Consent was the bill (S. 4404) repealing that portion of the Indian appropriation act of March 1, 1907 (34 Stat. L., pp. 1015 and 1035), which relates to the disposal of the surplus unallotted lands within the Blackfeet Reservation in Montana.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, I reserve the right to object.

Mr. CARTER of Oklahoma. Mr. Speaker, the provision contained in this bill is carried in the Indian appropriation bill. I do not think it is necessary to take any action on the bill to-day. I do not think it ought to be stricken from the calendar until after the Indian appropriation bill has become a law.

Mr. STAFFORD. Let the gentleman ask that it be passed over without prejudice.

Mr. CARTER of Oklahoma. Yes; Mr. Speaker, I ask that it go to the foot of the calendar. There is an error in the statement on the calendar that it was reported from the Committee on Public Lands. It was reported from the Indian Committee. I ask that it go to the foot of the calendar.

Mr. MANN. Reserving the right to object, I should like to ask the gentleman how it is in the Indian appropriation bill? The Senate passed the bill reserving the mineral rights for the tribe, I judge. The House committee reported the bill striking the provision out. How did it appear in the Indian appropriation bill?

Mr. CARTER of Oklahoma. When the Indian bill was prepared I was sick.

Mr. CHANDLER of Oklahoma. I think I can inform the gentleman. It went into the Indian appropriation bill as it is in this bill as amended. The mineral rights go to each allottee.

Mr. MANN. That is once when the Indian Affairs Committee put something over on the House. The House has been endeavoring to protect these rights for a long time and not let the white man steal it from the Indians.

Mr. CHANDLER of Oklahoma. This does not give it to the white men.

Mr. MANN. Pretty nearly.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CARTER of Oklahoma. Mr. Speaker, the citation on the calendar that the bill came from the Public Lands Committee ought to be changed.

The SPEAKER pro tempore. Without objection, that will be done.

There was no objection.

BRIDGE ACROSS MISSOURI RIVER, BISMARCK, N. DAK.

The next bill on the Calendar for Unanimous Consent was the bill (S. 5058) to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak.

The Clerk read the bill, as follows:

Be it enacted, etc., That the counties of Morton and Burleigh, in the State of North Dakota, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation near the city of Bismarck, Burleigh County, N. Dak., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BAER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PAYMENT FOR CERTAIN INDIAN RESERVATION LANDS—MONTANA.

The next bill of the Calender for Unanimous Consent was the bill (S. 935) for the relief of settlers on certain railroad lands in Montana.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Reserving the right to object, I think some statement should be made by the gentleman having charge of this matter as to whether these settlers are entitled to this relief.

Miss RANKIN. Mr. Speaker, this bill was considered by the Committee on Public Lands. I did not have charge of the bill. As I understand the land was formerly an Indian reservation and was opened for settlement. It was later found that some of the land was in the grant of the Northern Pacific Railway. This provides for land in lieu of that.

Mr. WALSH. Several thousand acres of land?

Miss RANKIN. There are 64 settlers involved.

Mr. WALSH. The Secretary of the Interior seems to be doubtful as to whether the settlers have such claims as would warrant him in recommending enactment of this legislation. The railroad company on investigation found that valuable improvements have been placed on the land. It looks to me that where it involves such a large tract of land with comparatively few people as if it was doubtful propriety in enacting this legislation.

Mr. EVANS. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. EVANS. The matter has been looked into and the State legislature has memorialized Congress for the passage of the act. It does not involve a great tract of land; it involves a number of interests, I think 50 or so. The people went in there in good faith believing that they were going to get the land and put on improvements. In 1898 a law was passed

that wherever a settler was on railroad land the railroad company would get out and take land somewhere else.

Mr. WALSH. Who would get out?

Mr. EVANS. The railroad company. That does not apply to this case.

Mr. MONDELL. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. MONDELL. There was a question at one time as to whether the railroad company owned the land.

Mr. EVANS. Yes.

Mr. MONDELL. At the time the settlers went on the land there was a question as to whether this was railroad land, the alternate sections within these reservations.

Mr. EVANS. Yes.

Mr. MONDELL. The first settlers went on the land with a very good reason to believe that they had a right to settle on the land.

Mr. EVANS. Yes.

Mr. MONDELL. It was finally held that the lands belonged to the railroad company, and, of course, that left the settlers without legal rights. Let me make this suggestion to the gentleman from Massachusetts [Mr. WALSH]: The railroad company is authorized to make an exchange in this case. Of course, these settlers could have gone on the lands which the railroad company will now take, so it does not seem to be very material from anyone's standpoint if the exchange is made. For instance, any land that the railroad company can now get in exchange for the land the settlers have the settlers could have taken in the first instance. The settlers preferred to take this particular land. The assumption is, and it is reasonable, that whatever lands the railroad company can get are at least no better than the lands which the settlers have, and the probabilities are that, as a matter of value, the railroad company can not get any land that is as valuable as the land which the settlers have taken. Naturally they are not particularly desirous of making the exchange. Occasionally a condition of this kind arises in the western country, where there is some question as to the rights of the railroad companies to the lands within certain portions of what is finally determined to be the limit of their grants, and settlers go on lands under a misapprehension.

Mr. WALSH. Will this land which the railroad company takes be contiguous to that which it owns elsewhere?

Mr. MONDELL. They could take it anywhere in the State.

Mr. WALSH. That is just it. I do not think we ought to approve the taking by the railroad of land of equal value or similar character elsewhere in the State. What will the railroad company do with this land if it takes a tract of 15,000 acres miles away from a railroad?

Mr. MONDELL. That only reason why the railroad company can afford to agree to a settlement of this kind is that they can take those lieu rights and locate them where some one may want a tract of land, sell the land, and in that way they may get $8 or $10 an acre.

Mr. WALSH. Can not the railroad sell these lands to these settlers?

Mr. MONDELL. Yes, they could; but the settlers would have to pay the railroad company for the lands, and, of course, the settlers can not afford to pay the railroad company for lands they have earned as homestead settlers.

Mr. WALSH. The railroad company can eject these settlers if nothing is done?

Mr. MONDELL. It can.

Mr. WALSH. And they will be without other land to settle on?

Mr. MONDELL. They would lose their improvements. They would have to move and go to some distant place, and would lose all that they have.

Mr. WALSH. They would not lose very much, probably. They would be here with a bill to give them land somewhere else, or to reimburse them for their improvements.

Mr. MANN. They might come here with a bill, but they would not have much show to get reimbursement.

Mr. MONDELL. Let me remind the gentleman of what we have done in other cases where a conflict arose. There was the case of the Wisconsin Railroad, where a considerable number of settlers went on land, and the Supreme Court held, finally, that the land belonged to the Wisconsin Central Railroad. We gave those settlers the right to take other land, or to let the railroad company take other land, an alternative provision, so that settlement could be made.

This is a wise settlement to make so far as the Government is concerned; that is, let the railroad company take other land.

Mr. MANN. It is wise for the Government and best for the settlers.

Mr. WALSH. And for the railroad. I do not know; I think we ought——

Mr. MANN. It is a concession on the part of the railroad to people who live along their lines.

Mr. MONDELL. If the gentleman will stop to consider, there is not an acre of land that the railroads can get in Montana that any settler can not take as a homestead and get it for nothing. There is not an acre of land that will be subject to location by the railroad that can not be taken up in a 320 or a 640 acre tract under homestead settlement.

Mr. WALSH. I suppose, in view of the legislation we are sometimes called upon to consider, that that will continue to be here until the end of time——

Mr. MONDELL. It should be so, because that is the way to settle the land. This is just a question as to whether certain homesteaders are to be compelled to leave the homes they have built and turn them over to the railroad company and go out elsewhere and take other lands unimproved, or whether the railroad company is to be allowed to go and take those unimproved lands. Does the gentleman know of any good reason why as reasonable a thing as that should not be done?

Mr. WALSH. Of course, I know the gentleman is an expert on these land matters, and I am several degrees below a novice, but I think we ought to quit some time giving land to railroads out in this western country. We have given it to them here before. These settlers have got on the land by mistake or through not knowing that it belongs to the railroad, and now we are saying to the railroad, "You let the settler stay on this land and we will let you take land somewhere else," and that would be best for the settler, best for the State, and best for the railroad, even though they lost from $2 to $4 per acre on the land they get in lieu of the land escaped, but I think we ought to show some indication that legislation like this should have a narrow escape when it is submitted here, and I think the escape has been sufficiently narrow, so that I will not object.

Mr. MANN. I hope the gentleman will not think that is what he wants to do because there are many of these cases. It is not the railroad that is asking for the legislation, it is the settler. The railroad would like to have it defeated, because that gives an excuse for grabbing the improvements made by the settler. A great deal has been said about railroad companies giving up one piece of land and taking another. That question arises every once in a while; but, in the first place, when much of this land was settled, people could not always state where the lines were—they did not know.

Mr. WALSH. Of course, we do not know; and it is rather significant, I will say to the gentleman from Illinois, that the Secretary of the Interior, under whose administration these land problems come, seem to be doubtful as to whether the settlers have such claims as would warrant, as I understand, this legislation.

Mr. MANN. Oh, well, it is a question of policy after all. The Secretary does not have much to do with it.

Mr. WALSH. It is a question affecting his jurisdiction and his department, and he seeks to convey the impression that he does not favor this means of extricating these gentlemen from the difficulty in which they find themselves.

Mr. MONDELL. Let me remind the gentleman from Massachusetts that the Secretary of the Interior is guided by those in his office. Sometimes letters that come here, signed by the Secretary, so liberal in the expression of their views that I do not find I can follow them. Here is a case where, from the viewpoint of anyone who knows, the plan proposed is fair. Any man acquainted with the public land in the West knows how this sort of thing occurs and how essential it is to remedy it by legislation. The fact that some official in the department has taken some curious view should not affect our judgment with regard to them. I certainly have no interest in this situation except to have justice done or something like justice done. These people under the law would be required to give up their homes and give up the lands on which they have lived for years. Naturally the railroad company would prefer to have them do that if they viewed it wholly from the viewpoint of the company's finances, but the company will agree to this plan, and I think we should protect the settlers in their homes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That in the adjustment of the grants to the Northern Pacific Railroad Co., if any of the lands within the indemnity limits of said grants through that portion of the former reservation for the Gros Ventre, Piegan, Blood, Blackfoot, and River Crow Indians lying south of the Missouri River in the State of Montana be found in possession of an actual bona fide qualified settler under the homestead laws of the United States who has made substantial improvements thereon and such land has been adjudged by the Secretary of the Interior to inure to the Northern Pacific Railway Co. under the grants made to its predecessor in interest, the Northern Pacific Railroad Co., the Northern Pacific Railway Co., upon request of the Secretary of the Interior, may file a relinquishment of said lands in favor of the settler and shall then be entitled to select an equal quantity of other lands in lieu thereof from any of the surveyed public lands within the State of Montana, not mineral and not otherwise appropriated at the date of selection, to which it shall receive title the same as though originally granted: *Provided, however*, That lands withdrawn or classified as coal lands may be selected by said company, and as to such lands it shall receive a restricted patent as provided by the act of June 22, 1910.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. EVANS, a motion to reconsider the vote by which the bill was passed was laid on the table.

PATENT TO LINCOLN-DOUGLASS SANATORIUM, COLORADO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11368) to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association, a corporation, of Denver, Colo., for a certain-described tract of land.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, is the gentleman acquainted with the character of the land that is purposed to be transferred to this private sanatorium?

Mr. TIMBERLAKE. I beg to state to the gentleman that I am well acquainted with the character of the land. It is sandy land along a ditch which supplies a reservoir with water, and it has been lying open for entry for a number of years, but has not been taken because of the worthless character of the land.

Mr. STAFFORD. I withdraw the reservation of the objection.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. TIMBERLAKE. Mr. Speaker, this is on the Union Calendar, and I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent that it be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for the following tract of land, to wit: The northwest quarter of the northwest quarter of section 1 and the northeast quarter of the northeast quarter of section 2, in township 3 north, range 61 west of the sixth principal meridian, in Colorado.

Also, the following committee amendment was read:

Page 2, line 2, insert: "upon the payment of $1.25 per acre: *Provided*, That there shall be reserved to the United States all oil, coal, or other mineral deposits found in the land, and the right to prospect for, mine, and remove the same: *And provided further*, That this grant shall be subject to all prior, valid existing rights under the land laws of the United States, and that if the grantee shall fail to use the land for sanatorium purposes or shall devote the same to other uses the title thereto shall revert to the United States."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. TIMBERLAKE, a motion to reconsider the vote by which the bill was passed was laid on the table.

WATER SUPPLY, CORVALLIS, DALLAS, AND OREGON CITY, OREG.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12770) to reserve as part of the Oregon and Siuslaw National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. *v.* The United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, I believe this bill was considered once before, about a month ago.

Mr. HAWLEY. The gentleman is correct.

Mr. STAFFORD. And at that time objection was made?

Mr. HAWLEY. At that time it was transferred to the foot of the calendar.

Mr. STAFFORD. Well, it was half objected to, then. Why can not the cities that are sought to be benefited by the transfer of the land to the forest reserve take over the responsibility of preserving their own water supply?

Mr. HAWLEY. These three towns have entered upon public improvements, including sewers and water systems and paving, and have issued bonds to such an extent that they are not prepared at this time to sell bonds sufficient to take over the lands absolutely essential to the protection of their water supply. An act was recently passed by Congress transferring a large quantity of Oregon and California grant lands to the Oregon National Forest, for the protection of the water supply of the city of Portland, and this bill follows that precedent.

Mr. STAFFORD. These tracts of land are 11 and 8 miles, respectively, from the nearest boundaries of the forest reserve?

Mr. HAWLEY. Not all of them.

Mr. STAFFORD. A large portion of them are.

Mr. HAWLEY. Not a large portion. About 2,000 acres are the distances that the gentleman mentions, but the other land, about 5,000 acres or more, will go into the Oregon national forest as a compact part of that forest.

Mr. STAFFORD. Is there any instance where Congress has passed a special act providing for the transfer of certain public lands as a part of a national forest which is 11 miles separated from the nearest boundary of that forest?

Mr. HAWLEY. As to one of these tracts, the one for the city of Corvallis, which is I think at farthest distance from the national forest, the Forest Service has made a favorable report, and they say they can administer it. But this particular tract will be cared for by the city. It is now cared for by the city to prevent fires, and they will take care of it under the supervision of the Forest Service if this bill becomes a law.

Mr. STAFFORD. What assurance has the Government, if we allow this act to pass, that the municipal authorities will patrol this separated tract of land?

Mr. HAWLEY. I asked that question specifically of members of the city council and the city water committee, and they assured me that if these lands were transferred to the national forest, they would provide protection. The school of forestry of the Oregon Agricultural College will use it as a training station for the students of that school. It is on the east side of Mount Chintimini. If it is burned, it would destroy the only available water supply for the college, where 2,000 students attend annually; and it would also prevent the city from getting an adequate supply of fresh, pure, clean water for its citizens.

Mr. STAFFORD. Well, Mr. Speaker I understand that this bill will protect the water supply of these municipalities, and that it is an obligation that ought to be undertaken by the municipalities.

Mr. PARKER of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. PARKER of New Jersey. I wish to ask the gentleman from Oregon how many acres there are?

Mr. HAWLEY. About 7,000.

Mr. PARKER of New Jersey. And the Government has got to provide protection for that area?

Mr. HAWLEY. Yes; in part.

Mr. PARKER of New Jersey. Is there any taxation involved here?

Mr. HAWLEY. Yes; there are back taxes—back taxes accrued prior to the time the Government took control of the land, payment of which was provided in the legislation for the disposition of the grant.

Mr. PARKER of New Jersey. How much?

Mr. HAWLEY. That amount I have not been able to ascertain, as the lands are parts of a large area.

Mr. PARKER of New Jersey. I recall that there was a bill up a little while ago in which there was something like $700,000 paid for the lands, and I understood there were more taxes to be paid then than the original value of the land.

Mr. HAWLEY. No. Even if the Government pays for the land and pays the back taxes, it will be the beneficiary by several million dollars by the sale of the Oregon & California Railroad land grant.

Mr. STAFFORD. Why should we impose this obligation on the National Government to protect the water supply of a municipality?

Mr. HAWLEY. If this is not done and the land is sold to private holders and cut over, the lands will become valueless for purposes of protecting the water supplies of these cities.

Mr. STAFFORD. If the lands were valuable, we might be justified in making them an integral part of the forest reserves, but I do not think the State, or the municipality, if they have a college there, ought to ask us to buy lands for the protection of their water supply.

Mr. HAWLEY. In the case of the two cities that the gentleman has called attention to, where the lands are separated from the other forest lands, the intention is to acquire these lands, as I understand, when the cities are financially able, because they can not afford to allow them under any circumstances, if they can help it, to pass under private control.

Mr. STAFFORD. I think the State or the city should pay the back taxes before that is done, and therefore I will object.

The SPEAKER pro tempore. The gentleman from Wisconsin objects, and the Clerk will report the next bill.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that this bill go to the foot of the calendar.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon that the bill go to the foot of the calendar?

There was no objection.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. FERRIS. Has the gentleman come to any conclusion as to when he will let us get up the conference report on the oil and gas bill?

Mr. KITCHIN. Let us finish the military bill to-morrow.

Mr. STAFFORD. I understand a rule is to be brought in by the Committee on Rules making in order legislation on the military appropriation bill.

Mr. KITCHIN. I can not say about that. It has been before the Committee on Rules.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina [Mr. KITCHIN]?

There was no objection.

BIRD RESERVATIONS IN CALIFORNIA AND OREGON.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10612) to restore to the public domain certain lands heretofore reserved for a bird reservation in Siskiyou and Modoc Counties, Cal., and Klamath County, Oreg., and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. Reserving the right to object, good reasons ought to be given before this bill is allowed to pass. I understand that since these bird reservations were established there has been a very large increase in the bird population on the Pacific coast and elsewhere. Now, are we to take away gradually the bird reservations in order for some one to try to cultivate land that is hardly tillable at the best?

Mr. RAKER. The office of the biological survey having charge of this matter in the Department of the Interior, and the officers in the General Land Office have had this matter up, and I want to say to the gentleman, from personal observation and knowledge of the country, that if the provisions of this bill are carried into effect, and the fractional sections bordering on the lake are reserved, it will do more to protect the birds than anything that has been done in that reservation. It is conceded by the authorities that it will have that effect.

Mr. MANN. How will it have that effect?

Mr. RAKER. The tules on that land are a breeding ground for coyotes and wild varmints. If this bill becomes a law the land will be cultivated within a year, and the wild animals that now prey upon the birds will be destroyed. The fractional sections bordering on the lake and the lake itself will be protected so as to give these migrating birds opportunity to alight and nest there, whereas the wild animals which now destroy them will be exterminated.

Mr. MANN. Oh, well, the gentleman is not familiar with bird life at all. The gentleman's position is that if they cultivate close to the lake and destroy the coyotes, that will make the birds more apt to go there and settle near where the human abodes are built.

Mr. RAKER. I am speaking of the birds that nest there.

Mr. MANN. I can remember when I was a boy seeing the ponds and lakes on my father's farm covered with ducks as thick as they could sit on the water. The coyotes have been destroyed, and so have the birds. There are no ducks there now, and not many other birds except human birds.

Mr. FESS. Civilization got rid of them.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I do not know that I shall object hereafter. I do not pretend to be as well posted about this bill as I should like to be. It was reported in my absence.

Mr. RAKER. I do not want to take the time of the House, but if I can have five minutes——

Mr. MANN. I am very strongly in favor of keeping the reservations, where birds can multiply and safely feed. I believe this is in the interest of the whole country.

Mr. RAKER. I can explain that it will be an advantage to the birds to have this land thrown open for settlement, with the fractional sections around the lake reserved.

Mr. MANN. The gentleman has already explained that, but the explanation does not sound very reasonable. For the present I shall have to object.

Mr. RAKER. I ask unanimous consent that the bill go to the foot of the calendar.

The SPEAKER pro tempore. The gentleman asks unanimous consent that the bill go to the foot of the calendar. Is there objection?

There was no objection.

ADDITION TO YELLOWSTONE PARK, WYO.

The next bill on the Calendar for Unanimous Consent was the bill H. R. 13350, to add certain lands to the Yellowstone National Park.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to inquire of the gentleman as to this provision that all bona fide claimants and entrymen shall have the right to graze upon lands, reasonably adjacent to the lands which are owned by them, such number of live stock as they have been accustomed to so graze in the past?

Mr. MONDELL. There are a few settlers in the extreme southern portion of the area that is to be added to the park who have small flocks and herds, and the provision is made that the stock which they own and maintain on those farms can be grazed under proper regulations in adjacent areas.

Mr. STAFFORD. It goes further than that; they are not willing to leave it to the judgment of the Secretary of the Interior, but it is mandatory; they say "on the same terms that they now enjoy."

Mr. MONDELL. Under regulations to be fixed by the Secretary of the Interior. It says:

Provided further, That the Secretary of the Interior shall have authority, under rules and regulations to be prescribed by him, to grant grazing permits and authorize the grazing of live stock on the lands hereby added to the Yellowstone National Park, to the extent that live stock have heretofore grazed upon these lands under permits issued by the Forest Service.

Mr. STAFFORD. Why does the gentleman stop there?

Mr. MONDELL. Because I want to explain that situation.

Mr. STAFFORD. The following clause is the objectionable one, "and at fees not to exceed those charged by the Forest Service on adjacent areas."

Mr. MONDELL. I did not suppose that gentlemen had any objection to that. The situation is this: There is some stock that have been grazed on these lands as part of the forest reserve. Only a limited part of the area has been used for stock grazing, and the forestry people and the park people say there is no reason why that stock should not be grazed there, as it has been grazed for some time. Naturally they would want to know what they are to pay, and the fees are to be those that have been paid in the past. They have been reasonable in the past and there is no reason why they should be increased.

Mr. STAFFORD. Under the phraseology of the proviso that right could never be taken away by Congress.

Mr. MONDELL. Yes; the Secretary of the Interior shall have authority.

Mr. STAFFORD. I am alluding to the prior proviso:

Provided, That under rules and regulations to be prescribed by the Secretary of the Interior all bona fide claimants or entrymen shall have the right to graze, upon lands reasonably adjacent to the lands claimed or owned by them, such number of live stock as they have been accustomed to so graze in the past, or as may be reasonably necessary to the use and utilization of their lands, and to secure timber for use on and for the improvement of their lands.

Mr. MONDELL. There are a few settlers in the extreme southern portion of this area who are there with their little farms of 160 acres to 320 acres who have some stock. That stock has to be grazed on adjacent land, and the provision is that as long as they hold their land they shall have reasonable opportunity to graze that small number of stock.

Mr. STAFFORD. Is it within the gentleman's present knowledge that the stock on these lands is in limited quantities?

Mr. MONDELL. All small farms and a limited amount of stock.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation on the gentleman's statement.

Mr. CURRY of California. Mr. Speaker, I would like to ask the gentleman what necessity there is to add any more land to the area of Yellowstone Park?

Mr. MONDELL. For many years it has been believed that the Yellowstone should be extended to the south in order to have natural rather than the artificial boundaries. It takes in no land now used for grazing purposes except in a limited way. Nearly all the lands added to the park are now in a State game reserve, and have been for years.

Mr. CURRY of California. Would the Secretary of the Interior under this act have the power to take away any rights of these settlers who have 160 or 320 acres there?

Mr. MONDELL. He would have no right to take away the rights they have to the land or the right to graze their stock on adjacent lands.

Mr. CURRY of California. He could make the grazing tax prohibitive.

Mr. MONDELL. No; because we have provided that the rates shall not be above charges now.

Mr. CURRY of California. Inasmuch as the gentleman introduced the bill, and as the thing is in his State, I shall not object; but I think we have all the parks and forest reserves we need now in the United States.

Mr. MONDELL. This simply rounds out the Yellowstone and gives it natural rather than artificial boundaries.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That portions of the south and east boundary lines of the Yellowstone National Park, in the State of Wyoming, are hereby changed as follows:

Beginning at a point on the present south boundary line where it is intersected by the Idaho-Wyoming State line; thence south along the Idaho-Wyoming State line to its intersection with the Ashton and Jackson Lake Road in what will be, when surveyed, township 47 north, range 118 west of the sixth principal meridian; thence east along the south side of the said Ashton and Jackson Lake Road until it rises to the hydrographic divide immediately north of Boone Creek, as shown on the Geological Survey Shoshone quadrangle map; thence from the point said road descends from the said divide, east following the said hydrographic divide immediately north of Boone Creek to the hydrographic divide between Falls River, Boone Creek, and Berry Creek; thence southerly along the said hydrographic divide to Surrey Peak, elevation 9,200 feet; thence southerly along the hydrographic divide, said divide following the summit of the Teton Mountains, between Boone, Conant, and Berry Creeks, Birch and Owl Creeks, North Fork Pierre River and Webb Canyon, Badger Creek and Moran Canyon, Leigh Creek and Leigh Canyon, and Teton Canyon and Glacier Creek to a peak, elevation 11,400 feet, on the said hydrographic divide, between the headwaters of Teton Canyon and Taggart Creek and a branch of Death Canyon waters, which enter said Death Canyon about one and one-half miles northwest of Phelps Lake; thence following easterly along the main hydrographic divide south of Taggart Creek and Taggart Lake to its intersection with the unsurveyed section line between, what will be when surveyed sections 10 and 15, township 43 north, range 116 west; thence east along the said section line and continuing east along the section line between sections 11 and 14 of said township and range to the southeast corner of the southwest quarter of section 11, said township and range; thence north to the northeast corner of the northwest quarter of section 2, said township and range; thence east to the southeast corner of the southwest quarter of the southeast quarter of section 35 in unsurveyed township 44 north, range 116 west; thence north to the northeast corner of the southwest quarter of the southeast quarter of section 35; thence west to the northeast corner of the southwest quarter of the southwest quarter of section 35; thence north to the northeast corner of the northwest quarter of the northwest quarter of section 35; thence east to the southeast corner of the southwest quarter of section 26; thence north to the northeast corner of the southeast quarter of the southwest quarter of section 26; thence east to the southeast corner of the northwest quarter of the southwest quarter of section 25; thence north to the northeast corner of the northwest quarter of the southwest quarter of section 25; thence east to the southeast corner of the southeast quarter of the northwest quarter of section 25; thence north to the northeast corner of the southeast quarter of the northwest quarter of section 25; thence east to the southeast corner of the northwest quarter of the northeast quarter of section 25; thence north to the northeast corner of the southwest quarter of the northeast quarter of section 13; thence west to the northwest corner of the southwest quarter of the northwest quarter of section 13; thence north to the southwest corner of the northwest quarter of the southwest quarter of section 12; thence east to the southeast corner of the northwest quarter of the southwest quarter of section 12; thence north to the northeast corner of the northwest quarter of the southwest quarter of section 12; thence east to the southeast corner of the northwest quarter of the northeast quarter of section 12; thence north to the southeast corner of the northwest quarter of the northeast quarter of section 12; thence east to the southeast corner of the northwest quarter of the northeast quarter of section 12; thence north to the northeast corner of the northwest quarter of the northeast quarter of section 12; thence east to the southeast corner of the northwest quarter of the northeast quarter of section 1; all in unsurveyed township 44 north, range 116 west; thence east along the section lines between sections 6 and 7, 5 and 8, 4 and 9, and 3 and 10 to the southeast corner of the southwest quarter of section 3, all in township 44 north, range 115 west; thence north to the northeast corner of the northwest quarter of section 3, said township and range; thence east along the township line to the southeast corner of section 35, township 45 north, range 115 west; thence north to the northeast corner of said section 35; thence east to the southeast corner of the southwest quarter of section 25, said township and range; thence north to the northeast corner of the northwest quarter of said section 25; thence east to the southeast corner of the southwest quarter of section 19, township 45 north, range 114 west; thence north to the southeast corner of lot 10 of said section 19; thence west along the south line of lot 10 to the shore line of Jackson Lake; thence north and east along the shore line of Jackson Lake to its outlet into the Snake River; thence easterly along the south bank of the Snake River to its intersection with the Buffalo Fork; thence from the said intersection of the Snake River and Buffalo Fork, easterly along the south bank of the Buffalo Fork to the junction with a tributary of said Buffalo Fork approximately in unsurveyed section 6 of partially surveyed township 45 north, range 109 west; thence easterly following up the main hydrographic divide between said tributary and Buffalo Fork to United States Geological Survey bench mark, elevation 10,599 feet; thence northeasterly, continuing along the divide, passing over Buffalo Plateau to the Continental Divide; thence northeasterly, following the Continental Divide to the hydrographic divide formed by the Absaroka Range between the headwaters of Deer Creek, Buffalo Fork, and Yellowstone River; thence northeasterly, continuing along the said hydrographic divide between Thorofare and Bruin Creeks and Deer, Red, Yellow, Tall, and Cabin Creeks, headwaters of Shoshone River, to Kingfisher Peak, elevation 11,100 feet; thence northwesterly along the hydrographic divide between Butte and Pass Creeks and Deer and Ishawooa Creeks, passing over Ishawooa Pass, elevation 9,870 feet, to Ishawooa Cone, elevation 11,840 feet; thence northwesterly along the hydrographic divide between Open, Mountain, and Dike Creeks, and Rampart, Fishhawk, Eyrie, and Eagle Creeks, passing over Overlook Mountain, elevation 11,800 feet; Chaos Mountain, elevation 11,500 feet; and Pinnacle Mountain, elevation 11,400 feet, to a point on the present east boundary line of the Yellowstone National Park, in the State of Wyoming, which is about three-fourths mile south of the boundary monument, marked 6 north, and all the lands lying between the present existing south and east boundary lines and the boundary line as herein described, all of which lands are in the State of Wyoming, are hereby added to and made a part of the Yellowstone National Park.

SEC. 2. That the provisions of section 2475, Revised Statutes, United States, and the act of May 7, 1894, entitled "An act to protect the birds and animals in Yellowstone National Park and to punish crimes in said park, and for other purposes"; the act of June 28, 1916, entitled "An act to amend an act entitled 'An act to protect the birds and animals in Yellowstone National Park and to punish crimes in said park, and for other purposes,' approved May 7, 1894"; and the act of August 25, 1916, entitled "An act to establish a national-park service, and for other purposes"; and all acts supplementary to and amendatory of said acts are made applicable to and extended over the lands hereby added to the park.

SEC. 3. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right of way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land: *Provided*, That under rules and regulations to be prescribed by the Secretary of the Interior, all bona fide claimants or entrymen shall have the right to graze, upon lands reasonably adjacent to the lands claimed or owned by them, such number of live stock as they have been accustomed to so graze in the past, or as may be reasonably necessary to the use and utilization of their lands, and to secure timber for use on and for the improvement of their lands: *Provided further*, That the Secretary of the Interior shall have authority, under rules and regulations to be prescribed by him, to grant grazing permits and authorize the grazing of live stock on the lands hereby added to the Yellowstone National Park, to the extent that live stock have heretofore grazed upon these lands under permits issued by the Forest Service, and at fees not to exceed those charged by the Forest Service on adjacent areas.

SEC. 4. That nothing herein contained shall be held to abridge the rights acquired under the reclamation law to the use of Jackson Lake as a reservoir under said law or the taking and use by the Reclamation Service of timber, stone, or other materials needed for the operation and maintenance of the Jackson Lake Reservoir under rules to be prescribed by the Secretary of the Interior.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. MONDELL, a motion to reconsider the vote by which the bill was passed was laid on the table.

MINING OF METALLIFEROUS MINERALS ON INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

Mr. HAYDEN. Will the gentleman withhold his objection?

Mr. WALSH. I will withhold it for a moment, but I am going to object to the bill. This is a bill that was endeavored to be passed at the last unanimous-consent day under suspension of the rules, and I do not think anything can be heard now to overcome the arguments made against it at that time.

Mr. HAYDEN. The gentleman may remember what the vote was, but I should like to have this bill transferred to the foot of the calendar for the purpose of comparing it carefully with the conference report upon the oil-leasing bill, so as to determine whether it conforms to that legislation, and if we have

time to do that, I think I may convince the gentleman that the bill may be properly amended so that it will be satisfactory to him. I ask unanimous consent that the bill be transferred to the foot of the calendar.

The SPEAKER pro tempore. Is there objection?

There was no objection.

NATIONAL SANITARIUMS ON PUBLIC LANDS.

Mr. RAKER. Mr. Speaker, it was 11 o'clock when we met this morning, but in looking up the RECORD of Saturday I noticed that we were to meet at 12 o'clock, but I did not notice the fact that it was to be on Sunday. There is a bill on the calendar, H. R. 249, which was stricken from the calendar——

Mr. WALSH. The gentleman ought not to misstate the RECORD. The RECORD said that we would meet at 12 o'clock on Sunday.

Mr. RAKER. I say it said at 12 o'clock and I thought it meant this morning. I was dictating letters at the time and I looked at the matter hurriedly. Of course it referred to yesterday, but I thought it meant to-day.

The SPEAKER pro tempore. What is the gentleman's request?

Mr. RAKER. My request is that this bill remain on the calendar and retain its place.

The SPEAKER pro tempore. What is the bill?

Mr. RAKER. It is the bill H. R. 249, to authorize the Secretary having jurisdiction of the same to set aside certain public lands to be used as national sanitariums by fraternal or benevolent organizations and for other purposes.

The SPEAKER pro tempore. Is it the gentleman's request that the bill remain on the calendar to go to the foot of the calendar?

Mr. RAKER. I suppose that will have to be the request, yes.

The SPEAKER pro tempore. The Clerk informs the Chair that the order has already been made. The Clerk will report the next bill.

SALARY OF UNITED STATES DISTRICT ATTORNEY, LOUISIANA.

The next business on the Calendar for Unanimous Consent was the bill (S. 1590) providing for an increase of salary for the United States marshal and district attorney for the western district and for the United States district attorney for the eastern district of Louisiana.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. I object.

Mr. WATKINS. Mr. Speaker, will the gentleman permit me to make a statement?

Mr. CRAMTON. I will withhold the objection for a moment out of courtesy, although I intend to object.

Mr. WATKINS. I hope the gentleman will not press his objection. This is a Senate bill. It went to the House committee, and the House committee made careful examination. The Attorney General made a favorable report to the Senate committee and to the House committee, and the facts are that the work down there done by the officials now is from three to four times the amount they had to do at the time the salary was fixed in 1896, over 20 years ago.

The population has doubled, and all the facts go to show that the work done in this district now, to which this bill refers, exceeds the amount of work which is done in the other districts of the country in which the salary is equal to or greater than the salary fixed in this bill. I hope the gentleman will withdraw his objection.

Mr. CRAMTON. Mr. Speaker, the bill in question has not had any consideration from the committee of the House having jurisdiction of the subject, and I make the objection.

Mr. WATKINS. The Committee on the Judiciary considered it, to which committee the Speaker properly referred the bill.

Mr. DUPRÉ. Mr. Speaker, I ask permission that this bill may be sent to the foot of the calendar.

The SPEAKER pro tempore. Is there objection to the request?

Mr. CRAMTON. It does not matter, and I will not object to that.

The SPEAKER pro tempore. The Chair hears no objection.

BRIDGE ACROSS THE MISSOURI RIVER BETWEEN NEBRASKA AND IOWA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13393) to extend the time for constructing the bridge across the Missouri River between the States of Nebraska and Iowa.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the time for commencing and completing the bridge authorized by act of Congress approved April 22, 1912, to be built across the Missouri River at a point suitable to the interests of navigation, at or near South Sioux City, in the county of Dakota, in the State of Nebraska, is hereby extended one and three years, respectively, from the date of the approval hereof.

The committee amendment was read, as follows:

That the act approved April 22, 1912, authorizing the city of South Sioux City, in the county of Dakota and State of Nebraska, to construct, maintain, and operate a bridge, and approaches thereto, across the Missouri River, at a point suitable to the interests of navigation, at or near South Sioux City, in the county of Dakota, in the State of Nebraska, be, and the same is hereby, revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge herein authorized be commenced within one year and completed within three years from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The question was taken, and the committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

The title was amended so as to read: "A bill to revive and reenact the act entitled 'An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa,' approved April 22, 1912."

BRIDGE ACROSS THE ALLEGHENY RIVER NEAR MILLVALE BOROUGH, PA.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13648) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale borough, in the County of Allegheny, in the Commonwealth of Pennsylvania.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Allegheny, in the Commonwealth of Pennsylvania, and its successors and assigns, to construct, maintain, and operate a bridge, with approaches thereto, across the Allegheny River at a point suitable to the interests of navigation at or near the borough of Millvale, in the county of Allegheny, in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. CAMPBELL of Pennsylvania, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MANN. Mr. Speaker, there is an error in the printing of the calendar. Calendar No. 278 is intended to be the bill H. R. 13647, which is a bridge bill, and it is printed as 13649, which is also Calendar No. 279. I ask that the bill H. R. 13647 be considered as Unanimous Consent Calendar No. 278.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. That is, with the reservation of the objection to the bill when considered?

Mr. MANN. Oh, certainly.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13647) granting consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the report from the Acting Secretary of War states that this bill is identical in its provision with H. R. 13429, returned to the committee with report on December 22, 1918.

Mr. CAMPBELL of Pennsylvania. I think that bill expired by limitation.

Mr. STAFFORD. No; the bill referred to is a bill that has been reported in this session of Congress. I have not had time to examine to see whether that bill has been acted upon by the House or whether it has been reported favorably by the committee.

Mr. CAMPBELL of Pennsylvania. There has been no report or action taken on any of the bills. There have been four bills introduced by the several Members representing Allegheny County and there is a duplication of bills. There was a bill introduced by Mr. PORTER, Mr. MOORE of Pennsylvania, Mr. KELLY

of Pennsylvania, and some by myself, and those we have all straightened out, and this is a bill for a bridge at McKees Rocks, across the Ohio River on the north side of Pittsburgh, and it does not conflict with any other bill, and, of course, if it does conflict, it will not be pressed.

Mr. STAFFORD. Then, as I understand, the other bill, identical in purport, has not been reported from the committee?

Mr. CAMPBELL of Pennsylvania. It has not.

Mr. PARKER of New Jersey. That is true. We had a question as to what bill ought to be reported.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Allegheny, in the Commonwealth of Pennsylvania, and its successors and assigns, to construct, maintain, and operate a bridge, with approaches thereto, across the Ohio River, at a point suitable to the interests of navigation, at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CAMPBELL of Pennsylvania, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS ALLEGHENY RIVER, PITTSBURGH, PA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13649) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be enacted, etc., That the consent of Congress is hereby granted to the county of Allegheny, in the Commonwealth of Pennsylvania, and its successors and assigns, to construct, maintain, and operate a bridge, with approaches thereto, across the Allegheny River, at a point suitable to the interests of navigation, at or near Sixteenth Street, in the city of Pittsburgh, in the county of Allegheny, and Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CAMPBELL of Pennsylvania, a motion to reconsider the vote by which the bill was passed was laid on the table.

AMENDING SECTION 4414 OF THE REVISED STATUTES.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 14920) to amend section 4414, Revised Statutes of the United States, to classify and provide salaries for clerks in the Steamboat-Inspection Service.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. I object.

The SPEAKER pro tempore. The gentleman objects, and the bill will be stricken from the calendar.

Mr. ZIHLMAN. Will the gentleman withhold that?

Mr. STAFFORD. I will withhold it at the request of the gentleman.

Mr. ZIHLMAN. Mr. Speaker, I wish to say that while this bill was introduced by the gentleman from Texas [Mr. HARDY], I am very much interested in this legislation. It carries an increase for the clerks of the Steamboat-Inspection Service of $6,820, which is applied in 13 cities. The men who are the beneficiaries under this bill are expert stenographers in the offices of the inspectors of steamboats in various parts of the country. I have here before me a transcript made by a stenographer of a trial held here in the city of Washington, a verbatim report, of a steamboat captain as to whether or not his license should be revoked, which stenographer receives in the office of Inspector General of Steamboats only $900 a year.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. ZIHLMAN. Yes.

Mr. STAFFORD. Under the existing law the maximum salary is $1,500. According to the estimate submitted this year by the Secretary of Commerce for this service, he estimated that thirteen should receive $1,500, seventeen $1,400, and a number of additional ones at $1,000. No request whatsoever was made by him to increase the salaries of those receiving below $1,500 to the maximum salary. The committee increased the total appropriation of $109,000 by $6,000, making a total of $115,000. Now, if there is an inequality of payment of salary as indicated by the gentleman from Maryland and just instanced by him, it can be corrected by the Secretary of Commerce providing for such increase under the present arrangement, by allotting him an increase of salary commensurate with his work, up to $1,500.

Mr. ALEXANDER. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. ALEXANDER. That is the trouble. This $1,500, under the existing law, is the maximum pay of a clerk in the office of the local inspector, and that pay should be increased, and that is what we undertake to do. For instance, in New York, that great shipping point, the clerk who acts as chief clerk receives the miserable sum of $1,500 a year. In these other ports—San Francisco, Seattle, New York, Philadelphia, Baltimore, Norfolk, Boston, Providence, Detroit, Buffalo, Cleveland, New Orleans—they all receive the maximum pay of $1,500 a year. It is impossible to keep the men in the service at that rate of pay. The Committee on Appropriations can not allow a larger sum, and it would have been folly for the Secretary of Commerce to go to the Committee on Appropriations and ask for pay of the clerks in the offices of the local inspectors at those places named at the sums carried in this bill or any other sum in excess of $1,500 a year.

Mr. STAFFORD. I grant that; but he did not come and ask for an increase of any salary of those receiving less than $1,500 in his estimates of this year, which he was privileged to do. Now, all these men will receive, I assume, in addition to the $1,500, the $240 increase that was voted very generously by the House to all the employees in the Government service.

Mr. ALEXANDER. If they should, they would not even then receive the pay to which they are entitled for the service rendered. Now, if the gentleman would suggest an amendment, if this bill passes, by which they should not receive the increases provided for in other bills, there might be some merit in the contention; but it seems to me to expect to keep competent men in this service at the rate of pay from $900 to $1,500 a year when these local clerks must practically in every instance be expert stenographers and capable of going into court and reporting the proceedings, is a thing not to be thought of. They are going out of the service because they can not afford to remain in this service at their present rates of pay.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. LAGUARDIA. Is it not true that the chief clerk in the New York office has been in that office since 1898, and his salary was increased only in 1906 to $1,500?

Mr. SIEGEL. Yes; and he is an expert stenographer. He could readily go to work and leave that office and obtain higher pay. In the city of New York a man should certainly have more than $1,500 who is doing that responsible work.

Mr. LAGUARDIA. Why, we pay a sweeper in the docks in New York more than that.

Mr. STAFFORD. They are free to go elsewhere and improve their condition if they are dissatisfied with the pay they receive. I am against this bill because the salaries provided are disproportionately large as compared with the salaries carried for men in other parts of the Government service.

Mr. ALEXANDER. The reason for that is that there is a limitation of $1,500 fixed on these salaries.

Mr. STAFFORD. The Secretary has not requested an increase of the appropriation for that purpose. I object.

Mr. WHITE of Maine. Mr. Speaker, will the gentleman yield right there?

The SPEAKER pro tempore (Mr. BURNETT). The gentleman from Wisconsin objects.

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent that this bill be placed, without prejudice, at the foot of the calendar.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SIEGEL. Mr. Speaker, I raise the point of no quorum.

The SPEAKER pro tempore. The gentleman from New York raises the point of no quorum. The Chair will count.

Mr. ALEXANDER. I hope the gentleman from New York will not raise the point of no quorum. I regard this bill as of great merit, but I would not make the point of no quorum.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). Does the gentleman from New York insist upon his point of no quorum?

Mr. FOSTER. Will not the gentleman from New York withdraw his point?

Mr. SIEGEL. I will withdraw the point of no quorum, Mr. Speaker.

The SPEAKER pro tempore. The point of no quorum is withdrawn. The Clerk will read the next bill.

MEDICAL SOCIETY OF THE DISTRICT OF COLUMBIA.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 2653) to revive, with amendments, an act entitled "An act to incorporate the Medical Society of the District of Columbia."

The title of the bill was read.

The SPEAKER pro tempore (Mr. BURNETT). Is there objection?

Mr. STAFFORD. I object, Mr. Speaker.

Mr. FOSTER. Does the gentleman object?

Mr. STAFFORD. I do.

Mr. FOSTER. Will the gentleman withhold his objection for a moment?

Mr. STAFFORD. Yes.

Mr. FOSTER. This is to revive a medical society in the District of Columbia that the doctors desire to have revived. It was many years ago when it was first incorporated. It carries with it nothing except incorporation; no other privilege or right.

Mr. MANN. Mr. Speaker, may I ask my colleague a question?

Mr. FOSTER. Yes.

Mr. MANN. Under the District Code can not these gentlemen incorporate here in the District?

Mr. FOSTER. I think that is possibly true, but here is the situation: There are a lot of doctors who practiced here many years ago, some of whom are now out of practice and some are practicing a little, and there was a feeling among them that they wanted to revive the charter and have a reunion, and they wanted to do it under the old incorporation. That is as I understand the situation.

Mr. MANN. It will not be under the old incorporation.

Mr. FOSTER. Yes; it revives the old charter.

Mr. MANN. The title revives the old charter, but where does the bill do that?

Mr. FOSTER. I understood that it did.

Mr. MANN. Oh, no; somebody drew the title and thought that the title was legislation.

Mr. FOSTER. They were very well satisfied to get it through in this way.

Mr. MANN. It is a new charter. It is not to revive the old charter.

Mr. FOSTER. I have talked with a number of these doctors, some of whom have been here for many, many years, and they told me they wanted to hold a reunion, I think the one hundredth anniversary, and desired to renew the old charter, and that is all there is to this.

Mr. MANN. I am in the position of the Board of Commissioners of the District of Columbia. They say they know of no reason why the bill should not be enacted, but nobody yet, except my friend from Illinois [Mr. FOSTER], has offered any reason why it should be enacted.

Mr. FOSTER. That is the only reason I can offer the gentleman.

Mr. MANN. Usually it is better to have affirmative legislation. I do not see why they can not incorporate under the code of the District of Columbia. We incorporate societies by act of Congress where the people do not live in the District.

Mr. FOSTER. I had this put on the Unanimous Consent Calendar after talking with the gentleman from Kentucky [Mr. JOHNSON], the chairman of the Committee on the District of Columbia, and with a number of these physicians who have been up to see both the gentleman from Kentucky and myself. That is all there is in it as far as I know.

Mr. STAFFORD. This bill on a former occasion was brought up on District of Columbia day, discussed here for a considerable length of time, and defeated.

Mr. FOSTER. Not this bill.

Mr. STAFFORD. Yes; this identical bill.

Mr. FOSTER. Not this bill, because this bill has only recently been reported.

Mr. MANN. This bill was not reported until January 4, 1919.

Mr. STAFFORD. It was a bill of the same purport.

Mr. FOSTER. I think the gentleman is mistaken about that.

Mr. STAFFORD. I think I am not mistaken. I think I can confirm it by the RECORD.

Mr. PARKER of New Jersey. Has the gentleman sufficient information to refer to the old charter to see whether it does what it says it does? The bill might be made to say that the act of incorporation of a certain date is hereby revived. I am not making any objection, but it seems to me that might meet the objection which has been made.

Mr. FOSTER. These men seem to be satisfied with this bill, and the gentleman from Kentucky [Mr. JOHNSON] reported it, and there was no objection to it in the committee.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. I object.

The SPEAKER pro tempore. The gentleman from Wisconsin objects.

CACHE NATIONAL FOREST, UTAH.

The next business on the Calendar for Unanimous Consent was the bill (S. 4103) to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, what assurance have we that the men whose land is sought to be transferred to the Government in exchange for their land will accept the other lieu lands?

Mr. WELLING. I have here the written assurance of the gentlemen who are seeking to obtain this exchange, that the land is of substantially the same value and that they desire the exchange. It is all mountain land, and the lands that are sought to be consolidated into the Cache National Forest are all within the exterior limits of the present forest area. The Agricultural Department are anxious to have the exchange made in order to assist in the administration of the forest area, and the people are perfectly willing to accept grazing land of similar character and value outside of the forest.

Mr. STAFFORD. As I understand, then, there are no improvements on the land now owned by these gentlemen. The lands are being used for grazing purposes?

Mr. WELLING. Absolutely, and there are no improvements on the land that they seek in exchange for the land in the forest.

Mr. STAFFORD. The bill provides that the land taken in exchange shall be approximately equal in value.

Mr. WELLING. I submit that that is as near a description as one could give. I am entirely familiar with both parcels of land. I should say that the land within the forest area is really more valuable for grazing purposes than the other land, because it is on a mountain range that is better for grazing purposes, there being more water, and therefore more grass and better grazing facilities.

The reason these farmers are willing to accept the exchange is that they own dry farm lands in the new region that has been opened up next to the mountains where they hope to obtain the lands. They consolidate their own land as well as benefit the Forestry Service.

Mr. STAFFORD. I was curious to ascertain the real motive of these various persons to seek an exchange for something that is no greater in value. The gentleman has furnished the information.

Mr. MANN. The Forestry Service wants the exchange.

Mr. STAFFORD. Yes; but I could not understand why the present owners should be desirous of giving up land in the forest reserve and taking other lands of approximately the same value. The gentleman from Utah has furnished the reason, which is to obtain land nearer the dry-farming area.

Mr. MANN. They get better facilities.

Mr. WELLING. The exchange is mutually agreeable to the Forestry Service and the farmers.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, in his discretion, to accept from the persons named below, title to the following-described lands, either in whole or in part, upon certification by the Secretary of Agriculture that the lands are chiefly valuable for national-forest purposes and approximately equal in value to the lands to be given in exchange therefor:

C. Balling: The southwest quarter of section 15; the west half of section 22, all in township 14 north, range 4 east, Salt Lake meridian.

Ferdinand Zollinger, jr.: The south half of the north half and the south half of section 4; the south half of the north half and the south half of section 5; the south half of the northeast quarter and the north half of the southeast quarter of section 6; all of section 9; the north half of the northwest quarter of section 10; the north half of the northwest quarter of section 17, all in township 11 north, range 2 east, Salt Lake meridian.

Conrad Alder: The south half of the northwest quarter, the southwest quarter, the south half of the northeast quarter, and the southeast quarter of section 10; the east half of the east half of section 15; the

northwest quarter of the southeast quarter of section 17, all in township 11 north, range 2 east, Salt Lake meridian.

Robert Murdock: All of sections 18 and 19, township 14 north, range 4 east, Salt Lake meridian.

SEC. 2. That the Secretary of the Interior is also hereby authorized to issue to the persons named below in lieu thereof patents to the following-described areas or to such parts thereof as may be found approximately equal in value to the lands conveyed:

C. Balling: Lots 1 and 2 and the northeast quarter of section 21; the west half of the northwest quarter of section 22; and the southeast quarter of section 28, all in township 13 north, range 19 west, Salt Lake meridian.

Ferdinand Zollinger, jr.: The southwest quarter and the southwest quarter of the southeast quarter of section 5; the northeast quarter of the southeast quarter of section 8; the northwest quarter of the southwest quarter, the south half of the southwest quarter, and the southwest quarter of the southeast quarter of section 9; the west half of the northeast quarter, the southeast quarter of the northeast quarter, and the southeast quarter of section 17, all in township 13 north, range 17 west; the northeast quarter of the northeast quarter of section 9; the north half of section 10; the northeast quarter of the southeast quarter, the west half of the southeast quarter, the east half of the southwest quarter, and the northwest quarter of section 11; the east half, the east half of the west half, and the southwest quarter of the northwest quarter of section 12, all in township 13 north, range 18 west, Salt Lake meridian.

Conrad Alder: The south half of the southwest quarter of section 10, the west half of the northwest quarter, and the northwest quarter of the southwest quarter of section 24, all in township 4 north, range 5 east; the south half of the southwest quarter and the southwest quarter of the southeast quarter of section 26, township 5 north, range 5 east; the north half of the northwest quarter, the southwest quarter of the northwest quarter, the west half of the southwest quarter, the northeast quarter of the southwest quarter, the north half of the southeast quarter, and the southeast quarter of the southeast quarter of section 34, township 5 north, range 5 east, Salt Lake meridian.

Robert Murdock: Lots 5, 6, and 7; the southwest quarter of the northeast quarter, the west half of the southeast quarter, the southeast quarter of the northwest quarter, and the east half of the southwest quarter, all in section 1, township 14 north, range 5 west; the northeast quarter of the northwest quarter and the northeast quarter of section 12, township 14 north, range 5 west; the west half of the southwest quarter of section 5; the south half of the northeast quarter, the south half of the northwest quarter, and the south half of section 6; the northwest quarter of section 7; and the east half of the northeast quarter of section 20, all in township 14 north, range 4 west, Salt Lake meridian.

SEC. 3. That the lands conveyed to the Government shall thereupon become part of the Cache National Forest and subject to all laws and regulations applicable thereto.

The SPEAKER pro tempore. The Clerk calls attention to an error on line 18, page 3, where the word "eighteen" is misspelled.

Mr. MANN. I do not think that ought to be corrected; it is a clerical error, and the enrolling clerk will probably spell it correctly. If it is amended it would send it back to the Senate.

The SPEAKER pro tempore (Mr. GARRETT of Tennessee). Objection is heard. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. WELLING, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CONSOLIDATION OF FOREST LAND IN THE CACHE NATIONAL FOREST, UTAH.

The next bill on the Calendar for Unanimous Consent was the bill (S. 2088) to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized in his discretion to accept from the persons named below title to the following-described lands, either in whole or in part, upon certification by the Secretary of Agriculture that the lands are chiefly valuable for national forest purposes and approximately equal in value to the lands to be given in exchange therefor:

Isaac P. Stewart: The southwest quarter of the southwest quarter and the northeast quarter of the southeast quarter of section 21; the south half of the northeast quarter and the west half of section 28; all of sections 29, 30, and 31; the southeast quarter and the west half of section 33, all in township 11 north, range 2 east, Salt Lake meridian.

James E. Hansen: All of section 19, township 11 north, range 2 east, Salt Lake meridian.

William H. Stewart: All of section 5, township 10 north, range 2 east, Salt Lake meridian.

SEC. 2. That the Secretary of the Interior is also hereby authorized to issue to the persons named below in lieu thereof patents to the following-described areas or to such parts thereof as may be found approximately equal in value to the lands conveyed:

Isaac P. Stewart: Lots 3 and 4, the northwest quarter, and the southwest quarter of section 1; the northwest quarter of the northwest quarter of section 12; lot 4, section 30, all in township 13 north, range 18 west, Salt Lake meridian; the east half of section 11; the west half and the southeast quarter of section 15; the south half of section 27; lots 1, 2, 3, and 4, the southeast quarter of the southeast quarter, the north half of the southeast quarter, and the northeast quarter of section 33; all of section 34, all in township 13 north, range 19 west, Salt Lake meridian.

James E. Hansen: Lots 1, 2, and 3 in section 1; the north half of the southeast quarter, section 12, township 14 north, range 5 west; lots 1, 2, 3, and 4 in section 6, the north half of the southwest quarter, the northeast quarter of the southeast quarter, and the northeast quarter in section 7, township 14 north, range 4 west, Salt Lake meridian.

William H. Stewart: The southeast quarter of the southeast quarter of section 23, the south half of the northwest quarter and the southwest quarter of section 24, the west half of the northwest quarter and the northwest quarter of the southwest quarter of section 25, the east half of the northeast quarter and the southeast quarter of section 26, all in township 13 north, range 18 west, Salt Lake meridian.

SEC. 3. That the lands conveyed to the Government shall thereupon become part of the Cache National Forest and subject to all laws and regulations applicable thereto.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. WELLING, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The next bill on the Calendar for Unanimous Consent was the bill (S. 4244) for the relief of entrymen within the Castle Peak irrigation project in Utah.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, do I understand that these entrymen on these lands in the reclamation project will only have the same rights that entrymen generally would have under any irrigation project?

Mr. MAYS. They would have to make arrangements for water.

Mr. STAFFORD. They could not get any additional privileges more than they have under the general law.

Mr. MAYS. None whatever.

Mr. STAFFORD. This merely protects their rights until the project is completed.

Mr. MAYS. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MAYS. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. MAYS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ASSESSMENT WORK ON MINING CLAIMS IN ALASKA.

The next business on the Calendar for Unanimous Consent was S. J. Res. 198, to suspend the legal requirements of assessment work on mining claims in Alaska for the years 1917, 1918, and 1919, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, as amended, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I am somewhat acquainted with the purpose of this remedial legislation. I recognize the need of passing some such resolution as this so far as the work of prior years is concerned, but I can not see the need for having it also extend to the year 1919.

Mr. FOSTER. The representation made before our committee was that the conditions were such in Alaska that it was a question whether people would get back there or not to do this work, and for that reason they were permitted to apply it to Alaska for one additional year. This representation was made by the Delegate from Alaska [Mr. WICKERSHAM] very forcibly before the Committee on Mines and Mining. It was done at his earnest solicitation on account of conditions obtaining up there at this time as he knows them.

Mr. STAFFORD. Then I take it that if we adopt this resolution extending the privilege to the year 1919 it will not be taken as a precedent to apply throughout the entire United States?

Mr. FOSTER. Oh, no. We have a bill to extend it generally in this country, to which I have not been at all favorable.

Mr. STAFFORD. I do not wish the action taken in this case to be taken as a precedent and used as an argument for the passage of other legislation pertaining to the United States generally.

Mr. FOSTER. So far as I am concerned, I made no objection to this, but I am not agreeable to the other now.

Mr. STAFFORD. I withdraw the reservation of the objection.

Mr. MANN. Mr. Speaker, reserving the right to object, while we are at it, there is a Senate joint resolution 156, two bills below on the Calendar. Does that apply to Alaska also?

Mr. FOSTER. Yes; I think it would apply to Alaska. That applies generally to suspending the mining claims wherever the mining claims are located.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. This is on the Union Calendar.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent that this resolution may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and the provisions of public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and amendments thereto, be, and they are hereby, extended to the Territory of Alaska. The laws requiring assessment work to be made upon mining claims in the Territory of Alaska for the years 1917, 1918, and 1919 are hereby suspended for such period; and no forfeiture or relocation of any mining claim or mining location in said Territory shall be permitted or adjudged for failure to do or have done the annual assessment work thereon for either of said years; and no mining claim or location therein shall be held to be forfeited or subject to relocation for any failure to have done the annual assessment work thereon where the owner or anyone for him complied with the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, or public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, and amendments thereto.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

Mr. RAKER. Mr. Speaker, I move to strike out the last word. I misunderstood the statement, with the confusion going on in the hall. Senate joint resolution 156 follows this. Is there any objection to that resolution? Of course, it is a little late, so far as this is concerned.

Mr. FOSTER. We could not tell that until we get to it. Let us pass this one first.

Mr. RAKER. I understood that the chairman is in favor of Senate joint resolution 156.

Mr. FOSTER. I was very strongly in favor of it when it was reported.

Mr. RAKER. There is some misunderstanding, for when it was referred to a moment ago——

Mr. FOSTER. This was reported before the war closed, and conditions have changed since that time.

Mr. RAKER. I want to say now that the question of the assessment of mining claims this year is exceedingly important, and many of those miners, prospectors, are pleading with all the strength they can that this relief be extended for the year 1919.

Mr. FOSTER. Let us get through with this, and then we can go on to the other. That can be taken up then under the regular rules of the House. Let us pass this first.

Mr. RAKER. Sure, but I thought if there was any question——

Mr. FOSTER. I can not tell what the House is going to do. I am a very poor guesser, for I thought a little while ago that they would pass a bill that I was interested in, but they did not.

The SPEAKER pro tempore. Without objection the pro forma amendment will be withdrawn.

Mr. RAKER. My time has not yet expired, has it?

The SPEAKER pro tempore. No.

Mr. RAKER. Of course, we will not prevent or delay the other, because that ought to be passed.

Mr. STAFFORD. I wish to say to the gentleman, if he has any qualms about it, that I intend to object to Senate joint resolution 156.

Mr. RAKER. There was a misunderstanding before because all of these reports went out to people——

Mr. FOSTER. I suppose there are some different conditions in the country from what there were then?

Mr. RAKER. No; conditions are worse now than then in the mining districts where this legislation was originally intended to apply to give them relief in 1917 and 1918.

Mr. FOSTER. The bill was passed originally, as the gentleman will remember, during the war in 1917, with the understanding that labor was scarce and that the labor might be employed to better advantage during the war, and as they should be expected to do $100 worth of work in some useful occupation for the winning of the war. Now, of course that was a condition under which we passed that bill, and the gentleman knows about the conditions out there now very much better than I do, and we supposed from what we had been hearing throughout the United States that there was not the scarcity of labor now.

Mr. RAKER. I want to call attention to this, and in regard to the question of unemployed labor, there is some question over the United States in regard to it, and undoubtedly in many places there is a lot of unemployed labor, but these men who have their mining claims——

The SPEAKER pro tempore. The time of the gentleman has expired.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FOSTER, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

HOMESTEAD ENTRIES BY MINERS.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 1849) permitting miners of the age of 18 years or over to make homestead entry of the public lands of the United States.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER pro tempore. The bill is stricken from the calendar.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the bill may be retained on the calendar and go to the foot.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The next business in order on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 156) to suspend the requirements of annual assessment work on mining claims during the continuation of the war in which the United States is now engaged and until midnight of December 31 of the year following that in which such war is concluded.

The SPEAKER pro tempore. Is there objection to the consideration at the present time?

Mr. STAFFORD. Mr. Speaker, I object.

Mr. RAKER. I hope the gentleman will withhold his objection.

Mr. STAFFORD. Mr. Speaker, I will reserve the objection.

Mr. RAKER. Mr. Speaker, there seems to have been a general understanding among the miners of the West, so far as I have been advised, that this bill unquestionably would be enacted. Where they got that information from I am not in a position to say, because I do not know. It passed the Senate; it was on the calendar, and, under the conditions existing in the West, the bill ought to pass. The material that the men have to purchase is so high and the work they have to do is such that it is really an excessive burden, and they were in great hopes that this bill might be passed at this session of Congress. I understand that the Committee on Mines and Mining unanimously reported the bill after a hearing.

Mr. LOBECK. And the facts are, the labor is very scarce in the mining country out there where mining goes on.

Mr. RAKER. There is a good deal in that, particularly in gold mining, because that is what this applies to.

Mr. LOBECK. Well, gold and silver and other material that is found in the Rockies and the western mountains in this country.

Mr. RAKER. I repeat, even with the accusation of being unnecessary——

Mr. WALSH. Will the gentleman speak louder?

Mr. RAKER. There is a little confusion, and I do not wish to take up the time of the House——

Mr. WALSH. The silvery tones of the gentleman will overcome that.

Mr. RAKER. We have had a great deal of unanimity here to-day, and I desire to say that this bill is vital for the mining districts.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. And for other districts besides. The mining districts in my State involve a great many hundreds of claims like this. I simply raised the question on the other bill so as to call the matter up, that there would be no question that this bill would be enacted into law. No one will be injured, the Government will not be injured, but you will injure a great many of these men who have been doing all they can to assist in the winning of this war.

Mr. WICKERSHAM. If the gentleman will permit, I was very much interested in the last bill which passed, which related to Alaska. And in looking up matters and things in connection with it I discovered that in the civil-rights bill passed and approved March 8, 1918, there is a clause which seems to me to cover the bill of the gentleman from California. I do not object to the bill at all. I quite approve of it as a general proposition, but I was not sure at the time but what this clause of the civil-rights bill covered the bill from Alaska.

Mr. RAKER. I want to say to the gentleman——

Mr. WICKERSHAM. Let me read this clause, if you will:

SEC. 501. That no right to any public lands initiated or acquired prior to entering military service by any person under the homestead laws, the desert-land laws, the mining-land laws, or any other laws of the United States, shall be forfeited or prejudiced by reason of his absence from such land, or of his failure to perform any work or make any improvements thereon, or to do any other act required by any such law during the period of such service.

Mr. RAKER. I will say to the gentleman that that applies to those who entered the service. His bill came before the Committee on Public Lands, and I am in favor of it, because it ought to be the law. It came before the House, but some remarks were made that there was a question about the other bill, and I can not understand it, and I wanted to take the opportunity to be heard without taking much of the time of the House to do it.

The SPEAKER pro tempore. The time of the gentleman from California has expired. Is there objection?

The STAFFORD. Mr. Speaker, I object.

Mr. RAKER. There is no time. I want to be heard. Now, I trust the House will give me an opportunity to speak a few moments more on this bill, which is of vital importance to my district as well as the mining districts of the United States.

Mr. STAFFORD. How much time?

Mr. RAKER. I want a few more minutes.

Mr. STAFFORD. Five minutes? I will reserve my objection.

The SPEAKER pro tempore. The gentleman must ask unanimous consent if he desires to do it.

Mr. RAKER. The gentleman is reserving his right to object. Now, the five-minute rule does not apply to explaining a matter if the party reserves his right to object.

The SPEAKER pro tempore. The Chair thinks it ought to apply.

Mr. RAKER. It did not apply to-day. If it applies to me to-night, you should enforce the rule.

Mr. STAFFORD. The rule invariably is to extend only five minutes under reservation of objection.

Mr. FOSTER. I ask unanimous consent that the gentleman from California have five minutes.

Mr. RAKER. The rule has never been in force, and it is not considered enforceable and if you enforce it now when it does not apply, when a man reserves his right to object, then let the other rules apply from now on to-night. In proceeding I would like to answer the questions on this mining bill, and I want to devote my remarks to it and that alone, but before I do I would like to know.

Mr. MANN. I think the Chair is slightly in error. In the Committee of the Whole it has become the practice now to enforce the five-minute rule on a reservation of objection. But we are in the House and the five-minute rule does not apply in the House.

The SPEAKER pro tempore. We are in the House on the Unanimous Consent Calendar.

Mr. MANN. We are all working by unanimous consent, and anybody can demand the regular order.

The SPEAKER pro tempore. Yes; and the Chair thought it ought to be followed, to be entirely frank with the gentleman from Illinois. The Chair was going to rule, whether right or wrong.

Mr. RAKER. What was the ruling of the Chair?

The SPEAKER pro tempore. The question is whether there is objection to the request of the gentleman from Illinois [Mr. FOSTER] that the gentleman from California proceed for five minutes. Is there objection?

Mr. RAKER. A parliamentary inquiry. Does the Chair hold that when a Member of the House reserves the right to object that that Member only has five minutes in which to explain the bill? If that is the rule——

The SPEAKER pro tempore. It is not the rule. There is no precedent upon it. There is no rule upon it. The Chair thinks the same rule ought to apply that applies in the Committee of the Whole.

Mr. CARTER of Oklahoma. Mr. Speaker——

Mr. RAKER. I want to say this to the Chair: I hope this rule will not be applied to me to-night, when it has not been applied in this House at any time since I have been here for eight years.

The SPEAKER pro tempore. The gentleman from California, of course, understands that the Chair is not applying that rule in any way personally to him.

Mr. RAKER. I understand that.

The SPEAKER pro tempore. The Chair thinks that that is the rule which obtains in the Committee of the Whole, and it is constantly enforced, and ought to be enforced in the House on the Unanimous Consent Calendar when the reservation of an objection is made.

Mr. CARTER of Oklahoma. Mr. Speaker, a parliamentary inquiry.

Mr. MANN. As a matter of fact, it never has been enforced in the House, but the House can protect itself by demanding the regular order at any time.

Mr. CARTER of Oklahoma. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CARTER of Oklahoma. Has not the Chair, as a Member of the House, the right to stop debate at any time by exercising his right to demand the regular order?

The SPEAKER pro tempore. The gentleman means the Chairman of the Committee of the Whole?

Mr. CARTER of Oklahoma. Yes.

The SPEAKER pro tempore. He has no rights whatever.

Mr. CARTER of Oklahoma. I misunderstood the Chair; I meant the Speaker.

The SPEAKER pro tempore. Yes.

Mr. SLAYDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SLAYDEN. I understand that on the request of the gentleman from Illinois [Mr. FOSTER] seven or eight minutes ago unanimous consent was given to the gentleman from California [Mr. RAKER] to speak for five minutes. That time has expired. There are a lot of other Members here who have bills that they are waiting for, and, in common fairness, the business ought to be expedited, so that we can all get along and get some chance.

Mr. RAKER. I trust there will be no personal criticism when I occupy the floor of the House, as other Members do, with proper and legitimate business; and there is no need of attempting to criticize to the effect that the rest do not get their opportunity, because they do. I have not taken away any opportunity from anybody.

Mr. SLAYDEN. I will say, Mr. Speaker, that nobody else gets as much opportunity as the gentleman does.

The SPEAKER pro tempore. The Chair has ruled on the proposition. Whether rightly or wrongly, it will be determined later. There was a request on the part of the gentleman from Illinois [Mr. FOSTER] that the gentleman from California proceed for five minutes; and the gentleman from California will proceed for five minutes.

Mr. RAKER. Mr. Speaker, speaking specifically to this bill, it is but a reenactment of resolutions that have already passed. I am directing my remarks specifically to the gentleman reserving the right to object, and hope that he will not finally object to this resolution.

Mr. WALSH. But he has objected.

Mr. RAKER. No. He has reserved the right to object, as I understand.

Mr. WALSH. No. He objected, and the gentleman got five minutes.

Mr. McLAUGHLIN of Michigan. I think the gentleman will change his mind again.

Mr. RAKER. I am sure that the gentleman from Wisconsin is fair and tries to get at legislation in such a way as to give proper results, so as to give those who are entitled to protection the proper protection under the law that they should have, and when matters are called to his attention he, as all others, does not persist in an objection, although he has made one, as it has occurred to-day several times. Now, there can be no injustice done to the Government. There can be no disadvantage of the Government. The Government can not be the loser by the extension or suspension of the time, and that is all it means in this work for the year 1919.

Mr. GANDY. Mr. Speaker, will the gentleman yield?

Mr. RAKER. Yes.

Mr. GANDY. I want to say that in the district I have the honor to represent we have quite a large section of mining country, and this assessment proposition is serious to a lot of men this year. It is not serious to the big mining corporations or to people, as we say, who are well fixed in life, but it is serious to the little men, the prospectors, who have gone the limit in the purchase of liberty bonds, and war savings stamps, and Red Cross contributions, and everything of that kind, who find themselves to-day just on the eve of another liberty loan campaign with their finances exhausted. They are really unable to go ahead on their land and continue the development of it in assessment work. I hope the gentleman will not object.

Mr. STAFFORD. What prevents them during the remainder of the calendar year 1919 from performing another $100 worth of work to take care of their rights under their claims? Good weather is coming.

Mr. RAKER. In many instances these men are now away from their mining claims. They are in the Government service at other places.

Mr. STAFFORD. They will have 10 months in which to perform the modicum of work of $100.

Mr. RAKER. No; this is for this year.

Mr. STAFFORD. The year 1919, and they will have 10 months yet.

Mr. RAKER. The gentleman from South Dakota [Mr. GANDY] has but stated what is the condition in every other mining district. This affects the prospectors, it affects the men who have mining claims, 90 per cent of them, and they are the men who ought to have relief. It is not doing a wrong act to anybody, but is simply saying that during the year 1919 they will not have to expend $100 on their claims, but that before they get title after 1919 they must have expended, as the law directs, the full amount of $500 on their claims before they can obtain patents.

Mr. WALSH. If the gentleman's argument is well founded, why not relieve them altogether until 1947, as long as they are in the Government service?

Mr. RAKER. They are not asking for that.

Mr. WALSH. I know they are not; but the argument the gentleman makes would apply to such a claimant.

Mr. RAKER. I am only making the same argument that applied to the bill that just passed.

Mr. WALSH. They have got six months after the treaty of peace. The gentleman is carrying it until December 31, 1920, and that seems to be unreasonable.

Mr. RAKER. No; under the law which we passed it expired on December 31, 1918. We are simply asking that you extend it until the treaty of peace has been signed.

Mr. WALSH. Oh, no; the bill says until December 31 of the year following that in which the war was concluded. That is December 31, 1920.

Mr. RAKER. It covers the year 1919.

Mr. WALSH. It covers the year 1920.

Mr. RAKER. If that is all the gentleman wants, we will amend it so as to cover this year—1919.

Mr. WALSH. The present law carries it six months after the conclusion of the treaty of peace.

Mr. RAKER. No; the present law ended on the 31st day of December, 1918. It does not include this year.

Mr. FOSTER. For general mining claims it expired December 31, 1918. What the gentleman has in mind probably is the law referring to soldiers who are in the service. That extends six months beyond the time of the close of the war.

Mr. GANDY. It has simply to do with the assessment work this year. That is what we are interested in.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

Mr. RAKER. Something may occur between now and the close of the session. I ask unanimous consent that the bill remain on the calendar and go to the foot of it.

The SPEAKER pro tempore. The gentleman asks unanimous consent that the bill go to the foot of the calendar. Is there objection?

Mr. CRAMTON. Reserving the right to object, let me inquire as to the status of these bills that are objected to to-day and then sent to the foot of the calendar. In the event that we succeed in going through the calendar today, will we start in again on those that have been sent to the foot?

Mr. RAKER. Not to-day.

The SPEAKER pro tempore. Not to-day.

Mr. MANN. We certainly will not.

The SPEAKER pro tempore. Is there objection to the request that this bill go to the foot of the calendar?

There was no objection.

PATENTS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8763) to amend the act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved August 17, 1916.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, more than a year ago when this bill was brought up for consideration I objected to it. The war was then on, and the war is now over. What reason can be advanced why this bill should be given consideration at the present time, when communication has been reestablished in all countries?

Mr. CHARLES B. SMITH. Mr. Speaker, the gentleman from Wisconsin is entirely mistaken about the change in conditions from the time when he objected to the bill to the present time. Within the last week I have had a letter from the Commissioner of Patents urging the necessity of the passage of this bill. Unless it is passed inventors of other countries will have an advantage over American inventors.

All we are trying to do with this is to put the belligerent countries in the same position as the enemy countries so far as the issue of patents.

Mr. STAFFORD. Will the gentleman explain where the inventors of other countries have an advantage over those of America if this bill is not passed?

Mr. CHARLES B. SMITH. Because the patent laws are reciprocal, and foreign countries have passed this kind of a reciprocal law, allowing additional time to file and complete patents and claims. If this country does not adopt it, other countries having passed laws which permit the reciprocal extension and filing of claims, the inventors of other countries will have an opportunity to do so, while similar chances will not be given to the inventors in this country. I have within the last day or two received a letter from the patent attorneys in Washington in which this statement is made. It says:

Until a bill of this character becomes law United States manufacturers desiring to obtain patent protection in a foreign country are at a disadvantage as compared with citizens of the allied, neutral, or even enemy countries, since nearly all countries have granted extensions, but these extensions apply only to "citizens of countries granting reciprocal benefits."

Suppose, for instance, a citizen of the United States desires to ship to Norway the product manufactured by him in this country, or desires to install a plant in Norway. His first act naturally is to apply for patent protection in that country; but the ordinary period for taking such action (which is based on the filing date of his United States patent) may have already expired, and he can not claim before the courts the benefit of the extension which Norway grants to citizens of other countries, because the United States has failed to pass a law granting reciprocal benefits to subjects of Norway.

Mr. STAFFORD. From the reading of the letter the subjects of Norway would not have reciprocal advantages over those of the United States.

Mr. CHARLES B. SMITH. They would if dealing with other countries.

Mr. STAFFORD. I understand we passed a remedial measure extending the privilege to inventors by permitting them an extension of nine months beyond the period required by law in case they were filed before January 1, 1918.

Mr. CHARLES B. SMITH. We did not pass that law. We passed it for enemy countries, but not for neutral or allied countries. We have dealt fairly with the enemies, but not with our friends. Section 7 follows the identical provision in the espionage bill or the enemy trading act in regard to enemy countries.

Mr. STAFFORD. Let me call the attention of the gentleman who reported the bill, the chairman of the Committee on Patents, to the act of August 17, 1916, and see whether he is correct or I am correct in the statement that I just made. The gentleman states that this act only applied to the subjects of enemy countries:

That any applicant for letters patent or registration of any trademark print or label being within the provisions of this act, if unable on account of the existing and continuing state of war to file any application or pay any official fee, or take any required action within the period now limited by law, shall be granted an extension of nine months beyond the expiration of said period.

I shall not take the time of the House to read sections 2 and 3 of that act of August 17, 1916, applying to foreign-born subjects.

Mr. CHARLES B. SMITH. That is up to a certain date. Here is a statement from the Commissioner of Patents upon that very point:

After the outbreak of the European war nearly every country in Europe passed laws extending the period of priority. In some instances they were extended for limited periods, in others they were extended until after the war was over, but in nearly every instance a foreigner was held entitled to such an extension only if his country granted reciprocal privileges. For instance, the French decree reads as follows:

"ART. 5. The provisions of the decree of August 14, 1914, suspending the time limits in the matter of patents and of designs and models from and after August 1, shall be enjoyed by subjects and citizens of foreign countries only in so far as such countries have accorded or may hereafter accord, by way of reciprocity, equivalent privileges to the citizens of France and of the French protectorates."

So this is to reach a condition which that law did not reach.

Mr. STAFFORD. This is to extend the privilege to all those whose rights arose since August 1, 1914—that is, if they did not avail themselves of the privileges under the enabling act or the remedial act of August 17, 1916.

Mr. CHARLES B. SMITH. It has been impossible for them to file them.

Mr. STAFFORD. All this amounts to is an extension of time in which the inventors can obtain patents.

Mr. MANN. May I ask a question? Under existing law a citizen of an allied country has a right to file an application for a patent here within one year from the time he files it at home?

Mr. CHARLES B. SMITH. Yes.

Mr. MANN. What is there to interfere with filing claims here?

Mr. CHARLES B. SMITH. It is claimed that it was impossible for representatives of inventors to travel from one country to another, the mail has been delayed, and for many reasons it has been practically impossible for them to complete their claims.

Mr. MANN. I know. I suppose they always claim that, and they will claim they could not do it within nine months, but we know that there has been constant mail service and more or less traveling across the water. What is to prevent it unless the Government itself has prevented it, and this Government has not prevented it?

Mr. CHARLES B. SMITH. Let me say to the gentleman that other countries have considered it desirable to pass similar laws to this. I started to read the enactment of France, which is almost identical with the provisions of this act. This is from the French decree:

The provisions of the decree of August 14, 1914, suspending the time limits in the matter of patents and of designs and models from and after August 1 shall be enjoyed by subjects and citizens of foreign countries only in so far as such countries have accorded or may hereafter accord by way of reciprocity equivalent privileges to the citizens of France and of the French protectorates.

Mr. MANN. What has there been to prevent an American citizen from filing an application for patent in France?

Mr. CHARLES B. SMITH. The Patent Office has strongly recommended this on the ground that it was impossible, at least it was not done, and that these other countries have seen fit to pass laws of a similar nature, and the commissioner feels that we should act similarly. He regards it as absolutely necessary to protect our own inventors who have been unable, according to his statements, to complete their claims abroad.

Mr. MANN. I did not know how much there is in that. He seems to be very much exercised because there are 100 applications for patents here which can not be granted under existing law made by citizens of foreign countries.

Mr. CHARLES B. SMITH. It is claimed that the advantage will be to Americans, rather than to foreigners. Of course, Americans are barred from getting additional time in foreign countries as long as they fail to grant the additional time here, because the laws are reciprocal.

Mr. MANN. If somebody will give us an illustration why an American citizen has not been able to file application for patent abroad within a year, after he has filed one at home, very well, but I can not understand why.

Mr. CHARLES B. SMITH. I have only the statement of the Commissioner of Patents and the Interior Department that that is the fact, and this legislation has already passed the Senate, and I have had many urgent requests——

Mr. MANN. I remember when the original bill passed the House. I think I objected to it at first; I know I did for a while, and held it up. I did not think very much of that, and the Commissioner of Patents and the others all assured us that if that were done everything would be lovely and the goose would hang high. Now, without giving any reason or any facts, he wants to extend the time for nine months, and when that is up he will want to extend it longer.

Mr. CHARLES B. SMITH. No; I do not imagine there will be any further requests for extension. I believe this is a measure that is necessary on account of the difficulties of communication. It takes two weeks now to get a cable across from here to Paris.

Mr. MANN. Oh, no; it does not take two weeks. It does not take more than two hours to get a communication——

Mr. CHARLES B. SMITH. Word was sent to me yesterday that it took two weeks.

Mr. MANN. That may be in some cases. Plenty of stuff is coming from over there.

Mr. CHARLES B. SMITH. I know it is.

Mr. MANN. And plenty of stuff is going that way. The cables are in the control of the Postmaster General.

Mr. CRAMTON. It takes 10 days to get a letter from the House Office Building to the Red Cross in Washington. That is my experience.

Mr. CHARLES B. SMITH. I will say to the gentleman from Illinois that this is nothing to me.

Mr. MANN. We understand that.

Mr. CHARLES B. SMITH. I am acting for the Department of the Interior, and I am satisfied they would not be so urgent about this and so anxious to pass it if they were not satisfied it was highly desirable to do it.

Mr. MANN. Well, I suspect there are many applications for patents for things that have been invented because of the war, growing out of the war, where people have not yet made their applications and where they want to make them hereafter. Many things would never have been invented at all if it had not been for the war, but they are not willing to take their chances. They want special favors, and I think we ought to have some information before we extend a monopoly, because that is what a patent is.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

The SPEAKER pro tempore. The bill is stricken from the calendar.

BRIDGE ACROSS NIAGARA RIVER, BUFFALO, N. Y.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13485) granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, and William F. MacGlashan to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MANN. Let the bill be read.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, and William F. MacGlashan, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Niagara River at a point suitable to the interests of navigation, within or near the city limits of Buffalo, in the county of Erie, in the State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That, subject to the provisions of this act, the Secretary of War may permit the persons herein named to construct a tunnel or tunnels under said river in lieu of the bridge herein authorized, in accordance with the foregoing act approved March 23, 1906, so far as the same may be applicable.

SEC. 2. That this act shall be null and void unless the construction of said bridge or tunnels is commenced within two years and completed within five years from the date of approval hereof.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. STAFFORD. Mr. Speaker, I reserve the right to object.

Mr. CHARLES B. SMITH. Mr. Speaker, let me say this is really an extension of an act passed in 1916. The act expired some time in September, and this bill is in exactly the same form as the law which was passed in 1916 after the Committee on Interstate and Foreign Commerce had gone to Buffalo and looked over the situation carefully and had returned and had a hearing and reported the bill.

Mr. STAFFORD. Where is this bridge intended to be built?

Mr. CHARLES B. SMITH. At or near Buffalo, wherever the approval is given by the engineers.

Mr. STAFFORD. Is my memory in fault that in the last Congress we passed a bill providing for the construction of a bridge across Niagara River at or near Buffalo?

Mr. CHARLES B. SMITH. That is the bill which I referred to, back in 1916.

Mr. STAFFORD. Have not we passed a bill since then?

Mr. CHARLES B. SMITH. No; we have no vehicle bridge across the Niagara River at Buffalo. The purpose of this bill is to build a bridge across the Niagara River so as to have closer relation to Canada, and the public bodies of Buffalo, the chamber of commerce and other civic bodies, have been urging the building of such a bridge.

Mr. MANN. Will the gentleman yield for one question?

Mr. CHARLES B. SMITH. I will.

Mr. MANN. Are these men of financial standing?

Mr. CHARLES B. SMITH. I will say to the gentleman the first man, Mr. Cabana, is the head of the Liberty Bank of Buffalo. Mr. Hall, the second man, is the president of the Buffalo Trust Co. Mr. Connette is president of the International Railway Co., which operates all the street cars in Buffalo and on the suburban lines. Mr. MacGlashan is the president of the Beaver Board Co., which has plants all over this and other countries. Mr. Bradley is head of one of the biggest manufacturing plants in Buffalo. Mr. Hurt, I do not know so much about, but these men are all responsible.

Mr. STAFFORD. The gentleman mentioned last is not included in the list of incorporators.

Mr. CHARLES B. SMITH. The gentleman has the wrong bill. I introduced another bill.

Mr. MANN. We have the bill as reported and those names are not in here.

Mr. CHARLES B. SMITH. I was reading from the Senate bill. The bill is on the Speaker's table.

Mr. MANN. This is not a mere speculative proposition?

Mr. CHARLES B. SMITH. Absolutely not. These men do not want to build a bridge——

Mr. MANN. I went to Buffalo with the Committee on Interstate and Foreign Commerce, I think over 20 years ago, and they were going to build a bridge the very next day.

Mr. CHARLES B. SMITH. Well, the same situation prevails now. We want to get a bridge, and have been trying to induce somebody to build it, and these men are big enough so that they can be trusted, and the people are sure they will not abuse the permit.

Mr. MANN. I am perfectly willing, so far as I am concerned, to give everybody a right, if it is not a mere stock-jobbing proposition and is all right. This is not such a proposition?

Mr. CHARLES B. SMITH. This is not. These are leading men of the city.

Mr. CRAMTON. And these gentlemen have no interest adverse to the building of the bridge?

Mr. PARKER of New Jersey. I suppose the gentleman from New York will take the Senate bill from the Speaker's table and ask that it be considered in lieu of the House bill?

Mr. CHARLES B. SMITH. I ask that the Senate bill be now considered in lieu of the House bill.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that the Senate bill be considered in lieu of the House bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the Senate bill.

The Clerk read as follows:

A bill (S. 5534) granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Niagara River at a point suitable to the interests of navigation, within or near the city limits of Buffalo, in the county of Erie, in the State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That, subject to the provisions of this act, the Secretary of War may permit the persons herein named to construct a tunnel or tunnels under said river in lieu of the bridge herein authorized, in accordance with the foregoing act approved March 23, 1906, so far as the same may be applicable.

SEC. 2. That this act shall be null and void unless the construction of said bridge or tunnels is commenced within two years and completed within five years from the date of approval hereof.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. CHARLES B. SMITH, a motion to reconsider the vote by which the bill was passed was laid on the table.

On motion of Mr. MANN, the bill H. R. 13485, of similar tenor, was laid on the table.

PERRY'S VICTORY MEMORIAL.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13482) creating a commission for the maintenance, control, care, etc., of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

Mr. STAFFORD. Reserving the right to object, this bill provides for the creation of a very large commission for administering the small monument.

Mr. SLAYDEN. It is a large monument.

Mr. STAFFORD. A large monument located on a small island to commemorate a great event. Will the gentleman advise the committee as to the necessity of allowing the expenses of this large commission to be paid out of the fees that are charged for admission to these grounds?

Mr. SLAYDEN. Mr. Speaker, I will tell the gentleman as briefly as possible. All I know about the bill is just what I learned when some distinguished gentlemen appeared before the committee and asked for its favorable report.

In March, 1911, the Congress made an appropriation of $250,000 to help build the monument on Lake Erie, having in view the double purpose of commemorating the Perry victory and also, although the logic of it I did not quite follow, I must confess, the celebration of the conclusion of 100 years of peace with Great Britain, because following the Perry victory the treaty was made by which armed ships of war were taken off the Lakes, and there have been none there since. The nine States referred to in the report that I wrote, to wit, New York, Pennsylvania, Rhode Island, Michigan, Kentucky, Illinois, Wisconsin, Massachusetts, and Ohio, made contributions, and the bill provides that after, in the course of nature, many of these commissioners who have been interested in the gathering of funds and looking after the construction of the monument shall have passed over, there will be three commissioners appointed by the President, and only three, from each of the States.

Mr. STAFFORD. What is the necessity of having representatives from each of the States?

Mr. SLAYDEN. I can not tell. I did not see any necessity for it myself. I favored a commission of three or, at most, five men. But the gentlemen who urged it said the people of the States wanted it, and the governors of the States wanted it, and I saw no good reason why it should not be done.

Mr. MANN. The monument was put up that way.

Mr. STAFFORD. The State of Illinois contributed, and the State of Wisconsin contributed, and other States contributed, and each State appointed commissioners to supervise the construction. Was it intended that those commissioners should hold office for life?

Mr. MANN. After all, a good many of the commissioners are dead now, or some of them are, that constructed this monument. This bill only provides we shall appoint commissioners to begin with, and as vacancies occur they shall not be filled.

Mr. STAFFORD. But the bill also provides that their expenses shall be paid out of these fees that are to be charged for seeing this monument?

Mr. SLAYDEN. Yes.

Mr. STAFFORD. The thought occurred to me—and I would like to inquire of the gentleman whether that was considered by the committee—that this monument should be placed exclusively under the jurisdiction of the park authorities of the National Government. I do not see justification for Congress sanctioning and recognizing the fee system—charging people a fee to see a great monument to commemorate a great victory—so as to defray the expenses of a commission, and also, it is true, for its maintenance.

Mr. MANN. Congress came in as a second horse here.

Mr. SLAYDEN. If Congress had paid all the expense and wanted to administer this park exclusively, what the gentleman from Wisconsin says might have some application; but people go there from Cleveland and Detroit and Toledo and other places, and they do not object to paying the small fee that is charged, and it will keep up and partially pay the expenses. Few people, comparatively, go to it.

Mr. STAFFORD. There are excursions running out from Toledo and Detroit and Cleveland during the summer, and the place is patronized by thousands of people. I believe, as in the case of national parks, this park should be open to the public without charge.

Mr. MANN. Let us see. Here are a lot of citizens who have put up this monument without asking aid directly from the Government. The Government, it is true, did contribute a little in the end, on the theory of the commemoration of 100 years of peace. But let us do something without requiring the Government to pay all the expenses of running it.

Mr. STAFFORD. Here are five Members from Wisconsin, gentlemen who went down there, I suppose, at the expense of the State of Wisconsin and had a nice junket at the expense of the funds provided by the State. Now, it is intended that their expenses in the future shall be paid out of these fees.

Mr. MANN. That, of course, means that there will not be much pay.

Mr. STAFFORD. The expense should be paid by Congress. Reserving further the right to object, Mr. Speaker, would it not be agreeable to the gentleman from Texas to allow this board to consist only of three Members on the part of the United States?

Mr. SLAYDEN. I would be breaking faith with the committee if I consented to any such thing as that.

I want to say to the gentleman that with reference to charging fees, that custom prevails throughout Europe, and I think it is a very wise one, because people who go traveling and who want to see these monuments and places of interest ought to be willing to pay for that privilege.

Mr. STAFFORD. The persons who visit this monument are usually persons who can not afford to pay. They are mostly excursionists.

Mr. SLAYDEN. If the gentleman will pardon me, I may say that they are people who can afford to go, because otherwise they would not go. They enjoy it, and there is no reason why they should not pay a trifling fee, instead of assessing it against the taxpayers. It must be paid by somebody.

Mr. STAFFORD. To-day we created a national park, the Mount Desert public monument, which is patronized mostly by

the wealthy. Here is the Put in Bay Monument, patronized mostly by the day excursionists from Cleveland and Toledo and Detroit. They take advantage of the excursion rate to go down to Put in Bay. You are going to charge a fee to those people, and you are going to charge it with the sanction of the Government of the United States.

Mr. FOSTER. They will appreciate it all the more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13482) creating a commission for the maintenance, control, care, etc., of the Perry's Victory Memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes.

Whereas there has been erected by the Perry's Victory Centennial Commission, composed of members appointed pursuant to law, a great memorial monument on Put in Bay Island, Lake Erie, Ohio, at a cost of approximately $1,000,000, perpetually memorializing the victory of Commodore Oliver Hazard Perry in the Battle of Lake Erie, and Gen. William Henry Harrison's northwestern campaign in the War of 1812, and commemorating the century of peace which has ensued between Great Britain and the United States since the termination of that conflict by the signing of the treaty of Ghent; and

Whereas the Federal Government and the States of Ohio, Pennsylvania, Michigan, Illinois, Wisconsin, New York, Rhode Island, Kentucky, and Massachusetts have severally contributed to the payment of such cost; and

Whereas the legal title to the land constituting the site whereon said memorial has been erected is vested in the United States solely, in perpetual trust, for the use, occupancy, and enjoyment of said memorial and other memorial public uses and purposes not inconsistent with said memorial; and

Whereas said memorial is now self-sustaining and will so continue as to the maintenance thereof, if due provision is made for its care and protection: Therefore

Be it enacted, etc., That a Perry's Victory Memorial Commission is hereby created, consisting of Nelson A. Miles, Charles H. Davis, and J. Warren Keifer, commissioners of the United States; George H. Worthington, Webster P. Huntington, S. M. Johannsen, Eli Winkler, and Horace Holbrook, commissioners from the State of Ohio; A. E. Sisson, Milton W. Shreve, Edwin H. Vare, T. C. Jones, and George W. Neff, commissioners from the State of Pennsylvania; Arthur P. Loomis, John C. Lodge, Roy S. Barnhart, and E. K. Warren, commissioners from the State of Michigan; William H. Thompson, Chesley R. Perry, James Pugh, Richard S. Folsom, Nelson W. Lampert, Adam Weckler, William Porter Adams, Willis J. Wells, W. H. McIntosh, and H. S. Beckemeyer, commissioners from the State of Illinois; Frederick M. Symonds, John M. Whitehead, A. W. Sanborn, C. B. Perry, S. W. Randolph, Louis Bohmrich, and Sol P. Huntington, commissioners from the State of Wisconsin; William J. Conners, George D. Emerson, John F. Malone, Edward D. Jackson, Simon L. Adler, Martin H. Glynn, William F. Rafferty, William L. Ormrod, Charles H. Wiltsie, and Jacob Shifferdecker, commissioners from the State of New York; John P. Sanborn, Louis N. Arnold, Sumner Mowry, Henry Davis, and Harry Cutler, commissioners from the State of Rhode Island; and Henry Watterson, Andrew Cowan, Samuel M. Wilson, R. W. Nelson, and Mackenzie R. Todd, commissioners from the State of Kentucky, who shall serve without compensation save necessary expenses.

As vacancies occur in the commission on the part of the several States, they shall remain unfilled until only three commissioners from each State remain; thereafter the commissioners from each State shall be three.

When a vacancy shall occur in the commission on the part of the United States it shall be filled by the President of the United States, and when such vacancy shall occur on the part of any State the same shall be filled by the President of the United States on the recommendation of the governor of such State.

SEC. 2. That said commission, upon the said memorial and the site thereof being turned over to it, shall forthwith have full possession and control thereof with power to maintain, improve, protect, and preserve the same from injury thereto so far as its revenues will permit, and with power to appoint all necessary officers, agents, and employees, and to fix their compensation; also to have such other powers as may be necessary to accomplish the purposes and objects and to fulfill the duties of the commission. It shall not contract any debt or obligation payable otherwise than from the net revenues derived from its operation and management of said site and memorial or that may be derived by it from other sources.

SEC. 3. That the title to said memorial and site hitherto conveyed to the United States by the State of Ohio is hereby accepted by the United States for the uses, purposes, and trusts therein and by this act provided.

SEC. 4. That the said commission is authorized and empowered to receive donations and bequests, to improve said site, and to erect thereon, when sufficient funds are available for such purposes, other structures of a general public character, but the same shall harmonize with the memorial, and such structures when erected shall become subject wholly to said commission, and the title to the same shall vest as does the title to said site and memorial and be subject to the same uses, possession, trust, control, and management.

SEC. 5. That said commission, through its president and treasurer, shall make, in writing, a report to the Secretary of the Interior of the United States on the first Monday in December of each year, in which shall be stated the condition of the said site and memorial as to preservation and all receipts and disbursements of money pertaining thereto.

SEC. 6. That the officers of the commission shall be a president, vice president, secretary and treasurer, and such other officers, agents, and employees as it may deem necessary.

The commission shall have power to adopt rules and by-laws for its government and to provide the methods of voting and the number of votes each State having more than three commissioners shall cast at its meeting.

SEC. 7. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. SLAYDEN. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SLAYDEN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

AMENDMENT OF TITLE.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent that the title to S. 5038, which was passed under suspension of the rules, may be corrected by the Clerk to conform to the text of the bill as it passed the House.

The SPEAKER pro tempore. Without objection it will be so ordered.

Mr. MANN. Has the gentleman indicated to the clerk how it is to be changed?

Mr. BANKHEAD. I have not, but I will do so.

FEDERAL BUILDING AT STEUBENVILLE, OHIO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3217) providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I wish to inquire of the author of the bill as to the need of such a large addition as $150,000, which is by $30,000 more than the amount that was originally appropriated for this building. I understand that it is occasioned by the Federal court holding a term there and for accommodations for the court.

Mr. HOLLINGSWORTH. The report is quite full, and explains that specifically, better than I can. The estimate of $150,000 increase was made by the department uninfluenced, and it is made on a low basis of expense for construction, prewar basis.

Mr. STAFFORD. I notice that the letter of the United States district judge printed in the report gives the impression that the establishment of this fine, ornate public building will rather develop Federal litigation, and he cites the case of Dayton as having resulted in the development of such litigation by reason of the establishment of a Government building there. What kind of a judge have you out there, if I may inquire, who will make a recommendation of that purport?

Mr. HOLLINGSWORTH. I think my friend does not understand that letter.

Mr. STAFFORD. I will read the letter. Perhaps I am in error, and if I am I certainly do not wish to do this district judge an injustice. He says:

I sincerely hope that Steubenville may get its Federal building soon. There will be no court of any consequence there until that result is accomplished. It was so at Dayton. After the building was dedicated and a place thus furnished for a deputy clerk the business immediately developed, and year before last there were 56 cases that came into the court at Dayton alone.

That language may not have justified the statement I made, but I thought I was within bounds in claiming that this judge is inclined to desire ornate and luxurious quarters.

Mr. GORDON. So as to increase litigation.

Mr. STAFFORD. As the gentleman from Ohio suggests, to increase litigation.

Mr. HOLLINGSWORTH. Dayton is close to Cincinnati, and when there was no place in Dayton to hold the court, naturally the business was all transacted in Cincinnati. After they got a building in Dayton, then the business was transacted there, just as it will be in Steubenville. That was what the judge meant.

Mr. GORDON. All the business in that territory will be transacted there?

Mr. HOLLINGSWORTH. Yes. At the present time every case that can be taken to Columbus is taken there. That is what the judge means.

Mr. STAFFORD. He has a very unique way of expressing his intention, if that is his real purpose.

Mr. HOLLINGSWORTH. That is his real purpose.

Mr. STAFFORD. He knows how to use the English language so as to carry an impression just the opposite to that which he wishes to convey.

Mr. HOLLINGSWORTH. The State has been divided into Federal districts and the courts fixed there ever since 1915. The judge has been holding court just where he could find a place.

Mr. STAFFORD. Have any plans been drawn for the construction of this building?

Mr. HOLLINGSWORTH. They are simply awaiting the action of Congress. This bill has been passed twice, but by some means or other it got into a committee and stayed there, and failed in the last Congress simply because of getting into a committee pigeonhole.

Mr. STAFFORD. Has it passed this House before?

Mr. HOLLINGSWORTH. It has passed this House and also passed the Senate.

Mr. STAFFORD. If the bill was passed before, I do not wish to go further in scrutinizing the bill.

The SPEAKER pro tempore. Is there objection?

Mr. SISSON. I object.

Mr. HOLLINGSWORTH. Will not the gentleman reserve his objection?

Mr. SISSON. I object.

UNITED STATES DISTRICT COURT OF OKLAHOMA.

The next bill on the Unanimous Consent Calendar was the Senate joint resolution 208, providing that one term of the United States District Court for the Eastern Judicial District of Oklahoma shall be held annually at Hugo, Okla.

The SPEAKER pro tempore. Is there objection?

Mr. MOORES of Indiana. Reserving the right to object, I would like to ask the gentleman what is the possible justification for the compelling a district judge to go from Muskogee 256 miles to try possibly one jury case a year?

Mr. CARTER of Oklahoma. This court site is necessary on account of the large volume of Federal court business adjacent to the vicinity. On account of Indian land titles, enforcement of prohibition, and other causes the United States courts have extensive jurisdiction in eastern Oklahoma, and most of the restricted Choctaw Indians reside in that section.

The city of Hugo is located some 15 or 20 miles north of Red River, which is the Texas line, and some 80 or 90 miles west of the Arkansas line. Many people having business with this court have to travel right through Hugo and on to McAlester, more than 125 miles distant, which means much needless expense and time that might be avoided with a term of court at Hugo.

Mr. MOORES of Indiana. I am asking for information. Are not nearly all of these Indian land titles tried in equity without a jury?

Mr. CARTER of Oklahoma. No; a great many are tried by a jury.

Mr. MOORES of Indiana. What proportion are law cases, do you know?

Mr. CARTER of Oklahoma. I can not tell the gentleman offhand.

Mr. MOORES of Indiana. I had a general impression that only a few were law cases.

Mr. CARTER of Oklahoma. A great many require jury trials, and many find their way to the Supreme Court of the United States eventually because they involve Federal questions.

Mr. MOORES of Indiana. There is no sense in asking a judge to hold court 250 miles from home to try equity cases.

Mr. CARTER of Oklahoma. It would be more expensive to the Government to have the parties and witnesses travel 250 miles to McAlester or Ardmore, going and returning, after they reach Hugo. A great part of this business will come from east of Hugo—probably 40 per cent—and at present they have to travel through Hugo and on to McAlester or Ardmore.

Mr. MOORES of Indiana. The gentleman understands that there is no sense at all in the committee's report as to the liquor cases, because Oklahoma is a dry State.

Mr. CARTER of Oklahoma. That is true; it is a dry State; and that part of the country has been dry for some time. There may be a few stills running at intervals up in the mountains; and the prohibitionists are strong for the bill as well as others.

Mr. MOORES of Indiana. If that is a fact, I will object to it. [Laughter.]

Mr. CARTER of Oklahoma. I hope the gentleman will not object. This is badly needed, and I ask the gentleman to reserve his objection.

Mr. MOORES of Indiana. If the gentleman can give me any good reason why a judge should travel 500 miles at his own expense to try one law case a year, I will.

Mr. CARTER of Oklahoma. Mr. Speaker, I am sure I did not make myself clear, else the gentleman from Indiana would not have insisted, for I am sure he has no desire to inflict any such inconvenience on the people of my section as present conditions impose.

The business of the Federal court in eastern Oklahoma is enormous. It is a much broader jurisdiction than that common to many other States. We have more than 100,000 Indian allottees in that section, and they have allotted from 110 to 320 acres of land each. Practically every land suit involving title to these lands in any manner may find its way into this Federal court. In addition to this the enforcement of liquor laws, internal-revenue laws, and many other cases keep the dockets congested, and I am sure if my friend understood the hardships imposed on the citizenship of southeast Oklahoma by present conditions he would not object to this bill. The bill means a great deal to many of my constituents. This will in all likelihood be the last opportunity for unanimous-consent consideration during this Congress, and I hope the gentleman will summon all his powers of forbearance and let this much needed resolution have consideration.

Mr. MOORES of Indiana. What percentage of pleas of guilty are entered in the criminal cases?

Mr. CARTER of Oklahoma. The gentleman knows we Congressmen are kept on the job here so constantly that it is impossible for us to keep track of law business, or any other business for that matter, back in our home States. I am unable to give that information, but I presume about the same per cent as in other States having similar cases. I doubt if many States in the Union have as large dockets as that in eastern Oklahoma; that is, from the standpoint of cases actually filed and tried.

Mr. MOORES of Indiana. Where does the court sit except at Muskogee?

Mr. CARTER of Oklahoma. Muskogee, Vinita, Tulsa, and McAlester, in the northern part of the State, and at Ardmore, in the southern part of the State.

Mr. MOORES of Indiana. How far is Ardmore from this place?

Mr. CARTER of Oklahoma. It is 101 miles from Hugo, but I think most cases from this part of the district go to McAlester. This necessitates 50 miles travel west over the Frisco to Durant, a change of cars, and then 75 or 80 miles north on the Katy to McAlester. But many of these litigants must travel 50 to 100 miles before reaching Hugo on their way to McAlester, thereby requiring four or five hundred miles travel in one trip to court.

This Federal court has about the same volume of Indian business as the ordinary State circuit has of all business. There are more restricted Choctaw Indians residing convenient to Hugo than to any other city of like size in Oklahoma. It is not fair to force them into the Federal court and then keep the court 200 miles away from them. They are demanding that this court be made more convenient, and they have a right to more considerate treatment. If the United States court did not have such wide jurisdiction, if the court cases involved only the small amount of business usual with Federal courts, then the emergency would not be so urgent; but we should not expect people to travel all this distance and take all this time from their business in attendance on court which is nothing more nor less in many cases than the Nation's business.

The committee has amended this bill so as to relieve the Government of any expense for quarters. Therefore its passage will involve no expense to the Government.

If I am only able to make clear conditions as they actually exist, if I could only make my friend understand the pressing necessity for the establishment of a court in this vicinity, I am sure he would not object to consideration of this important resolution.

Mr. MOORES of Indiana. Mr. Speaker, I withdraw the objection.

Mr. CARTER of Oklahoma. I thank the gentleman very much.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That one term of the United States District Court for the Eastern District of Oklahoma shall be held each year on the second Monday in May at Hugo, in said State and district, and all acts and parts of acts not in accordance herewith are hereby modified in accordance with the provisions of this act.

With the following committee amendment:

Page 1, at the end of line 8, add the following:
"*Provided*, That suitable quarters for holding said court shall be furnished without expense to the Government."

The SPEAKER pro tempore. This resolution is on the Union Calendar.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent that the resolution be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. CARTER of Oklahama, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

FEDERAL BUILDING AT STEUBENVILLE, OHIO.

Mr. HOLLINGSWORTH. Mr. Speaker, I ask unanimous consent to return to No. 291 on the calendar, being H. R. 3217, respecting the Federal building at Steubenville, Ohio.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to return to Calendar No. 291. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, I hope the gentleman will withhold that request until the gentleman from Mississippi [Mr. SISSON] returns.

Mr. HOLLINGSWORTH. I do not think I will. I would rather make a demand for a quorum. I will modify my request.

The SPEAKER pro tempore. Is there objection to the request made by the gentleman from Ohio?

Mr. SISSON. What is the request?

The SPEAKER pro tempore. The request is that the House return to the consideration of the bill H. R. 3217.

Mr. SISSON. Mr. Speaker, I object.

Mr. HOLLINGSWORTH. Then, Mr. Speaker, I ask unanimous consent for permission to move to suspend the rules at this time.

The SPEAKER pro tempore. The Chair can not recognize the gentleman for that purpose now.

Mr. HOLLINGSWORTH. But I asked unanimous consent.

The SPEAKER pro tempore. The Chair will put the request.

Mr. SISSON. I object.

The SPEAKER pro tempore. The gentleman from Mississippi objects, and that settles the matter.

Mr. HOLLINGSWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOLLINGSWORTH. May I move to suspend the rules?

The SPEAKER pro tempore. The Chair can not recognize the gentleman to make that motion now.

Mr. AUSTIN. Mr. Speaker, I ask the gentleman from Mississippi [Mr. SISSON] to withhold for a moment his objection to the consideration of this request for unanimous consent.

Mr. SISSON. How is that?

Mr. AUSTIN. May I crave the indulgence of the gentleman from Mississippi to withhold his objection to unanimous consent for a moment?

Mr. SISSON. Yes, I will withhold it.

Mr. AUSTIN. Mr. Speaker, I sincerely trust that my friend from Mississippi will not prevent the consideration of this measure at this hour. This is the last and only opportunity to pass this bill. It is strongly recommended by the Treasury officials, and the gentleman from Ohio [Gen. HOLLINGSWORTH], who has served so long and faithfully here, retires on the 4th of March. He has had this proposition very close to his heart and the merits of the bill so appealed to us that the Committee on Public Buildings and Grounds made an exception of the bill. We did that because it has not only merit but we thought that we would extend this favor to the retiring Member from Ohio. He and the gentleman from Ohio now in front of me [Gen. SHERWOOD] and the gentleman from California [Maj. OSBORNE], are the only Members serving in the lower House of the American Congress who fought to preserve the Union we love so well, and if this request was coming from the gentleman from North Carolina [Maj. STEDMAN] or the gentleman from Louisiana [Gen. ESTOPINAL], who served equally well in the Confederate Army, I would stand here and if necessary appeal to my Republican colleagues not to obstruct the passage of a measure in which they were interested.

I appeal to my big-hearted and generous friend from Mississippi [Mr. SISSON], and I hope my appeal does not fall upon deaf ears.

Mr. SISSON. Mr. Speaker, I want to state to the House the reason which prompted me to make this objection. There are now pending in the Committee on Appropriations requests for public buildings. I can not tell how many are there asking to be made special bills. I felt that matters of this kind ought to be dealt with just alike.

Mr. HOLLINGSWORTH arose.

Mr. SISSON. If the gentleman just will not interrupt I will state what I am going to be prompted to do. [Applause.] My purpose in objecting was that all these matters might be dealt with in exactly the same manner, but I am going to heed the appeal made by my friend from Tennessee [applause] and withdraw my objection.

The SPEAKER pro tempore. Is there objection?

Mr. DUPRÉ. Mr. Speaker, reserving the right to object, I assume probably the suggestion I made that my colleague from Louisiana [Gen. ESTOPINAL] would not object might have had something to do with the persuasive manner in which Representative AUSTIN of Tennessee has made his appeal—without reference to me—and that Mr. SISSON of Mississippi has withdrawn his objection. [Laughter and applause.]

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 3217) providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. HOLLINGSWORTH. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase or otherwise, such additional lands or rights contiguous to the building site now owned by the United States in Steubenville, in the State of Ohio, as may be necessary for the erection and completion on the lands thus owned and acquired of a suitable building, with fireproof vaults therein, for the use and accommodation of the United States court and post office, at an additional cost not to exceed $150,000, in addition to amounts heretofore authorized.

Mr. BLANTON. Mr. Speaker, I would like to ask the gentleman from Ohio a question. How large a place is Steubenville?

Mr. HOLLINGSWORTH. By the census of 1910 it is shown as having a population of 22,000 plus. That is in 1910, but my guess would be, and I am pretty familiar with it, that it is around 30,000. Of course this is only a guess. It is an up-to-date progressive city.

Mr. BLANTON. I understand an appropriation of $30,000 has already been authorized for a building there. Is that the fact?

Mr. HOLLINGSWORTH. There was an appropriation in the Sixty-first Congress for the erection of a post office.

Mr. BLANTON. That $30,000 is still available?

Mr. HOLLINGSWORTH. Thirty-five thousand dollars of that was used for purchase of a site.

Mr. BLANTON. And there is $120,000 authorized in addition to this $150,000?

Mr. HOLLINGSWORTH. There is $85,000 unexpended. Thirty thousand dollars of the original authorization went to complete the site, and after that the report shows $10,000 more are needed. After purchase of site, this rearranging of the Federal districts in the State took place. That was under my predecessor. I was a Member of Congress when the post-office building was provided for. Then, in the whirligig of Ohio politics, another came in, and he introduced the court bill, but he did not provide for any building. He sat here with me just a while ago, and is favorable to this bill.

Mr. BLANTON. There is a building there, though?

Mr. HOLLINGSWORTH. Oh, no; there is not anything. If you will look at the report you will see that they are paying $3,000 for a post office there now as rental, as the report shows.

Mr. BLANTON. The point I am getting at is this: There is an appropriation available outside of this proposed $150,000, Is there or is there not an appropriation available?

Mr. HOLLINGSWORTH. Why, certainly.

Mr. BLANTON. Of how much?

Mr. STAFFORD. Eighty-five thousand dollars.

Mr. BLANTON. Mr. Speaker, I offer an amendment.

Mr. KNUTSON. Will the gentleman from Texas yield to me for just a moment?

Mr. BLANTON. In just a minute. I offer the following amendment: Strike out "$150,000" and insert "$100,000" in lieu thereof.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Texas [Mr. BLANTON].

Mr. BURNETT. Mr. Speaker, I make the point of order that this being by unanimous consent no amendment can be offered.

The SPEAKER pro tempore. The point of order is overruled. The Clerk will report the amendment.

The Clerk read as follows:

Mr. Blanton offers the following amendment: Line 11, strike out "$150,000" and insert "$100,000."

Mr. BLANTON. Mr. Speaker, in a town of only 22,000 inhabitants, and where there is already authorized an appropriation of $85,000, and where there has been already purchased a site available for this building, to be used jointly as a post office and a court, I can not for the life of me at this time and under the conditions which confront us see why there should be expended this $150,000 additional. I believe if the same kind of judgment was used in constructing public buildings by the Government as is used in constructing private buildings that we could get a better building out of half of the money that we appropriate at each session of Congress. And I think that with the $85,000 already provided for and $100,000 additional there should be built in this little town in Ohio a suitable building, commensurate with the needs of that country, both for a post office and court. I know of a number of court buildings that have every kind of facility, every kind of convenience, even for a Federal judge to hold court in, that have cost less than $185,000.

Mr. KNUTSON. Will the gentleman yield just a moment?

Mr. BLANTON. Certainly.

Mr. KNUTSON. The gentleman represents a district that is fast coming to the front as an oil-producing district.

Mr. BLANTON. Yes.

Mr. KNUTSON. It will no doubt be necessary for the gentleman to come in with bills, using the same method as the distinguished gentleman from Ohio [Mr. HOLLINGSWORTH].

Mr. BLANTON. Yes. I do not want the gentleman to take all my time.

Mr. KNUTSON. I am not taking all your time.

Mr. BLANTON. I will answer the gentleman from Minnesota.

Mr. KNUTSON. I want to make an observation, Mr. Speaker.

Mr. BLANTON. I do not yield to the gentleman any further. For one of the largest oil fields in the United States to-day, at Ranger, Tex., a little town which about a year ago had 800 people, and now has 25,000 people, a field which flows to-day 55,000 barrels of oil per day, I have asked for a very modest sum for a post-office building, and if that money is expended properly there will be a post-office building adequate for the needs of the people for years to come.

Mr. ELSTON. Do you mean the building or the site?

Mr. BLANTON. For a building. I can take $5,000 in my portion of the country and build a better building than the Government can construct with $10,000. I want to see the time come when the Government can get as much for its money as a private citizen can. I think $150,000 additional is entirely too much, Mr. Speaker, and I hope the amendment will prevail.

Mr. EAGLE and Mr. BURNETT rose.

The SPEAKER. The gentleman from Texas is recognized.

Mr. MANN. Oh, Mr. Speaker, if we are going to take all the time on this amendment, we will quit now.

Mr. BURNETT. I would like to have five minutes to reply to the gentleman from Texas [Mr. BLANTON].

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and the chairman announced that the "noes" seemed to have it.

Mr. BLANTON. A division, Mr. Speaker.

The SPEAKER pro tempore. A division is demanded.

The House divided; and there were—ayes 3, noes 39.

So the amendment was rejected.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HOLLINGSWORTH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CUSTODIAN SERVICE, TREASURY DEPARTMENT.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 344) for the regulation of salaries in the custodian service of the Treasury Department.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I reserve the right to object.

The SPEAKER pro tempore. The gentleman from Wisconsin reserves the right to object.

Mr. STAFFORD. Mr. Speaker, this bill provides for an increase of salaries for a large number of people in the custodian force. There are some discrepancies in the salaries fixed in the bill. For instance, on page 2, line 23, the salary of the chief engineer is fixed at $2,500, whereas the assistant chief engineer is to receive the same salary. You grant him the maximum salary of $2,500. There ought to be some leeway, some difference, between the salary paid the chief engineer and that of the assistant engineer. You should not grant the assistant engineer the maximum salary which is paid to the chief engineer.

Mr. LOBECK. I wish to state to the gentleman from Wisconsin that in preparing the bill H. R. 344, the bill now under consideration, the committee went over it carefully with the officials of the Treasury Department, and we thought the bill as prepared fixed salaries in an equitable manner.

Mr. STAFFORD. I think in the case instanced it must have been an oversight, because in most instances you grade the salaries. Would the gentleman have any objection to inserting in lieu of "$2,500" the salary of "$1,200 to $2,000" for the assistant chief engineer. That would be in harmony with the general plan. On page 2, line 23, you provide for a chief engineer at $2,500, and in the next line you provide the salary of the assistant chief engineer also at $2,500. Certainly a less salary should be paid to the assistant engineer than the maximum salary paid to the chief engineer.

Mr. LOBECK. I think myself that is an error. I will be glad to accept a proper amendment.

Mr. STAFFORD. I direct the gentleman's attention also to section 3, authorizing the Secretary of the Treasury to vary from the schedule of salaries set forth in the preceding sections. What is the necessity of allowing the Secretary of the Treasury to override the action of Congress and pay these employees any salary he chooses?

Mr. LOBECK. Well, it has been the custom heretofore, for all time; the Secretary of the Treasury has been authorized to fix these salaries according to the location of the buildings throughout the country. There are certain portions of the country now where there is not the same amount in the day's work; that is, the length of work is not as much as it is in other parts of the country, and during certain periods of the year they do not need the service all the time. So, in the first place, the gentleman from New York [Mr. CHARLES B. SMITH] introduced a bill in the Sixty-fourth Congress. We had that up for consideration in our committee several times, and reported back a bill in substance like this which is now before the House, H. R. No. 344. We found out, upon consideration, that in the larger cities, those that have a population of 100,000 or more, it was necessary to pay a larger wage than in cities of from 25,000 up to 100,000, and still less in cities of less than 25,000.

If the gentleman from Wisconsin will consult the hearings—I do not know whether he has a copy; if not, I will give one to him—he will find out that it was thought wise by the committee of the Treasury Department to divide the buildings into three classes.

Mr. STAFFORD. I am not objecting to the classification, but I do not think we should grant to the Secretary of the Treasury unlimited authority to pay any salary to these officials that he sees fit. We are making a liberal provision for these respective employees of the Government. Their salaries should be increased. They should have been increased a long time ago.

Mr. LOBECK. Surely.

Mr. STAFFORD. But I think that section 3 should be eliminated from the bill.

Mr. LOBECK. The Secretary of the Treasury has had to pay these salaries out of lump sums appropriated by Congress.

Mr. STAFFORD. That is what we want to overcome. I am sorry to say that the Committee on Appropriations are at fault. For several years I have attempted, in committee and on the floor, to have the lump-sum appropriations for the custodian force of the country increased, but without success. Now, the salaries provided in this bill are not inordinately high. Let us prescribe them, and allow the men to receive these salaries.

Mr. LOBECK. The salaries which are here provided.

Mr. STAFFORD. Is the gentleman willing to have section 3 stricken out? I think it is fair that the employees should receive the salaries prescribed in this bill.

Mr. LOBECK. Yes; I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection.

There was no objection.

Mr. LOBECK. I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the bill for amendment.

The Clerk read as follows:

Assistant chief engineer, $2,500 per annum.

Mr. STAFFORD. I move to strike out "$2,500" in line 24, page 2, and insert "$1,200 to $2,000."

Mr. LOBECK. I accept the amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 24, strike out "$2,500" and insert "$1,200 to $2,000."

The amendment was agreed to.

The Clerk read as follows:

Engineer-electrician (second class), $1,200 per annum.
Engineer-electrician (third class), $1,200 per annum.

Mr. MANN. Mr. Speaker, what is the object in having an engineer-electrician (second class) and an engineer-electrician (third class), whose salary is the same?

Mr. LOBECK. The work is the same in both classes of building.

Mr. STAFFORD. This bill, as has been explained, divides the cities into three classes according to population, and salaries paid to these engineer-electricians are the same in both classes because the work is the same in both classes.

The Clerk read as follows:

SEC. 3. That the Secretary of the Treasury is authorized to vary from the schedule of salaries hereinabove set forth in such cases where, in his judgment, a strict adherence thereto would militate against procuring the services of suitable and efficient employees or would result in the payment of a larger compensation than is warranted by local conditions, character of employment, etc.

Mr. STAFFORD. Mr. Speaker, I move to strike out section 3.

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Page 7, line 4, strike out all of section 3.

Mr. STAFFORD. Mr. Speaker, just a word. As was stated in the colloquy with the gentleman from Nebraska [Mr. LOBECK], this section would give the Secretary of the Treasury the privilege of reducing or increasing the amounts carried in this bill. It might result in the same low salaries remaining in effect that are now being paid to the custodian force, because the total appropriation carried in the sundry civil bill might not be adequate to give these salaries. If section 3 is stricken out, the men will receive the increase of salaries, and if the appropriation is inadequate that will be a warrant for a deficiency appropriation to pay the salaries which this bill prescribes.

Mr. LOBECK. Does the gentleman mean that if this section stays in the bill the Secretary of the Treasury could reduce the salaries below the figures fixed here?

Mr. STAFFORD. That is one of the provisions of this paragraph.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The Clerk completed the reading of the bill.

Mr. LOBECK. Mr. Speaker, I ask unanimous consent to go back to section 1, line 8. Section 3 has been stricken out, and the words in line 8 are "except as set forth in section 3 hereof." I move that those words be stricken out.

The SPEAKER pro tempore. The gentleman asks unanimous consent to return to section 1, line 8. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 8, after the word "schedule," strike out the remainder of the paragraph.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. LOBECK, a motion to reconsider the vote whereby the bill was passed was laid on the table.

BRIDGE ACROSS THE COLUMBIA RIVER, STATE OF WASHINGTON.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13915) granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DILLON. Mr. Speaker, I ask unanimous consent that the bill S. 5316, a similar bill on the House Calendar, be substituted for the House bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Wenatchee-Beebe Orchard Co., a corporation organized under the laws of the State of Maine, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation, at or near a point within 4 miles northerly from the town of Chelan Falls, in the county of Chelan, in the State of Washington, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. DILLON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The bill H. R. 13915 was laid on the table.

SALARIES OF CLERKS OF UNITED STATES DISTRICT COURTS.

The next business on the Calendar for Unanimous Consent was the bill (S. 3079) to fix the salaries for clerks in the United States district courts and to provide for their official expenses, and for other purposes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to consider the bill in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That on and after the 1st day of July, 1918, all clerks of United States district courts shall be appointed by the judge for the district, or the senior judge if there be more than one judge in the district, subject to the approval of the senior circuit judge for the circuit in which the district is situated, and all fees and emoluments authorized by law to be paid to the clerks of the United States district courts, except the clerks of the district courts of Alaska, shall be charged as heretofore and shall be collected, as far as possible, and paid into the Treasury of the United States in such manner and at such times as hereinafter provided; and such clerks shall be paid, in lieu of the fees and emoluments now allowed by law, an annual salary as hereinafter provided: *Provided*, That this section shall not be construed to require or authorize fees to be charged or collected from the United States.

SEC. 2. That the clerk of the United States district court for each of the judicial districts of the United States, except the clerks of the district courts of Alaska, shall be paid, in lieu of the fees, salaries, and per cent now allowed by law, an annual salary to be fixed by the Attorney General at not less than $2,500 nor more than $5,000, based in each instance upon the amount of business transacted by the court and the fees and the emoluments received by the clerks in the four years last preceding.

SEC. 3. That when any clerk of a district court is necessarily absent from his official residence on any official business he shall be allowed his actual traveling expenses only and his necessary and actual expenses for lodging and subsistence, the latter not to exceed $4 per day.

SEC. 4. That when, in the opinion of the Attorney General, the public interest requires it he may, on the recommendation of the clerk of a district court, which recommendation shall state facts (as distinguished from conclusions) showing necessity for the same, allow such clerk to employ necessary deputies and clerical assistants, upon compensation to be fixed by the Attorney General from time to time and paid as hereinafter provided.

When any such deputy or clerical assistant is necessarily absent from the place of his regular employment on official business he shall be allowed his actual traveling expenses only and his necessary and actual expenses for lodging and subsistence, the latter not to exceed $3 per day.

SEC. 5. That the necessary office expenses of the clerks of the district courts of the United States shall be allowed when authorized by the Attorney General.

SEC. 6. That the salaries of the clerks, deputy clerks, and clerical assistants to the clerks of the district courts shall be paid monthly by the marshals of the respective districts.

SEC. 7. That the expense accounts of clerks of the United States district courts, when made out and verified, and the expense accounts of their deputy clerks and clerical assistants, when made out and certified as correct by the clerk of such court, covering the necessary expenses incurred by such clerk, deputy clerk, or clerical assistants when necessarily absent from the place of regular employment on official business, shall be paid by the marshal, who shall include them in his accounts with the United States.

SEC. 8. That the necessary office expenses of the clerk of the United States district court, as allowed and authorized by the Attorney General, shall be paid by the marshal and included in his accounts with the United States.

SEC. 9. That the clerk of every district court, except the clerks of the district courts of Alaska, shall account quarterly for all the fees and emoluments earned during the quarter last preceding such accounting, except where the person requiring the services is relieved by law from prepayment of fees and costs, and for all fees and emoluments received within the quarter which had been earned prior thereto. Such accounting shall be in writing and shall be made to the Attorney General, in such form as he may prescribe, on the 1st day of January, April, July, and October in each year, or within 20 days thereafter, and shall include all moneys received in connection with the admission of attorneys to practice in the court, all that portion retained by the clerk of moneys received for services in naturalization proceedings in whatever capacity rendered, and all other amounts received for services in any way connected with the clerk's office. Such accounts shall be made in duplicate and be verified by the oath of the officer making them. The Attorney General shall cause each such return or account to be carefully examined by the proper officer of the Department of Justice and shall approve the same as he may deem just and proper, and shall transmit it with his approval to the Auditor for the State and Other Departments, by whom an account shall be stated against the officer rendering such return or account. Immediately upon receipt of notice from the auditor, or within 10 days thereafter, the clerk shall deposit to the credit of the Treasurer of the United States the amount so stated against him.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, on page 3, line 9, I find that the limit of expenses for the deputy clerk when it is necessary for him to travel in the performance of a public duty is only $3 a day, while when the clerk himself travels it is $4 a day. I can see no difference. I do not know why one should be allowed $4 and the other only $3.

Mr. SIEGEL. The clerk himself must travel a greater distance for the purpose of covering the entire field, while the deputy clerk travels only over part of the circuit. That was considered in the Senate. The Attorney General recommends that it be fixed in that way.

Mr. McLAUGHLIN of Michigan. When one official travels he is at as much expense as the other. If it will not embarrass the bill, this being a Senate bill, I should offer an amendment.

Mr. SIEGEL. Mr. Speaker, I will ask the gentleman not to offer an amendment for this reason: The clerks and the Attorney General and everyone else asks for the passage of this bill as it is.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. DYER. Mr. Speaker, I desire to ask the gentleman a question. On page 1 there is a provision that the clerks shall be appointed by the judge for the district, or the senior judge, if there be more than one judge of the district. Has the gentleman examined the bill that we passed some time ago increasing the pay of Federal judges and making other provisions with reference to the appointment of additional judges?

Mr. SIEGEL. Yes.

Mr. DYER. Does the gentleman know, from his examination and consideration of this, in connection with the Department of Justice, who would appoint the district clerks in those cases—whether the old judge or the judge coming in, if one does come in under the provisions of that law?

Mr. SIEGEL. My understanding of the opinion of those favoring this bill is that the old judge would make the appointment.

Mr. DYER. Is the gentleman positive about that or is he guessing at it?

Mr. SIEGEL. I am not guessing at it. That is what I have been told. Take New York, with its four judges. The appointment has to be made subject to the senior judge.

Mr. DYER. One provision of that bill is that the President may appoint an additional judge where he finds the present judge, because of physical or mental disabilities, unable to perform the duties of the office. My understanding of that bill was that the new judge appointed would be the senior judge in effect.

Mr. MANN. Yes.

Mr. DYER. He would appoint the clerk, would he not?

Mr. MANN. I think that is correct.

Mr. DYER. That was my understanding, and I think the gentleman from New York is wrong.

Mr. SIEGEL. My understanding was the other way, but it would not make any difference, because where there is more than one district judge the appointment would have to receive the approval of the senior circuit judge.

Mr. DYER. The new judge in that case would make the appointment, subject to the approval of the senior circuit judge.

Mr. MANN. I think so, under that bill.

Mr. DYER. It makes no difference, but I just wanted to get the information.

Mr. SIEGEL. I differ on that point.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. SIEGEL. Yes.

Mr. BLANTON. What is the necessity of a deputy clerk traveling over the district?

Mr. SIEGEL. The necessity is this: Let us take a district like New York, for example, where there are eight criminal cases proceeding at the present time. The chief clerk is expected to remain there and the deputy clerk would have to go about in the district if it was decided to hold court somewhere else outside of Manhattan Borough.

Mr. BLANTON. The way business is transacted in the State of Texas, there are six places where one district judge holds court, and at each of those places there is a resident deputy clerk.

Mr. HASTINGS. That is not true in Oklahoma.

Mr. BANKHEAD. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The regular order is, Shall the bill pass?

The question was taken, and the bill was passed.

On motion of Mr. SIEGEL, a motion to reconsider the vote by which the bill was passed was laid on the table.

On motion of Mr. SIEGEL, a similar House bill—8426—was ordered to lie on the table.

Mr. LOBECK. Mr. Speaker, I ask unanimous consent to extend and revise my remarks in the RECORD on the custodian bill, just passed.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MAKING GULFPORT, MISS., A PORT OF ENTRY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 5999) for the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the privileges of the first and seventh sections of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement be, and are hereby, extended to the port of Gulfport, Miss.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. CANDLER of Mississippi, a motion to reconsider the vote by which the bill was passed was laid on the table.

STOCK-RAISING HOMESTEADS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12589) to amend section 4 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, are we to understand that the purpose of this bill is to increase the acreage that may be obtained by homesteaders from 320 to 640 acres?

Mr. GANDY. Not in the least.

Mr. STAFFORD. The report is not very clear in that respect.

Mr. GANDY. Down to the proviso this follows the same language as present section 4. There are quite a few cases where men have taken noncontiguous additional entries under the half-section act. Folks who have that kind of an entry, who are residing on the land, should not be barred from taking such acreage adjoining them as will give them a total of 640 acres. They are barred if their noncontiguous additional is more than 20 miles from their original, notwithstanding they are living on the noncontiguous additional.

Mr. STAFFORD. Well, was it intended when that original act was passed that we would only grant this privilege to take this land within immediate territory? At the suggestion of my then colleague, the gentleman from Wisconsin, Mr. LENROOT, it was placed at 10 miles, and later it was extended to 20 miles. Now, is it intended to have no limit?

Mr. GANDY. Let me say to the gentleman at the time that bill was passed we did not have a provision for the noncontiguous additional under the half-section act. That has been passed since the section act was passed. The intention of Mr. LENROOT, who, during the consideration of the section bill, offered the amendment on the 20-mile limitation to my amendment providing for noncontiguous additional entries was that

the said additional should be within that distance of the place where the homesteader resides. This amendment simply permits a homesteader who is residing on the noncontiguous additional under the half-section act to fill his section adjoining it. It does not permit him to go any place else.

Mr. STAFFORD. As I understand it, it permits him to take more than 640 acres——

Mr. GANDY. No.

Mr. STAFFORD. Besides the original entry.

Mr. GANDY. No; the original, the noncontiguous additional under the half-section act, and then this additional under the section act must not exceed 640 acres, subject to all being designated under the section act. Thus if the original is not of the kind and character contemplated by the section act he could not take anything under this, but if the original and noncontiguous additional on which he is living and which he is cultivating are of that kind of land, then there is no reason why, if there is any adjoining vacant public land, he should not be *permitted* to file on it.

Mr. STAFFORD. I ask the gentleman to have this bill passed over without prejudice.

Mr. GANDY. I hope the gentleman will permit this bill to go to passage.

Mr. STAFFORD. Oh, this merely grants to some persons who have large holdings at the present additional holdings and takes land from others who would like to locate on it.

Mr. GANDY. This is to take care of a condition that has arisen since section 7 was added to the half-section act.

Mr. STAFFORD. Well, Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Wisconsin objects, and the bill is stricken from the calendar.

ADDITIONAL JUDGE FOR NORTHERN DISTRICT OF CALIFORNIA.

The next business in order on the Calendar for Unanimous Consent was the bill (S. 2910) providing for an additional judge for the northern district of California.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Mr. Speaker, I object.

Mr. KAHN. Mr. Speaker, I hope the gentleman will reserve his objection for a moment.

Mr. WALSH. I will reserve it for a moment, but I intend to object.

Mr. KAHN. Mr. Speaker, I hope the gentleman will not do that because there is a very serious condition in the northern district of California. That district is the second in the United States in point of number of cases on the calendar and tried. It is the first in the Union in the collection of fines. It pays its own expenses. There are now some 700 criminal cases waiting for trial and not a dead case in the lot. There are 3,500 civil cases between civilians to which the Government of the United States is not a party, but cases that have to be tried under the United States laws and in a United States court.

Mr. GORDON. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. GORDON. Why have they not transferred a judge from some other district?

Mr. KAHN. I was going to say that they have had two judges there for 401 days within the last year and a half, and yet they can not seem to catch up with the calendar.

Mr. GORDON. Are they gaining any on it?

Mr. KAHN. No. They are not gaining, because about as many cases as they are able to try are filed, so that the calendar keeps right up. They have made no dent in it at all. It is a very serious condition. There are about a million inhabitants right around the bay of San Francisco; and then the court also holds a session in Sacramento, where there is a pretty good-sized calendar.

Mr. GORDON. That must be an awfully lawless community.

Mr. KAHN. Oh, well; it is not worse than Cleveland. [Laughter.]

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. I object.

The SPEAKER pro tempore. The gentleman from Massachusetts objects, and the bill is stricken from the calendar.

Mr. RAKER. Mr. Speaker, if it is still in order, I hope the gentleman will let the bill remain on the calendar.

The SPEAKER pro tempore. The bill has already been stricken from the calendar.

Mr. RAKER. I ask unanimous consent to have it remain on the calendar and go to the foot of it.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that it may remain on the calendar and go to the foot of the same. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. I ask unanimous consent that I may extend my remarks upon this bill.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to extend his remarks on this bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the next bill.

CONTRIBUTION OF NATIONAL BANKS TO UNITED WAR WORK CAMPAIGN.

The next business on the Calendar for Unanimous Consent was the Senate joint resolution 179, authorizing national banks to subscribe to the United War Work Campaign.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. WALSH. Mr. Speaker, I object.

Mr. EAGLE. Will the gentleman reserve his objection?

The SPEAKER pro tempore. Will the gentleman from Massachusetts give ear to the gentleman from Texas? Will the gentleman reserve his objection?

Mr. WALSH. Yes; but I intend to object, I will say to my distinguished friend from Texas.

Mr. EAGLE. If the gentleman's mind is made up without any opportunity for an exchange of views, I will not ask for the time.

Mr. WALSH. I reserve the objection if the gentleman desires to extend his views, and will listen to them very gladly.

Mr. DUPRÉ. Will the gentleman insist, after the gentleman from Texas has spoken, in pursuing his inquiry?

Mr. WALSH. Not having made an inquiry, there is no reason for me to pursue it.

Mr. DUPRÉ. Will the gentleman insist in the enlargement of his language of the situation?

Mr. WALSH. I will reserve the objection. As I said, I will be very glad to hear the gentleman from Texas.

Mr. EAGLE. Mr. Speaker, I have no interest in this bill any different from what may be had by any other gentleman of the Congress. The Banking and Currency Committee of the Senate unanimously reported Senate joint resolution No. 179, and the Senate of the United States unanimously passed it. The Committee on Banking and Currency of the House of Representatives unanimously have passed this resolution and have asked that report be made on it to that effect, and it has been; and it has been placed on the calendar.

Mr. GORDON. What does the bill provide for?

Mr. EAGLE. I was going to state that next. It will follow in due course.

While the war was at its height, along in October, the President of the United States, at the solicitation of seven great American charitable organizations that desired to turn their activities to helpful purposes in the war, directed the designation of "The United War Work Campaign." These seven associations were the Young Men's Christian Association, the Young Women's Christian Association, the Knights of Columbus, the Jewish Welfare Board, the War Camp Community Service, the American Library Association, and the Salvation Army.

They started out to raise a total of $170,500,000, every cent of which was to be devoted to helping in a material way and in a moral way and in other ways, if possible, the soldiers of the American Army and the sailors of the American Navy. Most of that money has been raised. All that has been raised is being turned over to an incorporation entitled "The United War Work Campaign (Inc.)." Its officers are persons of the highest standing, even as its incorporators are; and so every branch of religion whose devotees live in this country, and every branch of charitable inclination in this land, desiring to do what the women and the men call "war work," have united their activities and their solicitations for the funds necessary to enable them to perform those activities.

For instance, in this aggregation $100,000,000, or 58.65 per cent, is the amount which the Young Men's Christian Association is to raise; the Young Women's Christian Association is to raise $15,000,000, or 8.80 per cent; the Knights of Columbus, $30,000,000, or 17.60 per cent; the Jewish Welfare Board, $3,500,000, or 2.05 per cent; the War Camp Community Service, $15,000,000, or 8.80 per cent; the American Library Association, $3,500,000, or 2.05 per cent; and the Salvation Army, $3,500,000, or 2.05 per cent.

I am almost done, and I appreciate the courtesy of the House and of the gentleman from Massachusetts [Mr. WALSH] for permitting me to make this statement. I want in conclusion to say only this: The 7,500 or 7,600 national banking associations are each and all by statute prohibited from making any contributions toward this cause, as they were prohibited from contributing to the Red Cross until a few months ago, when the

Congress amended the banking law so as to allow contributions to be made by national banks to the funds of the Red Cross. Now, a further amendment is proposed to allow national banks to subscribe to this fund by this joint resolution.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. EAGLE. Yes; and I may say that this resolution expressly limits the time within which such subscriptions can be made to the termination of the war, which, of course, as we know, will be on the declaration of peace.

Now, one word more, and then I shall have said what it seems to me is proper to be said in this connection, and that is that the National Bankers' Association, in convention assembled, unanimously adopted a resolution, which they sent to our committee, asking that this legislation be passed. And, lastly, I want to add that the national banks have subscribed a total of some $6,000,000, contingent upon the possible passage of this resolution. The Senate has passed it unanimously. If consent is given for its present consideration, I believe it will pass almost unanimously in the House.

Mr. FESS. Some of us, and among us perhaps our friend from Texas, voted against singling out one of these activities, because it did not include the others. This is to include all the united war-work activities?

Mr. EAGLE. It is; and it is the giving of an opportunity to each and all persons so inclined to give that made it possible for the work that has been done in this common cause to be performed, thus eliminating entirely any sectarian, any religious, any denominational, or any other undesirable qualification. [Applause.]

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Well, Mr. Speaker, I was opposed to this policy, as instanced by opposing the bill to give the banks authority to contribute to the Red Cross; and certainly I am opposed to extending that authority and broadening the authority given to these banks, and therefore I object.

The SPEAKER pro tempore. The gentleman from Massachusetts objects, and the bill is stricken from the calendar. The Clerk will report the next bill.

AMENDMENT TO THE FEDERAL RESERVE ACT.

The next business on the Calendar for Unanimous Consent was the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. MANN. Reserving the right to object, if this had come up in the regular order I should have made a point of order against the amendment recommended by the committee, because it is subject to a point of order. I am opposed absolutely and clear through to section 4 of this bill permitting branch banking.

I do not know what other gentlemen may think about other features of the bill, but as far as I am concerned I am perfectly willing to consider the bill, if gentlemen still agree that section 4 of the House amendment be stricken out.

Mr. HAYES. Mr. Speaker, I ask unanimous consent that section 4 be stricken out.

Mr. PHELAN. Mr. Speaker, reserving the right to object, I wish to say that ordinarily when the committee of which I happen to be chairman reports a bill, I endeavor to keep in the bill all the sections which the committee have reported; but there are some sections of this bill that are of extreme importance; and because of the importance of those sections and the great necessity of getting action on this bill, I am perfectly willing to have section 4 stricken out if that will secure consideration for the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think the bill is of such importance that some explanation should be made of the various purposes of the bill before it passes the objection stage.

Mr. PHELAN. I am perfectly willing to make any explanation that is necessary.

Mr. HAYES. Mr. Speaker, is it in order to put my request that section 4 be stricken out?

The SPEAKER pro tempore. The Chair hardly thinks it would be in order until consent is given for the consideration of the bill. Is there objection?

Mr. SISSON. Mr. Speaker, the bill has not been reported.

The SPEAKER pro tempore. The bill has been reported by title.

Mr. SISSON. By title, but not read.

The SPEAKER pro tempore. If the gentleman demands it, the bill will be read.

Mr. MANN. Is it proposed to read the Senate bill or the House amendment?

Mr. PHELAN. I ask unanimous consent that the reading of the Senate bill be dispensed with and that the Clerk read the House bill only.

Mr. MANN. The House amendment?

Mr. PHELAN. The Senate bill as amended by the House committee.

The SPEAKER pro tempore. The gentleman asks unanimous consent that the House amendment be read. Is there objection?

There was no objection.

The Clerk read as follows:

That that part of the first paragraph of section 7 of the Federal reserve act which reads as follows: "After the aforesaid dividend claims have been fully met, all the net earnings shall be paid to the United States as a franchise tax, except that one-half of such net earnings shall be paid into a surplus fund until it shall amount to 40 per cent of the paid-in capital stock of such bank," be amended to read as follows:

"After the aforesaid dividend claims have been fully met, the net earnings shall be paid to the United States as a franchise tax, except that the whole of such net earnings shall be paid into a surplus fund until it shall amount to 100 per cent of the subscribed capital stock of such bank, and that thereafter 10 per cent of such net earnings shall be paid into the surplus."

SEC. 2. That that part of section 10 of the Federal reserve act which reads as follows: "The members of said board, the Secretary of the Treasury, the Assistant Secretaries of the Treasury, and the Comptroller of the Currency, shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank," be amended as follows:

"The Secretary of the Treasury, the Assistant Secretaries of the Treasury, and the Comptroller of the Currency shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank. The appointed members of the Federal Reserve Board shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any member bank, except that this restriction shall not apply to a member who has served the full term for which he was appointed."

SEC. 3. That section 11 of the Federal reserve act, as amended by the act of September 7, 1916, be further amended by striking out the whole of subsection (m) and by substituting therefor a subsection to read as follows:

"(m) Upon the affirmative vote of not less than five of its members, the Federal Reserve Board shall have power to permit Federal reserve banks to discount for any member bank notes of any one borrower in excess of the amount permitted by section 9 and section 13 of this act: *Provided, however*, That all such notes discounted for any member bank in excess of the amount permitted under such section shall be secured by not less than a like face amount of bonds of the United States issued since April 24, 1917, or certificates of indebtedness of the United States."

SEC. 4. That section 25 of the Federal reserve act be amended by adding thereto a provision to read as follows:

"That any national bank located in a city or incorporated town of more than 100,000 inhabitans and possessing a capital and surplus of $1,000,000 or more, may, under such rules and regulations as the Federal Reserve Board may prescribe, establish branches, not to exceed 10 in number, within the corporate limits of the city or town in which it is located. But no such branch shall be established in any State in which neither State banks nor trust companies may lawfully establish branches, nor shall the number of branches which a member bank may establish exceed the number of branches which the laws of the State in which said bank is situated permit a State bank or trust company to establish within the corporate limits of said city or town."

SEC. 5. That section 5172, Revised Statutes of the United States, be amended to read as follows:

"That in order to furnish suitable notes for circulation the Comptroller of the Currency shall, under the direction of the Secretary of the Treasury, cause plates and dies to be engraved, in the best manner to guard against counterfeiting and fraudulent alterations, and shall have printed therefrom and numbered such quantity of circulating notes in blank, or bearing engraved signatures of officers as herein provided, of the denominations of $1, $2, $5, $10, $20, $50, $100, $500, and $1,000, as may be required to supply the associations entitled to receive the same. Such notes shall express upon their face that they are secured by United States bond deposited with the Treasurer of the United States, by the written or engraved signature of the Treasurer and Register, and by the imprint of the seal of the Treasury; and shall also express upon their face the promise of the association receiving the same to pay on demand, attested by the written or engraved signatures of the president or vice president and cashier; and shall bear such devices and such other statements and shall be in such form as the Secretary of the Treasury shall, by regulation, direct."

The SPEAKER pro tempore (Mr. HASTINGS). Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, let the chairman of the committee, Mr. PHELAN, explain the purposes of sections 1 and 2.

Mr. PHELAN. I will be very glad to explain the whole bill if the gentleman desires to have it explained now.

Mr. STAFFORD. That is the practice when we are considering bills by unanimous consent, particularly a bill of this importance.

Mr. PHELAN. Mr. Speaker, section 1 of this bill provides for a different application from that prevailing under present law of the earnings of the Federal reserve banks, above the dividend requirements. Under the present law, after the divi-

dends have been paid, all the net earnings are paid to the United States as a franchise tax, except that one-half of these net earnings are put into a surplus fund until that surplus fund reaches 40 per cent of the paid-in capital stock of such bank.

Under the proposed amendment the net earnings above dividend requirements are to be paid over to the surplus Federal reserve bank until it equals 100 per cent of the subscribed capital; that is, twice the paid-in capital, and thereafter annually 10 per cent of the net earnings above dividend requirements shall be paid into the surplus. There are three general purposes. In the first place, the building up of the surplus will make the Federal reserve banks even stronger than they are to-day. I think there is nobody—at any rate, nobody in this country—who questions the strength of these Federal reserve banks; but the war has made many changes. There are now in circulation a great many more Federal reserve notes than there were before the war broke out, or than were contemplated when the act went into effect. The banks have extended more credits than they would have extended if it had not been for the war, and anything we can do to add to the resources of the banks and to strengthen the banks, makes them better able to meet any necessary demands or expansion coming hereafter.

Mr. STAFFORD. Is there any way by which the Federal reserve banks can curtail the credit and asset currency they have floated during the war period?

Mr. PHELAN. They can do it whenever it is desirable to do it—whenever the commercial or governmental needs are such that they can do it without interfering with such needs.

Mr. STAFFORD. Does not the gentleman believe that the tremendous expansion of credit that has been going on during the war should be curtailed?

Mr. PHELAN. I do not know that it should be. I hope that conditions will permit it to be done. I think we are in a position where it is being done. I think within a short time there has been a curtailment of 400,000,000 Federal reserve notes.

Now to continue: The second reason, looking at it from a domestic standpoint, for this amendment is this: In 10 of the 12 Federal reserve districts the banks have already purchased sites for buildings; in two reserve cities they have not done it. In rented quarters they have found it extremely difficult to get the proper accommodations for their business. They find it difficult, for example, in rented quarters to get proper vault accommodation. With this great growth it is essential to get permanent and adequate quarters. It is undesirable as a banking proposition to have to invest too great a proportion of their capital and surplus in fixed investments, such as real estate and buildings. If we give them additional surplus, it will enable them to invest the money for these much-needed facilities without using too great percentage of the capital and surplus.

In the third place, this amendment is important because of the effect it will have on foreign countries with whom the people of this country in the near future will be carrying on a very extensive foreign trade. The people in foreign countries, when they look at a bank in any country to judge of its strength, look primarily at its capital and surplus. When they look at the banks in this country, individual Federal reserve banks, that is the first item to which they give their attention. We know how the Federal Reserve System was established. We know the firm foundation underneath the whole system, but the foreigner can not have that explained to him.

And especially he will have difficulty in understanding it when traders from other countries will be pointing out how much stronger their banks are than ours. If we build up a good surplus in the banks we will increase the apparent strength as well as the real strength. To create the proper impression in foreign countries in which we plan to develop trade of great magnitude we ought to make a showing of capital and surplus which will give some indication of the unquestionable soundness and strength which actually exists in our Federal reserve banks.

For example, the Federal reserve bank in New York has a capital and surplus of something over $20,000,000, while the Bank of England has a surplus of $97,000,000, France $44,000,000, Italy $53,000,000, and so on down through the various foreign banks.

The Federal reserve bank possesses an abundance of strength and power and resources far beyond what its capital and surplus would indicate. When it is so easy to add to its surplus by the adoption of this amendment, we certainly ought to do it and thus give it in every respect the appearance of power with which it is actually endowed.

Mr. HAYES. Mr. Speaker, in response to the gentleman from Wisconsin, I want to remind him that a large per cent of these loans and this extension has come about because the banks are financing the Government. These loans are largely secured by United States securities. I can say to the gentleman that I know from very reliable authority that the Federal banks have notified the member banks some time ago and cautioned them frequently to curtail loans as far as possible.

Mr. STAFFORD. Can the gentleman inform the House the amount per capita of the issue of Federal reserve notes?

Mr. HAYES. I can not; but it is very large.

Mr. STAFFORD. I have heard that it was $35 per capita, more than twice the amount that was out at the close of the Civil War. That is pure asset currency, and accounts for the tremendous inflation and high prices that obtain.

Mr. PHELAN. Oh, no.

Mr. STAFFORD. Does the gentleman deny that high prices have not resulted from it?

Mr. PHELAN. Not from the Federal reserve banks. It has come about by war itself, and the Federal Reserve System has taken care of war conditions. Let me point out that a considerable number of reserve notes have been issued in this war by an amendment to the Federal reserve act passed by Congress many months ago permitting the Federal banks to exchange Federal reserve notes for gold, in order that they might accumulate the gold floating around through the country.

Because of that act and because of their issue of Federal reserve notes, they have accumulated a very large sum of gold, which has been of great advantage during the war, and, of course, will be of great advantage to the business, commerce, and agriculture of the country in the great work of reconstruction.

Mr. STAFFORD. Mr. Speaker, we all realize that we authorized the Federal Reserve Board to increase the amount of the Federal reserve notes as a war emergency. The predecessor of the gentleman acting as chairman, now the distinguished Secretary of the Treasury, advocated the issue of asset currency as a war-emergency proposition, and it may have been necessary, but I thought some method would be devised whereby we would go to normal conditions and do away with the inflation from which we are now suffering.

Mr. PHELAN. I have no recollection of any act that passed to enable notes to be issued for war purposes. We did pass an act to permit Federal reserve bank notes to be issued to take care of the situation in a dependency of a foreign country, but all Federal reserve notes that have been issued have been issued under authorization of law enacted long before we went into war.

Mr. STAFFORD. I remember distinctly the former chairman stating that the legislation then under consideration would not have had his support if it were not for the war conditions.

Mr. PHELAN. That was the so-called silver coinage bill, which permitted an issue of Federal reserve bank notes, but that had absolutely nothing to do with local or domestic conditions. It had to do simply and solely with a foreign country, or rather with the dependency of one of our cobelligerents, to take care of a critical situation there. We passed that, and when we passed it, all we did was to furnish Federal reserve bank notes in place of silver certificates, the security of which—that is the silver was melted before the Federal reserve bank notes were put out; hence any Federal reserve bank notes that were put out, as suggested by the gentleman, were put out to replace silver certificates that had been outstanding at the time we passed the legislation.

Mr. HAYES. Let me suggest here that all this asset currency, as the gentleman from Wisconsin [Mr. STAFFORD] calls it, has behind it more than 40 per cent of gold.

Mr. PHELAN. Oh, it has behind it to-day over 50 per cent of gold.

Mr. PLATT. More than 50 per cent.

Mr. SLOAN. Fifty-one per cent the Treasurer told us to-day, which prompts me to ask the gentleman as to whether or not the reserve system——

The SPEAKER pro tempore (Mr. HASTINGS). Is there objection to the present consideration of the bill?

Mr. SLOAN. Mr. Speaker, I reserve the right to object for a moment. Is it the gentleman's opinion that the reserve system will be sufficiently strong to serve the purpose of our present foreign commerce and our prospective foreign commerce during the next two or three years, or will it need assistance from some other Federal agency.

Mr. PHELAN. I think it is fully strong enough to take care of every demand made upon it, either domestic or foreign.

Mr. SLOAN. I quite agree with the gentleman.

Mr. PHELAN. I have the utmost confidence that is so, and I will say in that connection that it has already borne burdens that nobody ever realized or anticipated could have been heaped upon it. The Federal Reserve System has done more

than anybody could anticipate, and without the Federal Reserve System it is a question how, if at all, the Government could have financed the world war.

Mr. SLOAN. I am very glad to hear the gentleman say that, representing the position, because I have taken that position in committee meetings, where a different position was taken by a great many members, and I insisted that the Federal system be given an opportunity to finance the country, and especially arrange for its foreign commerce now and during the next three years.

Mr. PHELAN. I am glad to hear the gentleman say that.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. PHELAN. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. HAYES. Mr. Speaker, I ask unanimous consent that section 4 of the House amendment be stricken out.

The SPEAKER pro tempore. The gentleman asks unanimous consent that section 4 of the House amendment be stricken from the bill. Is there objection?

There was no objection.

Mr. PHELAN. Mr. Speaker, in view of that, I ask unanimous consent that the title be changed.

Mr. MANN. We have not yet come to the question of the title. Let me ask the gentleman a question. This is a Senate bill, and as it passed the Senate the title reads:

To amend sections 7, 10, and 11 of the Federal reserve act—

And so forth.

That indicates when the bill was introduced in the Senate it included an amendment to section 10 of the Federal reserve act, and as that is not in the bill as it comes before the House from the Senate, it indicates to me that the Senate struck out the amendment to section 10. Now, the House committee proposes to amend section 10, which was stricken out in the Senate. I have no objection, as far as I am concerned, but the Senate having stricken out, and as these are the last days of the session and the only purpose of section 10 is to take care of one man in the United States who is amply able to take care of himself, does not the gentleman think it would be wiser policy to pass the Senate bill without that amendment instead of passing the House amendment? If he does the former, that ends it. If the gentleman really wants to kill his bill, he should persist in passing the House amendment, because there is an even chance it will not become a law.

Mr. PHELAN. Mr. Speaker, I have no desire to kill the bill, of course, as the gentleman knows. I may be mistaken, but my recollection is that the Senate committee had reported the bill without section 10, as finally reported. I may be mistaken on that.

Mr. MANN. The title covered section 10.

Mr. PHELAN. I noticed that when the bill came over, but I will say for the sake of the RECORD that the committee did not put in section 2 for the sake of one man. It is true that the names of two men were brought to the attention of the committee, but the committee looked far beyond any one or two men and saw the trouble that might arise from the severe restrictions we had put upon members of the Federal Reserve Board.

Mr. MANN. I will say to the gentleman I am perfectly willing to take care of Paul Warburg; I think he is one of the ablest men the Federal Reserve Board had or is likely to have for a long time to come, but if I were in charge of the bill at this stage of the session of Congress, certainly I would try to pass the bill. I do not care what the gentleman does.

The SPEAKER pro tempore. The Chair is advised that the bill was only read for information. The Clerk will read the bill for amendment.

The bill was read for amendment.

The SPEAKER pro tempore. Section 4 was stricken out by unanimous consent. Without objection, the Clerk will renumber the following sections.

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. PHELAN. I move to amend the title——

Mr. MANN. The gentleman does not need to amend the title.

Mr. PHELAN. Section 25 ought not to be in there, and we have stricken out section 4.

Mr. MANN. The Senate title is all right.

The bill as amended was ordered to be read the third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the title will be amended to conform to the text.

There was no objection.

On motion of Mr. PHELAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

CERTAIN CREDITS TO DISBURSING CLERK, BUREAU OF WAR RISK INSURANCE.

The next business in order on the Calendar for Unanimous Consent was Senate joint resolution 214, authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this joint resolution be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Resolved, etc., That for such reasonable time as may be fixed by the Secretary of the Treasury, but not extending beyond the fiscal year ending June 30, 1920, the accounting officers of the Treasury are hereby authorized and directed to allow credit in the accounts of the disbursing clerk of the Bureau of War Risk Insurance for all payments of insurance installments heretofore or hereafter made under the provisions of Article IV of the war-risk insurance act in advance of the verification of the deduction on the pay rolls, or of the payment otherwise, of all premiums.

Mr. BANKHEAD. Mr. Speaker, the gentleman from Texas [Mr. RAYBURN] had charge of this joint resolution reported from the Committee on Interstate and Foreign Commerce. He stayed here until quite a late hour, and he had a very imperative engagement, and I would suggest——

Mr. ESCH. Mr. Speaker, I think the joint resolution is perfectly plain.

The SPEAKER pro tempore. The question is on the joint resolution.

The question was taken, and the joint resolution was passed.

On motion of Mr. ESCH, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

SUGGESTIONS FROM COMMISSION OF FINE ARTS.

The next business in order on the Calendar for Unanimous Consent was Senate joint resolution 202, requesting the Commission of Fine Arts to submit to the Congress certain suggestions.

Mr. MANN. Mr. Speaker, I ask unanimous consent that this resolution be placed at the foot of the calendar.

Mr. SLAYDEN. What is the request of the gentleman?

Mr. MANN. I ask that the resolution go to the foot of the Unanimous Consent Calendar.

The SPEAKER pro tempore. Is there objection?

Mr. SLAYDEN. I shall certainly object, as this is the last chance.

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects, and the bill will be stricken from the calendar.

RESTRICTIONS ON EXPORTATION OF WORKS OF ART.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 12981) authorizing the Secretary of the Treasury to refuse to permit the exportation of any work of art purporting to be a gift made by an individual or organization to a foreign nation or municipality unless by consent of the Secretary of State.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MANN. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects, and the bill is stricken from the calendar.

COMMISSION TO STANDARDIZE SCREW THREADS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 15495) to amend an act to provide for the appointment of a commission to standardize screw threads.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WALSH. Well, Mr. Speaker, reserving the right to object, can the gentleman from Connecticut [Mr. TILSON] state briefly what the amendments are?

Mr. TILSON. The amendments are, in the first place, to authorize the continuance on the screw-thread commission of two Army officers who are not Regular Army officers. As my friend knows, these officers may now at any time cease to be

officers, or be placed on the reserve list on inactive duty. The other, and the only other, amendment is in the last section, extending the life of the commission for one year. It originally passed the House at one year, but was cut to two months in the Senate and then fixed at six months in the conference. This puts it at a year and a half from the date of the original appointment of the commission; that is, extends the life of the commission one year.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Well, Mr. Speaker, I am not very enthusiastic about this measure. I recognize that it has accomplished quite a good deal of good in the last few months. I was opposed to it when it passed before. I will not object.

Mr. EAGLE. Will the gentleman yield?

Mr. TILSON. I will.

Mr. EAGLE. I want to congratulate the gentleman for having risen later in the evening, when the spirit of amity and good fellowship had arisen in the breast of my friend from Massachusetts.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act providing for the appointment of a commission to standardize screw threads, approved July 18, 1918, be, and the same is hereby, amended so that it will read:

"That a commission is hereby created, to be known as the Commission for the Standardization of Screw Threads, hereinafter referred to as the commission, which shall be composed of nine commissioners, one of whom shall be the Director of the Bureau of Standards, who shall be chairman of the commission; two commissioned officers of the Army, to be appointed by the Secretary of War; two commissioned officers of the Navy, to be appointed by the Secretary of the Navy; and four to be appointed by the Secretary of Commerce, two of whom shall be chosen from nominations made by the American Society of Mechanical Engineers and two from nominations made by the Society of Automotive Engineers: *Provided*, That the two commissioned officers of the Army who may be serving as commissioners at the time of the approval of this act may continue to act as commissioners during the life of the commission.

SEC. 2. That it shall be the duty of said commission to ascertain and establish standards for screw threads, which shall be submitted to the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce for their acceptance and approval. Such standards, when thus accepted and approved, shall be adopted and used in the several manufacturing plants under the control of the War and Navy Departments, and, so far as practicable, in all specifications for screw threads in proposals for manufactured articles, parts, or materials to be used under the direction of these departments.

SEC. 3. That the Secretary of Commerce shall promulgate such standards for use by the public and cause the same to be published as a public document.

SEC. 4. That the commission shall serve without compensation, but nothing herein shall be held to affect the pay of the commissioners appointed from the Army and Navy or of the Director of the Bureau of Standards.

SEC. 5. That the commission may adopt rules and regulations in regard to its procedure and the conduct of its business.

SEC. 6. That the commission shall cease and terminate at the end of one year and six months from the date of its original appointment.

Mr. TILSON. Mr. Speaker, I ask unanimous consent to amend, page 1, line 12, by striking out the words "commissioned officers" and inserting the one word "representative." And on lines 1 and 2, on page 2, strike out "commissioned officers" and insert the word "representatives."

The SPEAKER pro tempore. The Clerk will report the first amendment.

The Clerk read as follows:

Amendment offered by Mr. TILSON: Page 1, line 12, strike out the words "commissioned officers" and insert the word "representatives."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. TILSON: Page 2, lines 1 and 2, strike out the words "commissioned officers" and insert the word "representatives."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. TILSON. Mr. Speaker, I move to strike out the proviso.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. TILSON: Page 2, line 7, after the word "Engineers," strike out the rest of the paragraph.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the amended bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. TILSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. MANN. Mr. Speaker, it is now more than an hour later than we had planned to run, and I make the point of no quorum.

Mr. FOSTER. Does the gentleman insist on the point?

Mr. CANDLER of Mississippi. Will the gentleman let me pass a bridge bill? It will take but a minute. There is no objection to it in the world.

Mr. BURNETT. If the gentleman will withhold, we can get through, I think, in 15 minutes.

Mr. CANDLER of Mississippi. I am asking for this because my county is interested in it.

Mr. MANN. I would be willing to pass almost any of these bills, but we would not get through, anyway, and we can meet again at 11 o'clock to-morrow.

Mr. AUSTIN. We have a number of bills on the calendar from the Committee on Public Buildings and Grounds, and one of them is one of the most important bills that has been pending before Congress for a long time.

Mr. BURNETT. We all appreciate the magnanimity of the gentleman from Illinois in regard to the Unanimous Consent Calendar to-day.

Mr. MANN. If it had not been for me, the House would have quit at 4 o'clock this afternoon on the Unanimous Consent Calendar. I am willing to stay here a long time without anything to eat to help gentlemen get through their bills, but I am going to my dinner now.

The SPEAKER pro tempore. Does the gentleman from Illinois insist on his point of no quorum?

Mr. MANN. I do.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of no quorum.

ADJOURNMENT.

Mr. FOSTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 45 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Tuesday, February 18, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting a proposed draft of a bill to prohibit the unauthorized use of the word "navy" or "naval" by any person, association, organization, agency, or corporation, and for other purposes (H. Doc. No. 1806); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the Secretary of the Navy, transmitting a tentative draft of a bill for the relief of Lieut. D. A. Neumann, Pay Corps, United States Naval Reserve Force (H. Doc. No. 1807); to the Committee on Claims and ordered to be printed.

3. A letter from the Secretary of the Navy transmitting a tentative draft of a bill for the relief of Capt. J. S. Carpenter, Pay Corps, United States Navy (H. Doc. No. 1808); to the Committee on Claims and ordered to be printed.

4. A letter from the Secretary of War, transmitting a tentative draft of suggested amendments which provide for the relief of officers and for the settlement of certain claims (H. Doc. No. 1809); to the Committee on Claims and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the president of the Civil Service Commission submitting a deficiency estimate of appropriation required for traveling expenses for the fiscal year 1918 (H. Doc. No. 1810); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Commissioners of the District of Columbia submitting a deficiency estimate of appropriation required for expenses of executing writs of lunacy, fiscal year 1919 (H. Doc. No. 1811); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of War, transmitting item of tentative legislation to enable the Secretary of War to acquire and operate the Cape Cod Canal (H. Doc. No. 1812); to the Committee on Rivers and Harbors and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a deficiency estimate of appropriation required for the relief of Eskimos and other natives of Alaska suffering from

influenza and the effects thereof (H. Doc. No. 1813); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Public Printer submitting a deficiency estimate of appropriation required by the Superintendent of Documents for general expenses and distribution of documents for the fiscal year 1919 (H. Doc. No. 1814); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Secretary of the Treasury, transmitting a tentative draft of legislation for inclusion in the general deficiency appropriation bill (H. Doc. No. 1815); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 352) granting pensions to certain members of the former Life-Saving Service, reported the same without amendment, accompanied by a report (No. 1079), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (S. 4023) amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Cal., certain public lands in California; and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Cal., to the city of Los Angeles, Cal.," approved June 30, 1906, reported the same with amendment, accompanied by a report (No. 1080), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on Irrigation of Arid Lands, to which was referred the bill (H. R. 15993) providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes, reported the same without amendment, accompanied by a report (No. 1081), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution (H. Res. 570) requesting the President to communicate to the House certain information regarding the War Trade Board, reported the same with amendment, accompanied by a report (No. 1082), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CLAYPOOL, from the Committee on Claims, to which was referred the bill (H. R. 5722) for the relief of Ellen B. Walker, reported the same with amendment, accompanied by a report (No. 1075), which said bill and report were referred to the Private Calendar.

Mr. GOODWIN of Arkansas, from the Committee on Claims, to which was referred the bill (H. R. 15480) authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims, reported the same with amendment, accompanied by a report (No. 1076), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 1738) for the relief of the Southern States Lumber Co., reported the same without amendment, accompanied by a report (No. 1077), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 4013) for the relief of Wickliff Fry, for horse lost while hired by the United States Geological Survey, reported the same with amendment, accompanied by a report (No. 1078), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SMITH of Michigan: A bill (H. R. 15997) authorizing the Secretary of War to donate to the city of Kalamazoo, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15998) authorizing the Secretary of War to donate to the town of Homer, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15999) authorizing the Secretary of War to donate to the city of Eaton Rapids, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FAIRFIELD: A bill (H. R. 16000) authorizing the Secretary of War to donate to the town of Corunna, county of Dekalb, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 16001) authorizing the Secretary of War to donate to the village of Loyal, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LITTLE. A bill (H. R. 16002) donating captured cannons to the cities of Rosedale, Bonner Springs, Osawatomie, Pleasanton, Bronson, Louisburg, Kansas City, Kans., and the University of Kansas, in the State of Kansas; to the Committee on Military Affairs.

Also, a bill (H. R. 16003) donating captured cannons to the counties of Allen, Anderson, Bourbon, Douglas, Franklin, Johnson, Linn, Miami, and Wyandotte, in the State of Kansas; to the Committee on Military Affairs.

By Mr. MOON: A bill (H. R. 16004) to amend sections 9 and 19 of the Federal reserve act; to the Committee on Banking and Currency.

By Mr. KELLY of Pennsylvania: A bill (H. R. 16005) authorizing the Secretary of War to donate to the borough of Port Vue, in the State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HARDY: A bill (H. R. 16006) to provide for the creation or establishment of a war-museum commission; to the Committee on Appropriations.

By Mr. MILLER of Minnesota: A bill (H. R. 16007) authorizing the Secretary of War to donate to the village of Chisholm, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEDMAN: A bill (H. R. 16008) authorizing the Secretary of War to donate to the North Carolina State Normal and Industrial College two German cannons or fieldpieces, with carriages and suitable complement of projectiles; to the Committee on Military Affairs.

Also, a bill (H. R. 16009) authorizing the Secretary of War to donate to the Greensboro College for Women, at Greensboro, N. C., two German cannons or fieldpieces, with carriages and suitable complement of projectiles; to the Committee on Military Affairs.

By Mr. DONOVAN: A bill (H. R. 16010) authorizing the Secretary of War to donate to the Fort Washington War Service Honor Roll Committee of the city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GARLAND: A bill (H. R. 16011) authorizing the Secretary of War to donate to the city of Edgewood, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 16012) to amend sections 2237 and 2240 of the Revised Statutes of the United States; to the Committee on the Public Lands.

By Mr. FESS: A bill (H. R. 16013) authorizing the Secretary of War to donate condemned cannon and cannon balls to the village of Milford Center, Ohio; to the Committee on Military Affairs.

By Mr. SHERLEY: A bill (H. R. 16016) providing additional aid for the American Printing House for the Blind; to the Committee on Education.

By Mr. BURNETT: A bill (H. R. 16017) to expel and exclude from the United States certain undesirable aliens; to the Committee on Immigration and Naturalization.

By Mr. SCHALL: A bill (H. R. 16018) to donate one captured cannon or gun to the village of Monticello, Minn.; to the Committee on Military Affairs.

By Mr. JONES: A bill (H. R. 16019) directing delivery of State war-service records to States requesting same; to the Committee on Military Affairs.

By Mr. HEFLIN: Resolution (H. Res. 586) making in order certain new legislation in House bill 15796, notwithstanding the general rules of the House; to the Committee on Rules.

By Mr. RUBEY: Resolution (H. Res. 587) for the consideration of House bill 15796; to the Committee on Rules.

By Mr. SWITZER: Resolution (H. Res. 588) to amend the standing rules of the House; to the Committee on Rules.

By Mr. DENT: Resolution (H. Res. 589) for the consideration of House bill 15835; to the Committee on Rules.

By Mr. EMERSON: Joint resolution (H. J. Res. 428) directing the Secretary of War to report to Congress necessary legislation for the construction of a ship canal from the Great Lakes to the Atlantic Ocean; to the Committee on Rivers and Harbors.

By the SPEAKER: Memorial of the Legislature of the State of Washington, requesting that rules governing demobilization should favor the immediate release of those who are needed in business and industrial pursuits; to the Committee on Military Affairs.

By Mr. BURNETT: Memorial of the Legislature of the State of Alabama, urging legislation for an appropriation for the employment and securing homes for returned soldiers and sailors; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Alabama, favoring the return of railroads and other public utilities to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Alabama, urging the lifting of the embargo on cotton, and urging the establishment of American steel steamship lines for the promotion of American commerce; to the Committee on the Merchant Marine and Fisheries.

By Mr. HADLEY: Memorial from the Legislature of the State of Washington, favoring the passage of the Jones resolution, and requesting the United States Emergency Fleet Corporation to immediately remove the emergency restriction against the acceptance by American shipyards of foreign contracts for ships; to the Committee on the Merchant Marine and Fisheries.

By Mr. JOHNSON of Washington: Memorial from the Legislature of the State of Washington, favoring the removal of restriction against acceptance of foreign shipbuilding contracts by American shipyards; to the Committee on the Merchant Marine and Fisheries.

Also, memorial from the Legislature of the State of Washington, concerning the freight rates on sand and gravel as fixed under executive control of the railroads; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARTER of Oklahoma: A bill (H. R. 16014) for the relief of Samuel H. Butler; to the Committee on Claims.

By Mr. HERSEY: A bill (H. R. 16015) granting an increase of pension to Henry Quint; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Athenæum of Triumph of the United States, asking official recognition and right of eminent domain in the acquisition of a site for the erection of a memorial hall as a tribute to those who went forth in the great war; to the Committee on Public Buildings and Grounds.

By Mr. CARY: Petition of fur manufacturers of Wisconsin, strongly urging the repeal of tax on furs contained in revenue bill; "retention of this clause in the law is bound to curtail output and throw many of the millions now employed out of work"; to the Committee on Ways and Means.

By Mr. DOREMUS: Petition of Colin F. Manisan and 110,000 other residents of Michigan, praying for the withdrawal of American soldiers from Russia or their reinforcement; to the Committee on Military Affairs.

By Mr. EMERSON: Petition of council of the city of Cleveland, Ohio, indorsing action of Congress in combating influenza; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of Ancient Order of Hibernians in America urging self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. FREEMAN: Petition of Ernest H. Caughs and others, in favor of league of nations; to the Committee on Foreign Affairs.

Also, petition of A. W. Sedgwick and others in favor of league of nations; to the Committee on Foreign Affairs.

Also, petition of Thomas Gilbert and others in favor of league of nations; to the Committee on Foreign Affairs.

Also, petition of W. B. Davis and others, of Middletown, Conn., in favor of league of nations; to the Committee on Foreign Affairs.

Also, petition of Carrie M. Hewett and others in favor of league of nations; to the Committee on Foreign Affairs.

By Mr. GORDON: Petition of City Council of Cleveland, Ohio, indorsing the proposal to spend $5,000,000 to combat influenza; to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFIN: Petition of Emil O. Cederholm, New York City, urging passage of House bill 12352 and Senate bill 4637, known as McKellar-Keating retirement bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Standard Arch Co., New York, indorsing House bill 14893; to the Committee on Public Buildings and Grounds.

Also, petition of Elisabeth Marbury, president Woman's National Committee American Defense Society, New York, favoring House bill 13651; to the Committee on Appropriations.

Also, petition of speaker of New York State Assembly, favoring Post Office appropriation bill; to the Committee on Appropriations.

Also, petition of Foreign Service Camp, No. 87, Department of New York, United Spanish War Veterans, urging the passage of the Harrison bill (H. R. 15145); to the Committee on Military Affairs.

By Mr. HAMILTON of Michigan: Petition of citizens of Michigan, asking for withdrawal of American soldiers from northern Russia and return of them to the authority of their own officers, that they be properly housed, fed, clothed, munitioned, and given proper hospital facilities without delay; to the Committee on Military Affairs.

Also, petitions of citizens of St. Joseph, Caloma, Benton Harbor, Berrien Springs, Bargman, and Youngstown, Mich., Chicago, Ill., and South Bend, Ind., relating to withdrawal of American soldiers from Russia; to the Committee on Military Affairs.

By Mr. HOLLINGSWORTH: Memorial of A. P. McCombs, Wellsville, Ohio, and 154 other citizens of Wellsville and East Liverpool, Ohio, asking that national ownership and Government operation of railroads of United States and its possessions, including all lands, terminals, and equipments necessary to such, be held by the Government for furnishing transportation to the people; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Local No. 10, Brotherhood of Operative Potters, East Liverpool, Ohio, favoring appropriation of funds to complete all authorized public improvement on account of the war; also to prohibit immigration until returned soldiers, sailors, and war workers get employment; also extra pay for one year to unemployed soldiers and sailors; to the Committee on Military Affairs.

Also, memorial of Ohio General Assembly, favoring appropriation of $1,000,000,000 for road improvement under present plan for Federal aid; to the Committee on Roads.

By Mr. MAPES: Petition of Walker School Mothers' Club, of Grand Rapids, Mich., for the withdrawal of the United States troops from Russia; to the Committee on Foreign Affairs.

By Mr. MERRITT: Petition of Lithuanian citizens of Bridgeport, Conn., urging the Government of the United States to curb the imperialistic ambition of the Poles in respect to Lithuania and prevent and save the people of Lithuania from a foreign yoke; to the Committee on Foreign Affairs.

By Mr. WATSON of Pennsylvania: Petition of Business Men's Association of Royersford, Pa., favoring a reasonable period to allow for the necessary preparation and adjustment by the owners of the great wire system under Federal control; to the Committee on Interstate and Foreign Commerce.

Also, petition of Board of Trade of Perkasie, Pa., favoring a reasonable period to allow for the necessary preparation and adjustment by the owners of the great wire system under Federal control; to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *February 18, 1919.*

(Legislative day of Thursday, February 13, 1919.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The VICE PRESIDENT. The Secretary will state the pending amendment and call the roll.

The SECRETARY. The pending amendment of the committee is, on page 18, line 15, relative to the Red, Black, Ouachita, and

other rivers in Arkansas and Louisiana, for maintenance. After the word "maintenance" the committee proposes to strike out "$15,000" and insert "$35,000."

The VICE PRESIDENT. The Secretary will call the roll.

Mr. SMOOT. Would it be in order to suggest the absence of a quorum?

The VICE PRESIDENT. It is not in order. This is the state of the record: The yeas and nays were called for and seconded. The call of the yeas and nays disclosed the absence of a quorum, and a recess was taken. There can be no intervening business until that roll call is completed. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. HARDWICK (when the name of Mr. SMITH of Georgia was called). I was requested to announce that my colleague [Mr. SMITH of Georgia] is detained at home by illness. He has a pair with the senior Senator from Massachusetts [Mr. LODGE]. This announcement will stand for the day.

Mr. REED (when his name was called). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from New Hampshire [Mr. HOLLIS] and vote "yea."

Mr. SIMMONS (when his name was called). I wish to inquire whether the Senator from Minnesota [Mr. KELLOGG] has voted?

The VICE PRESIDENT. He has not.

Mr. SIMMONS. I transfer my pair with that Senator to the Senator from Virginia [Mr. MARTIN] and vote "yea."

The roll call was concluded.

Mr. LODGE (after having voted in the affirmative). I transfer my pair with the Senator from Georgia [Mr. SMITH] to the Senator from Iowa [Mr. CUMMINS] and let my vote stand.

Mr. PENROSE. I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. As he is absent, I will refrain from voting. Were I permitted to vote, I would vote "nay."

Mr. SAULSBURY (after having voted in the affirmative). I understand that the senior Senator from Rhode Island [Mr. COLT], with whom I have a pair, has not voted. I transfer my pair with that Senator to the Senator from Idaho [Mr. NUGENT] and let my vote stand.

Mr. BRANDEGEE. I have been paired for some time with the senior Senator from Tennessee [Mr. SHIELDS], but I saw him on the floor yesterday. So I know that he has returned to town. I therefore think I have a right to vote, and I vote "nay."

Mr. STERLING. Has the Senator from South Carolina [Mr. SMITH] voted?

The VICE PRESIDENT. He has not.

Mr. STERLING. I have a general pair with that Senator. Not knowing how he would vote, I withhold my vote.

Mr. DILLINGHAM. I have a general pair with the senior Senator from Maryland [Mr. SMITH], who is necessarily absent, and I withhold my vote. If permitted to vote, I would vote "nay."

Mr. CALDER. Has the junior Senator from Rhode Island [Mr. GERRY] voted?

The VICE PRESIDENT. He has not.

Mr. CALDER. I have a general pair with the junior Senator from Rhode Island, and I therefore withhold my vote.

Mr. MOSES. Has the junior Senator from Kentucky [Mr. MARTIN] voted?

The VICE PRESIDENT. He has not.

Mr. MOSES. I have a general pair with that Senator, and therefore withhold my vote.

Mr. KENDRICK. I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from California [Mr. PHELAN], and vote "yea."

Mr. McLEAN (after having voted in the negative). I am informed that the senior Senator from Montana [Mr. MYERS], with whom I have a pair, has not voted, and I withdraw my vote.

Mr. WARREN (after having voted in the negative). I have a pair, and my pair, the Senator from North Carolina [Mr. OVERMAN], I note, is absent. I make a transfer of that pair to the Senator from California [Mr. JOHNSON] and allow my vote to stand.

Mr. TOWNSEND. I desire to announce the absence of the senior Senator from Michigan [Mr. SMITH], on account of illness. This announcement will stand for the day. He is paired with the senior Senator from Missouri [Mr. REED].

Mr. ROBINSON. I wish to announce that the Senator from North Carolina [Mr. OVERMAN] and the Senator from Delaware [Mr. WOLCOTT] are detained on official business.

Mr. PITTMAN. I desire to announce that the Senator from South Carolina [Mr. SMITH], the Senator from Alabama [Mr. UNDERWOOD], and the Senator from Ohio [Mr. POMERENE] are detained on committee work.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT]; and

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON].

The result was announced—yeas 32, nays 21, as follows:

YEAS—32.

Ashurst	Hardwick	Pittman	Simmons
Baird	Henderson	Poindexter	Spencer
Beckham	Jones, N. Mex.	Pollock	Sutherland
Chamberlain	Jones, Wash.	Ransdell	Swanson
Culberson	Kendrick	Reed	Townsend
Fletcher	Kirby	Robinson	Trammell
Gay	Lenroot	Saulsbury	Vardaman
Gore	McKellar	Sheppard	Williams

NAYS—21.

Borah	Kenyon	Norris	Wadsworth
Brandegee	LaFollette	Page	Warren
Curtis	Lodge	Penrose	Weeks
France	McCumber	Shafroth	
Gronna	McNary	Smoot	
Hale	New	Thomas	

NOT VOTING—43.

Bankhead	Hitchcock	Moses	Smith, Ga.
Calder	Hollis	Myers	Smith, Md.
Colt	Johnson, Cal.	Nelson	Smith, Mich.
Cummins	Johnson, S. Dak.	Nugent	Smith, S. C.
Dillingham	Kellogg	Overman	Sterling
Fall	King	Owen	Thompson
Fernald	Knox	Phelan	Underwood
Frelinghuysen	Lewis	Pomerene	Walsh
Gerry	McLean	Sherman	Watson
Goff	Martin, Ky.	Shields	Wolcott
Harding	Martin, Va.	Smith, Ariz.	

So the amendment of the committee was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills and joint resolutions:

S. 68. An act to amend section 269 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary;

S. 932. An act to provide for stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont.;

S. 935. An act for the relief of settlers on certain railroad lands in Montana;

S. 2088. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto;

S. 2715. An act to authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes;

S. 3079. An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes;

S. 3571. An act granting lands for school purposes in lots No. 111 in each of the townsites of Fort Shaw and Simms, Sun River reclamation project, Montana;

S. 4103. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto;

S. 4244. An act for the relief of entrymen within the Castle Peak irrigation project, in Utah;

S. 4957. An act to establish the Lafayette National Park in the State of Maine;

S. 5058. An act to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak.;

S. 5192. An act for the construction of a bridge across Rock River at or near South Jackson Street in the city of Janesville, Wis.;

S. 5316. An act granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington;

S. 5342. An act providing for the appointment of an additional district judge for the northern judicial district of the State of Texas;

S. 5478. An act granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River;

S. 5534. An act granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. Mac-

Glashan, John H Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes;

S. 5580. An act granting the consent of Congress to the counties of Martin and Bertie, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C.;

S. J. Res. 198. Joint resolution to suspend the legal requirements of assessment work on mining claims in claims in Alaska for the years 1917, 1918, and 1919, and extending to that Territory the provisions of public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, as amended, and for other purposes; and

S. J. Res. 214. Joint resolution authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases.

The message also announced that the House had passed the bill (S. 3646) to grant rights of way over Government land for dam and reservoir purposes, for the conservation and storage of water to be used by the city of San Diego, Cal., and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 5038) extending the use of the special fund for vocational education provided for in section 7 of the vocational-rehabilitation act, approved June 27, 1918, and authorizing the Federal Board for Vocational Education to accept gifts and donations for specific purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the joint resolution (S. J. Res. 107) authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the joint resolution (S. J. Res. 208) providing that one term of the United States district court for the eastern judicial district of Oklahoma shall be held annually at Hugo, Okla., with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

The message also announced that the House had agreed to the concurrent resolution of the Senate No. 32 providing for the printing of the proceedings and eulogies delivered in Congress on Theodore Roosevelt.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 17. An act to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes;

H. R. 344. An act for the regulation of salaries in the custodian service of the Treasury Department;

H. R. 3217. An act providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio;

H. R. 5999. An act for the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise;

H. R. 10394. An act to add certain lands to the Minam National Forest, Oreg.;

H. R. 11219. An act providing for the appraisal and sale of the Gig Harbor abandoned military reservation in the State of Washington, and for other purposes;

H. R. 11368. An act to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association, a corporation, of Denver, Colo., for a certain described tract of land;

H. R. 13034. An act to validate and confirm certain erroneously allowed entries in the State of Minnesota;

H. R. 13185. An act to amend paragraph 1 of section 200 of Article II of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved March 8, 1918;

H. R. 13350. An act to add certain lands to the Yellowstone National Park;

H. R. 13369. An act to extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass.;

H. R. 13393. An act to revive and reenact the act entitled "An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa," approved April 22, 1912;

H. R. 13427. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13482. An act creating a commission for the maintenance, control, care, etc., of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes;

H. R. 13647. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13648. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13649. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a resolution adopted by the Harvard Liberal Club, of Boston, Mass., favoring the granting of weekly compensation to honorably discharged soldiers and sailors until they find employment, which was referred to the Committee on Military Affairs.

He also presented petitions of the Men's Bible Class of Plymouth Church, of Worcester, of the Carpenter-Morton Co., of Boston, and of sundry citizens of Boston, Dover, Somerville, Marblehead, Revere, Cambridge, and Dorchester, all in the State of Massachusetts, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Pittsfield, Mass., praying for the independence of Armenia, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce of Leominster, Mass., praying that the return to private ownership of the telephone and telegraph lines be deferred until Congress shall have studied the question and determined upon a safe procedure to be thereafter followed, which was referred to the Committee on Post Office and Post Roads.

He also presented a petition of Roger Casement Branch, Friends of Irish Freedom, of Boston, Mass., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

He also presented petitions of the Civilian Relief Committee of the League for Permanent Peace, of Boston; of the Suffrage Club, of Cambridge; of the First Parish Church, of Bedford; of Local Union No. 9, Musicians Protective Association of Boston; of sundry citizens of Brookline, and a telegram in the nature of a petition from the Women's Club, of Melrose, all in the State of Massachusetts, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Board of Aldermen of Medford, Mass., and a resolution adopted by the Board of Aldermen of Chicopee, Mass., favoring the granting of six months' additional pay to honorably discharged soldiers and sailors, which were referred to the Committee on Military Affairs.

Mr. PAGE presented a petition of the Chamber of Commerce of Philadelphia, Pa., praying for the return to private ownership of all public utilities now under Government ownership or control, which was referred to the Committee on Interstate Commerce.

Mr. WARREN presented a resolution adopted by the Central Trades and Labor Council of Kemmerer, Wyo., favoring Government ownership of railroads, express, telephone, and telepraph lines, which was referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by Local Union No. 2055, United Mine Workers of America, of Acme, Wyo., favoring

an appropriation to complete the construction of public improvements now under way, for the proposed restriction of immigration, and for the enactment of legislation granting monthly pay not exceeding a period of 12 months to honorably discharged soldiers and sailors until they find employment, which were referred to the Committee on Appropriations.

He also presented a resolution adopted by the Central Trades and Labor Council of Kemmerer, Wyo., favoring the so-called Burnett immigration bill, restricting immigration for a period of 10 years and more, which was referred to the Committee on Immigration.

He also presented a resolution adopted by the Central Trades and Labor Council of Kemmerer, Wyo., favoring an appropriation to complete the construction of public improvements in course of construction, which was referred to the Committee on Education and Labor.

REPORTS OF COMMITTEE ON CLAIMS.

Mr. ROBINSON, from the Committee on Claims, to which was referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 2024) for the relief of the Buffalo River Zinc Mining Co. (Rept. No. 724); and

A bill (S. 5593) for the relief of certain officers in the Army of the United States, and for other purposes (Rept. No. 726).

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 1486) for the relief of Henry P. Grant, of Phillips County, Ark., reported it with an amendment and submitted a report (No. 725) thereon.

Mr. WADSWORTH, from the Committee on Claims, to which was referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 2497) for the relief of James W. Cross (Rept. No. 727); and

A bill (S. 4139) repealing certain provisions contained in the urgent deficiency act approved December 22, 1911 (Rept. No. 728).

WILLIAM W. DANENHOWER.

Mr. WADSWORTH, from the Committee on Claims, reported the following resolution (S. Res. 457), which was considered by unanimous consent and agreed to:

Resolved, That the bill (S. 1869) entitled "A bill for the relief of William W. Danenhower," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

DISCHARGED SICK AND DISABLED SOLDIERS.

Mr. HARDWICK. From the Committee on Public Buildings and Grounds I report back favorably with an amendment the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines, and I submit a report (No. 729) thereon. In this connection I wish to give notice that to-morrow, possibly during the morning hour, I shall ask to have the bill considered.

The VICE PRESIDENT. The bill will be placed on the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 5627) to fix the time of holding court in the Amarillo division of the northern district of Texas; to the Committee on the Judiciary.

By Mr. BRANDEGEE:

A bill (S. 5628) granting a pension to Harriet N. Sclipp (with accompanying papers); and

A bill (S. 5629) granting an increase of pension to Henry M. Adams (with accompanying papers); to the Committee on Pensions.

By Mr. WALSH:

A bill (S. 5630) authorizing the Crow Tribe of Indians, residing in the State of Montana, to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. GERRY:

A bill (S. 5631) to expel and exclude from the United States certain undesirable aliens; to the Committee on Immigration.

By Mr. LODGE:

A bill (S. 5632) granting a pension to Jennie A. Norton (with accompanying papers); to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 5633) for the purchase of a site and the erection of a public building at Sedalia, Mo.; to the Committee on Public Buildings and Grounds:

By Mr. GORE (by request):

A bill (S. 5634) to encourage the community milling of wheat, and for other purposes; to the Committee on Agriculture and Forestry.

FEDERAL HIGHWAY AID.

Mr. TOWNSEND. I desire to introduce a bill for printing in the RECORD and reference to the Committee on Post Offices and Post Roads. Its object is Federal highway aid and construction. It is not because I expect to bring it up or that it will receive any consideration at this session of Congress, but it illustrates in general the principles upon which I believe Federal highway activities should be based, and I introduce it at this time in order that it may receive that criticism and attention on the part of those people and organizations throughout the country who are interested in highway construction that will enable us at the next session of Congress to act intelligently upon the matter. Our Government has entered the good-roads field, and it will not retire therefrom. It is my desire to assist in directing the Federal activities along lines at once scientific and practical. I believe that the National Government should construct a national system of roads through the States connecting all the Commonwealths, and then should maintain these roads, and the States should construct and maintain all the other roads within their boundaries. The powers of the two governments should be as separate and distinct as possible. I present this bill for general consideration.

The bill (S. 5626) to create a Federal highway commission, to establish a national highway system, to promote efficiency and economical highway transportation, and to amend an act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes, was read twice by its title and referred to the Committee on Post Offices and Post Roads, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby created a Federal highway commission, and to provide a connected system of main highways adequate to sustain the demands of interstate commerce, to provide adequate post roads for the transportation of the United States mails and parcel post, and to provide for the common defense and promote the general welfare of the people of the United States there is hereby authorized to be established, constructed, and maintained a system of highways, hereinafter referred to as the national highway system, to comprise not less than two main trunk-line roads in each State, and joining the national highway system in the adjacent States and countries. The term "commission" used in this act shall mean the Federal highway commission, hereinafter referred to as commission; a highway, within the meaning of this act, shall be deemed to include the necessary bridges, drainage structures, signs, guardrails, protective structures, and housing.

SEC. 2. That the commission shall consist of five members.

SEC. 3. That the commissioners shall be appointed by the President, by and with the advice and consent of the Senate; not more than three commissioners shall be of the same political party, and shall be chosen from different geographical sections of the United States.

SEC. 4. That the commissioners first appointed shall continue in office for the terms of three, four, five, six, and seven years, respectively, from the date of their appointment; the term of each to be designated by the President, but their successors shall be appointed for the term of seven years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he shall succeed and have similar qualifications.

SEC. 5. That the commissioners shall receive a salary of $10,000 per annum, payable in the same manner as the judges of the courts of the United States.

SEC. 6. That the commission shall choose a chairman from its own membership. It shall be the duties of the members of the commission to devote the entire statutory time required of other governmental officials to their work.

SEC. 7. That the commission shall appoint a secretary who shall keep a journal of proceedings, minutes of each meeting, record all proceedings, make true copies of all notices to be published, and shall perform such other duties as the commission may designate and require.

SEC. 8. That it shall further have authority and power to employ, at a fixed compensation, a chief engineer, engineers, special experts, attorneys, and clerks as it may from time to time find necessary for the performance of its duties. All other employees of the commission shall be a part of the classified civil service, and shall enter the service under such rules and regulations as may be prescribed by the commission and by the Civil Service Commission.

SEC. 9. That the commission shall have an official seal which shall be judicially noticed.

SEC. 10. That a vacancy in the commission shall not impair the right of the remaining commissioners to exercise all the powers of the commission, and three members of such remaining commissioners shall constitute a quorum.

SEC. 11. That the commission shall select from time to time, subject to such changes as it may deem advisable under the provisions of this act, the highways to be comprised in the National Highway System and shall determine the order in which such highway shall be constructed, reconstructed, and improved. In determining the highways to be comprised in the National Highway System the commission shall request the State highway departments to recommend the routes to be followed in their respective States. The National Highway System shall not include any highway in a place having a population, as shown by the latest available Federal census, of 5,000 or more, except that portion of any such highway along which the houses average more than 200 feet apart.

SEC. 12. That the commission shall determine the types of construction and reconstruction and the character of improvement, repair, and maintenance of all highways included in the National Highway System, and shall direct, supervise, and control the making of the surveys, the preparation of the plans, specifications, and estimates, and the

construction, reconstruction, improvement, repair, maintenance, and administration of such highways, or may arrange with the State highway departments in their respective States to make the necessary surveys and plans and to pay therefor. Only such durable types and adequate widths of surface shall be adopted for any highway as will effectively meet the traffic conditions thereon and the probable future traffic needs.

SEC. 13. That the Secretary of War may, in his discretion, deliver and turn over to the commission from time to time and without charge therefor, for use in the construction and maintenance of national highways, such vehicles, motor vehicles, road machinery, and equipment as may be suitable for the use of the commission; and the commission is hereby authorized to use the same, in its discretion, in the construction and maintenance of national highways, and to pay the necessary expenses thereof out of the appropriation made under the provisions of this act.

SEC. 14. That no money shall be expended in any State under this act until its legislature shall have assented to the provisions of this act, except that until the final adjournment of the first regular session of the legislature held after the passage of this act the assent of the governor shall be sufficient. In consideration of the benefits to be derived by the State from the construction, reconstruction, improvements, repair, and maintenance of the highways comprised in the National Highways System, and as a condition precedent to the construction of any such highways in any State a right of way therefor, not less than 60 feet in width, except at such points where existing buildings or structures are of such value that the cost of their removal would in the opinion of the commission be excessive, shall be furnished to the United States without expense to it by, for, or on behalf of such State or any civil subdivision thereof. Any land of the United States may be appropriated as rights of way for the highways herein provided for, and the consent of the United States is hereby given to any railroad or canal company to convey to the United States for such highways any part of its right of way acquired by grant from the United States. The highways comprised in the National Highways System shall be constructed, reconstructed, improved, repaired, maintained, and administered entirely at the expense of the United States, except State police powers, but the State or its civil subdivision shall maintain any such highway prior to the construction, reconstruction, or improvement thereof under this act.

SEC. 15. That the commission is authorized to prescribe and promulgate such regulations governing the use of highways comprised in the national highway system as the commission may find necessary and reasonable in order to preserve and protect such highways and to facilitate and insure the safety of travel and traffic thereon. Whoever shall willfully or maliciously injure or destroy any part of a highway embraced in the national highway system or property or material owned or controlled by the United States in connection with such highway, or shall use any such highway or part thereof without complying with the regulations prescribed and promulgated by the commission hereunder, shall be fined not more than $1,000 or imprisoned for not more than one year, or both. Nothing in this act shall affect the jurisdiction of the State, either civil or criminal, over persons and property upon such highways, except so far as the regulation of the use thereof are concerned; that is to say, the State wherein any such highway is situated shall not, by reason of establishment thereof, lose its jurisdiction, nor the inhabitants thereof their rights and privileges as citizens, or be absolved from their duties as citizens of the State.

SEC. 16. That it shall be the further duty of the commission to encourage the proper use of all highways and to stimulate the interests of the States, communities, and rural districts in the most efficient and economical transportation over all highways in the United States, to ascertain by experiment and collect all data on new developments in highway transportation, construction, and maintenance, and to publish the same for the benefit of the people at large.

SEC. 17. That it shall be the further duty of the commission to take over and perform all duties, powers, functions, and other obligations of all Federal agencies having jurisdiction and control of highway and experimental road work and all Federal agencies of educational and investigative character relating to highway transportation. Said departments or agencies shall be so coordinated and consolidated as to be made most effective: *Provided, however*, That agencies dealing with all highways under the control of the United States Army or Navy in military or naval reservations, or are used solely for military or naval purposes, shall not be so taken over, but shall remain under the jurisdiction and control of said agency.

SEC. 18. That, in addition to the authority conferred by the preceding sections, the commission is authorized to make all rules and regulations necessary for the efficient execution of this act. The commission may let to contract or perform in any other manner which it may deem proper any work under the provisions of this act.

SEC. 19. That, for the purpose of carrying out the foregoing sections of this act, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $50,000,000, which shall become available July 1, 1919, and $75,000,000 for the fiscal year beginning July 1, 1920, and $100,000,000 for each of the three succeeding fiscal years; in all, $425,000,000, which shall be available until expended. Out of such appropriation there shall be available to the commission for each fiscal year, and until expended, such amounts as they may determine to be necessary for the payment of such administrative expenses, including such rent, printing and publications, the purchase of such supplies and equipment, and the employment of such persons and means, and the fixing of compensation therefor, in the District of Columbia and elsewhere, as may be deemed necessary for carrying out the provisions of this act. The amounts so made available to the commission may also be used for the erection and maintenance of buildings outside the District of Columbia and for the operation of housing and subsistence facilities and commissary stores, including the purchase and sale of commodities for the benefit of employees and others engaged upon work under this act, the receipts from such operations and sales to be credited to and become part of appropriation made by this section and to be available for expenditure in the same manner as the remainder of such appropriation. The commission is authorized to purchase, lease, rent, operate, and maintain such motor and other transportation facilities as it may deem necessary in performance of its duties under this act. The commission is authorized and empowered to issue permits, licenses, and franchises for openings in and the use of any portion of the right of way comprised in the national highway system, and may require such payment from the beneficiaries thereof, and in such manner as may seem equitable; and the receipts therefrom shall be credited to the appropriations made by this act, to be expendable in the same manner.

That the commission, after making the deductions authorized by this section, shall apportion the remainder of the appropriation for each fiscal year among the several States in the following manner: One-third in the ratio which the area of each State bears to the total area of all the States; one-third in the ratio which the population of each State bears to the total population of all the States as shown by the latest Federal census; one-third in the ratio which the highway mileage of each State bears to the total mileage of all the States as shown by the official bulletin issued by the Secretary of Agriculture for the year 1914: *Provided*, That if any State desires to immediately improve any section of the national highway within the State, which has been designated by the commission, the commission may enter into an agreement with the State highway department of such a State to finance the construction or reconstruction of said highway or section thereof: *Provided, however*, That the amount so advanced shall not exceed the amount apportioned to said State for construction or reconstruction, and the commission shall authorize the repayment to the State highway department of the amount annually set aside for construction or reconstruction until the full amount so advanced has been repaid.

SEC. 20. That the commission is authorized to enter into arrangements with any public or private agency for purchase, easements, construction, installation, operation, and maintenance of any facilities which it may consider necessary in the use of the National Highway System, and to pay such part of the cost thereof out of the appropriations under this act as it may deem equitable.

SEC. 21. That in order to increase the effectiveness of an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, said act is hereby amended by enactment of the following provisions:

Section 2 of the act hereinbefore referred to is amended by striking out the word "may" and substituting therefore the word "can."

Paragraph 2 of section 6 of the aforesaid act is hereby amended by striking out the words "nor shall any such payment be in excess of $10,000 per mile, exclusive of the cost of bridges of more than 20 feet clear span."

SEC. 22. That for the purpose of carrying out the provisions of said act as herein amended, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, in addition to amounts set forth in said act, $25,000,000, which shall become available for expenditure July 1, 1919, and the sum of $25,000,000, which shall become available for expenditure July 1, 1920, which sums shall be expended along with and in the same manner and under the same provisions as directed in the aforesaid act and as herein amended.

SEC. 23. That not later than the first Monday in December of each year the commission shall make a report to Congress showing the operations and expenditures, under the foregoing provisions of this act, for the preceding fiscal year.

SEC. 24. That this act shall be in force from and after the date of its passage.

WOMAN SUFFRAGE.

Mr. GAY. I introduce a joint resolution proposing an amendment to the Constitution of the United States extending right of suffrage to women, which I ask to have printed in the RECORD and referred to the Committee on Woman Suffrage.

The joint resolution (S. J. Res. 224) proposing an amendment to the Constitution of the United States extending the right of suffrage to women was read twice by its title, referred to the Committee on Woman Suffrage, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

"ARTICLE —.

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. The several States shall have the exclusive right to enact appropriate legislation to enforce the provisions of this article."

FINDINGS OF COURTS-MARTIAL.

Mr. MCKELLAR. I introduce a joint resolution in relation to court-martial proceedings, and I ask unanimous consent to have it printed in the RECORD and referred to the Committee on Military Affairs.

The joint resolution (S. J. Res. 225) providing for a review of the findings of the courts-martial convened during the war with Germany was read twice by its title, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

Resolved, etc., That the President be, and he is hereby, authorized and requested to constitute, appoint, and convene in the Judge Advocate General's Department as many reviewing boards, composed of five commissioned officers each, as he may deem necessary to do the work speedily, the duties of which boards shall be to reexamine and review the records of conviction in every court-martial case arising during the present war. The said court-martial records shall be assembled by and be under the direction of the Judge Advocate General and distributed to said boards in such manner as he may deem best, and said boards shall examine into all questions, both of law and of facts, and, in addition, they shall examine any new or additional facts which any defendant may bring before them by way of affidavits, to the end that said reviewing boards may hear and determine each case anew on the law and the facts of the record, together with such additional facts as may be adduced, and decide the cases as speedily as possible, according to the equity and justice thereof. In reaching their conclusions, the boards shall take into consideration the punishment already inflicted in each and every case, but they shall not consider the findings and judgments of the courts-martial as binding upon them, inasmuch as the war is over and it may not now be necessary to continue many punishments which were absolutely necessary to be inflicted in order to preserve proper military discipline during a state of war; and it shall be their duty, whenever the justice of the case may require it, to change, reverse, alter, mitigate, set aside, annul, or confirm the findings of any court-martial convened during the present war. Such boards shall have the power and it shall be their duty in proper cases

to set aside and hold for naught orders of dishonorable discharges inflicted as punishment in court-martial cases, and to enter orders granting honorable discharges, which orders shall be filed of record in the proper department containing the record of such discharged soldiers. Each board shall act by majority vote, and each board shall select its own chairman without regard to the rank of the officer. In the selection of such boards no officer shall be appointed thereon who has taken part in any court-martial trial or who has reviewed any court-martial record arising since the beginning of the present war. The President is authorized to appoint such additional officers as he may deem to be necessary to serve on said boards, with the rank of major judge advocates. When an opinion shall be reached, the same shall be immediately forwarded to the President by the Judge Advocate General, with the recommendation of such board. If the President approves the finding of the board, the same shall be final; but he is further authorized and empowered to enter any order or judgment in any case, whether of mitigation or annulment, in whole or in part, of any court-martial proceeding or finding or of any finding of such boards, or he may parole or pardon, to the end that even and exact justice shall be done in each case.

LANDS IN MONTANA.

Mr. SMOOT submitted the following resolution (S. Res. 456), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be requested to furnish to the Senate copies of the reports made by Government Agents Bloomer and Trowbridge, with all affidavits accompanying same, upon the land investigation at Scobey and Helena, Mont., in 1915, filed with the Commissioner of the Land Office, Hon. Clay Tallman.

MAYOR HANSON'S STATEMENT.

Mr. THOMAS. Mr. President, I ask unanimous consent to have inserted in the RECORD a statement from Ole Hanson, mayor of the city of Seattle, a city recently menaced by a far-reaching insurrection. This is so apt an announcement at this time and is so thoroughly American in its tenor and purposes that I think it should be inserted in the RECORD.

Mayor Hanson is a naturalized citizen, but his Americanism is of that stalwart kind that one would wish to see exhibited much more than it is in the native American of the present day. He is a full red-blooded patriot, and I think he deserves the thanks of the American people for the prompt and vigorous manner in which he handled that situation and quelled that insurrection.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"Two years ago 15,000 workmen were employed in the industries of Seattle. There are now 65,000. The unions have admitted to their ranks under the stress of war conditions every Bolshevik and I. W. W. who desired to join. These men have secured control of many labor organizations. The conservative members have shown their yellow streak by allowing the foes of organized government to run their unions and their affairs.

"When the shipyard strike was called the men went out unwillingly in most instances, although there is a feeling that the lower paid men were not getting sufficient wage when figured on the present cost of living.

"Then the radicals, having read of the revolution in Petrograd, tried to duplicate the initial steps of the same here. They wanted to run our light plant and all industries, believing that we would surrender because of economic pressure and suffering of our people. They had forgotten the lesson Germany acquired when they tried the policy of ruthlessness.

"The city government told them to go to hell—that all things would run as long as there was a government and made no concession to the revolutionists. They closed down the newspaper plants through fear of injury of the employees of newspapers.

"Business, always cowardly, hunted its hole for a little time until I announced that all people would be protected to the last man and that we had 1,500 men armed with rifles to kill on sight anyone that caused disorder.

"On Friday I notified the strike committee that at 8 o'clock Saturday morning everything would operate. Everything is activity in Seattle this morning. Every municipal car is running. Our light plant has never shut down one minute. Neither has our water plant. Gathered in Seattle are Joe Ettor, of Lawrence, Mass., fame; Mucky McDonald, and men of his stripe from all over the Union.

"Gathered here are hundreds and thousands of Russian Bolsheviki who have arrived here during the last two years. These scoundrels want to take possession of our American Government and try to duplicate the anarchy of Russia.

"The seat of government is the city hall. We swore in 1,000 extra police and hold in reserve citizens armed with rifles and shotguns. I gave orders to shoot on sight any disturber of the peace. They know from the experience they had at the riot a few weeks ago that we meant business and, believe me, we did.

"I wanted a showdown. If there is a majority of these fellows in the United States I don't want to live here. They told me the troops were disloyal and would not help us. I told them that was a lie, but even if it was so, we would fight them until we were dead before we even allowed them to turn out one 8-candlepower light.

"Chief of Police Warren is a real man who loves his country. We decided that we would not call in the Federal troops. If they are called in to quell disorder some one else must call them. We won't be here. The great body of union men saw the light. To-day they are bitterly resenting their false leadership and will overthrow their officers in many unions.

"This is a test of unionism or I. W. W.ism. If anyone owes higher allegiance to any organization than they do to this country, they are traitors and should be treated as such. That is all there is to it. This is a time for union men to stand up and be counted. This is a time when every American must forget all other allegiances and stand by the Government.

"The unions of the Nation are on trial. They are either American Federation of Labor loyalists or Bolshevik traitors.

"This morning the strike is broken. Business is resuming. Strikers are returning to work. Our city no longer lies prostrate. Ninety per cent of Seattle stands firm for Americanism. The other 10 per cent will be driven from this community."

REVERENCE FOR LAW ENFORCEMENT AND AMERICANISM.

Mr. JONES of Washington. Mr. President, I assume that Washington's Farewell Address will be read on Saturday. I hope it will be, anyway.

The VICE PRESIDENT. It will be.

Mr. JONES of Washington. I desire to give notice that upon the conclusion of the reading of it I shall submit some remarks to the Senate upon my ideas as to the need of more reverence in high places for law enforcement in America and real, genuine Americanism as a defense or partial defense, at any rate, against Bolshevism.

LEAGUE OF NATIONS

Mr. POINDEXTER. Mr. President, I should like to give notice that, with the consent of the Senate, as soon as I can get the floor to-morrow I will address the Senate on the subject of the proposed constitution of a league of nations.

REVENUE ACT OF 1918 (S. DOC. NO. 391).

Mr. GORE. I ask unanimous consent to have printed as a public document a letter prepared at my request by Joseph S. McCoy, the Actuary of the Treasury Department and the expert who was in attendance upon the Committee on Finance during the preparation of the new war-revenue measure. The letter is a clear and succinct analysis of that measure. It enumerates the important provisions of the old law which have been eliminated and enumerates the most important provisions which have been introduced into the new law. It will be of invaluable assistance to taxpayers, to lawyers, to bankers, and others concerned. I therefore ask that it be printed as a public document, and I also request that the statement made by me be printed as a part of the document.

The PRESIDING OFFICER. Without objection, it is so ordered.

POST OFFICE APPROPRIATIONS—CONFERENCE REPORT (S. DOC. NO. 390).

Mr. BANKHEAD. I submit the conference report on House bill 13308, the Post Office appropriation bill, which I ask to have printed and lie on the table.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 10, 11, 14, 15, 16, 17, 18, 19, 36, 39, 40, 41, and 49.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 6, 7, 8, 9, 12, 13, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 34, 35, 37, 42, 43, 44, 45, 47, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 70, and 73; and agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: Strike out $5,000,000 and insert in lieu thereof "$6,000,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "That hereafter all days, other than the holidays enumerated in the act of July 28, 1916, making appropriations for the Postal Service for the fiscal year ending June 30, 1917, set aside by the President of the United States as holidays to be observed by the other departments of the Government throughout the United States shall be construed as applicable to the Postal Service in the same manner and to the same extent as the executive departments"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "That out of this appropriation the Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes and the operation and maintenance of aeroplane mail service between such points, including service to and between points in Alaska, as he may determine. The Postmaster General in expending this appropriation shall purchase, as far as practicable, such available and suitable equipment and supplies for the aeroplane mail service as may be owned by or under construction for the War Department or the Navy Department when no longer required because of the cessation of war activities, and it shall be his duty to first ascertain if such articles of the character described may be secured from the War Department or the Navy Department before purchasing such equipment or supplies elsewhere. If such equipment or supplies, other than emergency supplies, are purchased elsewhere than from the War Department or the Navy Department, the Postmaster General shall report such action to Congress, together with the reasons for such purchases. All articles purchased from either of said departments shall be paid for at a reasonable price considering wear and tear and general condition. Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That the Secretary of War and the Secretary of the Navy are hereby authorized, and directed to deliver immediately to the Postmaster General, as he may request, and as hereinbefore provided, such aeroplane machines, supplies, equipment, and parts as may be serviceable and available for the aeroplane mail service, the same to be out of any equipment that the War Department or the Navy Department has on hand or under construction, the War Department and the Navy Department appropriations to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane mail service"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: Strike out "$1,500,000" and insert in lieu thereof "$2,000,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"*Provided*, That hereafter rural carriers assigned to horse-drawn vehicle routes on which daily service is performed shall receive $24 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage, and rural carriers assigned to horse-drawn vehicle routes on which triweekly service is performed shall receive $12 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage: *Provided further*, That during the fiscal year 1920 the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding $2,250 per annum."

And the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the amendment proposed by the Senate restore the word "herein," at the end of line 15, on page 28, and add the following: "*Provided further*, That no assistant postmaster or supervisory official at offices of the first class shall receive a less salary than $100 per annum in excess of the sixth-grade salary provided for clerks and carriers in the City Delivery Service, nor shall an assistant postmaster at any office of the second class be paid a less salary than that paid the highest-salaried clerk or letter carrier employed in such office: *Provided further*, That the provisions of this section shall not apply to employees who receive a part of their pay from any outside sources under cooperative arrangement with the Post Office Department, or to employees who serve voluntarily or receive only a nominal compensation: *And provided further*, That the increased compensation at the rate of 10 per cent and 15 per cent for the fiscal year ending June 30, 1918, and the increased compensation for the fiscal year ending June 30, 1919, shall not be computed as salary in construing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows:

"SEC. 5. That the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, is hereby amended to provide that the term 'rural post roads,' as used in section 2 of said act, shall be construed to mean any public road a major portion of which is now used or can be used or forms a connecting link not to exceed 10 miles in length of any road or roads now or hereafter used for the transportation of the United States mails, excluding every street and road in a place having a population, as shown by the latest available Federal census, of 2,500 or more, except that portion of any such street or road along which the houses average more than 200 feet apart: *Provided*, That section 6 of said act be further amended so that the limitation of payments not to exceed $10,000 per mile, exclusive of the cost of bridges of more than 20 feet clear span, which the Secretary of Agriculture may make, be, and the same is, increased to $20,000 per mile.

"SEC. 6. That for the purpose of carrying out the provisions of said act, as herein amended, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums: The sum of $50,000,000 for the fiscal year ending June 30, 1919, and available immediately; the sum of $75,000,000 for the fiscal year ending June 30, 1920; and the sum of $75,000,000 for the fiscal year ending June 30, 1921; said additional sums to be expended in accordance with the provisions of said act: *Provided*, That where the constitution of any State prohibits the same from engaging upon internal improvements, or from contracting public debts for extraordinary purposes in an amount sufficient to meet the monetary requirements of the act of July 11, 1916, or any act amendatory thereof, or restricts annual tax levies for the purpose of constructing and improving roads and bridges, and where a constitutional alteration or amendment to overcome either or all of such prohibitions must be submitted to a referendum at a general election, the sum to which such State is entitled under the method of apportionment provided in the act of July 11, 1916, or any act amendatory thereof, shall be withdrawn by the Secretary of the Treasury from the principal fund appropriated by the act of July 11, 1916, or any act amendatory thereof, upon receipt of the certification of the governor of such State to the existence of either or all of said prohibitions, and such sum shall be carried by the Secretary of the Treasury as a separate fund for future disbursement as hereinafter provided: *Provided further*, That when, by referendum, the constitutional alterations or amendments necessary to the enjoyment of the sum so withdrawn have been approved and ratified by any State, the Secretary of the Treasury, upon receipt of certification from the governor of such State to such effect, shall immediately make available to such State, for the purposes set forth in the act of July 11, 1916, or any act amendatory thereof, the sum withdrawn as hereinbefore provided: *Provided further*, That nothing herein shall be deemed to prevent any State from receiving such portion of said principal sum as is available under its existing constitution and laws: *Provided further*, That in the expenditure of this fund for labor preference shall be given, other conditions being equal, to honorably discharged soldiers, sailors, and marines, but any other preference or discrimination among citizens of the United States in connection with the expenditure of this appropriation is hereby declared to be unlawful.

"SEC. 7. That the Secretary of War be, and he is hereby, authorized in his discretion to transfer to the Secretary of Agriculture all available war material, equipment, and supplies not needed for the purposes of the War Department, but suitable for use in the improvement of highways, and that the same be distributed among the highway departments of the several States to be used on roads constructed in whole or in part by Federal aid, such distribution to be made upon a value basis of distribution the same as provided by the Federal aid road act, approved July 11, 1916: *Provided*, That the Secretary of Agriculture, at his discretion, may reserve from such distribu-

tion not to exceed 10 per cent of such material, equipment, and supplies for use in the construction of national forest roads or other roads constructed under his direct supervision.

"SEC. 8. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1919, the sum of $3,000,000, for the fiscal year ending June 30, 1920, the sum of $3,000,000, and for the fiscal year ending June 30, 1921, the sum of $3,000,000, available until expended by the Secretary of Agriculture in cooperation with the proper officials of the State, Territory, insular possession, or county, in the survey, construction, and maintenance of roads and trails within or partly within the national forests, when necessary for the use and development of resources of the same or desirable for the proper administration, protection, and improvement of any such forest. Out of the sums so appropriated the Secretary of Agriculture may, without the cooperation of such officials, survey, construct, and maintain any road or trail within a national forest which he finds necessary for the proper administration, protection, and improvement of such forest, or which in his opinion is of national importance. In the expenditure of this fund for labor preference shall be given, other conditions being equal, to honorably discharged soldiers, sailors, and marines.

"The Secretary of Agriculture shall make annual report to Congress of the amounts expended hereunder."

And the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: Strike out the language proposed by the Senate and insert in lieu thereof the following:

"SEC. 9. That no officer or enlisted man of the Army, Navy, or Marine Corps shall be detailed for work on the roads which come within the provisions of this act except by his own consent: *And provided further*, That the Secretary of Agriculture through the War Department shall ascertain the number of days any such soldiers, sailors, and marines have worked on the public roads in the several States (other than roads within the limits of cantonments or military reservations in the several States) during the existing war, and also the location where they worked and their names and rank, and report to Congress at the beginning of its next regular session.

"*Provided further*, That when any officer or enlisted man in the Army, the Navy, or the Marine Corps shall have been or may be in the future detailed for labor in the building of roads or other highway construction or repair work (other than roads within the limits of cantonments or military reservations in the several States) during the existing war, the pay of such officer or enlisted man shall be equalized to conform to the compensation paid to civilian employees in the same or like employment and the amount found to be due such officers, soldiers, sailors, and marines, less the amount of his pay as such officer, soldier, sailor, or marine, shall be paid to him from the 1920 appropriation herein allotted to the States wherein such highway construction or repair work was or will be performed."

And the Senate agree to the same.

J. H. BANKHEAD,
CLAUDE A. SWANSON,
THOS. W. HARDWICK,
CHAS. E. TOWNSEND,
JOHN W. WEEKS,
Managers on the part of the Senate.

JOHN A. MOON,
THOS. M. BELL,
A. B. ROUSE,
H. STEENERSON,
MARTIN B. MADDEN,
Managers on the part of the House.

OIL AND GAS LANDS (S. DOC. NO. 392).

Mr. PITTMAN. I present the conference report on the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, and ask that it be printed. I wish to notify Senators that as soon as the pending bill is disposed of I shall ask that the conference report be laid before the Senate, in order that it may be considered.

Mr. SMOOT. When does the Senator desire to call up the conference report?

Mr. PITTMAN. Only after the pending bill shall have been concluded.

Mr. SMOOT. If the Senator is going to call it up to-day, I shall object.

Mr. PITTMAN. I have no intention of calling it up to-day or at any time when it is objectionable. I thought, possibly, that we would wait until after the pending bill had been concluded and then call it up for consideration. I give notice that if the pending bill is completed this evening I shall call it up to-morrow morning.

Mr. SMOOT. I have no objection to that; but I understood the Senator to say that he would call it up immediately after the pending bill had been disposed of.

Mr. PITTMAN. That was an inadvertent expression.

I also ask unanimous consent to have printed with the conference report a statement by the managers which shows specifically the changes made in the Senate bill.

The VICE PRESIDENT. Without objection, it is so ordered.

The report and accompanying statement is as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows:

In lieu of the matter proposed by the House amendment insert the following:

"That deposits of coal, phosphate, sodium, oil, oil shale, or gas, owned by the United States, including those in national forests, the Grand Canyon National Park, and the Mount Olympus National Monument, but excluding those in other national parks, and in lands withdrawn or reserved for military or naval uses or purposes, except as hereinafter provided, shall be subject to disposition in the form and manner provided by this act to citizens of the United States, or to any association of such persons, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, and in the case of coal, oil, oil shale, or gas, to municipalities.

"COAL.

"SEC. 2. That any citizen or any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State or Territory, or any municipality of any State or Territory, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State or Territory of the Union, including the Territory of Alaska, not otherwise appropriated by competent authority, not exceeding 2,560 acres, upon payment to the receiver of not less than $10 per acre for such lands where the same shall be situate more than 15 miles from any completed railroad, and not less than $20 per acre for such lands as shall be within 15 miles of such railroad, and the Secretary of the Interior shall offer such coal lands and award the same through advertisement and competitive bidding, reserving the right to reject any and all bids which he may deem to be unfair: *Provided*, That improvements or development work of the aggregate value of not less than $8 per acre upon the coal lands so entered shall be made or done upon the lands annually for two years after such award, when patent shall issue therefor. Upon failure to comply with the terms of this section within the required period said lands shall be subject to entry by any other qualified applicant.

"No such person, association, or corporation shall own coal lands entered after the passage of this act in excess of said area, at any one time, nor be interested, directly or indirectly, in any other coal lands or coal taken therefrom, and no member of such association or corporation, or stockholder of such corporation, shall own any other coal lands or be interested, directly or indirectly, in any other coal lands or coal taken therefrom, or in any other association or corporation owning or controlling any coal lands: *Provided, however*, That any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held two years after its acquisition and not longer, and in case of minority or other disability such time as the court may decree.

"That any person, association, corporation, member of such association, or stockholder of such corporation who violates any of the foregoing provisions shall, upon conviction thereof, be deemed guilty of a felony, and punished by a fine of not exceeding $10,000 or by imprisonment in the penitentiary for a period of not exceeding two years, or both.

"That if any of such coal lands entered after the passage of this act shall be owned, leased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they

form part of or in any way effect any combination, or are in anywise controlled by any combination in the form of a trust, or the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, or of any holding of such lands by individuals, copartnership, association, corporation, mortgage, stock ownership, or control, in excess of 2,560 acres, the title thereto shall be forfeited to the United States of America by proceedings instituted by the attorney general in the courts for the purpose.

"SEC. 3. That the Secretary of the Interior is authorized to, and upon the petition of any qualified applicant shall, divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States, including the Territory of Alaska, unless previously entered under section 2 of this act, into leasing tracts of 40 acres each, or multiples thereof, and in such form as, in the opinion of the Secretary of the Interior, will permit the most economical mining of the coal in such tracts, but in no case exceeding 2,560 acres in any one leasing tract; and thereafter the Secretary of the Interior shall, in his discretion, from time to time upon the request of any qualified applicant or on his own motion, offer such lands or deposits of coal for leasing, and, upon a royalty fixed by him in advance, shall award leases thereof through advertisement, by competitive bidding, or, in case of lignite or low-grade coals, such other methods as he may by general regulations adopt, to any qualified applicant, unless previously entered under section 2 of this act: *Provided*, That no railroad or other common carrier shall be permitted to take or acquire through lease or permit under this act any coal lands or deposits of coal in excess of such area or quantity as may be required and used solely for its own use, and such limitation of use shall be expressed in all leases or permits issued to railroads or common carriers hereunder. That such a railroad or common carrier may be permitted to take under the foregoing provisions not to exceed one lease hereunder upon and for each 200 miles of its line in actual operation. The term "railroad" or "common carrier" as used in this act shall include any company or corporation owning or operating a railroad, whether under a contract, agreement, or lease, and any company or corporation subsidiary or auxiliary thereto, whether directly or indirectly connected with such railroad or common carrier, but shall not include spurs, switches, or branch lines operated by any lessee and necessary to connect the mine with the line or lines of any railroad or other common carrier.

"SEC. 4. That any person, association, or corporation holding a lease of coal lands or coal deposits under this act may, with the approval of the Secretary of the Interior, upon a finding by him that it will be for the advantage of the lessee and the United States, secure modifications of his or its original lease by including additional coal lands or coal deposits contiguous to those embraced in such lease, but in no event shall the total area embraced in such modified lease exceed in the aggregate 2,560 acres.

"That upon satisfactory showing by any lessee to the Secretary of the Interior that all of the workable deposits of coal within a tract covered by his or its lease will be exhausted, worked out, or removed within three years thereafter, the Secretary of the Interior may, within his discretion, lease to such lessee an additional tract of land or coal deposits, which, including the coal area remaining in the existing lease, shall not exceed 2,560 acres, through the same procedure and under the same conditions as in case of an original lease.

"SEC. 5. That if, in the judgment of the Secretary of the Interior, the public interest will be subserved thereby, lessees holding under lease areas not exceeding the maximum permitted under this act may consolidate their leases or holdings through the surrender of the original leases or holdings and the inclusion of such areas in a new lease of not to exceed 2,560 acres of contiguous lands.

"SEC. 6. That where coal lands aggregating 2,560 acres and subject to lease hereunder do not exist as contiguous areas, the Secretary of the Interior is authorized, if, in his opinion, the interests of the public and of the lessee will be thereby subserved, to embrace in a single lease sections or parts of sections which can be operated as a single mine or unit.

"SEC. 7. That for the privilege of mining or extracting the coal in the lands covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed in advance of offering the same, and which shall be not less than 2 cents per ton of 2,000 pounds, due and payable at the end of each month succeeding that of the extraction of the coal from the mine and an annual rental payable at the date of such lease and annually thereafter, on the lands or coal deposits covered by such lease, at such rate as may be fixed by the Secretary of the Interior prior to offering the same, which shall be not less than 25 cents per acre for the first year thereafter, not less than 50 cents per acre for the second, third, fourth, and fifth years, respectively, and not less than $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of diligent development and continued operation of the mine or mines, except when such operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior may determine, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the Secretary of the Interior may, if in his judgment the public interest will be subserved thereby, in lieu of the provision herein contained requiring continuous operation of the mine or mines, provide in the lease for the payment of an annual advance royalty upon a minimum number of tons of coal, which in no case shall aggregate less than the amount of rentals herein provided for.

"SEC. 8. That in order to provide for the supply of strictly local domestic needs for fuel, the Secretary of the Interior may, under such rules and regulations as he may prescribe in advance, issue limited licenses or permits to individuals or associations of individuals to prospect for, mine, and take for their use but not for sale, coal from the public lands without payment of royalty for the coal mined or the land occupied, on such conditions not inconsistent with this act as in his opinion will safeguard the public interest: *Provided*, That this privilege shall not extend to any corporation: *And provided further*, That in the case of municipal corporations the Secretary of the Interior may issue such limited license or permit, for not to exceed 160 acres, upon condition that such municipal corporations will mine the coal therein under proper conditions and dispose of the same without profit: *And provided further*, That the acquisition or holding of a lease under the preceding sections of this act shall be no bar to the acquisition of such tract or operation of such mine under said limited license.

"PHOSPHATES.

"SEC. 9. That the Secretary of the Interior is hereby authorized to lease or sell to any person qualified under this act any lands belonging to the United States containing deposits of phosphates, under such restrictions and upon such terms as are herein specified, through advertisement, competitive bidding, or such other methods as the Secretary of the Interior may by general regulation adopt.

"SEC. 10. That each lease or sale shall be for not to exceed 2,560 acres of land to be described by the legal subdivisions of the public-land surveys, if surveyed, to be described by the legal subdivision of the public-land surveys; if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease, in accordance with the laws, rules, and regulations governing the survey of public lands, and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such survey; deposits made to cover expense of surveys shall be deemed appropriated for that purpose; and any excess deposits shall be repaid to the person, association, or corporation making such deposits or their legal representatives: *Provided*, That the land embraced in any one lease shall be in compact form, the length of which shall not exceed two and one-half times its width.

"SEC. 11. That for the privilege of mining or extracting the phosphates or phosphate rock covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed by the Secretary of the Interior in advance of offering the same, which shall be not less than 2 per cent of the gross value of the output of phosphates or phosphate rock at the mine, due and payable at the end of each month succeeding that of the extraction of the phosphates or phosphate rock from the mine, and an annual rental payable at the date of such lease and annually thereafter on the area covered by such lease at such rate as may be fixed by the Secretary of the Interior prior to offering the lease, which shall be not less than 25 cents per acre for the first year thereafter, 50 cents per acre for the second, third, fourth, and fifth years, respectively, and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of a minimum annual production, except when operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secre-

tary of the Interior shall determine unless otherwise provided by law at the time of the expiration of such periods.

"SEC. 12. That any qualified applicant to whom the Secretary of the Interior may grant a lease to develop and extract phosphates, or phosphate rock, under the provisions of this act shall have the right to use so much of the surface of unappropriated and unentered lands, not exceeding 40 acres, as may be determined by the Secretary of the Interior to be necessary for the proper prospecting for or development, extraction, treatment, and removal of such mineral deposits.

"OIL AND GAS.

"SEC. 13. That the Secretary of the Interior is hereby authorized, under such necessary and proper rules and regulations as he may prescribe, to grant to any applicant qualified under this act a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas upon not to exceed 640 acres of land wherein such deposits belong to the United States and are located within 10 miles of any producing oil or gas well and upon not to exceed 2,560 acres of land wherein such deposits belong to the United States and are situated more than 10 miles from any producing oil or gas well and are not within any known geological structure of a producing oil or gas field upon condition that the permittee shall begin drilling operations within six months from the date of the permit, and shall, within one year from and after the date of permit, drill one or more wells for oil or gas to a depth of not less than 500 feet each, unless valuable deposits of oil or gas shall be sooner discovered, and shall, within two years from date of the permit, drill for oil or gas to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered. The Secretary of the Interior may, if he shall find that the permittee has been unable with the exercise of diligence to test the land in the time granted by the permit, extend any such permit for such time and upon such conditions as he shall prescribe. Whether the lands sought in any such application and permit are surveyed or unsurveyed the applicant shall, prior to filing his application for permit, locate such lands in a reasonably compact form and according to the legal subdivisions of the public land surveys if the land be surveyed; and in an approximately square or rectangular tract if the land be an unsurveyed tract, the length of which shall not exceed two and one-half times its width, and if he shall cause to be erected upon the land for which a permit is sought, a monument not less than 4 feet high, at some conspicuous place thereon, and shall post a notice in writing on or near said monument, stating that an application for permit will be made within 30 days after date of said notice, the name of the applicant, the date of the notice, and such a general description of the land to be covered by such permit by reference to courses and distances from such monument and such other natural objects and permanent monuments as will reasonably identify the land, stating the amount thereof in acres, he shall during the period of 30 days following such marking and posting, be entitled to a preference right over others to a permit for the land so identified. The applicant shall, within 90 days after receiving a permit, mark each of the corners of the tract described in the permit upon the ground with substantial monuments, so that the boundaries can be readily traced on the ground, and shall post in a conspicuous place upon the lands a notice that such permit has been granted and a description of the lands covered thereby: *Provided*, That in the Territory of Alaska prospecting permits, not more than five in number, may be granted to any qualified applicant for periods not exceeding four years, actual drilling operations shall begin within two years from date of permit, and oil and gas wells shall be drilled to a depth of not less than 500 feet, unless valuable deposits of oil or gas shall be sooner discovered, within three years from date of the permit and to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered, within four years from date of permit: *And provided further*, That in said Territory the applicant shall have a preference right over others to a permit for land identified by temporary monuments and notice posted on or near the same for six months following such marking and posting, and upon receiving a permit he shall mark the corners of the tract described in the permit upon the ground with substantial monuments within one year after receiving such permit.

"SEC. 14. That upon establishing to the satisfaction of the Secretary of the Interior that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any such permit the permittee shall be entitled to a patent for one-fourth of the land embraced in the prospecting permit, such area to be selected by the permittee in compact form and according to the legal subdivisions of the public-land surveys if the land be surveyed, or to be surveyed at his expense in accordance with the laws, rules, and regulations governing the survey of placer mining claims if located upon unsurveyed lands: *Provided*, That said permittee shall be given a preference right to lease the remaining and unpatented lands embraced within the limits of his permit at a royalty determined by competitive bidding at a rate of not less than one-eighth, otherwise to be upon the same terms and conditions as provided for other general leases.

"SEC. 15. That until the permittee shall apply for patent to the one-fourth of the permit area heretofore provided for he shall pay to the United States 20 per cent of the gross value of all oil or gas secured by him from the lands embraced within his permit and sold or otherwise disposed of or held by him for sale or other disposition.

"SEC. 16. That all permits, leases, entries, and patents of lands containing oil or gas, made or issued under the provisions of this act, shall be subject to the condition that no wells shall be drilled within 200 feet of any of the outer boundaries of the lands so located, leased, entered, or patented, unless the adjoining lands have been patented or the title thereto otherwise vested in private owners, and to the further condition that the locator, lessee, entryman, or patentee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land, or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the location, entry, lease, or patent, to be enforced through appropriate proceedings in courts of competent jurisdiction.

"SEC. 17. That all unappointed deposits of oil or gas situated within the geologic structure of a producing oil or gas field and the unentered lands containing the same, except, however, those embraced in any prospecting permit during the life of the same, may be leased by the Secretary of the Interior through competitive bidding under general regulations in areas not exceeding 1,280 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, which shall be not less than one-eighth in amount of value of the production, which royalty on demand of the Secretary of the Interior shall be paid in oil or gas, and the payment in advance of a rental of not less than $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year. Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods.

"SEC. 18. That whenever the validity of any gas or petroleum placer claim under preexisting law to land embraced in the Executive order of withdrawal issued September 27, 1909, has been or may hereafter be drawn in question on behalf of the United States in any departmental or judicial proceedings, the President is hereby authorized at any time within 12 months after the approval of this act to direct the compromise and settlement of any such controversy upon such terms and conditions as may be agreed upon, to be carried out by an exchange or division of land or division of the proceeds of operation.

"Upon relinquishment to the United States, filed in the General Land Office within six months after the approval of this act, of all right, title, and interest claimed and possessed since prior to July 3, 1910, by the claimant hereunder or his predecessor in interest under the preexisting petroleum placer law to any oil or gas bearing land embraced in the Executive order of withdrawal issued September 27, 1909, and not within any naval petroleum reserve, and upon payment to the United States of an amount equal to the value at the time of production of one-eighth of all the oil or gas already produced and saved from such land, the claimant or his successor in undisputed possession of any such claim shall be entitled to a lease thereof from the United States for a period of 20 years, at a royalty of not less than one-eighth of all the proceeds of oil or gas produced, after first deducting the actual and necessary expenses of such production: *Provided*, That not more than one-half of the area within the geologic oil or gas structure of a producing oil or gas field shall be leased to any one claimant under the provisions of this section when the area of such geological oil structure exceeds 640 acres. Any claimant or his successor subject to this limitation shall, however, have the right to select and receive the lease as in this section provided for that portion

of his claim or claims equal to, but not in excess of, said one-half of the area of such geologic oil structure.

"All such leases shall be made and the amount to be paid for oil and gas produced after the execution of such lease shall be fixed by the Secretary of the Interior under appropriate rules and regulations: *Provided, however*, That as to all such claims situate within naval petroleum reserves the producing wells thereon only shall be leased, together with an area of land sufficient for the operation thereof, upon the terms and payment of royalties for past and future production as herein provided for in the leasing of claims. No wells shall be drilled in the land subject to this provision within 660 feet of any such leased well without the consent of the lessee: *Provided, however*, That the President may, in his discretion, lease the remainder of any such claim upon which such wells have been drilled, and in the event of such leasing said claimant or his successor shall have a preference right to such lease: *And provided further*, That he may permit the drilling of additional wells by the claimant or his successor within the limited area of 660 feet theretofore provided for, upon such terms and conditions as he may prescribe.

"No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith.

"Upon the delivery and acceptance of the lease, as in this section provided, all suits brought by the Government affecting such lands may be settled and adjusted in accordance herewith and all moneys impounded in such suits or under the act of August 25, 1914 (38 Stat. L., p. 708), shall be paid over to the parties entitled thereto. In case of conflicting claimants for leases under this section, the Secretary of the Interior is authorized to grant leases to one or more of them as shall be deemed just.

"Leases granted or compromised settlements made hereunder upon any tract of land shall inure to the benefit of all persons or corporations, except those guilty of fraud, having an interest with the lessee or claimant, by contract or lease, in such land proportionately in accordance with the interest so represented by such existing contract or lease, subject to the assumption proportionately by each such existing interest of the obligations of such lease or settlement so granted or made hereunder, which proportionate benefits and obligations shall be incorporated in such lease or compromise agreement.

"SEC. 19. That any person who, at the time of any withdrawal order, or on January 1, 1918, was a bona fide occupant or claimant of oil or gas lands not withdrawn from entry, and who had previously performed all acts under then existing laws necessary to valid locations thereof except to make discovery, and upon which discovery had not been made prior to the passage of this act, and who has performed work or expended on or for the benefit of such locations an amount equal in the aggregate of $250 for each location if application therefor shall be made within three months from the passage of this act shall be entitled to prospecting permits thereon upon the same terms and conditions as other permits provided for in this act, or where any such person has heretofore made such discovery he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe, unless otherwise provided for in section 18 hereof: *Provided*, That such lands are not reserved for the use of the Navy: *Provided, however*, That no claimant who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section: *And provided further*, That within one year after the passage of this act where any land has been included within an oil withdrawal or classification heretofore made after bona fide entry upon the same by a qualified homestead or desert-land entryman and where said entryman has complied with the requirements of the law relating to such entries up to the time when said withdrawal was made, said entryman or the patentee under such entry, or his assigns when such assignment was made prior to January 1, 1918, shall be given a preference right to a prospecting permit for the same under the same terms and conditions as prescribed in this act.

"OIL SHALE.

"SEC. 20. That the Secretary of the Interior is hereby authorized to lease to any person or corporation qualified under this act any deposits of oil shale belonging to the United States and the surface of so much of the public lands containing such deposits, or land adjacent thereto, as may be required for the extraction and reduction of the leased minerals, under such rules and regulations, not inconsistent with this act, as he may prescribe; that no lease hereunder shall exceed 5,120 acres of land, to be described by the legal subdivisions of the public-land surveys, or if unsurveyed, to be surveyed by the United States, at the expense of the applicant, in accordance with the laws and regulations for the survey of public lands. Leases may be for indeterminate periods, upon such conditions as may be imposed by the Secretary of the Interior, including covenants relative to methods of mining, prevention of waste, and productive development. For the privilege of mining, extracting, and disposing of the oil or other minerals covered by a lease under this section the lessee shall pay to the United States such royalties as shall be specified in the lease and an annual rental, payable at the beginning of each year, at the rate of 50 cents per acre per annum, for the lands included in the lease, the rental paid for any one year to be credited against the royalties accruing for that year; such royalties to be subject to readjustment at the end of each 20-year period by the Secretary of the Interior: *Provided*, That for the purpose of encouraging the production of petroleum products from shales the Secretary may, in his discretion, waive the payment of any royalty and rental during the first five years of any lease: *Provided*, That any person having a valid location to such minerals under existing laws on January 1, 1918, shall, upon the relinquishment of such location, be entitled to a lease under the provisions of this section, for such area of the land relinquished as shall not exceed the maximum area authorized by this section to be leased to an individual or corporation: *Provided, however*, That no claimant who has been guilty of fraud in the location of any oil-shale bearing lands shall be entitled to any of the benefits of this section: *Provided further*, That not more than one lease shall be granted under this section to any one person, association, or corporation.

"ALASKA OIL PROVISO.

"SEC. 21. That any bona fide occupant or claimant of oil or gas bearing lands in the Territory of Alaska, or his successors or assigns, who prior to withdrawal had complied otherwise with the requirements of the mining laws, but had made no discovery of oil or gas in wells and who prior to withdrawal had made substantial improvements on or for each location or had prior to the passage of this act expended not less than $250 in improvements on or for each location shall be entitled, upon relinquishment or surrender to the United States within one year from the date of this act, or within six months after final denial or withdrawal of application for patent to a prospecting permit or permits, lease, or leases, under this act covering such lands, not exceeding five permits or leases in number and not exceeding an aggregate of 1,280 acres in each: *Provided*, That leases issued in Alaska under this act whether as a result of prospecting permits or otherwise shall be upon such rental and royalties as shall be fixed by the Secretary of the Interior and specified in the lease, and be subject to readjustment at the end of each 20-year period of the lease: *Provided further*, That for the purpose of encouraging the production of petroleum products in Alaska the Secretary may, in his discretion, waive the payment of any rental or royalty not exceeding the first five years of any lease.

"No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith.

"SODIUM.

"SEC. 22. That the Secretary of the Interior is hereby authorized and directed, under such rules and regulations as he may prescribe, to grant to any qualified applicant a prospecting permit which shall give the exclusive right to prospect for chlorides, sulphates, carbonates, borates, silicates, or nitrates of sodium dissolved in and soluble in water, and accumulated by concentration, in lands belonging to the United States for a period of not exceeding two years: *Provided*, That the area to be included in such a permit shall be not exceeding 2,560 acres of land in reasonably compact form: *Provided further*, That the provisions of this section shall not apply to lands in San Bernardino County, Cal.

"SEC. 23. That upon showing to the satisfaction of the Secretary of the Interior that valuable deposits of one of the substances enumerated in section 22 hereof has been discovered by the permittee within the area covered by his permit, the permittee shall be entitled to a patent for one-fourth of the land embraced in the prospecting limit, to be taken and described by legal subdivisions of the public-land surveys, or, if the land be not surveyed, by survey executed at the cost of the permittee in accordance with the laws, rules, and regulations governing the survey of placer mining claims. All other lands described and embraced in such a prospecting permit, from and after the exercise of the preference right to patent accorded to the discoverer, and all other lands known to contain such valuable deposits as

are enumerated in section 22 hereof and not covered by permits or leases, except such lands as are situated in said county of San Bernardino, shall be held subject to lease or sale, and may be leased or sold by the Secretary of the Interior through advertisement, competitive bidding, or such other methods as he may by general regulations adopt, and in such areas as he shall fix, not exceeding 2,560 acres, all leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, and the payment in advance of a rental of 50 cents per acre for the first calendar year or fraction thereof and $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited on the royalty for that year. Leases may be for indeterminate periods upon such conditions not inconsistent herewith as may be incorporated in each lease or prescribed in general regulation theretofore issued by the Secretary of the Interior, including covenants relative to mining methods, waste, period of preliminary development, and minimum production, and a patentee under this section may be lessee of the remaining lands in his permit.

"SEC. 24. That in addition to areas of such mineral land which may be included in any such prospecting permits or leases, the Secretary of the Interior, in his discretion, may grant to a permittee or lessee of lands containing sodium deposits, and subject to the payment of an annual rental of not less than 25 cents per acre, the exclusive right to use, during the life of the permit or lease, a tract of unoccupied nonmineral public land, not exceeding 20 acres in area for camp sites, refining works, and other purposes connected with and necessary to the proper development and use of the deposits covered by the permit or lease.

"GENERAL PROVISIONS APPLICABLE TO COAL, PHOSPHATE, SODIUM, OIL, OIL SHALE, AND GAS LEASES.

"SEC. 25. That the Secretary of the Interior shall reserve and may exercise the authority to cancel any prospecting permit upon failure by the permittee to exercise due diligence in the prosecution of the prospecting work in accordance with the terms and conditions stated in the permit, and shall insert in every such permit issued under the provisions of this act appropriate provisions for its cancellation by him.

"SEC. 26. That no person, association, or corporation, except as herein provided, shall take or hold more than one coal, phosphate, or sodium lease during the life of such lease; no person, association, or corporation shall take or hold, at one time, more than three oil or gas leases granted hereunder in any one State, and not more than one lease within the geologic structure of a producing oil or gas field; no corporation shall hold any interest as a stockholder of another corporation in more than such number of leases; and no person or corporation shall take or hold any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof which, together with the area embraced in any direct holding of a lease under this act, or which, together with any other interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof, exceeds in the aggregate an amount equivalent to the maximum number of acres allowed to any one lessee under this act; and the interests held in violation of this provision shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States district court for the district in which the property, or some part thereof, is located, except that any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition: *Provided*, That nothing herein contained shall be construed to limit sections 18 and 19 or to prevent any number of lessees under the provisions of this act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipe line or lines or railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this act, or the transportation of coal: *Provided further*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same.

"SEC. 27. That rights of way through the public lands, including the forest reserves, of the United States are hereby granted for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1 of this act to the extent of the ground occupied by the said pipe line and 25 feet on each side of the same under such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior, and upon the express condition that such pipe lines shall be constructed, operated, and maintained as common carriers: *Provided*, That no right of way shall hereafter be granted over said lands for the transportation of oil or natural gas except under and subject to the provisions, limitations, and conditions of this section. Failure to comply with the provisions of this section or the regulations prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by the United States district court for the district in which the property, or some part thereof, is located in an appropriate proceeding.

"SEC. 28. That any permit, lease, occupation, or use permitted under this act shall reserve to the Secretary of the Interior the right to permit upon such terms as he may determine to be just, for joint or several use such easements or rights of way, including easements in tunnels upon, through, or in the lands leased, occupied, or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this act, and the treatment and shipment of the products thereof by or under authority of the Government, its lessees, or permittees, and for other public purposes: *Provided*, That said Secretary, in his discretion, in making any lease under this act may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided further*, That if such reservation is made, it shall be so determined before the offering of such lease: *And provided further*, That the said Secretary, during the life of the lease, is authorized to issue such permits for easements herein provided to be reserved.

"SEC. 29. That no lease issued under the authority of this act shall be assigned or sublet, except with the consent of the Secretary of the Interior. The lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease, and upon acceptance thereof be thereby relieved of all future obligations under said lease, and may with like consent, surrender any legal subdivision of the area included within the lease. Each lease shall contain provisions for the purpose of insuring the exercise of reasonable diligence, skill, and care in the operation of said property; a provision that such rules for the safety and welfare of the miners and for the prevention of undue waste as may be prescribed by said Secretary shall be observed, including a restriction of the workday to not exceeding eight hours in any one day for underground workers except in cases of emergency, provisions securing the workmen complete freedom of purchase, requiring the payment of wages at least twice a month in lawful money of the United States, and providing proper rules and regulations to insure the fair and just weighing or measurement of the coal mined by each miner, and such other provisions as he may deem necessary for the protection of the interests of the United States, for the prevention of monopoly, and for the safeguarding of the public welfare: *Provided*, That none of such provisions shall be in conflict with the laws of the State in which the leased property is situated.

"SEC. 30. That any lease issued under the provisions of this act may be forfeited and canceled by an appropriate proceeding in the United States district court for the district in which the property, or some part thereof, is located whenever the lessee fails to comply with any of the provisions of this act, of the lease, or of the general regulations promulgated under this act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes or for remedies for breach of specified conditions thereof.

"SEC. 31. That the Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act: *Provided*, That nothing in this act shall be construed or held to affect the rights of the States or other local authority to exercise any rights which they may have, including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

"SEC. 32. That all statements, representations, or reports required by the Secretary of the Interior under this act shall be upon oath, unless otherwise specified by him and in such form and upon such blanks as the Secretary of the Interior may require.

"SEC. 33. That the provisions of this act shall also apply to all deposits of coal, phosphate, sodium, oil, oil shale, or gas in the lands of the United States, which lands may have been or may be disposed of under laws reserving to the United States such deposits, with the right to prospect for, mine, and remove the

same, subject to such conditions as are or may hereafter be provided by such laws reserving such deposits.

"SEC. 34. That all moneys received from sales, royalties, and rentals under the provisions of this act, excepting those from Alaska, shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act, but after use thereof in the construction of reclamation works and upon return to the reclamation fund of any moneys in the manner provided by the reclamation act and acts amendatory thereof and supplemental thereto, 50 per cent of the amounts derived from such royalties and rentals so utilized in and returned to the reclamation fund shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State within the boundaries of which the leased lands or deposits are or were located, said moneys to be used by such State or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State may direct: *Provided*, That any moneys which may accrue to the United States under the provisions of this act from lands within the naval petroleum reserves shall be deposited in the Treasury as "Miscellaneous receipts."

"SEC. 35. That the deposits of coal, phosphate, sodium, oil, oil shale, and gas, herein referred to, in lands valuable for such minerals shall be subject to disposition only in the form and manner provided in this act, except as to valid claims existent at date of the passage of this act and thereafter maintained in compliance with the laws under which initiated, which claims may be perfected under such laws."

And the House agree to the same.

Amendment to the title: That the Senate recede from its disagreement to the amendment of the House to the title to the bill, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the House amendment insert the following:

"An act to authorize exploration for and disposition of coal, phosphate, sodium, oil, oil shale, or gas on the public domain."

And the House agree to the same.

KEY PITTMAN,
JAMES D. PHELAN,
By KEY PITTMAN,
JOHN F. SHAFROTH,
Managers on the part of the Senate.

SCOTT FERRIS,
EDW. T. TAYLOR,
JOHN E. RAKER,
WM. L. LA FOLLETTE,
N. J. SINNOTT,
Managers on the part of the House.

STATEMENT.

The specific changes made in the Senate bill in the conference are hereinafter set out by line and page. Many of these amendments are simply corrections of language, therefore the managers will briefly state the substance of the changes in the Senate bill.

The Senate bill expressly excluded any legislation with regard to land and oil within oil naval reserve, and therefore the provisions of the House bill were accepted upon the insistence of the managers upon the part of the House. These provisions were prepared by the Secretary of the Navy, the Secretary of the Interior, and the Attorney General.

The Senate bill provided for a fixed royalty of one-eighth in all leases executed under the bill. The House provision was adopted, providing for a royalty of not less than one-eighth, with the amendment, however, offered by the managers on the part of the Senate, that the amount of such royalty should be determined by competitive bidding. The acreage provided in the Senate bill for a lease was not to exceed 2,560 acres, while in the House bill it was 640 acres. A compromise was reached upon 1,280 acres. These provisions, of course, do not apply to claimants of oil lands under existing laws. As to these the claimants, if guilty of no fraud, and if they had developed producing oil wells, are entitled to a lease under the bill agreed upon to the land they so claimed in good faith and which they have so developed under the general provisions applying to other leases. There is a further limitation, however, upon this class of lessee, and in no case shall they be permitted to monopolize any oil field. In other words, with regard to this character of claimants, all of the drastic provisions with regard to fraud provided in the House bill were agreed to. In other words, these claimants who are guilty of no fraud and who developed producing oil wells in good faith are entitled to a preferential right to lease oil lands that the Government purposes to lease under the bill.

The Senate provision with regard to the discovery and development of new oil fields was agreed to. It provides for a prospecting permit and for a grant of title to one-fourth of the area described in such prospecting permit upon the discovery of oil and a preferential right to lease the other three-fourths upon such terms as may be fixed by competitive bidding and general leasing provisions of the bill. The Senate provisions with regard to coal and phosphate were adopted, with the effect intended by the Senate.

Congress has given careful consideration and ceaseless energy during a period of six years to the accomplishment of this legislation. The managers on the part of the House and the Senate have been attempting to reach an agreement since May. Each board of managers has conceded all that it will concede, and the result meets the approval of 9 out of every 10 conferees. The conferees believe that the bill will accomplish development of resources that are immediately and vitally required by our Government, while at the same time it protects the Government against fraud, waste, or extortion. In the opinion of the conferees the fight will go on for years, the natural resources of the country will be undeveloped, and there will be a dire scarcity of the minerals described in the bill unless the conference report is agreed to.

Section 1 of the bill as agreed to is section 1 of the House bill, with amendments as follows:

Line 1, page 1, House bill, after "phosphate" insert "sodium."

Line 3, page 1, House bill, strike out "monument" and insert "park."

Line 4, page 1, House bill, after the word "in," insert "other."

Section 2 is section 2 of the Senate bill, with amendments as follows:

Line 9, page 2, Senate bill, after the word "Union," insert "including the Territory of Alaska."

Line 20, insert the word "aggregate" before the word "value." Also strike out "$10,000" and insert "not less than $8 per acre upon the coal land so entered."

Line 21, strike out "within one year" and insert "annually for two years."

Section 3 is section 3 of the House bill, with amendments as follows:

Line 20, page 2, House bill, strike out the words "outside of" and insert the word "including."

Line 21, after the word "Alaska," insert "unless previously entered under section 2 of this act."

Line 8, page 3, after the word "applicant" and before the colon, insert a comma and the words "unless previously entered under section 2 of this act."

Sections 4, 5, 6, 7, and 8 are sections 4, 5, 6, 7, and 8 of the House bill without alteration.

Section 9 is section 7 of the Senate bill.

Section 10 is section 16 of the House bill, with an amendment as follows:

Line 8, page 17, House bill, after the word "lease," insert the words "or sale."

Sections 11 and 12 are sections 17 and 18 of the House bill unaltered.

Section 13 is section 9 of the House bill, with amendment as follows:

Line 20, page 9, House bill, after the word "granted," insert "to any qualified applicant."

Section 14 is section 12 of Senate bill, with amendment as follows:

Line 8, page 10, Senate bill, after the word "permit," insert the words "at a royalty determined by competitive bidding at a rate of not less than one-eighth, otherwise to be."

Line 9, after the word "other," insert the word "general."

Line 9, after the word "leases," change the comma to a period and strike out balance of the section.

Section 15 is section 13 of the Senate bill, with amendments as follows:

Line 14, page 10, Senate bill, strike out "or lease to the land selected by him" and insert "to the one-fourth of the permit area heretofore provided for."

Line 15, strike out "twenty-five" and insert "twenty."

Line 18, after "disposition," change the comma to a period and strike out balance of section.

Section 16 is section 14 of the Senate bill.

Section 17 is section 12 of the House bill with amendments:

Line 15, page 12, House bill, strike out "six hundred and forty" and insert "twelve hundred and eighty."

Line 5, page 13, change colon to a period and strike out balance of section.

Section 18 is a compromise and in lieu of section 16 of the Senate bill, and the part of section 12 of the House bill stricken out by the last amendment.

Section 19 is the proviso in section 28 of the House bill.

Line 17, page 25, House bill, strike out the word "*Provided*" and insert section 19. Also amend as follows:

Line 5, page 26, House bill, after the word "act," insert "or where any such person has heretofore made such discovery he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe unless otherwise provided for in section 18 hereof."

Line 18, page 26, after the word "entry," insert "or his assigns when such assignment was made prior to January 1, 1918."

Section 20 is section 14 of the House bill.

Section 21 is section 29 of the House bill, with an amendment at the end of the section as follows:

"No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith."

Sections 22 and 23 are sections 18 and 19 of the Senate bill.

Section 24 is section 20 of the Senate bill, with amendment as follows:

Line 21, page 18, Senate bill, strike out "phosphates" and insert "sodium."

Section 25 is section 19 of House bill unaltered.

Section 26 is section 20 of the House, with amendment as follows:

Line 23, page 19, House bill, after the word "phosphate," insert the words "or sodium."

Line 4, page 20, after the word "person" insert the words "or corporation."

Line 23, page 20, House bill, after the word "construed" insert the words "to limit sections 18 and 19 or."

Line 1, page 21, House bill, after the word "of," insert "constructing and carrying on the business of a refinery, or of."

Lines 5–6, page 21, strike out the words "or from constructing and carrying on the business of a refinery."

Section 27 is section 13 of the House bill, with amendment as follows:

Line 16, page 14, after the word "lands," insert "including the forest reserves."

Line 2, page 15, strike out the words "the public" and insert the word "said."

Sections 28, 29, and 30 are sections 21, 22, and 23 of the House bill unaltered.

Section 31 is section 27 of the House bill, with amendment as follows:

Line 7, page 25, House bill, after the word "have," insert "including the right."

Section 32 is section 24 of the House bill.

Section 33 is section 25 of the House bill, with amendment as follows:

Line 24, page 23, House bill, so as to include "sodium."

Section 34 is section 26 of the House bill, with amendment as follows:

Line 5, page 24, House bill, after the word "from," insert the word "sales."

Section 35 is the first part of section 28 of the House bill down to the proviso on page 25 of the House bill.

MEMORIAL TO FRANCIS ASBURY.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 107) authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury, which were on page 1, lines 14 and 15, to strike out "the site chosen and"; on page 1, line 15, after "approved," to insert "and the site shall be chosen," and, on page 2, line 2, after "memorial," to insert: "*Provided*, That the memorial herein provided for shall not be erected or placed on any part of the Mall, or Potomac Park, nor on any ground within one-half mile of the Capitol."

Mr. BANKHEAD. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

LAND AT SAN DIEGO, CAL.

Mr. PITTMAN. There is a Senate bill which has just come from the House with amendments, and the friends of the measure are very anxious for its final passage. It is a bill to which there is no objection, and I ask that it be laid before the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3646) to grant rights of way over Government lands for dam and reservoir purposes, for the conservation and storage of water to be used by the city of San Diego, Cal., and for other purposes, which were to strike out all after the enacting clause and to insert:

That the south half of the northeast quarter of the northwest quarter and the north half of the southwest quarter of section 8; the west half of the southwest quarter of the southwest quarter and the west half of the northeast quarter of the northwest quarter of section 9, all in township 15 south, range 2 east, San Bernardino base and meridian, within the Cleveland National Forest; and the southeast quarter of the southwest quarter and the southwest quarter of the southeast quarter of section 15; the northeast quarter of the southeast quarter of section 21; the northwest quarter of the northeast quarter, the northwest quarter, the north half of the southwest quarter, and the southwest quarter of the southwest quarter of section 22; the west half of the northwest quarter of section 27; and the east half of the northeast quarter, the southwest quarter of the northeast quarter, and the southeast quarter of section 28; and the northeast quarter, the west half of the southeast quarter, the east half of the southwest quarter, and the southeast quarter of the northwest quarter of section 33, all in township 14 south, range 2 east, San Bernardino base and meridian; also the north half of the southwest quarter and the southwest quarter of the southwest quarter of section 3, and lots 2, 3, 6, 7, 8, 9, 10, 11, and the south half of section 4, all in township 15 south, range 2 east, San Bernardino base and meridian, within the Capitan Grande Indian Reservation, and all within the county of San Diego and State of California, are hereby granted to the city of San Diego, a municipal corporation in said county and State, for dam and reservoir purposes for the conservation and storage of water, whenever said city shall have provided compensation as hereinafter specified for all property rights and interests and damages done to Mission Indians located upon the Capitan Grande Indian Reservation: *Provided*, That the lands herein granted shall not be sold, assigned, transferred, or conveyed to any private person, corporation, or association; and in case of any attempt to sell, assign, transfer, or convey, or upon a failure to use and apply said lands exclusively to the purposes herein specified, this grant shall revert to the United States.

SEC. 2. That the lands herein granted are and shall be subject to all legal rights heretofore acquired by any person, persons, or corporation in or to the above described premises, or any part thereof, and now existing under and by virtue of the laws of the United States, and no private right, title, interest, or claim of any person, persons, or corporation in or to any of such lands shall be interfered with or abridged, except with the consent of the owner or owners, or claimant or claimants thereof, or by due process of law and just compensation paid to such owner or claimant: *Provided*, That the rights and claims of the Mission Indians of the Capitan Grande Indian Reservation, located upon the lands herein described and affected by the grant herein, shall be protected and provided for as hereafter set forth in section 3 of this act.

SEC. 3. That the law of eminent domain of the State of California is hereby extended over and made to apply to said lands, and the Secretary of the Interior or his duly authorized representative is hereby directed to appear on behalf of, in the name of, and to represent the Capitan Grande Band of Indians and the United States in any proceedings instituted by the city of San Diego to condemn the interest of said Indians in said lands: *Provided*, That any judgment or order of condemnation entered in such proceeding shall be binding upon said Capitan Grande Band of Indians only upon the approval by the Secretary of the Interior of the terms of said judgment: *Provided further*, That the Secretary of the Interior shall require from the city of San Diego in addition to the award of condemnation such further sum which, in his opinion, when added to said award, will be sufficient in the aggregate to provide for the purchase of additional lands for the Capitan Grande Band of Indians, the erection of suitable homes for the Indians on the lands so purchased, the erection of such schools, churches, and administrative buildings, the sinking of such wells and the construction of such roads and ditches, and providing water and water rights and for such other expenses as may be deemed necessary by the Secretary of the Interior to properly establish these Indians permanently on the lands purchased for them; and the Secretary of the Interior is hereby authorized to expend the proceeds or any part thereof, derived from this grant for the purposes above enumerated, for the exclusive use and benefit of said Indians: *And provided further*, That the grant made in this act shall not become effective until payment has been made of the sums herein provided for.

SEC. 4. That within one year after the approval of this act the city of San Diego shall commence condemnation proceedings to acquire the lands herein described and shall diligently prosecute such proceedings to a final judgment. Within two years after the approval by the Secretary of the Interior of any such judgment of condemnation the city of San Diego shall institute, and thereafter shall diligently prosecute, proceedings for the issuance and sale of municipal bonds to defray the amount necessary to satisfy any such judgment of condemnation, paying such additional sum as the Secretary of the Interior may require, as provided for in section 3, and providing for the acquisition, construction, and completion of a dam, reservoir, pipe line, and appurtenances thereto necessary or convenient to the storage and conservation of water upon the lands herein described for the purposes set forth in this bill. Within six months from the time of payment into the city treasury of the moneys realized from the sale of municipal bonds issued as herein provided the city of San Diego shall commence the construction of said dam and reservoir, and the same shall be prosecuted diligently, and in the event that the Secretary of the Interior shall find and determine that there has not been diligent prosecution of the work, or that said condemnation proceedings have not been commenced and diligently prosecuted, or that municipal bonds have not been issued and sold as herein provided, then he may declare forfeited all rights of the grantees herein and request the Attorney General, on behalf of the United States, to commence suits or proceedings in the proper court having jurisdiction thereof for the purpose of procuring a judgment declaring all rights to be forfeited to the United States, and upon such request it shall be the duty of said Attorney General to cause to be commenced and prosecuted to a final judgment such suits or proceedings: *Provided*, That the Secretary of the Interior shall make no such findings and take no such action if he shall find that the issuance or sale of municipal bonds or the construction or progress of the dam or reservoir has been delayed or prevented by the act of God or the public enemy or by legal, engineering, or other difficulties that could not have been reasonably foreseen and overcome, or by other special or peculiar difficulties beyond the control of said grantee: *Provided further*, That in the exercise of the rights granted by this act the grantee shall at all times comply with the regulations herein authorized, and in the event of any material departure therefrom the Secretary of the Interior or

the Secretary of Agriculture, respectively, may take such action as may be necessary in the courts or otherwise to enforce such regulations: *Provided further*, That if such dam be built the Indians of the Capitan Grande Reservation shall be permitted to reside on, occupy, and cultivate the lands of their present reservation up until within 90 days of the time when water for storage purposes will be turned into the reservoir to be constructed hereunder, provided such occupancy by the Indians will not materially hinder the construction of the dam and storage work, which fact is to be determined by the Secretary of the Interior.

SEC. 5. That said reservoir, when constructed, shall be maintained and controlled by the city of San Diego for the use and benefit of said city and the inhabitants thereof and of such other municipalities within the county of San Diego, State of California, as may be now or hereafter furnished with water by said city of San Diego, and for the use and benefit of riparian owners along the San Diego River below the lands herein described and for the benefit of persons, corporations, or municipalities situated along or adjacent to the pipe lines of said city of San Diego for the conservation and storage of water for domestic, irrigation, or municipal uses: *Provided*, That the city of San Diego shall sell to the United States for the use of the War and Navy Departments such water as the War and Navy Departments, or either of them, may elect to take, and shall deliver the same through its system in or near the city of San Diego to the mains or systems of such military or naval reservations in that vicinity as may be designated by the Secretary of War or the Secretary of the Navy, or both, under such rules and regulations as they or either of them may prescribe. In payment of such water and the delivery thereof the United States shall pay to said city of San Diego a rental to be calculated at a fixed rate per 1,000 gallons, said rate not to exceed the actual cost of such water to said city for all water so furnished as determined by meter measurements: *Provided, however*, That the grantee shall at all times comply with and observe on its part all of the conditions specified in this act, and in the event that the sums are not reasonably complied with and carried out by the grantee upon written request by the Secretary of the Interior it is made the duty of the Attorney General, in the name of the United States, to commence all necessary suits or proceedings in the proper court having jurisdiction thereof for the purpose of enforcing and carrying out the provisions of this act: *Provided*, That the city of San Diego is authorized to assign all its rights, powers, and privileges under this act to any public water district formed under the laws of California.

SEC. 6. That this act is a grant upon certain express conditions specifically set forth herein, and nothing herein contained shall be construed as affecting or intending to affect or in any way to interfere with the laws of the State of California relating to the control, appropriation, use, or distribution of water used in irrigation, or for municipal or other uses or any vested rights acquired thereunder, and the Secretary of the Interior and the city of San Diego in carrying out the provisions of this act shall proceed in conformity with the laws of said State.

SEC. 7. That the grantee shall file with the Secretary of the Interior, within six months after the approval of this act, its acceptance of the terms and conditions of this grant.

And to amend the title so as to read: "A bill granting to the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes."

Mr. PITTMAN. I move that the Senate concur in the amendments of the House.

Mr. JONES of Washington. It seems that that submits an entirely new bill. Will the Senator briefly state what changes were made by the House?

Mr. PITTMAN. The only change is that in the Senate bill an easement was granted to the city of San Diego over certain Government lands. The House felt that they should convey the title instead so that it might be subject to taxation. That is the only change.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

COURTS IN OKLAHOMA.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 208) providing that one term of the United States District Court for the Eastern Judicial District of Oklahoma shall be held annually at Hugo, Okla., which was, on page 1, line 8, after the word "act" to insert "*Provided*, That suitable quarters for holding said court shall be furnished without expense to the Government."

Mr. GORE. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

HOUSE BILLS REFERRED.

H. R. 344. An act for the regulation of salaries in the custodian service of the Treasury Department, was read twice by its title and referred to the Committee on Appropriations.

H. R. 3217. An act providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio, was read twice by its title and referred to the Committee on Public Buildings and Grounds.

H. R. 13482. An act creating a commission for the maintenance, control, care, and so forth, of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes, was read twice by its title and referred to the Committee on the Library.

The following bills were read twice by their titles and referred to the Committee on Military Affairs:

H. R. 11219. An act providing for the appraisal and sale of the Gig Harbor abandoned military reservation in the State of Washington, and for other purposes; and

H. R. 13185. An act to amend paragraph one of section 200, of Article II, of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved March 8, 1918.

The following bills were read twice by their titles and referred to the Committee on Commerce:

H. R. 5999. An act for the establishment of Gulfport, Miss, as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise;

H. R. 13369. An act to extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass.;

H. R. 13393. An act to revive and reenact the act entitled, "An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa," approved April 22, 1912;

H. R. 13427. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13647. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13648. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13649. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania.

The following bills were read twice by their titles and referred to the Committee on Public Lands:

H. R. 17. An act to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes;

H. R. 10394. An act to add certain lands to the Minam National Forest, Oreg.;

H. R. 11368. An act to authorize the Secretary of Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain described tract of land;

H. R. 13034. An act to validate and confirm certain erroneously allowed entries in the State of Minnesota; and

H. R. 13350. An act to add certain lands to the Yellowstone National Park.

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The next amendment was, on page 18, line 19, in the total for maintenance of Red, Black, Ouachita, and other rivers in Arkansas and Louisiana, to strike out "$315,000" and insert "$335,000."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. KENYON. Will not the Chair let us vote on these amendments? I do not want to take time on them, but I simply want to vote against them.

The VICE PRESIDENT. The Chair has no objection, but it has been the custom when no one raises his voice to state that the amendment is agreed to without objection.

Mr. KENYON. I raise my voice.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 18, line 23, after the words "Bear Creek," to strike out "$17,000" and insert "$35,000," so as to make the clause read:

Yazoo River and tributaries, Miss.: For maintenance, including Yazoo, Tallahatchie, Coldwater, and Big Sunflower Rivers, Tchula Lake, Steele, and Washington Bayous, Lake Washington, and Bear Creek, $35,000.

The amendment was agreed to.

The next amendment was, on page 19, after line 11, to insert:

Mississippi River: For the removal of snags and wrecks from the Mississippi River below the mouth of the Missouri River, and from Old and Atchafalaya Rivers, in accordance with the recommendation of the Chief of Engineers in his annual report for 1918, $50,000, in addition to amounts otherwise appropriated.

Mr. SMOOT. I notice, following that item, that the House inserted:

Mississippi River from the mouth of the Missouri River to Minneapolis, Minn.: Continuing improvement and for maintenance, $250,000.

I suppose the $50,000, as is stated, is to be expended below the mouth of the Missouri River, and the other appropriation is to be expended above the mouth of the Missouri River. Is there any request on the part of the engineers for this $50,000?

Mr. FLETCHER. I will state to the Senator from Utah that that is the case. This item was inserted:

For the removal of snags and wrecks from the Mississippi River below the mouth of the Missouri River—

And the other item is to cover the maintenance above. The Chief of Engineers, through Gen. Taylor, appeared before the committee and urged this appropriation. Gen. Taylor said it was necessary in order to properly maintain and take care of that project.

Mr. SMOOT. Can the Senator tell the Senate when the last appropriation was made for this purpose?

Mr. FLETCHER. I can not say as to that. It is recommended in the report of the Chief of Engineers of 1918. The engineers appeared before the committee and urged that this appropriation be made. I do not know when the last appropriation was made.

Mr. SMOOT. I asked the question because I wanted to know whether this had been the policy in the past or whether this was a new appropriation.

Mr. RANSDELL. I will state to the Senator from Utah that this has been the policy. If he will turn to page 1161 of the Report of the Engineers, he will see that there has been a continuous appropriation for this work, but that the appropriation is not sufficient. The engineer says it will leave a probable deficit of $50,000.

The engineer appeared before the committee and urged that an additional $50,000 be given as a permanent appropriation.

Mr. SMOOT. There is, then, already an unexpended balance?

Mr. RANSDELL. No; there is a permanent annual appropriation for this work of $100,000, which the engineer said would not be sufficient this year. His statement will be found on page 1161 of the report.

The VICE PRESIDENT. The question is on the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 20, line 4, after the words "Mississippi River," to strike out "Completing" and insert "Continuing improvement, $10,000; completing"; and in line 7, after "$6,000," to insert "; in all, $16,000," so as to make the clause read:

Mississippi River between St. Paul and Minneapolis, and between Brainerd and Grand Rapids, Mississippi and Leech Rivers, and reservoirs at headwaters of Mississippi River: Continuing improvement, $10,000; completing improvement of Minneapolis Harbor in accordance with the report submitted in House Document No. 1512, Sixty-third Congress, third session, $6,000; in all, $16,000.

The amendment was agreed to.

The next amendment was, on page 20, line 14, before the word "improvement," to strike out "Completing" and insert "For maintenance, $3,000; completing"; and in line 17, after the words "first session," to strike out "$2,750" and insert "$5,000; in all $8,000," so as to make the clause read:

St. Croix River, Wis. and Minn.; Minnesota River, Minn.; Lake Traverse, Minn. and S. Dak.; Red River of the North, Minn. and N. Dak.; Warroad Harbor and River, Baudette Harbor and River, Zippel Bay, and Lake of the Woods, Minn.: For maintenance, $3,000; completing improvement of Baudette Harbor and River in accordance with the report submitted in House Document No. 109, Sixty-third Congress, first session, $5,000; in all, $8,000.

The amendment was agreed to.

The next amendment was, on page 20, line 22, after "$400,000," to insert:

Provided, That operations shall be conducted with a view to making the work already undertaken secure against destruction, should Congress hereafter fail to make further appropriations.

So as to make the clause read:

Missouri River: For maintenance and continuing improvement with a view to securing a permanent 6-foot channel between Kansas City, Kans., from the upper end of Quindaro Bend, and the mouth of the river, $400,000: *Provided*, That operations shall be conducted with a view to making the work already undertaken secure against destruction, should Congress hereafter fail to make further appropriations; for maintenance between Kansas City and Sioux City, $10,000; in all, $410,000.

Mr. KENYON. Mr. President, the Senator from Wisconsin [Mr. LENROOT] asked to be sent for when that amendment came up. I have sent for him, and he will be here in a moment or two.

Mr. REED. I should be glad on that account to pass the matter over, except for the fact that I have two committees, of one of which I am chairman, which are now in session. I hope the Senator from Wisconsin can be gotten in.

Mr. KENYON. As I stated, the Senator has been sent for and will be here in a moment. I suggest that we might go on to the Ohio River proposition, so as not to cause any delay.

Mr. REED. Let this be passed over temporarily, but I should like to take it up within the next few moments, for I can not remain in the Chamber.

Mr. SMOOT. If it will hasten the consideration of the amendment by calling for a quorum, I shall be glad to do so, and have the subject considered at the present time.

Mr. REED. Oh, no.

Mr. KENYON. The same situation exists as to the next item, with reference to the Tennessee River. It might expedite matters to call for a quorum.

Mr. SMOOT. I think it would; and so I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Jones, Wash.	Pittman	Smoot
Brandegee	Kellogg	Poindexter	Spencer
Chamberlain	Kenyon	Pollock	Sterling
Colt	King	Pomerene	Sutherland
Culberson	Kirby	Ransdell	Thomas
Cummins	Knox	Reed	Townsend
Dillingham	Lenroot	Robinson	Trammell
Fletcher	McCumber	Saulsbury	Underwood
France	McKellar	Shafroth	Vardaman
Gay	McNary	Sheppard	Walsh
Gore	Moses	Sherman	Williams
Hale	New	Simmons	
Jones, N. Mex.	Page	Smith, S. C.	

Mr. MCNARY. I desire to announce the absence of the Senator from Arizona [Mr. ASHURST], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Kansas [Mr. CURTIS], and the Senator from Idaho [Mr. NUGENT] on official business of the Senate.

Mr. TRAMMELL. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Maine [Mr. FERNALD] in attendance upon a committee of the Senate.

Mr. KING. I desire to announce the absence of the Senator from Minnesota [Mr. NELSON], the Senator from Delaware [Mr. WOLCOTT], and the Senator from North Carolina [Mr. OVERMAN] on account of official business. I should like the announcement to stand for the day. They, as well as myself, have been engaged in attendance upon a committee which is conducting hearings.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present. The pending amendment is the amendment beginning in line 23, on page 20.

Mr. REED. I ask that the amendment be again stated.

The SECRETARY. On page 20, after line 22, it is proposed to insert the following proviso:

Provided, That operations shall be conducted with a view to making the work already undertaken secure against destruction, should Congress hereafter fail to make further appropriations.

Mr. REED. Mr. President, I am a member of the Commerce Committee, but at the time this part of the bill was reached I was absolutely compelled to be in service upon other committees, and I could not therefore be present. I was greatly surprised to find the bill reported with this amendment, and I ask the attention of the Senate for a few minutes while I try to explain why this amendment should not be adopted.

The Missouri River improvement was adopted as a plan of complete improvement in order to make that river navigable from Kansas City to the mouth. The amount estimated as being necessary to complete the improvement was $20,000,000. This plan, which was duly formulated after an exhaustive examination by the engineers of the Government, was finally submitted to Congress, according to my best recollection, about 16 years ago; and a number of years ago the entire project was accepted as a project, and every appropriation made subsequently has been in pursuance of that plan, and has been made with a view to the completion of the plan; and every bit of work done on this river has been done, not with reference to the best use that can be made of the money for the purpose of protecting particular banks or particular points but for the purpose of carrying through a completed scheme of river improvement, so that the stream would be made thoroughly navigable from Kansas City to the mouth.

In pursuance of that plan the engineers adopted the scheme of beginning at Kansas City and of working down the stream, so that as their work progressed each part would protect the other and so that the entire job could be completed in the most economical manner possible.

Mr. President, there was opposition to the improvement of this river of the bitterest character almost from the first. It was led by the then distinguished Senator from Ohio, Mr. Burton, who succeeded at one time in having the entire project reopened for examination. About three years ago that reexamination was made and a board of engineers, I think some 8 or 10 in number, were summoned by Gen. Black, the Chief of Engineers. They sat at Kansas City, took evidence, examined the project from the inception, and made a report in which they reapproved the project, and in which they stated, in substance, that it was one of the few projects in this country where an actual demonstration of the navigability of the stream was going on at the same time the improvements were being made.

Mr. President and Senators, the fact is that the people along this stream were so interested in its improvement and in navigation thereon that, in advance of any improvement by the Government, they raised by private subscription, as I now recall, approximately a million and a half dollars and put that into a line of boats. They had their boats ready before the Government had its river ready; and, with their boats, they have been ahead of the river work from that day to this. If the Government had kept up its work as fast as it should have kept it up, the river would now be navigable by boats that would make a splendid profit. As matters stand, the river has been navigated consistently and persistently and at a very slight loss, although this boat line was compelled to undergo the tremendous disadvantage of passing over several bars, which ought to have been removed, and which, if they had been removed, would have enabled each boat to have carried two or three times the load it was able to carry over these shallows.

This boat line is in existence to-day. The only thing that has happened to it is, when the Government concluded during the war that it was necessary to carry freights upon the Mississippi River, and to do so at once, at the demand of the Secretary of War, and because their boats were practically to be commandeered and taken from them, they turned over to the organization that is navigating the Mississippi River, for war purposes, the best of their boats, because that commission found that these boats that were being used on the Missouri River were the best river boats there were in the United States. They took them for that purpose; and the money they have received has been set aside in a fund to purchase new boats.

On top of that I wish to submit just one other thing. We are at the close of a great war. It is a time when everybody feels that there may be a slackage in work; it is a time when we have been asking for, and I believe did appropriate, $200,000,000 for roads, in the Senate, did we not?

Mr. VARDAMAN. Yes.

Mr. REED. While we are appropriating $200,000,000 for one class of highways, it is proposed by this amendment at least to threaten, if not to destroy, the scheme of navigation upon the great inland rivers.

If this war has demonstrated anything to an exact certainty, it is that our country can not rely upon railroads alone for the purpose of carrying its freights. If anything in the world ought to be understood by the American people to-day, it is that it is necessary to have more than one way of carrying freights in time of heavy demand; and no man can tell the day when this demand again will come.

There is another lesson that this war ought to have taught people who think, and that is that waterways, properly developed, are of the highest importance for the defense of the country as well as for its economic development. What was it that made it possible for Germany to devote all the rolling stock of all of her roads to the purpose of moving troops back and forth and for purposes devoted exclusively to war? What was it but the fact that every stream in Germany has been canalized, and that every one of them was bearing upon its surface an almost immeasurable tonnage that supplied the armies at the front and kept the industries moving in the interior?

Mr. President, this is a strange time to come in here asking that one of the great approved and reapproved and still reapproved waterways of this country should be assassinated, for that is what this amendment means. It is only three years since we had a reexamination. It is only three years since that reexamination was a complete vindication of this river.

Now, Mr. President, what does this amendment say? Understand, we have an approved plan, a plan that was approved years ago, and which contemplates the improvement of the Missouri from Kansas City to the mouth, and the total that that is to cost has been estimated, and engineers have now for more than 10 years been proceeding along that plan. With the work about two-fifths to one-half done, it is now proposed that something shall be done looking toward the stoppage of that work, and it is found here in this amendment:

Provided, That operations shall be conducted with a view to making the work already undertaken secure against destruction, should Congress hereafter fail to make further appropriations.

That language either means something or it means nothing. I take it that the distinguished Senator who drew it meant something; and he generally knows how to say what he means. He meant to say that instead of going on with this work as they have—proceeding down the river from bend to bend, putting in revetments and protections to the banks, and deepening the channel—they shall change the character of that work, and that they shall do the work, not with reference to the complete navigability of that stream, not with reference to finishing this job, but in some other and different way. That other and different way means that they shall abandon the present plan and scheme and that they shall do the work in some manner so that it will stay differently than it would stay if it were done in the ordinary manner. The implication is also that Congress shall abandon this work.

Mr. President, that is all I care to say at this moment. I ask that this amendment be rejected.

Mr. LENROOT. Mr. President, I hope that the committee amendment will be adopted by the Senate. I am very sure that if Senators will carefully examine the merits of the amendment it will be adopted.

All that this amendment does is to provide that the unexpended appropriations that have already been made, together with the appropriation made in this bill, constituting a total of $1,200,000, shall be so expended that if, a year from now, Congress shall be of the opinion that this work ought not to be proceeded with further, it will be free to decide that question upon its merits.

Mr. REED. Mr. President, will the Senator yield?

Mr. LENROOT. Yes.

Mr. REED. If that is all that the Senator means, why did he not stick this amendment on to all the other appropriations?

Mr. LENROOT. For the reason—I shall be very frank with the Senator—for the reason that the Government ought not to be conducting an experiment of this kind at a cost of $20,000,000 when an exactly similar experiment, only more favorable to commerce, is now being carried on and with the building of boats by the Government it will soon be demonstrated whether it will be a success or not.

Mr. REED. Then why does not the experiment of which the Senator speaks apply to every other stream? Why does it apply just to the Missouri River? I suppose the experiment to which the Senator refers is the Mississippi River?

Mr. LENROOT. It is.

Mr. REED. If the experiment of the Mississippi River applies to the Missouri River, and this qualification ought to be put on the Missouri appropriation, why should it not be put on the Ohio River appropriation? Why should it not be put on the appropriation for every tributary of the Mississippi? Why should it not be put on the appropriation of every other river?

Mr. VARDAMAN. Mr. President——

Mr. LENROOT. Because, Mr. President—I am very frank to answer the Senator—take the Ohio River: In the Ohio River we are constructing locks and dams; and it would be entirely feasible for Congress at any time to say, if in its wisdom it believed that course should be taken, that no more locks and dams should be constructed upon the Ohio River. But in the case of the Missouri River we have this situation, and we have it now in this bill—that if Congress should be of the opinion that it is a waste of money to attempt to go on with this project, it would be said and is said now, that "we have expended the money in such a way that we must make this appropriation so as to conserve and save the expenditures that we have already made."

All that this amendment will require will be that this $1,200,000 shall be so expended in improvements that at the end of next year Congress will be free to say whether or not this improvement shall go on, without the claim being made that "here is a lot of half-constructed work, and we must go on with another appropriation to finish this particular construction."

The Senator inquired why this amendment should not be placed upon every bill. Well, in the case of most of the bills in which we make appropriations, so far as rivers are concerned, we are providing moderate sums for a local commerce. In the case of the Mississippi River and in the case of the Missouri River no one will say that these appropriations, running

into millions and millions of dollars, can be justified upon the ground of a merely local commerce. I know very well that when this Missouri River project was adopted it was based largely upon the commerce that would utilize this river between Kansas City and St. Louis, and we had statements made of the tonnage between Kansas City and St. Louis and the tonnage that would go over this river. Mr. President, it seems to me that anyone must see, even without making a close study of the commerce, that the Missouri River never can be a commercial project, so far as through commerce is concerned from East to West, upon the theory that we will utilize the river from Kansas City to St. Louis. That means that the wheat from Kansas and Nebraska will be loaded upon cars to Kansas City, there transferred into boats, from boats transferred to cars at St. Louis, and then on to the Atlantic coast. This can not be justified upon any such theory of commerce, because there never will be any commerce of that character, for the reason that water transportation can not compete with railroad transportation for a distance of only a few hundred miles where you have to bring the commodity to the water by rail and then take the commodity at the end of the water route and ship it by rail again. It is a great deal cheaper, and is bound to be cheaper, in such cases as that to make a through rail route.

Mr. REED. Mr. President——

Mr. LENROOT. I will yield to the Senator in a moment. Now, what is possible, and the only possibility that will justify this expenditure of $20,000,000 for the Missouri River, is the possibility that in connection with the Mississippi River it will furnish a through route for traffic to New Orleans and on beyond for the grain and the products of the Middle West to cross the ocean. That experiment is now being conducted upon the Mississippi River, and so far the experiment upon the Mississippi River has been a failure.

Mr. REED. Mr. President——

Mr. LENROOT. Now I yield.

Mr. REED. I challenge the last statement, but I will take it up at the proper time. I want to ask the Senator now if he happens to know that the navigation upon the Missouri River has been conducted at a 20 per cent saving to the shipper and, as I have stated heretofore, a very slight net loss to the company, even under the adverse conditions now existing, namely, that there are bars in this river the removal of which would enable the boats to carry two or three times the loads they have been able to carry and to run at seasons of the year when they have been absolutely compelled to tie to the bank? That is the proof of the fact, not the fancy or theory of Senators.

Mr. LENROOT. Well, now, let us see. The Senator states that the commerce on the Missouri River has been conducted at a slight loss. Will the Senator state how much commerce has been conducted on the Missouri River at that loss?

Mr. REED. No; I can not state it out of my mind. I can find the figures. They have been put in the RECORD a dozen times.

Mr. LENROOT. I have them before me.

Mr. REED. But it was a very substantial commerce; and if they could carry a small commerce at a small loss, they could certainly carry a larger volume of commerce at a smaller proportional net loss. The project has gone far enough so that the engineers who have examined it have reported, in view of the experience—not the fancy of people, but the experience of fact—that the project is entirely and absolutely feasible as a project by itself, wholly divorced from the Mississippi River or any other project.

Mr. LENROOT. I can state to the Senator what the commerce has been upon the Missouri River during the past number of years. Although we have expended altogether upon this river so far $16,914,000, according to the report of the engineers, with that expenditure of $16,000,000 upon the Missouri River we had in 1917, according to the engineers' reports, a commerce of 217,000 tons. The commerce, the report says, consisted principally of sand and gravel, grain, manufactured steel, miscellaneous merchandise, live stock, and so forth. It cost us to maintain that river for this 217,000 tons, most of which was sand and gravel, $467,000, or about $2.50 a ton. Why, Mr. President, so far as the saving to those shippers upon this stretch of the Missouri River is concerned, the Government could have better afforded to have paid the entire railroad freight rate upon that commerce, and, in fact, could almost have bought the commodity and paid for it out of the sum that it expended for maintenance alone, saying nothing of improvement.

Mr. JONES of New Mexico. I should like to inquire of the Senator, if his views are to be accepted with regard to this project, would it not be necessary or advisable to cut out this appropriation altogether? But if we are to leave any appropriation in the bill, does the Senator think it would be economical to expend that money with a view of stopping the work? Would it not be more economical to expend the money with a view to the completion of the project rather than with a view to stopping it?

Mr. LENROOT. Certainly not, Mr. President; for the reason that we shall still have to expend $12,200,000 to complete this project if we go on with it.

Mr. JONES of New Mexico. If the Senator would not complete the project at all, would it not be better to stop it now?

Mr. LENROOT. The Senator from Wisconsin is not prepared to say that this project should not go on. Based upon present information, I would say yes; but I am free to admit that the Mississippi River experiment may be a success, and if it shall be a success I am willing that the Missouri River experiment shall go on; but, pending the conclusion of that experiment, the work that is being conducted on the Missouri River ought to be so conducted that if the experiment is a failure we shall not be compelled to go on making additional millions of appropriations.

Mr. REED. Mr. President, that raises the very issue I should like to get the attention of the Senate to—as to these improvements on the Missouri River. I do not suppose the Senator ever saw the Missouri River?

Mr. LENROOT. Oh, many times. I have never traveled on the Missouri River. I did not know there was any opportunity for anyone to travel on the Missouri River.

Mr. REED. I expect the Senator knows as much about the Missouri as I know about the harbors of the Great Lakes that are along his State.

Mr. LENROOT. Has the Senator ever visited them?

Mr. REED. I have been in a few of them on a steamboat, and I know that I know so little about it that I would not set my judgment up against the Senator's in regard to them. I will state the way the improvement is being made on the Missouri River. Let me say as a preliminary the Missouri is a very rapid-running stream. It runs through a rich alluvial soil that in times of freshet is easily melted down into the stream. That is what gives the stream its color and makes it known as the Big Muddy. It is, in fact, a bigger stream than the Mississippi River above the confluence of the Mississippi and the Missouri.

This rapid-running stream, in time of high water, wherever there is a bend strikes the bank, and the process of erosion will begin at that point. The result is that great quantities of earth will be carried down into the stream and form bars at some other point below. So the method adopted by the Government engineers has been to protect the bank at the curves. Each one of these projects is a complete thing in itself; but they have started on a system beginning at the upper end so that the erosion and the formation of bars can be prevented as the work goes along.

Now, what change does the Senator propose in that? Each one of these projects is a project by itself. Each one consists of the work of putting in revetments. Each piece of revetment is made as complete as possible and stands by itself.

I can not understand what the Senator has in mind, and yet he does have in mind something. I know him well enough to know that he does not dream idle dreams.

Mr. LENROOT. I am very glad to answer the Senator. I want to say to the Senator that in the discussion of this matter before the committee Gen. Taylor of the Board of Engineers was present, and he was asked with reference to the manner of expenditure of these appropriations and whether it would be feasible to so expend them that they would conserve the work already done so that hereafter Congress would be free to pass upon the question of further improvement upon its merits without the destruction or deterioration of work already undertaken. Gen. Taylor stated that it would be entirely feasible to do so.

Now, if the Senator says that that is the method of construction, if the Senator says that hereafter no claim will be made that we must go on with further appropriations to protect improvements already made, then I do not see why he objects to this amendment, because if that be true the amendment can not injure in the slightest degree.

All that I have in mind is to permit Congress at its next session or at a subsequent session to decide on the merits whether this improvement should continue, nothing more. The Senator will then have his opportunity to present his reasons why it should continue, and I may then vote with him for its continuation, but if the improvement is not to continue it is

merely good business to say that the money shall be so expended as to conserve to the fullest extent the work that has already been done.

The Senator has spoken of other reports that have been made upon this project. Of course, the Senator is familiar with the fact that a few years ago the district engineer, Col. Deakyne, I believe it was, made an adverse report on this project. The Senator is familiar with the fact that that adverse report stirred up all the central and southern waterway associations for fear that if that adverse report was finally agreed to it might mean a stoppage of other waterway improvements. The Senator is familiar, as I am familiar, with the pressure that was brought to bear to secure a reversal of Col. Deakyne's report, and a reversal was secured. It was based in very large part upon the assurance of the organization of the corporation the Senator has spoken of that it would put boats upon the river that would reduce rates 20 per cent.

Here again, the board in making this favorable report proceeded upon the theory that a waterway improvement was justified if it resulted in the reduction of freight rates. Computations were made as to how much the rail rates could be reduced from Kansas City to St. Louis if the Missouri River was improved, although the commerce might not be carried on the Missouri River. The Senator is familiar with that. Extensive computations were made. No one ever seems to have thought of the proposition that if a point having potential water competition, by reason of that fact, secured a rate that is less than cost, other shippers upon that railroad will have to make it up, because the railroad is entitled to a reasonable return upon its investment, and especially now, Mr. President, when there is talk about reducing railroad rates, when Congress is called upon this year to take hundreds of millions of dollars out of the Treasury to pay to the railroads, because a fair return is not being made according to the report of the Director General upon them to-day.

Mr. REED. Is the Senator, then, opposed to water transportation because it is cheaper?

Mr. LENROOT. No; the Senator wants water transportation wherever it is more economical to transport freight by water than by rail.

Mr. REED. And you find that condition in your country pretty generally?

Mr. LENROOT. Yes, sir; we do upon the Great Lakes; and upon the Great Lakes I may say that that has been so fully demonstrated by the figures of commerce carried upon them that there can be no question. But make a comparison with the Mississippi River. How much commerce is carried on the Mississippi River from Kansas City down to the mouth of the Ohio, where we have the entire stretch of the Mississippi River tributary, where they have a 6-foot channel to-day? If the Missouri River is to be successful, ought there not to be a tremendous commerce from St. Louis down the Mississippi now? How much is there?

Mr. KELLOGG. Will the Senator yield?

Mr. LENROOT. Certainly.

Mr. KELLOGG. I do not know anything about the engineering problems here, but if this amendment obtains would the work which is being done there still be subject to destruction? In fact, would this amendment change the manner of doing the work in any way? I can not on the face of it see why the engineers should do the work so that a year or two or three years would destroy it.

Mr. LENROOT. Let this be said: If the engineers go upon the theory that Congress is to appropriate—the Senator will correct me if I am wrong—I think the original plan was $2,000,000 a year, was it not?

Mr. SPENCER. Yes.

Mr. LENROOT. If they should assume that $2,000,000 a year was to be appropriated, I can readily see how they might go on with some projects and have them half completed at the end of each year.

Mr. KELLOGG. Of course, I do not know as to that; but it does not seem to me that the engineers with this appropriation of $400,000 would so conduct the work that it would be destroyed.

Mr. LENROOT. They have $1,200,000.

Mr. KELLOGG. Well, $1,200,000.

Mr. LENROOT. I agree that good business would seem to require that as fast as the work proceeds it should be protected.

Mr. KELLOGG. If that is the case—and that ought to be easily determined by the engineers—the only effect of this amendment is to rather throw a doubt upon the matter, and it would really have no beneficial effect.

Mr. LENROOT. No; it is not so.

Mr. KELLOGG. I wish the Senator would explain that.

Mr. LENROOT. I am very glad to explain. For instance, if in this bill we attempt to cut off the appropriation of $400,000 with the amount that is necessary for maintenance—that is, about half a million dollars—it was stated there would have to be some work left in such a condition that it would deteriorate and would not be protected.

This simply means that if this amendment is adopted it gives notice to the Engineer Department that as fast as they proceed with improvements, under the appropriations made each year, they will protect the improvements made that year so that if appropriations are not subsequently made there will not be a loss of the improvements.

Now, with reference to the Mississippi River, which as I said is completed for a 6-foot depth from St. Louis to New Orleans, and we have such commerce as there is from the head of the Mississippi down. How much commerce is transported over that complete stretch of river? I have the figures here for the year 1917. The entire commerce amounted to only 293,000 tons. How can you expect more than that upon the Missouri River when it is completed, unless we shall have a tremendous increase in the commerce upon the Mississippi River?

Now, what did the district engineer, Col. Deakyne, say with reference to this Missouri River project?

Mr. REED. Why should the Senator take up the time with reading the report of a district engineer who was reversed after a full hearing by 9 or 10 engineers, and whose inefficiency on that river was such that he was removed and sent to another place?

Mr. LENROOT. I am only going to quote one paragraph from that report.

Mr. REED. Let me state before I leave the subject, with the Senator's permission, I do not mean to say anything harsh of Col. Deakyne. He may be a very good engineer. All I mean to say is that he seemed to be entirely out of harmony with that project from the first. He had a good many difficulties. He made this report and a hearing was had before these engineers, and it did seem to me that Col. Deakyne was in a most pitiful condition. Shortly after that he was sent to some other part of the country and a man sent in there by Col. Black—Gen. Black now—with instructions to carry the project through.

Mr. LENROOT. With reference to that I can well imagine that Col. Deakyne might have found such a condition as the Senator suggests; because gathering from the report of what was done in that section of the country, following Col. Deakyne's report, I do not believe that it would have been very safe for him, at least he would not have received a very warm or cordial welcome in Kansas City or anywhere else in that region.

Mr. REED. What does the Senator mean by that statement?

Mr. LENROOT. I mean that there was so much resentment against his report, and I do not say that it was not honest resentment; that it was very unpleasant for Col. Deakyne, and would have been unpleasant for any engineer in any section of the country who would make such a report as he made.

Mr. REED. That simply argues that the people who live out along this river and who knew the value of this project did not feel very good when somebody proposed to destroy it.

Mr. LENROOT. I understand.

Mr. REED. The Senator might be equally unpopular if he succeeded in his amendment. But if the Senator means that there was anything improper——

Mr. LENROOT. Oh, no; not at all.

Mr. REED. That there was anything in this hearing——

Mr. LENROOT. Not in the least.

Mr. REED. Anything done at this hearing except to present sworn testimony of figures and arguments—I say, if the Senator does not mean anything else than that——

Mr. LENROOT. Of course I did not mean that anyone had indulged in anything improper.

Mr. REED. The Senator said something about pressure being brought. I never saw the judges of a supreme court conduct themselves in a more dignified manner than this great commission of engineers. They came there, and they were not entertained, they were not carried around. They met like a court. They listened to the evidence and they went away without signifying their decision to anybody. When they got away, they wrote their opinion, and it stands to-day as a complete vindication of this river project, as complete a vindication as any river or any waterway in the country has.

Mr. LENROOT. Mr. President, there was nothing in what I said that indicated any reflection upon those who sought to secure a reversal of Col. Deakyne's report. Certainly I never believed for a moment that any improper influence was exercised; but it is true, as the Senator well knows, that upon Col. Deakyne making that report an appeal was made by Kansas

City interests to the National Rivers and Harbors Congress. The Senator knows that a great conference was held at which there were something like 200 delegates present, representing 10 States, protesting against Col. Deakyne's report.

Mr. REED. Let me ask the Senator a question.

Mr. LENROOT. Yes.

Mr. REED. If the representatives of 10 States directly affected assembled to protest against this report, does not the Senator think he has a good deal of temerity to ask that a thing so universally demanded as that should be assassinated?

Mr. LENROOT. No; because the Senator is aware that the issue which was made was not alone the Missouri River in that conference, but that if the Missouri River improvement should stop it was claimed that it meant the stopping of all other waterway improvements in those sections. So they made a common interest and a common purpose not based upon the merits of the Missouri River alone, but upon the theory that they must secure a reversal of Col. Deakyne's report or projects in other States, having no connection with the Missouri River, would also fail.

Mr. REED. Will the Senator tell us where this meeting was held?

Mr. LENROOT. As I recollect, it was at Kansas City, Mo., with some 200 delegates present. That is my recollection.

Mr. REED. The only meeting that I know of was a meeting composed almost entirely of people directly affected along the Missouri River. The Missouri River was discussed; its importance was discussed. Anything that was said about other rivers was merely incidental, and the Senator is simply misinformed about that meeting. But suppose there was such a meeting, how does that affect the decision of this Board of Engineers? They did not decide this question on the meeting. They decided it on the evidence with reference to the Missouri River.

Mr. LENROOT. If the Senator and myself were members of the Board of Engineers and such a meeting was held and a protest was raised, I think we would be human enough to be somewhat influenced by such a meeting. Perhaps the Senator would not.

Mr. REED. I wish that the Senator would be as human then as a Senator as he said he would be as an engineer.

Mr. LENROOT. I will say in reply that I am very human. If I was not, I would move to strike out this appropriation entirely; but I am only asking now that the matter be left in the future so that it may be decided upon its merits; and it may be, as I have already said, that I will then vote with the Senator for the full development of this project.

But I am going to read, although the Senator does not seem to like it, one paragraph of the report of Col. Deakyne, in which he says:

It should be noted that this stretch of river—

Speaking of the Mississippi River—

is so situated as to draw commerce from the improved stretches of the Mississippi above and below it as well as from the Ohio and Missouri. It seems to me doubtful whether the Missouri with the same depth will carry any more. The Missouri River traffic would have to increase sevenfold to equal that on the above section of the Mississippi, and would have to increase a hundredfold to reach a figure commensurate with the cost of the work.

Mr. REED. Mr. President, will the Senator, who has been very generous, just let me point out what I think I am justified in saying demonstrates the idiocy of that paragraph just read—and I dislike to use so harsh a term. Here is a river in process of improvement. At first it is not navigable at all, but after a part of the bars have been removed boats of light draft can move over the river and at very great expense. The river is not yet improved, yet you find this engineer complaining because a river that is not yet fit for navigation does not carry as much navigation as a river that has been completely improved! He must be a lineal descendant of the old lady who said to her daughter that she might go out to swim, but she must not go near the water.

The proposition that the feasibility of a river for carrying transportation, for carrying goods, is to be determined before it can carry goods at all, or when it can only carry half of the goods, is so foolish that an engineer who signs a report like that marks himself as unfit to be an engineer. It is like saying to a railroad that is built halfway to a town, "You are not going to be worthy of improvement because you have not yet hauled any freight." Of course it has not hauled any freight if it is only half built; of course it has not hauled any freight if the bridges are out; and of course if it has only an old track that will carry only light engines and light cars you can not determine the value of that railroad project under those conditions. You must wait until you have put it in a state so that it has a chance to carry cars.

Now, let me say, if the Senator will pardon me, this criticism comes at a very strange time, when the Government is putting boats upon the lower Mississippi, and when the Government is putting boats upon the upper Mississippi, when it has already been determined that there shall be transportation upon the Mississippi River; and after that fact is determined and settled the very fact that he says certainly will greatly increase the value of the Mississippi River itself and its practicability—it is now proposed to put a monkey wrench into the proceedings and stop the work on the Missouri River.

Mr. LENROOT. The Senator from Missouri has made many statements. In the first place, I fail to see how the Senator can say that the adoption of this amendment would be putting a monkey wrench into the machinery. Does the Senator say that if this amendment is adopted the next Congress will be prevented from making a similar or a larger appropriation?

Mr. REED. The Senator from Wisconsin has asked me a question——

Mr. LENROOT. Yes.

Mr. REED. The Senator answered it a few minutes ago. He said that if this appropriation were made, if this work proceeded in the way it has in the past, when the next Congress meets there may be some work partially completed, and that he wants that not to be possible. That is the way I understood the Senator.

Mr. LENROOT. I did not understand the Senator's statement.

Mr. REED. I understood the Senator to say that, if his amendment was not adopted, if the work was done in the way that it has been done in the past, the engineers would proceed with a piece of work; that they might have that work half done out of this appropriation, and therefore it would be necessary, as he says, for the next Congress to continue it. The Senator wants to make that impossible; in other words, he wants to say to these engineers, "You shall no longer build as though you were going to complete a great $20,000,000 project and finish this work from Kansas City to the mouth of the river, but you shall proceed by piecemeal, closing each job as you get to it." That is what I call putting a monkey wrench into the plan for the improvement of that river; and it is very plain that that is the purpose of it.

Mr. LENROOT. The Senator may so think. However, I think that the judgment of the engineers is better than either his or mine upon that proposition. Their judgment is that this work can be so conducted and so conserved that Congress will be able, if we are not going to appropriate $2,000,000 each year, to pass upon the question upon its merits at any annual period. That is all there is to the proposition. There is no suggestion of any change in the project. The only suggestion by this amendment is that the Board of Engineers shall not assume that there will be $2,000,000 appropriated each year, and nothing more.

The Senator also did a very great injustice to Col. Deakyne in what he has just said concerning his report. Col. Deakyne was talking about the improved Mississippi River and the commerce upon it. He stated in this report that it was not fair to believe that the Missouri River when improved would carry any larger commerce than was then being carried upon the Mississippi River improved. That is all that Col. Deakyne stated; and he stated, if that were true, the improvement of the Missouri River was not justified.

Mr. REED. Since the Senator calls attention to that phase of it again, the foolishness of the report is evident. He was talking about a stretch of the river between St. Louis, Mo., and Cairo—a small town at one end and a large city at the other, with railroads that had been engaged in a cutthroat competition with the boats on the river and that had put them out of business by methods that would no longer be tolerated. It had no relation whatever, or but very slight relation, to the Missouri River situation. There was a commercial town of 500,000 people at one end of the improvement, and at the other was a city of approximately 800,000 people. The traffic between those two cities was such as to make an entirely different condition than the traffic between little Cairo, Ill., and the city of St. Louis. Every man familiar with shipping knew that, and therefore knew that the engineers' illustration was an unfair illustration, a false illustration, and an illustration that was unworthy of a Government engineer.

Mr. LENROOT. Mr. President, let us see how fair that illustration was. The Senator from Missouri would have the Senate believe that this involved commerce only between two cities—St. Louis and Cairo. The Senator does not mean that.

Mr. REED. Yes; I do.

Mr. LENROOT. It involved all of the commerce of St. Louis; every city on the Mississippi River below and New Orleans at

the mouth of it; and more than that, the commerce of Europe across the ocean.

Mr. REED. Why, Mr. President, the language of the engineer refers to that stretch of the river between Cairo and St. Louis.

Mr. LENROOT. And it covers all of the commerce, wherever destined, carried over that stretch of river, whether it was destined to Cairo or whether it was destined to New Orleans, does it not?

Mr. REED. It would cover through commerce, but everybody knows that there was not any through commerce, and this engineer knew it——

Mr. LENROOT. Why not?

Mr. REED. The railroad had cut the rate until it had destroyed river transportation, and having reduced river transportation to that condition, it had in some instances actually bought out the river lines and discontinued them. That was the reason.

Mr. LENROOT. Very well.

Mr. REED. Everybody knew that but Deakyne.

Mr. LENROOT. Let me ask the Senator has that condition changed?

Mr. REED. Yes.

Mr. LENROOT. Since when?

Mr. REED. It has changed since the Government has got possession.

Mr. LENROOT. The Senator from New York here the other day made the statement, and it was not contradicted, that upon the Government taking over the railroads, instead of the Erie Canal transporting commerce at 20 per cent less than the railroad rate, the Railroad Administration raised the rate, and exacted the same charge upon the Erie Canal that they did upon the railroads.

Mr. REED. I think the Senator ought not to change the venue from Missouri to New York on a question of this kind. I was not here when the statement was made, and it has nothing to do with this case.

Mr. LENROOT. The Senator can not assume that the Railroad Administration was applying one rule to one portion of the country and another rule to another portion.

Mr. REED. I am not assuming anything. I am talking about what I know. I am saying that the Railroad Administration is now running the railroads and at the same time is running the boats on the lower Mississippi. I am saying that they have compelled the railroads, or at least, the order was to be issued, and I think it has been issued, to interchange traffic, a thing that the railroads in the past have refused to do; and I think that the rate charged on the boats is about 20 per cent less than the rate charged on the railroad, the difference, of course, being a difference in service.

Now, stating the matter broadly, this I know to be the present plan of the present Railroad Administration, so far as the Mississippi River is concerned: The proposition is that they propose to coordinate the water service and the railroad service; that, so long as the Government controls both, they shall be run not one to cut the throat of the other, but each to do its service to the people of the country, which is the proper theory, I think, the Senator will agree.

Mr. LENROOT. I am thoroughly in accord with that idea.

Mr. REED. I am very sure that, even if the roads go back to private ownership, they will never be permitted again to destroy by cutthroat competition the traffic upon rivers; and I do not believe the Senator would ever vote for a bill that would permit that sort of condition.

Mr. LENROOT. Mr. President, the Senator knows that that has been a subject before Congress for a great many years. So far as the Senator who is now speaking is concerned, he has done what he could to secure a remedy for the condition that has prevailed with reference to water competition. I thoroughly agree with the Senator that water competition should be utilized wherever it is most economical, and the railroads should not be permitted to make a rate that is lower than cost, thus destroying water competition. Now and then we have made little dabs at that situation with reference to the Great Lakes. A few years ago we adopted a provision—the Senator remembers it—that if the railroads made a low rate, so as to compete with water navigation during the summer, they could not raise that rate during the winter. It was not put in that language, but that was the effect of it. Congress, however, has never made any serious attempt to remedy the condition; and I am not sure that Congress is going to make any serious attempt in that direction, much as I think it ought to do so; and so long as these conditions do exist we had better wait, or at least be in a position to stop dumping millions and millions of dollars into waterways that will never be used.

We had better first do our part to see that waterways shall have a fair chance before we appropriate hundreds of millions of dollars, when under present conditions they have no chance at all.

The Senator made a very unfortunate illustration in referring to Col. Deakyne's report when he used the illustration of a railroad. A fair comparison between the Missouri and the Mississippi situation and the railroad situation would be this: Supposing that here is a railroad in first-class condition built between two cities, and there is no commerce upon that railroad, and then the Government proposes to build another railroad between two other cities where like conditions prevail. Those who hold the opinion that I do would simply say that until commerce develops upon the railroad that is already built, showing that the proposed railroad will be successful, we ought not to go on with the second railroad. That is all there is to the proposition.

So far as this amendment is concerned, there is nothing in the amendment that will estop either the Senator from asking or the Congress from continuing to make appropriations upon the Missouri River; but I think the Senator will agree that if the Mississippi River experiment is a failure the Missouri River experiment can not be a success, and we ought not to be conducting two such enormously expensive experiments at the same time.

Mr. SPENCER obtained the floor.

Mr. TOWNSEND. I suggest the absence of a quorum.

The VICE PRESIDENT. Let the roll be called; but the Chair is going to announce, adhering to a former ruling, that hereafter, unless business is done—and debate is not business—the roll will not be called every half hour.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Henderson	Moses	Smoot
Calder	Hitchcock	Nelson	Spencer
Chamberlain	Jones, Wash.	New	Sterling
Culberson	Kellogg	Norris	Sutherland
Cummins	Kendrick	Page	Trammell
Dillingham	Kenyon	Pittman	Underwood
Fernald	King	Poindexter	Vardaman
Fletcher	Kirby	Pomerene	Wadsworth
France	Lenroot	Ransdell	Warren
Gay	McCumber	Sheppard	Weeks
Hale	McKellar	Sherman	Williams
Harding	McLean	Shields	Wolcott
Hardwick	Martin, Ky.	Simmons	

Mr. JONES of New Mexico. I desire to announce the absence of the Senator from Montana [Mr. WALSH], the Senator from Idaho [Mr. NUGENT], the Senator from Kansas [Mr. CURTIS], the Senator from Oregon [Mr. MCNARY], and the Senator from Arizona [Mr. ASHURST], who are in attendance upon a committee of the Senate.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll-call There is a quorum present.

Mr. SPENCER. Mr. President, there are two reasons why I fully agree with the senior Senator from Missouri [Mr. REED] that the amendment on page 20 ought to be rejected. It has nothing to do with dollars and cents; there is no appropriation to it; but there is a whisper in the language of the amendment looking to a future discontinuance of appropriations in connection with the Missouri River, for the amendment which the senior Senator from Missouri and I agree in opposing concludes with the words "should Congress hereafter fail to make further appropriations." That has to do with the Missouri River. It indicates a possibility of future disregard of this great river that is unthinkable.

It is both unfair and unwise to make an attack upon the great network of water transportation of which the Missouri and the Mississippi and the Ohio form the great interlocking highways. In 1910 Congress arranged for a commission to investigate into this matter—act of June 25, 1910. The report of that commission was made in 1911. It is published in House Document 1287, which I ask to have inserted in the RECORD as an appendix to my remarks.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

WAR DEPARTMENT,
Washington, January 12, 1911.

SIR: I have the honor to transmit herewith a letter from the Chief of Engineers, United States Army, of this date, together with copy of report by a special board of engineer officers, dated November 29, 1910, on examination of the Missouri River with a view to securing a permanent 6-foot channel between Kansas City and the mouth of the river, made in compliance with an item contained in the river and harbor act of June 25, 1910.

Very respectfully,

J. M. DICKINSON,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

APPENDIX.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, January 12, 1911.

SIR: I have the honor to submit herewith, for transmission to Congress, report dated November 29, 1910, by a special board of engineer officers, composed of Col. F. V. Abbot, Col. C. McD. Townsend, and Maj. Charles Keller, Corps of Engineers, made in compliance with the following item in the river and harbor act of June 25, 1910:

"Improving Missouri River, with a view to securing a permanent 6-foot channel between Kansas City and the mouth of the river, $1,000,000: *Provided*, That the Secretary of War shall appoint a board of three officers to further consider and report upon the most economical and desirable plan of securing such channel, in which report consideration shall be given to the subject of cooperation on the part of local interests in the work of said improvement: *Provided further*, That the report hereby authorized shall be submitted to Congress on or before the opening of its next regular session."

The special board made a trip on this river from Kansas City to the mouth to learn existing conditions and to observe in person the state and effect of previous improvement works. A public hearing was held at Kansas City after due notice to all those interested. The physical characteristics of the river are briefly stated, and a comprehensive discussion of the general principles that govern conditions in such streams is given, with a résumé of improvement practiced in other countries.

The special board reviews the past history of the improvement of Missouri River, begun in 1832, carried on after 1884 by the Missouri River Commission until the commission was abolished in 1902, and continued since that date under the Chief of Engineers. The appropriations for the entire river prior to the act of June 25, 1910, aggregate $12,279,618.69, of which about $7,000,000 has been expended below Kansas City.

In applying the general principles to this specific case, the special board concludes that, first, caving banks must be revetted and, in general, held and protected as found when reached in a systematic progress of the work. When the banks are revetted, sloughs and minor channels must be closed and the low-water flow concentrated, using low structures, thus leaving the minor channels still available for high-water flow. In connection with the protection of the caving banks, some of the bars opposite such banks may have to be held in place by inclined groins or spurs, consisting of low pile dikes of the standard type.

The special board recommends the use of the standard structures developed under the Missouri River Commission, with some modifications as to height of dikes and groins and distance between works on opposite shores. However, changes to other more efficient or economical types, should any be discovered, is not excluded. It is estimated that the work will cost $20,000,000, with $500,000 annually for maintenance and $60,000 additional per year for snagging, the latter expense, however, to decrease as the improvement work advances and the accumulation of snags is reduced.

In preparing the estimate of cost due consideration was given to the facts that at a number of localities revetments of the standard type, aggregating about 15 miles, had been built by private interests; also that the river runs along rocky bluffs for about 30 per cent of the distance below Kansas City. The board emphasizes strongly the absolute necessity of continuous and systematic work, beginning at points where the channel is securely held, and state that though to insure proper progress it may become necessary to begin work at a number of points, the first general work should begin at Kansas City and proceed downstream.

After investigating the question of local operation the special board recommends that the work of channel improvement be completely disassociated from all work of levee construction and that local cooperation be not demanded, since there is no prospect of any cooperation which would materially reduce the cost of the work to the United States. It was developed at the public hearing held November 14, 1910, that the owners of the bottom lands along the river were merely awaiting the protection of the banks before beginning the construction of levees on an extensive scale.

This report has been referred, as required by law, to the Board of Engineers for Rivers and Harbors for consideration, and the board concurs generally in the plan proposed; believing, however, that the project and methods should be sufficiently elastic to permit of modification from time to time as experience gained in the conduct of the work indicates. The board is further of the opinion that proper prosecution of this work will require appropriations for construction amounting to about $2,000,000 a year, and further appropriations for maintenance increasing from $60,000 to a final estimate of about $500,000 a year.

I concur with the special board and the Board of Engineers for Rivers and Harbors in the opinion that the plan proposed, subject to modification as work progresses, is the most economical and desirable one for securing a permanent 6-foot channel in the Missouri River from Kansas City to the mouth, and I recommend its adoption at the estimated cost of $20,000,000 plus the cost of maintenance, ultimately reaching $500,000 annually, with an additional cost for snagging not exceeding $60,000 annually. I further recommend that the appropriations be in amounts not less than $2,000,000 a year for original work, $60,000 annually for snagging, and such amount increasing to $500,000 annually, as the progress of the work requires, for proper maintenance.

I concur with the board that the levee construction should be left to the riparian owners, and that as a general rule other cooperation will be impracticable; but I consider that along city fronts or at other special localities where large interests are involved, cooperation in the way of bank protection may properly be required.

The item of law calling for this report provides that the report "be submitted to Congress on or before the opening of its next regular session." In view, however, of the limited time available after the passage of the act and the character and scope of the investigation, it has been a physical impossibility to comply with the requirement.

Very respectfully,
W. H. BIXBY,
Chief of Engineers, United States Army.

The SECRETARY OF WAR.

Mr. SPENCER. In that report of the engineers the utility of the Missouri River as a navigable highway for transportation was unanimously admitted, and the recognition of $20,000,000 as being necessary for its improvement was adopted; Congress in the succeeding year passed an appropriation of $2,000,000, which was the annual appropriation of the agreed-upon policy. To now attack that scheme, which has been running for so many years, and on which $6,103,223.40 has already been spent, is unfair and unwise.

The other reason why I think the senior Senator from Missouri is right and that the amendment ought to be stricken out is because the amendment is entirely unnecessary. It attempts to restrict the engineers in their work. It seeks to tell them how they shall conduct their improvement of the Missouri River. With the amendment out of the bill, the engineers are entirely free to act as they have been acting for the highest efficiency and best use of the river; and this is precisely what ought to be continued. I hope the amendment will be rejected.

The PRESIDENT pro tempore. The question is on the amendment of the committee.

The amendment was rejected.

The PRESIDENT pro tempore. The Secretary will state the next amendment of the committee.

The next amendment was, on page 21, after line 15, to insert:

Tennessee River, Tenn., Ala., and Ky.: The Secretary of War is hereby authorized to prosecute the work of improvement on the existing project for the section between Chattanooga and Browns Island in accordance with the recommendation in report submitted in Rivers and Harbors Committee Document No. 8, Sixty-fifth Congress, third session, that the condition precedent requiring local interests to assume and pay all claims for flowage damages be waived.

Mr. SMOOT. Mr. President, I ask that this amendment may go over temporarily, as the Senator from Iowa [Mr. KENYON] has been called out of the Chamber.

Mr. McKELLAR. What is the request?

Mr. FLETCHER. Mr. President, I do not think we ought to pass it over. Let us have a statement about it. We can proceed until the Senator from Iowa returns.

Mr. SMOOT. Well, then, I will talk until the Senator from Iowa can come in, if the Senator thinks he is going to gain any time by that, unless the Senator from Tennessee wants to make a statement.

Mr. McKELLAR. No; I do not desire to make one at the present time. I did want to know what the inquiry of the Senator from Utah was.

Mr. FLETCHER. I will say to the Senator that the Senator from Alabama [Mr. BANKHEAD] is particularly familiar with this item. I know that the Senator from Alabama has other engagements, which it is very important for him to meet, and I suggest that he state the reasons for the amendment.

Mr. SMOOT. Then I shall be glad to hear the statement of the Senator now.

Mr. BANKHEAD. Mr. President, I think I can make a brief statement about this matter that will satisfy the Senator from Utah or any other Senator who may want light on the subject.

Five years ago, in the Sixty-third Congress, an appropriation was made for the improvement of this stretch of the Tennessee River, and $500,000 was appropriated for the purpose. At that time, as at all times, there were a lot of gentlemen who had a water-power project in view, and their view of it was all that they had; but they said, "If you will give us permission to build one high dam at this place so as to develop water power, we shall be glad to avail ourselves of that privilege." Therefore a provision was inserted in the bill that the Secretary of War, at his discretion, might build one high dam or two low dams, the high dam being constructed for the purpose of developing a water-power site and producing water power.

When an investigation was made it developed that in order to build a dam sufficiently high to produce water power the flowage damages would be $572,000; and when that fact developed these gentlemen who had in mind the possibility of developing a water-power site or dam flung up their hands and never have been heard from since, and never will be again, because even a dam 30 feet high would not produce sufficient power to justify a flowage damage to start with of $572,000. So the matter has been resting.

The board of engineers made a different investigation and a different report, and recommended this amendment, upon the idea that when they do begin the development they will construct two low dams, the cost of which will be something less, perhaps, than the cost of the high dam, and the flowage damages about $20,000. This amendment was inserted at their suggestion. Gen. Taylor appeared before the committee, and he drafted this amendment and thought that it ought to be adopted, and therefore the committee very promptly inserted it in the bill.

That is a short, concise statement of the facts. I think the Senate ought to consent to the amendment remaining in the bill. I shall be very glad to answer any questions I can which any Senator desires to ask me with reference to it.

Mr. SMOOT. Mr. President, upon the face of this amendment there is no appropriation provided for.

Mr. BANKHEAD. An appropriation of $500,000 was made five years ago, but it has never been taken advantage of. The money is still in the Treasury.

Mr. SMOOT. In the year 1915 there was an amount of $501,000 set aside for the Tennessee River from the lump sum appropriated; but this amendment, if it is adopted, means that there will be a future expenditure on the project of $600,000, in round numbers.

Mr. BANKHEAD. How does the Senator get that idea?

Mr. SMOOT. I get it from the reports that are made.

Mr. BANKHEAD. The annual river and harbor appropriation bill passed in the Sixty-third Congress carried, as I have stated, an appropriation of $500,000, the Secretary of War having the discretion to construct one high dam or two low dams. That is the provision of the bill. As I have stated, it has been demonstrated that no company, no corporation, no individual, will undertake to build a power dam there, and of course the Government will not do so, with a flowage damage of $570,000 to begin with. Therefore this provision simply authorizes the Secretary of War to construct two low dams, or, in his discretion, to construct two low dams and abandon the project for the high dam.

Mr. SMOOT. I do not disagree in substance with the statement which has just been made by the Senator from Alabama. What I did say is that this amendment, though it carries no appropriation, means the expenditure from the Treasury of the United States of something like $600,000.

Mr. BANKHEAD. That is the point I am making. Where does the Senator get the $600,000 from?

Mr. SMOOT. From the appropriation that has already been made for the project.

Mr. BANKHEAD. That is $500,000.

Mr. SMOOT. Well, I do know, as I have stated, under the act of 1915, which carried a lump-sum appropriation of $30,000,000, there was set aside by the Secretary of War for the Tennessee River project $501,000. The total for the Sixty-third Congress is reported to be $724,000, I will say to the Senator, according to the report I hold in my hand. Now, there may be some of that appropriation expended.

Mr. BANKHEAD. Does the Senator mean to say that now, under existing law, there is $724,000?

Mr. SMOOT. I can not say what the balance is.

Mr. BANKHEAD. But none of it has been expended. There has been no expenditure at all.

Mr. SMOOT. It shows that there is $724,000.

Mr. BANKHEAD. I am glad to know that. It is better than I thought, then. The appropriation has already been made for this work.

Mr. SMOOT. There is no appropriation carried in this bill.

Mr. FLETCHER. No.

Mr. BANKHEAD. No; that is true.

Mr. SMOOT. That was my opening statement.

Mr. McKELLAR. It is in the form of a previous allotment by the Secretary of War, is it not?

Mr. BANKHEAD. There is no appropriation whatever carried in this bill.

Mr. SMOOT. There is no appropriation carried in this bill, as I stated.

Mr. BANKHEAD. That is right.

Mr. SMOOT. But I said that the passage of it means that work would be begun that would cost, in round numbers, $600,000.

Mr. BANKHEAD. Perhaps that is true, Mr. President.

Mr. McKELLAR. Of a previous appropriation.

Mr. BANKHEAD. If the department undertakes the work and prosecutes it, in the end it will cost about that much money.

Mr. SMOOT. That is true.

Mr. BANKHEAD. That is true, I think.

Mr. SMOOT. I do not know that I have anything further to say about the project, nor would it amount to anything if I did object to the wording of this amendment. The money is already appropriated and will be expended. The Senator from Iowa wanted to express himself on the Tennessee River project itself.

Mr. BANKHEAD. I will say to the Senator that this money has been available for five years and none of it has yet been expended, and I can not tell when it will be; perhaps never. I do not know. It is a matter of discretion.

Mr. SMOOT. The Senator from Iowa [Mr. KENYON] has just entered the Chamber, and he says he does not believe there is any use in spending any time on the Tennessee River or any other river, as long as the Oklawaha River appropriation was adopted; so I shall have nothing more to say about it.

Mr. KENYON. There is no use in discussing any river.

The PRESIDENT pro tempore. The question is on the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 22, after line 2, to insert:

Ohio River: Continuing improvement by the construction of locks and dams with a view to securing a navigable depth of 9 feet, $3,000,000.

Mr. KENYON. I understand there is an unexpended balance for the Ohio River; that, with something like $9,000,000 and contracts amounting to some $3,000,000, there is left $6,000,000 for the Ohio River project. If that is true, and the chairman of the committee probably knows, what is the use of the appropriation of $3,000,000?

Mr. FLETCHER. The entire matter is explained on page 11 of the report in a communication from the Chief of Engineers to the Commerce Committee setting out precisely the reason for this amendment. The Chief of Engineers says:

2. The estimates for funds to be carried for river and harbor improvements in the pending bill were submitted to Congress before the armistice was signed, and at that time the estimates were scaled down on account of the existing war conditions. In this scaling down, consideration was given to the amounts available, and wherever such amounts appeared to be sufficient to carry on the work at even a reduced rate estimates were cut accordingly. It appeared that both the Ohio and Allegheny Rivers works could proceed at a fair rate of progress without additional appropriation, and no data which warranted me in asking for the inclusion of the above amounts in the pending bill were received before the bill was passed by the House of Representatives; but from data which have been received within a few days, it appears that these amounts are necessary in order that the above improvements can be properly prosecuted.

3. It now appears that the funds available for the Ohio River will be all obligated by contract, or allotted to locks and dams being constructed by day labor, before the end of the present fiscal year, making it impracticable, with the funds heretofore appropriated, to take up any new work before late in 1920. This will result in loss of at least one year's time in the completion of the Ohio River project, and possibly the loss of two years' time. The condition of this improvement is now such that it is desirable to prosecute it as rapidly as possible, in order that advantage of the money that has already been spent may be obtained in the near future. Briefly, all of the locks and dams from Pittsburgh to Cincinnati, except Dams Nos. 30, 32, 34, and 36, have been completed or are under construction. Below Cincinnati, Dams Nos. 39, 41, 43, and 48 are under construction. It is most important at the present time to fully complete the improvement from Pittsburgh to Cincinnati, and without the additional appropriation herein asked for the completion of this stretch of the river will be delayed at least one and possibly two years. Tabular statements showing the condition of the locks and dams on the Ohio River are herewith.

That is all with reference to the Ohio River. Then he speaks further with reference to the Allegheny River, and attached to the letter is a detailed statement with reference to all the locks and dams. If the Senator will just refer to the report on pages 11 and 12 and subsequent pages, he will find that the Chief of Engineers gives the whole statement in reference to the progress of the work on these locks and dams. It was on the strong recommendation of the Chief of Engineers as embodied in this letter that the committee saw fit to insert the amendment.

Mr. KENYON. What is the balance on hand?

Mr. HARDING. If the Senator from Florida will permit me, the engineer made a statement to the committee. There is a discrepancy between the amount on hand at this time and the report as given to the committee. An account of the amount of expenditures shows between five and a half and six million dollars on hand. The engineers asked to have this amendment inserted, because that is only sufficient to carry on the work during the year 1919, and they thought they would like to have this provision made in case there should be a failure of the river and harbor bill next year, so that they may continue the work along during the next year.

Mr. KENYON. So the purpose of this appropriation is in case there should be a failure of the river and harbor bill next year?

Mr. HARDING. That is the main object.

Mr. KENYON. The money is not needed for this year.

Mr. HARDING. No; it is not needed. As the Senator is doubtless aware, the Ohio River improvement contemplates an expenditure of something like $20,000,000 yet to be made—it may be $24,000,000—and the 9-foot channel covers a distance of something like 980 miles. The work is constantly going on, and the engineers felt that they would like to have the assurance on the part of Congress that this work would be hastened to completion.

Mr. KENYON. I am familiar with the project, and I risk the prediction that it will all be worthless when it is done.

Mr. HARDING. The Senator from Iowa may be correct, but he will admit that if there is an interior waterway project susceptible of being made worth while the Ohio River certainly is one of that sort.

Mr. FLETCHER. I will state to the Senator from Iowa that the report shows the amount estimated to complete the improvement is $23,265,488, and that the outstanding liabilities and contract obligations are $3,587,320. It is by reason of having incurred obligations and let contracts that the available funds will not be sufficient to carry on the work for the period desired.

Mr. SMOOT. Mr. President, of course, if we are to spend money with no regard to the amount of commerce that is developed through the expenditure of Government money I know of no better river to spend it upon than the Ohio. But I want to call attention to the fact that with a continued loss in commerce from year to year, if the work costs in proportion to what it has so far over the 200 miles of the Ohio River the cost will average over $86,000 a mile, and that is rather an expensive channel for commerce to travel over.

However, I take it for granted that it is not a question of return upon the investment. That idea has gone glimmering long ago. I predict now that before the Government stops spending money upon the Mississippi River it will amount to more than it would cost the Government to build a double-track railroad line upon both sides of the river the whole length of the river, and the interest upon the amount that has and will be spent upon the Mississippi River would pay the operation of said railroad lines and deliver the commerce without cost to the people along the Mississippi River and then save money to the Government.

That will be the result if the work as mapped out and as contemplated is carried into effect. But I notice even in the lower Mississippi the amount of money expended on the thousand dollars will average a little over $100,000 a mile already, and they have not touched the project we speak of.

So we must set aside the idea that the expenditure of money upon the rivers of the country is based upon what we are going to receive in return from them, based upon whether it is a financial project worthy of spending Government money on or not.

I have not anything further to say, Mr. President.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 22, after line 5, to insert:

Allegheny River, Pa.: For maintenance of open-channel work, $8,000; continuing improvement by construction of locks and dams, $1,000,000; in all, $1,008,000.

The amendment was agreed to.

The next amendment was, on page 22, line 17, after the words "first session," to strike out "$24,000; completing" and insert "$33,000"; in line 18, before the word "improvement," to insert "for" and, in line 21, after the words "in all," to strike out "$221,000" and insert "$230,000," so as to make the clause read:

Grand Marais, Marquette, Marquette Bay, and Ontonagon Harbors, and Keweenaw Waterway, Mich.; Ashland and Port Wing Harbors, Wis.; Duluth-Superior Harbor, Minn. and Wis.; Agate Bay and Grand Marais Harbors, Minn.: For maintenance, $59,000; completing improvement of Duluth-Superior Harbor in accordance with the report submitted in House Document No. 1018, Sixty-fourth Congress, first session, $33,000; for improvement of Keweenaw Waterway at Princess Point in accordance with the report submitted in House Document No. 835, Sixty-third Congress, second session, $138,000; in all, $230,000.

The amendment was agreed to.

The next amendment was, on page 23, line 2, after the word "maintenance," to strike out "$38,000; completing" and insert "$80,000"; in the same line, before the word "improvement," to insert "for"; and in line 5, after the words "in all," to strike out "$71,000" and insert "$113,000," so as to make the clause read:

Manistique Harbor, Mich.; Menominee, Oconto, Green Bay, Algoma, Kewaunee, Two Rivers, Manitowoc, Sheboygan, Port Washington, Milwaukee, Racine, Kenosha, and Waukegan Harbors, Sturgeon Bay and Lake Michigan Ship Canal, and Fox River, Wis.: For maintenance, $80,000; for improvement of Sturgeon Bay and Lake Michigan Ship Canal in accordance with the report submitted in House Document No. 1382, Sixty-second Congress, third session, $33,000; in all, $113,000.

The amendment was agreed to.

The next amendment was, on page 23, line 10, after the word "maintenance," to strike out "$110,000; completing" and insert "$140,000"; in the same line, before the word "improvement," to insert "for"; and in line 13, after the words "in all," to strike out "$148,170" and insert "$178,170," so as to read:

Chicago and Calumet Harbors, Chicago and Illinois Rivers, Ill.; Calumet River, Ill. and Ind.; and Indiana and Michigan City Harbors, Ind.: For maintenance, $140,000; for improvement of Calumet Harbor in accordance with the report submitted in House Document No. 237, Sixty-third Congress, first session, $38,170; in all, $178,170.

The amendment was agreed to.

The next amendment was, on page 24, line 9, after the word "maintenance," to strike out "$42,700" and insert "$104,500," so as to make the clause read:

St. Joseph Harbor and River, Saugatuck Harbor and Kalamazoo River, South Haven, Holland, Grand Haven, Muskegon, White Lake, Pentwater, Ludington, Manistee, Portage Lake, Arcadia, Frankfort, Charlevoix, and Petoskey Harbors, and Grand River, Mich.: For maintenance, $104,500.

The amendment was agreed to.

The next amendment was, on page 24, line 11, before the word "and," to strike out "Duluth" and insert "Duluth-Superior," so as to make the clause read:

Ship channel connecting waters of the Great Lakes between Chicago, Duluth-Superior, and Buffalo, including St. Marys River, St. Clair River, channels in Lake St. Clair and Detroit River, Mich.: Completing improvement of Grosse Pointe Channel, Lake St. Clair, in accordance with the report submitted in House Document No. 188, Sixty-fifth Congress, first session, $94,000; for improvement of Livingstone Channel, Detroit River, in accordance with the report submitted in House Document No. 322, Sixty-fifth Congress, first session, $750,000; in all, $844,000.

The amendment was agreed to.

The next amendment was, on page 24, line 24, before the word "improvement," to strike out "Completing" and insert "For maintenance, $5,000; completing," and in line 5, after the word "improvement," to insert "in all, $72,500," so as to make the clause read:

Mackinac, Cheboygan, Rogers City, Alpena, Harbor Beach, and Monroe Harbors, Saginaw, Black, Clinton, and Rouge Rivers, Mich.: For maintenance, $5,000; completing improvement of Alpena Harbor in accordance with the report submitted in House Document No. 830, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, $67,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; in all, $72,500.

The amendment was agreed to.

The next amendment was, on page 25, line 8, before the word "improvement," to strike out "completing" and insert "for"; in line 13, before the word "improvement," to strike out "completing" and insert "for"; in line 19, before the word "improvement," to strike out "completing" and insert "for"; in line 20, before the word "improvement," to strike out "completing" and insert "for"; and in line 23, before the word "improvement," to strike out "completing" and insert "for," so as to make the clause read:

Toledo, Port Clinton, Sandusky, Huron, Vermilion, Lorain, Cleveland, Fairport, Ashtabula, and Conneaut Harbors, Ohio: For maintenance, $55,000; for improvement of Sandusky Harbor in accordance with the report submitted in House Document No. 982, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $181,000; for improvement of Huron Harbor in accordance with the report submitted in House Document No. 5, Sixty-third Congress, first session, and subject to the conditions set forth in said document, $34,500: *Provided*, That no expense shall be incurred by the United States for acquiring any lands required for the purpose of this improvement; for improvement of Lorain Harbor, $20,000; for improvement of Fairport Harbor in accordance with the report submitted in House Document No. 206, Sixty-third Congress, first session, $238,500; for improvement of Ashtabula Harbor in accordance with the report submitted in House Document No. 997, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $83,000; in all, $612,000.

The amendment was agreed to.

The next amendment was, on page 26, line 7, before the word "maintenance," to strike out "For" and insert "Continuing improvement and for"; in the same line, after the word "maintenance," to strike out "$31,000" and insert "$156,000"; in line 10, after the words "first session," to strike out "$132,000" and insert "$145,000"; and, in line 13, after the words "in all," to strike out "$189,400" and insert "$327,400," so as to make the clause read:

Erie Harbor, Pa.; Dunkirk and Buffalo Harbors, Black Rock Channel and Tonawanda Harbor, and Niagara River, N. Y.: Continuing improvement and for maintenance, $156,000; completing improvement of Buffalo Harbor in accordance with the report submitted in House Document No. 1139, Sixty-fourth Congress, first session, $145,000; completing improvement of Buffalo Harbor in accordance with the report submitted in House Document No. 1004, Sixty-fifth Congress, second session, $26,400; in all, $327,400.

The amendment was agreed to.

The next amendment was, on page 26, line 19, after the words "second session," to strike out "$38,000" and insert "$50,000"; in line 22, after the words "first session," to strike out "$54,000" and insert "$72,000"; and, in line 23, after the words "in all," to strike out "$111,500" and insert "$141,500," so as to make the clause read:

Olcott, Charlotte, Pultneyville, Great Sodus Bay, Little Sodus Bay, Oswego, Cape Vincent, and Ogdensburg Harbors, N. Y.: For maintenance, $19,500; completing improvement at Oswego Harbor in accordance with the report submitted in House Document No. 570, Sixty-fifth Congress, second session, $50,000; completing improvement of Ogdensburg Harbor in accordance with the report submitted in House Document No. 663, Sixty-fourth Congress, first session, $72,000; in all, $141,500.

The amendment was agreed to.

The next amendment was, on page 27, line 9, before the word "improvement," to strike out "completing" and insert "for," and, in line 12, before the word "improvement," to strike out "completing" and insert "for," so as to read:

San Francisco, Oakland, Richmond, Monterey, and Humboldt Harbors, Redwood and Petaluma Creeks, Napa River, San Pablo Bay, Mare Island Strait, and Suisun Channel, Cal.: For maintenance, $124,800; for maintenance of Oakland Harbor in accordance with the report submitted in House Document No. 1131, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, $12,000; for improvement of Suisun Channel in accordance with the report submitted in House Document No. 986, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, $64,500; for improvement of San Rafael Creek in accordance with the report submitted in House Document No. 801, Sixty-third Congress, second session, and subject to the conditions set forth in said document, $27,300.

Mr. FLETCHER. There is an omission there. In lines 3 and 4, on page 27, after the words "Mare Island Strait," I move to insert the words "Suisun Bay," so as to read:

Mare Island Strait, Suisun Bay, and Suisun Channel, Cal.

The amendment to the amendment was agreed to.

Mr. FLETCHER. I move the same amendment in line 9. In line 9, before the word "Suisun," I move to insert the words "Suisun Bay and."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 28, line 10, before the word "maintenance," to strike out "For" and insert "Continuing improvement and for"; and in the same line, after the word "maintenance," to strike out "$65,800" and insert "$222,000." so as to make the clause read:

Sacramento, Feather, San Joaquin, and Mokelumne Rivers, and Stockton and Mormon Channels (diverting canals), Cal.: Continuing improvement and for maintenance, $222,000.

The amendment was agreed to.

The next amendment was, on page 28, line 14, after the words "Coos Bay," to strike out "$74,000; completing" and insert "$121,000"; in the same line, before the word "improvement," to insert "for"; in line 18, before the word "improvement," to strike out "completing" and insert "for"; and in line 25, after the words "in all," to strike out "$368,000" and insert "$415,000," so as to make the clause read:

Coquille, Coos, Siuslaw, and Yaquina Rivers, and Coos, Yaquina, Tillamook, and Nehalem Bays, Oreg.: For maintenance and continuing improvement of channel over the bar at Coos Bay, $121,000; for improvement of Coquille Bar and Harbor in accordance with the report submitted in House Document No 207, Sixty-fifth Congress, first session, and subject to the conditions set forth in said document, $64,000; for improvement of Coos Bay in accordance with the report submitted in House Document No. 325, Sixty-fifth Congress, first session, $130,000; for improvement of Yaquina Bay and Harbor in accordance with the report submitted in House Document No. 109, Sixty-fifth Congress, first session, and subject to the conditions set forth in said document, $100,000; in all, $415,000. The project for the improvement of Tillamook Bay, Oreg., is hereby modified in accordance with the report submitted in House Document 730, Sixty-fifth Congress, second session.

The amendment was agreed to.

The next amendment was, on page 29, line 6, before the word "maintenance," to strike out "For" and insert "Continuing improvement and for," and in the same line, after the word "maintenance," to strike out "$554,000" and insert "$595,000," so as to make the clause read:

Columbia and lower Willamette Rivers below Vancouver, Wash., and Portland, Oreg., and mouth of Columbia River, Oreg. and Wash.: Continuing improvement and for maintenance, $595,000.

The amendment was agreed to.

The next amendment was, on page 29, line 10, after the word "maintenance," to strike out "$43,100" and insert "$71,100," and in line 14, after the words "in all," to strike out "$44,900" and insert "$71,900," so as to make the clause read:

Willamette River above Portland and at Willamette Falls, Yamhill River and Clatskanie River from the mouth to Clatskanie, Oreg.; Cowlitz, Lewis, and Grays Rivers, and Skamokawa Creek, Wash.: For maintenance, $70,100; completing improvement of Skamokawa Creek in accordance with the report submitted in House Document No. 111, Sixty-third Congress, first session, $1,800; in all, $71,900.

The amendment was agreed to.

The next amendment was, on page 30, line 3, after the word "point," to strike out "; completing" and insert ": *Provided further*, That local interests shall furnish a place of deposit for the dredged material and the bulkheads necessary to confine such material;"; in line 6, before the word "improvement," to insert "for"; in line 9, after "$30,000," to insert: "*Provided*, That before work on this project is commenced, the report shall be referred to the Board of Engineers for Rivers and Harbors for review as to whether the project should be modified to meet existing conditions or whether conditions of local cooperation should be imposed"; in line 17, after the word "document," to strike out "$56,000; completing" and insert "$89,000"; in line 18, before the word "improvement," to insert "for"; and, in line 22, after the words "in all," to strike out "$165,000" and insert "$238,000," so as to make the clause read:

Puget Sound and its tributary waters, Olympia, Seattle, Anacortes, Port Gamble, Tacoma, and Bellingham Harbors, Lake Washington Ship Canal, Snohomish and Skagit Rivers, Swinomish Slough, waterway connecting Port Townsend Bay and Oak Bay, Columbia River between Wenatchee and Kettle Falls, Wash.: For maintenance, $27,000; for maintenance of East and West Waterways, Seattle Harbor, in accordance with the report printed in Senate Document No. 313, Sixty-fifth Congress, third session, and subject to the conditions set forth in said document, $40,000; for the maintenance of Duwamish Waterway, Seattle Harbor, to a depth of 20 feet and to a width of 150 feet at mean low water as far south as Eighth Avenue South Bridge, $40,000: *Provided*, That no part of said appropriation shall be available for said purpose until said improvements shall be completed to project dimensions to said point: *Provided further*, That local interests shall furnish a place of deposit for the dredged material and the bulkheads necessary to confine such material; for improvement of Skagit River in accordance with the report printed in House Document No. 935, Sixty-third Congress, second session, $30,000: *Provided*, That before work on this project is commenced, the report shall be referred to the Board of Engineers for Rivers and Harbors for review as to whether the project shall be modified to meet existing conditions or whether conditions of local cooperation should be imposed; completing improvement of Anacortes Harbor in accordance with the report submitted in House Document No. 1117, Sixty-fourth Congress, first session, and subject to the conditions set forth in said document, $89,000; for improvement of Port Gamble Harbor in accordance with the report submitted in House Document No. 851, Sixty-fifth Congress, second session, and subject to the conditions set forth in said document, $12,000; in all, $238,000.

The amendment was agreed to.

LEAGUE OF NATIONS.

Mr. VARDAMAN. Mr. President, I ask the indulgence of the Senate for a moment.

I am not going to discuss the league of nations this morning but hope to do so later. I rise for the purpose of putting into the RECORD an opinion touching the constitutionality of any act of Congress or of the Senate that would make the United States a part of the league of nations under the plan proposed by President Wilson, which I hope may be helpful to Senators in reaching a correct conclusion of this most remarkable proposition and extraordinary document.

The proposed organization of a league of nations carries us into unexplored regions of diplomacy. It presents a problem far-reaching in its effect, the solution of which will test the capacity of the American people for self-government and the preservation of American institutions. It marks the most vital period in the life of this Nation up to date and calls for the highest order of courage, manhood, and statesmanship. I hope the measure may receive ripe, mature, full, and complete discussion. I have no sympathy whatever with the suggestion made by President Wilson that the discussion by the Senate should be postponed until he comes home. A most unusual and regrettable request the President has made. If President Wilson had thought more of America, her people, her institutions, and cared less for the triumph of his own personal ideas and efforts he would have said to the American people, "discuss the measure," "vivisect it," "analyze it," "tear it to pieces," and find out its every possible defect, if defects there be in the plan, because, Mr. President, it is only by the attrition of ideas and friction of suggestions that the truth, the eternal truth, shall be evolved. No man possesses a corner on all the wisdom and patriotism of this Republic; all men are fallible, even the Presidency of the United States is not hedged about with divine omniscience. To ask the Congress to withhold its criticism of the league of nations until the President returns from Europe is on a par with the wisdom and prudence of the advice given to a man who is starting out on a long journey through a wilderness, beset by savages and wild beasts, to first supply himself with a sufficient amount of chloroform to soothe his senses and to drive out of his soul all apprehensions of fear. Eternal vigilance is the price of the liberty of the American citizen and the permanency of American institutions. Never in the history of this Republic was it quite so necessary for every man, woman, and child capable of understanding the genius and principles of our Government to be on guard and sound the note of warning when danger is ahead.

I hope, however, the criticism and discussion of the President's proposed league of nations may be free of all partisan bias and the spirit of faultfinding. Let the truth be the end sought and the good of the American people the thing to be subserved. I am heartily in favor of the purpose which the President seeks to subserve in the league of nations. I want peace, world peace; I want reason and justice and righteousness to rule throughout the world. I wish we could stop so much talk about war and armaments. But, Mr. President, I would not take the step that the President is asking the American people to take without invoking the assistance, criticism, and the fullest investigation by all the people before taking this important step. The gravity

and seriousness of this movement is so overwhelming a wise, patriotic, and prudent man would hesitate, even though he knew he were right. The man who will yield to the mesmeric power of the President's personality or be swayed by presidential patronage in the settlement of this great question is not fit to enjoy the advantages of citizenship, much less hold office in this Republic.

I am going to ask unanimous consent to have inserted in the RECORD a very able discussion of the constitutionality of certain phases of the league of nations by Hon. Hannis Taylor, of this city. Dr. Taylor is a great lawyer of accurate and profound information. He is an erudite historian, an accomplished man of letters, a scholar, and a statesman with a vision, and of ripe experience. I hope the views expressed in this paper may throw some light on the great question at issue and be of help to Senators and the American people in reaching a correct conclusion.

I am not going to have it read, but I ask permission to have it inserted in the RECORD without reading.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

WASHINGTON, D. C., *February 17, 1919.*

Hon. JAMES K. VARDAMAN,
United States Senate.

DEAR SENATOR: You have requested me to express my opinion upon the following question of constitutional law: Has the Government of the United States the power to make treaties, as an attribute of sovereignty independent of and superior to the Constitution? Or, to state the matter in another form, is not the treaty-making power limited by its very nature to a certain clearly defined area within which it must be exercised in subordination to all the fundamental principles and limitations which inhere in the instrument as a whole?

In the Washington Post of Sunday, the 16th, there appeared as a leader an editorial entitled "The people must decide," which is so lucid, so exhaustive, so convincing that I have resolved to adopt it as an expression of my own views. I hereby tender it to you as such, without the slightest idea as to the authorship of it:

"THE PEOPLE MUST DECIDE.

"The power exercised by the Government of the United States was delegated to it by the States and by the people. This power is not transferable. It can not be increased or diminished by any action of the Government nor increased or diminished by any action of the States or the people, except by a method provided by the States and the people when they granted the power. The individuals temporarily executing the power by virtue of their offices have nothing to do with the origin, transfer, or modification of the power. Their oaths of office require them to execute the duties imposed upon them, and no more.

"The United States Government, not being the originator of its powers, is not authorized to confer with foreign governments as to any changes that individuals may deem desirable in the nature and scope of America's national powers. It does not matter whether these individuals are in or out of office, whether they are influential with the people or whether they believe they are qualified to make improvements in the relations between the people, the States, and the Federal Government.

"The treaty-making power of the United States can not, of course, amend the Constitution which creates the treaty-making power. Within the scope of its authority the treaty-making power is supreme, but its power is limited, just as all other powers of the Government are limited. The treaty-making power is in continuous operation, as it were, and so is Congress. A treaty made yesterday may be amended or repealed by a law made to-day or by a new treaty made to-morrow. A treaty is the supreme law of the land, but any other law passed by Congress may annul the treaty.

"Under the Constitution Congress has certain powers which it can not enlarge, diminish, modify, or ignore. It has the power to declare war, which includes the power to avoid or terminate war. It can not delegate this power to the President, the Supreme Court, a league of nations, or any other agency, nor can it return this power to the States and the people. Nor can the States or the people make war except by virtue of a declaration by Congress. Some Presidents have been accused of making war without a declaration by Congress, but there are important distinctions between casual armed collisions and a state of war.

"No treaty can be made by which the United States Government can agree to substitute the decision of a league of nations for Congress in declaring a state of war. Nor can any treaty pass the Supreme Court which attempts to create an obligation upon Congress to declare war when called upon to do so by an international organization. Nor can any treaty pass muster which obliges Congress to accept the mandate of another authority regarding the size and composition of the United States Army, the Navy, the fortifications or the armaments of the United States or its possessions on land or sea. Nor can any treaty be put into effect which would compel the United States to send an Army overseas against the will of Congress. Nor can any treaty be made which deprives the United States of the right to preserve its neutrality in case of war between two or more foreign nations, for denial of this right would be equivalent to denial of the right to declare war. Nor can any treaty be made under which, upon the outbreak of foreign war, the United States would be compelled to suspend its commerce with any State against the will of Congress.

"If the violent assumption should be made that a treaty could be ratified, providing for some of these transfers of national power, and that it might be operative in spite of its conflict with the Constitution, it should be remembered that any Congress, by a majority vote, may set aside such a treaty at any time. It is quite imaginable that an Executive might endeavor to comply with a treaty obligating the Nation to make war, suspend commerce, or abandon neutrality, and that a Congress, wholly disagreeing with the Executive, might enact legislation making the treaty a scrap of paper. But it is not to be presumed that any unconstitutional treaty will ever be ratified by the Senate, or that any Executive will ever attempt to deny or ignore the exclusive power of Congress to declare war, raise an Army and Navy, borrow money, and regulate commerce between the States and with foreign nations.

"The question whether the United States shall join a league of nations must go to the people for decision. The President and the Senate, as the treaty-making power, have no power to amend the Constitution. Even though the Senate should unanimously ratify a treaty transferring the war-making power to a league of nations, still the old Constitution would stand unimpaired, and all their effort would be vain, unless the people should modify their will as expressed in the organic law that controls all parts of the Government."

All sound constitutional lawyers regard as preposterous the contention that this Government has the power to make treaties as an attribute of sovereignty independent of and superior to the Constitution itself. In disposing of that unplausible heresy, Mr. Justice Brewer, one of the most eminent of our jurists, said, in Turner *v.* Williams (194 U. S., 279): "While undoubtedly the United States as a nation has all the powers which were in any nation, Congress is not authorized in all things to act for the Nation, and too little effect has been given to the 10th article of the amendments to the Constitution. * * * The powers the people have given to the General Government are named in the Constitution, and all not there named, either expressly or by implication, are reserved to the people and can be exercised only by them or upon further grant from them." In speaking the final word on this vital subject the same justice said in Kansas and Colorado (206 U. S., 89): "But the proposition that there are legislative powers affecting the Nation as a whole which belong to, although not expressed in, the grant of powers, is in direct conflict with the doctrine that this is a Government of enumerated powers. That this is such a Government clearly appears from the Constitution independently of the amendments, for otherwise there would be an instrument granting certain specific things made operative to grant other and distinct things. This natural construction of the original body of the Constitution is made absolutely certain by the tenth amendment. This amendment, which was seemingly adopted with prescience of just such contention as the present, discloses the widespread fear that the National Government might, under the pressure of a supposed general welfare, attempt to exercise powers which had not been granted. With equal determination the framers intended that no such assumption should ever find justification in the organic act, and that if in the future further powers seemed necessary they should be granted by the people in the manner they had provided for amending that act."

Judge Cooley, in his "Principles of Constitutional Law," page 117, says: "The Constitution imposes no restriction upon this power (treaty-making power), but it is subject to the implied restriction that nothing can be done under it which changes the Constitution of the country or robs a department of the Government or any of the States of its constitutional authoriy." John Randolph Tucker in his very able work on the Constitution (Vol. II, p. 725), says: "A treaty therefore can not take away essential liberties secured by the Constitution of the people. A treaty can not bind the United States to do what the Constitution forbids them to do. We suggest a fur-

ther limitation. A treaty can not compel any department of the Government to do what the Constitution submits to its exclusive and absolute will. On these questions the true canon of construction, that the treaty-making power in its seeming absoluteness and unconditional extent, is confronted with equally absolute and unconditional authority vested in the judiciary." Alexander Hamilton (Works IV, p. 342), writing to Gen. Washington, July 9, 1795, says: "A treaty can not be made which alters the Constitution of the country or which infringes any express exceptions to the power of the Constitution of the United States." Mr. Marcy, Secretary of State, writing to Mr. Mason, minister to France, September 11, 1854, said: "The Constitution is to prevail over a treaty where the provisions of the one come in conflict with the other. It would be difficult to find a reputable lawyer in this country who would not yield a ready assent to this proposition."

In the Cherokee Tobacco Case, Eleventh Wallace, 616, the Supreme Court of the United States said: "It need hardly be said that a treaty can not change the Constitution or be valid if it be in violation of that instrument. This results from the nature and fundamental principles of our Government." And in Holden against Joy, Seventeenth Wallace, 243, the same court said, in speaking of the treaty-making power: "That the framers of the Constitution intended that it should extend to all those objects which in the intercourse of nations has usually been regarded as the proper subjects of negotiation and treaty, if not inconsistent with the nature of our Government and the relation between the States and the United States." In Downes against Bidwell, One hundred and eighty-second United States, page 370, Chief Justice Fuller said: "Indeed a treaty which undertook to take away what the Constitution secured, or to enlarge the Federal jurisdiction would be simply void. * * * And it certainly can not be admitted that the power of Congress to levy and collect taxes and duties can be curtailed by an arrangement *made* with a foreign nation by the President and two-thirds of a quorum of the Senate. See Tucker on the Constitution, sections 354, 356." In the same case Justice White, page 312, said: "The theory as to the treaty-making power, upon which the argument which has just been commented upon rests, it is now proposed to be shown, is refuted by the history of the Government from the beginning * * *. The effect of the principle asserted is equally antagonistic, not only to the express provisions but to the spirit of the Constitution in other respects. Thus, if it be true that the treaty-making power has the authority which is asserted, what becomes of that branch of Congress which is peculiarly the representative of the people of the United States, and what is left of the functions of that body under the Constitution * * *. If the treaty-making power can absolutely, without the consent of Congress, incorporate territory, and if that power may not insert conditions against incorporation, it must follow that the treaty-making power is endowed by the Constitution with the utmost unlimited right, susceptible of destroying every other provision of the Constitution; that is, it may wreck our institutions."

But nothing can be found so directly applicable to this unprecedented instrument, called a league of nations, which proposes to deprive this great Federal Commonwealth of its sovereign powers and subject it to the yoke of a foreign and novel dominion as this golden passage from Story's "Commentaries on the Constitution," section 1508, which seems to have been drafted in anticipation of the event. That famous jurist, whose lightest words are weighty, says in discussing the treaty-making power that: "Though the power is thus general and unrestricted, it is not to be so construed as to destroy the fundamental laws of the State. A power given by the Constitution can not be construed to authorize a destruction of other powers given in the same instrument. It must be construed, therefore, in subordination to it, and can not supersede or interfere with any other of its fundamental provisions. Each is equally obligatory and of paramount authority within its scope; and no one embraces a right to annihilate any other. A treaty to change the organization of the Government, or annihilate its sovereignty, to overturn its republican form, or to deprive it of its constitutional powers, would be void, because it would destroy what it was designed merely to fulfill, the will of the people."

In the light of these precedents the conclusion is irresistible that this stupendous instrument called a league of nations—to be incorporated into a treaty which, if adopted, will demand a surrender of the sovereignty of this Nation, the sacrifice of its independence, the abolition of the Monroe doctrine, and a recasting of the entire system of the Government of the United States—could never have been devised by anyone familiar with the basic principles of the American Constitution.

It is evidently the work of British jurists and statesmen who fancy that the President and the Senate, acting together, are endowed with all the omnipotence of the English Parliament, which can amend its constitution without any consultation with the people whatsoever. Fortunately, Mr. Frank H. Simonds, a warm friend of the proposed league, in a communication from Paris, which appeared in The Evening Star of the 11th instant, has relieved President Wilson of all responsibility for the authorship of this monstrous and un-American invention. Mr. Simonds says:

"It is essential to face the fact that, so far as President Wilson and his European expedition are concerned, the President came here with no definite or clear or coherent program for a league of nations. Certain ideas, certain phases, even certain principles, were expressed in various of his speeches, but only in the vaguest sort of way. He came here to plead his cause, but he did not come here prepared to present any working basis of an organization for a league of nations. In a very marked degree the President, then, came empty-handed. * * *

"British statesmen, like Lord Robert Cecil, like Gen. Smuts, like Mr. Asquith, had in recent times outlined specifically and definitely certain sketches of a machine to be called a league of nations.

"All these various tentative suggestions and proposals confronted Mr. Wilson on his arrival. It was supposed by many that he in his turn would present for his country the American view of what a league of nations should be. In point of fact he had no scheme, and a situation approaching paralysis resulted during a certain period of time.

"What was essential, so far as Mr. Wilson and those associated with him were concerned, was that the league of nations as it developed should in no respect do violence to the famous 14 points. But the 14 points were not at this end the basis for a league of nations or anything else.

"Thus the President's position in course of time developed rather into an inactive attitude. So far from proposing, he remained silent. His real contribution, it would seem, was to veto at various points where suggestions conflicted overnight with his principles as proclaimed in America.

"After a certain length of time, however, it became clear that if real progress was to be made it would be necessary to cease discussion of abstract principles and get down to actual construction of machinery, and at this point the President was helpless, and his associates in the American commission were useless, and it fell to the British logically and inevitably to begin the task of constructing some framework, and this is what has been going on for the last three weeks.

"The league of nations, to be anything in fact beyond an association of uncommitted powers, must be a superstate. It must be an international organization with power and authority over all international organizations, possessing more authority over various nations of the world than the British Parliament possesses over her self-governing Dominions."

And so in relieving President Wilson of all responsibility for the authorship of this intensely un-American creation, Mr. Simonds has disclosed the fact that the "framework" which has been constructed is the brain child of "British statesmen like Lord Robert Cecil, like Gen. Smuts, like Mr. Asquith," who contemplate an international organization "possessing more authority over various nations of the world than the British Parliament possesses over her self-governing dominions." Before the Senate permits this "Trojan horse" to be brought within our walls, it should certainly consider its pedigree; it should not close its eyes to the fact that the world-encircling sea power of the British Empire and its three allies, France, Italy, and Japan is concealed in its belly; that the control of the new machine is to be vested in the British Empire, France, Italy, Japan, and the United States—4 foreign votes against our 1. We have not an ally in the world.

Very sincerely,

HANNIS TAYLOR.

Mr. LEWIS. Mr. President, at this point I should not like to interrupt the proceedings, and for obvious reasons I wish to avoid discussion of the question of the league of nations, but following the suggestion of the Senator from Mississippi [Mr. VARDAMAN], placing some appropriate matter in the RECORD, I ask at this time to have put in the RECORD an editorial from the New York Times of Sunday, the one marked, entitled "Mr. Wilson's Triumph." I ask to have it inserted without reading.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"MR. WILSON'S TRIUMPH.

"Americans who regretted the President's decision to absent himself from the country in these days of domestic need and urgency, and The Times was one of those which regretted it, will not only cheerfully admit the greatness of his achievements at the Paris conference but will rejoice in their recognition of his now amply demonstrated fitness for the work he undertook. Mr. Wilson's presence at the conference has not been a cause of discord or of jealousy; it has not been resented. It was seen from the beginning that he went there not to dominate, as his critics said, but to unite the nations. He has been marvelously successful in bringing into agreement men who represented interests that seemed to be conflicting. His influence in this work has prevailed because all the other nations represented looked upon him as a wise and impartial friend, interested only in making justice and the welfare of peoples the basis of the decisions reached. His triumph in securing unanimous approvai of the league of nations constitution is one in which every American may take pride.

"Mr. Wilson has a dreadful way with his critics. He does not reply to them; he does worse. They rail at him as an idealist, a visionary, a man without practical objectives, or if he have them that they are impossible of acceptance; and they obligingly point out the things he ought to do. Mr. Wilson calmly continues his great labors and presently lays his critics flat and leaves them helpless either by doing the very things they had proposed and doing them in a manner better than they ever dreamed of, or else by attaining his ends in a way that robs their objections of every point. We are confident that Mr. Beck, for instance, must regret the violence of the language he used in his Lincoln Day address when he said that Mr. Wilson's foreign policy throughout 'has been a black stain of dishonor upon the American people'; that 'his principles have been a crazy patchwork of contradictions,' consistent only in one idea, that the war 'must end in a peace without victory.' If this be just criticism, then Mr. Wilson has as his accomplices in dishonoring the American people, in constructing 'his crazy patchwork of contradictions,' and in bringing the war to an end without victory, some 14 nations of the earth, including the greatest civilized nations. Such criticism recoils disastrously upon him who utters it. Not even the natural desire of a great political party to find or create 'issues' for the coming presidential election can give lodgment in the minds and hearts of the people to this estimate of Mr. Wilson's distinguished service.

"The day when the project of the covenant of peace was approved unanimously in Paris was one of the greatest in the world's history. The people of all the nations understand that; the people of America, with their horror of war, can not be fooled about it; they can not be misled into any small and narrow view of its momentous promise. In bringing the plan of the league into form and acceptance, Mr. Wilson has played a master rôle, every American feels that in his heart, every American understands that he brought great abilities, extraordinary qualities of tact and persuasion, and a profound understanding of the need of all the peoples to the performance of his task. The American people will be impatient of any petty or partisan obstruction put in the way of the acceptance of this covenant of the nations as their public system of law and justice."

RIVER AND HARBOR APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The next amendment was, on page 30, line 24, before the word "maintenance," to strike out "For" and insert "Continuing improvement and for"; in line 25, after the word "maintenance," to stike out "$10,000" and insert "$135,000"; on page 31, line 15, after the word "further," to strike out:

That no expense shall be incurred by the United States for acquiring any lands required for the purposes of this improvement; in all, $354,300.

And insert:

That the Territory of Hawaii is authorized to condemn such strip of land, not less than 600 feet wide, fronting on the proposed wharf sites and extending from Huleia River northerly to the public road and the Wai Ko Nui Stream, and all rights of way and other lands required for the breakwater and construction work thereon as shall be approved by the Secretary of War; and no contract for work herein appropriated for shall be entered into until the Territory of Hawaii shall have commenced condemnation proceedings to acquire such lands and rights of way; and no expense shall be incurred by the United States for acquiring or using such lands and rights of way: *And provided further*, That the Secretary of War is authorized to condemn a quarry site or sites, with rights of way thereto, the awards therefor to be paid out of the funds appropriated for this project; and the quarries when so acquired may be made available to any contractors for work on this project on terms to be fixed by the Secretary of War; in all, $479,300.

So as to make the clause read:

Honolulu, Kahului, Hilo, and Nawiliwili Harbors, Hawaii: Continuing improvement and for maintenance, $135,000; completing improvement of Kahului Harbor, $94,300; for improvement of Nawiliwili Harbor in accordance with the report submitted in House Document No. 609, Sixty-second Congress, second session, $250,000: *Provided*, That work on the project herein adopted shall not be commenced until the Secretary of War is satisfied that railroad connections will be made within a reasonable time which will make the harbor of Nawiliwili accessible by land to the entire southern portion of the island: *Provided further*, That no contract for work herein appropriated for shall be entered into until the county of Kauai, or other agency, shall have deposited to the credit of the Secretary of War, in some bank in the Territory of Hawaii to be designated by him, the sum of $200,000, which sum shall be expended by the Secretary of War in the further prosecution of said work, in the same manner and in equal amounts as the sum herein appropriated: *And provided further*, That the Territory of Hawaii is authorized to condemn such strip of land, not less than 600 feet wide, fronting on the proposed wharf sites and extending from Huleia River northerly to the public road and the Wai Ko Nui Stream, and all rights of way and other lands required for the breakwater and construction work thereon as shall be approved by the Secretary of War; and no contract for work herein appropriated for shall be entered into until the Territory of Hawaii shall have commenced condemnation proceedings to acquire such lands and rights of way; and no expense shall be incurred by the United States for acquiring or using such lands and rights of way: *And provided further*, That the Secretary of War is authorized to condemn a quarry site or sites, with rights of way thereto, the awards therefor to be paid out of the funds appropriated for this project; and the quarries when so acquired may be made available to any contractors for work on this project on terms to be fixed by the Secretary of War; in all $479,300.

The amendment was agreed to.

The next amendment was, on page 32, line 17, after the word "adequate," to strike out "$1,000,000" and insert "$500,000," so as to make the clause read:

Maintenance and improvement of existing river and harbor works: For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interest of commerce and navigation for which the funds specifically appropriated may not be adequate, $500,000: *Provided*, That the amount to be alloted to each work shall be determined by the Secretary of War upon the recommendation of the Chief of Engineers.

The amendment was agreed to.

The next amendment was, in section 2, page 33, line 4, after the word "project," to strike out "unless, in the discretion of the Chief of Engineers and the Secretary of War, another allotment or division should be made of the same," so as to make the clause read:

SEC. 2. Where separate works or items are consolidated herein and an aggregate amount is appropriated therefor, the amount so appropriated shall, unless otherwise expressed, be expended in securing the maintenance and improvement according to the respective projects adopted by Congress after giving due regard to the respective needs of traffic. The allotments to the respective works so consolidated shall be made by the Chief of Engineers as authorized by the Secretary of War. In case such works or items are consolidated and separate amounts are given to individual projects, the amounts so named shall be expended upon such separate project. Any balances remaining to the credit of the consolidated items shall be carried to the credit of the respective aggregate amounts appropriated for the consolidated items.

The amendment was agreed to.

The next amendment was, on page 33, after line 9, to insert:

SEC. 3. That in all cases where the project for a work of river or harbor improvement, heretofore, herein, or hereafter authorized, provides for the construction or use of Government dredging plant, the Secretary of War may, in his discretion, have the work done by contract if reasonable prices can be obtained.

The amendment was agreed to.

The next amendment was, on page 33, after line 15, to insert:

SEC. 4. That Little River, from Big Lake in Mississippi County to Marked Tree in Poinsett County, Ark., is hereby declared to be not a navigable waterway of the United States within the meaning of the laws enacted by Congress for the protection of such waterways: *Provided*, That this provision shall be null and void unless expressly approved by an act of the Legislature of the State of Arkansas within one year from the date of approval of this act.

Mr. KIRBY. Mr. President, I should like to move to strike out the proviso in the proposed amendment.

There are some great drainage projects under way down in that part of the State of Arkansas, and they desire to use this river, which is not in fact navigable, for a spillway. If the proviso is left in, requiring the State of Arkansas to consent to this within one year, it may defeat the object of the bill and hold up the improvement. The Legislature of the State of Arkansas is about to adjourn, or it is feared that it may adjourn before this could be passed and agreed to. I suggest on that account that the proviso be stricken out. If any legislation is necessary on the part of the State to make it valid, of course it can not be done until that legislation is procured anyway. I therefore move that the proviso be stricken out.

Mr. SMOOT. I wish to ask the Senator from Arkansas if he has any doubt in his mind that if the amendment is agreed to the Legislature of Arkansas would refuse to pass the legislation?

Mr. KIRBY. No; I understand not.

Mr. SMOOT. The sentiment, then, of the people of the State would be in conformity with the amendment, even though the proviso was left off?

Mr. KIRBY. That has been my information. I sent copies of the amendment to several people in different counties down there, and no one is objecting, and one or two men have come here and stated that it was very desirable to have this legislation.

The Senator from Florida, I understand, has no objection to the amendment to the amendment.

Mr. FLETCHER. No; I have no objection, so far as I am concerned, to the amendment offered by the Senator from Arkansas.

Mr. KIRBY. I understand the legislature, if it does not adjourn before the act here becomes complete, would consent to it anyhow, and if it does adjourn it could not be done and the law would be of no effect.

Mr. FLETCHER. I did not know but that it might be agreeable to the Senator from Arkansas to change one year to two years.

Mr. KIRBY. That was my idea at first. If the bill goes through while the legislature is in session, that might be done, but if it is not done until after the legislature adjourns, then the drainage project will not be proceeded with, although they have issued bonds and got the money.

Mr. FLETCHER. I have no objection to the amendment offered by the Senator from Arkansas to the amendment.

The PRESIDENT pro tempore. The question is on the amendment to the amendment of the committee offered by the Senator from Arkansas.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. FLETCHER. At that point I desire to offer another committee amendment as section 5, which I will ask the Secretary to read.

Mr. SMOOT. As section 5 or to section 5?

Mr. FLETCHER. As section 5.

Mr. POMERENE. Are we to understand that this is to be substituted for section 5?

Mr. FLETCHER. No; it is an additional section.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to add as an additional section the following:

SEC. 5. That the Secretary of War is hereby authorized to ascertain whether, in his judgment, any of the contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, the date of the entrance of the United States into war with Germany, have become inequitable and unjust on account of increased cost of materials, labor, and other unforseen conditions arising out of the war; and to ascertain and report what amounts, if any, in addition to those fixed by the terms of said contracts, should in justice and equity be paid to contractors for work performed between April 6, 1917, and July 18, 1918, the date of the approval of an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," on account of the increased cost of labor and materials and other unforeseen conditions arising out of the war during that period: *Provided*, That in every case the amount so ascertained shall not exceed the actual loss sustained by the contractor in performing the work between the said dates: *Provided further*, That when such amount shall have been ascertained the Secretary of War shall transmit to Congress for consideration a statement or statements of all findings or determinations rendered by authority of this section, the amounts thereof, the names of contractors, and dates of contracts.

Mr. SMOOT. Mr. President, this is a very important amendment. No Senator has had an opportunity to study it or to realize to what extent it will reach. I desire to say to the Senator from Florida that I anticipate general legislation upon this very subject, and I hardly think it ought to begin piecemeal on this pending bill.

Mr. FLETCHER. The Senator from Utah will recall that in the river and harbor bill of last year provision was made whereby contractors who had entered into contracts before the war to perform work upon these projects were given relief in the way of a readjustment of their contracts after July, 1918. The appeal was particularly strong by contractors on the Ohio River, and a general provision was inserted on the river and harbor bill covering those cases, which have simply saved some of those contractors from absolute bankruptcy, because they were unable to control the price of wages and the price of materials, all of which rose, after they had entered into their contracts, to such an extent that it would be a gross wrong inflicted upon them to require them to carry out contracts entered into before the war under conditions brought about by the war, and over which they had no control whatever. Congress felt that they ought to be given some opportunity for reasonable relief, and that was provided for in the river and harbor act of last year.

There are other contractors who entered into contracts before the war who have suffered great loss and damage by reason of the conditions which arose, as this provision here reads, between April 6, 1917, and July 18, 1918. It is to do for these contractors, just as we have done for the contractors after those dates, the fair and equitable thing that this provision is reported by the committee. The amendment has been very thoroughly considered by the committee.

Mr. LENROOT. Mr. President——

Mr. FLETCHER. I yield to the Senator from Wisconsin.

Mr. LENROOT. As I remember the form in which the committee adopted the amendment, it did not commit Congress to any action, but merely asked for information to be furnished to Congress in order that it may act, if it shall deem it proper to do so.

Mr. FLETCHER. Precisely. The provision is simply asking that a report be made to Congress as to what would be a reasonable adjustment of these matters.

Mr. SMOOT. Of course, that will mean that Congress will be expected to pay the amount of loss sustained.

Mr. FLETCHER. The Senator will observe that the provision is:

Provided, That in every case the amount so ascertained—

That is, by the War Department—

shall not exceed the actual loss sustained by the contractor in performing the work between the said dates.

No profits or anything of that sort are allowed.

Mr. SMOOT. I will say to the Senator from Florida that I know of public buildings, contracts for the building of which were entered into before April 6, 1917, which were not completed until last year. I know of cases where contractors for those buildings have not only lost all of their profits but where they have lost twenty and thirty thousand dollars in addition. Why should they not be taken care of just as well as the man who digs a channel or who makes an improvement upon a river or in a harbor?

Mr. FLETCHER. That, of course, falls under the jurisdiction of another committee.

Mr. SMOOT. What I say is that there ought to be general legislation covering this entire question. It is a broad one, and it is a very serious one. No one can tell to what extent it is going to reach when we go into all of the activities and workings of the Government. I believe that whatever course is decided upon by Congress ought to be embodied in a general bill and not be tacked upon a public buildings bill or upon a river and harbor bill, or upon the military bill, or some other appropriation bill. Let us have general legislation, Mr. President, if we are going into this question, that will cover the whole field, so that there will be no discrimination made between classes of contractors with the Government.

Mr. FLETCHER. We have already gone into the matter, so far as the river and harbor bill is concerned, in the act of last year. We are now simply providing for what may only be an investigation with reference to the filling of the gap between certain dates and the putting of people on the same footing.

Mr. SMOOT. That is not all we are doing. It is proposed to go back from July 1, 1918, to April 6, 1917, and consider the losses of contractors between those dates. When we do that, we widen the breach as to all other contractors with the Government. If a contractor has, for instance, made a contract for the furnishing of produce, hay, grain, meats, or any other commodity to the Government for a term of five years, and he has been compelled to furnish it through all that time, even after April 6, 1917, and if the loss is so great that it has ruined the man, he suffers just the same as if he were ruined in improving the harbors and rivers of this country. If we are going to take care of one class of contractors, I desire that all classes shall be cared for.

This is clearly general legislation on an appropriation bill, and for that reason I make the point of order against it.

The PRESIDENT pro tempore. The Chair is inclined to agree with the point of order made by the Senator from Utah. Does the Senator from Florida, in charge of the bill, desire to be heard on the point of order?

Mr. FLETCHER. Do I understand the Senator from Utah to make the point of order against the amendment?

Mr. SMOOT. Certainly. It is general legislation upon an appropriation bill, and I make the point of order against it.

Mr. FLETCHER. Similar legislation to this was carried on the river and harbor bill last year. I do not remember whether or not the point of order was then made against it.

Mr. SMOOT. No. I will say to the Senator from Florida the point of order was not then made against it, because we at that time had not decided that there should be general legislation on the subject. I remember very well when the question was discussed. There was no one who particularly ob-

jected at that time, that from July 1, 1918, the work to be done thereafter should be cared for in the way that the law provided; but here we are going back from July 1, 1918, to April 6, 1917. That is entirely another proposition, for in many cases contractors have been paid for the work done between those dates. Now, to ask for general legislation covering all of the contracts furnished or worked up within those dates upon all the rivers and harbors of the country, is entirely too broad.

Mr. FLETCHER. I suggest to the Senator, if he will allow me——

Mr. SMOOT. I recognize the fact, as I say, that this amendment simply provides for the making of an investigation to ascertain the losses sustained on such contracts.

Mr. FLETCHER. That is true; but I call the Senator's attention to this: Are we not putting the people who persisted in their work and went on losing money day after day until they finished their work and who grinned and bore the hardship and suffered the loss in a more unfavorable position than we are the people who had the privilege to abandon their contracts and quit? It is those who fulfilled their contracts at great loss who are appealing to us to have some consideration for them.

Mr. SMOOT. The Senator from Florida must know that there are other contractors appealing to us. I have letters here from builders of public buildings, as I have said. In fact, I know that one letter I received only the other day from a Mr. Young stated that he was compelled to finish a public building on the construction of which he was engaged in year 1918 and that he not only lost all that he possessed, but had lost nearly $30,000 additional he borrowed with an indorsement of a friend.

If we are going into this matter at all, let us go into it in the proper way and not place it on this appropriation bill or on any other appropriation bill, as I have already stated.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. KIRBY. Mr. President, I desire to offer an amendment, to be inserted in section 5 of the bill.

The PRESIDENT pro tempore. The Chair will state to the Senator from Arkansas that by unanimous consent committee amendments to the bill are first to be considered.

Mr. KIRBY. I desire to say that this amendment has the approval of the committee, although it has not been offered on behalf of the committee. It had the approval of the committee until the other amendment that has just been proposed by the Senator from Florida was offered, and I supposed it would be in order in that way; otherwise I shall wait until the committee amendments shall have been concluded.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 33, line 24, to change the number of the section from "3" to "5"; and in line 26, after the words "sum of," to strike out "$150,000" and insert "$250,000," so as to read:

SEC. 5. That for examinations, surveys, and contingencies for rivers and harbors for which there may be no special appropriation the sum of $250,000 is hereby appropriated.

The amendment was agreed to.

The next amendment was, on page 35, after line 20, to insert the following:

Waterway from Chincoteague Bay, Va., to Delaware Bay, at or near Lewes, Del., including consideration of the relative advantages and costs of utilizing the Mispillion River as the northern entrance to the waterway rather than the Broadkill River.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. FLETCHER. Before we go further, Mr. President, I desire to say that I reserve the right, if it is necessary to do so, to offer in the Senate the amendment which has been ruled out of order. I suggest to the Chair a little further consideration as to the point of whether or not that amendment is general legislation.

The PRESIDENT pro tempore. The Senator has the right to offer the amendment in the Senate, and the Chair will be very glad to have him do so.

Mr. FLETCHER. I want to reserve the right to offer the amendment in the Senate. The amendment relates to contracts for work on river and harbor improvements, and, therefore, I do not think it is general legislation. If it embraced the scope which the Senator from Utah [Mr. SMOOT] desires that legislation of this kind shall embrace, then it would be general legislation; but it is confined to river and harbor work. For that reason I respectfully submit to the Chair that the point of order is not well taken, and I desire to offer the amendment in the Senate so as to afford an opportunity to then present that question.

Mr. SMOOT. The Senator has the right to offer the amendment in the Senate.

The PRESIDENT pro tempore. The Senator has the undoubted right to do that, and the Chair will be very glad, of course, to have him do so.

Mr. FLETCHER. Mr. President——

Mr. JONES of Washington. Before the Senator proceeds, might I say just a word or two with reference to this particular matter?

Mr. FLETCHER. I shall be very glad to hear the Senator from Washington.

Mr. JONES of Washington. I hope the Senator from Florida will offer the amendment in the Senate. I do not believe it is general legislation. As the Senator has well pointed out, it relates solely and entirely to matters covered by the river and harbor bill; and, further, it is limited by applying only to certain contracts within a certain period of time. Furthermore, it simply calls for facts.

I take it, Mr. President, that if the Senate saw fit to do so it could pass a resolution directing the Secretary of War to furnish this information to the Senate. In other words, it is not legislation at all, but it is simply a request, embodied in this bill by Congress to the Secretary of War, directing him to furnish the information. That is all the amendment does. It does not direct the payment of any money; it does not make the findings of the Secretary of War of any force or effect whatever; but it will simply secure to us information upon which we may hereafter act.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. JONES of Washington. I yield.

Mr. LENROOT. I should like to call the Senator's attention to the fact that every survey contained in this bill merely calls for facts, as this proposition does.

Mr. JONES of Washington. That is all.

Mr. SMOOT. That is in relation to one particular item. That would not be general legislation, but the amendment proposed by the Senator from Florida is general legislation, because it applies to every project there is in the United States. It is general in its character.

Mr. LENROOT. But it does not fix the rights or liabilities or affect the status of any of the contractors.

Mr. JONES of Washington. No; it does not apply to all of them in the country, either; it applies only to contracts between certain dates; that is all it does.

Mr. McKELLAR. It simply asks for a report.

Mr. JONES of Washington. The Senator from Utah [Mr. SMOOT] is very positive in his opinion, and I am just about as positive in mine as he is in his. The fact that he says this is general legislation does not convince or add anything to the information that I have.

Mr. McKELLAR. Mr. President——

Mr. JONES of Washington. I yield to the Senator.

Mr. McKELLAR. It merely calls for a report from the Secretary of War with respect to matters concerning which we have legislated.

Mr. JONES of Washington. That is all.

Mr. President, I wish to call the attention of the Senate in this connection to one or two precedents. On page 61 of the Precedents I find this:

[60th Cong., 2d sess.: J., p. 221, February 25, 1909.]

H. R. 27053 "making appropriations for the Department of Agriculture," etc., being under consideration:

On the question to agree to the reported amendment on page 55, after line 23, viz, "Commission on Country Life: For all necessary expenses to enable the Secretary of Agriculture to digest, compile, and publish the material already gathered by the Commission on Country Life, including the employment of the necessary clerical assistance in the city of Washington and elsewhere, $25,000."

Mr. Kean raised a question of order, viz, that the amendment as amended proposed general legislation to a general appropriation bill, and was therefore not in order.

The Vice President submitted the question to the Senate: Is the amendment as amended in order?

It was determined in the affirmative; yeas 48, nays 19. (See CONGRESSIONAL RECORD, pp. 3075–3078.)

It seems to me that the language of the amendment referred to there is just about as general and calls really for more legislative action than is called for under the amendment proposed by the Senator from Florida. But further, on page 62, is a precedent which I think is much more applicable and much stronger:

[62d Cong., 3d sess.; J., p. 240, February 27, 1913.]

The Senate proceeded to consider, as in Committee of the Whole, the bill (H. R. 28283) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1914; and the reported

amendments having been agreed to in part, and in part amended and as amended agreed to.

On motion by Mr. McLean to further amend the bill by inserting on page 55, after line 16, the following:

"All wild geese, wild swans, brant, wild ducks, snipe, plover, woodcock, rail, wild pigeons, and all other migratory game and insectivorous birds which in their northern and southern migrations pass through or do not remain permanently the entire year within the borders of any State or Territory, shall hereafter be deemed to be within the custody and protection of the Government of the United States, and shall not be destroyed or taken contrary to regulations hereinafter provided therefor.

"The Department of Agriculture is hereby authorized and directed to adopt suitable regulations to give effect to the previous paragraph by prescribing and fixing closed seasons, having due regard to the zones of temperature, breeding habits, and times and line of migratory flight, thereby enabling the department to select and designate suitable districts for different portions of the country, and it shall be unlawful to shoot or by any device kill or seize and capture migratory birds within the protection of this law during said closed seasons, and any person who shall violate any of the provisions or regulations of this law for the protection of migratory birds shall be guilty of a misdemeanor and shall be fined not more than $100 or imprisoned not more than 90 days, or both, in the discretion of the court," etc.

Mr. Bryan raised a question of order, viz, that the amendment proposes general legislation to an appropriation bill and is therefore not in order under the rule.

The President pro tempore [Mr. Gallinger] submitted the question to the Senate, Is the amendment in order?

It was determined in the affirmative. (See CONGRESSIONAL RECORD, pp. 4148, 4149.)

Mr. SMOOT. Mr. President, I simply want to say, in answer to both precedents cited by the Senator from Washington, that the Senate did not vote upon the question as to whether or not the amendments proposed general legislation; in both those cases Senators voted as they did because they wanted the Senate to act favorably upon those particular items. I can go through the precedents of the Senate and show that the question as to whether matter proposed to be inserted was in serious violation of the rules never entered into the vote at all. Senators voted according to the course they wanted the legislation to take, as every Senator is fully aware.

The PRESIDENT pro tempore. The Chair will say that he is happy to know that his decision will not in any way affect the adoption or refusal to adopt this amendment as it may be offered in the Senate. If under the last precedent read by the Senator from Washington the amendment referred to was in order, undoubtedly the amendment offered by the Senator from Florida would now be in order; but the Chair thinks it is the duty of the Chair to decide a question of this kind as it comes up. Of course, ordinarily he would submit, if requested, the point of order to the Senate for discussion; but in this case the Chair is glad to know that his decision will make no difference in the ultimate disposition of this amendment, as it can be submitted in the Senate and there decided. The Chair will further say that if any Senator, when this motion is submitted in the Senate, requests him to submit the question to the Senate for its consideration, he will do so.

Mr. SMOOT. And then the Senate will vote exactly in accordance with the course they want the legislation to take.

The PRESIDENT pro tempore. The Chair will say that that is always the privilege of the Senate.

Mr. SMOOT. Certainly.

Mr. FLETCHER. Mr. President, I really think it is advisable that the Senate should vote that way; otherwise the Commerce Committee will be put in the position of having to make an investigation into all these various contracts and claims and then submit amendments covering specific cases. It was a question really with the committee in this instance whether we would report in favor of certain claims, which we felt were really just and ought to be paid, for losses sustained under contracts without fault of the contractor at all, but purely imposed upon him by conditions over which he had no control. We were about to submit as amendments to this bill items covering those losses in particular cases, but we saw that there were others in the same condition as those that had been brought to our attention, and we thought it was advisable to have this investigation first made by the department. I think it is in the public interest that that should be done.

I will submit that later on, but I wish now to propose, on page 35, the amendment which I send to the desk, which has been agreed to by the committee, having been presented by the Senator from New Jersey [Mr. FRELINGHUYSEN].

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 35, after line 12, it is proposed to insert the following in the survey items:

Kill van Kull, Newark Bay, N. Y. and N. J., with a view to securing a channel 30 feet in depth and of suitable width up to the bridge of the Central Railroad Co. of New Jersey, between Elizabeth and Bayonne, including the removal of Bergen Point ledge.

Rahway River, N. J., and Staten Island Sound, N. Y. and N. J., with a view to securing a channel 30 feet in depth and of suitable width up to the bridge of the Sound Shore Branch of the Central Railroad Co. of New Jersey.

Raritan Bay and Raritan River, N. J., with a view to securing a channel 30 feet in depth and of suitable width to deep water near the bridge of the New York & Long Branch division of the Central Railroad Co. of New Jersey.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 35, after line 20, to insert:

Waterway from Chincoteague Bay, Va., to Delaware Bay, at or near Lewes, Del., including consideration of the relative advantages and costs of utilizing the Mispillion River as the northern entrance to the waterway rather than the Broadkill River.

The amendment was agreed to.

The next amendment was, on page 36, after line 8, to insert:

Cape Fear River, below Wilmington, N. C., with a view to the construction of jetties for the purpose of obtaining and maintaining a channel of suitable dimensions across the bar at the mouth of the river.

The amendment was agreed to.

Mr. FLETCHER. Following that, the committee offers another amendment, which I will read. I regret I have not an extra copy of it. The amendment is as follows:

Waterway from Newbern, N. C., to Wilmington, N. C., via Trent River and Northeast Cape Fear River.

The item is for a survey.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

Mr. FLETCHER. After line 19, on the same page, I offer an amendment, which was suggested by the Senator from South Dakota [Mr. STERLING]. It reads in this way:

And with a view to bank protection at and in the vicinity of Vermilion, S. Dak., and with a view of ascertaining the location of practicable sites in South Dakota for the construction of dams which would prevent erosion and be in the interests of navigation, including consideration of any proposition for cooperation on the part of local interests.

That amendment should come in following line 19, and is offered by the committee.

Mr. STERLING. On what page, may I ask the Senator?

Mr. FLETCHER. Page 36.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 36, after line 19, it is proposed to insert the following item:

And with a view to bank protection at and in the vicinity of Vermilion, S. Dak., and with a view of ascertaining the location of practicable sites in South Dakota for the construction of dams which would prevent erosion and be in the interests of navigation, including consideration of any proposition for cooperation on the part of local interests.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. STERLING. Mr. President——

Mr. FLETCHER. I think I have suggested the wrong place.

Mr. STERLING. Yes; the amendment should come in on page 37, following line 19, under the Missouri River item.

Mr. FLETCHER. It has been pasted in the wrong place in my copy of the bill. I will omit that amendment for the present and will submit it later.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 36, after line 22, to insert:

St. Andrews Bay, Fla., with a view to increasing the dimensions of the channel between the Gulf of Mexico and St. Andrews Bay.

The amendment was agreed to.

The next amendment was, on page 36, after line 25, to insert:

Bayou Texar, including entrance from Pensacola Bay, Fla.

The amendment was agreed to.

The next amendment was, at the top of page 37, to insert:

Pensacola Bay, Fla., to Mobile Bay, Ala., with a view to providing a channel of greater dimensions than recommended by the Chief of Engineers in report published in House Document No. 610, Sixty-third Congress, second session.

The amendment was agreed to.

Mr. RANSDELL. In behalf of the committee I offer an amendment at the end of line 5, as follows:

Little Caillou Bayou, La.

Mr. SMOOT. Does that clean up all the items for Louisiana?

Mr. RANSDELL. That is the only thing Louisiana is getting in the way of surveys. In Caillou Bayou are found a great many oysters.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). The question is on agreeing to the amendment offered by the Senator from Louisiana.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 37, line 7, after the word "to," to strike out "Pass Cavello" and insert "Rockport and Corpus Christi, Tex.," so as to make the clause read:

Intracoastal waterway from Galveston Bay to Rockport and Corpus Christi, Tex.

The amendment was agreed to.

The next amendment was, on page 37, after line 12, to insert:

Galveston Channel, Tex., with a view to the extension of the seawall to and around Fort San Jacinto Reservation.

The amendment was agreed to.

The next amendment was, on page 37, after line 14, to insert:

Neches River, Tex., from Beaumont to mouth of Angelina River.

The amendment was agreed to.

The next amendment was, on page 37, after line 16, to insert:

Missouri River, Mo., with a view to bank protection near Centaur and Gumbo, St. Louis County, Mo.

The amendment was agreed to.

The SECRETARY. It is also proposed to insert, on page 37, at the end of line 19, the item proposed by the Senator from South Dakota [Mr. STERLING], as follows:

And with a view to bank protection at and in the vicinity of Vermilion, S. Dak., and with a view of ascertaining the location of practicable sites in South Dakota for the construction of dams which would prevent erosion and be in the interests of navigation, including consideration of any proposition for cooperation on the part of local interests.

The amendment was agreed to.

The next amendment of the Committee on Commerce was, on page 37, after line 23, to insert:

The Miami and Erie Canal, Ohio, including a branch canal connecting the Miami and Erie Canal with Lake Michigan, and such other routes between Lake Erie and the Ohio River as may be considered practicable by the Chief of Engineers, with a view to securing a channel 12 feet in depth with suitable widths, or such other dimensions as may be considered practicable.

The amendment was agreed to.

The next amendment was, on page 38, after line 16, to insert:

Morro Bay, Cal., including an entrance channel.

The amendment was agreed to.

Mr. FLETCHER. Mr. President, after line 12, I desire to offer a committee amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 38, after line 12, it is proposed to insert the following:

Such routes between the Great Lakes and the Hudson River as may be considered practical by the Chief of Engineers, with a view to securing a waterway admitting ocean-going vessels to the Great Lakes.

The PRESIDING OFFICER. The question is upon agreeing to the amendment offered by the Senator from Florida on behalf of the committee.

The amendment was agreed to.

The next amendment of the Committee on Commerce was, on page 38, after line 18, to insert.

Yaquina River, Oreg., from Newport to Toledo.

The amendment was agreed to.

The next amendment was, on page 38, line 25, to change the number of the section from 4 to 6.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

Mr. FLETCHER. Before that is done, may I suggest to the Senator that the renumbering of these sections may be allowed?

Mr. SMOOT. They have already been changed.

Mr. FLETCHER. I did not know that they had been changed. All right.

The PRESIDING OFFICER. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hardwick	Page	Smith, S. C.
Borah	Johnson, Cal.	Pittman	Smoot
Brandegee	Jones, N. Mex.	Pollock	Spencer
Calder	Jones, Wash.	Pomerene	Sterling
Chamberlain	Kellogg	Ransdell	Sutherland
Culberson	Kenyon	Reed	Thomas
Cummins	Kirby	Saulsbury	Townsend
Dillingham	Lenroot	Shafroth	Trammell
Fletcher	Lewis	Sheppard	Warren
France	McCumber	Sherman	Weeks
Gay	McKellar	Shields	Williams
Hale	Moses	Simmons	
Harding	New	Smith, Ariz.	

Mr. LEWIS. I wish to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Arkansas [Mr. ROBINSON], and the Senator from Delaware [Mr. WOLCOTT] are detained on official business.

Mr. SHEPPARD. I desire to announce that the Senator from Montana [Mr. WALSH], the Senator from Idaho [Mr. NUGENT], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Kansas [Mr. CURTIS], the Senator from Oregon [Mr. MCNARY], and the Senator from Arizona [Mr. ASHURST], are detained on account of official business in the Indian Affairs Committee.

The PRESIDING OFFICER. Fifty Senators having answered to their names, a quorum is present. The Secretary will state the next amendment of the committee.

The SECRETARY. On page 39, after line 10, it is proposed to insert the following as a new section:

SEC. 7. That the International Joint Commission created by the treaty between the United States and Great Britain relating to boundary waters between the United States and Canada, signed at Washington January 11, 1909, under the provisions of article 9 of said treaty, is requested to investigate what further improvement of the St. Lawrence River between Montreal and Lake Ontario is necessary to make the same navigable for ocean-going vessels, together with the estimated cost thereof, and report to the Government of the Dominion of Canada and to the Congress of the United States, with its recommendations for cooperation by the United States with the Dominion of Canada in the improvement of said river.

The PRESIDING OFFICER. The question is upon agreeing to the amendment offered by the committee.

Mr. LENROOT. Mr. President, this amendment, I understand, is to create some controversy. I wish very briefly to explain it.

The Senate has just adopted an amendment proposed by the committee, at the instance of the Senator from New York [Mr. CALDER], providing for a preliminary survey of routes between the Great Lakes and the Hudson River with a view of securing by one of those routes a waterway for ocean-going vessels. The pending amendment provides that the International Joint Commission is requested to investigate the St. Lawrence River route, with estimates of cost and recommendations for cooperation for the construction or improvement of such route by the United States with the Dominion of Canada.

Mr. President, Senators will remember that some years ago, in 1909, the United States and Great Britain entered into a treaty concerning boundary waters between the Dominion of Canada and the United States. By that treaty a joint commission was provided, consisting of three members appointed by the President of the United States and three members appointed by the Dominion of Canada. That commission has been in existence ever since that time and has had jurisdiction of all questions relating to boundary waters between the two countries. One of the articles of this treaty provides:

The high contracting parties agree that the navigation of all navigable boundary waters shall forever continue free and open for the purposes of commerce to the inhabitants and to the ships, vessels, and boats of both countries equally, subject, however, to any laws and regulations of either country, within its own territory, not inconsistent with such privilege of free navigation and applying equally and without discrimination to the inhabitants, ships, vessels, and boats of both countries.

It is further agreed that so long as this treaty shall remain in force this same right of navigation shall extend to the waters of Lake Michigan and to all canals connecting boundary waters and now existing or which may hereafter be constructed on either side of the line. Either of the high contracting parties may adopt rules and regulations governing the use of such canals within its own territory and may charge tolls for the use thereof, but all such rules and regulations and all tolls charged shall apply alike to the subjects or citizens of the high contracting parties and the ships, vessels, and boats of both of the high contracting parties, and they shall be placed on terms of equality in the use thereof.

That means that either nation has the right to use the waterways of the other in so far as those waterways are in any sense boundary waters. It means that the United States will have the right to use the Welland Canal, which is now being completed, and, when completed, will admit the passage through the Welland Canal of ships having a length, I believe, of 740 feet and a draft of 30 feet.

Article 9 of the treaty reads as follows:

The high contracting parties further agree that any other questions or matters of difference arising between them involving the rights, obligations, or interests of either in relation to the other or to the inhabitants of the other, along the common frontier between the United States and the Dominion of Canada, shall be referred from time to time to the international joint commission for examination and report whenever either the Government of the United States or the Government of the Dominion of Canada shall request that such questions or matters of difference be so referred.

The international joint commission is authorized in each case so referred to examine into and report upon the facts and circumstances of the particular questions and matters referred, together with such conclusions and recommendations as may be appropriate, subject, however, to any restrictions or exceptions which may be imposed with respect thereto by the terms of the reference.

Such reports of the commission shall not be regarded as decisions of the questions or matters so submitted either on the facts or the law, and shall in no way have the character of an arbitral award—

And so forth. That is all that is important, so far as this proposition is concerned.

The pending amendment proposes to refer to this joint commission, for investigation and report, exactly in the same way that these preliminary surveys are referred to the Board of Engineers, the matter of investigation of the improvement of the St. Lawrence River from Lake Ontario to Montreal, and recommendations for cooperation between the two nations in its improvement.

The matter of a waterway between the Great Lakes and the sea has been a dream of many, many years, almost since the Republic was founded; and its history is not so dissimilar to the history of the Panama Canal. It is interesting to know that the first project for connecting the Hudson River with the Great Lakes was inaugurated by Gen. Washington. In 1792, Gen. Washington obtained the passage of an act of incorporation by the Legislature of the State of New York for the construction of a waterway between the Hudson River and Lake Erie by a system of canals and slack-water and lake navigation by way of the Mohawk River, Oneida Lake and River, Oswego Lake, and Lake Ontario. As we all know, canals have been constructed, and we have to-day the Erie Canal; but the Erie Canal does not, of course, admit ocean-going vessels into the Lakes. The Welland Canal, which will soon be completed, will permit the passage of ocean-going vessels through that canal; and the people of the entire interior, from the Pacific coast to the Allegheny Mountains, are interested in securing a deep waterway to the sea that will permit the passage of ocean-going vessels.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LENROOT. Yes.

Mr. POMERENE. The statement was made in the press some months ago that when it became necessary to take some of the Lake steamers through, so that they might be used in transoceanic commerce, it was necessary to cut them in two in order to get them through. Is that correct?

Mr. LENROOT. That is correct, and it has been done a great many times.

Mr. POMERENE. So the only purpose of this amendment is to give an opportunity for the building of great ocean-going steamers in the very shipyards that are now located on the Lake ports, and for the purpose, if it becomes feasible, of having ocean-going commerce go through to the interior lakes?

Mr. LENROOT. That is the entire purpose of the amendment.

Mr. President, this is a question that affects, and vitally affects, the entire northern half of the United States west of the Allegheny Mountains. At the head of Lake Superior is the harbor of Superior-Duluth. Senators are often surprised to learn the amount of commerce that is carried on in that harbor—52,000,000 tons in 1917, valued at nearly $500,000,000. Through the Soo Canal in 1917 there were carried 89,000,000 tons, valued at more than $1,000,000,000. That is on Lake Superior. On Lake Michigan we have the great cities of Chicago and Milwaukee, and many other cities upon the borders of that lake; and upon Lake Erie we have the cities of Cleveland and Toledo, and upon the St. Clair River we have Detroit. Reaching, as this lake system does, to the very heart of the continent, it draws freight and commerce from the Pacific coast to these waterways.

One-half of the grain shipments—I think more than one-half—to Europe traveled over these waterways. They are now compelled to unload at Buffalo, and there their load of wheat is loaded into either railroad cars or canal boats, sent to the city of New York, and then again transferred, and from there transported to Europe. Mr. President, with this deep waterway that transfer would not be necessary, and it would save 5 cents a bushel to every farmer in the Middle West upon the price of his grain. It would mean 5 cents a bushel more to the farmer for his wheat if we had this deep waterway.

I anticipate that it will be said, in opposition to this, that it will destroy or materialy injure the commerce of the city of New York; but, Mr. President, I want to call attention now to the fact that the most serious situation we had only a year ago was the congestion in the commerce in the city of New York. The failure of the railroads to properly fulfill their functions was more than any other reason, because New York was the neck of the bottle, and they did not have facilities to take care of the commerce that came in there. In the interest of the country—and that should be the first interest of the Senate—some commerce ought to be diverted from the city of New York. It ought to be diverted to other Atlantic ports; and if by a waterway—whether it be through the State of New York, or the Hudson River, or whether it be through the St. Lawrence Canal to the sea—we can avoid that transfer, if we can avoid that congestion at the city of New York, it ought to be done. New York certainly will not ask the West to pay tribute to it without rendering any service in return for the commerce that goes through it.

But it will be said, too, Mr. President, that this involves the expenditure of Government money in foreign territory, in the territory of the Dominion of Canada. That is not necessarily so. I shall be able to demonstrate that that is not necessarily true to the slightest degree.

That brings us to an examination of what the waterway is that this amendment proposes that the International Commission shall investigate.

From Lake Ontario to Montreal the distance is 181 miles on the St. Lawrence River, 113 miles of that, or considerably more than half, constitute boundary waters between the United States and Canada. Only 68½ miles of that waterway is wholly in Canadian territory.

Now, as to the improvement that will be necessary:

In December of last year the Secretary of War made a report to Congress concerning the cost of the improvement of the St. Lawrence River from Lake Ontario to St. Regis, which is the boundary line between the United States and Canada, and a description was given of this entire project; and I wish to take a few moments in going over this description.

The first 68 miles, from Lake Ontario to Galop Island, now has a depth of 30 feet, with a minimum width of channel of 500 feet; so as to that distance no improvement whatever will be necessary.

From Galop Rapids to the head of Ogdens Island, 8 miles, improvement will be necessary.

From the head of Ogdens Island to the foot of Crysler Island, or Bradfords Point, 11 miles, improvement also will be necessary.

From Bradfords Point to Richards Bay, 7 miles, the river consists practically of a single wide pool or channel, nearly all on the United States side of the boundary line, 30 to 50 feet deep, except at the head of Cat Island, 20 to 23 feet deep.

Just below Richards Bay, at Talcotts Point, the Long Sault Rapids begin and extend, including deep rapid-current channel, below the rapids for 11½ miles down to Massena Point. The American channel is narrow and tortuous, comprising the South Sault Rapids, and having swift current throughout, rendering it commercially unnavigable.

From Massena Point to St. Regis, which is the boundary line, 6½ miles, the United States channel is of ample width and 30 to 50 feet deep, except opposite the mouth of Raquette River, where the controlling depth is 22 feet. This stretch of river is practically an arm of the Lake St. Francis pool, which lake is wholly in Canada. For the improvement of this 113 miles, affording a draft of 30 feet, the entire cost, it is estimated, will be $35,000,000.

Now, we do not know what the cost will be for the balance of the 68 miles from St. Regis to Montreal. That is one of the things that we wish to ascertain by the report of this commission; but when Senators say, as they may say, that cooperation requires the expenditure of Federal money in Canadian territory if we have cooperation, that is not true. In my judgment, if the United States will undertake the improvement from Lake Ontario to St. Regis, Canada will be entirely willing, as its share of the work, to undertake the improvement from St. Regis to Montreal. Canada will expend all her money in her territory and we will expend all our money in our territory, and we shall have a deep ocean waterway to the sea at a cost of $35,000,000 if this commission shall make such a recommendation and Congress adopts it.

Will any Senator say that if we can bring the Atlantic Ocean to the interior of this continent and admit the building of ocean ships in the lake shipyards, which made a better record during the war for construction than any shipyard on the Atlantic coast, both in number of ships launched and in speed of construction—if we can secure the building of ships in the shipyards of the Great Lakes, if we can bring the Atlantic Ocean to the heart of the continent, thereby reducing the freight rates for nearly one-half of the United States, will any Senator stand in his place and say, "It ought not to be done because it will injure the commerce of my State"?

Mr. President, the claim may also be made that if we have deep waterways from the mouth of the St. Lawrence River to the Great Lakes our national defense will be seriously jeopardized. That was taken into consideration in the report to which I have referred, made on December 14, 1918. In speaking of the military and naval view of this question, and how it could affect our status in that respect, the division engineer said:

Under the conditions of greater depth, assumed as stated in paragraph 52, above, the board's view may be regarded to still hold good, for it is to be remembered that notwithstanding present types of naval vessels of great destructive power and of moderate draft, and submarines and torpedo boats of light draft, capable of reaching the

Great Lakes through the St. Lawrence River and Welland Canal, such passage could be quickly and completely obstructed by destruction of the locks on these canals by shell fire, notably on Canadian St. Lawrence River canals, where all locks are within 7,000 feet of the United States main river shore, and some not over one-half mile therefrom.

So, if there were the slightest foundation, Mr. President, for the theory that this ocean waterway might admit the English Navy into our lakes and thus be a menace to us in case we ever get into trouble with Great Britain, the board itself shows conclusively that every one of these locks and canals can be destroyed by shell fire from the American side without the slightest difficulty.

But aside from that, Mr. President, I wish to take this opportunity to say, because it bears upon this question, that I should be unwilling to have my course upon any legislation guided upon any theory that the United States and Great Britain shall hereafter become involved in war between themselves. If we are to assume that that is a possibility, we might as well recognize at the very outset that civilization is gone and the world destroyed, so far as civilization is concerned.

As to the report made by the engineers upon the project of the St. Lawrence River from Ontario to St. Regis, the board said:

It appears that the present commerce of the St. Lawrence carried through the Canadian channel comprises only a small part of the Great Lakes commerce and that there is no material traffic via the United States channels below Ogdensburg. Some increase in commerce is expected to follow the enlargement of the Welland Canal. It would appear however, that the principal advantage to be gained by this enlargement, prior to the provision of equal facilities through the St. Lawrence to Montreal, would be the transfer of the place of transshipment of cargoes from lake vessels to canal boats from the eastern end of Lake Erie to Oswego or some point on deep water in the St. Lawrence. So far as known, no provision has been made for the enlargement of the Canadian canals along the St. Lawrence to accommodate vessels expected to use the Welland Canal. In the absence of any prospect of a suitable outlet below St. Regis, it is obviously premature to undertake the suggested improvement above this point. In view of these facts, the board concurs with the district engineer in the opinion that it is not advisable for the United States to undertake the improvement of the St. Lawrence River from Lake Ontario to the Canadian border.

This makes it very plain that there would have been a favorable recommendation upon the improvement of the St. Lawrence River to a depth of 30 feet from Lake Ontario to St. Regis if there had been a waterway capable of admitting ocean vessels from Montreal to St. Regis, a distance of 68 miles.

The Welland Canal to-day has a commerce of something like 3,000,000 tons a year. Buffalo has a commerce of something like 18,000,000 tons a year. Aside from the advantage to shipyards upon the Great Lakes, no one who studies this question can doubt for a moment that with a deep waterway permitting ocean-going vessels to get into the Great Lakes the commerce through that waterway would be at least 10,000,000 tons a year.

It was stated a little while ago that we are now committed to an expenditure upon the Ohio River of $23,000,000 in addition to what we have already spent. We have already spent upon the Missouri River $16,000,000 and are committed to $12,000,000 more. With this deep waterway there will be more advantage to one-half the people of this country through the expenditure of $35,000,000 than the advantage that has been secured thus far by the improvement of all the rivers in the United States combined.

Yet this amendment commits Congress to nothing. It does ask for information. Can it be possible, Mr. President, that anyone is afraid of information, that anyone is afraid to have the facts presented to Congress concerning the cost? I have never, since I have been a Member of Congress, objected to these preliminary surveys. Congress ought to be in possession of all the facts necessary upon which it may pass an intelligent judgment. But to oppose this amendment merely means that the facts are not desired upon which Congress may act. We will have before us at the same time a report from the board of engineers as to the cost of an ocean waterway connecting the Great Lakes with the Hudson River.

I would rather it would go that way than through the St. Lawrence. It is going finally to be a question of cost, and we ought to be willing to have the facts before us as to the relative cost of the two routes, and that is all that is involved in this proposition.

I again wish to emphasize that this amendment commits the United States to nothing. Under the terms of the treaty it is expressly provided that the facts found by this commission shall not be binding upon either Government, nor shall the recommendation be conclusive upon either Government. All this does is that instead of being a report from the Board of Engineers, such as we had the right to ask and did ask from that board with reference to that portion of the St. Lawrence River constituting our boundary water, we take the means provided in the treaty for getting additional facts as to the cost of the improvement of the entire river. Having that information, the way that I believe we will cooperate will not be through spending our money in Canadian territory, but, if this is found to be the practicable route, an agreement that if Canada will improve that portion of the St. Lawrence River lying wholly within her territory, we will improve that portion of the St. Lawrence River constituting the boundary waters between this country and Canada at our expense, and either Government shall have full and free access, as they have under the treaty, to the improvement made by each.

Mr. TOWNSEND obtained the floor.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Illinois?

Mr. TOWNSEND. I yield.

Mr. LEWIS. Will the Senator allow me to present in behalf of my colleague and myself an amendment which follows the section to which the Senator from Michigan is about to address himself at this time? With the permission of the Senator from Michigan, I tender an amendment and ask that it may take its proper place and that we may take it up at the proper time.

The PRESIDING OFFICER. The amendment will be received and lie on the table for the present.

Mr. TOWNSEND. Mr. President, in 1911, when the Canadian reciprocity bill was before the Senate, I proposed an amendment requesting the President of the United States to enter into negotiations with Canada and Great Britain looking to a mutual development of the boundary waters between the United States and the Dominion of Canada, and especially the Great Lakes-St. Lawrence waterway, with the idea that those waters could be utilized as an ocean way, accommodating ships of the largest size, ships that could load at Duluth and other cities on the Great Lakes and discharge their cargoes at Liverpool. That amendment was not accepted.

Subsequently, in June, 1913, I believe, I presented the idea as a separate resolution, and it received the unanimous support of the Senate and went to the Secretary of State. I happen to know that the Assistant Secretary of State, Mr. Moore, at that time was quite favorable to the proposition, as was also the Chief of Engineers, Gen. Bixby. But it appears that no action was taken by the administration, and the matter rests somewhere in the executive department to-day.

I submitted some remarks on the question to the Senate both at the time when I offered the amendment to the reciprocity bill and when I introduced the resolution in the Senate. The arguments which I made at that time seem to be as good now as they were then, and I shall ask leave to print some of them with my present remarks.

I do not wish the opportunity to pass without expressing my hearty approval of this, to me, the greatest undertaking which the United States could enter into looking to the betterment of our transportation facilities, and therefore to the betterment of our industrial conditions generally.

The St. Lawrence route is a natural waterway, which extends, as you know, from the Atlantic Ocean to the farthest reaches of the Great Lakes, It has sufficient water, when properly employed, to accomplish everything which is needed in ocean transportation. Already the waterway is sufficient for all ocean ships from the Atlantic to Montreal. The Great Lakes afford more than 800 miles of open sailing. The greatest obstacle which presents——

Mr. WADSWORTH. Will the Senator remind the Senate of the depth of water in the Detroit River?

Mr. TOWNSEND. The greater part of the Detroit River has sufficient depth for ocean vessels. In the shallowest sections in the shipping channel it is 24 feet deep.

Mr. WADSWORTH. May I ask what is the depth of water over the sills of the lock at Sault Ste. Marie?

Mr. TOWNSEND. The largest has been constructed with a depth of 24 feet, as I recall it. I felt that the last lock should have had a depth of 30 feet, but my efforts to this end were unavailing. I knew that this ocean scheme was one that in the not far distant future would be realized.

But what I rose to say is that we have sufficient water, we have a natural course, to make this plan entirely feasible. The only physical objections to the improvement are the obstructions which here and there lie in sections of the course. The greatest of these perhaps are those found in the St. Lawrence River.

Yet I remind the Senator from New York that not many years ago, I think possibly in 1910 or 1911, a water power company sought the aid of New York to construct dams in the Long Soo Rapids for the purpose of generating water power. It was discovered that that company would have to come to the Federal Government for authority to operate. I know from

reliable sources that this company was willing to construct the dams and locks for the purpose of harnessing that wonderful power in the St. Lawrence River under plans proposed by the Secretary of War, not only doing it at their own expense and in such way as to create pools through which the vessels could sail, but they were willing also to pay a certain per cent or royalty upon the water power developed.

In 1913, when I discussed this proposition I stated, and I repeat it now, that I think there is sufficient latent power that could be generated in the St. Lawrence River practically to pay the expense of this proposed development.

The Welland Canal, of course, is a short stretch, and the Canadian Government has had this ocean way in view, and it has constructed the new locks with the idea that they could be converted into a 30-foot depth without any great or unreasonable extra cost. There are certain stretches in this waterway which would require improvement, but I estimated, or had estimated for me through the Engineering Department of the Government in 1913, that the total cost of this waterway to both countries would not exceed $200,000,000, and that was the very outside estimate.

Mr. President, this is a gigantic enterprise, but it is wholly a practical one. On the Great Lakes and within an hour's ride of them is found practically the center of the greatest industrial activities of the country. The richest lands of our country are within a radius of 100 miles of the Great Lakes.

The great object contemplated in this river and harbor bill is that of obtaining adequate transportation at reasonable rates. The Interstate Commerce Commission was created for the purpose of regulating rates. Here is a self-regulating scheme, which, if once set in motion, would in itself regulate railroad rates at least from the North and Middle West to the Atlantic seaboard.

Canada is interested in this project. I believe it should be a mutual enterprise. I am sure it can be such. Canada desires an ocean way from her great middle west to the ocean. Her people have been divided into two parties on the question of route. One is in favor of the waterway by the way of the Georgian Bay to the Ottawa River and thence to Montreal; in other words, an all-Canadian water route. That must necessarily consist of a great many canals and is a crooked course. But it has the advantage for Canada that it is all in her territory. I submit, Mr. President, that the United States could not afford to have that waterway constructed if we could get the Great Lakes-St. Lawrence route improved to accommodate both nations. The other party in Canada is in favor of the St. Lawrence course. Its members are organized for that purpose, and as I understand it now, the Canadian Parliament or at least a large part of its members are in favor of the latter project.

Canada is going to do something. She has about concluded that these great waters are not going to run forever unused. In spite of all objections that might be made or opposition that might be offered by the railroads—and I am not sure that they are offering much opposition now—this natural waterway is bound to be used some time. It will not forever be neglected.

The question has been raised that it will interfere with the lake levels. That is not true. That question has been investigated by the Engineering Department. It will not interfere with the lake level. All the water that is flowing over this course now can be used for the purpose of floating commerce from inland ports of our country to the sea.

I know it is argued that this waterway might possibly interfere in some way with New York City or some of the Atlantic seaport towns or cities, yet every man must recognize the fact that this is a great national project, greater than local interest or local pride. It will serve the better interests of 25,000,000 people. It is essential to the development of a large section of our country and in serving the interests of the Middle West and of the great Northwest. It can not injure New York; but if it did, sir, which I deny, I would still insist that a project which has the advantages which this one possesses should not be stifled, should not be neglected.

One of the problems of the present, as it will be the problem for future years, is the taking of our people out of the congested centers into the middle and farther west—the development of the country as a whole. This waterway will tend to do that more than any other project that has been submitted. I may be mistaken—the Senator from Louisiana [Mr. RANSDELL], or some other Senator may correct me if I am wrong—but I think we have expended about $700,000,000 upon the waterways of the country up to date.

Mr. SMOOT. We have expended more than that.

Mr. RANSDELL. I think the sum is about that. I do not remember the exact amount which has been expended since the beginning of the Government,

Mr. SMOOT. It has been nearly $900,000,000.

Mr. TOWNSEND. Well, I will call it $700,000,000, although I am told it is nearer $900,000,000, but so much the better for my argument, whatever the amount is, although I wish to be modest, as usual.

Canada has spent something over $100,000,000 on her waterways, all for the purpose of developing the means of water transportation; yet this one line, running along the border between the United States and Canada, has greater possibilities than has the Panama Canal. More commerce would find its way to Europe and to other foreign countries over this line than passes through the Panama Canal or enters and clears from our whole Atlantic seaboard. In fact, more commerce goes through the Detroit River every year, much of it destined for export, than passes or will pass for years through the Panama Canal; yet we spent hundreds of millions of dollas for that project, which I approve and which I am glad we have spent; but here is a more practicable improvement, a more practicable means of transportation for our country, affecting millions of our people, than is the Panama Canal. For all the ages this water has been going to waste, and we are permitting it and at the same time trying to put a check on railroad rates, when this, I repeat, is the best regulator which could be employed.

But, Mr. President, I do not wish to occupy the time of the Senate in long discussion of this most important subject. I collected a great deal of data on this subject—the tonnage, its possibilities, and so forth—when I discussed it six or seven years ago. Instead of time having changed my mind or altered the convincing effect of my calculations, it seems to me it has intensified them and made the necessity for this project even more apparent than it then was.

Think what it would have meant if we had had that ocean-way during this war! Senators may not know it, but on the Great Lakes have been built more than two-thirds of the steel vessels which have been constructed in the United States since this war began. We have the facilities on the Great Lakes to make our prospective merchant marine an undoubted success, in my judgment. We can build ocean ships up there; give us greater opportunity to do so. We could well afford to cut out many of these little things in this bill, which aggregate millions, for private benefit and local interests, and expend the money on this great enterprise, which would benefit the whole country. The railroad congestion at our Atlantic ports during the war would have been avoided if this waterway had been in operation. Many other war-time benefits would have come from it.

So, Mr. President, I am glad that the committee has placed this amendment upon the bill. Of course it means nothing more than to get at the facts through an organization already created by the two Governments. I want to say that I went before the former Secretary of State, Mr. Bryan, when he was in that position, and, though I had written several letters on the subject, evidently they had never reached him, but were answered by someone else, for he told me he had never before heard about my resolution. I plead with him to submit this or to have the President submit it, to Canada for cooperation. That is all that is asked in this amendment—merely to empower the joint commission to go to work and get the facts as to what the work will cost; how much waterpower is there unused that could be developed, and so forth. That is what this amendment proposes, and nothing else.

Can we, I repeat, vote for local projects—doubtful projects—and refuse information upon a project which many of us, including the Engineers of our Army, believe to be feasible and practical, and that has tremendous possibilities for good to our country?

It is a great subject. It could be profitably discussed for hours in showing its great possibilities. I have attempted simply to present a general view of what is possible and what ought to be done at the earliest practicable moment to perfect this international enterprise.

When I addressed the Senate a few years ago on this subject I took some pains in collecting facts. I ask permission in connection with my remarks to submit for the RECORD some parts of that address. It will perhaps be a repetition of some things I have just said, but it will be better arranged.

The PRESIDING OFFICER. Without objection, leave is granted.

The matter referred to is as follows:

"And now, Mr. President, I desire in as brief a time as possible to discuss the amendment which I have offered to the so-called Canadian reciprocity measure and give to Senators the reasons which induced me to offer and support it.

"May I ask the Secretary to read the amendment?

"The PRESIDING OFFICER. The Secretary will read the amendment.

"The SECRETARY. It is proposed to add a new section to the bill, as follows:

"SEC. 4. That for the purpose of improving the St. Lawrence River from the Great Lakes to the Atlantic Ocean and waterways connecting the Great Lakes the President of the United States is authorized and directed to enter into an agreement with the Dominion of Canada which shall provide, upon such terms as may be agreed upon, for a waterway of sufficient depth and width to accommodate deep-water or seagoing vessels for the common use and benefit of both countries and in furtherance of reciprocal trade relations between them: *Provided, however,* That said agreement before becoming operative shall be submitted to the Congress of the United States for ratification or rejection.

"Mr. TOWNSEND. It is probable that the provision is not as well worded as it might be, but it is sufficiently clear to enable the Congress to understand it and the President to comprehend its intent, if it shall be presented to him for his action. It clearly does not affect the provisions of the bill, or any of them. It simply instructs the President to continue his efforts for the further reciprocal good of Canada and the United States.

"I will, as best I can, present some of the benefits which would come to the people of the United States and of Canada from a deep or ocean waterway from the Great Lakes to the ocean, via the St. Lawrence River, and then I will discuss the feasibility of the project.

"I think I realize some of the objections which will be urged against this amendment, and I confess that I have no hope of accomplishing its object until the utmost trust and confidence, the most complete faith and good will, exist between the people of the United States and Canada.

"Being convinced that the project which I propose will confer greater benefits on both countries than those which flow from any tariff—that it would be, in fact, the consummation of the greatest contemplated benefits in trade—I seek to project it upon the attention of the Senate and of the country.

"It is commonly accepted as true that the industrial and commercial progress of the world has depended in direct ratio upon the progress and development of the means of transportation.

"In their primitive state mankind have been content to produce only what they have desired, and their desires were limited to the simple needs for satisfying hunger and for protection against the elements. But when their desires were increased and they wanted other than what they individually produced, the carrier or transporter became a necessity. At first the means of transportation were crude vehicles, hauled by men or animals on land, and equally crude boats and canoes, propelled by oars or wind on the water. The latter was the most efficient, and settlements followed the course of streams and waterways. But these streams and waterways were limited and only penetrated a small portion of the country. Watercourses were nature's highways, and to the people who could use them they furnished cheap means of transportation.

"The interior portions of the country were in many cases more fertile and productive than land adjacent to navigable waters. Minerals of great value existed in places remote from water, and as these lands and minerals came into demand land transportation received attention. In due course the railroad was born and the country was settled up. Railroad building at first was slow, but as the possibilities of railroading, both speculative and practical, became more apparent, as inventive genius became more active, railroad companies were formed and lines constructed. There was a real contest for railroad business. That was before the age of consolidation. In time roads sufficient for the ordinary needs of industry were constructed; then began the struggle of railroad operators for monopoly; then began the age of consolidation. It was, however a consolidation of railroads. The boat lines were independent, and wherever they existed they furnished real competition.

"This Government has recognized the value of water transportation. It has spent $650,000,000 in improving its rivers and harbors, and has entered upon a most extensive and comprehensive policy of waterway improvement. It is seeking vigorously and intelligently, though not yet altogether effectively, to regulate land carriers; but about the only thing which has effectively resulted in securing low and reasonable rail rates has been the establishment of water competition.

"No one complains of rail rates between the Atlantic and the Pacific coasts, for these coasts are connected by the two oceans, and the land rate must meet the ocean rate. The charges by rail from Duluth to Buffalo are reasonable, because the lake boats make them so. The freight tariffs from the East or West to the Mississippi River are much lower than those over the same lines to nearer points from place of shipment but which have not the actual or possible advantages of Mississippi navigation. Indeed, the Salt Lake City merchant who buys goods in Boston or New York bills them through his home to the Pacific coast and then back to Salt Lake City, for the reason it is cheaper to do so. The Arizona wool buyer first ships his wool to Los Angeles and then across the continent to Boston, because the latter rate is fixed to meet ocean competition. The railroads haul coal from the Pennsylvania mines to Chicago at a lower rate than they do to Jackson, Mich., 200 miles nearer the mine, and for the reason that Chicago is on Lake Michigan, which is connected by water with Lake Erie, upon which the city of Erie is situated, and the coal might be shipped by rail to Erie and thence by boat to Chicago. Water competition is the one sure power which compels low freight rates.

"This principle is generally recognized by States and by the Nation. He who investigates with care will discover that the freight rate enters into the cost of practically everything of human use, and its effect upon articles of consumption is to increase the cost far in excess of any increase caused by tariff duties.

"Centuries ago European Governments recognized the necessity of common carriers and treated them as public servants. The old common law of England, adopted by the United States, provides that the rates and regulations of common carriers shall be just and reasonable. To the end that they shall be such, statutes have been enacted, and in recent years railroad-rate legislation has been the most important of Federal and State enactments.

"The problem of cheap transportation is still unsolved; but already water transportation is recognized as the prime factor in the solution.

"The Great Lakes extend into the very heart of the United States. Tributary to them is the most fertile territory of our country. On them and within an hour's ride from them are found our largest and most prosperous industries.

"The iron, copper, coal, tin, salt, and other minerals of Michigan, Minnesota, Wisconsin, Illinois, Ohio, and western Pennsylvania would naturally find their way to markets over the Lakes if a deep waterway for ocean-going craft connected those Lakes with the Atlantic; the forest products of the great Middle Northwest could be floated to the ultimate consumer; railroads would have their termini on the inland seas, and to their waters could be carried the grain and other agricultural products for shipment to both shores of the Atlantic. Indeed, the Atlantic would be extended to Chicago and Duluth and a benefit to producers and shippers in the great Middle West, in excess of any other that has been suggested, would be extended. I can not easily overstate this benefit. Think of it, transportation for seagoing craft would be brought to within an hour of the center of population. At the docks of Duluth, Chicago, Port Arthur, Milwaukee, Detroit, Cleveland, Erie, Buffalo, and Toronto could be seen ships flying the flags of England, Germany, Russia, and of every other maritime power of Europe. Cargoes could be loaded in bottoms at Lake ports bound directly for their foreign destination. The Interstate Commerce Commission would have no occasion to pass upon railroad rates from the Middle West to the Atlantic. Water competition would keep these rates reasonable.

"But shipments from the Middle West and Northwest would not be the only ones benefited. Goods going into those regions from the East would not be charged with the present high freight rates. They would get the benefit of water competition.

"There are other great benefits which would come from the establishment of this waterway. On the Lakes are some of the largest shipbuilding yards in the country. In them are constructed some of the largest ships afloat, and these yards could compete in construction with the seaboard yards, and such competition might be of great value to the Government and to the shipping interests on lakes and seas.

"Session after session of Congress the country is notified of its dangerous lack of colliers for use with its gunboats in time of war, and yet our Great Lakes are covered with leviathans that could be used in case of need, and that without expense of building and maintaining by the Government in time of peace. How much better to spend $150,000,000 in a waterway intrinsically worth the money for commerce and at the same time furnish a way to get collier freighters to the sea in case of necessity than to spend $150,000,000 for boats which will probably never be needed. This is no idle fancy. The Lake boats may not be constructed as a modern naval architect would build a collier, but they would answer the purpose and are such as are now used in time of war. Many of the Lake boats at the close of the Lake season could go down to the sea and engage in the coastwise traffic in the winter season, and thus work the year round. On the other hand, a larger field will be opened to our coast-serving boats, and if it be true that a Lake-boat monopoly exists, or is being formed, competition will tend to destroy it.

"To me this scheme opens a possibility for a merchant marine without subsidy or other similar device. This waterway

would induce the building, manning, and operation of seagoing boats on the Great Lakes.

"The St. Lawrence River, with its sources in the very industrial and commercial heart of the continent, leads in a most direct line to the great marts of Europe. It invites the business of both countries to embark upon its waters. Nature never appealed more eloquently with advantages and opportunities than she does to these two countries through this waterway to-day.

"I can already hear the objections which will be urged by representatives from the Atlantic seaboard of the United States. Already they think they see Montreal enlarged into the metropolis of the western continent, while New York, Philadelphia, Boston, and Baltimore contemplate their idle wharves and empty warehouses; but, Mr. President, they are victims of hallucinations; they are but seeing nightmares in their dreams.

"A sufficiently developed Welland Canal and St. Lawrence River would but stimulate railroad facilities and railroad advantages, and a practical waterway sufficient for the needs of ocean traffic, extending from Duluth to the mouth of the St. Lawrence River, would be worth the cost to the people of the two countries, if but few additional boats sailed over the course, in the reduction of railroad rates and the additional railroad accommodations which would be furnished. This is one of the unquestioned lessons which such enterprises have taught the world.

"But, Mr. President, believing, as I do, that this project would be for the good of the United States and Canada as a whole, I would still advocate it even if it should stop the phenomenal, nay, the somewhat dangerous, growth of our seaboard cities. But if great growth is the thing altogether lovely and most to be desired, what should we say of the possibilities in this regard which shall come to Buffalo, Cleveland, Detroit, Milwaukee, Duluth, Chicago, and other cities as a result of this project?

"As for me, sir, I would for the good of my country hasten the movement of the center of population westward into the neighborhood of our greatest natural resources, into the region where exist those somewhat latent forces which must shape and control the great destinies of ultimate America. But no disaster can come from this to any legitimate interest. It will stimulate growth and prosperity everywhere. In all prosperous times, in some seasons of all years, there is great complaint that traffic is retarded and great loss to business incurred by reason of insufficient shipping facilities. This plan would tend to relieve congestion by furnishing additional facilities and by inducing collateral railroad development.

"I have suggested some of the benefits which would flow from a waterway such as I have proposed. I now desire, as briefly as may be, to discuss the feasibility of the plan, and in doing so I deeply sense the fact that I am not an engineer and that my utterances may be properly characterized as those of a novice. There are, however, some demonstrated facts, certain things in being, to which reference can be properly had and upon which I can draw for information, and thus, in a measure, and to that extent, relieve myself from the charge of speculation so long as the analogy is unquestioned.

"One of these demonstrated facts is that a waterway for boats drawing not over 14 feet is already established and in operation on this proposed route. Last year the total canal traffic of Canada was 42,990,608 tons, of which the Sault Ste. Marie Canal is credited with 36,395,687 tons, the Welland Canal with 2,326,290 tons, and the St. Lawrence canals with 2,760,752 tons, and the growth of this tonnage in late years has been most phenomenal. For instance, the total Canadian tonnage in 1901 was 5,665,259 tons; in 1905 it was 9,371,744; and in 1910 it was, as I have stated, 42,990,608 tons. Now, if boats of 14 feet draft can sail from Lake Erie to the Atlantic Ocean by means of canal and river improvement, is it fanciful to say that the largest boats after greater improvement can do the same?

"In the first place, such a waterway as I propose must be practicable for the needs of navigation if it is to be undertaken. To be practicable, it must be so constructed and operated that boats may sail in reasonable safety, with proper dispatch, and under such international arrangements as will facilitate mutually the free and unnecessarily restricted commerce of both Canada and the United States.

"The St. Lawrence River route has been selected, because it has sufficient water and takes, as I have stated, the most direct course to the great markets of Europe. Open-water sailing is greatly preferable to canal navigation. Greater speed is possible. Accidents are less imminent. The cost is materially less. Some canals with locks will be necessary to complete the project, but the fewer of these there are the more desirable and practicable the route.

"I have stated that there already exists a waterway on this line for some boats. Canada alone has spent upon her locks and canals in the St. Lawrence, including the Cornwall Canal, and between Lakes Erie and Ontario about $97,000,000. Owing to the small dimensions of the Welland Canal and locks and of those in the St. Lawrence and to certain Canadian regulations as to lockages on Sunday, and so forth, comparatively few American boats use the St. Lawrence route, although the number is increasing. Last year 692 American vessels passed through the St. Lawrence Canal, or, rather, 692 trips were made by American vessels.

"If the locks and canals in the St. Lawrence and between Lakes Erie and Ontario are enlarged sufficiently, it will be possible for the largest boats to pass through them. Fortunately, the fall of water from Lake Erie to Montreal, which makes canals and locks necessary, also engenders the greatest dynamic force to be found on the continent. These moving waters contain a power which, properly harnessed and controlled, could drive a majority of all the machines of our mighty industries. And power is coming more and more into demand. To utilize that power dams below the rapids will have to be constructed. These dams will check the flow and create pools of deeper water over what before were rocks dangerous to navigation. Is it chimerical to believe that much of the waters in the St. Lawrence, now impassable for ships, may be made navigable by dams constructed for the purpose of generating power?

"There was pending before the Senate last session a proposition for a private corporation to build and operate such a dam at the Long Sault Rapids in the St. Lawrence, and the provisions in the proposed grant all had in view construction and operation in such a manner as to facilitate open water as well as lock navigation. And so valuable did the concessionaires regard this latent power in the waters that they are willing, not only to build their locks and dams so as to facilitate navigation, but they were willing to pay something per horsepower generated for this concession.

"This suggests the probable fact that the power possibilities of the St. Lawrence can be made to pay for improving much of the rivers. I am informed that by proper dam construction practically all of the rapids in the river save one can be overcome in this way, and with little expense to either country.

"How much of the improvement of the St. Lawrence can be secured through the development of its water power? Is it not of sufficient importance to empower and instruct the President to investigate and report upon?

"The Welland Canal would need to be enlarged, or a new canal dug, and larger locks constructed. But no mechanical prohibitions intervene. Whatever improvements are made in furtherance of this project must and should be made through a joint understanding, if not through the joint operation, of Canada and the United States. The waters lie in both countries. The benefits would inure to both. The binational control of these waters may make it desirable that improvements made in waters lying wholly in United States territory should be made by the United States, and improvements similarly made in Canadian waters should be made by Canada. And if improvements are made by impounding waters, as they should be wherever possible, the benefits from power should inure to the country in whose territory the power site is located.

"Improvements in boundary territory should be made by both countries and mutual power benefits should go to both.

"The fees from lockages should be apportioned according to location and benefit, but they should be reasonable and uniform. If, however, it shall develop that private power companies will not be found to construct dams, which will contribute materially to the accomplishment of the plan, or, if the total cost to Canada should seem to her prohibitive, I believe an international agreement can be entered into whereby the United States can perform the work without embarrassment to Canada.

"I am aware that there are canal projects now pending before the Ottawa Parliament, but none of them are as feasible as the international waterway which is here proposed. If this route lay all in Canada, no one in that country would consider the Georgian Bay-Ottawa River route, or any other, in preference to this one. This is a gigantic enterprise which is proposed, but it is in keeping with the spirit of modern enterprise, and with harmonious action on the part of these two great modern nations it can be accomplished to the glory and immeasurable benefit of both.

"It will cost much money, but its accomplishment will warrant the expenditure. How much it will cost I can hardly approximate, and yet we can find some information on the subject. In 1906, when President Taft was Secretary of War, a survey was made for the purpose of determining the cost of a 25-foot channel of sufficient width from Duluth and Chicago to

Buffalo, and the total amount was $26,000,000, besides several millions to be expended in dredging some of the lake harbors to the 25-foot depth. This survey and estimate included improvement in the St. Marys River and locks costing $11,000,237; in the passage from Lake Huron to Detroit River, $2,334,180; in the Detroit River, $11,571,450; in Grays Reef passage from Lake Michigan into Lake Huron, $426,500; or, in all, $25,938,367.

"Canada has, as I have stated, expended $97,000,000 on portions of this waterway. It may cost both United States and Canada, on the distance between Lake Erie and Montreal, $150,000,000 for a waterway of sufficient depth to accommodate seagoing vessels. This amount may be materially reduced by assistance from power-developing companies. It may cost more than this sum. But Canada is seriously considering a water route from the Lakes to Montreal through Georgian Bay and the Ottawa River; and another by canal from the southern part of Lake Huron across to Lake Erie, and from Lake Erie either through the enlarged Welland Canal or a new one across to Lake Ontario, thence down the St. Lawrence to near Ogdensburg, and from there by canal to the Ottawa River, and then down to the St. Lawrence.

"There are too many canals in these schemes; too many obstacles to be overcome, it seems to me, and, besides, the course laid out by nature seems the reasonable one, and I believe it is possible for the two Nations to agree upon some system of improvement which will be mutually satisfactory and beneficial. Anyway, Mr. President, the project is so big with possibilities that it should be given the most serious thought and investigation by the two Nations which are, we hope, entering upon an era of good will and amity.

"To me this is a greater proposition than the Panama Canal. It has within it potentialities of great proportions. Had time permitted I could have shown something of the mighty commerce which would be benefited by this deep waterway. Last year more than $700,000,000 worth of tonnage sailed down the Detroit River. More than 50,000,000 tons of freight passed through the Soo Locks. Much of this immense value and tonnage was destined for foreign trade. Suppose it could have been loaded into ships which would carry it without reloading to its European destination. Can you comprehend the saving to industry, the gain to producers? With such a waterway established, our grain and other agricultural products raised for foreign consumption would not have to pay the tolls of reshipment and excessive railroad rates, and the farmer would get the benefits. The copper and iron manufactured for the foreign trade would be turned out at the furnaces, smelters, and factories erected upon the Great Lakes—an arm of the sea.

"Mr. President, this may be a dream, but some day the dream will come true. It may come in the distant future. But it will come. Impatient as its advocates may be for the hour of its consummation, they will not be discouraged. That it looks to the future for the realization of its hopes is no valid objection to any worthy cause."

Mr. WADSWORTH. Mr. President, I rise to make a few observations concerning this amendment, to express my opposition to it, and to explain my reasons for such opposition.

Let me disabuse the minds of Senators who have already spoken—the Senator from Wisconsin [Mr. LENROOT], the Senator from Michigan [Mr. TOWNSEND], and others—who may take some interest in this matter, that I am opposing the amendment for any provincial reason. Some of the inferences to be drawn from the speeches already made in support of the amendment are entirely familiar to my ears. The suggestion that the city of New York is extracting tolls or tribute from the rest of the country is a very ancient one, and is used upon occasion with startling effect.

My purpose in rising to oppose this amendment, however, is not because I happen to be representing in part the State of New York in the United States Senate, but because I believe this thing to be an idle dream. I fear, however, that millions of dollars will have been spent before the truth will be admitted.

The amendment as drawn can not carry any other conclusion in the mind of the observer but that the Congress of the United States believes that it would be a wise and beneficial measure were the St. Lawrence River to be improved in order to permit ocean-going vessels to go into the Great Lakes. If this amendment is adopted by the Senate, it is safe to assume that Senators vote for it because they believe it would be a good thing to do, and believing it is a good thing to do, they want to know if it is an engineering possibility, and what method of cooperation can be brought about with Canada?

Mr. President, I am not at all disturbed, as has been suggested by the Senator from Wisconsin, with any military danger which may result to this country, because, like him, I can not conceive of war between the United States and Great Britain or any falling out of a serious nature between the people of the United States and those of Canada; nor am I terribly concerned about injury to the port or the city of New York, for I do not believe that this improvement will have much effect upon the city of New York in the matter of the total commerce passing in and out of that port.

In order to further disabuse the minds of Senators who may believe that I oppose this provision because I happen to represent in part the State of New York in the Senate—and reference has been made to that so often that I desire to call your particular attention to it, and to emphasize it—I desire to call the attention of the Senate to a report made by the superintendent of canals of the State of New York to the governor of New York, under date of February 8, 1919. The superintendent of canals—or the superintendent of public works, as he is called in the State government—is Mr. Lewis Nixon, recently appointed to that position by Gov. Smith. He is well known as a business man of wide experience and also as a shipping man. Mr. Nixon, in his report to the governor, uses this language:

> The State of New York could not urge simply a selfish opposition on the ground that even if the proposed route proved desirable it might injure cities or localities of the State while benefiting the Nation as a whole.
>
> Such opposition would be based upon an admission of the fact that the new route would divert commerce from the complaining localities, and such diversion would not be caused unless the new route provided cheaper and better transportation, granting in advance that while such localities would be injured, the Nation at large would be benefited.

Let us discuss, if we may—and I confess I have to do it in a somewhat amateurish way—the possibilities, commercially speaking, of this project. For, mind you, I insist that if we adopt this amendment we commit ourselves to the advisability of it, subject to its practicability from the engineering standpoint.

The Senator from Wisconsin has described the work that needs to be done in the St. Lawrence River between Ogdensburg and the boundary line at St. Regis, involving, as I remember his figures, a drop in the river of 91 feet. He has not, however, described the work that must be done farther on down the St. Lawrence River, where the rapids are much larger and the obstacles are much more serious, where the drop in the river, instead of being 91 feet, is somewhere in the neighborhood of 300 feet, if my information is correct—I have not the exact figures with me.

It is contended by those who support this project that it is going to be commercially practicable to load a steamer, we will say, with some kind of goods at Liverpool, sail her across the Atlantic Ocean, up the St. Lawrence River, and then proceed to conduct her through a series of locks and dams in the St. Lawrence River, then, again, in the Welland Canal, and finally into the Great Lakes system. I contend that that will never be done, the reason being that if we interpose between the port of embarkation, we will say Liverpool, and the port of debarkation, we will say Duluth, 15 or 20 or 25 locks and many miles of canal through which the ships must go, an ocean-going steamer can not do it economically.

The maximum speed which a steamer can attain going through an inland artificial waterway is about 5 miles per hour. At every lock which an ocean-going steamer must pass through she must be delayed an aggregate of about one hour, including the passage through the lock itself. You can not support the crew of an ocean-going steamer going at that rate of speed though many locks. It can not be done. The cost of upkeep of a seagoing steamer is much greater than that of a Lake steamer or a steamer fitted to go through artificial waterways. The crew must be much larger and the vessel must represent a very much larger initial cost of construction. It is much cheaper to build a Lake-going steamer suitable for engaging in commerce on the Lakes than it is to build an ocean-going steamer suitable to conflict with all the elements of the ocean. The engines of an ocean-going steamer must be more powerful than those of a Lake-going steamer; her safety devices must be much more durable and elaborate, and in one way or another the man who builds a steamer to traverse the ocean must put in a good many more dollars per ton of cargo to be carried than the man who builds a steamer to carry cargoes upon the Lakes.

If you place in between the ocean and your Great Lakes port, we will say Duluth, a series of barriers which will reduce the speed of the ocean-going steamer from 10 to 16 knots an hour down to 5 knots an hour, the ocean-going steamer will not go into the Lakes.

This, I venture to say, is the opinion of Mr. Nixon, the superintendent of public works of the State of New York, and

that is the argument which he suggests to the governor of New York in submitting his opinion as to whether this project is practicable.

Now, let us look at some of the distances which must be traversed. From Chicago to Port Colborne, which is the western terminal of the Welland Canal, is a distance of 880 miles. That includes passage through the Detroit River. One of the purposes of my inquiry of the Senator from Michigan was to ascertain the depth of water in the Detroit River, so as to get some light as to the conditions of navigation for an ocean-going steamer, because we are talking about steamers from Liverpool to Duluth or from Liverpool to Chicago. The distance from Duluth to Port Colborne is 980 miles and from Port Arthur it is 850 miles. It is 390 miles from Port Colborne, the western terminus of the Welland Canal, to Montreal, and as it is that distance, a vessel may make the trip from Chicago Port Arthur, or Duluth to Buffalo in about the same time she could go from Port Colborne to Montreal; in other words, it will take her twice as long to go the full distance to Montreal as it will to go a part of the distance to Buffalo.

I quote further from Mr. Nixon's report:

While some saving would be made in going through the deeper waters of Lake Ontario—

And Lake Ontario is the only open water that would be added in this proposed voyage; there would be open water on Lake Erie, Lake Huron, Lake Michigan, and Lake Superior, but Lake Ontario is the only remaining open water on which a ship could attain her maximum speed—

While some saving would be made in going through the deeper waters of Lake Ontario, we must add to our estimated time the great delay met in the locks.

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If adapted for ocean-going vessels, there would be about 20 locks in the whole voyage; and if for Lake vessels, there would be about 30 locks in the whole voyage. The average delay at such a lock will be about one and one-half hours—

I said a moment ago, to be safe, it would be about one hour—

even though the actual time of locking may not be over 20 minutes. Hence we must figure on about two days on such account.

Two days' additional time in the operation of a seagoing vessel!

Taking into consideration the fact that Lake vessels, costing large sums of money, can earn returns for only seven months, they must make as many trips as possible. As the cost of navigating such vessels is now about $500 per day, if they use the proposed route around Montreal they must charge rates that will drive freight to a cheaper route, if such cheaper route exists, and such a cheaper route does exist by way of the Lakes and the Erie Canal.

I am not afraid of this project from the purely New York City standpoint. What I see ahead is what has happened in so many scores of cases—the expenditure of millions and millions of dollars and a dream never coming true.

I know it is stated that all this amendment asks is that we shall get the information, but it has been the history of river and harbor projects—and I think the Senator from Louisiana [Mr. RANSDELL] so stated the other day—that about 92 per cent of all the surveys made by our engineers or commissions are finally adopted by Congress.

Mr. RANSDELL. Mr. President, the Senator has entirely misquoted me.

Mr. WADSWORTH. If I have, I will be glad to be corrected.

Mr. RANSDELL. I said that 65.3 per cent of all the surveys referred to the engineers were reported upon unfavorably.

Mr. WADSWORTH. Unfavorably?

Mr. RANSDELL. Yes. I have the report here. It will be found on page 2003 of the Engineers' report for last year, 1918.

Mr. WADSWORTH. What I meant was that 92 per cent of the surveys reported upon by the engineers were adopted by Congress.

Mr. RANSDELL. The Senator means those favorably reported upon?

Mr. WADSWORTH. Yes.

Mr. RANSDELL. Well, that is hardly correct, although I would say a pretty good percentage of those projects which the engineers favorably recommend are finally adopted by Congress. I think the Senator's statement in general is correct; but of the projects which we refer to the engineers, they have reported unfavorably on 65.3 per cent since the Rivers and Harbors Board was created under the act of 1902. However, the Senator's statement that Congress finally adopts a good majority of those which the engineers favorably report, I think, is correct.

Mr. WADSWORTH. Perhaps I expressed myself awkwardly.

Mr. RANSDELL. I do not mean to say that 92 per cent, but a great majority of those that the engineers favorably report upon are finally acted upon favorably by Congress.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. WADSWORTH. Yes.

Mr. LENROOT. I merely wish to remind the Senator that one of the three American commissioners on the International Joint Commission comes from New England and another from North Carolina.

Mr. WADSWORTH. I will say to the Senator from Wisconsin that that is not significant of anything to my mind.

Mr. LENROOT. My point is that they would not make a favorable report unless it was upon the merits; that is all.

Mr. WADSWORTH. I assume that the member who happens to be from New England will, of course, be as intelligent as the others, and, of course, will make an intelligent report as best he can. I would like to keep a local, provincial atmosphere out of this question, if I can.

Mr. RANSDELL. Mr. President, if the Senator will permit me to make a very brief explanation, inasmuch as he has mentioned my name in this connection, I should like to say that the reports of the engineers upon river and harbor projects are quite different from a report that an international boundary commission might submit, because in the case of the reports made by the engineers there is first a local engineer, who surveys the project; then a division engineer, usually with the rank of major, but more frequently with that of colonel; then the Board of Engineers for Rivers and Harbors, composed of nine engineers of high rank, and then the Chief of Engineers. So it will be seen that a river and harbor project goes through quite a number of hands before it is finally acted upon.

Mr. WADSWORTH. Mr. Nixon proceeds:

We can bring a cargo—

And I think this discussion of his is pretty interesting, because we want to determine now whether we ought to go into this matter—

We can bring a cargo of 250,000 bushels of grain from Duluth to Buffalo, with return cargo of coal, making the trip in about eight days, at a cost of $4,000.

It may be mentioned in passing that it is going to be exceedingly difficult to get any return cargo to go up the St. Lawrence River into the Great Lakes and to reach Duluth. It may be a very attractive proposition to make, that you are going to load wheat at Duluth and take it to Liverpool by way of the St. Lawrence River in an ocean-going ship, but what is that ship going to bring back?

Mr. TOWNSEND. Mr. President, if the Senator will permit me, does he understand what proportion of imports into this country from abroad go out into the Northwest?

Mr. WADSWORTH. No; I have not the figures at hand.

Mr. TOWNSEND. It is a very large proportion now. Our merchants and manufacturers, when they want to get exports from abroad, have to ship them by rail from New York or other Atlantic ports.

Mr. WADSWORTH. Are they great in tonnage? That is the point.

Mr. TOWNSEND. They must be very great in tonnage.

Mr. WADSWORTH. I think they are not anywhere nearly equal in tonnage to the exports of American wheat.

Mr. TOWNSEND. I can well imagine that they might be.

Mr. WADSWORTH. I would be immensely surprised if they are.

Mr. TOWNSEND. I imagine that they might be equal.

Mr. WADSWORTH. I can not conceive that the imports from Europe into the northwestern section would anywhere near equal our exports of wheat.

Mr. TOWNSEND. If there is taken for illustration some particular bulky and heavy product, such as grain, the imports might not equal the exports in tonnage.

Mr. CALDER. Will the Senator suggest something that they bring in from Europe?

Mr. TOWNSEND. There is brought in whatever the people use in the Northwest, just as in the case of New York; and under this project, if completed, the commodities imported would be brought to the place of consumption, or near the place of consumption, just as they are brought now to the eastern seaboard.

Mr. WADSWORTH. Most of the imports are small manufactured articles and chemicals, dyes, and other commodities not bulky in character.

Mr. TOWNSEND. What return cargoes has the Senator in mind that ships from abroad bring to New York?

Mr. WADSWORTH. The kind of cargoes to which I have referred, but we do a 12-months-a-year-around business. This Great Lakes project would only allow seven months' business.

Mr. TOWNSEND. That is true.

Mr. WADSWORTH. And that makes an enormous difference.

Mr. TOWNSEND. That may be true, but the same condition practically obtains in the one section as in the other. Furthermore, the ships coming from abroad would have possibly some traffic with Boston or some other place before they made the trip through the river or through the inland waterway, so far as that is concerned.

Mr. WADSWORTH. But that would add to the expense.

Mr. TOWNSEND. Yes; but——

Mr. WADSWORTH. The more stops a ship makes the more time she consumes and the more is required for crew pay and for coal consumption.

Mr. TOWNSEND. But as to many of the products that are shipped by water, the element of time is not of the very essence of the thing; it is important, but very frequently they have time enough to make the inland waterway trip, and they will have business all along through this river course, the whole length of it, so far as that is concerned.

I wish to ask the Senator with regard to the engineers, if it is a fact that the experienced engineers of Canada—and I think it is a fact—a great body of their very best engineers, favor this project as a practical enterprise, and if it be true that some of the very best engineers we have in this country believe that this scheme is practicable and feasible, is it not pretty safe to trust their judgment a little bit and say we will let you investigate and report to us upon this project?

Mr. WADSWORTH. The Senator is speaking of Canadian engineers?

Mr. TOWNSEND. Yes; and ours also. I am assuming that this project has been approved by engineers from both countries.

Mr. WADSWORTH. I do not know what the engineers have approved; the Senator is better informed than I am upon that; but of course I can easily see how the Canadian engineers would approve it, because it will send all the Northwestern commerce past the port of Montreal, and, of course, ships passing in great numbers the port of Montreal will increase the business done there in ships' stores, in coal, and in supplies of all kinds. It is an entirely human desire on the part of the Canadians, and I do not blame them for it; I rather honor them for it.

Mr. TOWNSEND. Does the Senator think it would be a wise policy for the United States to refuse to investigate this matter, and to let Canada build a canal through the Georgian Bay and Ottawa River down to the St. Lawrence at Montreal?

Mr. WADSWORTH. I have no faith in a Canadian canal reducing freight rates to Europe.

Mr. TOWNSEND. If I may ask the Senator to assume that they are going to construct that canal, does he think it would be a wise thing for the United States to allow that to be done, when, through collaboration with Canada, we might construct the St. Lawrence route?

Mr. WADSWORTH. It seems to me we would be in the same position no matter which of the two routes should be adopted, because eventually either waterway goes through foreign territory.

Mr. TOWNSEND. It goes through boundary waters——

Mr. WADSWORTH. Only for a little way.

Mr. TOWNSEND. It goes through waters that are partly controlled by both countries.

Mr. WADSWORTH. Yes; but the mouth of the channel is completely controlled by a foreign government.

Mr. TOWNSEND. The Senator has expressed himself very candidly and very truthfully when he says we have nothing to fear from Canada. Our relations are exceedingly friendly with that people; we are of the same race, practically the same people; have the same interests; and we have grown closer together than ever before. I think we could enter into commercial relations with Great Britain or with Canada in reference to this canal that would relieve us from any possible embarrassment.

Mr. WADSWORTH. I am discussing this matter from the commercial viewpoint, and I should like to be permitted to continue.

Assuming the lake freight at the high figure of 4 cents a bushel—

I think that is a high figure for the transportation of wheat from Duluth to Buffalo—

the down trip would pay $10,000 and her return trip with coal will pay her expenses back.

I contend that the expenses of a ship that finds itself finally in Liverpool, having gone from Duluth, will not be paid by the return trip; and that that item alone will prevent ocean-going vessels from making these voyages freely back and forth up the St. Lawrence River and into the Great Lakes.

But if she went instead to Montreal the trip would cost about $4,500 for the nine days required. She would have no coal to bring back, and so, in taking, say, a day's less time to return, would spend about $4,000 coming back.

Unless, indeed, it is contended, and people are absolutely convinced, that the ship, instead of stopping at Montreal will go right on across the Atlantic to Liverpool; and that is what I think is a dream. I do not believe you will ever find it being done, on account of the slow rate of speed to which that ship must be reduced in the St. Lawrence River, being lifted up the locks, going through the canals, such as the Welland Canal, and being lifted up at the Welland locks, and the slowness of speed in going through the Detroit River.

And instead of making 20 trips the owner would count on only about 10 trips, so unless he could secure twice the freight from Duluth to Chicago he would not engage in such service, and such charge would block sending grain cargoes in this way.

Now, of course, the harbor tonnage at Duluth is enormous. It is splendid. So is the commerce passing through the Sault Ste. Marie Canal and through the Detroit River; but you must remember that a very large percentage of it is iron ore, which would not go down the St. Lawrence at all. It is unloaded at Lake Erie ports and sent to the steel mills of Pennsylvania and Ohio and West Virginia, where the coal is situated, to reduce it and manufacture it into steel. I do not know the percentage of iron ore and coal, but you must subtract from the total all the iron ore and coal, because none of that will be shipped to England. We are building on hopes that are not justifiable when we speak in these big figures of total tonnage. The trade is not going to go that way. It is not there to go.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Ohio?

Mr. WADSWORTH. I yield to the Senator from Ohio.

Mr. POMERENE. The Senator from New York is discussing this matter from the standpoint of practicability, and necessarily he is basing his conclusion upon such information as he may have, and certain deductions which he makes from certain figures which he has presented to the Senate; but allow me to suggest this thought:

In Cleveland there are nearly a million people; in Toledo, 200,000; in Detroit, another million people; in Milwaukee, a half-million people; in Chicago, perhaps two and a half million people; with countless other ports and hives of industry on both sides of every lake in the Great Lake system.

Mr. NELSON. Do not forget Duluth and Superior.

Mr. POMERENE. Yes, indeed—Duluth and Superior, very important lake ports. There are perhaps more grain elevators along the Lakes than in any other section of the country. This is a commerce that concerns perhaps 25,000,000 of people. There is perhaps more tonnage on the Lakes than in any other section of the country, or of the world, for that matter. A great portion of this tonnage must find its way to the European markets. It means an expenditure of millions and millions of money every year for transportation.

The question is this: With all this vast tonnage seeking an outlet, a goodly part of it heretofore going through New York, which has been likened by the Senator from Wisconsin [Mr. LENROOT] to the neck of a bottle, and the great West having been embarrassed because it could not get an outlet through New York—with all these vast interests at stake, does the Senator think it wise to voice his opposition to an amendment of this kind, which simply asks for information as to whether or not this is going to be a practicable proposition and what, if anything, may be done?

That is the only question before the Senate now, as I see it. I submit that I have voted for appropriations to deepen the channels in and about New York, and I am going to vote for more measures of that kind when they are presented, and I have done it, perhaps, on less information as to the necessity of those projects than we have now, showing the necessity for this new, proposed project.

It does seem to me that under all of the circumstances there ought not to be any objection to this very meager course. If later the fact is developed that it is going to be a squandering of the public funds to spend the necessary money to deepen the channel of the St. Lawrence River, let us take up that matter and decide it then. I submit that under the circumstances there ought not to be very much objection to the small appropriation which will be required for this purpose.

Mr. WADSWORTH. The Senator from Ohio persists in dragging in the poor old city of New York. I have taken pains to explain to the Senate—and I meant it when I said it—that I am not endeavoring to defend the city of New York. Whatever appropriations have been made for the improvement of New York Harbor have not been made upon my request. I have yet to appear before the Committee on Commerce and ask for a single item for the city of New York; and I wish we could brush aside this provincial way of discussing these things. I am

trying to discuss this thing as a national proposition. I am trying to explain why I believe it is a dream, that it can not come true; but the trouble is, we do not learn in time in many of these cases, and we spend millions and millions of dollars before we learn that it is an idle dream. That is what I fear on this proposal—that we shall get committed to it. This very amendment commits Congress to this proposal if it proves to be an engineering possibility, or practicable. That is the straight, bare inference from it.

Mr. POMERENE. Oh, Mr. President, I fail to see upon what such a conclusion can be based. We are asking for this information. I assume that if it is satisfactory, we are going to accept it. If it is not satisfactory, we are not going to accept it.

Mr. WADSWORTH. The amendment directs the International Boundary Commission to report with its recommendations for cooperation by the United States with the Dominion of Canada. The plain inference is that we want them to show us how we can do it, and that we would like to do it if we can. The Senator from Ohio may get some other inference from it, but that is the inference that I get from it.

Mr. POMERENE. I assume, if the Senator will permit me, that the sponsors of this amendment have some faith in it; otherwise, it would not be introduced.

Mr. WADSWORTH. Certainly. I have listened to their speeches.

Mr. POMERENE. But later on, when we get the recommendations from our Canadian friends or from this commission, I do not understand that we have foreclosed Congress by any means or that we are obliged to act upon their recommendations. They will be before us for our consideration, and we will no doubt act then with the light that we may get.

Mr. NELSON. Mr. President, will the Senator yield to me for a minute?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Minnesota?

Mr. WADSWORTH. I desire to conclude as soon as I can.

Mr. NELSON. Very well.

Mr. WADSWORTH. I shall be very glad to answer a question of the Senator from Minnesota.

Mr. NELSON. Oh, no, no; go on.

Mr. WADSWORTH. The fear that I have in my mind upon these proposals, as I have seen them come up here year after year, is that once we embark upon this thing we can never turn back until we spend millions of dollars. The Senator from Ohio does not agree with me upon that proposal. He thinks we can withdraw from it later on if we see fit.

Mr. POMERENE. Oh, Mr. President, if the Senator will pardon me again, I recognize the fact that there are some of these propositions in which surveys are made that are of very, very minor importance; but it can not be said that this is provincial in character or local in character. It affects all the people in the great industrial and farming West.

Mr. WADSWORTH. I am endeavoring to discuss it from a national standpoint, not from a local or provincial standpoint, in spite of the inferences that seem to have been drawn from my remarks thus far by certain Senators. I have endeavored to show some of the commercial difficulties in ever having this project go through to a successful conclusion and in such a way as to actually make it possible to send ships from Duluth to Liverpool and from Liverpool to Duluth. That is what is in the minds of the Senators and other people who are back of this amendment. It would not be in this bill if they were not convinced that that could be brought about. I assert that it can not be brought about except at a freight rate higher than the rates that are being paid to-day.

Some, of course, may disagree with me upon that proposal, and I do not expect to be considered infallible about it. Assuming that you can do this, assuming that you can find freight to load into a ship which has just come into Liverpool from Duluth, and send her back to Duluth carrying a cargo that will at least pay her expenses, I should like to know why it could not be done through American territory; and in saying that I am not speaking as a provincial. The Senator from Michigan [Mr. TOWNSEND] has already suggested, as I remember, that it would be nice to have it done through American territory if it can be done. It seems to have been forgotten that in a resolution known as public resolution No. 8, of the Sixty-fifth Congress, Senate joint resolution 13, approved on June 30, 1917, the engineers were instructed to survey a route for a ship canal, as well as to do other kinds of work, between Lake Erie and Lake Ontario; and I hold in my hand a letter written by Col. J. G. Warren, of the office of the division engineer of the Lakes division, addressed to a Member of the House of Representatives representing a district upon Lake Ontario, Congressman MOTT, in which he gives us this information:

MY DEAR MR. MOTT: I have to acknowledge the receipt of your letter of February 12, 1919, referring to General Route Map No. 1-A, 1896, United States Deep Waterway Commission. In reply thereto I have to say that the survey or preliminary-examination report called for by the river and harbor act of July 27, 1916, "Waterway or ship channel between Lake Erie and Lake Ontario," was regarded by the War Department as having been included in the provisions of public resolution No. 8, Sixty-fifth Congress, S. J. Res. 13, approved June 30, 1917, "Investigation, including all necessary maps and surveys, of the entire subject of water diversion from the Great Lakes and Niagara River, including navigation, sanitary, and power purposes, and the preservation of the scenic beauty of Niagara Falls and the Rapids of Niagara River," etc., and the two reports will be rendered as one within the near future. This report will be accompanied by maps giving all the information contained on the map above referred to, and other information in addition thereto.

Very truly, yours,

J. G. WARREN,
Colonel, Corps of Engineers, United States Army.

So within a few weeks, according to the Board of Engineers, we are to be informed whether such a ship canal can be built through American territory.

I do not think it is in a provincial spirit that I make this suggestion. I think it is rather in a national spirit that I make it. I have the same wish about this thing that the Senator from Michigan has. Assuming that this whole project, generally speaking, is successful—that is, assuming that an ocean-going vessel can get into the Great Lakes—I have the same wish that the Senator from Michigan has, that it shall be done through American territory. That is not unnatural. I do not think I am subject to rebuke for expressing that opinion. There are obvious reasons; and it does not mean that I dread British battleships coming up into Lake Erie, because they will not come, and they can not get there; for, as the Senator from Wisconsin says, the locks along the St. Lawrence could be blown up. But there are certain advantages arising from the country being in complete control of its own channels of trade; and those considerations have nothing to do with war. They have to do with very proper domestic considerations. I should like to see the canal, if we are to have one, go through American territory; and we are to be told in a little while, according to this communication which I have just read, whether or not it can be done between Lake Erie and Lake Ontario.

Frankly, I am not yet sufficiently internationalized to be satisfied with our commerce going through foreign territory to the same degree as I would be if it went through American territory solely. If I am out of step with the spirit of the times, I can not help it. I should like to see all our commerce originating in the interior pass out of our own ports if such a thing is possible. I should like to see our people self-reliant, able to take care of their own affairs, secure in their own commercial prosperity. I hold no grudge against any other nation, much less against our neighbors on the north; but if the wheat from Duluth can be taken more cheaply by water from Duluth all the way to Liverpool, I should prefer to see it go solely through American territory. So I suggest that we might stop and think a moment before we pass this amendment, which apparently proceeds upon the assumption that it is just as wise and just as proper and just as desirable to have all our northwestern commerce go past Montreal as it is to have it go past Baltimore, or Philadelphia, or Boston, or New York. Before we proceed upon that theory, I think we ought to find out whether it is not practicable, first, without opening the other question at all, to send it through American territory.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. WADSWORTH. I have finished.

Mr. LENROOT. If the Senator will yield for a question, I should like to ask the Senator whether he is aware that not over two hours ago the Senate adopted an amendment for a survey of such a deep waterway entirely in American territory?

Mr. WADSWORTH. Yes.

Mr. LENROOT. Does the Senator then think that, having adopted that provision as an amendment to this very bill, Congress is committed to this provision with reference to this particular waterway?

Mr. WADSWORTH. As the two inquiries are not made of the same body—one is made of the Board of Engineers, as I understand, and the Senator will correct me if I am wrong, and the other is made of an entirely different body, the International Boundary Commission—I do not know which body is to express the policy of the United States.

Mr. LENROOT. No; but Congress, having adopted both provisions, has not committed itself to either policy, has it?

Mr. WADSWORTH. It has committed itself to both.

Mr. KELLOGG. Mr. President, the Senator from New York [Mr. WADSWORTH] disclaims any provincial feeling in respect of this matter, and I take this occasion to say that I know of no

Member of the Senate less liable to the charge than the Senator from New York. I think he considers these matters from a very broad standpoint; and I agree with him that if all the interior transportation through American territory and upon American waters alone might be accomplished, it would be preferable. But, Mr. President, in spite of the disclaimer of the Senator from New York, it can not be denied that much opposition to this proposal has developed through the apprehension that it would injure American seaports—a question to which I shall beg to refer briefly later.

The Senator from New York says that he opposes this because, in his opinion, it is an idle dream.

Mr. President, for more than two centuries the great Panama Canal was considered an "idle dream," and even as late as the beginning of the discussion upon that momentous proposition in the Senate of the United States it was so stated, and yet to-day it is an accomplished fact. There was much opposition in this country to the construction of that great interocean highway on the ground that it would not inure to the benefit of the Mississippi Valley and the country in the interior; and that is true, because the transportation to or from the Pacific coast before the Panama Canal was built was driven either around Cape Horn or across the continent on the American railroads. Yet as a whole the American people, not only upon the seaboard but in the interior, and the Senators and Representatives representing that great country lying between the Allegheny Mountains and the Rocky Mountains, supported it as a national project, and it is one of the great monuments of this country, and it has been and will be of inestimable value to us as a whole Nation.

Is this an idle dream? Why, I can remember when the claim that the Soo Canal and the St. Clair River could be so improved as to invite the great tonnage originating in that interior country was considered an idle dream, and great opposition developed to the appropriations for the development of that project.

Let me suggest the magnitude of the commerce and the extent of this interior waterway which it is proposed to connect up with the Atlantic Ocean. Here, reaching over 1,500 miles into the interior of the continent, is a natural waterway unequaled in the world. No other nation with the intelligence, the progressiveness, the population, and the vast extent of territory that we have would for a moment consider that it should be devoted purely to domestic commerce and should not be connected with the ocean. I am coming later to the question as to the proper outlet.

Considering for a moment the extent of this commerce, the latest accurate statistics which I have, for 1917, show the registered tonnage to and from the principal harbors upon the Great Lakes and to and from the Atlantic seaboard. I shall not weary the Senate with the details of these figures, but there passed through the Detroit River that year over 95,000,000 tons, and in 1918 it is estimated at over 100,000,000.

Mr. President, that is more than the entire registered tonnage from every port of the Atlantic seaboard. Let me, however, explain these figures, because I do not wish to make a statement which is at all unfair.

The tonnage reported does not include a certain intraharbor or local coastwise traffic in New York or Boston, because the tonnage up and down the Hudson River, through Hellgate and in that vicinity, of course, is not registered, and it is a very large tonnage.

This tonnage is not all iron ore. To be sure the larger part of it is. I presume out of the hundred million tons that went through the Soo Canal last year, probably 60,000,000 tons at least, and perhaps more, constituted shipments of iron ore. But there is also an enormous tonnage of grain, flour, coal, and other traffic carried westward upon the Great Lakes.

Mr. WADSWORTH. May I ask the Senator a question for information, not for the purpose of argument?

Mr. KELLOGG. Certainly.

Mr. WADSWORTH. Are the detailed tonnage figures the Senator has given both-way tonnage?

Mr. KELLOGG. Yes; both-way tonnage.

Mr. WADSWORTH. To which point; Detroit?

Mr. KELLOGG. The Detroit River and the Sault Ste. Marie Canal.

Mr. WADSWORTH. Did the Senator say how much of that was coal? Does he know?

Mr. KELLOGG. I do not know how much of it was coal. Quite a large amount of it is coal and quite a large amount is heavy merchandise. In fact, St. Paul and Minneapolis, and as far down as Omaha and all that country to the west, depends upon the Lakes for the transportation of all or practically all its heavy products. Of course, the lighter products, the more valuable products, move by rail; but the wholesale merchants, the coal dealers, and others depend very largely upon Lake traffic for the transportation of their products.

Mr. President, it is stated by the Senator from New York [Mr. WADSWORTH] that in his opinion we should not pass this resolution because it does not represent a practical route to and from foreign countries. That is exactly what we want to determine. That is the information we wish the Congress to have before it shall act upon the proposition. To-day there is a large amount of transportation of grain and flour through this route to Europe, all transshipped before it enters the Welland Canal and is transshipped again at Montreal.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. KELLOGG. I yield.

Mr. LEWIS. Of course, as the able Senator from Minnesota understands, my State of Illinois, which my colleague and myself represent, is incidentally interested in this project. Will the Senator be so good as to set forth, if it does not divert him, or at the point where it is appropriate, how this route would operate, if the resolution is carried, to obviate or remove the objection which the Senator has just now referred to, about double charges on the grain and freight from the West?

Mr. KELLOGG. Of course, if grain and flour will take that route to-day and transship twice en route, it naturally would take that route regardless of transshipment.

I repeat, I would much prefer that all our inland transportation should pass over American territory. I am coming to that proposition soon.

It is not the fault of the State of New York that that has been an expensive route. I believe it will be cheapened.

In past years I can remember when it cost more in lighterage charges for the transshipment of grain in the port of New York than it cost to transport it from Duluth to Buffalo. In fact, I have known of instances where the freight rate was 1½ cents a bushel, when it cost as high as 3 cents a bushel for transshipment in the port of New York. But no doubt those conditions have somewhat changed. I am not familiar with the figures to-day. I know freight rates are much higher between Duluth and Buffalo, owing to the scarcity of boats on account of the war and the enormous tonnage of last year. Nevertheless, heretofore the great ports of New York and Boston and other ports have been expensive ports through which to ship bulky freight such as wheat.

I deny that this commits us to any such proposition. In the first place, it is simply a request for information, not only information as to the canal on American territory between Lake Ontario and Montreal, but as to the canal which is upon Canadian territory between those same points, so that we may have complete information before us. Furthermore, we have adopted an amendment to the bill providing for a survey from Lake Ontario to New York, which I have no doubt would be what is known as the Oswego route. It is not a long distance from Oswego to the Erie Canal. Other things, as suggested by the Senator from New York, were also asked for.

There can not be any objection to this information. The Congress in 1917 passed a clause in an appropriation bill which called on the Secretary of War to estimate the cost of this canal in the St. Lawrence River; but no estimate can be accurate, and all the information furnished, unless it is done by the joint commission representing both Canada and the United States. What we desire is that that commission shall give us all the information. Then we shall have before us the information as to the Oswego route, as to the Erie Canal, and such improvements as may be necessary to create a great highway from the Atlantic seaboard to the Great Lakes.

Mr. President, as a further proof that the passage of this clause in the river and harbor bill does not commit the Congress to the construction of the canal, let me refer again to the treaty between the United States and Great Britain creating this commission. The commission came into being by virtue of section 9 and a statute of Congress providing for the appointment of the American commissioners and defining their duties. It is an active commission, already in existence, and there is no appropriation required to carry forward this investigation. The treaty provides:

> The International Joint Commission is authorized in each case so referred to examine into and report upon the facts and circumstances of the particular questions and matters referred, together with such conclusions and recommendations as may be appropriate, subject, however, to any restrictions or exceptions which may be imposed with respect thereto by the terms of the reference.

Let me invite the attention of the Senate to this:

> Such reports of the commission shall not be regarded as decisions of the questions or matters so submitted, either on the facts or the law, and shall in no way have the character of an arbitral award.

The only thing to be accomplished, or which is sought to be accomplished, by this resolution is that the joint commission which now exists under the treaty and the statutes of Congress shall make an investigation not alone of the project upon the American side but of the project upon the Canadian side, and shall report not only as to its expense but as to its feasibility, practicability, and usefulness in the development of the great commerce of this country.

What more proper board is there than the international joint commission of this country and of our neighbor on the north to report to Congress upon the whole project? At the same time we will have before us the reports of the engineers as to a route entirely within our own country. There is, of course, no necessity for a report of any international commission upon the project of a canal connecting the Lakes with the port of New York, which is provided for by the amendment by the junior Senator from that State. This will be made by the engineers of this Government; and I am desirous that this report should be made, because if it is practicable for us to connect this great inland waterway with the seaboard through American territory, so that commerce will be handled through our own ports, I would much prefer it.

But, Mr. President, that is no reason why we should not have before us all the information as to the other route, and that the other route is feasible is demonstrated by the fact that it is now used for a comparatively heavy tonnage from the Northwest under all the adverse conditions of the shallow canal. The Senator from New York [Mr. WADSWORTH] cites as his authority for the impracticability of the St. Lawrence route a gentleman who made the report upon the Erie Canal, and the principal reason stated is that the outgoing ships will not have a return cargo. Mr. President, a large part of the enormous traffic to-day on the Great Lakes from Duluth and other ports to Buffalo and Lake Erie and Atlantic ports and through the St. Lawrence River is carried on ships which do not have return cargoes. There is not traffic enough to cover all the eastbound tonnage. The grain and ore ships are compelled, to a large extent, to return empty. Nevertheless, from year to year the enormous traffic upon these Lakes from that great interior country has increased.

I am not going to argue the merits of the improvement of the St. Lawrence River until we have all the facts before us, although I am told by the best engineers and by the best commercial experts and shipping men who have been engaged in business on the Great Lakes for years that it is entirely feasible and would be one of the greatest improvements in transportation in this country.

Mr. President, as I said, there is a large return tonnage of commerce from Lake Erie ports and Lake Ontario ports to-day into that country. That country west has just begun to develop. There are vast undeveloped territories and resources to be thrown open to the enterprise of the American people. There is upon the south shore of Lake Superior in Michigan and in Minnesota and in Wisconsin an untold amount of iron ore of a low grade which to-day can not be transported because there is higher-grade ore of greater value available. But much of that ore is as high grade as is used in foreign countries. There are not only hundreds of millions but actually billions of tons of it. Who can say that, with a great waterway to the sea, we may not only supply manufactured articles but supply raw materials for the depleted markets of Europe? Already English merchants and manufacturers are looking to South America and to Cuba, as they previously looked to Spain and to Greece, for their ore supply. Why should we close our eyes to the possibilities of the enormous commerce which might come into that country or go from that country to Europe and to other foreign countries?

Mr. President, it has been said by the Senator from New York [Mr. WADSWORTH] that the low speed which must be taken by ships going through the canal would so operate against it as a commercial proposition that it could not become feasible. The Senator from New York knows that in the transportation of heavy material the question of speed is of very minor importance, and that the question of tonnage and transportation and loading and unloading are the important features in the transportation of heavy articles by water.

Mr. President, I might say that not only is it said to be practicable by the best experts within my knowledge, but the recommendations of the engineers who have heretofore examined the canal upon the American side say that it is practicable. They simply say in their report that, "At the present time" until the Welland Canal is deepened, they do not recommend that the American Government undertake the improvement of canals on the American side. I think that is entirely wise. The Welland Canal is now being deepened to a depth of 25 feet, and the subsills and the substructure are so placed that it may be easily increased to 30 feet. I think I am correct. The Senator from Wisconsin [Mr. LENROOT] knows that the Welland Canal is being built so that it can with small expense be made 30 feet instead of 25 feet?

Mr. LENROOT. The sills are so constructed.

Mr. KELLOGG. There is one other suggestion that I have to make to the Senate, and that is the possibilities of the development of the water power upon the St. Lawrence River. There is no question that that is the greatest water power upon the Western Continent for development. It is estimated by competent engineers that there is a possibility, if these canals are built, of the development of 2,000,000 horsepower at a reasonable cost, the profits of which would more than support the entire canal. Everybody knows that here is a vast undeveloped water power which could be used to its limit without in any way affecting navigability of the streams or lowering in any way the level of the Great Lakes, while at Niagara, without destroying its wonderful scenic effect, such a development can not take place.

Mr. President, I have listened to the discussion upon this river and harbor bill for some days, and I should think that where we have an opportunity to obtain information without any expense to the Government, without any appropriation, without any binding effect as to whether we will or will not engage upon this enterprise, Congress would seek the opportunity to obtain that information and adopt this amendment. I am quite sure there is nothing in the law which can be in any way interpreted as binding the Congress to go on with this project, although I do believe that connecting these lakes with the ocean and perfecting the greatest inland waterway of the world is as certain as the construction of the Panama Canal was certain in the decades before it was considered.

I should like to have inserted in the RECORD as a part of my discussion the table from which I have quoted.

There being no objection, the table referred to was ordered to be printed in the RECORD, as follows:

Vessel and cargo tonnage statistics for principal Atlantic and Gulf ports, year 1917.

[Ports arranged in order of importance according to cargo tonnage, column 4.]

Port.	Total entrances and clearances.		Total cargo tonnage.
	Number of vessels.	Net tonnage.	
Atlantic ports:			
New York, N. Y.	[1] 9,993	[1] 26,100,106	[2] 24,006,539
Norfolk, Va.	7,931	17,214,743	23,991,551
Baltimore, Md.	51,500	19,921,068	14,055,885
Philadelphia, Pa.	103,044	26,282,734	12,244,522
Newport News, Va.	3,605	9,051,256	6,259,774
Providence, R. I.	33,881	4,979,807	3,406,224
Portland, Me.	16,939	[3]	2,905,428
Savannah, Ga.	1,147	2,849,172	2,241,126
Jacksonville, Fla.	8,294	2,656,782	1,488,715
Boston, Mass.	20,412	24,125,331	[2] 1,341,022
Charleston, S. C.	725	1,804,674	731,183
Wilmington, N. C.	33	64,488	348,899
Brunswick, Ga.	135	196,524	322,164
			93,543,032
Lake ports:			
Detroit River, Mich.	33,061	69,267,723	95,243,119
Sault Ste. Marie, Mich.	780	1,951,911	89,813,898
Duluth-Superior, Minn.	11,577	39,689,131	52,411,824
Buffalo, N. Y.	7,190	[4] 17,363,868	19,431,997
Ashtabula, Ohio.	7,975	15,014,069	15,992,388
Chicago, Ill.	8,782	17,255,238	14,379,156
Cleveland, Ohio.	10,002	15,080,058	14,282,687
Toledo, Ohio.	9,016	13,121,849	13,710,238
Conneaut, Ohio.	3,333	11,397,070	12,936,398
Ashland, Ohio.	2,012	7,147,348	9,580,085
Lorain, Ohio.	3,287	7,029,832	7,529,081
Milwaukee, Wis.	4,394	6,312,867	6,820,864
Erie, Pa.	1,910	3,256,594	4,252,810
Sandusky, Ohio.	5,391	4,201,994	4,067,249
Manitowoc, Wis.	1,521	2,236,232	1,882,136
Charlotte, N. Y.	2,969	6,533,602	1,638,301
Marquette, Mich.	486	1,378,479	1,191,024
Ogdensburg, N. Y.	16,554	6,382,038	1,029,427
Green Bay, Wis.	1,053	467,789	971,335
Tonawanda, N. Y.	592	331,683	813,547
Sheboygan, Wis.	477	504,764	668,354
Oswego, N. Y.	1,440	744,151	577,696
Menominee, Mich.	624	516,487	570,313
Manistique, Mich.	448	667,367	442,313

[1] Foreign trade only, New York customs district.
[2] Foreign trade only.
[3] Not available.
[4] Does not include vessels via Erie Canal.

United States Shipping Board, Port and Harbor Facilities Commission, February 13, 1919.

NOTE.—Above statistics comprehend foreign, coastwise, and local harbor traffic.

Mr. CALDER. Mr. President, I rise to discuss this question with some reluctance, for my colleague [Mr. WADSWORTH] it seems to me has quite fully covered the subject. This river and harbor bill has been under consideration for nearly a week, and I trust that it will pass to-day so that we may be assured of legislation before the end of the session.

Mr. President, I am interested in this matter very much, representing as I do, in part, the great State of New York, with its great commerce both on the ocean and the Great Lakes as well.

I have listened with some concern to the suggestion that if this examination is authorized and the improvement finally made, so that ocean-going vessels can trade from the Lakes through the St. Lawrence River to Europe, the business of the ports on the north Atlantic will suffer. Frankly, I am sure of it. In my judgment there is no doubt of the fact that Norfolk, Baltimore, New York, Boston, Portland, and other cities on the Atlantic seaboard will be more or less injured in their overseas commerce if this improvement is made.

Even if this is true, it ought not, however, to have a final and conclusive bearing upon this subject if this waterway would materially help our western country.

The Senator from Michigan [Mr. TOWNSEND] has referred to New York City as being the neck of the bottle and the difficulty encountered there in handling the commerce of the country in the early days of the war. The trouble at that time was that through lack of business management every department of the Government was endeavoring to send everything for our Army and Navy, both in Europe and this country, through that great city. In the last six months of the war, when we handled 100 per cent more business than during the first six months, the business of the port was taken care of without the slightest difficulty. Our whole transportation system worked just as smoothly as it ever had in the history of the city. To-day 50 per cent of the overseas commerce of the country goes in and out of our gateway, and with the proper arrangement of our facilities I have no doubt we could handle without difficulty even 100 per cent more than we do to-day.

This is a great national project, as has been well stated here by every Senator who has spoken. My colleague [Mr. WADSWORTH] has referred to its commercial possibilities and to the probability of its being not of a financial and commercial advantage to the States west of New York. He referred to the delays in shipping and the difficulty in obtaining return cargoes from Europe. Let me say to the Senate that to-day at least one-half of the American ships returning from the other side cross the ocean in ballast.

The Senator from Minnesota [Mr. KELLOGG] has referred to the fact that shipping coming east with ore and grain are filled to overflowing, while in many instance they go west from Buffalo without any cargoes at all, proving conclusively, it seems to me, the argument of my colleague, that the hope of getting through cargoes from Europe back to the West is certainly expecting something which seems to me to be exceedingly visionary.

Mr. President, I oppose this project for the sole reason that it is proposed that we shall lend our great financial support to the construction of an ocean-going waterway within the boundaries of a foreign country.

Like other Senators who have spoken, I have no fear of the possibility of war with Canada, but, as a great economic business proposition, I can not approve of the investment of millions of dollars in a project which practically all goes through the territory of a foreign country.

I do not forget, either, Mr. President, that the State of New York has contributed very materially, indeed, to the prosperity of the West in building the Erie Canal and afterwards in constructing the great barge canal so recently put in operation—a canal, Mr. President, which would be to-day of much greater benefit to the people of the West in the shipment of their products to the Atlantic seaboard if it were not for the fact that the railroad administrator has refused to route freight through the canal. We have spent $428,000,000 of the money of the people of the State of New York for the improvement of our great canal system, helpful, of course, to us, and materially tending to make ours the great port of the Nation, but also proving of enormous benefit to the States lying west of New York on the Great Lakes.

I know we have to-day, on my motion, adopted an amendment authorizing a survey in order to ascertain the possibilities of a ship canal through New York State. Its engineering possibilities undoubtedly can be worked out; whether or not it will be feasible ultimately as a great commercial proposition will bear the most careful examination.

Mr. President, it is scarcely conceivable that any American would favor joining with a foreign country in building a ship canal from our inland waters through a foreign country.

The Canadian Government has a perfect right to build a ship canal or any other improvement of their transportation facilities through their country at their own expense, but I believe that it should be plainly intimated to them that if they build a ship canal through their country that this country would look upon the project as being a means of diverting the commerce of the United States from American waters and ports, and no matter how deep or large a canal they would build, we would deem is our duty to build a larger and deeper one.

No matter what the action of the Senate may be to-day on this question, I am certain that the American people, when they come to understand it, will insist that if the Great Lakes are to be connected with the sea by a waterway for ocean-going craft it shall be through our own territory.

Mr. NELSON. Mr. President, this question has been very thoroughly discussed by my colleague from Minnesota [Mr. KELLOGG], as well as by the Senator from Michigan [Mr. TOWNSEND], so I will only occupy the Senate a moment in regard to it.

I desire to disabuse the minds of both the Senators from New York, for whom I have the highest regard and the utmost respect, of any hostility on my part to New York. While we were discussing the bill, when the Senator from New York offered as an amendment a proposition for the survey of the Oswego route from Lake Ontario to the headwaters of the Hudson, neither the Senator from Wisconsin nor myself made any opposition, although I knew that that route had been twice before surveyed, once away back in 1897. I hold in my hand House Document No. 86, first session, Fifty-fifth Congress, which shows that at that time there was a survey of this very Oswego route. I have just looked at the estimate of the engineers for the Oswego route, which was only for 20 feet depth of water, and find that it would have cost the country $200,000,000 at that time. If it would have cost that sum at that time, it will certainly cost 50 per cent more as prices now are.

Furthermore, it appears that the distance is upward of 483 miles, and to get a completely American canal would involve the construction of 42 locks. I was curious when the senior Senator from New York [Mr. WADSWORTH] proceeded to discuss the difficulties of the St. Lawrence route, and I was tempted to ask him, but refrained from doing so, to describe the difficulties of the Oswego route—an all-American route—involving the construction of a multitude of locks far greater in number than would the St. Lawrence system; and that in a scheme that would only afford 20 feet of water.

Mr. WADSWORTH. Will then Senator yield to me?

Mr. NELSON. Yes; I yield.

Mr. WADSWORTH. Did I understand the Senator to say that the Oswego route, so called, would involve a canal 483 miles long?

Mr. NELSON. The Oswego route as contemplated was the only through route on American territory from Buffalo down on the American side. We have no route now; we are dependent on Canada for the Welland Canal. The Canadians built the Welland Canal; we have not put a penny in it, so far as I know.

Mr. WADSWORTH. I can not understand how there should be any such distance as 483 miles necessary.

Mr. NELSON. I have the figures here—124 miles of it around Niagara Falls, and the balance is by the through route from Oswego, involving over 20 locks by that route. I will read from the engineer's estimate. There were three routes proposed.

The first-mentioned route extends from Lake Erie, via the upper Niagara River, to the vicinity of Tonawanda or La Salle; thence by canal, with locks, to the lower Niagara River at or near Lewiston, or to some point on Lake Ontario; thence through Lake Ontario to Oswego; thence up the Oswego and Oneida Rivers to Oneida Lake and through Oneida Lake; thence across the divide to the Mohawk River, and down said river to the Hudson at Troy; and thence down the Hudson.

That is the only way in which we could get an all-American canal.

We from the Northwest are generous enough—and I am sorry to see the Senators from New York, whom I very much love and respect, are not actuated by the same spirit—not to interpose any objection to the survey of the Oswego route. I have no hostility to New York, and although there have already been two surveys of the route referred to, I am willing that the Senators from New York should have a third survey. I am willing to secure all the information possible and have it presented to the Senate to the end that we may pass upon that question.

The Senator speaks about the cost. The Senator from Wisconsin, from the report that he read, demonstrated that the cost of improving the navigation of the St. Lawrence from Lake Ontario up to St. Regis would be $35,000,000; and it has been

stated that the Canadians would undoubtedly, if we improved that stretch of the river, improve the other 68 miles to Montreal. If we could get an outlet to the sea for $35,000,000, I do not see why anybody should object.

My idea is that the commerce of the great West, of the inland empire, is growing so rapidly that we shall need both of these routes. I am not opposed to the New York route; and if, when the final survey comes, it is shown that is a feasible route and that we can get a ship canal from Lake Ontario, I shall be in favor of it; and if, in the meantime, we can also get an outlet to the sea by way of the St. Lawrence River, I am in favor of that.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Massachusetts?

Mr. NELSON. I yield.

Mr. WEEKS. May I suggest to the Senator from Minnesota that such discussion as I have heard on this question has referred to the Atlantic coast simply as the New York route? There is a Boston route, a Portland route, and a Providence route. All of those places have excellent harbors and, to some degree, unused harbors. I have time and again during the war urged the executive departments to divert freight from New York, when there was great congestion there, to Boston, when at one time one of the largest docks in this country there was being used simply as a barracks for men and was not being used at all for shipping purposes. To a great extent the port of Boston has not been used even during the pressure extending throughout the war. So that there are other facilities on the Atlantic coast which will be affected by this legislation.

Mr. NELSON. Mr. President, I want to say further—and I do not say it in a spirit of criticism—that we all know that the business in the harbor of New York is so immense that they lack the proper warehouses and elevator facilities for handling the commerce of the country. The great congestion that occurred among the railroad lines two years ago and a year ago was owing to the fact that a large number of the cars of the country had to be used for warehouse purposes, and acres and acres of them remained on the tracks in New Jersey loaded with commodities for which no warehouse facilities could be found.

I do not say this in a spirit of criticism either, but the elevator facilities of Buffalo are very poor. When we take our grain from the Northwest down to Buffalo, in order to get our grain into the canal boats or on board of the cars, we have to pay tribute to the elevators of Buffalo; and then when that wheat reaches New York we have to pay another tribute to the elevators and the warehouses, for such facilities as they have, to get that wheat transferred to the ocean steamers.

I am not saying that in a spirit of faultfinding; I am simply referring to it and pointing out that New York, even to-day, with its river and harbor facilities, has not the capacity to handle the water-borne commerce of the Northwest. What we want is an opportunity to utilize the St. Lawrence route; and then if the Oswego route is practicable I want to utilize that. I am not actuated, and we of the Northwest are not actuated, by any dog-in-the-manger policy. We are willing, if possible, to get a ship canal from Lake Ontario to the headwaters of the Hudson, so that ocean steamers can go that way; and we shall be proud when that day comes. It will take a long time to build that canal, while a little improvement in the St. Lawrence River, at a cost of $35,000,000, will bring us to the ocean.

As I have said, according to the survey made in 1897, the estimated cost of the proposed Oswego canal was $200,000,000. If that was the estimated cost in those days, it can safely be said to-day that it will cost $300,000,000.

Mr. President, in view of the fact that we of the Northwest have made no opposition to the survey of the Oswego route, in view of the fact that we are willing to have that route surveyed and have it considered along with the others, I submit that, in a spirit of reciprocity, Senators from New York ought not to oppose our amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

Mr. LENROOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Gerry	King	Moses
Bankhead	Harding	Kirby	Nelson
Calder	Hardwick	Knox	New
Cummins	Henderson	La Follette	Norris
Curtis	Hitchcock	Lenroot	Page
Dillingham	Johnson, Cal.	Lewis	Penrose
Fernald	Jones, Wash.	Lodge	Pollock
Fletcher	Kellogg	McKellar	Ransdell
France	Kendrick	McLean	Reed
Gay	Kenyon	Martin, Ky.	Shafroth
Sheppard	Spencer	Townsend	Wadsworth
Sherman	Sutherland	Trammell	Weeks
Smith, S. C.	Swanson	Underwood	Williams
Smoot	Thomas	Vardaman	

Mr. LEWIS. I wish to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Delaware [Mr. WOLCOTT], and the Senator from Kentucky [Mr. BECKHAM] are detailed on official business.

The PRESIDING OFFICER. Fifty-five Senators having answered to their names, a quorum is present.

Mr. LODGE. Mr. President, I have taken no time on this bill, and I desire to take very little now; but I am neither international enough nor perhaps national enough to be wholly regardless of what would be the very great injury, in my judgment, to the commerce of all the New England ports, and especially of the city of Boston, in the State which I, in part, represent.

If there is no other way by water of getting the products of the West cheaply to the coast, of course, we must do it by the St. Lawrence route; but it seems to me that we ought to think long before we join with another country, no matter what it is, to make a waterway which we can not control. The people who control the mouth of the river control the river. We are asked to spend what will be an enormous sum in opening up the St. Lawrence River, and after it passes beyond the international waterway at the northern boundary of New York we have no control whatever over it. If any waterway can be found through our own country, I think the ship canal should be made in that way, either by the Erie Canal or by the junction of the Mississippi with the Great Lakes. If that were to be accomplished, it would give all the commerce of the Great Lakes immediate access to the ocean. We could do both, if necessary—reach the Gulf and reach the Hudson River.

I only rose to say that I hope we shall not enter on this scheme until we are entirely satisfied that it can not be accomplished through American territory. I think, from every point of view, that is extremely important. If the mouth of the St. Lawrence—in fact, several hundred miles of the St. Lawrence before you reach the ocean—is in the control of Canada, difficulties and disputes may arise at any moment, because they can put their hands on the river and close it at any time. The power of Holland to close the Scheldt made it necessary to have a general treaty entered into by all the nations to secure its free navigation. Therefore, before we spend these enormous sums of money on a waterway which is controlled by another country, I think we certainly ought to look into our own opportunities and see what can be done there.

Moreover, Mr. President, I am not aware that this international joint commission is an engineering commission. It was made up, I suppose, as a diplomatic commission. It is running a little short of work, and it is very natural that there should be a human desire to keep it in operation. If we are to have a report, we ought to have an engineers' report, just as we shall have an engineers' report on the Erie Canal route or on the Mississippi route; but I do not think this international joint commission, unless it employs engineers, can give us the sort of report we ought to have.

I wish very much that this could be postponed, for it is a very large undertaking, which will take a great deal of money. I wish it could be postponed until we are satisfied that there can be no route made through American territory which will give cheapness of transport to the products of the agricultural West, and yet at the same time keep it within our own boundaries. As we are engaged now in promoting peace I think we had better not start anything that is likely to lead to international discussion, and as long as the waterway is in our own territory there is no danger of any international discussion.

It is for that reason that I regret that this amendment should have been placed in the bill.

Mr. WILLIAMS. Mr. President, there is already a provision of law providing for a report upon the feasibility and importance and engineering difficulties or smoothness of a route from Lake Ontario to Lake Erie.

Mr. LODGE. Yes; I am aware of that. I knew that was the case.

Mr. WILLIAMS. I know. I am mentioning that now. That being the case we certainly ought to have full information about the engineering difficulties or facilities and about the cost and commerce of the St. Lawrence route, so that we can compare the two with one another.

The Senator talks about an endless world of money to be spent. That has not been determined yet. All that is involved in this amendment is to get the requisite information, so that Congress may be prepared to act. Congress does not want to act upon the information about this route alone, but it wants

to act after a comparison of the information about this route and the information about the other route.

As to international difficulties, I do not see any. For 100 years we have kept the border between us and Canada without a soldier, hardly a policeman, though now and then there have been a few of them. We have had no ships of war on the Great Lakes from the first. The more we can bind ourselves to Canada, the more we can bind Canada to us by mutual commercial interests, hard to untie, almost indissoluble, the better for Canada and us both.

In the first place, I do not think the Canadians want any trouble with us, and certainly we do not want any with them. Although a so-called distinguished statesman some years ago did get up and make a speech about our annexing Canada, I do not think there is an American who wants to do it. What we want to do, as far as our international relations with Canada are concerned, is to make our commercial relations just as close and intimate as we can, so that it will be against the interest of both parties ever to have any quarrel, or, if they have it, ever to drive it to a bad result.

I hope this amendment will be adopted, and I am largely led to that by the opinion and the remarks of the Senator from Minnesota.

Mr. LODGE. Mr. President, I only want to say that nothing that the Senator from Mississippi can say about the desirability of good relations with Canada can exceed what I feel myself in regard to it. I think we want to make those relations as close as possible. I have always thought so; and one way of making them as close as possible is to avoid subjects of dispute.

Not so very long ago we had a dispute with Canada of the most serious kind, which led to the dispatch of American troops to the Canadian border in Alaska. The Alaskan boundary question was of the most serious kind, and it was fortunately settled; and many other questions with Canada were subsequently settled. I do not want any of those things ever to arise again. I want to avoid any possibilities of dispute. Therefore, I say that we are taking some risk when we put the control of a large portion of our most important commerce in the hands of another country. With the best wish on both sides to be friendly, it is a dangerous relation to establish, and certainly it ought to be entered upon only with a good deal of careful consideration, because, though we may change many things, we have not yet succeeded in repealing human nature, and I want to avoid any cause of difference.

That is the reason that I have spent a good deal of time and effort on a number of treaties that we have had with Canada. We have gotten all of the questions pretty well out of the way, and it is one of the best services possible; for nothing is more important, to my mind, than the closest possible relations of friendship—real friendship—between the United States and our neighbors to the north.

Mr. WILLIAMS. Mr. President, of course I never was fool enough to imagine that anybody could repeal human nature, except the special grace of God, and even that is denied by some religious creeds; but you can appeal to human nature.

The Senator tells me that he wants to avoid causes of conflict between us and Canada. So do I; but indulging in joint cooperation for a joint and common purpose for the benefit of both countries is not creating a cause of conflict. It is creating a cause of sympathy and of cooperation, of harmony of action and purpose. The very thing that led to the union of these States was a common desire for a common commerce.

The Senator says that if we go into this we surrender to Canada the control of the route of a part of our commerce. We do not do anything of the sort, nor does Canada surrender to us the control of that part of the route that goes through American territory exclusively. The whole thing will result in this, if it results in anything—a mutual agreement between the two countries that the two countries together shall manage an international route of commerce in amity and friendship and harmony. It will not lead to conflict. It will lead to the consciousness of a common interest; and the thing that can ally two people most closely together is a consciousness of a common interest.

The mere pocketbook and commercial interest itself as this would be is not quite as strong as some other interests, as the consciousness of a common interest, as a common language, religion and law and literature, but it is one of the strongest ties in the world.

We have an international commission down here on the southern border that manages the international water courses, and it has not raised any row with Mexico nor Mexico any row with us. On the contrary, it has avoided a good deal of trouble. God made this continent and made a part of it Canada and made a part of it the area of the United States, and the mere geography has very little to do with it. The question to determine is how you can most cheaply and most expeditiously get the products of the western country to the seaboard along the Great Lake borders. If we can do it by an international route all the better. If you can do it by an American route that is preferable; adopt it, but for Heaven's sake get information upon both projects before you act upon either.

The PRESIDING OFFICER. The question is upon the amendment of the committee.

Mr. WADSWORTH. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a pair with the senior Senator from South Dakota [Mr. JOHNSON]. In his absence I transfer that pair to the junior Senator from Kansas [Mr. CURTIS] who has been called away on official business. I vote "nay."

Mr. KNOX (when his name was called). I am paired with the Senator from Oregon [Mr. CHAMBERLAIN]. In his absence I withhold my vote.

Mr. LODGE (when his name was called). I have a general pair with the Senator from Georgia [Mr. SMITH]. I transfer that pair to the Senator from Connecticut [Mr. BRANDEGEE] and vote "nay."

Mr. SAULSBURY (when his name was called). I transfer my pair with the Senator from Rhode Island [Mr. COLT] to the senior Senator from Virginia [Mr. MARTIN] and vote "yea."

Mr. SHERMAN (when his name was called). I am paired with the senior Senator from Kansas [Mr. THOMPSON]. I believe the senior Senator from Kansas would vote to support the committee, and therefore I am at liberty to vote. I vote "yea."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). My colleague [Mr. SMITH of Michigan], who is necessarily absent, is paired with the senior Senator from Missouri [Mr. REED]. If my colleague were present, he would vote "yea" on this amendment.

Mr. SMITH of South Carolina (when his name was called). I transfer my general pair with the Senator from South Dakota [Mr. STERLING] to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. THOMAS (when his name was called). I transfer my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the Senator from Oklahoma [Mr. GORE] and vote "nay."

The roll call was concluded.

Mr. SHIELDS. I am paired with the Senator from South Dakota [Mr. STERLING]. I transfer that pair to the Senator from California [Mr. PHELAN] and vote. I vote "yea."

Mr. LEWIS. I wish to announce that the Senator from North Carolina [Mr. OVERMAN] and the Senator from Delaware [Mr. WOLCOTT] are detained on official business.

Mr. LODGE. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK].

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from Wyoming [Mr. WARREN] with the Senator from North Carolina [Mr. OVERMAN].

The result was announced—yeas 43, nays 18, as follows:

YEAS—43.

Bankhead	Jones, Wash.	Norris	Smith, Ariz.
Beckham	Kellogg	Pollock	Smith, S. C.
Cummins	Kirby	Pomerene	Spencer
Fletcher	La Follette	Ransdell	Sutherland
Gay	Lenroot	Robinson	Swanson
Gronna	Lewis	Saulsbury	Townsend
Harding	McKellar	Shafroth	Trammell
Henderson	McNary	Sheppard	Underwood
Hitchcock	Martin, Ky.	Sherman	Vardaman
Johnson, Cal.	Nelson	Shields	Williams
Jones, N. Mex.	New	Simmons	

NAYS—18.

Baird	Gerry	Moses	Thomas
Borah	Hale	Page	Wadsworth
Calder	Hardwick	Penrose	Weeks
Fernald	King	Poindexter	
France	Lodge	Reed	

NOT VOTING—35.

Ashurst	Goff	Martin, Va.	Smith, Mich.
Brandegee	Gore	Myers	Smoot
Chamberlain	Hollis	Nugent	Sterling
Colt	Johnson, S. Dak.	Overman	Thompson
Culberson	Kendrick	Owen	Walsh
Curtis	Kenyon	Phelan	Warren
Dillingham	Knox	Pittman	Watson
Fall	McCumber	Smith, Ga.	Wolcott
Frelinghuysen	McLean	Smith, Md.	

So the amendment of the committee was agreed to.

Mr. SMITH of Arizona. I offer the following amendment.

The PRESIDING OFFICER. There is an amendment of the committee, which was passed over, which will be first in order. The Chair will recognize the Senator from Arizona after the consideration of the committee amendment. The amendment of the committee, which was passed over, will be stated.

The SECRETARY. On page 9, in the item relative to the Blackwater River, Va., and certain streams in North Carolina, the amendment of the committee begins with line 18, where it is proposed to strike out the word "completing" and to insert "For maintenance, $2,000; for."

Mr. SMOOT. This amendment was passed over, but since the request that it be passed over there has been a general policy carried out in the bill to strike out the word "completing," as provided by the House, and insert "for maintenance." As every similar provision of the bill, and there are about 20 of them, has been agreed to I see no reason why we should not agree to this amendment.

The amendment was agreed to.

The SECRETARY. In the same paragraph, line 22, insert a semicolon and the words "in all, $7,000."

The amendment was agreed to.

Mr. SMITH of Arizona. I submit the amendment which I send to the desk.

The PRESIDING OFFICER. It will be read.

The SECRETARY. On page 26, at the end of line 23, insert the following:

Colorado River, Ariz.: For maintenance for the Government levee on the Gila River, near its junction with the Colorado River at Yuma, $10,000.

Mr. SMITH of Arizona. Mr. President, I shall detain the Senate not more than a minute I hope. I have not detained it much lately.

Many years ago I got an appropriation through Congress for constructing a levee where the Gila River runs into the Colorado at Yuma. About that time the great irrigation work was started at the headgate just below the city of Yuma. This levee was built to prevent the great backwaters in the Gila River rushing across the town and washing out the foundations and destroying the irrigation works not only at the town but affecting also the works below it.

This item has been on the bill for many years. There have been one or two small appropriations made. It was reported by the House committee, but it was ruled out on a point of order owing to the fact that they did not know it was already provided for by the Government. The engineers report $10,000 as necessary to prevent the great floods which come as soon as the snows melt in the mountains. I ask for the adoption of the amendment.

The amendment was agreed to.

The SECRETARY. Change the total, in line 23, to read "$151,500."

The amendment was agreed to.

Mr. KIRBY. I submit the following amendment.

The PRESIDING OFFICER. It will be read.

The SECRETARY. Add a section in the bill, to be known as section 5, as follows:

SEC. 5. If the Secretary of War shall determine that the contract for levee work entered into with Walter H. Denison, but not completed prior to April 6, 1917, the date of the entry of the United States into war with Germany, became inequitable and unjust on account of increased cost of materials, labor, and other conditions arising out of the war, he is hereby authorized and directed to pay said contractor for the work fully completed under said contract between April 6, 1917, and July 18, 1918, the date of approval of an act entitled "An act making appropriations for the construction, repair, and preservation of public works on rivers and harbors, and for other purposes," an amount in addition to the terms fixed by such contract just and equitable in consideration of increased costs of labor and materials and other unforeseen conditions arising out of the war. The amount of the increase to be paid shall not exceed the actual loss, without any profit considered sustained by the contractor, caused by increased cost due to the war, in performing the contract and fully completing said work between the dates as above set forth: *Provided*, That in no case shall the additional compensation exceed 30 cents per cubic yard for the material placed, and there is hereby appropriated a sum not exceeding $18,000 out of any money in the Treasury not otherwise appropriated for the carrying out of this provision.

Mr. KIRBY. Mr. President, I should like to explain this amendment for just a moment to the Senate. This man, Mr. Denison, and others entered into a contract before this country entered the war, and he completed his contract after the war was declared and under conditions produced by the war at a great disadvantage to himself and before the relief act of July 18, 1917, was passed.

I introduced a bill that would have taken care of all those whose contracts were made before the country entered the war and were completed after the country entered into the war and before the relief measure of July 18, 1917, was passed. That bill went to the committee. The committee were minded at first to recommend the passage of the amendment, but finally they said it would not take care of men who were relieved by the act of July 18, 1917, for work thereafter done, who were probably entitled to as much consideration for work done between the two dates as a man who had completed his contract. They did not want to go into all that at the time. So they agreed to recommend a bill that would take care of this particular claim, because they were acquainted with the conditions under which this work was performed. The committee agreed to recommend the bill. After that these other contractors came with their claims before the committee, and the committee then took up and introduced a new amendment providing for the adjustment and payment of the losses sustained by contractors for work done between our going into the war and the passage of the act for relief, July 18, 1917. That amendment was recommended by the committee and went out upon the objection raised by the Senator from Utah upon a point of order.

Under those conditions I have thought that this man's claim might be considered here. He made his contract before the war, and after the war was declared he did not wait, like some other contractors, to see whether the Government was going to take care of him by an increase of pay. He went ahead and completed his contract, although at such a loss to himself that he went broke and had to sacrifice all his property to take care of it.

He completed his contract, and the division engineer assured him that if the Government gave relief to anybody it certainly would give relief to those men who stood by their contracts with the Government and performed them without regard to loss to themselves. This man did that.

It is proposed that the War Department, which is thoroughly familiar with this situation, shall enter into the matter and make an estimate and see how much he has been damaged. They understand it, and it is proposed that they shall be authorized to pay this man so much, not to exceed $18,000. The man lost a great deal more than that, but he did not attribute it to war conditions. He built a levee upon land that sunk after the levee was built, and he had to build another levee. He lost about $60,000 on the contract, but he attributed only $18,000 of it to loss caused by the war and war conditions. He had to sacrifice all his property, about $100,000 worth, to complete his contract. He is absolutely broke now and $2,000 in debt, with all his property gone.

The objection to leaving this go to the Court of Claims, as some of these other contractors propose, and to allowing the War Department to examine into it and report it to the next Congress, is that he is in a worse condition than the other contractors, because he is absolutely broke. Regardless of whether his right is superior to theirs or not, his condition is much worse, and it seems to me it demands relief now.

There is another objection raised. Some have said that the War Department ought not to be allowed to make an award that could be paid by an appropriation. But I will say to the Senate that we have passed a bill allowing the War Department to make adjustments of these informal contracts and contracts canceled because of the armistice. We have allowed them to make adjustments and settlements up to one and one-half billion dollars. If they can do that, it might be very well to make this adjustment of $18,000 here, or whatever amount is found to be due this man. I should like greatly to see this amendment adopted.

Mr. SMOOT. Mr. President, I will join the Senator from Arkansas in passing a general law authorizing investigation into all governmental contracts. I recognize the fact that there is not merely one but that there are tens of thousands of such cases. I think they perhaps do not find themselves in so bad a condition as the Senator has described, though they are in a condition which needs relief; but I can not believe a river and harbor bill is the place to begin that sort of legislation. Contractors all over the United States ought to be relieved if any one class is going to be relieved. I discussed this question this morning, and I do not want to take the time of the Senate on it now, but paragraph 4 of Rule XVI provides that—

No amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill.

This is a private claim upon an appropriation bill, and I therefore make the point of order against it.

Mr. ROBINSON. Mr. President, I appeal to the Senator from Utah not to make the point of order against the amendment proposed by my colleague [Mr. KIRBY], but to let the Senate vote upon it. The circumstances as stated by my colleague are somewhat pathetic. This is the one man in connection with river and harbor works who sacrificed the accumulation of years in order to make good his contract with the Government. That was done after it became known to him that his contract was a losing one. Provision was made in the river and harbor bill of last year for those who took the precaution to suspend the completion of their contracts or who failed to carry out their contracts. This man carried out his contract at the sacrifice of his fortune. I am told that the Committee on Rivers and Harbors investigated this claim in detail, and every member of the committee was satisfied that the man was entitled to immediate relief. I hope, therefore, that the Senator from Utah, in view of those circumstances, will give us an opportunity to vote on the amendment.

Mr. SMOOT. Mr. President, I desire to say, in answer to the Senator from Arkansas, that I had an instance brought to my attention from my own State only on last Saturday in which, in the year 1916—I think it was in 1916—a contract was made for the erection of a public building in the city of Richfield, Utah. Mr. Young was the successful bidder to erect that building. In a very little while war was declared. This was in the latter part of the year 1916. He was, however, compelled to finish the building within a certain time. He went on and finished the building, and he not only lost all that he had on earth, but he lost $30,000 besides.

Mr. VARDAMAN. Where was that?

Mr. SMOOT. That was in Richfield, Utah.

Mr. VARDAMAN. I mean where was the $30,000 that this man lost? The Senator stated that he had lost all that he had on earth.

Mr. SMOOT. He had a friend that indorsed his note for him, and he has to pay the note. Why should we begin now to take individual cases and put them on an appropriation bill? It seems to me that if we are going to pass any kind of legislation, it ought to be general legislation, to take care of all such cases. The Senator knows that if this one claim gets on this bill there will be thousands of other individual claims offered. The proper way is to pass legislation authorizing investigation into all such claims and providing that the Treasury of the United States shall pay whatever loss has been sustained.

Mr. ROBINSON. I ask the Senator from Utah to withdraw his point of order.

Mr. VARDAMAN. Mr. President, I know it is not in order to discuss what occurs in the committee, but I wish that the Senator from Utah may know just what did occur. Mr. Denison came before the committee and made a statement of his claim against the Government. I, and I think every other member of the committee, was impressed with the truthfulness of the statement and the circumstances under which this man labored. The splendid spirit which he manifested, fulfilling his contract when he knew it would absolutely bankrupt him, challenged my admiration. He went ahead bravely and sacrificed his entire fortune that his obligation to the Government might be absolved. He came before the committee, not asking for all he had lost, but, like the honest, candid man he impresses me as being, he said, "There are thirty or forty thousand dollars that the war did not cause me to lose. I only desire that the Government should pay my losses that were caused by the war." The engineers, I understand, estimated that the losses sustained by Mr. Denison are about $18,000—less than one-third of what his losses really were. Now, this man is left without a penny in the world. The Government of the United States owes him this money; the Government of the United States can not afford to deal unjustly or drive a hard bargain with an honest, straightforward man of that character; it can not afford to deal unjustly with anybody. I do hope, therefore, the Senator from Utah will not make the point of order against the amendment. I have no interest in this man; never saw him before he came before our committee; but he impressed me as such a splendid, honest, straightforward fellow that I was touched by his appeal, moved by the justice of his cause, and I should like very much to see this small part of the loss which he sustained returned to him. A great Government such as the United States can not afford to be unjust to one of its citizens.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I shall yield in just a moment. I desire, first, to answer the Senator from Mississippi [Mr. VARDAMAN].

I have no doubt that all the Senator says is true; and when I received the letter from Mr. Young, to which I have referred, it appealed to me. I felt as though all such cases ought to be relieved. I do not agree with the Senator that the Government owes this man the money; I mean technically; but morally the Government owes him the money, and not only owes him money, but it owes thousands of others money, and I am perfectly willing to say that they will all receive compensation from the Government for the losses they have sustained, if not this year, very early in the future.

Mr. President, I can hardly stand here and withstand the appeal of the Senator from Arkansas [Mr. ROBINSON] and of the Senator from Mississippi [Mr. VARDAMAN], knowing, as I do, that this man is virtually entitled to relief; but I do say that the amendment is out of order. If, however, it will relieve this man in the situation in which he is, I am not going to be hardhearted, but say give him the money, and I will withdraw the point of order.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas [Mr. KIRBY].

Mr. JONES of Washington. Mr. President, perhaps I ought not to consume any further time, as the Senator from Utah [Mr. SMOOT] has so kindly assumed the attitude which he has, but I merely want to increase the satisfaction to which he is entitled arising from the action which he has taken in this matter.

I do not know of any case which has appealed to me so strongly as has this case of Mr. Denison. I appreciate the reasons which impelled the Senator from Utah to take the attitude he did when this matter first came up. I think it does him credit and does him honor, so far as that is concerned. The Government of the United States needs men like him to protect it on this floor, but I do not think, Mr. President, there will be many cases that will present such strong facts to appeal to us for prompt action as does this case.

As was stated, this man has lost all his fortune. He went to the engineers while he was carrying on his contract and asked them to be permitted to throw it up; not to get any profit out of it, but simply to throw it up. They said, "No; go on and finish it." They appealed to him from the patriotic standpoint, and, though knowing the loss that he was bound to suffer, he went on and finished the work.

There was one thing, however, to which he did not call attention, but I am going to call attention to it. While he was doing this work, when he appeared before the committee he had five stars on his breast, and it seemed to me that a man who had evidently made the sacrifices for his country that he had made ought to be taken care of in a matter of this kind, at least to the extent that he has been in the amendment. I was willing and glad to have that amendment put on this bill, and I believe the Senate ought to adopt it. He ought not to have to wait the length of time that most of these people will have to wait to get their claims settled, if they ever get them settled.

I wanted to make that statement, because I know that it will add to the good feeling that the Senator from Utah will have for withdrawing his point of order, which point was good under the rules of the Senate.

Mr. FLETCHER. Mr. President, I wish to say also that the whole committee was in favor of this amendment. While others all about him were throwing up their contracts this man kept on with his and completed it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arkansas.

The amendment was agreed to.

Mr. MOSES obtained the floor.

Mr. ROBINSON. Mr. President——

The PRESIDING OFFICER. The Senator from New Hampshire has been recognized.

Mr. ROBINSON. Will the Senator from New Hampshire yield to me for a statement?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Arkansas?

Mr. MOSES. I yield.

Mr. ROBINSON. In appealing to the Senator from Utah to withdraw his point of order a moment ago I did not conceive that the amendment was subject to the point of order. I desire now merely to call attention to the decision on page 161 of the Precedents. I thank the Senator from Utah, in view of the issue raised, for withdrawing the point of order.

Mr. SMOOT. If the Senator is going to question the point of order, we can have that settled at once.

Mr. VARDAMAN. I hope that will not be done.

Mr. ROBINSON. I do not care to do that; I merely desired to call attention to the Precedents.

Mr. SMOOT. Under paragraph 4 of Rule XVI—

No amendment the object of which is to provide for a private claim shall be received to any general appropriation bill.

And not only that, but the amendment is clearly obnoxious to paragraph 3 of the same rule. So that there is no need of discussing it.

Mr. ROBINSON. I have no desire to provoke a discussion of the matter. I merely referred to the precedents.

Mr. PENROSE. Regular order!

The PRESIDING OFFICER. The regular order is called for. The Senator from New Hampshire has the floor.

Mr. MOSES. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the bottom of page 34 it is proposed to insert the following:

Merrimack and Piscataqua Rivers, Mass. and N. H., with a view to constructing a canal between the same as a link in proposed intercoastal waterway from Maine to Florida.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire.

The amendment was agreed to.

Mr. SHAFROTH. I offer an amendment to the bill.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to add a new section, as follows:

SEC. —. That each of the appropriations herein made shall become available only in the event States, counties, cities, corporations, or individuals shall pay into the Treasury as part of the same one-fourth of the amount thereof: *Provided, however*, That the provisions of this section shall not apply to those items requiring contributions from sources other than the Government.

Mr. SHAFROTH. Mr. President, it is manifest that it is impossible for Senators individually to examine into the merits of each of the projects that are presented. There is no doubt in my mind that every river and harbor bill contains unworthy projects, and there ought to be some way of eliminating them other than personal examination by each individual Senator, because it is impossible for him to perform such a task.

The proposition which is contained in this amendment is that before the appropriation shall become available States, counties, cities, corporations, or individuals shall contribute to the National Treasury one-fourth of the amount thereof. That is an automatic test which will determine whether or not each project is wise. If the localities—the States, the counties, and the cities—to be benefited will not put up one-fourth of the amount, then we can say that those who ought to know more than any others as to the merits of the project are unwilling to invest their own money in it, and therefore the project may be dismissed as without merit.

This question I have brought before the Senate, I think, every year during the period of my service here, and I must say that it has grown on me that it would be advisable to make a test of this kind in order to determine the merits of these enterprises. In every discussion of this measure we are confronted with a situation where some member of the committee will rise and say, "This is an excellent project," while another Senator, a man of equal integrity—and both believing absolutely in what they say—will contend that it is an unworthy project. How can a Senator determine a question when it is impossible for him to read all the testimony that has been taken or all the recommendations that have been made? In the end we vote blindly upon these proposals.

Mr. President, there is no test quite equal to the requirement of subscribing money to aid and assist an enterprise. We find the committee to a large extent has recognized this, for the chairman of the committee, in speaking of the Houston, Tex., project contained in this bill, said that the local community was required to put up 50 per cent of the cost of the improvement, and that that was a very good recommendation of the merits of the enterprise. This amendment does not require 50 per cent, but it requires that there should be some exhibition of good faith in the project on the part of the counties, cities, and States. I repeat that I can conceive of no better test as to the merits of a project.

This subject has been investigated thoroughly. The Congress of the United States in 1910 appointed a waterways commission, and that commission examined into the question for months. Some of its members went to Europe to study the problems there, and many of them examined the projects that are in the United States. I wish to direct attention to what that commission recommended. It was called the United States Waterways Commission, composed of seven Senators and five Members of Congress, of which Senator Theodore E. Burton, so long chairman of the House Committee on Rivers and Harbors, was the chairman, and here is what it reported upon the subject under discussion:

In recent years there has been a noticeable lack of uniformity in the method of providing funds for these improvements.

Referring to river and harbor improvements——

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. SHAFROTH. I do.

Mr. KING. I will ask the Senator from Colorado if it is not a fact that many of the States have done as suggested, and many would expend further sums for the development of their inland waterways, except that it is now becoming the habit to secure appropriations from the Federal Government?

Mr. SHAFROTH. I have not any doubt that the temptation of the Senators or the Representatives of any State to have the Federal Government pay the entire amount would be natural, and I have not any doubt that appropriations for unworthy projects creep into the bill that would not be favored over some meritorious projects.

The State of New York in the year 1903, by popular vote, adopted a constitutional amendment providing $101,000,000 for a barge canal. In the year 1908 the people of Illinois, by the same method, voted an amendment to the constitution which allows the issue of bonds by the State to an amount of $20,000,000 for part of the expense of a deep waterway from the Lakes to the Gulf. In the original authority for the Chicago Drainage Canal provision was made that it might be a link in, or part of, a navigable waterway from the Lakes to the Mississippi River. At a very recent date provision has been made for a private canal in the State of Massachusetts, with a view to shortening the sailing distance and avoiding the dangerous passage in the open sea around Cape Cod. This enterprise contemplates the expenditure of private capital for the construction of the canal, also the charging of tolls. In numerous instances in other States, as in Oregon, Washington, Ohio, Pennsylvania, and California, provision has been made for waterway improvements, either independently or in cooperation with the General Government.

Some municipalities have also voted large sums for harbor improvements. At the last session the Legislature of Texas passed a law authorizing the formation of navigation districts, which districts may issue bonds, levy taxes, and condemn property in the prosecution of river and harbor works. At the last general election, in 1909, the people of Rhode Island authorized the expenditure of $500,000 for the improvement of Providence Harbor.

Mr. President, the difficulty with the present system is its unfair treatment of those who have to put up the 50 per cent or the 40 per cent. In the appropriation bill of 1916 I recall that Los Angeles was required to put up $900,000 to supplement an appropriation that was given by the Congress. The amount which the Government itself provided in the bill was $1,000,000, and Los Angeles was required to do certain things, the accomplishment of which cost $900,000. It is not fair that we should require large private subscriptions in one section of the country and impose no condition of expense upon people of other sections.

Mr. President, I have placed the percentage low because of the fact that it might work an injustice to some; but it seems to me that it can not work an injustice where the amount required to be put up is only 25 per cent. We know that these projects are a benefit to the States and the counties and the cities and the individuals, often, and the corporations, especially where corporations have terminal facilities affected. Is it possible that we are going to donate appropriations of this kind where they receive a distinct benefit? If you were to pass a general law affirming the principle in this amendment, it would be found that all those advocating meritorious projects would be glad to take advantage of the three-fourths aid which the General Government would give under this provision.

Mr. President, we find that there are many instances in the bill where some State or local authority, or authority other than the Government, is required to contribute various amounts; or, if not various amounts, certain things are required to be done that will cost either the municipality or the State or the county a large sum of money. I have intended to eliminate those cases.

I do not think it is right to tax them for that and then impose an additional tax upon them; and therefore I have provided that the provisions of this section shall not apply as to those items requiring contributions from sources other than the Government. That, it seems to me, would induce every community to come to the front for an enterprise which contains merit.

There has grown up a practice, general throughout the country, of communities presenting demands for appropriations for projects, the promoters having less concern for the merit of the project than for the desire to have the funds expended in its construction and the consequent advantage to the community through such expenditure. Frequently we are confronted with the petition of a community for harbor development or river improvement, even though such improvement would add nothing to the Nation's facilities for movement of commerce. These de-

mands are presented to Senators and Representatives by their constituents and urged upon them with a positiveness and insistence which can not be ignored. Now, under this amendment a proposition of doubtful merit would not be urged upon Senators.

There was a suggestion for improvements of the character described made by a man in my city. We have a small stream called Cherry Creek, which runs through the city of Denver, and is a dry bed part of the time. The demand was made, "Why do not you get several hundred thousand dollars to improve that stream?" The natural reply was, "Why, it is not a navigable stream. It is absurd to suggest spending money on it." "Well," said the enterprising citizen, "the others get such appropriations, and the money would be spent here." Nobody presented to Congress any such proposition as that; but at the same time you can readily see that where citizens are persistent in their demands the project need not be so worthy as one where the person is willing to go down in his pocket and put money into the Treasury of the United States for the purpose of bringing about the improvement.

In Chicago there was constructed a great waterway between the Lakes and the Gulf. Should the taxpayers of Chicago or of the State of Illinois be required to subscribe $20,000,000 and yet receive only a very small appropriation from Congress? Is it fair to Illinois that in the development of a navigable stream we should impose the entire cost of it upon that State, the Government paying nothing, while for a project presented by some other State or city the Government pay all?

It seems to me that the only fair way is to make a test of this kind, not a 50 per cent share, perhaps, but a fourth of the total cost. That is not an unreasonable requirement; and unless you do that you are going to bear with people continually presenting unworthy projects before the committees and to Senators and Representatives.

Now, Mr. President, I want to read a little further from this report:

> It can not be denied that in most instances river and harbor improvements confer an especial benefit upon portions of the country most nearly affected; that there is a constant danger of insistent pressure upon the Federal Government for the expenditure of money upon projects which have not been maturely considered, and which, if part of the burden were chargeable to the localities in which they are advocated, might not be presented to Congress. Again, in the accomplishment of any large and comprehensive plan for the full development of inland navigation throughout the country, and of the associated uses of water, the cooperation of all communities and interests is especially desirable.

The final conclusions to which this commission came were these:

> In passing from this subject the commission would recommend:
> 1. That in the improvement of rivers and harbors similarly situated, where equitable division is possible, uniform rules be observed for a proper division of cost between the Federal Government and minor political divisions. There is at present a lack of uniformity. One illustration of this is in the improvement of interior channels and harbors. In some cases the expense is borne exclusively by the Federal Government, and in other cases by the municipalities interested.
> 2. That participation in improvements by local communities be encouraged, always with due care to avoiding the adoption of projects which are unworthy of recognition by the Federal Government.
> 3. That improvements not essential to navigation should not be undertaken by the Federal Government.
> 4. That improvements in rivers and harbors be not made unless sufficient assurance is given that proper wharves, terminals, and other necessary adjuncts to navigation shall be furnished by municipal or private enterprise, and that the charges for their use shall be reasonable.

Mr. President, before 1861 there was no river and harbor appropriation bill. Cities, counties, States, corporations, and individuals built harbors and improved the rivers. Now, that was wrong. I do not believe it is right that the Government should not aid and assist in improving navigable streams and harbors; but when it comes to testing whether or not a project is meritorious, no condition could be imposed that equals the automatic test of requiring some portion of the money to be contributed by the community to be benefited by the improvement. Indeed, in our street paving, in all of the improvements that are made in cities for public betterments, we find invariably that there is a charge made by law upon the abutting property owners. Ths provision is not compulsory. It does not require them to do anything. It simply says: "If you want this improvement, you must put up one-fourth of the cost thereof."

In the construction of roads the Government requires the States and others interested to put up one-half of the cost thereof. As to the reclamation projects, the Government requires that the people benefited shall pay the entire cost of the enterprise. Why not as to rivers and harbors require that one-fourth of the cost be borne by the States, counties, cities, corporations, or individuals benefited?

Mr. President, I think every one of the projects that have been proposed for the State of Washington, for the State of Oregon, and for the State of Texas has invariably borne a proportion of the expense of each project. It is unfair to those people, it is unfair to those States, that we should assess a charge against them, and at the same time let those benefited by other harbors, other rivers, and other projects escape all taxation for the improvements.

We find, Mr. President, that the commission that made this report, recommending this requirement, made an exhaustive examination of the matter. Some members of the commission visited Europe, and ascertained the manner in which European countries were attempting to divide the appropriations for projects between cities, counties, and the General Government; and they found very many instances where a heavy part of the expense was borne by the cities. Take the city of Antwerp as an illustration: Antwerp improved its harbor by expending $30,000,000 upon it; and the law under which it was done provided that the city of Antwerp should pay two-fifths thereof and that the Kingdom of Belgium should contribute three-fifths thereof. There is fair dealing between the General Government and the community when a general provision is made applicable to all of the harbors. It seems that there is no nation in the world except the United States that assesses solely upon the treasury of its central government the cost of improvements for harbors and rivers—none except the United States.

It does seem to me that when we have a system that seems to have merited adoption by other governments, when we find that it is recommended by this National Waterways Commission, when we find that these contributions will be in themselves a test of the merits of the enterprise, we ought to approve the system, and we ought to pass this or a similar provision as to contribution by those that are benefited. The contributions can be made by the State or some portion thereof; they can be made partially by the counties, partially by the cities, partially by the railroads, partially by any other persons that might be benefited in commerce. Such a course ought to produce more harbor improvements, more river improvements, and would enlist in the enterprise a sympathy that would be of great value in river and harbor improvement.

Mr. President, it seems to me that this proposition is a wise one and that this amendment merits the approval of the Senate.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Colorado [Mr. SHAFROTH].

Mr. KING. On that I call for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Colorado.

The amendment was rejected.

Mr. WEEKS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Massachusetts offers an amendment, which will be stated.

The SECRETARY. On page 34, line 19, it is proposed to insert the following:

> Merrimack River, N. H. and Mass., with a view to obtaining increased depth, a more uniform flow of water, and a diminution of periods of drought and of freshet by means of the establishment of a storage reservoir or reservoirs at or near its headwaters in New Hampshire.

Mr. KENYON. Mr. President, may I ask the Senator from Massachusetts whether this is a link in the intracoastal canal from Maine to the Rio Grande?

Mr. WEEKS. It is an authorization for a survey to see whether it is practicable to build a storage reservoir at the headwaters of the Merrimack River. There are five or six large millhouses on the Merrimack River which depend partially on that stream for their power, and if it is practicable to construct a storage reservoir at the headwaters of the stream it will give an even flow of water well into the summer and save a great amount of coal. I do not think anybody knows whether it is practicable but a survey ought to be made.

Mr. KING. Does the Senator think that under the guise of improving rivers and harbors the United States ought to undertake the construction of reservoirs at the headwaters of various streams?

Mr. WEEKS. I am not asking the United States to begin the construction of reservoirs. The State of Massachusetts and the State of New Hampshire will do their full share, if not the whole construction.

Mr. KING. But the Senator is asking for a survey to be made at the expense of the Government, and of course he contemplates that if the scheme is feasible the Federal Government shall pay at least a portion of the expense of building the reservoir, which it is expected will be used to aid private enterprises.

Mr. WEEKS. There are 50,000 mill employees dependent on the steady flow of power on the Merrimack River.

Mr. KING. If the Senator will pardon me, that of course means that individuals or corporations are engaged in the

manufacturing business and employ persons in their plants and mills. The plan the Senator now contemplates is that the Federal Government shall furnish water power for private corporations in order that they may operate manufacturing plants; and this is suggested as a legitimate river and harbor improvement in the interest of interstate commerce.

Mr. WEEKS. The Senator is quite wrong about that. I have not proposed that the Government shall spend a cent except to furnish engineers to make a survey to inform the State whether it is practicable to construct a reservoir.

Mr. KING. If the Senator will pardon me, why do not the States that are interested in this matter employ their own engineers for that purpose?

Mr. WEEKS. There is no reason why the States of Massachusetts and New Hampshire should not have this done when it is being done by the Government engineers in a dozen other cases in this very bill. As I pointed out to the Senator from Utah the other day, the State of Massachusetts has spent $15,000,000 in devoloping Boston Harbor; and it spent a million and a half dollars last year on rivers and harbors. The State will not be backward about spending money when once it has accurate information as to whether it can be spent advantageously.

Mr. KING. Will the Senator be willing to add to the amendment a further proviso to this effect, that if the report is favorable and the plan feasible the Federal Government shall never be called upon to expend a single dollar in carrying out the plan.

Mr. WEEKS. No, I am not willing to accept such an amendment.

Mr. KING. Then, of course, it is obvious the Senator expects that if the plan is feasible the Federal Government shall be called on to pay, if not all, at least a portion of the enormous expense involved in constructing a reservoir which is to be used for the benefit of private corporations.

Certainly, the amendment ought to be voted down.

Mr. VARDAMAN. May I ask the Senator from Massachusetts if the whole cost of it will not be very small?

Mr. WEEKS. Very small, indeed. I do not suppose that it will cost $5,000.

Mr. VARDAMAN. I hope the amendment will be adopted.

Mr. WILLIAMS. I should like to ask a question of the Senator from Massachusetts. Is not the Senator of the opinion that this reservoir, if it was found to be feasible and could be erected, would increase the navigability of the river?

Mr. WEEKS. Undoubtedly, at the mouth of the river.

Mr. WILLIAMS. That is what I thought. It ought to be connected with navigation in some way in order to have an appropriate place on this bill.

Mr. WEEKS. The Merrimack River is a navigable stream.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). The question is on the amendment of the Senator from Massachusetts [Mr. WEEKS].

On a division the amendment was agreed to.

Mr. KNOX. I offer the following amendment and call the attention of the Senator from Florida to it.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 37, lines 20, 21, and 22, strike out the following:

At Lock and Dam No. 6, with a view to the construction of an additional lock.

Mr. FLETCHER. The committee accepts that amendment.

The amendment was agreed to.

Mr. LEWIS. Mr. President, on page 19 of the bill, referring to lines 18, 19, and 20, my colleague and myself desire to present to the Senate that the Mississippi River, that part from the mouth of the Missouri to Minneapolis, Minn., needs improvement to an extent far in excess of that recommended, and we desire to present the fact that $500,000 has been conceded by officers of the Government to be needed, but the committee agreed that it would split the matter equally and allow $250,000. We do not think it is sufficient. We think the river improvement requires more, but under the circumstances and the desire of gentlemen to economize in the bill, we accepted it.

I tender the amendment and will read it. I was only anxious to avoid unnecessary statement, and have the committee state to the Senate the particular part it agreed on and the part it had not agreed on.

Mr. FLETCHER. I understand the Senator proposes to change the appropriation in line 20 from $250,000 to $500,000.

Mr. LEWIS. On page 19, line 24, insert the following as additional paragraph:

For the construction of a lock at Smiths Island, between Hampton, Ill., and Le Claire, Iowa, together with the purchase of necessary land, $500,000.

If the Senator can not accept that increase of $250,000, let the engineers decide where it shall be expended, and I trust that my colleague and myself may be able to convince the engineers where the money should be expended.

Mr. FLETCHER. The project mentioned in the bill includes the improvement which the Senator refers to in his amendment, and by simply adding $250,000 to the amount carried in the bill in line 20 it will accomplish the purpose the Senator has in view.

Mr. KING. I should like to ask the chairman of the committee whether this is to be expended upon the Mississippi River between——

Mr. FLETCHER. Between the mouth of the Missouri River and Minneapolis, Minn.

Mr. KING. If I may be pardoned, it seems to me that this is necessary (?) because we have spent only about $28,000,000 between certain points on the Mississippi River above the mouth of the Missouri, and the commerce has diminished year by year, until about two years ago, I think, there were a few tons of driftwood and logs and a few tons of sand and a few other unimportant articles of commerce carried upon the waters of that mighty river. It would seem, of course, that in view of the vast amount of commerce which has been developed after expending $28,000,000 for the improvement of navigation (?) between the points referred to a project is presented which is so worthy that I am surprised at the moderation of my distinguished friend from Illinois. I suggest that he make it four or five million dollars, because the ease and facility with which appropriations can be secured under the pretext of improving the waterways of the country gives positive assurance that such a modest request would be granted.

Mr. LEWIS. The Senator does not know Rock Island and the peculiar needs of the country. It may be that there are portions of the river that justify the criticism of the able Senator, but not this. He need only have just looked at the report that is before him to justify this expenditure in double the sum I have asked. However, I do not wish to debate the matter, since the committee wholly understand it.

The PRESIDING OFFICER. The Senator from Illinois will send his amendment to the Secretary.

Mr. FLETCHER. If the Chair will allow me, the amendment is to change the figures in line 20 from "$250,000" to "$500,000."

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 19, line 20, strike out "$250,000" and in lieu insert "$500,000."

On a division, the amendment was agreed to.

Mr. WILLIAMS. On February 7 I offered an amendment which was referred to the Committee on Commerce, which I will have read in a moment. About the time the Committee on Commerce was taking up the bill for consideration I was taken sick with the "flu," and I had no opportunity of urging the amendment. I saw the chairman of the committee and the senior Republican member, the Senator from Minnesota [Mr. NELSON], the Senator from Louisiana [Mr. RANSDELL], and a number of them, and they told me that they would have been willing to put the amendment on.

In a certain part of the Mississippi River the landowners have suffered very serious losses owing to the works of public improvement. This amendment is merely to enable them to go to the Court of Claims and make proof of those losses, and if they can prove the amount and that they are attributable to that cause, the Court of Claims may decree whatever is proper and just.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. On page 28, line 18, insert as a new paragraph the following:

That as to the lands investigated, surveyed, or reported on under authority of a provision of the river and harbor act approved July 25, 1912, a full report of which is set out in House Document No. 1010, Sixty-second Congress, third session, and wherein the recommendation is made that the title to said lands be acquired by the United States for their use in river improvement, the owners thereof may institute suit against the United States in the Court of Claims to ascertain the value of said lands before their damage or destruction, and said court shall render judgment therefor: *Provided, however,* That in the trial of said suits said court shall permit any party who at any time since the damage or destruction of such lands owned or held title thereto or any interest therein, and who has become dispossessed thereof by reason of foreclosure proceedings, or otherwise compelled to sacrifice title thereto as a result of said injuries, to appear as a party claimant by filing petition setting up their former interest therein, and said court shall consider the claims of all of said parties and render judgment for whatever amount said court considers equitably or justly due the respective parties.

Mr. SMOOT. The Senator from Mississippi says the chairman of the committee has approved this amendment and that

other leading members of the committee have done so. That being the case, there is no earthly need of any effort to defeat it, even though I would make a point of order against it. Certainly it is general legislation on an appropriation bill, but that would be referred by the Chair to the Senate, and the Senate would vote as they wanted to vote. Therefore, I shall not make any point of order against it.

Mr. KING. I should like to ask the Senator from Mississippi the purpose of this amendment. As I understand it, and I confess the subject is entirely new, and all I know is the information I derived from hearing it read, it seems that it may subject the Government of the United States to claims for millions of dollars, as I understand the inundations of the Mississippi River upon lands of private individuals have caused millions of dollars of damage in the past.

Mr. WILLIAMS. The Senator from Utah is mistaken about that. It does not refer to cases between the levees and the river at all. There were certain riparian landowners down in this stretch of the Mississippi where the land was owned in a little pocket and where the so-called Walnut Ridge or Bluff runs pretty close to the river. That bluff formation is a very peculiar one. It strikes the Mississippi River at Memphis, strikes the Yazoo River at Yazoo City, strikes the Mississippi again at Vicksburg and again at Natchez, and again at Baton Rouge. The land is not worth saving by a levee. On the other hand, the ridge runs so close to the stream on the east side that it of itself formed a levee for the purpose of enabling the Mississippi River to keep in its banks and wash out its deposits, so that for all purposes of navigation a levee was useless along there.

Meanwhile we went over on the Arkansas and Louisiana side and built up a levee, which raised the height of the flood water, of course. Here were lands upon which people and their grandfathers had been living for years which became subject to annual overflow.

The first relief that these people asked was that the Government should levee them like the balance. The Board of Engineers replied, whether properly or improperly, that in their opinion the benefit to navigation from levees along there would not pay the Government to erect the levee. The consequence was that these people were condemned to a general overflow.

Then I brought in a bill to try to get another remedy for them, and it was suggested in the committee that the proper thing to do would be to let the Government take over these land pockets and get out of them gravel and other things, including willow. They have grown up with willow, out of which willow they could make mattresses, and use the gravel for doing a great deal of public work, and then let the Government pay the value of what they cost or pay the damage that had accrued. In a great many cases a man who had been on this land, and his land has been lost, and in some cases the commission merchant has foreclosed upon him and the land has been lost in that way. So the last clause of the amendment provides that where that has happened the party will be entitled to bring suit. That is perfectly just.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Mississippi.

On a division, the amendment was agreed to.

Mr. HARDWICK. I offer the following amendment.

The PRESIDING OFFICER. It will be stated.

The SECRETARY. On page 11 strike out all of lines 10, 11, and 12 and in lieu thereof insert:

Savannah Harbor and Savannah River below, at, and above Augusta, Ga.: For maintenance, $50,000; continuing improvement at Savannah Harbor, $260,000; in all, $310,000.

Mr. HARDWICK. Mr. President, I hope I may have the attention of the chairman of the committee, because I believe that this proposal will meet his approval. I offer it in behalf of my colleague, the senior Senator from Georgia [Mr. SMITH], who is detained at home by illness.

Some years ago, at a cost of approximately $2,000,000, the city of Augusta built out of its own funds a levee to protect that city from floods. That levee is now endangered by the erosion of some of the Government river improvement work below Augusta, Ga.

On that subject I want to read to the Senate a letter addressed to my colleague by the Chief of Engineers of the United States Army. It is dated February 14, 1919. He said:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, February 14, 1919.

Hon. HOKE SMITH,
United States Senate.

MY DEAR SENATOR:

1. I have the honor to acknowledge receipt of your letter of the 13th instant relative to the condition of the Savannah River below Augusta, Ga., and in reply I have to advise you that the matter to which you refer was called to the attention of this office recently and was referred to the district engineer at Savannah for a report. I am in receipt of a telegram stating that it was expected that the report would be forwarded to-day.

2. From data furnished by Mr. Wingfield, chief engineer, Rivers and Canal Commission, Augusta, Ga., and from available data in this office the following information is furnished:

3. The city of Augusta has built an important levee for the protection of that city from overflow from floods. A short distance below the city the levee approaches close to the river at a point known as Canoe Cut. As part of the improvement of the Savannah River below Augusta the river bank at this point has been protected by certain structures for the purpose of holding the river channel in its place. There has been more or less erosion at this point for some time, and within the past month or two serious erosion has taken place, which has resulted in the river cutting in behind the bank-protection work and eroding the bank to such an extent as to endanger the levee constructed by the city of Augusta. The protection of this bank is a necessary part of the river improvement and is included in the adopted project.

4. In the absence of the report from the district engineer, which has been called for, I am not able to make a definite statement as to the amount which will be required for the protection work at this point; but assuming that the data presented by Mr. Wingfield are correct, it will probably cost in the neighborhood of $50,000 to satisfactorily protect the bank. The funds now available for this improvement are not sufficient to permit the work to be done.

5. Should an appropriation of $50,000 be made, any part of this amount not needed for the bank-protection work at Canoe Cut would be usefully applied to other maintenance work under the project.

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers.
By H. TAYLOR,
Brigadier General, United States Army.

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RIVER AND CANAL COMMISSION,
Augusta, Ga., February 15, 1919.

Senator HOKE SMITH,
Washington, D. C.

MY DEAR SENATOR: The city of Augusta, Ga., on the Savannah River, has recently completed a levee for protection from floods at a cost of more than $2,000,000. The work has required several years to accomplish and the cost has been borne entirely by the city, entailing an unusually heavy financial burden.

The length of the levee is 11.4 miles, and is built from high ground above Augusta to high ground below Augusta. All of the business and manufacturing sections, the railroad depots and terminals, and a large portion of the residence section of Augusta lie in the low area formerly subject to periodical overflows from the river.

The location of the levee is along the bank of the river for approximately 3 miles; through the city limits and below the city for 8 miles it follows generally the course of the river, but cuts across the wide bends; the exact location being determined by the character of soil necessary for a proper foundation. The location was made with full knowledge and at least tacit consent of the Chief of Engineers, United States Army, as complete maps were furnished department, and I do not believe anyone will say that the location is an improper one.

At two points below the city, where the levee is near the river, there are sharp bends in the river channel. No apprehension was felt about these, for the reason that "protection work" had previously been installed in both bends by the Government to stop the caving banks, and it was a reasonable supposition that the protection provided would accomplish what was intended; but this has not been the case at one of the bends, known locally as Canoe Cut.

On December 24, 1918, there was a tide of 35 feet in the river, which would under former conditions have flooded the entire business and manufacturing sections and a very large residence section of the city. There was no part of the city flooded, however, the levee proving a perfect protection, thus demonstrating beyond peradventure the efficacy of the flood-protection work the city has done. After the water subsided an examination was made, and it was found that no damage had been done to any part of the work put in by the city, but at Canoe Cut the river had made a deep cut into the bank behind the work put in by the Government. This bank is still caving and is now close to the levee, and unless stopped the river will reach the levee and destroy the flood protection which the city of Augusta has almost bankrupted herself to put in.

When the estimates were made for the pending rivers and harbors bill this disaster was not anticipated and no provision was made for funds for maintenance except as to the Savannah Harbor. In view of the above facts and the immensity of the loss which will occur unless immediate repairs to the bank-protection work are made, we most earnestly urge that an appropriation for this work be incorporated in the pending bill—$50,000 will be needed. We know that it is the eleventh hour, but the need is great.

Respectfully,

NISBET WINGFIELD,
Chief Engineer.

Mr. President, just a word. I believe the committee will then accept this amendment. This is one project in the country where the local authorities built at their own expense flood protection in the shape of a levee. The Government's own improvement below this levee has been eroded by high waters during the past winter to such an extent that the $2,000,000 project of the city of Augusta, which we have almost bankrupted ourselves to pay for, will be endangered. The engineers say that unless this appropriation is made at once there will be no time—for this high water occurred very recently—to get the technical estimate of the Chief of Engineers on this project; and substantial damage will be done to the people who have paid for their own protection out of their own pockets unless this amendment is adopted.

Mr. FLETCHER. I think it is proper that this should be included and go to conference.

Mr. HARDWICK. By that time they will have an estimate from the district engineers.

Mr. FLETCHER. If the data justify it, all right, and if they do not the conferees will have to disagree to it.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Georgia [Mr. HARDWICK].

The amendment was agreed to.

Mr. KING. Mr. President, I offer the amendment which I send to the desk by way of substitute for the present bill.

The PRESIDING OFFICER. The Chair will state to the Senator from Utah that before a substitute is offered other amendments must be disposed of.

Mr. KING. I understood that the amendments had been concluded.

Mr. JONES of Washington. I send an amendment to the desk providing for a survey, and ask that it be read.

The PRESIDING OFFICER. The amendment proposed by the Senator from Washington will be stated.

The SECRETARY. On page 38, after line 23, insert the following:

Waterway connecting the waters of Puget Sound with Grays Harbor with a view to securing a channel suitable for navigation.

The amendment was agreed to.

Mr. WEEKS. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. On page 2, after line 6, it is proposed to insert:

That whenever the Secretary of War, in pursuance of authority heretofore conferred on him by law, shall cause proceedings to be instituted for acquiring by condemnation the Cape Cod Canal and all the franchises, property, and rights of property appurtenant thereto, the United States, upon the filing of the petition in such proceedings, shall have the right to take immediate possession of said canal and appurtenances and maintain and operate the same in accordance with the provisions of section 6 of the river and harbor act of March 3, 1909, which are hereby made applicable to said works.

Mr. KING. I raise the point of order against the proposed amendment that it is general legislation upon an appropriation bill.

Mr. WEEKS. Will the Senator withhold his point of order until I make a very brief explanation?

Mr. KING. I will withhold it for that purpose.

Mr. WEEKS. The Cape Cod Canal has been operated by the Railway Administration. It is also under the law which was passed two years ago and has been under negotiations for the Government, by the Secretaries of War, of the Navy, and of Commerce, being the representatives of the Government. The Railway Administration wishes to turn the canal back. In the meantime some half million dollars have been expended in improving the canal; condemnation proceedings have been undertaken as provided for in the bill and will soon be concluded. Therefore, the War Department wishes to take over the canal when the Railway Administration turns it back on the 28th of this month.

I think the amendment is general legislation, but it is simply the shifting from one department of the Government to another of something of which we have authorized the purchase, and for the purpose of which proceedings are now under way.

Mr. KING. I dislike very much to insist upon the point of order, but this matter is too important to waive it, and so I shall insist upon it.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. SHEPPARD. I offer the amendment which I send to the desk; and also a letter in support of it from the Chief of Engineers.

The PRESIDING OFFICER. The Secretary will state the amendment proposed by the Senator from Texas.

The SECRETARY. It is proposed to strike out in line 24, page 16, the figures "$400,000" and insert in lieu thereof the figures "$758,000."

Mr. KING. I hope the Senator from Texas will not insist upon that amendment.

Mr. SHEPPARD. Will the Senator not hear the letter of the Chief of Engineers in support of this amendment? This amendment merely makes available all of the money which has been authorized for the entire project. It has been determined since the bill was reported that the entire project of the Galveston sea wall, part of which was constructed by local interests, can be completed during the next fiscal year. It is only for that reason that I have offered the amendment. The letter from the Chief of Engineers is short, and I ask that it may be read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, January 31, 1919.

Hon. DUNCAN U. FLETCHER,
United States Senate.

MY DEAR SENATOR:

1. I have the honor to state that the following telegram has just been received from the district engineer at Galveston, Tex.:

"Strongly recommend that appropriation of $400,000, carried in House river and harbor bill, for construction of sea-wall extension to protect Galveston channel, be increased if practicable to $785,000, the amount necessary to bring up appropriation to total of original project and probably sufficient to complete sea wall proper without fill. Plant costing over $140,000 has been purchased, and a competent force organized to carry on this work, which is now well under way and which it is believed can be economically completed in about 12 months if amount recommended above is made available for coming fiscal year. Otherwise plant will have to be laid up and force disorganized with wall only partially completed, which will materially increase cost to Government."

2. If you should find it practicable to increase the appropriation as requested, it is recommended that it be done.

3. The delay in submitting this data is probably due to the fact that Col. Spencer Cosby, Corps of Engineers, the district engineer, has been in charge of the work at Galveston but a short time, and was not able before to go into the matter in sufficient detail to warrant his making such recommendation earlier.

Very truly, yours,

W. M. BLACK,
Major General, Chief of Engineers,
By H. TAYLOR,
Brigadier General, United States Army.

Mr. FLETCHER. Mr. President, this is a very important matter, and I hope that the amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas.

Mr. SMOOT. Mr. President, I do not know but that this amendment ought to be adopted, for I should like, as to many of these projects, to see appropriations made to complete them if they can be completed within a year; but if this is adopted, then I shall offer a further amendment, to which I hope the Senator will not object, to strike out the words "continuing improvement by construction," and inserting the word "completing"; so that it will read:

Completing of sea-wall extension to protect Galveston channel.

Mr. FLETCHER. I do not know that this appropriation will entirely complete it.

Mr. SMOOT. That is what the engineer says, and that is what the proposition is.

Mr. FLETCHER. Very well, if it will complete it.

Mr. SHEPPARD. The proposed amendment is acceptable, Mr. President.

The PRESIDING OFFICER. The Secretary will state the amendment of the Senator from Utah.

Mr. FLETCHER. The amendment proposes to strike out the word "continuing," and it will be necessary to reconsider the vote by which the committee amendment inserting that word was agreed to, and then the word "completing" can be substituted.

Mr. SMOOT. That would be the proper method of procedure.

Mr. FLETCHER. I therefore move to reconsider the vote whereby the committee amendment was agreed to. Then the Senator from Utah can move to substitute the word "completing" for the words he has indicated.

The PRESIDING OFFICER. Without objection, the vote whereby the committee amendment inserting the word "continuing" was agreed to is reconsidered.

Mr. SMOOT. Now, after the numerals "$25,000," in line 22, I move to amend the committee amendment by striking out the word "continuing" and inserting the word "completing" and striking out the words "improvement by construction," so that it will read:

Completing of sea-wall extension to protect Galveston Channel.

Mr. FLETCHER. I think the Senator ought to leave the language as it is there.

Mr. SMOOT. No.

Mr. FLETCHER. That is the regular way of stating an appropriation of this kind—"completing the improvement by construction of sea wall"—that is part of the improvement of the harbor.

Mr. SMOOT. If those words are usually employed, I will not make objection to them.

Mr. FLETCHER. That is the usual expression.

The PRESIDING OFFICER. The amendment of the Senator from Utah to the amendment reported by the committee will be stated.

The SECRETARY. In the committee amendment on page 16, line 22, it is proposed to strike out the word "continuing" and to insert the word "completing."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The question now recurs on the amendment offered by the Senator from Texas.

The amendment was agreed to.

Mr. CALDER. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of the bill, it is proposed to insert a new section as follows:

That the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, be, and the same hereby is, amended by adding at the end of section 6 thereof the following:

"No provision of this act shall be construed to prevent the routing of freight by a shipper or consignee over any inland canal or coastwise waterway, or a part way over such waterway and a part way by rail. In case the shipper or consignee shall so route the freight, no provision of this act shall be construed as giving power to change the routing.

"Freight routed a part way by water and a part way by rail shall be charged only the waterway freight rate for the water haul and the proportional through rail route for the rail haul."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York.

The amendment was agreed to.

Mr. LENROOT. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of section 1, it is proposed to insert the following:

No work shall be undertaken upon any new project herein appropriated for unless the Secretary of War shall of the opinion that, based upon the cost at the time of entering upon the work, the project can be completed at a cost not greater than 40 per cent in excess of the estimate of cost in the report upon such project.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin. Those in favor of the amendment will say "aye." [A pause.] Those opposed "no." The Chair is in doubt. Those in favor of the amendment will rise and stand until they are counted. [A pause.] The "ayes" will be seated, and the "noes" will rise. [A pause.] The amendment is carried.

Mr. FLETCHER. I ask for the yeas and nays, Mr. President.

The PRESIDING OFFICER. The Senator from Florida asks for the yeas and nays. Is the demand seconded?

The yeas and nays were not ordered.

The PRESIDING OFFICER. The bill is before the Senate, as in Committee of the Whole, and still open to amendment. If there be no further amendments, the bill will be——

Mr. SMOOT. There are further amendments. In order to hasten the completion of this bill I suggest the absence of a quorum, because I desire a record vote upon certain amendments that I wish to offer.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, Wash.	Penrose	Smoot
Beckham	King	Pittman	Spencer
Calder	Kirby	Pomerene	Sutherland
Curtis	La Follette	Ransdell	Thomas
Fletcher	Lenroot	Reed	Trammell
France	Lewis	Robinson	Vardaman
Gay	Lodge	Saulsbury	Wadsworth
Gerry	McKellar	Shafroth	Williams
Gore	McNary	Sheppard	Wolcott
Hardwick	Martin, Ky.	Sherman	
Henderson	Nelson	Simmons	
Jones, N. Mex.	Norris	Smith, S. C.	

Mr. CURTIS. I desire to announce the unavoidable absence of the Senator from Ohio [Mr. HARDING].

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Forty-five Senators have answered to their names. A quorum is not present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. FERNALD, Mr. KENDRICK, and Mr. SWANSON answered to their names when called.

Mr. OVERMAN, Mr. KENYON, and Mr. POLLOCK entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum is present.

Mr. SMOOT. Mr. President, after the word "named," in line 9, page 1, of the bill, I move to insert the matter which I send to the desk.

The PRESIDING OFFICER. The Senator from Utah offers an amendment, which will be stated.

The SECRETARY. On page 1, line 9, after the word "named," it is proposed to insert the following proviso:

Provided, That prior to any expenditure of public moneys under this bill the Secretary of War shall be satisfied that there now exist, or shall secure satisfactory assurances that local interests will provide, sufficient areas of water frontage and suitable public water terminals adequate for the traffic, which shall be open to the public on equal terms, and as conditioned in the upper Cumberland project contained in this bill.

Mr. SMOOT. Mr. President, I am not going to take the time of the Senate for a discussion of the amendment. It speaks for itself, and it is not asking the local communities to give half and half. It simply asks that wherever a local community desires the improvement of a river particularly, it shall grant terminals, or an area of land sufficient for terminals, in order that boats may be operated upon the river.

I wish a record vote upon that amendment, and I therefore ask for the yeas and nays upon it.

Mr. FLETCHER. Mr. President, I never saw this amendment before, and I know nothing about it except what I have heard and what the Senator states, but it rather appeals to me as being not only unobjectionable but desirable. I think it is quite usual for communities to provide terminals.

Mr. SMOOT. If the Senator will accept the amendment, of course I do not want a yea-and-nay vote upon it.

Mr. FLETCHER. I will accept it.

The PRESIDING OFFICER. The question is upon the amendment of the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I have no further amendments to offer to the bill, but I have a substitute. As my colleague [Mr. KING] has given notice that he has a substitute to offer, I will allow him to offer his substitute now, and then, if that is defeated, I shall offer mine.

Mr. KING. Mr. President, I offer the matter which I send to the desk as a substitute for the pending bill.

The PRESIDING OFFICER. The Secretary will state the substitute of the Senator from Utah.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert in lieu thereof the following:

That the sum of $12,000,000 be, and is hereby, appropriated for the fiscal year 1920, out of any money in the Treasury not otherwise appropriated, to be immediately available, to be expended under the direction of the Waterways Commission created by the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved August 8, 1917, for necessary and proper construction, completion, repair, preservation, and maintenance of harbors, river channels, canals, embankments, levees, wharves, and water terminals within the United States, its Territories and possessions.

SEC. 2. That the floating plant, consisting of dredges, barges, towboats, snagboats, and all other equipment under the control of the Mississippi River Commission and of the Chief of Engineers of the Army, is hereby placed within the control, use, and possession of said Waterways Commission to carry out the provisions of this act.

SEC. 3. That the Mississippi River Commission created by the act approved June 28, 1879, and the Board of Engineers created by section 3 of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902, shall be abolished and terminated at the end of the present fiscal year, and that after the 30th day of June, 1919, said Waterways Commission shall become invested with all the powers and duties presently exercised by the Chief of Engineers of the Army, the Mississippi River Commission, and said Board of Engineers, with respect to the maintenance and improvements of the harbors and waterways within the United States, its Territories and possessions.

Mr. KING. Mr. President, I realize that Senators are impatient to pass this bill, and do not welcome at this late hour any amendment or discussion. I fully appreciate the fact that nothing can defeat this measure, and that no amendment can succeed that is not approved by the committee. All the debate has been in vain. All attempts to alter or amend the bill have been futile. I need not state the reasons producing such a situation; various sections of the country receive large appropriations under the bill as reported by the committee. Can it be possible that the provisions are so coordinated and linked together that no change—all must stand, regardless of individual merit?

The amendment just submitted will be ruthlessly rejected. So will all others, regardless of merit, which seek to eliminate items from the bill, or change the system perpetuated thereby. I shall say only a word concerning my amendment, because I discussed it in detail yesterday, and attempted to show how wasteful, unscientific, and indeed vicious is the present system of dealing with the waterways of our country; and I further realize that the Senate will refuse to accept any plan changing or modifying the existing one.

Those persons who have carefully studied the question of water transportation in the United States and the manner of improving our rivers and harbors have with practical unanimity condemned the policy of our Government. It has made for waste and extravagance and has defeated the purposes in some instances which Congress had in view. After spending nearly $1,000,000,000 for such improvements it can be truthfully asserted that the commerce of the inland streams is less than it was many years ago.

It is time we adopted a scientific and national system in dealing with the problem of water transportation. I submit the amendment offered is a partial realization of such a system. Under the amendment the commission provided by the act of 1917 is authorized to expend the amount carried in the bill as amended upon the harbors and rivers of the United States for the benefit of commerce.

This commission will be composed of men of technical knowledge and business ability. It will not be required to spend any part of the appropriation upon creeks and rivulets and projects purely local and of no importance to commerce. Under this plan, not sections or localities will be considered. The system provided will completely revolutionize the present archaic and wasteful one. It rescues the improvement of waterways from the political and other influences which have caused fair-minded men to condemn the prevailing system. The commission referred to possesses large powers, and these powers can be increased when found necessary. It can take over the navigable streams and harbors of the United States; it can make surveys, and determine what streams and harbors are interstate, and national, and of such importance from a commercial standpoint as to warrant improvement or development by the Government.

Congress will determine what amount the Government can afford to expend each year, or covering a given period, and the amount appropriated would pass to such commission to be expended by it as and where it determines necessary in order to carry out the plan scientifically and in a comprehensive and national way improving waterways and aiding commerce.

I believe if we adopt this plan the evils we have complained of will be abated and the Government will secure results which in the past have been denied them.

Mr. FLETCHER. I simply want to say that, of course, I hope this proposed substitute will not be agreed to. The proposition is to refer it to a commission which is not in existence. It was provided for, it is true, in 1917, but it never was appointed and it never functioned at all, and it was never contemplated to turn over to that sort of commission these works, relegating to innocuous desuetude the Chief of Engineers and the Corps of Engineers and all the machinery we have now managing this great enterprise.

Mr. KING. Will the Senator yield for a question?

Mr. FLETCHER. I wish to say this in conclusion. I am not going to stop to argue it, but I utterly disagree with the proposition that the present system is extravagant or wasteful or otherwise improper and unwise. I do not believe there is any money paid out of the Treasury of the United States that is safeguarded to the extent that the money expended on the rivers and harbors of the country is safeguarded and protected.

Mr. KING. May I ask the Senator from Florida just one question? The Senator alluded to the fact that the President had not appointed the commission provided in the act to which I referred. The Senator, of course, does not mean to intimate that that commission will not be appointed and that the President will omit the discharge of a duty which the law imposed upon him. I feel confident, now that the overshadowing war questions are being settled, that the President will appoint the commission. Such commission will have the power and authority required in order to carry on the development of the waterways of the United States. Clearly such a policy as that contemplated by the bill known as the Newlands amendment, and which my amendment seeks to vitalize, would give the country a needed reform under which there would be a genuine improvement of waterways needed for the commerce of our land.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Utah [Mr. KING].

The amendment was rejected.

Mr. SMOOT. Mr. President, I now move to strike out all after the enacting clause in the bill and substitute the following by way of an amendment.

The PRESIDING OFFICER. It will be read.

The SECRETARY. It is proposed to strike out all after the enacting clause of the bill and to insert:

That there is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, for the maintenance and improvement of rivers and harbors, $15,000,000, to be expended under the direction of the Secretary of War. In the allotment of such funds provision shall first be made for maintenance and urgent commercial and military needs of harbors and waterways. Not exceeding $50,000 shall be used for new surveys, and no allotment other than for necessary maintenance shall be made for any project heretofore recommended by Army engineers for abandonment or for modified improvement.

Mr. SMOOT. Mr. President, I offer this substitute carrying an appropriation of $15,000,000. There is already an unexpended balance of $45,000,000. That would be an amount equal to $60,000,000. I think that the lump-sum appropriations which were provided for in the river and harbor bills of 1916 and 1917 have been as wisely expended as any money provided by the river and harbor bills in years preceding that time, and a little more so. So far as I am concerned, I want it distinctly understood that there are items in this appropriation bill which I think ought to be increased. I am in favor of appropriating money for rivers upon which the commerce is sufficient to justify the expenditure of money, but I am totally opposed to appropriating money upon little creeks that never can be used successsfully in a commercial way. I think it is a wicked waste of public money.

Mr. President, I shall be content with having a yea-and-nay vote upon this amendment. I ask for the yeas and nays on the amendment.

Mr. FLETCHER. Mr. President, of course this is a proposal to strike out the whole bill and substitute something entirely different. Reference is made to $45,000,000 as an available fund, but this will be expended or contracted for before the present year ends. The present bill takes care of the fiscal year beginning June 30, 1919, and ending June 30, 1920. The available balances are not sufficient to do the work. A great deal of that available balance is to the credit of items that are not on this bill. Millions of it are to the credit of projects that are not on this bill at all and therefore can not be applied to any of this work.

Senators speak about a desire to do the necessary public work, and yet the whole effort seems to be to prevent the passage of the legislation that will accomplish it.

I want to say that if former Senator Frye, of Maine, at one time the distinguished chairman of the Committee on Commerce, had reported this bill, it would have passed this body in 30 minutes. There is no question about that. Yet here we are with this work needed to be done, work that it is necessary should be done in order to take care of projects already adopted and to prevent waste of money already expended on waterways improvements in this country; here we are with 300,000 idle men in the country and many more coming in, and with this public work required to be done and needed to be done, and yet we have spent five days blocking the passage of legislation which will enable this work to go on and enable these people to find employment.

The PRESIDING OFFICER. The question is on agreeing to the substitute proposed by the Senator from Utah [Mr. SMOOT], on which the yeas and nays have been demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. JONES of Washington (when his name was called). The junior Senator from Virginia [Mr. SWANSON] has been called away on account of illness in his family. I promised to pair with him, but I understand that he would vote as I will upon this proposition and therefore I shall vote. I vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from California [Mr. PHELAN] and vote "nay."

Mr. LODGE (when his name was called). I have a general pair with the Senator from Georgia [Mr. SMITH]. I transfer that pair to the Senator from Connecticut [Mr. BRANDEGEE] and vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

The PRESIDING OFFICER (when Mr. ROBINSON's name was called). I have a pair with the Senator from Michigan [Mr. TOWNSEND]. I transfer that pair to the Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. SHAFROTH (when his name was called). I am paired with the senior Senator from Arizona [Mr. SMITH] and withhold my vote.

Mr. SMITH of South Carolina (when his name was called). I have a general pair with the Senator from South Dakota [Mr. STERLING]. I transfer that pair to the Senator from Idaho [Mr. NUGENT] and vote "nay."

Mr. THOMAS (when his name was called). I transfer my pair with the Senator from North Dakota [Mr. MCCUMBER] to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. BANKHEAD (when Mr. UNDERWOOD's name was called). My colleague [Mr. UNDERWOOD] is unavoidably absent. If present, he would vote "nay."

Mr. WILLIAMS (when his name was called). I understand that the Senator from Pennsylvania [Mr. PENROSE], with whom I have a general pair, did not vote. I transfer my pair with the Senator from Pennsylvania to the Senator from Virginia [Mr. SWANSON], and I vote "nay."

The roll call was concluded.

Mr. REED. I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. FERNALD (after having voted in the affirmative). I have a pair with the junior Senator from South Dakota [Mr. JOHNSON], but in this matter I understand that he would vote as I did. So I will permit my vote to stand.

Mr. SAULSBURY. I have a general pair with the senior Senator from Rhode Island [Mr. COLT], which I transfer to the Senator from Virginia [Mr. MARTIN] and vote "nay."

Mr. MARTIN of Kentucky (after having voted in the negative). I have a general pair with the Senator from New Hampshire [Mr. MOSES]. He has not voted. I transfer that pair to the Senator from Arizona [Mr. ASHURST] and let my vote stand.

Mr. SIMMONS. I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG]. That Senator has relieved me from that pair on this vote and the final vote. I vote "nay."

Mr. WOLCOTT. Has the senior Senator from Indiana [Mr. WATSON] voted?

The PRESIDING OFFICER. He has not.

Mr. WOLCOTT. I have a general pair with that Senator. Not being able to obtain a transfer, I withhold my vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN]; and

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD].

The result was announced—yeas 10, nays 38, as follows:

YEAS—10.

Curtis	King	Norris	Wadsworth
France	La Follette	Smoot	
Kenyon	Lodge	Thomas	

NAYS—38.

Bankhead	Henderson	Nelson	Sheppard
Beckham	Jones, N. Mex.	Overman	Simmons
Calder	Jones, Wash.	Pittman	Smith, S. C.
Fernald	Kendrick	Poindexter	Spencer
Fletcher	Kirby	Pollock	Sutherland
Gay	Lenroot	Pomerene	Trammell
Gerry	Lewis	Ransdell	Vardaman
Gore	McKellar	Reed	Williams
Hale	McNary	Robinson	
Hardwick	Martin, Ky.	Saulsbury	

NOT VOTING—48.

Ashurst	Gronna	Myers	Smith, Md.
Baird	Harding	New	Smith, Mich.
Borah	Hitchcock	Nugent	Sterling
Brandegee	Hollis	Owen	Swanson
Chamberlain	Johnson, Cal.	Page	Thompson
Colt	Johnson, S. Dak.	Penrose	Townsend
Culberson	Kellogg	Phelan	Underwood
Cummins	Knox	Shafroth	Walsh
Dillingham	McCumber	Sherman	Warren
Fall	McLean	Shields	Watson
Frelinghuysen	Martin, Va.	Smith, Ariz.	Weeks
Goff	Moses	Smith, Ga.	Wolcott

The PRESIDING OFFICER. The Senator from Delaware [Mr. WOLCOTT] and the Senator from Colorado [Mr. SHAFROTH] being present, and a quorum being present, the nays have it, and the amendment is rejected. The bill is still in Committee of the Whole and open to amendment. If there be no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. FLETCHER. There was one amendment that was reserved for submission to the Senate. It is an amendment reported by the committee. The point of order was sustained by the then occupant of the chair. I ask the Chair to submit the question of order to the Senate.

Mr. SMOOT. Mr. President, I know what that means. There is no earthly need of encumbering the precedents with it. I shall not make a point of order, and the chairman can put the amendment on the bill if he desires, because I am just as satisfied as I would be if there was a vote taken that if the point of order is submitted to the Senate it will overrule the point of order. So there is no earthly use of doing that.

Mr. FLETCHER. Very well; let the amendment be submitted.

The PRESIDING OFFICER. The Chair suggests to the Senator from Florida that the other amendments might be concurred in. Is there objection to concurring in the amendments not reserved? The Chair hears no objection, and the amendments not reserved will be concurred in. The question now is on concurring in the amendment which was reserved.

Mr. SMOOT. The Senator from Iowa [Mr. KENYON] reserved the right to have a separate vote on the Oklawaha item.

The PRESIDING OFFICER. That is the amendment the Chair is now reserving.

Mr. SMOOT. The Senator from Iowa had to leave the Chamber and he asked me to announce to the Senate that there would be no need whatever of voting again upon that item, and that he might as well not ask for a vote at this time. Therefore I shall not ask for a vote, nor do I believe anyone else will.

The PRESIDING OFFICER. Without objection, then, all the amendments will be concurred in. The Chair hears no objection, and it is so ordered. The Senator from Florida offers an amendment, which the Secretary will read.

The SECRETARY. Add an additional section as follows:

SEC. 10. That the Secretary of War is hereby authorized to ascertain whether any of the contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, the date of the entrance of the United States into war with Germany, have become inequitable and unjust on account of increased cost of materials, labor, and other unforeseen conditions arising out of the war; and to ascertain and report what amounts, if any, in addition to those fixed by the terms of said contracts, should in justice and equity be paid to contractors for work performed between April 6, 1917, and July 18, 1918, the date of the approval of an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," on account of the increased cost of labor and materials and other unforeseen conditions arising out of the war during that period: *Provided*, That in every case the amount so ascertained shall not exceed the actual loss sustained by the contractor in performing the work between the said dates: *Provided further*, That when such amount shall have been ascertained the Secretary of War shall transmit to Congress for consideration a statement or statements of all findings or determinations rendered by authority of this section, the amounts thereof, the names of contractors, and dates of contracts.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Florida.

Mr. THOMAS. I would like to ascertain if I can what probable expense will be entailed upon the Government by that provision if it becomes a law.

Mr. FLETCHER. I do not think, as far as that provision is concerned, any material expense will be entailed, because the War Department now have all the machinery. All they have to do is to take up the contracts, and they can do that in their offices. It simply calls for an investigation and an ascertainment of the losses caused by the war.

Mr. THOMAS. It does not provide for the payment?

Mr. FLETCHER. Not at all. They are to report to Congress.

Mr. KING. I should like to ask the Senator if such a report is submitted if it will not be an inducement for persons who think that they have been damaged—and some persons perhaps have been damaged—to press their claims with the utmost severity against the Government?

Mr. FLETCHER. I think it will prevent that sort of thing. I think if we do not provide for this in detail we shall have them here before Congress urging that bills be passed for their relief.

Mr. KING. I make the prophecy now that if this amendment shall be adopted and action shall be taken pursuant to it it will result in the presentation of claims to the Government amounting to millions and millions of dollars.

Mr. SMOOT. More than likely a commission will be appointed to hear claims the next fiscal year.

Mr. FLETCHER. This is a question for the engineers.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida.

The amendment was agreed to.

Mr. RANSDELL. In connection with the debate on this bill I ask to have printed in the RECORD the proceedings, or the resolutions, rather, adopted by the National Rivers and Harbors Congress in session in this city on the 7th of this month.

They are very brief, and very pertinent to the discussions which have been held.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. Mr. President, I think that is going a long, long way——

Mr. RANSDELL. If the Senator objects, I will read them. I will ask that they be sent back to me.

Mr. SMOOT. I will ask the Senator to wait until the Senator from Utah gets through.

Mr. RANSDELL. I will read them from my place, if the Senator objects.

Mr. SMOOT. I know the Senator will, and if he had not been impatient I was going to complete what I had to say.

Mr. RANSDELL. Very well.

Mr. SMOOT. I will say that that is going a long way, and I was going to ask the Senator if the matter he has asked to have printed in the RECORD is the proceedings or resolutions of the congress to which he has referred.

Mr. RANSDELL. Simply the resolutions, covering four pages of typewritten matter.

Mr. SMOOT. Then, there is no need of keeping the Senate here, and I shall not object to their going into the RECORD.

The PRESIDING OFFICER. There being no objection, the resolutions will be printed in the RECORD.

The resolutions are as follows:

NATIONAL RIVERS AND HARBORS CONGRESS, DECLARATION OF PRINCIPLES ADOPTED FEBRUARY 7, 1919.

The National Rivers and Harbors Congress, assembled in the city of Washington at its fourteenth annual meeting and represented by delegates from almost every section of the country, hereby submits the following declaration of its policies and purposes:

THIS CONGRESS IS A NATIONAL ORGANIZATION.

From its inception it has striven to promote the improvement of harbors and interior waterways and for the establishment and maintenance of transportation thereon. At each recurring convention and in the work which has been prosecuted during the interim it has held tenaciously to these primary objects and has entered no other field of activity unless the same was closely related thereto. The congress, through its officers and delegates, has not been actuated by selfish, sectional, or partisan motives, but only sought to advance the public *welfare. The* problem of transportation is one of distribution and affects every section of the country. Industry and commerce wait upon transportation, and the more universal the facilities, accompanied by cheapness and equality, the greater will be our prosperity.

In effectuating its purpose the Congress has sought to disseminate information and to advocate economic propositions which would impress the American people and the Federal Congress. Its work has been in the open. Its success demanded publicity. It has endeavored to provoke thought and to invite intelligent criticism.

COORDINATION OF TRANSPORTATION FACILITIES.

Transportation is the servant of the public. In every form it should be coordinate and not competitive. Each method should be unified and coordinated one with the other. Neither can be neglected nor impaired without injury to the other. While primarily this Congress seeks to promote transportation by water, yet it recognizes its unity and sympathy with transportation by rail, by highway, and by air. We greet the advent of the airplant and anticipate such a development in aeronautics as will constitute an important factor in transportation.

A SYSTEM OF WATERWAYS.

In so far as may be practicable and feasible we recommend that such a comprehensive system of waterway improvement and water transportation be devised as will most effectually serve the largest areas of the country. Trunk or through lines of waterway should be given preference, particularly where they intersect feeders or branch lines, thus extending the length of movement by boats between distant termini without breaking bulk. As far as possible depths of channel should be standardized. The branch lines of communication may usually await the improvement of the through lines of waterway.

JURISDICTION OF NAVIGABLE WATERS.

The United States has jurisdiction of all navigable waterways. It is the duty of the Federal Congress to systematize and improve all navigable waterways upon which commerce may be established. Congress may not escape this imperative duty, which should be performed in such a manner as to serve the public interests. If criticisms of the activities of Congress in the discharge of this duty have been made in the past or shall be repeated in the future, such criticisms do not affect its jurisdiction or duty but the manner of its performance.

THE USE OF IMPROVED CHANNELS.

We declare as our settled purpose that we advocate only the improvement of such waterways as will be utilized. Appropriations of the public revenues can only be justified upon evidence affording a reasonable assurance that channels so improved will be used for water transportation. No ulterior or secondary result constitutes a sufficient justification. Those who advocate improved facilities of navigation with the expectation only of reducing competitive rates by rail are advocating public expenditures inconsistent with public duty or wise economics. It is axiomatic that an improved channel alone will not of itself invite or promote transportation. Other conditions are essential and must coexist.

WHAT ARE THE ESSENTIALS FOR WATER TRANSPORTATION?

1. There must exist in the territory contiguous to the navigable waterway production and a demand for distribution of products in sufficient volume to furnish traffic. If it is a part of a through line of waterway, or if interchange of traffic with the railroads may be anticipated, these factors may be considered. As bulky products are more adaptable to water movement, the proportion of this class will also be an element.

2. An adequate number of boats of appropriate type must be provided. To this end there must be organizations with sufficient capital, managed by men of business capacity and traffic experience to operate these lines of boats. The organization of these boat lines must depend upon the disposition and the spirit of civic enterprise of citizens in the respective sections.

3. We have declared that the waterways and the railways must be coordinate in the public service. This implies a free interchange of traffic which may be carried between points of origin and destination partly by rail and partly by water. Our efficient system of rail transportation has been made possible by a system of interchange and prorating between the several lines of railroads. Such a system predicated upon sympathetic cooperation must exist between the railways and the waterways. Wherever this may not be effectuated voluntarily it must be established under compulsion of law, mandatory in its terms and under competent supervision.

4. There must exist in every harbor and at every city and town located upon any navigable waterway adequate water terminals. Any detailed description of such a terminal would seem to be superfluous. It should have ample water front, capacious warehouses, modern appliances for transferring freight, and should be physically connected by a belt line with each and every railroad serving the city or community. Under the present policy of our Government such terminals must be constructed and maintained at the expense of the city or community. They should be under the supervision and regulation of the municipality, subject to such superior supervision by the State and Federal Governments as may be necessary in the interest of the general public. The construction of water terminals likewise depend upon the civic enterprise of the several communities. Such terminals are necessary for local traffic by water, but are absolutely essential for interchange of traffic with the railroads.

5. Transportation by water must enjoy unrestricted opportunity for development and growth and should be free from unjust discrimination from any source. If lines of railroad parallel to or competitive with any navigable waterway have in the past so unduly reduced rates as to interfere with the orderly operation of boat lines thereon, these rail rates should be readjusted. Navigable waterways are natural lines of communication and are owned by the public and should be conserved and regulated in the public service. Whether the reduction of rail rates competitive with water may be justified in sound economics, it seems perfectly clear that such rates should not be so reduced as to impair or destroy water transportation. If any reduction of rail rates should be permitted, such reduction should afford a differential in favor of the water lines commensurate with the natural advantages of water transportation. We respectfully submit to the Federal Congress the proposition that legislation should be enacted which will prevent destructive methods by railroads competitive with waterways and which will permit both agencies to exist and serve their common master, the American public.

EXISTING LAWS FOR INTERCHANGE OF TRAFFIC.

We repeat the following statement from the "declaration of principles" adopted at the meeting of this congress on December 10, 1915:

"We commend existing laws for the regulation of interstate commerce, and particularly the provisions of the Panama Canal act, approved August 24, 1912, relating to the joint use of water and rail lines and extending the jurisdiction of the Interstate Commerce Commission. This act provides substantially:

"(1) For the establishment of physical connection, where reasonably practical and justifiable, between the rail carrier and the terminal of the water carrier by directing either or both of such carriers to construct connecting tracks.

"(2) Authorizing the commission 'to establish through rates and maximum joint rates over such rail and water lines and to determine all the terms and conditions under which such lines shall be operated and in the handling of such traffic.'

"(3) Authorizing the commission 'to establish maximum proportional rates by rail to and from the ports to which the traffic is brought, or from which it is taken, by the water carrier and to determine what traffic, and in connection with what vessels and upon what terms and conditions such rates will apply.'

"(4) And further providing for the divorcing of common carriers by water from the railroads under certain conditions.

"These requirements went far toward eliminating some of the undesirable practices which had existed in our domestic commerce between rail and water carriers."

We regret to state that the above provisions of law have not generally been made effective. To what extent this was due to the inertia of sections and cities tributary to navigable waterways, or to the indisposition of the Interstate Commerce Commission to enforce the law, it would not be profitable to discuss. We recommend, however, that the above provisions of law, which are now permissive, be made mandatory.

FEDERAL SUPERVISION OF WATER TRANSPORTATION.

The slow development of water transportation upon some of our navigable waterways, the failure of local interests to provide adequate water terminals, the absence of interchange of traffic with the railroads and other essentials, and the existing evils militating against water transportation demand some form of effective supervision and regulation. We recommend that the Federal Congress enact legislation either creating a separate department of transportation, or creating a separate bureau in the Department of Commerce, which shall have jurisdiction to supervise and regulate water transportation. The Interstate Commerce Commission should have enlarged jurisdiction over rail rates and over water rates under such mandatory terms of law as shall compel the commission so to adjust the rates by rail and by water as to enable boat lines to earn a fair profit and to coexist with competitive rail lines. The principle of potential competition by water as affording justification for the reduction of competitive rail rates should be abolished. Boat lines upon navigable waterways must have an opportunity to exist and operate under the conditions afforded by their natural advantages. Interior sections and communities should not be penalized or discriminated against in favor of other sections and communities located upon navigable waterways. Whatever advantages the latter may enjoy by reason of their contiguity to natural waterways should be accorded to them in the fullest degree through the benefits of water transportation.

THE UNITED STATES RAILROAD ADMINISTRATION.

It is a pleasure to record our gratitude to the retiring and present Director General of Railroads for such recognition of waterways and water transportation as have been accorded by them. We express the hope that these activities in this direction may be enlarged, and we bespeak the cordial cooperation of the public in the use of the facilities provided.

ANNUAL RIVER AND HARBOR BILLS.

Since 1910 Congress has enacted annual river and harbor bills. This policy has been a distinct contribution toward the systematic improve-

ment of waterways throughout the country. The improvement of waterways constitutes an essential national activity and should be recognized by annual appropriations to the same extent as other activities of the Federal Government.

THE CORPS OF ENGINEERS, UNITED STATES ARMY.

We are pleased to renew our commendation of the Corps of Army Engineers. The high standard of efficiency maintained by the corps, their engineering skill, and their integrity have been made manifest in their public services. We extend cordial thanks to the present distinguished Chief of Engineers, Maj. Gen. William M. Black, for his presence and his illuminating address at this session.

The Chamber of Commerce of the State of New York has heretofore considered and adopted a series of resolutions recommending legislation by Congress creating a national board of water conservation, which have been presented to this convention by its accredited representative. We desire to express our sympathy with the purpose sought to be accomplished by the proposed legislation.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill was passed.

Mr. FLETCHER. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. FLETCHER, Mr. RANSDELL, and Mr. JONES of Washington conferees on the part of the Senate.

LEGISLATIVE APPROPRIATIONS.

Mr. FLETCHER. Mr. President, it is very important that we have a brief executive session.

Mr. SMOOT. Will the Senator withhold that motion for a moment?

Mr. FLETCHER. I withhold the motion and yield to the Senator from Utah.

Mr. SMOOT. I move that the Senate proceed to the consideration of House bill 14078, being calendar No. 618.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

EXECUTIVE SESSION.

Mr. FLETCHER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 7 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 19, 1919, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 18 (legislative day of February 13), 1919.

FIRST ASSISTANT CHIEF OF THE BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Grosvenor M. Jones, of Ohio.

SECOND ASSISTANT CHIEF OF THE BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Roy S. MacElwee, of New York.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 18, 1919.*

The House met at 11 o'clock a. m.

Rev. Robert Arthur Elwood, pastor the Boardwalk Church, Atlantic City, N. J., chaplain in chief United Spanish War Veterans, offered the following prayer:

Gracious God, our Heavenly Father, we are grateful to Thee this morning that Thou hast kept us in Thy loving care through another night; and as we come together we pray Thee that Thou wilt fill our hearts and quicken our memories with the things that have gone before. To that end we pray Thee that Thou wilt accept our thanks for our country, with its history, and that Thou wilt grant that in these days of the Nation's need the memory of that history, wrought by our fathers, shall kindle in our people the true spirit of Americanism and bring to us full completeness of service. Bless the men of this Congress, the executives and officers of the Government, the men in the Army and Navy, that by the cause that Thou leadest us we may walk among the nations of the world, to the helpfulness of all of them. We ask these things, our Father, in the name of Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, the following concurrent resolution was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

Senate concurrent resolution 32.

Resolved by the Senate (the House of Representatives concurring), That there shall be printed and bound, under the direction of the Joint Committee on Printing, 14,100 copies of the proceedings and the eulogies delivered in Congress on Theodore Roosevelt, late a President of the United States, with illustration, of which 4,000 copies shall be for the use of the Senate, 8,000 copies for the use of the House of Representatives, 2,000 copies for the use of the Senators and Representatives of the State of New York, and 100 copies, bound in full morocco, for the use of Mrs. Theodore Roosevelt: *Provided*, That there shall be included in such document the proclamation of the President and the proceedings in the Supreme Court of the United States on the death of Mr. Roosevelt, an account of the funeral services, and other matters as may be deemed appropriate—

to the Committee on Printing.

CABLEGRAM FROM THE PRESIDENT.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a cablegram sent by the President, through his secretary, Mr. Tumulty, to each member of the Committee on Foreign Affairs.

Mr. MANN. Is it concerning foreign affairs?

Mr. FLOOD. It is a cablegram making a request to the members of the Foreign Affairs Committee.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The cablegram is as follows:

PARIS, *February 14, 1919.*

Last night the committee of the conference charged with the duty of drafting a constitution for a league of nations concluded its work, and this afternoon before leaving for the United States it is to be my privilege and duty to read to a plenary session of the conference the text of the 26 articles agreed upon by the committee.

The committee which drafted these articles was fairly representative of the world. Besides the representatives of the United States, Great Britain, France, Italy, and Japan, representatives of Belgium, Serbia, China, Greece, Roumania, Czecho-Slovakia, Poland, Brazil, Portugal, actively participated in the debates and assisted materially in the drafting of this constitution. Each article was passed only after the most careful examination by each member of the committee. There is a good and sufficient reason for the phraseology and substance of each article. I request that I be permitted to go over with you article by article the constitution before this part of the work of the conference is made the subject of debate of Congress. With this in view, I request that you dine with me at the White House as soon after I arrive in the United States as my engagements permit. I have asked Mr. Tumulty to fix the date of this dinner.

BRIDGE ACROSS TUG RIVER, MINGO COUNTY, W. VA.

Mr. REED. Mr. Speaker, I desire to take from the Speaker's table for present consideration the bill (S. 5478) granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River. There is a similar House bill (H. R. 15207) on the House calendar, favorably reported by the Committee on Interstate and Foreign Commerce.

The SPEAKER. The Chair lays before the House S. 5478, which the Clerk will report.

The bill was read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Fall Branch Coal Co., and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Tug River at a point suitable to the interests of navigation, at or near Williamson, in the county of Mingo, in the State of West Virginia, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to a third reading, and it was accordingly read the third time and passed.

On motion of Mr. REED, a motion to reconsider the vote by which the bill was passed was laid on the table.

By unanimous consent, H. R. 15207 was ordered to lie on the table.

BRIDGE ACROSS ROANOKE RIVER, WILLIAMSTON, N. C.

Mr. SMALL. Mr. Speaker, I ask that the Speaker lay before the House the bill (S. 5580) granting the consent of Congress to the counties of Martin and Bertie, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C.

The SPEAKER. Is there a similar House bill on the calendar?

Mr. SMALL. There is a similar House bill, H. R. 15707, favorably reported and on the House Calendar.

The SPEAKER. The Chair lays before the House S. 5580, which will be reported by the Clerk.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the counties of Martin and Bertie, in the State of North Carolina, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Roanoke River, at a point suitable to the interests of navigation, at or near Williamston, in the county of Martin, in the State of North Carolina, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. SMALL, a motion to reconsider the vote by which the bill was passed was laid on the table.

By unanimous consent H. R. 15707 was ordered to lie on the table.

MEMORIAL OF THEODORE ROOSEVELT.

Mr. BARNHART. Mr. Speaker, I ask present consideration for H. Con. Res. 70, for printing the address of Senator HENRY CABOT LODGE in honor of Theodore Roosevelt, and pending that I ask unanimous consent to change it from a concurrent resolution to a House resolution. This is a resolution providing for the publication of additional copies of the memorial address of Senator LODGE. After introducing it as a concurrent resolution, it was discovered that the cost of the printing would be less than $500, and by changing it from a concurrent resolution to a House resolution the printing will be expedited. Heretofore unanimous consent has been granted to have 9,000 copies of this address printed.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. BARNHART. I yield to the gentleman from Missouri.

Mr. DYER. The Senate has already ordered and had delivered some 10,000 copies of this address for its own use. That is a fact, is it not?

Mr. BARNHART. That is a fact.

Mr. DYER. So far the House has not had any printed?

Mr. BARNHART. That is the situation.

Mr. DYER. Can the gentleman inform the House whether it is the intention to print this address upon paper similar to that which was used in printing it for the Senate?

Mr. BARNHART. It will be exactly like that; and we will have 20,000 copies for the House, because we have already had unanimous consent to print 9,000 copies, and this makes 11,000 additional.

Mr. DYER. It will be substantially a duplicate of the Senate print?

Mr. BARNHART. It will be a duplicate of the Senate print, paper and all.

The SPEAKER. The gentleman from Indiana asks unanimous consent to change this from a concurrent resolution to a House resolution. Is there objection?

There was no objection?

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 590 (H. Rept. No. 1084).

Resolved, That the manuscript entitled "Address of Senator HENRY CABOT LODGE, in honor of Theodore Roosevelt," before the Congress of the United States, Sunday, February 9, 1919, be printed as a House document, and that 11,000 additional copies be printed for the use of the House to be distributed through the folding room.

The resolution was agreed to.

Mr. BARNHART. Mr. Speaker, I present Senate concurrent resolution 32, pertaining to the same matter.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed and bound, under the direction of the Joint Committee on Printing, 14,100 copies of the proceedings and the eulogies delivered in Congress on Theodore Roosevelt, late a President of the United States, with illustration, of which 4,000 copies shall be for the use of the Senate, 8,000 copies for the use of the House of Representatives, 2,000 copies for the use of the Senators and Representatives of the State of New York, and 100 copies, bound in full morocco, for the use of Mrs. Theodore Roosevelt: *Provided,* That there shall be included in such document the proclamation of the President and the proceedings in the Supreme Court of the United States on the death of Mr. Roosevelt, an account of the funeral services, and other matters as may be deemed appropriate.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

JOURNAL OF THE FIFTY-THIRD NATIONAL ENCAMPMENT OF GRAND ARMY OF THE REPUBLIC (H. REPT. NO. 1087).

Mr. BARNHART. Mr. Speaker, I call up House concurrent resolution 69.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-third National Encampment of the Grand Army of the Republic for the year 1919, not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

BRIDGE ACROSS TOMBIGBEE RIVER AT BARRS FERRY, MISS.

Mr. CANDLER of Mississippi. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14555) granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at Barrs Ferry in said county.

The SPEAKER. What is the status of the bill?

Mr. CANDLER of Mississippi. It is a bridge bill; it has been unanimously reported by the committee and was on the Unanimous Consent Calendar yesterday, but was not reached. It is the only bridge bill that was not reached.

The SPEAKER. The gentleman from Mississippi asks unanimous consent for the present consideration of the bill H. R. 14555, a bridge bill. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the board of supervisors of Itawamba County, Miss., and their successors in office, to construct, maintain, and operate a bridge and approaches thereto across the Tombigbee River, at a point suitable to the interests of navigation, at or near Barrs Ferry, in the county of Itawamba, in the State of Mississippi, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill granting the consent of Congress to the board of superviors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barrs Ferry in said county."

On motion of Mr. CANDLER of Mississippi, a motion to reconsider the vote whereby the bill was passed was laid on the table.

DEFICIENCY BILL FOR RAILWAY ADMINISTRATION.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that the deficiency bill appropriating $750,000,000 to the Railway Administration may be called up for consideration following the consideration of the fortification bill.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that at the conclusion of the fortification bill the deficiency bill for the Railway Administration be in order.

Mr. FERRIS. Reserving the right to object, this will not exclude conference reports?

The SPEAKER. No. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

REFUND OF COTTON TAX (H. REPT. NO. 1017, PT. 2).

Mr. FRENCH. Mr. Speaker, I ask unanimous consent to file minority views on the bill H. R. 6019 from the War Claims Committee.

The SPEAKER. The gentleman from Idaho asks unanimous consent to file minority views on the bill H. R. 6019. Is there objection?

Mr. DYER. What is the bill?

Mr. FRENCH. To refund the cotton tax.

The SPEAKER. Is there objection?

There was no objection.

MINING COAL, PHOSPHATE, GAS, ETC.—CONFERENCE REPORT (NO. 1059).

Mr. FERRIS. Mr. Speaker, I call up conference report on the bill (S. 2812) to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain, and I ask unanimous consent that the statement be read in lieu of the report.

Mr. WALSH. Mr. Speaker, before the statement is read, this is a very important bill and I make the point of order that no quorum is present.

The SPEAKER. The gentleman from Massachusetts makes the point of order of no quorum, and the Chair will count.

Mr. WALSH. I withdraw the point at present.

Mr. FERRIS. I ask unanimous consent that the statement be read in lieu of the report.

Mr. MANN. This is a very important bill, Mr. Speaker, and it seems to me that the conference report ought to be read. It has never been read in the House.

Mr. FERRIS. I withdraw the request.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the matter proposed by the House amendment, insert the following:

"That deposits of coal, phosphate, sodium, oil, oil shale, or gas, owned by the United States, including those in national forests, the Grand Canyon National Park, and the Mount Olympus National Monument, but excluding those in other national parks, and in lands withdrawn or reserved for military or naval uses or purposes, except as hereinafter provided, shall be subject to disposition in the form and manner provided by this act to citizens of the United States, or to any association of such persons, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, and in the case of coal, oil, oil shale, or gas, to municipalities.

"COAL.

"SEC. 2. That any citizen or any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State or Territory, or any municipality of any State or Territory, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State or Territory of the Union, including the Territory of Alaska, not otherwise appropriated by competent authority, not exceeding 2,560 acres, upon payment to the receiver of not less than $10 per acre for such lands where the same shall be situate more than 15 miles from any completed railroad, and not less than $20 per acre for such lands as shall be within 15 miles of such railroad, and the Secretary of the Interior shall offer such coal lands and award the same through advertisement and competitive bidding, reserving the right to reject any and all bids which he may deem to be unfair: *Provided*, That improvements or development work of the aggregate value of not less than $8 per acre upon the coal lands so entered shall be made or done upon the lands annually for two years after such award, when patent shall issue therefor. Upon failure to comply with the terms of this section within the required period said lands shall be subject to entry by any other qualified applicant.

"No such person, association, or corporation shall own coal lands entered after the passage of this act in excess of said area, at any one time, nor be interested, directly or indirectly, in any other coal lands or coal taken therefrom, and no member of such association or corporation, or stockholder of such corporation, shall own any other coal lands or be interested, directly or indirectly, in any other coal lands or coal taken therefrom, or in any other association or corporation owning or controlling any coal lands: *Provided, however*, That any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held two years after its acquisition and not longer, and in case of minority or other disability such time as the court may decree.

"That any person, association, corporation, member of such association, or stockholder of such corporation who violates any of the foregoing provisions shall, upon conviction thereof, be deemed guilty of a felony, and punished by a fine of not exceeding $10,000 or by imprisonment in the penitentiary for a period of not exceeding two years, or both.

"That if any of such coal lands entered after the passage of this act shall be owned, leased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form part of or in any way effect any combination, or are in anywise controlled by any combination in the form of a trust, or the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, or of any holding of such lands by individuals, copartnerships, association, corporation, mortgage, stock ownership, or control, in excess of 2,560 acres, the title thereto shall be forfeited to the United States of America by proceedings instituted by the Attorney General in the courts for the purpose.

"SEC. 3. That the Secretary of the Interior is authorized to, and upon the petition of any qualified applicant shall, divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States, including the Territory of Alaska, unless previously entered under section 2 of this act, into leasing tracts of 40 acres each, or multiples thereof, and in such form as, in the opinion of the Secretary of the Interior, will permit the most economical mining of the coal in such tracts, but in no case exceeding 2,560 acres in any one leasing tract; and thereafter the Secretary of the Interior shall, in his discretion, from time to time upon the request of any qualified applicant or on his own motion, offer such lands or deposits of coal for leasing, and, upon a royalty fixed by him in advance, shall award leases thereof through advertisement, by competitive bidding, or, in case of lignite or low-grade coals, such other methods as he may by general regulations adopt, to any qualified applicant, unless previously entered under section 2 of this act: *Provided*, That no railroad or other common carrier shall be permitted to take or acquire through lease or permit under this act any coal lands or deposits of coal in excess of such area or quantity as may be required and used solely for its own use, and such limitation of use shall be expressed in all leases or permits issued to railroads or common carriers hereunder. That such a railroad or common carrier may be permitted to take under the foregoing provisions not to exceed one lease hereunder upon and for each 200 miles of its line in actual operation. The term 'railroad' or 'common carrier' as used in this act shall include any company or corporation owning or operating a railroad, whether under a contract, agreement, or lease, and any company or corporation subsidiary or auxiliary thereto, whether directly or indirectly connected with such railroad or common carrier, but shall not include spurs, switches, or branch lines operated by any lessee and necessary to connect the mine with the line or lines of any railroad or other common carrier.

"SEC. 4. That any person, association, or corporation holding a lease of coal lands or coal deposits under this act may, with the approval of the Secretary of the Interior, upon a finding by him that it will be for the advantage of the lessee and the United States, secure modifications of his or its original lease by including additional coal lands or coal deposits contiguous to those embraced in such lease, but in no event shall the total area embraced in such modified lease exceed in the aggregate 2,560 acres.

"That upon satisfactory showing by any lessee to the Secretary of the Interior that all of the workable deposits of coal within a tract covered by his or its lease will be exhausted, worked out, or removed within three years thereafter, the Secretary of the Interior may, within his discretion, lease to such lessee an additional tract of land or coal deposits, which, including the coal area remaining in the existing lease, shall not exceed 2,560 acres, through the same procedure and under the same conditions as in case of an original lease.

"SEC. 5. That if, in the judgment of the Secretary of the Interior, the public interest will be subserved thereby, lessees holding under lease areas not exceeding the maximum permitted under this act may consolidate their leases or holdings through the surrender of the original leases or holdings and the inclusion of such areas in a new lease of not to exceed 2,560 acres of contiguous lands.

"SEC. 6. That where coal lands aggregating 2,560 acres and subject to lease hereunder do not exist as contiguous areas, the Secretary of the Interior is authorized, if, in his opinion, the interests of the public and of the lessee will be thereby subserved, to embrace in a single lease sections or parts of sections which can be operated as a single mine or unit.

"SEC. 7. That for the privilege of mining or extracting the coal in the lands covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed in advance of offering the same, and which shall be not less than 2 cents per ton of 2,000 pounds, due and payable at the end of each month succeeding that of the extraction of the coal from the mine, and an annual rental, payable at the date of such lease and annually thereafter, on the lands or coal deposits covered by such lease, at such rate as may be fixed by the Secretary of the Interior prior to offering the same, which shall be not less than 25 cents per acre for the first year thereafter, not less than 50 cents per acre for the second, third, fourth, and fifth years, respectively, and not less than $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of diligent development and continued operation of the mine or mines, except when such operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior may determine, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the Secretary of the Interior may, if in his judgment the pub-

lic interest will be subserved thereby, in lieu of the provision herein contained requiring continuous operation of the mine or mines, provide in the lease for the payment of an annual advance royalty upon a minimum number of tons of coal, which in no case shall aggregate less than the amount of rentals herein provided for.

"SEC. 8. That in order to provide for the supply of strictly local domestic needs for fuel, the Secretary of the Interior may, under such rules and regulations as he may prescribe in advance, issue limited licenses or permits to individuals or associations of indivduals to prospect for, mine, and take for their use but not for sale, coal from the public lands without payment of royalty for the coal mined or the land occupied, on such conditions not inconsistent with this act as in his opinion will safeguard the public interest: *Provided*, That this privilege shall not extend to any corporaton: *And provided further*, That in the case of municipal corporations the Secretary of the Interior may issue such limited license or permit, for not to exceed 160 acres, upon condition that such municipal corporations will mine the coal therein under proper conditions and dispose of the same without profit: *And provided further*, That the acquisition or holding of a lease under the preceding sections of this act shall be no bar to the acquisition of such tract or operation of such mine under said limited license.

"PHOSPHATES.

"SEC. 9. That the Secretary of the Interior is hereby authorized to lease or sell to any person qualified under this act any lands belonging to the United States containing deposits of phosphates, under such restrictions and upon such terms as are herein specified, through advertisement, competitive bidding, or such other methods as the Secretary of the Interior may by general regulation adopt.

"SEC. 10. That each lease or sale shall be for not to exceed 2,560 acres of land to be described by the legal subdivisions of the public-land surveys, if surveyed, to be described by the legal subdivisions of the public-land surveys; if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease, in accordance with the laws, rules, and regulations governing the survey of public lands, and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such survey; deposits made to cover expense of surveys shall be deemed appropriated for that purpose; and any excess deposits shall be repaid to the person, association, or corporation making such deposits or their legal representatives: *Provided*, That the land embraced in any one lease shall be in compact form, the length of which shall not exceed two and one-half times its width.

"SEC. 11. That for the privilege of mining or extracting the phosphates or phosphate rock covered by the lease the lessee shall pay to the United States such royalties as may be specified in the lease, which shall be fixed by the Secretary of the Interior in advance of offering the same, which shall be not less than 2 per cent of the gross value of the output of phosphates or phosphate rock at the mine, due and payable at the end of each month succeeding that of the extraction of the phosphates or phosphate rock from the mine, and an annual rental payable at the date of such lease and annually thereafter on the area covered by such lease at such rate as may be fixed by the Secretary of the Interior prior to offering the lease, which shall be not less than 25 cents per acre for the first year thereafter, 50 cents per acre for the second, third, fourth, and fifth years, respectively, and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year. Leases shall be for indeterminate periods upon condition of a minimum annual production, except when operation shall be interrupted by strikes, the elements, or casualties not attributable to the lessee, and upon the further condition that at the end of each 20-year period succeeding the date of the lease such readjustment of terms and conditions may be made as the Secretary of the Interior shall determine unless otherwise provided by law at the time of the expiration of such periods.

"SEC. 12. That any qualified applicant to whom the Secretary of the Interior may grant a lease to develop and extract phosphates or phosphate rock under the provisions of this act shall have the right to use so much of the surface of unappropriated and unentered lands, not exceeding 40 acres, as may be determined by the Secretary of the Interior to be necessary for the proper prospecting for or development, extraction, treatment, and removal of such mineral deposits.

"OIL AND GAS.

"SEC. 13. That the Secretary of the Interior is hereby authorized, under such necessary and proper rules and regulations as he may prescribe, to grant to any applicant qualified under this act a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas upon not to exceed 640 acres of land wherein such deposits belong to the United States and are located within 10 miles of any producing oil or gas well and upon not to exceed 2,560 acres of land wherein such deposits belong to the United States and are situated more than 10 miles from any producing oil or gas well and are not within any known geological structure of a producing oil or gas field upon condition that the permittee shall begin drilling operations within six months from the date of the permit, and shall, within one year from and after the date of permit, drill one or more wells for oil or gas to a depth of not less than 500 feet each, unless valuable deposits of oil or gas shall be sooner discovered, and shall, within two years from date of the permit, drill for oil or gas to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered. The Secretary of the Interior may, if he shall find that the permittee has been unable with the exercise of diligence to test the land in the time granted by the permit, extend any such permit for such time and upon such conditions as he shall prescribe. Whether the lands sought in any such application and permit are surveyed or unsurveyed the applicant shall, prior to filing his application for permit, locate such lands in a reasonably compact form and according to the legal subdivisions of the public land surveys if the land be surveyed; and in an approximately square or rectangular tract if the land be an unsurveyed tract, the length of which shall not exceed two and one-half times its width, and if he shall cause to be erected upon the land for which a permit is sought, a monument not less than 4 feet high, at some conspicuous place thereon, and shall post a notice in writing on or near said monument, stating that an application for permit will be made within 30 days after date of said notice, the name of the applicant, the date of the notice, and such a general description of the land to be covered by such permit by reference to courses and distances from such monument and such other natural objects and permanent monuments as will reasonably identify the land, stating the amount thereof in acres, he shall during the period of 30 days following such marking and posting be entitled to a preference right over others to a permit for the land so identified. The applicant shall, within 90 days after receiving a permit, mark each of the corners of the tract described in the permit upon the ground with substantial monuments, so that the boundaries can be readily traced on the ground, and shall post in a conspicuous place upon the lands a notice that such permit has been granted and a description of the lands covered thereby: *Provided*, That in the Territory of Alaska prospecting permits, not more than five in number, may be granted to any qualified applicant for periods not exceeding four years, actual drilling operations shall begin within two years from date of permit, and oil and gas wells shall be drilled to a depth of not less than 500 feet, unless valuable deposits of oil or gas shall be sooner discovered, within three years from date of the permit and to an aggregate depth of not less than 2,000 feet unless valuable deposits of oil or gas shall be sooner discovered, within four years from date of permit: *And provided further*, That in said Territory the applicant shall have a preference right over others to a permit for land identified by temporary monuments and notice posted on or near the same for six months following such marking and posting, and upon receiving a permit he shall mark the corners of the tract described in the permit upon the ground with substantial monuments within one year after receiving such permit.

"SEC. 14. That upon establishing to the satisfaction of the Secretary of the Interior that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any such permit the permittee shall be entitled to a patent for one-fourth of the land embraced in the prospecting permit, such area to be selected by the permittee in compact form and according to the legal subdivisions of the public-land surveys if the land be surveyed, or to be surveyed at his expense in accordance with the laws, rules, and regulations governing the survey of placer mining claims if located upon unsurveyed lands: *Provided*, That said permittee shall be given a preference right to lease the remaining and unpatented lands embraced within the limits of his permit at a royalty determined by competitive bidding at a rate of not less than one-eighth, otherwise to be upon the same terms and conditions as provided for other general leases.

"SEC. 15. That until the permittee shall apply for patent to the one-fourth of the permit area heretofore provided for he shall pay to the United States 20 per cent of the gross value of all oil or gas secured by him from the lands embraced within his permit and sold or otherwise disposed of or held by him for sale or other disposition.

"SEC. 16. That all permits, leases, entries, and patents of lands containing oil or gas, made or issued under the provisions of this act, shall be subject to the condition that no wells shall be drilled within 200 feet of any of the outer boundaries of the lands so located, leased, entered, or patented, unless the adjoining lands have been patented or the title thereto otherwise vested in private owners, and to the further condition that the locator, lessee, entryman, or patentee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land, or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the location, entry, lease, or patent, to be enforced through appropriate proceedings in courts of competent jurisdiction.

"SEC. 17. That all unappropriated deposits of oil or gas situated within the geologic structure of a producing oil or gas field and the unentered lands containing the same, except, however, those embraced in any prospecting permit during the life of the same, may be leased by the Secretary of the Interior through competitive bidding under general regulations in areas not exceeding 1,280 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, which shall be not less than one-eighth in amount of value of the production, which royalty on demand of the Secretary of the Interior shall be paid in oil or gas, and the payment in advance of a rental of not less than $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year. Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods.

"SEC. 18. That whenever the validity of any gas or petroleum placer claim under preexisting law to land embraced in the Executive order of withdrawal issued September 27, 1909, has been or may hereafter be drawn in question on behalf of the United States in any departmental or judicial proceedings, the President is hereby authorized at any time within 12 months after the approval of this act to direct the compromise and settlement of any such controversy upon such terms and conditions as may be agreed upon, to be carried out by an exchange or division of land or division of the proceeds of operation.

"Upon relinquishment to the United States, filed in the General Land Office within six months after the approval of this act, of all right, title, and interest claimed and possessed since prior to July 3, 1910, by the claimant hereunder or his predecessor in interest under the preexisting petroleum placer law to any oil or gas bearing land embraced in the Executive order of withdrawal issued September 27, 1909, and not within any naval petroleum reserve, and upon payment to the United States of an amount equal to the value at the time of production of one-eighth of all the oil or gas already produced and saved from such land, the claimant or his successor in undisputed possession of any such claim shall be entitled to a lease thereof from the United States for a period of 20 years, at a royalty of not less than one-eighth of all the proceeds of oil or gas produced, after first deducting the actual and necessary expenses of such production: *Provided*, That not more than one-half of the area within the geologic oil or gas structure of a producing oil or gas field shall be leased to any one claimant under the provisions of this section when the area of such geological oil structure exceeds 640 acres. Any claimant or his successor subject to this limitation shall, however, have the right to select and receive the lease as in this section provided for that portion of his claim or claims equal to, but not in excess of, said one-half of the area of such geologic oil structure.

"All such leases shall be made and the amount to be paid for oil and gas produced after the execution of such lease shall be fixed by the Secretary of the Interior under appropriate rules and regulations: *Provided, however*, That as to all such claims situate within naval petroleum reserves the producing wells thereon only shall be leased, together with an area of land sufficient for the operation thereof, upon the terms and payment of royalties for past and future production as herein provided for in the leasing of claims. No wells shall be drilled in the land subject to this provision within 660 feet of any such leased well without the consent of the lessee: *Provided, however*, That the President may, in his discretion, lease the remainder of any such claim upon which such wells have been drilled, and in the event of such leasing said claimant or his successor shall have a preference right to such lease: *And provided further*, That he may permit the drilling of additional wells by the claimant or his successor within the limited area of 660 feet theretofore provided for, upon such terms and conditions as he may prescribe.

"No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith.

"Upon the delivery and acceptance of the lease, as in this section provided, all suits brought by the Government affecting such lands may be settled and adjusted in accordance herewith and all moneys impounded in such suits or under the act of August 25, 1914 (38 Stats. L., p. 708), shall be paid over to the parties entitled thereto. In case of conflicting claimants for leases under this section, the Secretary of the Interior is authorized to grant leases to one or more of them as shall be deemed just.

"Leases granted or compromised settlements made hereunder upon any tract of land shall inure to the benefit of all persons or corporations, except those guilty of fraud, having an interest with the lessee or claimant, by contract or lease, in such land proportionately in accordance with the interest so represented by such existing contract or lease, subject to the assumption proportionately by each such existing interest of the obligations of such lease or settlement so granted or made hereunder, which proportionate benefits and obligations shall be incorporated in such lease or compromise agreement.

"SEC. 19. That any person who, at the time of any withdrawal order, or on January 1, 1918, was a bona fide occupant or claimant of oil or gas lands not withdrawn from entry, and who had previously performed all acts under then existing laws necessary to valid locations thereof except to make discovery, and upon which discovery had not been made prior to the passage of this act, and who has performed work or expended on or for the benefit of such locations an amount equal in the aggregate of $250 for each location if application therefor shall be made within three months from the passage of this act shall be entitled to prospecting permits thereon upon the same terms and conditions as other permits provided for in this act, or where any such person has heretofore made such discovery he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe unless otherwise provided for in section 18 hereof: *Provided*, That such lands are not reserved for the use of the Navy: *Provided, however*, That no claimant who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section: *And provided further*, That within one year after the passage of this act where any land has been included within an oil withdrawal or classification heretofore made after bona fide entry upon the same by a qualified homestead or desert-land entryman and where said entryman has complied with the requirements of the law relating to such entries up to the time when said withdrawal was made, said entryman or the patentee under such entry, or his assigns when such assignment was made prior to January 1, 1918, shall be given a preference right to a prospecting permit for the same under the same terms and conditions as prescribed in this act.

"OIL SHALE.

"SEC. 20. That the Secretary of the Interior is hereby authorized to lease to any person or corporation qualified under this act any deposits of oil shale belonging to the United States and the surface of so much of the public lands containing such deposits, or land adjacent thereto, as may be required for the extraction and reduction of the leased minerals, under such rules and regulations, not inconsistent with this act, as he may prescribe; that no lease hereunder shall exceed 5,120 acres of land, to be described by the legal subdivisions of the public-land surveys, or if unsurveyed to be surveyed by the United States, at the expense of the applicant, in accordance with the laws and regulations for the survey of public lands. Leases may be for indeterminate periods, upon such conditions as may be imposed by the Secretary of the Interior, including covenants relative to methods of mining, prevention of waste, and productive development. For the privilege of mining, extracting, and disposing of the oil or other minerals covered by a lease under this section the lessee shall pay to the United States such royalties as shall be specified in the lease and an annual rental, payable at the beginning of each year, at the rate of 50 cents per acre per annum, for the lands included in the lease, the rental paid for any one year to be credited against the royalties accruing for that year; such royalties to be subject to readjustment at the end of each 20-year period by the Secretary of the Interior:

Provided, That for the purpose of encouraging the production of petroleum products from shales the Secretary may, in his discretion, waive the payment of any royalty and rental during the first five years of any lease: *Provided*, That any person having a valid location to such minerals under existing laws on January 1, 1918, shall, upon the relinquishment of such location, be entitled to a lease under the provisions of this section for such area of the land relinquished as shall not exceed the maximum area authorized by this section to be leased to an individual or corporation: *Provided, however*, That no claimant who has been guilty of fraud in the location of any oil-shale bearing lands shall be entitled to any of the benefits of this section: *Provided further*, That not more than one lease shall be granted under this section to any one person, association, or corporation.

"ALASKA OIL PROVISO.

"SEC. 21. That any bona fide occupant or claimant of oil or gas bearing lands in the Territory of Alaska, or his successors or assigns, who prior to withdrawal had complied otherwise with the requirements of the mining laws, but had made no discovery of oil or gas in wells and who prior to withdrawal had made substantial improvements on or for each location or had prior to the passage of this act expended not less than $250 in improvements on or for each location shall be entitled, upon relinquishment or surrender to the United States within one year from the date of this act, or within six months after final denial or withdrawal of application for patent to a prospecting permit or permits, lease or leases, under this act covering such lands, not exceeding five permits or leases in number and not exceeding an aggregate of 1,280 acres in each: *Provided*, That leases issued in Alaska under this act, whether as a result of prospecting permits or otherwise, shall be upon such rental and royalties as shall be fixed by the Secretary of the Interior and specified in the lease, and be subject to readjustment at the end of each 20-year period of the lease: *Provided further*, That for the purpose of encouraging the production of petroleum products in Alaska the Secretary may, in his discretion, waive the payment of any rental or royalty not exceeding the first five years of any lease.

"No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith.

"SODIUM.

"SEC. 22. That the Secretary of the Interior is hereby authorized and directed, under such rules and regulations as he may prescribe, to grant to any qualified applicant a prospecting permit which shall give the exclusive right to prospect for chlorides, sulphates, carbonates, borates, silicates, or nitrates of sodium dissolved in and soluble in water, and accumulated by concentration, in lands belonging to the United States for a period of not exceeding two years: *Provided*, That the area to be included in such a permit shall be not exceeding 2,560 acres of land in reasonably compact form: *Provided further*, That the provisions of this section shall not apply to lands in San Bernardino County, Cal.

"SEC. 23. That upon showing to the satisfaction of the Secretary of the Interior that valuable deposits of one of the substances enumerated in section 22 hereof has been discovered by the permittee within the area covered by his permit, the permittee shall be entitled to a patent for one-fourth of the land embraced in the prospecting limit, to be taken and described by legal subdivisions of the public-land surveys, or if the land be not surveyed by survey executed at the cost of the permittee in accordance with the laws, rules, and regulations governing the survey of placer mining claims. All other lands described and embraced in such a prospecting permit, from and after the exercise of the preference right to patent accorded to the discoverer, and all other lands known to contain such valuable deposits as are enumerated in section 22 hereof and not covered by permits or leases, except such lands as are situated in said county of San Bernardino, shall be held subject to lease or sale, and may be leased or sold by the Secretary of the Interior through advertisement, competitive bidding, or such other methods as he may by general regulations adopt, and in such areas as he shall fix, not exceeding 2,560 acres, all leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, and the payment in advance of a rental of 50 cents per acre for the first calendar year or fraction thereof and $1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited on the royalty for that year. Leases may be for indeterminate periods upon such conditions not inconsistent herewith as may be incorporated in each lease or prescribed in general regulation theretofore issued by the Secretary of the Interior, including covenants relative to mining methods, waste, period of preliminary development and minimum production, and a patentee under this section may be lessee of the remaining lands in his permit.

"SEC. 24. That in addition to areas of such mineral land which may be included in any such prospecting permits or leases, the Secretary of the Interior, in his discretion, may grant to a permittee or lessee of lands containing sodium deposits, and subject to the payment of an annual rental of not less than 25 cents per acre, the exclusive right to use, during the life of the permit or lease, a tract of unoccupied nonmineral public land, not exceeding 20 acres in area for camp sites, refining works, and other purposes connected with and necessary to the proper development and use of the deposits covered by the permit or lease.

"GENERAL PROVISIONS APPLICABLE TO COAL, PHOSPHATE, SODIUM, OIL, OIL SHALE, AND GAS LEASES.

"SEC. 25. That the Secretary of the Interior shall reserve and may exercise the authority to cancel any prospecting permit upon failure by the permittee to exercise due diligence in the prosecution of the prospecting work in accordance with the terms and conditions stated in the permit, and shall insert in every such permit issued under the provisions of this act appropriate provisions for its cancellation by him.

"SEC. 26. That no person, association, or corporation, except as herein provided, shall take or hold more than one coal, phosphate, or sodium lease during the life of such lease; no person, association, or corporation shall take or hold, at one time, more than three oil or gas leases granted hereunder in any one State, and not more than one lease within the geologic structure of a producing oil or gas field; no corporation shall hold any interest as a stockholder of another corporation in more than such number of leases; and no person or corporation shall take or hold any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof which, together with the area embraced in any direct holding of a lease under this act, or which, together with any other interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof, exceeds in the aggregate an amount equivalent to the maximum number of acres allowed to any one lessee under this act; and the interests held in violation of this provision shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States district court for the district in which the property, or some part thereof, is located, except that any such ownership or interest hereby forbidden which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition: *Provided*, That nothing herein contained shall be construed to limit sections 18 and 19 or to prevent any number of lessees under the provisions of this act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipe line or lines or railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this act, or the transportation of coal: *Provided further*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same.

"SEC. 27. That rights of way through the public lands, including the forest reserves, of the United States are hereby granted for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1 of this act to the extent of the ground occupied by the said pipe line and 25 feet on each side of the same under such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior, and upon the express condition that such pipe lines shall be constructed, operated, and maintained as common carriers: *Provided*, That no right of way shall hereafter be granted over said lands for the transportation of oil or natural gas except under and subject to the provisions, limitations, and conditions of this section. Failure to comply with the provisions of this section or the regulations prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by the United States district court for the district in which the property, or some part thereof, is located in an appropriate proceeding.

"SEC. 28. That any permit, lease, occupation, or use permitted under this act shall reserve to the Secretary of the Interior the right to permit upon such terms as he may determine to be just, for joint or several use such easements or

rights of way, including easements in tunnels upon, through, or in the lands leased, occupied, or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this act, and the treatment and shipment of the products thereof by or under authority of the Government, its lessees, or permittees, and for other public purposes: *Provided*, That said Secretary, in his discretion, in making any lease under this act may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided further*, That if such reservation is made it shall be so determined before the offering of such lease: *And provided further*, That the said Secretary, during the life of the lease, is authorized to issue such permits for easements herein provided to be reserved.

"SEC. 29. That no lease issued under the authority of this act shall be assigned or sublet, except with the consent of the Secretary of the Interior. The lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease, and upon acceptance thereof be thereby relieved of all future obligations under said lease, and may with like consent, surrender any legal subdivision of the area included within the lease. Each lease shall contain provisions for the purpose of insuring the exercise of reasonable diligence, skill, and care in the operation of said property; a provision that such rules for the safety and welfare of the miners and for the prevention of undue waste as may be prescribed by said Secretary shall be observed, including a restriction of the workday to not exceeding eight hours in any one day for underground workers except in cases of emergency, provisions securing the workmen complete freedom of purchase, requiring the payment of wages at least twice a month in lawful money of the United States, and providing proper rules and regulations to insure the fair and just weighing or measurement of the coal mined by each miner, and such other provisions as he may deem necessary for the protection of the interests of the United States, for the prevention of monopoly, and for the safeguarding of the public welfare: *Provided*, That none of such provisions shall be in conflict with the laws of the State in which the leased property is situated.

"SEC. 30. That any lease issued under the provisions of this act may be forfeited and canceled by an appropriate proceeding in the United States district court for the district in which the property, or some part thereof, is located whenever the lessee fails to comply with any of the provisions of this act, of the lease, or of the general regulations promulgated under this act and in force at the date of the lease; and the lease may provide for resort to appropriate methods for the settlement of disputes or for remedies for breach of specified conditions thereof.

"SEC. 31. That the Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act: *Provided*, That nothing in this act shall be construed or held to affect the rights of the States or other local authority to exercise any rights which they may have including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

"SEC. 32. That all statements, representations, or reports required by the Secretary of the Interior under this act shall be upon oath, unless otherwise specified by him and in such form and upon such blanks as the Secretary of the Interior may require.

"SEC. 33. That the provisions of this act shall also apply to all deposits of coal, phosphate, sodium, oil, oil shale or gas in the lands of the United States, which lands may have been or may be disposed of under laws reserving to the United States such deposits, with the right to prospect for, mine, and remove the same, subject to such conditions as are or may hereafter be provided by such laws reserving such deposits.

"SEC. 34. That all moneys received from sales, royalties, and rentals under the provisions of this act, excepting those from Alaska, shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act, but after use thereof in the construction of reclamation works and upon return to the reclamation fund of any such moneys in the manner provided by the reclamation act and acts amendatory thereof and supplemental thereto, 50 per cent of the amounts derived from such royalties and rentals so utilized in and returned to the reclamation fund shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State within the boundaries of which the leased lands or deposits are or were located, said moneys to be used by such State or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State may direct: *Provided*, That any moneys which may accrue to the United States under the provisions of this act from lands within the naval petroleum reserves shall be deposited in the Treasury as 'Miscellaneous receipts.'

"SEC. 35. That the deposits of coal, phosphate, sodium, oil, oil shale, and gas, herein referred to, in lands valuable for such minerals shall be subject to disposition only in the form and manner provided in this act, except as to valid claims existent at date of the passage of this act and thereafter maintained in compliance with the laws under which initiated, which claims may be perfected under such laws."

And the House agree to the same.

Amendment to the title: That the Senate recede from its disagreement to the amendment of the House to the title to the bill, and agree to the same with an amendment as follows: In lieu of the matter proposed by the House amendment insert the following:

"An act to authorize exploration for and disposition of coal, phosphate, sodium, oil, oil shale, or gas on the public domain."

And the House agree to the same.

SCOTT FERRIS,
EDW. T. TAYLOR,
JOHN E. RAKER,
WM. L. LA FOLLETTE,
N. J. SINNOTT,
Managers on the part of the House.

KEY PITTMAN,
JAMES D. PHELAN,
By KEY PITTMAN,
JOHN F. SHAFROTH,
Managers on the part of the Senate.

STATEMENT.

In order that the specific modifications of the House and Senate bills, as shown in the foregoing, above agreed upon, may be indicated by section and specific amendments, they are set out as follows:

Section 1 of the bill as agreed to is section 1 of the House bill with amendments, as follows:

Line 1, page 1, House bill, after "phosphate," insert "sodium."

Line 3, page 1, House bill, strike out "monument" and insert "park."

Line 4, page 1, House bill, after the word "in," insert "other."

Section 2 is section 2 of the Senate bill with amendments, as follows:

Line 9, page 2, Senate bill, after the word "Union," insert "including the Territory of Alaska."

Line 20, insert the word "aggregate" before the word "value." Also strike out "$10,000" and insert "not less than $8 per acre upon the coal land so entered."

Line 21, strike out "within one year" and insert "annually for two years."

Section 3 is section 3 of the House bill with amendments, as follows:

Line 20, page 2, House bill, strike out the words "outside of" and insert the word "including."

Line 21, after the word "Alaska," insert "unless previously entered under section 2 of this act."

Line 8, page 3, after the word "applicant" and before the colon, insert a comma and the words "unless previously entered under section 2 of this act."

Sections 4, 5, 6, 7, and 8 are sections 4, 5, 6, 7, and 8 of the House bill without alteration.

Section 9 is section 7 of the Senate bill.

Section 10 is section 16 of the House bill with an amendment, as follows:

Line 8, page 17, House bill, after the word "lease," insert the words "or sale."

Sections 11 and 12 are sections 17 and 18 of the House bill unaltered.

Section 13 is section 9 of the House bill with amendment, as follows:

Line 20, page 9, House bill, after the word "granted," insert "to any qualified applicant."

Section 14 is section 12 of Senate bill with amendments, as follows:

Line 8, page 10, Senate bill, after the word "permit," insert the words "at a royalty determined by competitive bidding at a rate of not less than one-eighth, otherwise to be."

Line 9, after the word "other," insert the word "general."

Line 9, after the word "leases," change the comma to a period and strike out balance of the section.

Section 15 is section 13 of the Senate bill with amendments, as follows:

Line 14, page 10 Senate bill, strike out "or lease to the land selected by him" and insert "to the one-fourth of the permit area heretofore provided for."

Line 15, strike out "twenty-five" and insert "twenty."

Line 18, after "disposition," change the comma to a period and strike out balance of section.

Section 16 is section 14 of the Senate bill.

Section 17 is section 12 of the House bill with amendments, as follows:

Line 15, page 12, House bill, strike out "six hundred and forty" and insert "twelve hundred and eighty."

Line 5, page 13, change colon to a period and strike out balance of section.

Section 18 is a compromise and in lieu of section 16 of the Senate bill and the part of section 12 of the House bill stricken out by the last amendment.

Section 19 is the proviso in section 28 of the House bill, as follows:

Line 17, page 25, House bill, strike out the word "*Provided*" and insert "Section 19."

Also amend as follows:

Line 5, page 26, House bill, after the word "Act" insert "or where any such person has heretofore made such discovery he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe unless otherwise provided for in section 18 hereof."

Line 18, page 26, after the word "entry" insert "or his assigns when such assignment was made prior to January 1, 1918."

Section 20 is section 14 of the House bill.

Section 21 is section 29 of the House bill with an amendment at the end of the section, as follows: "No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of the fraud at the time such interest was acquired shall not be chargeable therewith."

Sections 22 and 23 are sections 18 and 19 of the Senate bill.

Section 24 is section 20 of the Senate bill with amendment, as follows:

Line 21, page 18, Senate bill, strike out "phosphates" and insert "sodium."

Section 25 is section 19 of House bill unaltered.

Section 26 is section 20 of the House bill with amendments, as follows:

Line 23, page 19, House bill, after the word "phosphate," insert the words "or sodium."

Line 4, page 20, after the word "person," insert the words "or corporation."

Line 23, page 20, House bill, after the word "construed," insert the words "to limit sections 18 and 19 or."

Line 1, page 21, House bill, after the word "of," insert "constructing and carrying on the business of a refinery, or of."

Lines 5–6, page 21, strike out the words "or from constructing and carrying on the business of a refinery."

Section 27 is section 13 of the House bill with amendments, as follows:

Line 16, page 14, after the word "lands," insert "including the forest reserves."

Line 2, page 15, strike out the words "the public" and insert the word "said."

Sections 28, 29, and 30 are sections 21, 22, and 23 of the House bill unaltered.

Section 31 is section 27 of the House bill with amendment, as follows:

Line 7, page 25, House bill, after the word "have," insert "including the right."

Section 32 is section 24 of the House bill.

Section 33 is section 25 of the House bill with amendment, as follows:

Line 24, page 23, House bill, so as to include "sodium."

Section 34 is section 26 of the House bill with amendment, as follows:

Line 5, page 24, House bill, after the word "from," insert the word "sales."

Section 35 is the first part of section 28 of the House bill down to the proviso on page 25 of the House bill.

The managers on the part of the House at the conference on disagreeing votes of the two Houses on the amendments of the House to S. 2812, to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, submit the following written statement in explanation of the effect of the action agreed to by the conferees and recommended in the accompanying conference report:

There are no material changes in section 1 of the House bill.

The House conferees accepted in substance section 2 of the Senate bill, with the amendment including the Territory of Alaska and placing the improvements on an acreage basis, which in effect doubles the requirements on the larger acreage and relieves the smaller operator from a prohibitive burden.

Sections 3, 4, 5, 6, 7, and 8 of the House bill, embracing the coal-leasing provisions and regulations, were accepted by the Senate conferees without amendment.

All of the provisions of sections 15, 16, 17, and 18 of the House bill, pertaining to phosphates, and now consisting of sections 9, 10, 11, and 12 of the agreed bill, were accepted by the Senate conferees with an amendment authorizing the sale of phosphate deposits within the discretion of the Secretary of the Interior and upon competitive bidding.

Section 13 of the agreed bill, dealing with the general oil provisions, was accepted by the Senate conferees without a change. It was section 9 of the bill as it passed the House.

Section 14 of the agreed bill makes one substantial modification to the bill as it passed the House, to wit, it provides for a patent to one-fourth of the permit as distinguished from a lease to one-fourth as was provided by the bill as it passed the House. In both the House bill and the agreed bill a preference right was allowed to the applicant to lease the remaining three-fourths of the permitted area. It will be observed that in making this change the conferees provide an additional safeguard in compelling the Secretary of the Interior to lease the remaining area at competitive bidding, thereby insuring a proper preservation of the Government's interest. It will also be observed that the royalty may be not less than one-eighth and it may be as high as the competitive bidding and other conditions warrant. This corresponds to section 10 of the bill as it passed the House.

Section 15 is a section not found in the House bill. Its insertion was made necessary by the modifications to section 14.

Section 16 of the agreed bill is accepted as it passed the Senate, being made necessary by the provision allowing a patent to one-fourth of a claim as a bonus to the locator. Otherwise the sections are substantially the same. The corresponding section of the bill, as it passed the House, was section 11, and section 14 of the Senate bill.

Section 17 of the agreed bill is a literal copy of section 12 of the House bill down to the proviso, with the exception that the area of land which may be leased through competitive bidding is raised from 640 acres to 1,280 acres. The provisos as contained in section 12 of the House bill are now inserted as a separate section and is in substance reenacted in section 18, and is a substitute for section 16 of the Senate bill.

Section 18 of the agreed bill is the so-called relief section. It embodies the substance of the provisos in section 12 of the House bill and sections 16 and 17 of the Senate bill. Section 18 preserves intact the naval reserves, subject to the pumping of wells already opened, which might be destroyed by the seeping in of water and other perils known to be damaging. It preserves all the oil intact unless the President, in the public interest, provides for the drilling by Executive order. The proviso to section 18 provides against monopoly in this: That no claimant shall be permitted to have a lease for more than one-half of any geologic oil or gas structure of a producing oil or gas field. The royalty for all oil and gas removed from the land prior to the passage of this act is fixed at one-eighth; for all subsequent production the amount is to be fixed by the Secretary of the Interior and in no case may be less than one-eighth and is without any maximum limitation whatever. Drastic provisions against fraud are incorporated and the legislation specifically provides that no claimant found guilty of fraud in any way shall participate in the benefits of this relief section.

Section 19 of the agreed bill deals with the subject matter provided for in section 28 of the House bill and section 17 of the Senate bill and is in substance the same as section 28 of the House bill with one or two amendments. Section 19 of the agreed bill is the same as the provisos of section 28 of the bill as it passed the House with two unimportant amendments. The first seven lines of section 28 in the bill as it passed the House is now inserted in the agreed bill as section 35 without change.

Section 20 of the agreed bill is identical with section 14 of the bill as it passed the House.

Section 21, pertaining to Alaska, is identical with section 29 of the House bill, save and except one amendment providing against fraud and specifically providing penalties therefor.

Sections 22, 23, and 24 of the agreed bill, pertaining to sodium, are the same as the provisions of the Senate bill. The House bill did not contain anything on the subject of sodium.

Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34 of the agreed bill are identical with sections 13, 19, 20, 21, 22, 23, 24, 25, 26, and 27 of the House bill, the Senate receding from all the corresponding provisions of the Senate bill.

Section 35, it will be observed, is identical with the first seven lines of section 28 of the bill as it passed the House and is a mere transposition. It deals with another subject, and it was thought advisable to make it an independent section.

SUPPLEMENTAL STATEMENT DEALING WITH SALIENT FEATURES OF THE BILL.

Your conferees feel it their duty to make a general statement for the benefit of those who do not desire to make a critical examination of the several amendments. We feel such a statement will be helpful to those who want to arrive at a conclusion regarding this measure and who are not able to take the time to go into it in great detail. This bill makes possible the leasing, in whole or in part, of approximately 700,000,000 acres of public land, approximately 365,000,000 acres of forest reserve, 35,000,000 acres of coal land, 6,000,000 acres of oil land, 3,500,000 acres of phosphate land. Under present law all of this land may be passed to patent without Government regulation, without Government royalties, and without the receipt of any remuneration by the Government, excepting such purchase price as may be provided for the patenting of the same.

Sharp differences of opinion have existed as to the advisability of installing leasing legislation of any kind. But for many years the West has been practically tied up and no development had, due to the antiquated land laws that have been on the statute books and the strict interpretation of them, which has rendered them valueless, unworkable, and utterly impracticable.

The legislation provided for herein, it is thought, will go a long way toward the development of the West and of the natural resources of the West, and at the same time reserve to the Government the right to supervise, control, and regulate the same, and prevent monopoly and waste and other lax methods that have grown up in the administration of our public-land laws.

In addition thereto, royalties and rentals are provided, so that the Government may not be passing to title the national resources without receiving something in return therefor.

Drastic provisions against fraud are provided in the legislation. No one found guilty of fraud can participate or take advantage of any provision under the proposed law.

This legislation is made necessary by certain withdrawals made by President Taft during his administration and later by President Wilson during his administration. Both Presidents Taft and Wilson and the Secretaries of the Interior under them have felt the necessity of passing this legislation. President Wilson has urged its passage in his annual messages, but due to differences of opinion between the House and Senate and to the inadvisability of adopting a leasing law it has been forced to wait until this time. The bill in substance as agreed upon has passed the House during three Congresses. It has had the support of Republicans and Democrats uniformly in the House. It has been fashioned with great care. The committee have had the benefit of assistance and counsel of the Departments of the Navy, Justice, Interior, and Agriculture. The committee has had written reports and personal presentations of it from the several departmental heads. Your managers on the part of the House feel that every interest of the Government, including the Departments of the Navy, Interior, and Justice, have been carefully conserved and protected. Your managers on the part of the House feel that, while they have not been able to grant all the oil claimants feel they are entitled to, the claims of each and every one have been carefully considered, and that they have been afforded all the relief they are entitled to consistent with the public interest.

It is the thought of your conferees and they are firmly of the belief that the legislation is progressive legislation, that it is in the public interest, that it is along conservation lines, that it will help open and develop the West, and that it will break the deadlock that has existed in the West since the withdrawals of 1909.

The bill as agreed upon is the best judgment of your conferees, after six years of effort to secure its adoption, and is the best compromise that can be obtained.

The royalties accruing under this legislation are disposed of in the same manner and in the same form as in the legislation which has three times passed the House.

The House has unanimously passed this bill three times, and its provisions have not been criticized by the public. The Senate has each time heretofore refused to accept either the policy or the substance of the House bill, but now, with the exception of a few amendments, which your conferees believe are eminently fair and which do not take out of the hands of the Government the right to preserve its interests, the Senate has accepted the House bill.

SCOTT FERRIS.
EDWARD T. TAYLOR.
JNO. E. RAKER.
W. L. LA FOLLETTE.
N. J. SINNOTT.

Mr. JUUL rose.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. JUUL. Mr. Speaker, I rise for the purpose of opposing the conference report.

The SPEAKER. The gentleman from Oklahoma [Mr. FERRIS] has the floor.

Mr. FERRIS. Mr. Speaker, I should be very glad to yield the gentleman some time a little later on.

The SPEAKER. The gentleman from Oklahoma is recognized for an hour.

Mr. FERRIS. Mr. Speaker, I want to state at the outset that it is my desire to yield some time to those who are opposed to the conference report equally with those who favor it. At the end of the hour in my control, if anyone feels that we have not fully explained all that is in the conference report, then I think we ought to go on further. There is no disposition to have a single paragraph passed that is not fully explained and understood. There has been some controversy about this bill and there is some opposition to it in the House and some outside. There is one class of people who think we have not given the West enough and there is another class who think we have given them too much. The committee feels that we have hewed along the line that is fair in order to get the legislation. I want every paragraph fully explained. Has anyone on the other side of the aisle any suggestion to offer?

Mr. MANN. Mr. Speaker, it is perfectly evident that we can not dispose of this in an hour.

Mr. FERRIS. I think probably that is true, although there is quite a pressure here to get us out of the way as soon as we can.

Mr. MANN. I do not know where the pressure comes from just now. I thought we were killing time.

Mr. FERRIS. They expect to be back in before we get through. What does the gentleman suggest?

Mr. MANN. I have no suggestion to make except that clearly it will take more than an hour's time.

Mr. FERRIS. I think that is true. Would an hour and a half equally divided between those who are opposed to and those who favor the conference report be satisfactory, then to have the previous question ordered at the end of that hour and a half?

Mr. MANN. I think an hour on a side would be the very least that would be needed.

Mr. FERRIS. Perhaps that is right. Then, Mr. Speaker, acting on the suggestion of the gentleman from Illinois, I ask unanimous consent that there be two hours given to the consideration of this conference report, one hour to be controlled by those who are in favor of it and one hour by those who are opposed to it, the hour to be devoted to those in favor of it to be controlled by myself. Whom does the gentleman suggest to control the time on the other side? The gentleman from Washington [Mr. LA FOLLETTE] is in favor of the conference report.

Mr. MANN. I suggest that the time be controlled by the gentleman from Wisconsin [Mr. STAFFORD].

Mr. FERRIS. Very well. Mr. Speaker, I make that request, and that at the end of that time the previous question to be considered as ordered.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that debate upon this conference report shall be limited to two hours, one half to be controlled by himself and the other half to be controlled by the gentleman from Wisconsin [Mr. STAFFORD], at the end of which time the previous question shall be considered as ordered. Is there objection?

Mr. KEARNS. Mr. Speaker, reserving the right to object, I want to ask whether the speeches are to be confined to the conference report?

The SPEAKER. They are.

Mr. STAFFORD. Under the rules of the House they must be.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. WALSH rose.

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. WALSH. To renew the point previously made. I think we should have a better attendance here to hear the statement of the gentleman from Oklahoma [Mr. FERRIS], who is in charge of the conference report upon this most important matter. Therefore I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Fess	Lunn	Scully
Barnhart	Foster	McCormick	Sears
Booher	Francis	McKenzie	Shackleford
Borland	Garrett, Tenn.	McLaughlin, Pa.	Shallenberger
Bowers	Goodall	Maher	Sisson
Brumbaugh	Graham, Pa.	Mason	Slemp
Caldwell	Gray, N. J.	Miller, Minn.	Smith, T. F.
Campbell, Kans.	Gregg	Mudd	Snell
Cantrill	Hamill	Nichols, Mich.	Stevenson
Carew	Harrison, Miss.	Nolan	Strong
Carter, Mass.	Heaton	Norton	Swift
Clark, Fla.	Heintz	Oliver, N. Y.	Switzer
Cooper, W. Va.	Helm	O'Shaunessy	Tague
Costello	Helvering	Park	Taylor, Ark.
Cox	Hensley	Porter	Templeton
Crisp	Houston	Pou	Vare
Delaney	Kahn	Pratt	Voigt
Dent	Keating	Price	Waldow
Dill	Kelley, Mich.	Rainey, J. W.	Walker
Dooling	Kennedy, R. I.	Ramsey	Webb
Doremus	Key, Ohio.	Roberts	Welling
Dupré	Kreider	Rodenberg	White, Ohio
Ellsworth	Langley	Rowland	Winslow
Estopinal	Littlepage	Russell	Wise
Fairfield	Longworth	Saunders, Va.	
Farr	Lundeen	Schall	

The SPEAKER. On this roll call 326 Members, a quorum, answered to their names. The Doorkeeper will unlock the doors. The gentleman from Oklahoma is recognized for an hour.

Mr. FERRIS. Mr. Speaker, this is the conference report on the bill S. 2812, the general leasing bill for the Western States and for the western lands only. It applies to coal, oil, gas, phosphate, sodium, and some other of the western minor minerals. This bill, substantially in its present form, has three times passed the House with some modifications. It passed the House in the Sixty-third Congress under the very vigorous support of the leaders on both sides of the aisle and was known as one of the conservation bills. It proposes to supplant the old, antiquated system of patenting the public land without any control by the Government and with no royalty to the Government, and install in lieu thereof a leasing bill, whereby the Government leases in small tracts to individuals under strict supervision, with royalty to the Government, or rental, so that the Government Treasury and the people in general may realize something out of it.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. LAGUARDIA. How will this royalty be fixed?

Mr. FERRIS. It will be fixed by the Secretary of the Interior.

Mr. LAGUARDIA. Entirely within his discretion?

Mr. FERRIS. Yes; for all future production; also by competitive bidding and under such rules and regulations to be provided by him as may seem wise and just.

Mr. LAGUARDIA. For how long a term?

Mr. FERRIS. There are different terms. The oil shale is given an indeterminate lease. The oil lands proper are given a 20-year lease, with succeeding 10-year periods——

Mr. CRAMTON. Will the gentleman yield?

Mr. FERRIS. I should prefer to go on with a connected statement.

Mr. CRAMTON. This is simply a preliminary question. I would like to know whether the gentleman can advise me whether there is available any print of the bill in the form in which the House passed it?

Mr. FERRIS. As the gentleman from Michigan knows, the rule of the House is very peculiar in that regard. After the Senate passes a House bill we do not have a reprint, but the committee has the reprint with parallel columns of the Senate. It is not available in large numbers, but the gentleman is welcome to what we have. It is also printed in the CONGRESSIONAL RECORD, where everyone can read it and go carefully over it.

Mr. CRAMTON. I will say to the gentleman this bill, coming up as it does this morning, comes as a surprise to some of us. I have been for three days trying to get a print of the bill in the form in which it left the House in order that I might compare it with the conference report and see what the changes were. Yesterday on the floor of the House, in response to the gentleman's query, the leader of the majority gave us to understand that this question was to follow the Army bill.

Mr. FERRIS. That is true, and the reason it does not follow it is that the Military Committee was before the Rules Committee in reference to a rule with regard to a provision that went out on the point of order, and so they allowed us to come in at this time. The bill has been printed in the RECORD for several days, so, of course, no one could be taken by surprise.

Mr. CRAMTON. I shall be glad to avail myself of the privilege of looking at the print to which the gentleman refers.

Mr. FERRIS. The gentleman will be very welcome to anything we have.

Mr. CRAMTON. The gentleman understands without that the conference report does not give a great deal of information.

Mr. FERRIS. When the Senate bill passed and came over here the House struck out all after the enacting clause and put in a new bill. We inserted the bill on which all were agreed; also the one that had twice passed by unanimous consent. The agreed bill has been printed in the RECORD since February 11, and it has been available for anyone to read. I desire now to go on with my statement, if I may. The first eight sections of this bill deal with coal provisions. The sections from 9 to 13 deal with phosphate minerals. Sections 13 to 20 deal with the lease of oil on the public lands of the United States. Section 20 of the bill deals with oil shale, which is a rock from which oil is gleaned after crushing it, and that has not yet proceeded very far. Section 21 is a provision relating to Alaska. Its terms only apply to the Territory of Alaska, and we make the rule a little more liberal for Alaska, because oil has not as yet been discovered there in large quantities; hence greater inducements are necessary there to secure development. Section 22 of the bill deals with sodium or salt; that is, salt beds which are found on the plains of this western country where there are salt beds. From section 25 to 35 it provides the administrative features of conducting this leasing system.

Now, one word regarding the differences of opinion. I repeat that when this bill passed in the Sixty-third Congress, with scarcely any opposition, there were some Members here who felt it ought to give larger concessions to the West. The gentleman from Wyoming [Mr. MONDELL] has always been one of those, ex-chairman of the Public Lands Committee, and is entitled to great weight, and he always thought that we were not doing justice to the West and so expressed himself on different occasions. Again, in the Sixty-fourth Congress we passed the same bill, still hoping to get some intelligent legislation for the West. Again, in the Sixty-fifth Congress we passed it, each time with very great consideration, each time with the approval of the Secretary of the Interior, each time with the approval of the Geological Survey and the bureaus that have to administer these particular lands and minerals. Now, there were those in the Senate, there were those in the House, who contended there should not be a leasing bill passed at any time; did not believe in it, did not want the Federal Government to lease the land at all; wanted the western people to get the lands without paying anything for them at all, as the law now provides they may do. Now, I do not think the bill is perfect; I have not everything in the bill that I would like to have in it. I would be as great as the Saviour if I had sat in the Senate conference for six years and came out with the idea that I could get everything I wanted, but without being boastful on behalf of the House conferees, and all five of them have signed the report and are in agreement about it, out of the 35 sections we have got substantially 28 of the more important sections as the House wanted it. Now, I think it is proper to debate for a few moments just where we have departed from the House bill, inasmuch as the House bill has three times passed this body.

We provided in this bill as it passed the House for a kind of dual system as to coal. We left the coal land laws intact and as they were, and provided in addition thereto a leasing law, so that the operator could avail himself of it if he desired to do so. In the Senate they insisted on a new coal provision going in which enlarged the present law, insisting that the present law had always been unworkable, and insisting that it should be enlarged, and it is on that amendment that I think the House yielded further perhaps than on any other. Still, the matter was in conference, and not pretending to know very much about coal-land leases myself, and feeling that we were departing somewhat from any law that the House had passed, I insisted that we have again the written opinion of Secretary Lane after he had consulted with the bureaus on this particular, identical provision. He did report on it. He did recommend it just as it stands. He did say he could protect the Government's interests, and I feel sure he can. I hold in my hand this letter of February 1, 1919, signed by himself, and sent up to us after he had in conference examined this identical provision on coal,

and after which we made no change, indorsing it. I will print it in the RECORD so that the House may have the benefit of it. I have not the time to read it now, passing from that to the bill.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. YOUNG of North Dakota. I was going to say that is evidently on a point that many of us have been receiving letters upon, and I would like to have it read. There is a difference as to that clause in the bill that permits the sale of coal.

Mr. FERRIS. I will read it. I was afraid I would take too much time and not have any left for the other Members. The letter says:

DEPARTMENT OF THE INTERIOR,
Washington.

Hon. SCOTT FERRIS,
House of Representatives.

MY DEAR MR. FERRIS: On December 10, 1917, you transmitted copy of resolution passed by the Cordova (Alaska) Chamber of Commerce with reference to the pending general leasing bill, and particularly with reference to deposits of coal and oil.

One of the matters urged was that the pending bill be modified so as to make the provisions relating to the sale of coal land applicable to Alaska. In my reply of January 4, 1918, I advised you, in effect, that the reason this provision was not included was that there is now a special leasing law applicable to that Territory, enacted October 20, 1914 (38 Stat., 741), and that this law had not been in operation long enough for the department to determine whether it will be successful and adapted to the development of Alaskan coal lands.

Since the above letter was written there has been further opportunity to learn whether the Alaska coal-leasing bill is suitable to conditions in the Territory, and I have concluded that it is not entirely so. There has been but little inquiry for these lands and only limited development. Four leases were granted under the present law and but two of them were able to finance the small operations that had begun.

After further study of the situation I have come to the conclusion that perhaps the field would be more inviting to coal operators if title were granted as in the States, especially since Alaskan operations are so far away from the bases of labor and supply.

I therefore recommend that Alaska be placed on the same footing as the States in the pending bill, and that operators in that field have the same choice of lease or purchase as granted elsewhere; otherwise, Alaska coal lands will remain in a disadvantageous position.

The Territory of Alaska is now included in the oil provision of the bill, thus giving it the same law as the States, which will be an advantage in the administration of the law, because the same rules would apply both to the States and the Territory and will obviate the necessity of administering and construing two different laws on the same subject.

I am therefore of the opinion that not only would it aid in the development of Alaska coal lands to have the provisions of the pending bill made applicable to Alaska, but that it would also be conducive to good administration of the laws.

Cordially, yours,

FRANKLIN K. LANE,
Secretary.

And we made that amendment. So that as the coal provision now stands the only amendment that we made to it was the acceptance of the so-called Shafroth amendment, which we submitted to the department and had the benefit of the Bureau of Mines and the Geological Survey, and a positive letter from Secretary Lane approving of the identical provision we put in the bill.

Mr. CRAMTON. Would the gentleman defer to a question on that point? I would like to ask him, in view of the statement just made, if it is not true that in section 2 the conferees have extended the language so as to make it possible for a corporation to acquire coal lands, whereas neither the House bill nor the Senate bill made that possible? The House bill expressly had a prohibition of it.

Mr. FERRIS. That was in the Senate bill. We made no change in the Senate bill on that.

Mr. CRAMTON. Not as I read that which I have before me.

Mr. FERRIS. I think you will find we made no change in it.

Mr. CRAMTON. The Senate bill says that any citizen or any association composed of persons severally qualified by law, and so forth. To make it clear, the gentleman will remember when in committee we put in language that made it expressly impossible for the corporations——

Mr. FERRIS. That was in the Senate bill. On page 2 of the Senate bill we find this language:

That any citizen or any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State or Territory, or any municipality of any State or Territory, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State or Territory of the Union not otherwise appropriated by competent authority—

And so forth.

So the gentleman will see it was in the Senate bill and in the provision that was submitted to Secretary Lane.

Mr. CRAMTON. There is a radical change, however, from the House provision.

Mr. FERRIS. That is true. This bill makes some material changes in the existing law, but coal men everywhere insist there should be changes made; also Secretary Lane approves the changes.

Mr. CRAMTON. In the first place, a corporation can acquire the land; and, further——

Mr. FERRIS. He can not be a stockholder in any other company, as Secretary Lane explains in his letter. If he is, he can not hold any other lands or be a stockholder in any other company at all.

Mr. CRAMTON. When you come to permitting a corporation to acquire these, it is possible to organize a great number of corporations.

Mr. FERRIS. We have a very strong prohibition that the gentleman helped us put in the bill in the House, which precludes that, and we still have them in this agreed bill. Let me hand the letter over to the gentleman, so that he can read it.

Mr. CRAMTON. It would seem, in a matter of this great importance, that we might have had an opportunity to know when it would come up.

Mr. FERRIS. As the gentleman knows, conference reports are subject to be called up after laying over for one day. I have tried to get it up. It has been lying here ever since February 11. So I think the gentleman will agree I have not taken advantage of anyone on that. Everyone interested had ample time; it was reported from the floor, and everyone had notice.

Let me turn to the oil provision. That is a provision on which the big row has always been waged, and you will find those sections in the bill, from 13 to 20.

If there is any controversy about phosphate, I do not know it. I do not think there is. The sections on oil and gas will be found on page 12 of the bill, and they run from sections 13 to 21, inclusive. Section 13 is what is known as the permit section. They issue a permit to a prospector. He goes out on the public domain and drills for oil. If he gets oil, he gets a lease and pays the rent and royalty for the oil that he takes out. The largest amount of acreage they can get is 2,560 acres in wildcat territory, a territory on which no one knows that there is any oil, and 640 acres in any known producing field. Now, down in Oklahoma, on the Indian lands, the Interior Department now allows 4,800 acres in known oil fields. So I think your committee has been very conservative in holding that acreage down. But, as has always been my thought and contention, though many of the oil people and many of the conferees have disagreed with me keenly at times and have felt discouraged with my efforts, I have tried to hold the acreage down simply so that no one concern could gobble up all of that oil land. And I think we have succeeded in that.

Further down in section 13 it provides they must use diligence, they must keep on drilling, and they must keep on developing, so that none of this land can be held long at a stretch for speculation purposes, and none of it monopolized and bottled up for the purpose of practicing extortion on the public or annoying the people and practicing a monopoly. Over on the next page it has to do with some provisions about Alaska, and later Alaska is dealt with again.

Now, section 14 of this bill is the one against which criticism has been made, because there is a provision in there for patenting one-fourth of the land. I hope the Members of the House on both sides will give very careful attention to that, because criticism has been made of that in a circular that has been sent around quite widely. If an oil prospector gets a permit on wild-cat territory, that is, territory that has not previously been explored, and gets out on the public domain more than 10 miles from any known oil fields and takes out a permit for 2,560 acres and digs ditches, puts in water works, establishes tanks, machinery, roads, etc., and sinks a shaft and brings in a well and, in short, pioneers that country, he then gets a patent for one-fourth of the entire area as his bonus for discovery, and three-fourths of it is left to the Government, so that you provide a reserve of oil territory for the Navy on a royalty basis and for any other purpose that may be desirable. This House has been circularized as to that provision, and a complaint has been made because we allow the prospector one-fourth of the land. Why, great heavens, under the law now in force he gets four-fourths, and the Government gets nothing. The committee has saved for the Government three-fourths of all the land that is brought in as oil land, and we only give the prospector one-fourth for his prospecting and development. The House does not seem to understand the inadequacy of the old law.

I know that this bill does not please those who want the Government to take a pick and shovel on its back and go out and dig for this oil. It does not please some men in the West, who want us to give this land away carte blanche, without any regulation, royalty, Government supervision, or anything else. But I repeat that I think the conference committee is to be commended for having been able to mark out a line whereby every Government interest can be subserved and at the same time giving the prospector or oil miner a modest reward for develop-

ing the country. This method of allowing bonuses to the pioneer for his efforts, his zeal, and his expenditure are as old as the hills about us and will, I assume, go on to the end.

Now, let us proceed a little further. We provide in section 15 of the bill a penalty on 20 per cent of the oil if the prospector does not come in and turn over three-fourths to the Government. Section 16 provides for offset wells, so that the land may not be drained, so that the naval oil reserves and land that we hold may not be drained of their supply; and Dr. Manning and the Director of the Geological Survey, Mr. George Otis Smith, and Secretary Lane have all said that that was necessary, and it has already met their approval.

On page 16, in that same section, we provide against waste. We keep these wells and these claims under Government supervision, so that if a wasteful or slothful man permits oil not to be properly cased off and not properly protected, the Government can take the well away from him and case it up, so that the oil may not be wasted. Under the present law that now exists all of the land goes to patent, and we have no control whatever over it. The Government gets nothing.

Section 17 provides outside of Government fields, and they have a radius of 10 miles from a Government field that may have an area of 1,280 acres. In Oklahoma and on Indian lands they now give them 4,800 acres, so that if your committee has erred at all it has been on the side of safety and conservation and on the side of trying to preserve to the Government something which under the law is not now being preserved at all.

The gentleman from Michigan, or perhaps the gentleman from Illinois, asked me some time ago how long the leases run. They run for 20 years. If the oil is not pumped out in 20 years, they have the right to take out a permit for 10 years more. A man ought to have the right to pump that oil out until it is all gone. That is the only systematic way to do it and the only business-like way, and that course is followed everywhere. The oil developer that opens the well is always permitted to pump out all of the oil. That is the only intelligent way to handle it.

Section 18 is the relief section. In 1909 oil was discovered out in the West. They were then operating under what is known as the placer law, where men could take up the oil land without the payment of a farthing and acquire absolute title to it. President Taft placed a withdrawal order holding them up until Congress could act. Immediately the oil claimants and the Government got into a dispute and got into the courts as to whether or not President Taft had the right to make that withdrawal order, their rights having already been attached. A number of the lower courts held that he did not have the right, and it was a question whether the President had the right to vacate an existing law under which oil was being produced until Congress could act. They fought that to the Supreme Court, and the Supreme Court finally held that President Taft had the right. That left many oil men who had acted in perfect good faith in bad shape.

That left some men who had spent their fortunes out in the West with no relief and no title to their property. They came to Congress and asked Congress to give them some relief. This bill deals with these cases. To show you how important this is, the Attorney General has brought some 55 suits out there, and 2 in Wyoming, and under the impounding system they have stored up $15,000,000 worth of oil, or, rather, they have obtained $15,000,000 in cash from royalties impounded while these suits were being settled. The Attorney General wired out for me yesterday and said they had the figures up to February 1, and that they had impounded $15,000,000 worth of these oil men's property.

What is proposed in this section is to give the Government a fair royalty in the oil taken out and let these men have a lease for the property, retaining the fee title in the Government, and thus abandoning their rights to the wells and obtaining instead only a lease. It has been claimed by some that we ought to take the oil and the wells and everything away from these oil pioneers. Thank God, the Constitution says that you can not take the suit off a man's back without paying him for it. It would be impossible to get the Committee on Appropriations to buy a pig in a poke, to buy all these oil lands. Some have been advocating that. I do not believe in taking men's property without giving them a square deal. This bill has been very carefully considered. It has long been before Congress. This gives the best compromise we could arrive at.

Mr. ELSTON. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. ELSTON. As a matter of fact, in the majority of the court decisions the claimants have succeeded, have they not?

Mr. FERRIS. That is true, in part. There have been victories on both sides, as I now recall.

Mr. ELSTON. Yes; but there have been a large number of decisions along that line.

Mr. FERRIS. Yes.

Now, Mr. Speaker, how much time have I consumed?

The SPEAKER. The gentleman has used 25 minutes. He has 35 minutes remaining.

Mr. STAFFORD. I should like to have the gentleman explain the reason why the committee adopted a preferential consideration for these oil owners in California by not granting to the Government one-eighth of the gross proceeds, as is customary in the operation of oil wells, but fixing this condition after deducting the actual and necessary expenses of such production?

Mr. FERRIS. Yes, they did that; but there is no maximum, so that they can take as much as they like above that. It is open at the top. There is no limit—they can take what they like.

Mr. STAFFORD. That would take away part of the one-eighth royalty which the Government would receive, and in the other cases you do not append that condition.

Mr. ELSTON. Where in the conference report is that?

Mr. STAFFORD. Page 8 of the conference report, four or five lines below the middle of the page.

Mr. ELSTON. That not only takes one-eighth of all the oil they have produced up to date, but for all future production the sky is the limit.

Mr. STAFFORD. After deducting the actual and necessary expenses for such production. You do not insert that provision in any other instance.

Mr. FERRIS. That is only true of the oil already developed. That is not true as to future oil.

Mr. ELSTON. That is not true as to the future oil.

Mr. TAYLOR of Colorado. That is only as to the past.

Mr. FERRIS. As to the compromise, what the gentleman says is true, because three members of the Supreme Court of the United States said these men were entitled to their patents, and most of the lower courts thought they were entitled to their patents, and the Assistant Secretary of the Interior rendered a decision that they were entitled to their patents, and most lawyers in the West said they were entitled to their patents, but the Government has held them up and impounded $15,000,000 of their money; they are now made to pay the usual royalty, which is one-eighth out of the lands they have always thought their own in fee. They are also compelled to surrender their claim to patent. Now, for all this leasing in the future, and for all the leasing in the country, as the gentleman from California [Mr. ELSTON] says, the sky is the limit. They could take 95 per cent if they wanted to.

Mr. STAFFORD. The gentleman from California says this provision as to one-eighth after deducting expenses of production applies only to the oil already produced. I deny that. It applies to all.

Mr. FERRIS. Oh, no. The gentleman is mistaken about that.

Mr. STAFFORD. It applies to all the oil that will be produced on these claims. I will read it and show the gentleman.

Mr. FERRIS. The gentleman can read it in his own time. He has an hour.

Mr. STAFFORD. I have read it just now, since the gentleman from California [Mr. ELSTON] made that contention, and his statement is not a fair construction of it.

Mr. FERRIS. The gentleman has an hour, and can discuss that in his own time. Now, we have one section dealing with Alaska, and I understand that is satisfactory to all parties concerned. We have another section dealing with oil shale, which is a new method of producing oil. Then we have general provisions against fraud and monopoly, and we wind up with a provision that the Secretary of the Interior may make all rules and regulations necessary to carry out this act and to protect the Government and any public interest. That fixes it so that the Secretary of the Interior can make rules and regulations so drastic that producers can hardly get scant justice. If Secretary Lane was not both an able and a just man some of these provisions would be too drastic and might interrupt the West. I hope the Secretary of the Interior will do justice to the Government and I hope he will do justice to these oil men. I hope the Department of Justice and the Secretary of the Navy will help in doing justice all around. No one wants the Government to lose one cent, but, at the same time, no one wants the Government to bankrupt its citizens who are trying to develop the West.

Now, one word about the naval reserve. This bill authorizes the pumping of the wells that are now open and producing in the naval reserve. It does not provide for the opening of any

additional wells unless the President of the United States by Executive order says that they shall be opened. The reason we put that in was because during the war the Bureau of Mines and the oil administration came down and made known to us that they could scarcely get oil enough out in the West to run the railroads and other industries out there, and we thought we had better give the President the power to issue an Executive order on his own responsibility to open some additional wells if the public interest required it, and that is the only reason that even that provision got into the bill. We had been keeping the naval reserve intact in keeping with Secretary Daniels's wishes.

Now, this bill is not satisfactory to those who want to give the land all to the West, and who believe that the lands ought to be turned over to the States and given away to them in patents. The bill is unsatisfactory to the men who want the Federal Government to dig the oil wells and dig the coal and dig the phosphates with its own pick and shovel. It does not suit them because it does not do that; but what I do say is that it carefully preserves the interests of the Government along the usual method of leasing on a royalty basis. It does dispose of that long-drawn-out litigation. I think it does justice to the oil men. I think it is a fair compromise at the end of six years' hard work, and I hope it may be adopted, and I hope this may be the end of this long-drawn-out matter. [Applause.]

I reserve the remainder of my time.

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] is recognized for one hour.

Mr. STAFFORD. I ask the Chair to notify me when I have used eight minutes.

Mr. Speaker, the conference report departs radically from the position that the House has taken in this Congress and in two prior Congresses. It is an abject surrender of the leasing principle and of the conservation of our natural resources, and a triumph of the principle that these resources shall be appropriated by the exploiters of the public domain. This is particularly true so far as the coal provision is concerned. That is section 2 of the conference report. Under existing law, section 2347, an individual has the right to enter upon 160 acres and an association to enter upon 320 acres of coal land and to pay for it at the minimum rate of $10 if it be beyond 15 miles from a railroad and $20 an acre if it be within 15 miles of an established railroad. This conference report adopts in toto the view of the Senate and of the western Representatives, who believe in exploiting the resources of the country by permitting one individual association or corporation to enter upon 2,560 acres of coal land—more than the Cunningham claims in Alaska aggregated, more than the Matanuska coal fields in Alaska amount to—and thereby enable one corporation to get control of virtually all the coal supply in Alaska, and exact the highest price from the consumer that the conditions will warrant.

Worse than that, under the existing practice the Government fixes the appraised value of the coal lands, and they will not be sold for less than the appraised value, and the appraised value has run up as high as $400 or $500 an acre. A novel departure is established by the Senate provision which the conferees adopt, something that has never been recognized in our mining legislation before. It is this provision, section 2:

> And the Secretary of the Interior shall offer such coal lands and award the same through advertisement and competitive bidding, reserving the right to reject any and all bids which he may deem to be unfair.

The bidder is not limited to the appraised value. These lands will be open to competition and how many competitors will there be? This provision is but a blind, it is to enable the large corporations to have their stool pigeons enter upon these lands in the West and in Alaska, and then, instead of being bound by the appraised value, have the 2,560-acre tract put up at auction and have sham bidders bid for the land. This provision can only redound to the great advantage of the coal operator.

I have known men who have been sent to the penitentiary because they formed an association under cover to get control of more than 320 acres, because it was considered under the policy of Roosevelt and Taft violative of the fundamental principle of conservation. In prior conferences the conferees have stood pat in favor of the House principles. They now desert the House principles and surrender to the Senate policy of a sale outright, with a camouflage arrangement providing for leasing, which will be rarely utilized, certainly not as to any coal proposition that the large interests believe valuable to lay hold upon and develop.

Yes; there is a leasing principle carried in this bill, but it is carried for show purposes, as a blind, for everyone knows that any coal proposition will be appropriated outright under fee rather than developed under a lease with a string attached to it.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. STAFFORD. At the conclusion of my statement I will. But there are other objectionable features in the conference report. When the bill left the House, so far as the principle of leasing is concerned, it was bottomed on the theory that we would not give an absolute fee to any of the oil properties, but have them operated purely on the leasing system. Again the House conferees have departed from the policy fixed by the House in prior Congresses and have adopted the absolute grant of one-quarter of 2,560 acres, or such less-sized tract on which an oil prospect has been granted, this without any limit on the right in the grantee to take all the oil on this one-quarter of the land upon which they may have filed. Naturally the oil interests who were fighting the leasing principle are well pleased with this absolute grant of one-fourth of the land included in the limits of their prospect.

But now I wish to direct your attention to the joker in another item in this bill that I called the attention of the chairman of the committee to during the discussion, which was attempted to be brushed aside by the gentleman from California [Mr. ELSTON], who is deeply interested in the passage of the bill. He controverted the position which I took, that in this relief provision, section 18, page 8, that as far as the millions and hundreds of millions of oil property the Government has withdrawn from entry under the reservation order of President Taft, that the one-eighth royalty prescribed was not conditioned upon the deduction of all the actual and necessary expenses of such production. The gentleman from California stated that that merely applied to past production. I again assert my statement and read the whole paragraph referring to these oil properties withdrawn by Executive order under date of September 27, 1909, in which the Southern Pacific Railroad and other large corporations have claims valued, if good, at hundreds of millions of dollars.

It reads as follows:

> And upon payment to the United States of an amount equal to the value at the time of production of one-eighth of all oil or gas already produced and saved from such land, the claimant or his successor in undisputed possession of any such claim shall be entitled to a lease thereof from the United States for a period of 20 years, at a royalty of not less than one-eighth of all the proceeds of oil or gas produced, after first deducting the actual and necessary expenses of such production.

That applies to all the oil that is produced, not that which has been but also all in the future that will be produced. I am advised by gentlemen acquainted with oil production that that will virtually take away from the Government any royalty, because under that authorization they can deduct all the expenses of operation and maintenance before the Government is entitled to its royalty.

In Oklahoma and in every oil country the royalty is based on the gross output, but here these California oil producers have sneaked in a joker which will relieve them from the payment of any royalties, where they had no right, under the position taken by President Taft, to these properties.

The question before the House is whether we shall, after we have stood pat for three different Congresses, abandon the policy of the House, which spelled real conservation, under a true leasing system, and accept the policy of those who believe in giving away virtually the public domain, particularly so far as the coal fields are concerned, as provided in section 2 of the bill, and as also provided in the oil sections, whereby you grant one-quarter of the amount of the land under prospect. These are too valuable possessions, saved after a hard fight, to be now sacrificed under the old régime of exploitation. Now I yield to the gentleman from North Dakota.

Mr. YOUNG of North Dakota. Mr. Speaker, I want to ask the gentleman whether the appraisals will be abolished if this law is passed?

Mr. STAFFORD. I hardly think they will be. The language of section 2 is identical with existing law, other than the condition to which I have just referred and which I shall read again—

> and the Secretary of the Interior shall offer such coal lands and award the same through advertisement and competitive bidding.

They will not be bound by the appraised value, as at present, but will be bound by the bids of the competitors, and everyone knows they will be few. Community of interests will prevail, with the mighty having the upper hand. The Government will have surrendered control as to yield and price and the coal operators will be reestablished to charge what they will.

I reserve the balance of my time.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. I can not. My time is all taken. I now yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I approach the consideration of this conference report with conflicting emotions. Frankly, if the conference report could be defeated and there was hope of securing better legislation in the near future, I should want to see it defeated, but I doubt whether conditions are such as to render a better piece of legislation possible of enactment any time in the near future. As what I shall say with regard to the conference report will be in the main critical and very much milder in its criticism than my real feeling in the matter, I want to preface that criticism by saying this, that all gentlemen who are proposing to oppose this conference report because they think it does too much for the individual, that all gentlemen who are proposing to oppose it upon the theory that the bill gives opportunities beyond those necessary for proper development, that all gentlemen who think of opposing it because they believe it too liberal either as regards present claimants or future operators, are opposing it on grounds that in my opinion, and with some knowledge of the situation, are not tenable. My criticism of the legislation is not that it is too liberal, that it provides for the operation of these properties along too liberal lines, but that the committee in the Senate and the House and the conferees have evidently been so fearful of the criticism that they were not following the lines of so-called conservation that they have gone to the other extreme, and given us a bill that does scant justice to those who are affected by its provisions, and do not give a fair opportunity to those who may seek to develop the coal and oil resources of the public domain. The law as it has been agreed to does not contain provisions that deal fairly with present claimants or sufficiently liberal to encourage a fair and reasonable development of the oil industry of the country. That is my criticism of the bill, and it is quite different from that of some gentlemen.

With regard to the matter that has just been referred to, the little controversy between the gentleman from Oklahoma [Mr. FERRIS] and the gentleman from Wisconsin [Mr. STAFFORD] as to section 18, my opinion is that the gentleman from Wisconsin is mistaken in his interpretation of the provisions of that section. The provisions of the section are perfectly clear. First, as to the sums now impounded the Government is to receive one-eighth, and on future operations in those cases there is to be a royalty of not less than one-eighth after deducting the cost of operation. In other words, a royalty that the gentleman from California [Mr. ELSTON] has referred to as having its extreme limit on the sky line. I have not felt that it was my duty or that I was called upon to spend my time in trying to work out the provisions of that remedial section. I felt that the people who were interested and involved were well qualified to handle their case before the committee, and I have not argued that feature of the case before the committee or the House. I want to say with regard to that section that I am somewhat surprised that the people affected by it are willing to accept its provisions. I think it does scant justice.

My objections to the bill are so numerous, they relate to so many provisions of it, that it will be utterly impossible for me to refer to them in detail in the very limited time I have. I can only refer to two or three features of the situation which I feel are especially important.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. RAKER. Regarding the relief provisions in the bill, now section 18 of the conference report, the gentleman's contention is that the conferees have not given the oil developers in Wyoming and California and other places the relief that they ought to be given under the law under which they started to do their work.

Mr. MONDELL. I said the conference report did them scant justice. In the majority of those cases those men were entitled to a patent, in my opinion, and that opinion is based on some considerable knowledge of the facts surrounding those claims. Patent has been withheld, and I think that the provisions of the bill do not give those men all of the relief to which they are entitled, and particularly with regard to their future operations.

With regard to other features of the bill, features of the bill that affect thousands of present claimants and investors, and multiplied thousands of people who would be interested in these enterprises in the future, I shall not have much time to speak. Before going to the oil sections of the bill, I want to say just one word with regard to the coal sections. I came to believe some years ago that whether the people of the West liked it or not a leasing system relative to coal and oil was inevitable, and I accepted the situation as I found it or felt it existed, and have tried to aid in the development of fair workable leasing legislation. Having started on the pathway toward the establishment of that system, I think that we should follow it, and the conferees in surrendering the position of the House, fixed on three different occasions, relative to coal, have, in my opinion, made a mistake. I do not know, no one knows, just how the coal provision now agreed to will work.

The acreage granted is none too large for a large operation. There is no criticism upon that ground. It was the same acreage proposed as the basis of a lease, but we are retaining the old principle of a fee title—not objectionable in itself, but objectionable as a part of a bill which claims to be a leasing bill. I do not know how those lands will be sold, whether or not they will be sold at the price bid or at a price fixed by the Secretary, providing he can find some one willing to bid that price. In my opinion it was an unwise compromise, but I do not know that we should criticize the House conferees for compromising on that provision. There are many people in the West who believe we should continue the sale of coal lands, and there is much argument in favor of it.

With regard to the oil features of the bill, and particularly as they affect the men already on the ground——

The SPEAKER. The time of the gentleman from Wyoming has expired.

Mr. STAFFORD. Does the gentleman desire any more time?

Mr. MONDELL. I would like to have about 10 minutes more.

Mr. STAFFORD. I can not give the gentleman 10 minutes; I yield him 5 minutes. Perhaps the gentleman from Oklahoma can yield him some.

Mr. FERRIS. I am very much pressed, but the gentleman is the ex-chairman of this committee. Would three minutes do the gentleman any good?

Mr. MONDELL. The State I represent is more affected by this bill than any of the other States in the Union, and I should like to have more time.

Mr. FERRIS. Suppose I give the gentleman five minutes; we will make it up some way. The only reason I hesitated was I am pressed for time.

Mr. MONDELL. Under the placer act men generally located in associations of eight. Under the provisions of this bill in an entirely new and wildcat section an individual can secure 2,540 acres as a leasehold. On many parts of the public domain are associations of eight people who have gone out, and under the placer act have located a considerable number of claims. That number of people operating as individuals could under this bill in a wildcat field locate approximately 20,000 acres. In some cases under the placer act such associations may have located as much as that acreage, spreading it out over hopeful fields, with the view of securing somewhere within the boundaries of their claims land which might prove to be profitable for development. What happens to those pioneers who have gone out under those circumstances under the provisions of this bill? In the first place they are only given three months after the passage of this bill to determine what they shall do, altogether too brief a period. Within three months they must decide what they are to do, either contest the Government under circumstances that preclude hope of having a fair adjustment of their rights, or agree to take a prospecting permit for from 640 to 2,560 acres. If no one has been fortunate enough to develop a commercial well within 10 miles of their lands they may hold 2,500 acres among the thousands which they have located, but if they or anyone else have developed a well within 10 miles they must surrender their holdings down to 640 acres.

If they succeed in finding oil on that 640 acres of land, they may get a patent to 160 acres at the most. As to the balance of the 640 acres, they must enter into competition with all the wide world as to the royalty they shall pay to secure a lease. Those people in many instances have spent tens and hundreds of thousands of dollars, not only their own money but that of their friends and relatives and investors generally. These drilling operations are carried on with money contributed by a very great number of people. Anywhere from $10,000 to $100,000 may have been invested in one of these operations. All must now be centered on the 640-acre area taken at random in the hope that out of all their efforts they may get a title to 160 acres of land and the opportunity in competition with all the world to lease the remaining 480 acres. They are compelled to bid, after all their expenditure, which may run into the hundreds of thousands of dollars, against the man who has not invested a penny and who may by bidding a high bonus secure the benefits of their expenditure. And gentlemen call that a fair provision of law affecting the interests of men who have gone out on the public domain where the presence of oil was not known and with courage and enthusiasm attempted to develop the resources of the country.

Now, with regard to the future—and this is the most important feature of this bill—it is true in a section that is not known or believed to contain oil, and more than 10 miles from a pro-

ducing well, as much as 2,500 acres can be secured, but anywhere in the areas where men may have any reasonable hope that oil may be found the maximum is 640 acres. If conditions are favorable and men are lucky in their efforts, they may finally secure patent to 160 acres and the opportunity to compete against all the world for a lease on the remaining 480 acres.

These, in brief, are the principal provisions of this bill as they apply to the present locator and the future prospector. Liberal, giving away the public property, paying the spendthrift with the Federal resources! Why, the most parsimonious miser the world ever developed could not have drawn more illiberal provisions than these to which I have referred. There is one feature of this bill I find it difficult to discuss in parliamentary language. Imagine, if you please, that 100 years ago the Federal Government had reserved from sale and taxation title to all the coal and oil lands in the Commonwealth of Pennsylvania, and provided that for the future no taxes would be levied or collected on any of the limitless values of those lands, that the State must seek elsewhere for the funds with which to provide schools and roads and maintain government in the industrial region built up around those valuable mineral deposits. What would have been the condition of Pennsylvania to-day? What would have been the condition of Illinois to-day if she did not have the right to tax the coal values of her land? People of that western country, accepting the principle of perpetual Federal ownership and lease, did at least expect that they should be compensated out of the sums taken in the form of royalty for the millions that will be kept from their treasuries in the running of time, because they will not be allowed to levy taxes on the values of their mineral lands.

Mr. RAKER. Will the gentleman yield?

Mr. MONDELL. I yield to the gentleman.

Mr. RAKER. As long as the land is in Government ownership it is not taxed. Now, is not that the fact?

Mr. MONDELL. Oh, if it is to be assumed that the public lands are always to be tied up and reserved and never developed unless we pass a leasing bill, then it may be true that the conditions under this bill are no worse than they would be with the lands so tied up and reserved, but I do not make and will not make an argument with the gentleman on any such absurd assumption as that. I have assumed that the country would be developed. If developed under fee title the lands would be taxable, but if leased they are not taxable, and my contention is that the people of these States are entitled to at least half the royalties in lieu of the taxes they lose by reason of the lands being developed under a Federal lease. It has been said that nothing is settled until it is settled right. In the truth of that maxim I still have faith that if this bill pass in its present form justice will eventually be done in this regard by a change of the law.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STAFFORD. I yield five minutes to the gentleman from Illinois [Mr. JUUL].

Mr. JUUL. Mr. Speaker and gentlemen, Senate bill No. 2812, an act to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, might well have come as a gift in response to a prayer running something like this:

> God bless me and my wife, my son John and his wife, us four, and no more. Amen.

So, if you will take your conference report and follow me through the first 8 or 10 lines of page 6, I will show you that at times there is some very clever bill drafting done in the city of Washington. Section 13, headed "Oil and gas," says:

> That the Secretary of the Interior is hereby authorized, under such necessary and proper rules and regulations as he may prescribe, to grant to any applicant qualified under this act a prospecting permit, which shall give the exclusive right, for a period not exceeding two years, to prospect for oil or gas upon not to exceed 640 acres of land wherein such deposits belong to the United States and are located within 10 miles of any producing oil or gas field and upon not to exceed 2,560 acres of land wherein such deposits belong to the United States and are situated more than 10 miles from any producing oil or gas well and are not within any known geological structure of a producing oil or gas field.

There never will be an individual who will go out prospecting and get one drop of oil under this law.

Mr. RAKER. Why?

Mr. JUUL. He can be kept off his little prospecting field just as effectively as if he had never entered it. Now, if he goes out prospecting and does not find anything, he is let alone. If he goes out prospecting and finds something, and that is what he started out to do, then you come with a clause that reads that he may develop his claim provided that "his lands are not within any known geological structure of a producing oil or gas field." That is the finest piece of law construction I have ever seen in my life, and I have seen some pretty poor law drafting in my day.

Mr. RAKER. Will the gentleman yield right there?

Mr. JUUL. Yes; I will be glad to do so.

Mr. RAKER. Does not the gentleman understand that that means——

Mr. JUUL. I want to ask if the gentleman is talking in my time or his own?

Mr. RAKER. I will not take your time.

Mr. JUUL. I understand this bill, and I can read it as well as anybody.

Now, what these gentlemen want is this, that the moment a man taps a well and has struck oil they want to be able to come to him and tell him in the exact language of the bill, "You are within the known geological structure of a producing oil or gas field. Get off of here."

What would you gentlemen say if a man were to come and say to you, "Here is a stream flowing over my land; after it leaves my land and flows over your land I want to retain the privilege of stopping the stream so far as its use by you is concerned. I want to stop you from using the stream before it enters my land and I want you to stop using it after it leaves my land." In other words, a large corporation in possession of one oil field possessing the clause that I am objecting to can invoke the clause that no man can locate "within any known geological structure of a producing oil or gas field," and the little prospector would have to be prepared to show the geological structure of the earth a hundred or a thousand feet down in the earth. The chances are after he had drilled a well and succeeded in locating oil the main thing he would have secured would be an injunction restraining him from taking his oil, all because, forsooth, he was "within the known geological structure of a producing oil or gas field" belonging to the big fellows.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. JUUL. I have only five minutes. Get me some more time and I will be glad to talk to you.

You gentlemen want to say to a lot of little men that they may go out and prospect, and when they find something and there is a mighty big corporation owning oil wells running 100 miles above or below, such corporation may say to the little fellows that they are tapping its stream. Let the prospector go anywhere he pleases and the burden is upon him to prove that he is not tapping the geological strata already selected by gentlemen who get the land on the prayer which I mentioned at the beginning of my remarks.

Mr. TAYLOR of Colorado. Will the gentleman submit to a question now?

Mr. JUUL. If you can get the time for me.

Mr. TAYLOR of Colorado. Do you not know that that is identically the way it passed through the House and that there is no change in it at all?

Mr. JUUL. I do not know where it was passed, but it is bad law. I want to tell you that if you have some poor little man that proposes to go out into the wilderness and find oil, he will never get a pint of it under this bill.

Mr. ELSTON. Does the gentleman know that all the "poor little fellows" were represented here and insisted on that themselves and this other provision? They know better about it than the gentleman does.

Mr. JUUL. I have had men come to me in the Judiciary Committee of the Senate of the State of Illinois and ask for legislation which, if they had gotten it in the form demanded, would have made them sadder and wiser men.

The SPEAKER. The time of the gentleman has expired.

Mr. FERRIS. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. ELSTON].

Mr. ELSTON. Mr. Speaker, I think it would be well in testing the effect of this act to realize what would be the situation if the act were not passed at all. At the present time any unwithdrawn, unappropriated Government land can be prospected and located for oil under the placer-mining law.

There is no limit to the amount of territory that can be got under present conditions. The present situation as affecting oil claims is such that a man can spread his operations all over the country and take practically anything he pleases, and when he discovers oil he can patent his whole claim and the Government gets nothing.

Under the pending act no such liberty is allowed. In effect all unappropriated Government land bearing oil or other minerals is withdrawn from location. Prospectors will be given permits to explore certain limited areas not to exceed 640 acres in proven territory, or 2,560 acres in wildcat territory, and if discovery is made the permittee gets patent to only one-

fourth the extent of the claim and the Government takes profit out of the balance. This House must understand that every known geological structure in the United States that has any possibility of producing oil and gas has been prospected over and over again, and that all this bill does is to give persons out in the uttermost parts of our public domain the right to go out and spend their money and get nothing, perhaps, but disappointment.

When it comes to prospecting for oil under this permit to go on the public land nearly 90 per cent of all such ventures are doomed to failure according to statistics. As to oil, it takes about an average of $20,000 to $30.000 to put down a discovery well, so that under this bill the permittee takes all the chances and the Government has a sure thing.

Now, when those people get something of value, what happens? The Government says, "You must put it right into my hands. I will take all that any ordinary owner gets by way of royalty, and I thank you for going out and taking all the risk of discovery."

Now, as to what the gentleman from Wisconsin [Mr. STAFFORD] says about California, the gentleman from Wisconsin must know that there is practically only one kind of oil-producing land affected by this bill in California, viz, land in the naval reserve. The section that the gentleman refers to does not touch California in any appreciable degree. It touches Wyoming almost altogether. As to naval reserves, California has been doubly prejudiced. They do not give us the benefit of the provisions that the gentleman from Wisconsin speaks of as applying to California. We get only the mere bare wells that we drilled.

We are not only restricted to the wells, but they say, "We will limit you to the wells and take one-eighth of everything you have produced therefrom in the past. You may have spent it. We do not care. Give us one-eighth of everything you have produced from the beginning." Then they say, "We will take what we please of future production." That, in short, is the situation. We acquiesce in the provisions of the bill only because we want to get certainly out of a situation that is now working intolerable hardships to California. Our industrial life is dependent on oil, and we are forced to accept anything that is meted out to us. It is laughable to hear that we are getting more than we are entitled to.

Mr. RAKER. Mr. Speaker, the question of conservation, as discussed by the last gentleman, is not really involved in this bill, as is contended. The truth of the matte is that under the present law we permit the taking up and disposition of all our public domain for homesteading, for desert-land claims, for the purpose of homes, the timberlands, the coal lands, and all the mineral lands, which involves the oil lands. The President withdrew certain lands for development. Congress then passed an act authorizing the President to withdraw additional lands for the purpose of seeing what disposition and use should be made of those lands, specifically reserving all claims of prior applicants to the lands withdrawn. The purpose of this bill now is to open up the lands withdrawn. The lands not withdrawn, amounting to hundreds of millions of acres, are not affected. The present laws applicable to the disposition of the public lands are in force as to them, including the placer-mining law as to oil and gas, as to gold, and all the other minerals, as well as to homesteading and to timberland and desert-land entries, as well as for all other development in the way of reservoirs, rights of way, and so forth.

The question involved here, and the particular question around which the controversy has been waged for the last eight years, is the land within these withdrawals, namely, where they discovered oil particularly, and, second, where lands were classified and withdrawn as naval reserves.

Most of these men have been upon the land for years, and prior to the withdrawal of the lands had developed them and had brought in producing wells at the time of the first withdrawal and at the time of the naval withdrawal; and the question is pending now not only in the courts but in the Department of the Interior, all of these men contending that they have a right under the laws to a patent to these lands. That contest is being waged. Their funds are being impounded, their resources are being wasted, their substance is being wasted, the proper development is not being had; and the purpose of this bill is, in the first instance, to open up the coal fields of this country and of Alaska, to the end that they may be developed.

The second proposition, in regard to oil and gas, is that the remaining public lands not within the reserves may be opened up to any man for development under a leasing system, in addition to the patent system that we now have; that the phosphate lands of this country, which are estimated at many millions of acres, may be developed for the purpose of advancing the general interests of the United States, and the same thing in regard to the oil shale lands lying idle, unused and unoccupied by anyone; that there may be a law enacted under a leasing system so that these lands may be developed, and the remaining coal lands, oil lands, phosphates, sodium, and shale lands may be developed under a leasing system as provided in this bill, reserving and protecting the rights of all those who have valid claims at the present time.

The contest has been acute and keen, having been participated in by private individuals, by the various officials of the departments, by those with imaginary ideas of conservation, and they have all been heard not only once but repeatedly before the Committee on the Public Lands, and their testimony has amounted to volumes. The same is true before the Committee on Public Lands of the Senate. This conference report should be adopted. As a member of the Public Lands Committee of the House, I have given consideration to this legislation for over six years and have worked for months on the conference and believe we have reached the best that can be had.

The SPEAKER. The time of the gentleman has expired.

Mr. RAKER. I will ask the gentleman from Oklahoma for three minutes more.

Mr. FERRIS. I am sorry, but I have not the time to yield.

Mr. RAKER. Mr. Speaker, under such circumstances I will have to ask leave that I may revise and extend my remarks.

The SPEAKER. The gentleman from California asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. STAFFORD. I yield four minutes to the gentleman from South Dakota [Mr. BAER].

Mr. BAER. Mr. Speaker, in war time I felt that we should develop all the natural resources that would help in any way to increase supplies of phosphates, nitrates, and other minerals which were imperatively necessary to win the war. The American people, however, are beginning to wake up as to the value of these great sources of wealth. We should not vote them away wholesale in peace times. I realize more vividly than anything else what the farmers of this country are going to be up against. We are going to need fertilizer in our fields in the Northwest as you are using it in the East. If we turn it over to private enterprise, we are going to have to pay $38 and $40 a ton when it is only worth $12 per ton.

And a more serious condition than that confronts us. Do you know that this bill is unconstitutional, according to the superconstitution drawn up by the peace conference at Paris for the new league of nations? Let me read to you from article 8:

> The high contracting parties agree that the manufacture by private enterprise of munitions * * * of war lends itself to grave objections, and direct the executive council to advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of these countries which are not able to manufacture for themselves the munitions and implements of war necessary for their safety.

The league of nations, with its new constitution, is going to prevent the exploitation of these great natural resources for purposes of warfare. These industries are going to be nationalized for the making of munitions of war. I agree with them in that. I believe it is a good provision, but we are passing legislation here to-day to prevent the President from carrying out his plan according to this proposed constitution—which we are not allowed to discuss until he comes home. [Laughter.]

In the face of this provision we are passing a bill which will allow these private interests to exploit and exhaust these resources. Do you know that England, France, and every other allied country, as well as the central powers, have vast reserves of phosphates and nitrates which they have not developed. They have been buying munitions from the United States, and if we are drawn into another war 20 or 30 years from now we shall not have a pound of these nitrates and phosphates left, providing you let these men go in and buy them up by wholesale, as you propose to do according to one of the provisions of this bill. [Applause.]

Mr. STAFFORD. Mr. Speaker, I yield three minutes to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Speaker, there have been three great outstanding conservationists in this country—Theodore Roosevelt, Gifford Pinchot, and JAMES R. MANN, of Illinois, the minority leader. I want the Clerk to read a postscript of a letter from Mr. Pinchot, because there is not time to read the entire letter. Mr. Pinchot regards this bill as vicious. He says, "I believe that incalculable injury will be done to the public by its passage."

The Clerk read as follows:

POSTSCRIPT TO LETTER OF GIFFORD PINCHOT.

Postscript: The statement of the House conference report that "Presidents Taft and Wilson and the Secretaries of the Interior under them have felt the necessity of passing this legislation" is certainly not true as to Taft and Secretary of the Interior Walter L. Fisher with respect to the matters above criticized. And if the committee has any evidence that it is true with respect to President Wilson they should produce it. The statement that "the bill in substance as agreed upon has passed the House during three Congresses" is not true with respect to several matters referred to in the foregoing letter.

The statement that the committee "have had the benefit of the assistance and counsel of the Departments of the Navy, Justice, * * * and * * * has had written reports * * * from the several department heads," together with a statement that the House managers feel that every interest of the Departments of the Navy and Justice have been carefully conserved and protected, is grossly misleading. The relief this bill gives to trespassers in the naval reserves has been scathingly denounced by the written reports of the Navy Department and the Department of Justice The latter department has included the relief provisions as to trespassers on other lands in its denunciation.

The final statement that "the House has unanimously passed this bill three times and its provisions have not been criticized by the public" is astounding. It has not been passed three times by the House as to the matters herein criticized. The public has criticized it severely, I myself having criticized its relief provisions as to trespassers on the naval oil reserves by statements given to the press and by pamphlets distributed to every Member of the House and Senate, wherein I reproduced some essential parts of the severe criticism by the Attorney General and the Secretary of the Navy of this inexcusable permission for public plunder.

The SPEAKER. The time of the gentleman has expired.

Mr. YOUNG of North Dakota. I ask that the entire letter be printed in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

LETTER OF HON. GIFFORD PINCHOT.

PHILADELPHIA, PA., *February 16, 1919.*

Hon. GEORGE M. YOUNG,
House of Representatives.

DEAR MR. YOUNG: I would like to direct your attention to certain specific defects in the so-called mineral-leasing bill lately reported from conference which are so serious as to demand its radical amendment or defeat.

As to coal, this bill pretends to put the selling and the leasing system to the test of practical experience by giving the developer his choice. In coal mining on private land the developer really has such an option and seldom fails to choose leasing, because he would rather pay a royalty when his coal is marketed than pay the supposed fair value of the deposits before he begins to sink his mine.

Before 1906 public coal lands were sold at nominal prices, substantially given away. President Roosevelt withdrew them from sale and submitted to Congress a bill to authorize the leasing of them. Congress refused to pass the bill. Thereupon Roosevelt caused the lands to be classified by the Geological Survey and offered for sale at their fair value, which was generally very much higher than $10 or $20 per acre, the old selling price.

The bill under discussion abolishes this system of classification by value and returns to sale at the old nominal prices, with competitive bidding above the minimum, a device easily workable by bidders to depress the price to the minimum. Nominally, it gives the developer the option to lease or buy. But by requiring the Government to fix the royalty before putting any area up for bidding it forces the bid into the form of a bonus.

Now, a bonus, so far as it goes, is as objectionable to a small operator as is the system of purchase, and for the same reason—that it requires a large initial investment involving heavy tribute to the money lender and a large initial risk. If the operator must make a large payment in either case he will, of course, choose to purchase rather than to lease. The bill deprives him of the advantages of a leasing system and gives him the opportunity to deprive the public of those advantages. It is, in fact, therefore, as to coal, a patenting and not a leasing bill.

As to oil and gas discovered in the future, it compels the Government to give absolute patents to the discoverer, leaving a small area adjacent to the lands so patented to be leased to others. The existence of these numerous alienated tracts in an oil field will go very far toward destroying that unified public control which is the main purpose of the leasing system as applied to oil and which is essential for the prevention of waste and for proper compensation to the public.

Most of the discoveries of oil and gas deposits on public lands not yet patented to the discoverers were made by trespassers in violation of Taft's withdrawal order of September 27, 1909, issued to give Congress opportunity to pass a real leasing bill, and many of them are now within the naval oil reserves. The known oil deposits in the United States will not last more than 23 years at the present rate of consumption. The only way to make sure of an adequate supply of oil for our future naval defense is to keep it in these naval reserves and in the ground.

Trespassers have attempted to seize these naval oil reserves. They are being prosecuted in the courts by the Department of Justice and are there facing defeat. The Navy Department has asked authority to buy out all honest private claims at their fair value. This bill denies the Navy's request. It relieves the trespassers on the naval reserves by granting to each of them who has a flowing well a right, in effect, to lease the 31 acres surrounding it, upon which he may be authorized to drill additional wells. The Government may lease the rest of his illegal claim, but the trespasser is given preference right to such lease. The Government is forbidden to inquire into the fraudulent character of any claim unless it can be shown that the corporation which has bought it and applied for a lease had actual notice of the fraud.

These provisions apply also to fraudulent claims on withdrawn oil lands outside the naval reserves, which means all unpatented public oil lands of proved value within the United States and Alaska. As to these, the bill expressly allows any single claimant to monopolize one-half the oil and gas producing area of any field greater than 640 acres and the whole of such area of any field smaller than that acreage. The Attorney General says that this means the Standard Oil Co. and other great corporations. Not content with this, the bill also gives blanket authority to the President, which means the Secretary of the Interior, to compromise any of these trespasses on the naval reserves or other withdrawn lands by division of land or division of proceeds, at his discretion.

Under the recent special act giving authority to make arrangements for continuing the operation of the wells of the trespassers during the suits against them, the Interior Department abused its discretion by giving to every trespasser seven-eighths of the oil wrongfully taken by him. It should not be trusted again.

Still another section of the bill gives these trespassers another method of getting what belongs to the public. This section is obscure, but seems to be for the benefit of some claimant who for some occult reason is not satisfied with the prodigality of the general relief provisions.

As to oil shale (rock from which, after crushing, oil can be distilled by an expensive process), the bill gives the Secretary of the Interior authority to establish a genuine leasing system, perhaps because no plunderer of the public at present thinks it worth his while to grab any lands of this character.

As to phosphate and sodium, the bill gives the Secretary of the Interior authority to make a fair trial of the leasing and selling system on equal terms. With a vigorous administration earnestly and courageously bent upon securing the value of these deposits to the public it is probable that a leasing system would result. With a weak administration it is likely that the lands would be patented to exploiters without fair compensation to the public or safeguards against monopoly.

As to national forests, the Secretary of Agriculture should have authority to impose conditions on mining operators and on pipe-line rights of way to safeguard forest interests, and especially to exact payment for all timber taken, damaged, or destroyed. The granting and administration of leases in national forests (there should be no patents for these purposes) should be wholly in his hands, and not in the hands of the Secretary of the Interior, where this bill places it.

I have taken the liberty of setting these matters before you because I believe that incalculable injury will be done to the public by the passage of this bill.

Sincerely, yours,

GIFFORD PINCHOT.

Postscript: The statement of the House conference report that "Presidents Taft and Wilson and the Secretaries of the Interior under them have felt the necessity of passing this legislation" is certainly not true as to Taft and Secretary of the Interior Walter L. Fisher with respect to the matters above criticized. And if the committee has any evidence that it is true with respect to President Wilson they should produce it. The statement that "the bill, in substance, as agreed upon has passed the House during three Congresses" is not true with respect to several matters referred to in the foregoing letter.

The statement that the committee "have had the benefit of the assistance and counsel of the Departments of the Navy, Justice * * * and * * * has had written reports * * * from the several department heads," together with a statement that the House managers feel that every interest of the Departments of the Navy and Justice have been carefully conserved and protected is grossly misleading. The relief this bill gives to trespassers in the naval reserves has been scathingly denounced by the written reports of the Navy Department and the Department of Justice. The latter department has included the relief provisions as to trespassers on other lands in its denunciation.

The final statement that "the House has unanimously passed this bill three times and its provisions have not been criticized by the public" is astounding. It has not been passed three times by the House as to the matters herein criticized. The public has criticized it severely; I myself have criticized its relief provisions as to trespassers on the naval oil reserves by statements given to the press and by pamphlets distributed to every Member of the House and Senate, wherein I reproduced some essential parts of the severe criticism by the Attorney General and the Secretary of the Navy of this inexcusable permission for public plunder.

Mr. STAFFORD. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Speaker, I can not do very much damage in two minutes. This is a mischievous bill. This is an attempt at public plunder in the expiring days of a session. As it passed the House the bill permitted the leasing of these valuable lands. The conference report contains a provision for the sale of the most valuable portion of the public domain. Instead of preserving and safeguarding the Nation's treasures we are to fritter them away. It is a surrender of the people's wealth to private interests. The conference report should be rejected. It can be defeated and should be defeated. [Applause.]

Mr. LONDON had leave to revise and extend his remarks.

Mr. STAFFORD. Mr. Speaker, I yield four minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Speaker, one of the most striking commentaries on this bill has just been read from the Clerk's desk, when one of the leading conservationists in the United States, Gifford Pinchot, makes the statement that this is a bill for public plunder. He says that the communications given out by the committee in regard to general satisfaction with the bill are misleading. He puts it even stronger than that, and says such statements are false. He denounces the bill as "public plunder." If it is, I am opposed to it.

I am particularly interested in the statement that this bill represents a few thousand claimants, as I understand the gentleman from Wyoming to declare, whereas the people interested in these coal and oil lands and in our natural resources number many millions, and the question is whether the conference report should be forced through at this time during the closing hours of this session, with no opportunity given here for amendment or discussion.

I was very much interested in a statement of the gentleman from Oklahoma a day or so ago that we should not criticize an appropriation bill of $1,000,000,000 then before the House—

the military bill. On the second page of this report we find the Government is going to get an astounding revenue, under the recommendation of the chairman of the committee, the gentleman from Oklahoma [Mr. FERRIS], of 2 cents a ton on all the coal that is mined under the provisions of this bill. The lessee pockets a dollar for every penny he gives to the Public Treasury.

Mr. FERRIS. That is the minimum.

Mr. FREAR. Oh, yes; 2 cents per ton is the minimum. The gentleman in charge of this bill is proposing to spend hundreds of millions of dollars and billions of dollars, on the one hand, and he has saved to the Government from this bill 2 cents a ton on coal mined on Government lands to meet that expense. The gentleman from Oklahoma took the floor the other day and lectured the rest of the House, particularly the Republican side, because we were questioning some of the reckless expenditures contained in the $1,000,000,000 military bill, and, I suppose, for criticisms aimed at extravagant bills for waterways, public buildings, and other expenditures which the gentleman supports and which are being rushed through the House at this time. He is, of course, as Democratic national chairman, occupying a position of a good deal of prestige and is in a position to criticize those who differ politically; and I am very much interested to find—and I ask him to correct me if I am misinformed—that the gentleman who is chairman of the Democratic national committee from one Western State and also the gentleman who is chairman of the Democratic national committee from another State, who are both paid attorneys, have been in Washington working day after day for the passage of this coal and oil bill, which Gifford Pinchot declares is "public plunder." The gentlemen of the House know to whom I refer.

Mr. TAYLOR of Colorado. Does the gentleman mean to say that I am a paid attorney?

Mr. FREAR. Oh, no; the gentleman is not chairman of any national Democratic State committee. I am not criticizing any Member.

If I am wrong I ask to be corrected. I am informed that the chairmen of the Democratic national committees of two States have been paid attorneys interested in the passage of this bill which we find is also being pushed through by the national Democratic chairman of the congressional committee, and he is the one who on this floor lectured us on criticisms against useless expenditures a few days ago.

Mr. RAKER. Will the gentleman yield?

Mr. FREAR. The gentleman discusses many things on the floor and takes a good deal of time, and I hope he will let me have a minute undisturbed.

Mr. RAKER. I just want to say——

Mr. FREAR. No, I can not yield; the gentleman can get his own time. I was much interested in the statement of the gentleman from Illinois [Mr. JUUL] a minute ago in regard to page 6, where he complains of the phraseology of this bill. I find fault with that phraseology but for a different reason. The bill provides for 640 acres which may go to one lessee. Ten rods distant the lessee may take 2,560 acres, or four times as much if the limited distance is crossed. That is the judgment of men who bring in a bill with that provision as to adjacent leases.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Speaker, I yield the gentleman one minute more.

Mr. FREAR. Mr. Speaker, I do not want to misjudge or misstate anything in regard to anyone, particularly my friends on the other side of the Chamber. It would never have occurred to me if it had not been for the fact that the chairman of the national Democratic congressional committee, the gentleman from Oklahoma, who is a very popular man personally on both sides of the aisle, does not gather the correct understanding of the people for appropriations which he approves. Last fall you had a lesson, taught at the ballot box, of what the people thought of waste and extravagance, and I can assure you that propositions of this kind are not popular with the people. A few claimants comparatively want this bill, but when Gifford Pinchot, the leading conservationist in this country, tells the people of the country and this House of Representatives that this is a bill for public plunder, I can not understand how the average man will want to support the bill which takes from the people the coal and oil interests on public lands and turns them over to private interests.

The SPEAKER. The time of the gentleman from Wisconsin has again expired.

Mr. FERRIS. Mr. Speaker, I yield five minutes to the gentleman from Alaska [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Speaker, it is rather amazing to me that the gentleman should get politics mixed up with this bill.

Mr. FREAR. Over there.

Mr. WICKERSHAM. No; not over there; it is on both sides of the aisle. I am a Republican, and I am for this conference report. I am for it as the representative of Alaska. Alaska has more than one-half of all the public lands carrying coal, oil, and other resources of that kind in the United States, and we in that Territory want something done to give us release from the private interests which now control us. The bill for leasing Alaska coal lands now upon the statute books has resulted in monopoly in Alaska, has turned our coal resources over to one single great corporation, which controls our transportation, our copper, and our fisheries, and now threatens to take over our coal—the Kennecott Copper Corporation, the incorporated Alaska syndicate. Whoever fails to support this conference report now submits control of the coal, copper, and transportation in Alaska to the Kennecott Copper Corporation, the Guggenheims. This is the only chance we have to get relief. This bill does not go far enough; it is illiberal; it is not fair to Alaska. But it is the best law we have been able to get since 1906, when Alaska was bottled up by an Executive order made by the President of the United States. Then came the years when radical conservation ruled the Congress, and there was a tightening of the reins upon all of the resources of our Territory, and they were entirely withdrawn from development. One reservation after another was made upon our resources and our public land, until to-day the people are being driven out of Alaska as a result of this and other bureaucratic mistakes, and if this bill does not pass, God only knows what will happen to that great Territory even with all its wonderful undeveloped mineral and other resources.

I wish I had time to discuss the bill and its relation to the situation in Alaska, but I have not. All the laws that Congress has passed for Alaska with respect to coal and oil and gas since 1906 have resulted in a single monopoly by one great interest. Here is a letter from the Secretary of the Interior, addressed to me, which I want at this time to read to the House:

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, January 6, 1919.

Hon. JAMES WICKERSHAM,
House of Representatives.

MY DEAR MR. WICKERSHAM: Your letter dated November 20, 1918, requesting information relative to Alaska coal-land leases has been referred to me for reply.

You are advised as follows: (1) There are three coal-land leases in force in Alaska at this time; (2) three tracts are either being mined or prospected under the leases; (3) one lease of 2,420 acres of land in the Bering River field, two leases of 1,400 and 1,440 acres in the Matanuska field, and none in the Nenana field, are being worked or prospected; (4) names of lessees: Bering River field, Falcon Joslin, assigned to Bering River Coal Co., New York Building, Seattle, Wash.; Matanuska field, Oliver La Duke and associates and Lars Netland, who assigned to the Chickaloon Coal Co., Alaska Building, San Francisco, Cal. The first-named lease was made June 8, 1918, and embraces blocks Nos. 18, 19, 20, 22, 23, and 24 of the Bering River field; and the other leases were executed as of February 1, 1917, the first embracing blocks Nos. 2 and 3, the second embracing blocks 10 and 11 in Matanuska field.

I have no extra copies of any of these leases, but you will find the form, which was substantially followed, printed in the inclosed circular, containing coal-land leasing law and regulations. I also inclose a circular regarding the part of the Nenana field which has been surveyed and offered for lease. One application to lease lands in this field was filed, but was withdrawn after publication of notice of the same.

My present information is that the La Duke et al. lessees have mined some coal but that mining is temporarily suspended. Their mine is distant a few miles from the Government railway, necessitating a haul by wagon or sled which adds to the cost of mining. The Chickaloon Co. has not progressed beyond the prospective stage in development under its lease, although I am told that considerable money has been expended by it in the work. The Bering River lessee is engaged, as I understand it, in prospective work preliminary to opening up a mine on the land.

Very respectfully,

——— ———,
Commissioner.

Upon the basis of that letter, which is official, and I happen to know the facts myself, I am permitted to say to the House that in the Bering River field, after all these years from 1906 to date, we have only one lease of coal land made and that lease is now held by the Bering Coal Co., a subsidiary of the Alaska Syndicate crowd. The Kennecott Copper Corporation is the corporate Alaska Syndicate; it owns the Kennecott copper mines on the Upper Copper River which made a net profit of more than $22,000,000 in 1916 and has been selling its copper to the Government at 400 per cent profit. It is the owner of the entire stock and property of the Copper River & Northwestern Railroad from Cordova to its mines; it is the majority owner and in control of the Alaska Steamship Co., which does the carrying trade from the ports of Alaska to Seattle. This same financial interest organized the Bering River Coal Co., and is now financing and opening to development the single coal lease in the Bering River coal fields. If the lease does not cover the exact Cunningham claims it covers better claims nearer to the railroad which the Kennecott Copper Corporation is now pre-

paring to build from Mile 39, on its Copper River & Northwestern Railway line, to its leased coal mine, about 35 miles away.

So after all the talk we have indulged in from 1906 to date, a period of 13 years, the Alaska Syndicate has now actual control of the Bering River coal fields under a contract lease signed by the Secretary of the Interior under the coal-leasing laws passed by Congress for the conservation of the coal fields of Alaska. It is a Government monopoly of the Bering River coal fields, signed by the Government of the United States, and made a monopoly by location and the control of transportation in the hands of the great corporation of which the Bering River Coal Co. is a subsidiary.

Your attention is also called to the statement in the Secretary's letter with relation to the Matanuska coal field. Here the only lease is one to the Chickaloon Coal Co., a San Francisco corporation, and whether it is a subsidiary or under the control of the Southern Pacific Railroad the evidence is not certain, but the statement to that effect is repeated on all sides in that vicinity.

Unless this House shall now support this conference report and give life to the legislation indorsed by it, we will remain under the old coal-leasing law in Alaska with a Government monopoly in the one great field in the hands of the Alaska Syndicate corporation and in the other field, with our $35,000,000 railroad to it, in the hands of a San Francisco corporation. Both these corporations have leases for 50 years with a 2-cent royalty for two years, and a 5-cent royalty thereafter for a period of years. There is no limit upon the power of either corporation to increase the selling price of the coal as they please, and the result under the lease which they now hold will be that they will add the royalty which they pay to the Government to the selling price of the coal, and add whatever profit they please to that, and then charge what they please for transportation and make the dear public pay for it. In my judgment, those men who call themselves "conservationists" and who are responsible for this situation in Alaska are enemies to that Territory and not its friends.

I also read to the House another letter from Secretary Lane, dated February 1, 1919, addressed to the chairman of the Public Lands Committee, which gives further light upon the situation in Alaska. It is as follows:

WASHINGTON, D. C., *February 1, 1919.*

Hon. SCOTT FERRIS,
Chairman Public Lands Committee,
House of Representatives, Washington, D. C.

MY DEAR MR. FERRIS: On December 10, 1917, you transmitted a copy of resolutions passed by the Cordova, Alaska, Chamber of Commerce with reference to the pending general leasing bill, and particularly with reference to deposits of coal and oil. One of the matters urged was that the pending bill be modified so as to make its provisions relating to the sale of coal lands applicable to Alaska. In my reply of January 4, 1918, I advised you, in effect, that the reason this provision was not included was that there is now a special leasing law applicable to that Territory, enacted October 20, 1914 (38 Stat., 741), and that this law has not been in operation long enough for the department to determine whether it will be successful and adopted to the development of Alaska's coal resources.

Since the above letter was written there has been further opportunity to learn whether the Alaska coal-leasing bill is suitable to conditions in the Territory, and I have concluded that it is not entirely so. There has been but little inquiry for these lands and only limited development.

Four leases were granted under the present law, and but two of these were able to finance the small operations thus far begun.

After further study of the situation, I have come to the conclusion that perhaps the field would be more inviting to coal operators if title were granted as in the States, especially since Alaskan operations are so far away from the bases of labor and supply.

I therefore recommend that Alaska be placed on the same footing as the States in the pending bill, and that operators in that field have the same choice of lease and purchase as accorded elsewhere. Otherwise Alaska coal lands will remain in a disadvantageous position.

The Territory of Alaska is now included in the oil provision of the bill, this giving it the same law as the States, which will be an advantage in the administration of the law, because the same rulings would apply to both the States and the Territories, and will obviate the necessity of administering and construing two different laws on the same subject.

I am therefore of the opinion that not only would it be in the interest of the development of the Alaska coal lands to have the provisions of the pending bill made applicable to Alaska, but that it would also be conducive to good administration of the laws.

Cordially, yours,

FRANKLIN K. LANE, *Secretary.*

The House will notice that the Secretary of the Interior is at last persuaded that the present coal-leasing law in Alaska is a failure. He requests that Alaska be placed on the same footing as the States in the bill now before Congress, because he knows better than any other official that the present coal-leasing law is a rank failure, and has resulted in the worst sort of monopoly.

For the reasons stated in these letters, and upon my own information with respect to the conditions in the want of development of the coal lands in Alaska, I strongly favor the adoption of this conference report, and I beg every friend of Alaska on the floor to vote for it.

Mr. STAFFORD. Mr. Speaker, I yield two minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, when this bill passed the House we were in the midst of war and many of us waived many objections to its provisions, because of the pressing need for oil development. Now the war emergency has passed, but notwithstanding that fact the conferees have extended it far beyond what the House at that time approved. They have put in a provision for the sale of coal lands, and, notwithstanding the letter purporting to give the approval of the Secretary of the Interior, it is apparent that it is a most grudging approval, and that he fears it will result in monopolistic ownership of the coal fields.

He says:

I do not think that the bill itself as a leasing measure should be imperiled because of the insertion of this provision regarding sales. * * * Furthermore, the great trouble with the selling of the lands is the danger of monopoly, and that has been guarded against about as closely in this bill as possible.

"The danger of monopoly * * * has been guarded against about as closely as possible"—truly, that is but grudging commendation. It sounds more like a reluctant surrender of a conservation Secretary at discretion in the face of superior numbers of gentlemen who know what they want.

As to coal, this bill throws into the discard the leasing plan. It gives free rein to sale of the people's deposits of coal to the wealthy individuals and corporations who can win them by bidding or by stifling competition, and who, having secured control of the most available deposits, may develop them or not. It is only those lands not "previously entered under section 2," that are to be open to lease. And while "diligent development and continued operation" are required as to leased lands, the preference is to be given the interest that will buy, spend $8 per acre per year in improvements for two years, and may then shut down and stop development, play "dog in the manger" if it suits him to do so. As to coal, this bill throws conservation into the limbo of things forgotten.

The time permitted me allows only the briefest reference to the great issues involved in this report. I will only refer further to the so-called relief provisions as to oil and gas lands.

A matter that has had particular attention throughout the course of the contest of several years over this legislation is the relief provision as to oil and gas claimants who were hit by the withdrawal orders. Although the House prides itself upon being somewhat more strict than the Senate in some of these matters pertaining to conservation of public resources, you will find that in the Senate bill there is a very stringent provision to guard against fraudulent claims. It puts the burden of proof upon the claimant who is an assignee to show that he was clear of fraud. It reads:

That no claimant who has been guilty of fraud in the location of any oil claim or gas-bearing lands shall be entitled to any of the benefits of this section, nor shall his assignee be entitled thereto unless he affirmatively shows that prior to the passage of this act he purchased such lands in good faith, for a valuable consideration, and without actual knowledge of such fraud.

In the bill reported by the conferees there is nothing like that. There is a provision which is called drastic by the conferees, but really amounts to nothing, for it simply provides that the successors of a fraudulent claimant may secure relief unless the Government is able to prove they had notice of fraud, putting the burden on the Government. It reads:

No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of fraud at the time such interest was acquired shall not be chargeable therewith.

When we are going into fields of equity to extend relief to those who are injured by the harsh regularity of the law we should be careful not to open the door to fraud. That is especially true when the interests at stake are valued at millions and when dealing with a subject where fraud has so often been practiced or attempted. But here the door is thrown wide open, and he who comes into the court of equity, however soiled his hands, may keep them deep in his pockets and say to the Government, "Prove my hands are dirty or give me the millions."

Further, there is in this relief section a provision so sweeping in its provisions as to be most amazing and, in my judgment, most dangerous. It opens the way for grossest favoritism and makes possible grave scandal. I refer to the opening paragraph of section 18, the relief section, which is as follows:

That whenever the validity of any gas or petroleum placer claim under preexisting law to land embraced in the Executive order of withdrawal issued September 27, 1909, has been or may hereafter be drawn in question on behalf of the United States in any departmental or judicial proceedings, the President is hereby authorized at any time within 12 months after the approval of this act to direct the compromise and settlement of any such controversy upon such terms and conditions as may be agreed upon, to be carried out by an exchange or division of land or division of the proceeds of operation.

For several years Congress has struggled as to the terms of the relief to be granted these claimants. Section 18, as presented by the conferees, outlines fully the procedure to give relief to these claimants, and specifies the minimum requirements to be insisted upon by the department administering the law, leaving beyond that reasonable discretionary action. But that is not all. So wide and far-reaching is the first paragraph, this new paragraph evolved by the conferees, that the balance of the section, long and complete as it is, becomes either surplusage or camouflage, or both.

In that paragraph Congress throws up its hands and gives plenary powers to the administration to settle these claims without restriction and without any minimum requirements or safeguards whatever. It is a most striking provision and it is an example of the power of habit, of what Congress can do since it has the habit of giving power to the administration.

It provides that "whenever the validity of any gas or petroleum claim, * * * has been or may hereafter be drawn in question on behalf of the United States in any departmental or judicial proceedings, the President is hereby authorized at any time within 12 months * * * to direct the compromise and settlement of any such controversy" in any way he wants to. We turn it all over to the President to settle these claims "upon such terms and conditions as may be agreed upon" with the claimants. That means that underlings of the department, unknown and in quiet, are to enter into negotiation with divers claimants, many with devious ways and diverse methods of appeal, and settle claims and asserted claims, not along lines prescribed by the Congress, but such only as the administration and the parties interested may "agree upon."

Throughout, the paths of the claimant have been made easier, the interest of the general public has been given less consideration, and the interest of the individual greater consideration. In the keen desire to pass something, Congress is passing into law provisions it does not want, and the people at large do not want, and are passing into law other things it knows not of. The bill should be sent back to conference to meet the standards that have all these last several years been fought for in this House.

The SPEAKER. The time of the gentleman from Michigan has expired.

By unanimous consent, Mr. CRAMTON was granted leave to extend his remarks in the RECORD.

Mr. STAFFORD. Mr. Speaker, I wish to inform the gentleman from Oklahoma that we have only one more speaker on this side.

Mr. FERRIS. And we will only have one on this side.

Mr. STAFFORD. Mr. Speaker, I yield the balance of my time in opposition, 10 minutes, I believe, to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, this has been a rather long drawn out controversy, yet I am inclined to think it is being settled a little too soon. I have stood here for years, with many others in the House, maintaining that the whole people were interested in the special deposits which we often call the natural resources, and I thought it was to the interest of the country that men should not become inordinately wealthy merely through the accident of finding something that was hidden in the ground, when somebody was sure to find it sooner or later, and when a large share of the work of finding it is done by the General Government, through the Geological Survey. We have passed in several Congresses this leasing bill. I think a majority of the House, a large majority of the House have been very well satisfied with the provisions of the leasing bill as it passed the House. There have been some gentlemen specially representing what they thought were the interests of their own State, benefiting the State as against benefiting the whole Government, who opposed the bill, and I respect them for their position and acknowledge that their reasons have considerable weight. Now, the bill comes back to us from conference, with the leasing provision in the main fairly satisfactory and if the leasing provisions were not accompanied with some other provisions of the bill providing for sale of the property and in some cases restricting the leasing provisions as passed by the House, it would be, I think, entirely satisfactory now. I appreciate also that the Senate has been opposed to the position of the House, and that in order to enact legislation it probably would be necessary in the end to have something of the spirit of compromise actuate the members of the conference committee, and I am not sure but that the distinguished gentleman from Oklahoma [Mr. FERRIS], chairman of the House conferees, is entitled to a good deal of credit for even bringing back provisions as good as they are, because I doubt very much whether the other conferees from the House have felt inclined strongly to support the position which the House has taken heretofore, and I have no criticism of those gentleman because they have openly expressed their opinion in the House when the bill was under consideration. Now, let us see what this conference report does. Under existing law a man can only acquire title to, I believe, 360 acres of coal land. That he gets by purchase now by paying the appraised value of it, and while formerly, when I first came to Congress, the value at which it was sold was taken at $10 an acre as the minimum amount, I believe subsequently they have really appraised the coal lands and sold them at the appraised value. Now, here is the first provision in this bill, which provides for the sale of 2,560 acres of land.

Well, some little fellow somewhere without much means may take a lease of 2,560 acres of land, because he does not have to put up a large amount of capital, but the big fellow will buy the land, and then it is wholly without the control of the General Government. Just as an illustration, for years we had here a controversy about what was called the Cunningham claim in Alaska. Men were, I was going to say, turned out—I believe one man left the Cabinet, and there was a great furor, and it was almost the unanimous opinion of Members of this House, at least, that the Cunningham claim should not be allowed, because it provided for a monopoly in the mining of coal in the richest coal field, it was said, in the world, and yet under the provisions of this bill two men can buy the Cunningham claim. That is not very far from one may buying it. Twenty-five hundred and sixty acres. The gentleman from Alaska seems to imagine that the people of Alaska will get relief from what they call the Guggenheim extortion. Why, gentlemen, when somebody makes a claim on any of the Guggenheim claims up there, what is the process? Anybody can ask to have the Secretary of the Interior give him a chance to buy 2,560 acres of that for not less than $10 an acre, maybe $20 an acre—I do not know how far it is from the railroad—and then the Secretary of the Interior has to advertise it and sell it to the highest bidder. Well, I can imagine some time—it may be when I have a nightmare—that some little fellow up there will be able to buy that claim of the Guggenheims. Oh, yes [laughter]; yes. Under this bill the Guggenheims will buy it. [Applause.]

Mr. WICKERSHAM. Will the gentleman permit me to suggest they now have it under a 50-year lease?

Mr. MANN. Well, he may suggest it, but I think the gentleman is mistaken, notwithstanding his statement. It does not correspond with the one he just made to the House, either. The same thing will occur everywhere. Under existing law you can get 360 acres of coal land by paying the value of it. Under this bill you can get 2,560 acres for $20 an acre if you do not have competition at the bidding, and there are a thousand and one ways to strangle or prevent competition. That is one feature of the bill, and I am sorry I have not got more time to discuss that with more information and more facts to give to the House. Here is another illustration: For years there has been going on a contest as to the legality of certain oil claims in California. The claimants said that they were entitled to patent; the Government said they were not entitled to patent. That controversy has not yet been settled. The claimants have repeatedly proposed a settlement on a division of the oil, and the value of the oil has been deposited as it is sold under an arrangement with the Government in the litigation that has been pending.

Now, we propose to do what? And you can hardly believe it. When it was first suggested by the gentleman from Wisconsin a distinguished Member of the House indignantly denied it. He could not believe it, although he was strongly in favor of the bill. It proposes to settle with these claimants for all of the oil they have produced in the past by the Government taking one-eighth of the oil and giving to the claimants all the oil rights in the future on the payment of one-eighth after they deduct all their expenses. If we are entitled in a settlement of the claim to one-eighth of the oil they produced in the past, why are we not entitled to one-eighth of the oil for what they produce in the future? Can anybody tell me? [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. FERRIS. Mr. Speaker, I yield to the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Speaker, how much time have I remaining?

The SPEAKER. Ten minutes.

Mr. FERRIS. I hope I do not have to use it all, because I want to get through.

The gentleman from Illinois [Mr. MANN] very fairly, and very squarely, and very fully, and very plainly, as he always does, presented the very crux of the situation. I want to reply to

the things he said, passing over many other things to which I would like to reply.

The gentleman made criticism of the coal provision. Part of his criticism was just, part unjust. I did not get the coal provision exactly as I desired it, but the Senate was insistent on its coal provision. I think in his universal fairness he should have added to all that he said that there is at all times reposed in the Secretary of the Interior the absolute right to reject any and all bids which he may deem unfair. Now, that is the only thing he left out. This power so reserved leaves with the Secretary ample power to protect every interest of the public—yea, every interest of the Government. Without this I would share much of the criticism of the gentleman from Illinois. We did enlarge the coal-leasing law in this bill in the conference report. The Senate insisted upon it, and the Senate conferees insisted upon it. This legislation could not become a law without enlarging it some. In my opinion, after a lot of study and reflection, I think it ought to be enlarged.

The coal development is not a barefooted homesteader's game. It is a rich man's game. You can not locate a successful coal mine and operate it on 320 acres of land. More area is required. The men in the House who know about mining coal, I think, will corroborate that statement. That is undoubtedly the view of all the departments, and all coal men, and all of the geological surveys we have had before us. I think the gentleman from Illinois understands that to be true. What I would like to have written in this law would have been a hard-and-fast appraisal, but the best we could do was to get the right at all times imposed in the department to reject any and all bids after first offering it on competitive bids and getting all they could for it. Of course, it is true that it has been appraised so the Government will know the value without a new appraisement and can intelligently reject, also can intelligently dispose, both of which are essential.

Now, the gentleman from Illinois [Mr. MANN] feared monopoly. Of course, there is always danger of that. We should ever be on guard. On the other hand, the coal and natural resources should not be so handled as to fix the grasp of monopoly that already prevails. Write into the law what you will, and there is always some danger. Monopoly has been with us from the start. I hope by the passage of this intelligent bill we may loosen its grasp by competition. It might also be well for the House to recall that there are 70,000,000 acres of coal lands in the United States and in Alaska. These are the latest figures on the subject from the Geological Survey. To let the House know what an estate this is, to let them know what an undeveloped estate it is, I may call to your attention that if this 70,000,000 acres of coal land be divided into tracts of 2,500, you will find there will be coal enough for all who want to develop coal. We might add that this will be true for many generations yet to come. It has been calculated by those who are better at figures than I that at present rate of consumption the present coal supply will last for 7,000 years. Whether these figures are true or false the fuel supply is not in danger.

Mr. STAFFORD. Will the gentleman yield for a question?

Mr. FERRIS. I hope the gentleman will let me go on.

We passed through the House in this bill, and in every bill we passed—and we passed this one three times—a dual provision in the law of sale or lease. That has always seemed best. That has always seemed necessary. We left the old coal law intact. We supplemented it with a lease even where that seemed more workable and feasible. We did not enlarge it; we did not diminish it as we passed it through the House. We left it absolutely intact. Now, this provision in this conference report enlarges the coal law. There is not any question about that. And the coal experts, both in and out of Congress, think it makes it better, and the department thinks it makes it better. And to make sure during the pending conference I made an inquiry as a sort of an additional guaranty from the Secretary and later after reading that provision, and after having consulted with the Geological Survey and the Bureau of Mines, he said he could protect the Government in all things in that. He gave us a written opinion on it in its present form.

I want to pass from the coal provision of this bill to the oil provisions, which are the two main proposals. The gentleman from Illinois [Mr. MANN] goes squarely to the point, as he always does, and he dealt with the part of the bill that is intensely important. In the oil provisions we have not departed materially from the House provision. It is true we have liberalized it some. On the past production, where these oil claimants were entitled to patents, as they thought, and as the lawyers and everybody else who had advised them thought they were entitled to, they fought in the courts and scrambled and had lawsuits for years, and had their property impounded. And we thought if we took one-eighth of prior production and gave it to the Government, where controversy had been so keen that the ablest lawyers in the country had advised them they were entitled to their patents, we were only doing justice and scant justice. One-eighth is quite the customary royalty even if they had no equities or claims to patents of any sort.

Now, what is the first thing one of these claimants *must* do before he can even get a lease at all? He must file a surrender and a full relinquishment to every claim he has for a patent. Then the Secretary of the Interior, under rules and regulations, may put anything into the lease that he wants to. And there is an antimonopoly provision, a safeguarding provision for both the public and the Government. He can write anything in it he desires, according to section 34, I think it is, of this bill.

Now, as to the future production, where the oil men start out with a fair and square chance, we allow them to mine and lease in small tracts under Government supervision; and we provide that the Government can take a minimum of one-eighth, which is the usual royalty, and as much more as they want to take. So, summed up, Mr. Speaker, it all amounts to this, that the Secretary of the Interior leases in small tracts under Government supervision, subject to the rental that he fixes in the leasing of this oil property.

Now, one word more. It is said that this land will be sold and none of it leased. If any part of that statement were true, it would be very interesting. If the oil men thought that was so, they would be very happy. They think and they know what is in Secretary Lane's mind is not to sell at all, but to lease altogether; and it is within his power to write into the rules and regulations, which he is given ample authority to do, provisions which will keep every acre from being sold if he wants to do it; and not only that, but the specific provision is written in that he can reject any and all bids without rhyme and without reason. This affords safeguards that ought to settle this hysteria that is floating around on this subject. Secretary Lane can be trusted to do right on all of these matters. He has both vision and knowledge to deal wisely and well with these matters.

Let us go up to Alaska for a moment. If anyone seeks to monopolize the Cunningham claim or any other claims in Alaska, all the Secretary has to do is to write across the bid "Rejected." I do not know; I can not believe that Secretary Lane, the Bureau of Mines, and the Geological Survey and the people that stand behind him and have studied this question so much more than we—I can not believe they would approve it unless they thought it was for the best interests of the country. I am sure they would know what was for the best interests of the country.

Now, Mr. Speaker, what will happen if we do not pass this bill? There is only one alternative. If we kill this bill, what happens? I do not say this bill is perfect. I am a critic of some parts of this bill myself. I do not claim that it is perfect. But after six years of patient effort it is the best we could get. What happens if we do not pass this bill? This oil property, under the placer law, goes on to patent and we do not get anything.

What is the situation on oil? Eight men can go out and take up an oil claim, and they can take up one after another until they take up the whole country. What do we get? Nothing. What royalty? Nothing. What power to regulate? None. So, as distinguished from the old and obsolete and antiquated land laws that are unworkable, I believe that the House would do itself proud to-day, notwithstanding the objections of some very good men here and elsewhere, to go on and adopt this leasing system and make it a little stronger and a little better as the weak places show up in the legislation. Of course, for men who do not know anything about it, who have not studied it, I suppose it is easy to vote against it. It does not affect an acre of land in my State. It is a hard job, for which I have gotten nothing but kicks. It does not affect my State or any persons in my State and no near friend that I have; but I have felt that it is better than the existing law, and I signed the report believing that it is better than the existing law, and I defend it here, believing that the good men who oppose it are mistaken in their opposition. After they study it and Secretary Lane begins to make his leases and these men are developing the bold prairies of the West and allowed to go on with their work, and when part of this money is given to the schools and the reclamation fund and to the Public Treasury, I think that both Democrats and Republicans will be proud of the legislation. I know that it is easy for one man to sit on the fence and tell the other man how to plow corn, but it is a little harder to plow it; and if you put up a man against those Senate conferees, you have given him a hard job. I have had this hard job on this legislation for six years. It is the best we could do. It is better than existing law. We will make it better as we go along. [Applause.]

The SPEAKER. The time of the gentleman from Oklahoma has expired. All time has expired.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. LONDON. Mr. Speaker, I make the point of no quorum in connection with the vote.

The SPEAKER. The ayes seem to have it; and the gentleman from New York makes the point of no quorum. The Chair will count. [After counting.] One hundred and eighty-four gentlemen are present—not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of the conference report will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 233, nays 109, answered "present" 2, not voting 85, as follows:

YEAS—233.

Almon	Ferris	Kiess, Pa.	Rowe
Ashbrook	Fess	Kincheloe	Rubey
Aswell	Fields	Kinkaid	Rucker
Austin	Fisher	Kitchin	Sabath
Ayres	Flood	Kreider	Sanders, Ind.
Bacharach	Focht	La Follette	Sanders, La.
Bankhead	Fordney	Lea, Cal.	Sanford
Barkley	Foss	Lee, Ga.	Saunders, Va.
Beakes	Foster	Lesher	Scott, Iowa
Beshlin	Freeman	Lever	Scully
Birch	French	Lobeck	Sherwood
Black	Fuller, Mass.	Lonergan	Shouse
Blackmon	Gallivan	Lufkin	Siegel
Bland, Va.	Gandy	Lunn	Sims
Blanton	Gard	McArthur	Sinnott
Brodbeck	Garland	McClintic	Slayden
Buchanan	Garner	McFadden	Slemp
Burnett	Garrett, Tenn.	McKenzie	Sloan
Burroughs	Garrett, Tex.	McKeown	Small
Butler	Gillett	McLemore	Smith, Idaho
Byrnes, S. C.	Godwin, N. C.	Magee	Snell
Byrns, Tenn.	Goodwin, Ark.	Mansfield	Snook
Campbell, Kans.	Gordon	Martin	Steagall
Candler, Miss.	Gould	Mason	Stedman
Cantrill	Gray, Ala.	Mays	Stephens, Miss.
Caraway	Greene, Mass.	Merritt	Stephens, Nebr.
Carlin	Gregg	Miller, Wash.	Sterling
Carter, Okla.	Griest	Mondell	Stiness
Chandler, Okla.	Griffin	Montague	Sullivan
Church	Hadley	Moore, Pa.	Sumners
Clark, Pa.	Hamilton, N. Y.	Morgan	Switzer
Claypool	Hardy	Morin	Taylor, Colo.
Cleary	Harrison, Miss.	Mott	Temple
Coady	Harrison, Va.	Neely	Tillman
Connally, Tex.	Haskell	Oldfield	Timberlake
Connelly, Kans.	Hastings	Oliver, Ala.	Tinkham
Cooper, Ohio	Hawley	Olney	Treadway
Copley	Hayden	Osborne	VanDyke
Crago	Hayes	Padgett	Venable
Curry, Cal.	Heaton	Paige	Vinson
Dempsey	Heflin	Parker, N. Y.	Walton
Dent	Hicks	Peters	Ward
Denton	Hilliard	Phelan	Watkins
Dewalt	Holland	Platt	Watson, Pa.
Dickinson	Hollingsworth	Polk	Watson, Va.
Dixon	Hood	Pou	Weaver
Dominick	Houston	Powers	Welling
Doolittle	Hull, Tenn.	Quin	Welty
Doughton	Humphreys	Rainey, J. W.	Whaley
Drane	Igoe	Raker	Williams
Drukker	Jacoway	Ramsey	Wilson, La.
Dunn	Johnson, Ky.	Randall	Wilson, Tex.
Dupré	Johnson, Wash.	Rayburn	Wingo
Dyer	Jones	Reavis	Winslow
Eagan	Kahn	Roberts	Wright
Eagle	Kearns	Robinson	Young, Tex.
Elston	Keating	Rogers	
Evans	Kettner	Romjue	
Fairchild, B. L.	Key, Ohio	Rouse	

NAYS—109.

Alexander	Decker	Hersey	London
Anderson	Denison	Howard	Longworth
Anthony	Dillon	Huddleston	Lundeen
Baer	Doremus	Hull, Iowa	McCulloch
Bell	Dowell	Husted	McKinley
Bland, Ind.	Edmonds	Hutchinson	McLaughlin, Mich.
Britten	Elliott	Ireland	McLaughlin, Pa.
Browne	Ellsworth	James	Madden
Browning	Esch	Johnson, S. Dak.	Mann
Campbell, Pa.	Essen	Juul	Mapes
Cannon	Frear	Kelly, Pa.	Moon
Classon	Fuller, Ill.	Kennedy, Iowa	Moores, Ind.
Cooper, Wis.	Gallagher	King	Nelson, A. P.
Cramton	Glynn	Knutson	Nelson, J. M.
Crosser	Good	Kraus	Nichols, Mich.
Currie, Mich.	Graham, Ill.	LaGuardia	Overstreet
Dale	Green, Iowa	Lampert	Parker, N. J.
Dallinger	Greene, Vt.	Larsen	Purnell
Darrow	Hamilton, Mich.	Lehlbach	Ramseyer
Davis	Haugen	Little	Rankin
Reed	Snyder	Towner	Wise
Rodenberg	Stafford	Vestal	Wood, Ind.
Rose	Steele	Voigt	Woodyard
Sanders, N. Y.	Steenerson	Volstead	Young, N. Dak.
Schall	Sweet	Walsh	Zihlman
Scott, Mich.	Thomas	Wheeler	
Sells	Thompson	White, Me.	
Smith, Mich.	Tilson	Wilson, Ill.	

ANSWERED "PRESENT"—2.

Brand	Emerson

NOT VOTING—85.

Barnhart	Dooling	Littlepage	Shackleford
Benson	Estopinal	McAndrews	Shallenberger
Booher	Fairchild, G. W.	McCormick	Sherley
Borland	Fairfield	Maher	Sisson
Bowers	Farr	Miller, Minn.	Smith, C. B.
Brumbaugh	Flynn	Mudd	Smith, T. F.
Caldwell	Francis	Nicholls, S. C.	Stevenson
Carew	Goodall	Nolan	Strong
Carter, Mass.	Graham, Pa.	Norton	Swift
Cary	Gray, N. J.	Oliver, N. Y.	Tague
Chandler, N. Y.	Hamill	O'Shaunessy	Taylor, Ark.
Clark, Fla.	Hamlin	Overmyer	Templeton
Collier	Heintz	Park	Vare
Cooper, W. Va.	Helm	Porter	Waldow
Costello	Helvering	Pratt	Walker
Cox	Hensley	Price	Wason
Crisp	Kehoe	Ragsdale	Webb
Davey	Kelley, Mich.	Rainey, H. T.	White, Ohio
Delaney	Kennedy, R. I.	Riordan	Woods, Iowa
Dies	Langley	Rowland	
Dill	Lazaro	Russell	
Donovan	Linthicum	Sears	

So the conference report was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. RUSSELL with Mr. STRONG.

Mr. O'SHAUNESSY with Mr. GRAHAM of Pennsylvania.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. LITTLEPAGE with Mr. COOPER of West Virginia.

Mr. SHALLENBERGER with Mr. FAIRFIELD.

Mr. CAREW with Mr. GOODALL.

Mr. HAMILL with Mr. BOWERS.

Mr. KEHOE with Mr. KENNEDY of Rhode Island.

Mr. BOOHER with Mr. LANGLEY.

Mr. BENSON with Mr. MUDD.

Mr. DOOLING with Mr. NOLAN.

Mr. DONOVAN with Mr. VARE.

Mr. HELM with Mr. WASON.

Mr. CRISP with Mr. FARR.

Mr. MAHER with Mr. KELLEY of Michigan.

Mr. TAYLOR of Arkansas with Mr. MILLER of Minnesota.

Mr. PARK with Mr. PORTER.

Mr. RIORDAN with Mr. PRATT.

Mr. STEVENSON with Mr. CHANDLER of New York.

Mr. COLLIER with Mr. GEORGE W. FAIRCHILD.

Mr. DELANEY with Mr. FRANCIS.

Mr. DUPRÉ with Mr. MCCORMICK.

Mr. LAZARO with Mr. WALDOW.

Mr. LINTHICUM with Mr. TEMPLETON.

Mr. NICHOLLS of South Carolina with Mr. ROWLAND.

Mr. HENRY T. RAINEY with Mr. HEINTZ.

Mr. SISSON with Mr. SWIFT.

Mr. THOMAS F. SMITH with Mr. WOODS of Iowa.

Mr. CALDWELL with Mr. CARY.

Mr. CLARK of Florida with Mr. GRAY of New Jersey.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

On motion of Mr. FERRIS, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

VOLUNTARY ENLISTMENTS.

Mr. GARRETT of Tennessee. Mr. Speaker, I present a privileged report from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 593.

Resolved, That immediately upon the adoption of this resolution the Committee on Military Affairs shall be discharged from the further consideration of S. 5279, "An act to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes," and the House shall immediately resolve itself into Committee of the Whole House on the state of the Union for the consideration of said bill; that there shall be not to exceed one hour of general debate, one half to be controlled by the gentleman from Alabama [Mr. DENT] and one half by the gentleman from California [Mr. KAHN]; that at the conclusion of general debate the bill shall be read for amendment under the five-minute rule. At the end of such consideration the committee shall rise and report the bill to the House with amendments, if any, whereupon the previous question shall be considered as ordered upon the bill and amendments to final passage without intervening action, except one motion to recommit.

Mr. GARRETT of Tennessee. Mr. Speaker, I should like to ask the gentleman from New York if we can agree upon time for debate upon the rule.

Mr. SNELL. I think we can get along with about 30 minutes on this side.

Mr. GARRETT of Tennessee. I ask unanimous consent that debate on the resolution may be concluded at the end of one hour, one-half of that time to be controlled by myself, one-half by the gentleman from New York [Mr. SNELL], and at the end of that time the previous question may be considered as ordered.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that debate on this resolution shall not exceed one hour, half the time to be controlled by himself and half by the gentleman from New York [Mr. SNELL], and that at the end of the hour the previous question shall be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Tennessee is recognized for 30 minutes.

Mr. GARRETT of Tennessee. Mr. Speaker, on February 3 it was reported to the House that the Senate had passed S. 5279. The effect of that bill was to repeal certain provision of law that had been passed theretofore which prevented enlistments. Substantially the Senate bill provides that there can be enlisted 175,000 men.

Mr. GORDON. By voluntary enlistment.

Mr. GARRETT of Tennessee. By voluntary enlistment. Subsequently a similar bill was reported from the Committee on Military Affairs of the House, H. R. 13548. The language of the House bill is precisely the same as the language of the Senate bill, therefore the meaning is exactly the same. The House bill is upon the calendar. The Senate bill upon coming here was referred in regular order to the Committee on Military Affairs.

The reason for the resolution that has just been reported is that the Committee on Military Affairs may be discharged from the further consideration of the Senate bill in order to expedite its passage. That is the parliamentary situation.

Mr. BUTLER. Will the gentleman allow me to ask him a question?

Mr. GARRETT of Tennessee. I will.

Mr. BUTLER. The purpose of this bill being the same as the language found in the military bill, why did not the resolution make it in order to keep the language of the military bill in that bill?

Mr. GARRETT of Tennessee. This does not relate to any provision of the military appropriation bill.

Mr. BUTLER. I understood the gentleman to say that the purpose was the same as one of the provisions in the military bill.

Mr. GARRETT of Tennessee. No; I said that the purpose of S. 5279 and of House bill 13548 was the same. So far as the legislation that is proposed in the military appropriation bill is concerned the Committee on Rules have that under very careful consideration. This is not called up as a rider on the appropriation bill. This is called up as an independent proposition.

Mr. WINGO. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield to the gentleman from Arkansas.

Mr. WINGO. I was not present when the rule was read. Does the rule discharge the Committee on Military Affairs from further consideration of this Senate bill and pass it?

Mr. GARRETT of Tennessee. Of course, it throws it open for consideration.

Mr. WINGO. That would be the fact if the House approved of it. It allows voluntary enlistment in the Regular Army.

Mr. GARRETT of Tennessee. Yes; it restores the right of enlistment.

Mr. WINGO. The parliamentary situation is that you are not supporting something as a rider on an appropriation bill.

Mr. GARRETT of Tennessee. Yes. This resolution does not refer to the appropriation bill in any way. It makes in order a bill already adopted by the Senate, and the substance of which has been approved by the House Committee on Military Affairs.

Mr. WINGO. You are going to consider separate legislation embodied in a Senate bill.

Mr. GARRETT of Tennessee. Yes; a Senate bill, a similar House bill being upon the calendar.

Mr. WINGO. And you propose by the rules to consider legislation proposed and embodied in the Senate bill.

Mr. GARRETT of Tennessee. Precisely; it has no technical connection with the military appropriation bill.

Mr. DYER. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. DYER. The gentleman from Tennessee is always very frank with the House, may I ask him if it is not a fact that the Committee on Rules has reported a rule for the consideration of this bill S. 5279, providing for the enlistment in the Regular Army, as an answer to the request of the Committee on Military Affairs for a rule on the legislation providing for enlistment in the military appropriation bill.

Mr. GARRETT of Tennessee. The gentleman has been kind enough to say that I am always frank with the House. I try to be. Therefore I will say that I can not interpret the feelings in the hearts of various gentlemen of the Committee on Rules who voted upon the resolution.

Mr. DYER. The gentleman's committee had a request for a rule?

Mr. GARRETT of Tennessee. Yes; that is pending and still under consideration.

Mr. DYER. If this passes, I take it that that will be satisfactory to the House.

Mr. GARRETT of Tennessee. I do not know about that. Mr. Speaker, I reserve the remainder of my time.

Mr. SNELL. Mr. Speaker, the Rules Committee were unanimous in this proposition that some rule should be presented to the House that would make in order legislation that it is absolutely necessary to consider at this time in connection with the present military bill. After some discussion it narrowed down to two propositions before the Rules Committee, whether we should present the rule presented by the gentleman from Tennessee which makes in order the consideration of the Senate bill No. 5279, which simply provides again for voluntary enlistments, the same as before the war, or whether we should present to the House the rule asked for by the majority members of the Military Affairs Committee.

Mr. HARRISON of Virginia. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. HARRISON of Virginia. There was no vote taken by the Committee on Rules, however, on the proposition to embody this provision that is in the Army bill in a separate rule.

Mr. SNELL. I was just coming to that. There was no such vote taken in the committee, and the sentiment of the committee was not tested on the question. They were unanimous that we must have some proposition before the House, and it was a question which rule should be presented. The rule as asked for by the Committee on Military Affairs was a much broader rule than the one here presented.

The only contention that I have is that the rule presented to the House is not broad enough to take care of all the legislation that is absolutely necessary to be considered at this time in connection with the Military Establishment of the United States.

Mr. MADDEN. Will the gentleman yield?

Mr. GARRETT of Tennessee. I will yield to the gentleman.

Mr. MADDEN. If the rule is passed and the Senate bill is passed which the rule makes in order, would not men who enlisted in the Military Establishment be required to enlist for three years and go into a reserve for four years?

Mr. SNELL. It would if passed without any amendment. We have already in this appropriation bill made provision for 500,000 men through the coming year. There is not a man in this House but who knows that there will be an average of more than 500,000 men in the United States Army for the next year. Now, as long as we have done this why should not we go along and complete the legislation that goes with it? That is all I am contending for.

Mr. GORDON. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. GORDON. Of course, the gentleman is including in the 500,000 men the men in the military service of the United States under the draft law. There will be some of them left, but this bill is intended to provide an Army after the 1st of July.

Mr. SNELL. My statement was that there would be more than an average of 500,000 men in the Army for the year ending July 1, 1920.

Mr. GORDON. That is the reason we appropriated for 509,000.

Mr. SNELL. Then you and I agree.

Mr. GORDON. I do not know whether we do or not. [Laughter.]

Mr. SNELL. The only question for us to decide at the present time is whether the rule as presented by the Rules Committee covers all the legislation necessary; whether the act that will be made in order for consideration is wide enough to permit enough amendments to take care of all the necessary legislation that is absolutely required for us at this time.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. SNELL. I will.

Mr. GARRETT of Tennessee. The gentleman understands perfectly that this is not related technically to the military appropriation bill.

Mr. SNELL. I understand that perfectly well.

Mr. GARRETT of Tennessee. And any germane amendment is in order on this bill. We ought not to confuse our minds with the thought that this is connected with the military appropriation bill in a technical way.

Mr. SNELL. I admit that what the gentleman says is partly correct, but, on the other hand, it is understood, and everyone in this House knows, that this rule was brought in to take the place of the rule asked for by the Military Affairs Committee.

Mr. SANFORD. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Yes.

Mr. SANFORD. The gentleman from Tennessee [Mr. GARRETT] says that this rule is not technically connected with the other. I want to ask the gentleman from New York if, as a matter of fact, this measure is not strategically so related to the other that it is hoped that this will make it easier for the majority, acting through the Rules Committee, to present their proposition in such a way as to prevent full consideration by the House of the whole proposition.

Mr. SNELL. That is entirely what I tried to make clear to the Members of the House at this time. The only objection that was brought up in the committee against the rule that was asked for by the Military Affairs Committee was that if we adopted that rule we would commit this country to a standing army of 500,000 men as a peace-time proposition. I maintain that has nothing to do with it. It is simply a question of whether we want to consider at this time the legislation that the Military Affairs Committee brings to our attention, and we suppose they know what it is necessary to consider and what should be brought before the House at this time. I am informed that Senators who presented S. 5279 at the other end of the Capitol say at this time that this bill does not cover the entire situation, and it will be necessary, in consideration of the regular Military Affairs Committee appropriation bill, to go back to the Rules Committee and ask for a further rule to provide for legislation that is actually necessary. So what is the use of spending time on this when it does not meet the conditions confronting us as the present time?

Mr. GORDON rose.

Mr. SNELL. Oh, just a moment. What I want to do is to take up the whole proposition at one time and consider it fairly and squarely, and let the Members of the House get information from the Military Affairs Committee and decide what is right and proper to do. I am not for an Army of 500,000 in times of peace, but I want the information to go before the House, so that the House may consider it fairly and squarely and do what they think right. It is no more than fair that they should have that opportunity at this time. When we come to that provision in the appropriation bill on page 58 which provides for an enlisted strength of 28,579 officers and 509,909 enlisted men, if it be made in order to consider it, you can reduce that or raise it as you see fit. This does not commit you to any sized Army, but it simply commits you to considering the proposition fairly and squarely at this time, and I feel that it would be much better to not adopt this rule, but to adopt the rule requested by the Military Affairs Committee and throw the proposition open to the House and let them consider it upon its merits.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Yes.

Mr. WINGO. As I understand the gentleman, he says there was unanimity of opinion that the pending Senate bill should be passed.

Mr. SNELL. Then the gentleman misunderstood me, or I misspoke myself. I said that I understood, from the other side, that certain Senators said——

Mr. WINGO. The gentleman does not understand my query. As I understood the gentleman in his opening remarks, he said that the Rules Committee were unanimously in favor of the passage of the Senate bill, which is proposed to be made in order by this rule.

Mr. SNELL. Not at all. I said that they were unanimous in the opinion that some rule was necessary to provide for legislation that was necessary to be considered at this time.

Mr. WINGO. The gentleman thinks that the Senate bill is necessary legislation, and he only differs upon the extent to which it goes?

Mr. SNELL. I would not want to put it that way. I think there are certain things in connection with this bill that must be considered, and I want to open the question up to the House, get the information from the members of the Committee on Military Affairs, who are better informed than I am, and let the House form its own judgment.

Mr. WINGO. The gentleman has made that clear. The point I want to get at is this: Does the gentleman approve resuming voluntary enlistments in the Regular Army?

Mr. SNELL. I do.

Mr. WINGO. Does the gentleman know of anyone who is opposed to it?

Mr. SNELL. No.

Mr. WINGO. If that be true, that is an undisputed proposition. Why not pass that, as is proposed to be done by this rule, and then take up as a separate proposition the disputed proposition of a separate new Army?

Mr. SNELL. You may just as well do it all at one time. That is the only contention. It would be better, in my judgment, to do it all at one time, and not be forced to go back to the Rules Committee and ask for another rule, which will be necessary.

Mr. MONTAGUE. Mr. Speaker, will the gentleman yield?

Mr. SNELL. I am very sorry, but I have not any more time. I now yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, my colleague from New York [Mr. SNELL] covered the point, I think, in a sufficiently discriminating way so that every Member can see just how this alternative is presented for us to vote on. The Committee on Rules had presented to it a proposition to make in order the matter of legislation on the military appropriation bill that will go out of the bill on a point of order. That was the matter that was presented to us. One of the items of the many that are in the legislative provision that had most meaning to us was that which pertains to the size of the Army and how it was to be enlisted, and one of the features that is of importance was that the enlisted force for the Regular Army should be raised by voluntary enlistments for periods of three years, and that the additional forces therein authorized should be raised by voluntary enlistment for the period of one year. That is different from the law of 1918, which this second resolution that is before us intends to carry out, and the question was up to us whether we would make in order this legislation on the appropriation bill and leave it open for amendment, so that if you did not agree with the size of the Army here you could amend it and change it in accordance with the wishes of the House.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. GARRETT of Tennessee. That is still pending before the Committee on Rules, is it not?

Mr. FESS. While it is still pending before the Committee on Rules, it is very distinctly understood that if this substitute is agreed to it will not be pending before the Committee on Rules. That was offered as a substitute, and it is clearly understood by the members of the committee that if this alternative is made a law there will be no occasion to bring the other up, for the reason that the alternative that is offered is limited to one thing, and only one thing—a peace army, fixed in number, the manner of enlistment fixed, and also the time of enlistment. The Army allowed is 175,000, enlisted for seven years—three with the colors and four in the reserve.

That being decided, the thing that we wanted to make in order was this legislation, so it could be modified by amendment in case the Members did not accept it as written. If we wanted to make the size of the Army large or small, it could be done. It would allow the House to fix the manner of enlistment and the time of enlistment, and it seemed to us that it would be better to let the military appropriation bill come in with this legislative feature made in order and open for amendment, so that whatever the House wanted to do in the way of change it might obtain it rather than fix at this time distinctively upon a peace basis of 175,000 men. That is the whole thing in this matter; and while I will join with Members on either side of the House to hold for a smaller Army, for I do not believe in a large Army, I want that matter fixed not in time of war; the war is still on, and I do not believe we ought to close up matters now so as to give the Military Department an excuse to say we can not demobilize because Congress did not agree to pass a law permitting us to demobilize. That is why we wanted to bring it in and let the Military Affairs Committee legislate with this legislative feature made in order.

Mr. SHERWOOD. This is a change from the system of conscription to the voluntary system—is that right?

Mr. FESS. No; that is not right.

Mr. SNELL. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. ANTHONY].

Mr. ANTHONY. Mr. Speaker, I am utterly unable to understand why the Committee on Rules has sought to evade the

question at issue by reporting this mere fragment of what the Military Committee asked of it. By majority vote the Committee on Military Affairs yesterday morning decided that it was of the utmost importance that the legislation asked for in their bill be made in order by the Rules Committee, so that the House should have an opportunity fairly to express its opinion in regard to that legislation. For some reason the Committee on Rules has decided not to give the House that opportunity to express itself——

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. ANTHONY. I do.

Mr. GARRETT of Tennessee. The Committee on Rules has not decided that.

Mr. ANTHONY. In my opinion the Committee on Rules has so decided. This resolution as submitted is not open to amendment, as I understand it.

Mr. GARRETT of Tennessee. Oh, yes; it is open to amendment.

Mr. ANTHONY. How far?

Mr. GARRETT of Tennessee. To any germane amendment.

Mr. ANTHONY. What does the gentleman construe a germane amendment?

Mr. GARRETT of Tennessee. The gentleman can draw his own amendment; I am satisfied with the bill as it stands.

Mr. ANTHONY. Does the gentleman construe as a germane amendment the legislation which the Committee on Military Affairs asks?

Mr. GARRETT of Tennessee. I would have to think about it.

Mr. ANTHONY. The gentleman would, indeed, have to think about it.

Mr. GARRETT of Tennessee. If the gentleman will yield further, I will take some of my time——

Mr. ANTHONY. I yield.

Mr. GARRETT of Tennessee. The gentleman can draw an amendment to this Senate bill that will shorten the terms of enlistment if he desires to do so.

Mr. ANTHONY. Yes.

Mr. GARRETT of Tennessee. And can increase the number of men if he desires to do so.

Mr. ANTHONY. It will be utterly impossible, in my opinion, to add other vitally necessary legislation for the Army by way of amendment——

Mr. KAHN. Will the gentleman yield?

Mr. ANTHONY. I yield.

Mr. KAHN. The amendments which the gentleman may offer under this rule refer only to the Regular Army.

Mr. ANTHONY. Yes. Now, what will be the result, gentlemen, if we pass the appropriation bill with only this piece of legislation? It means that we will pass up to the Senate, if it passes an Army bill, the entire responsibility for putting on all of the necessary Army legislation. It will come over to the House in the shape of a conference report, and we will have to swallow that conference report without having opportunity properly to consider or digest it. That is the legislative situation which the Rules Committee has put up to the House in this proposition.

Mr. GORDON. Will the gentleman yield?

Mr. ANTHONY. I yield.

Mr. GORDON. Is it not a fact that the only objection to this Senate bill is you can not amend by drafting men in time of peace?

Mr. ANTHONY. That may be true, but I go a little further, and we must understand that whether we want it or not we are going to have an Army not of over 500,000 men, such as the gentleman from New York suggested for the next year, but, in my opinion, we may have an Army on our hands of 1,000,000 men, whether we want it or not. We are going to have a million men left in France at midsummer, and it will be impossible for us to transport them over here and for them to be demobilized as rapidly as some people plan. We can not demobilize them in France. We have not got the bottoms in which to bring them back to this country. Now, if the President chooses to defer the time of the issuing of his proclamation of the state of peace, it simply means that under the power of legislation that we have already conferred upon him he can redraft those men and keep them in the service as long as he wishes, and instead of this House taking steps to assist in the demobilization of the Army by the passage of the meager legislation which the Committee on Rules will permit you are liable to continue an Army of great size for a longer period than you have any idea of doing.

Mr. WINGO. Will the gentleman yield?

Mr. ANTHONY. I do.

Mr. WINGO. I may have misunderstood the gentleman, but I understood him to favor the drafting of men in peace time.

Mr. ANTHONY. No; I did not favor drafting men in peace time, but you may see that very thing being done next summer if you fail to try and remedy the existing situation. I will say to the gentleman that we are confronting a condition and not a theory. We are going to have a large Army on our hands whether we want it or not by reason of the physical impossibility of getting them back from France, and the Committee on Military Affairs believes it wiser to try and limit not only the size of the Army but the way it shall be officered by necessary legislation. Now, there is another thing. If we stop at this little bit of legislation regarding enlistments, what is going to happen? We are going to have a continuance of a top-heavy force in the various staff bureaus, which are now largely overofficered in time of peace, and further we are going to see certain very necessary special corps which are now in existence, such as the Tank Corps and the Air Service, which are not authorized under the law of 1916, pass out of existence entirely unless we pass needed legislation for their maintenance after the treaty of peace.

The SPEAKER. The time of the gentleman has expired.

Mr. GARRETT of Tennessee. I want to say to the gentleman from New York that I thought there would be only one speech when I made the statement a few moments ago, but I think there will possibly be more than one.

Mr. SNELL. Then the gentleman had best use some of his time now.

Mr. GARRETT of Tennessee. I yield five minutes to the gentleman from Kentucky [Mr. FIELDS].

Mr. FIELDS. Mr. Speaker, this proposition should pass the House, and pass immediately. I congratulate the Committee on Rules for bringing it out. I would favor its passage individually if I were heartily in favor of every provision carried in the legislative rider to the appropriation bill. Senate bill 5279, or its equivalent, which the adoption of the rule under consideration will make in order, was recommended by the Chief of Staff and the Secretary of War, and they urged the necessity of the early enactment of the legislation.

Now, if this Senate bill passes, it becomes a law and the department can resume voluntary enlistments even in the event of the failure of the appropriation bill in another body. It has been whispered around that the military appropriation bill and the naval appropriation bill, and probably some others, may not be enacted into law at this session of Congress. So if this matter is made to depend solely upon the passage of the Army appropriation bill, and that bill shall fail to become a law, then this legislation fails. But if we pass this Senate resolution—and it should be passed with very little discussion, because the War Department has recommended it, the committee reported it out unanimously, and I believe that every Member of the House is for it—the department can resume voluntary enlistments whether the Army appropriation bill passes or not. So, then, if the military appropriation bill fails we will have this important legislation.

Now, what situation do we find? The Military Establishment tell us that many men are asking for readmission to the Military Establishment. Men have been discharged who want to remain in the service or who want to come back to the service, but they can not reenlist them, because they have no authority to do so. While that condition prevails on the one hand, on the other hand men who were drafted into the service are being kept in who desire to be released. So it is necessary to pass this legislation, and pass it immediately. And I hope that the rule may be adopted and the legislation passed.

Mr. HARDY. Will the gentleman yield for a question?

Mr. FIELDS. I wanted to advance another thought.

Mr. HARDY. Is this separate legislation to that contained in the military appropriation bill?

Mr. FIELDS. This is separate legislation—legislation that the War Department has asked for, that the Senate has passed, that the House committee has recommended unanimously; and, as I said a moment ago, the entire membership of this House is for it.

Now, in the discharge of officers the Military Establishment divides them into three classes. They submit a list of questions to each commissioned officer. First, they want to know whether he desires to remain in the military service. If he desires to remain in the service, he is put in class 1 and kept under the emergency act just as long as he can be kept. If he desires to go into the reserves, he is put in class 2. If he desires to be immediately separated from the service, he is put in class 3 and discharged first.

I have contended with the military authorities that they could apply the same rule to the enlisted personnel and release men who desire to be released and retain to the last day of demobilization under the emergency act those who desire to

remain in the service. But they differ with me and others who have advocated the application of that rule to the enlisted personnel. Therefore, differing with us on that proposition, the enactment of this legislation is necessary; and by its enactment you make it possible, gentlemen, for men who are now in the service and who desire to remain there to reenlist, or for men who have gone out of the service and desire to reenter to reenlist, therefore making it possible to discharge men who are in the service and who desire to be separated therefrom. That is the force of the proposition; and I hope the rule may be adopted.

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired.

Mr. GARRETT of Tennessee. May I inquire how the time stands, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. GARRETT] has 20 minutes remaining and the gentleman from New York 11 minutes.

Mr. GARRETT of Tennessee. I will yield 3 minutes of my 20 minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. I yield the three minutes to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. MCCULLOCH. Mr. Speaker, I do not care to discuss this rule, but my purpose in asking for this time is to find out about it if possible. As I understand, if this rule is adopted the legislative features of the Army bill will not be considered, and if there is no legislation at all except that made in order by this rule the soldiers will remain in France indefinitely, which means as long as the General Staff wants them to remain, or so long as they can keep them under the provisions of existing law which provides for demobilizing the Army four months after the proclamation of the treaty of peace.

Mr. Speaker, as I understand it, a rule is necessary in order to have the legislative features of the Army appropriation bill considered. The gentleman from Tennessee contents himself with the statement that the Rules Committee is considering a rule to make the legislative features of that bill in order but gives no assurance that it will be reported. If this rule is adopted and the bill passed, the Army can reach a maximum strength of 175,000 volunteers, but if it appears to be necessary in the judgment of the General Staff to have an Army of over 175,000, or if they are unable to raise the 175,000 volunteers, they can hold the conscripted Army over there until they get ready to send them back. I do not want them to be authorized to do that indefinitely. Therefore, I am against this rule. I believe it should be voted down and I believe a rule should be brought in which will make it possible for the House to consider all the legislative features and amendments that may be proposed, including an amendment providing for the demobilization of the conscripted Army, so that we will know something about when those boys are going to be brought back. I believe that it will be necessary to vote this rule down in order to get a chance to consider such proposed amendments, unless the members of the Rules Committee will assure the House we are going to be given an opportunity to consider the legislative features of the Army appropriation bill and offer amendments. And, to my way of thinking, the qualified statement of the gentleman from Tennessee [Mr. GARRETT] is not sufficient. Now you authorize the House to consider a bill that will limit the Army to 175,000 men.

That is the effect of it, and to that extent it is all right, but the trouble is the General Staff can hold all of the men that they say they will need out of the Army now abroad, no matter if it is a million or two million, indefinitely. They do not have to raise the Volunteer Army of 175,000, and the chances are that they will not, for it is much easier to hold all the men they need from the present Army. That is the effect of the situation as I view it.

Mr. DYER. How can they hold them after four months?

Mr. MCCULLOCH. They can hold them until four months after the proclamation of the treaty of peace, and, as I read the law, for four months after the emergency has ceased to exist.

Mr. DYER. They had better not try it.

Mr. MCCULLOCH. I say it is the duty of Congress to see that they do not do it.

If Congress fails to provide specifically for the demobilization of the conscripted Army and leaves the law in such shape that the General Staff can hold those boys indefinitely, we will have broken faith with our own soldiers and it will be inexcusable. Definite and certain provisions should be made for demobilization.

According to the figures presented by the gentleman from Alabama some days ago, we now have an Army totaling approximately 2,500,000 men. Most of these men were secured under the so-called selective-service act. There are over a million and a half of these men in Europe. The only provision under existing law for the demobilization of the Army, if my information is correct, is the provision contained in Public Law No. 23, Sixty-fifth Congress, page 41, section 4, which reads:

> That the service of all persons selected by draft and all enlistments under the provisions of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, shall be for the period of the war, unless sooner terminated by discharge or otherwise. Whenever said war shall cease by the conclusion of peace between the United States and its enemies in the present war, the President shall so declare by a public proclamation to that effect, and within four months after the date of said proclamation or as soon thereafter as it may be practicable to transport the forces then serving without the United States to their home station, the provisions of said act, in so far as they authorize compulsory service by selective draft or otherwise, shall cease to be of force and effect.

This bill provides, in effect, for the raising of a force by voluntary enlistment of not to exceed 175,000 men. It has been stated by members of the Committee on Military Affairs that the War Department hopes to be able to demobilize the conscripted Army, by the end of the next fiscal year, or by July 1, 1920, and to substitute therefor a volunteer force. It is very clear to me that if the War Department can not secure the requisite number of men by voluntary enlistments that they intend to hold the conscripted Army until such time as they can secure the necessary force by voluntary enlistments. There is no provision, except the one I have referred to, providing for the demobilization of the present Army, and it is left entirely to the War Department to demobilize it or not, as they see fit, and it is admitted by everyone who presumes to speak with any degree of familiarity as to the intention of the War Department that its purpose is to substitute by voluntary enlistment new men for the old men or to induce the old men to volunteer and remain in the Army.

They talk about demobilizing "as speedily as possible," but there are two or three strings to that "as speedily as possible." One, they claim, is transportation facilities, which, to my mind, it has been clearly shown to be a captious argument, because if we would show one-half as much interest in getting the boys back as was shown in getting them over they could all be demobilized by the beginning of the next fiscal year, or by July 1, 1919. But the real purpose of the War Department is disclosed by the statement that they expect to substitute the volunteer for the conscript and to hold the conscript until such substitution can be arranged, which means tying the present Army men up under an indefinite arrangement which may mean that they will have to remain in the Army at least until four months after the promulgation of the proclamation announcing the treaty of peace. Those who are familiar with the War Department's activities and with its methods and with the attitude of the General Staff, which is made up largely of men who make a business of the Army game, know that if they can hold the present Army they are not likely to make any great effort or any great progress in the substituting process. If they were forced within a specified time to secure volunteer enlistments, we might expect more satisfactory results, but if it is left to them to take their good time about releasing the conscripts and securing the volunteers, I despair of the boys getting home or away from the Army for many long months to come.

I suggested the other day that there should be a provision in the Army bill providing a definite date for the demobilization of the present Army. The amendment I will propose, if I get a chance, fixes a definite date, and I believe that this legislation should not be one-sided and should not add to the burdens of the men who have thus far made the supreme sacrifice by leaving their business and their homes and entering the Army, but that instead of extending further powers to the War Department by permitting them to raise this volunteer army and making no provision for the demobilization of the present Army that we should provide specifically for the raising of the Army needed and then make a provision specifically for the demobilization of the old Army.

Now, I am against a large Army. I made my position clear on that point the other day; and I think that Members are likely to be deceived by the parliamentary situation. If Members are for a small Army they should vote against this rule, for, as I see it, if this rule is adopted and the bill it would make in order is passed the result will be a large Army, just as large, in fact, as the General Staff want, for they will hold for service as many men now in the present Army as they want or claim they need. If you vote this rule down, then the Rules Committee must bring in a rule making the legislative features of the Army bill in order. Members can then offer amendments and you can not only provide for a small Army, but you can provide for the demobilization of the present Army. As I see it, if this rule is adopted we who favor a small Army will be beaten by a parliamentary trick, and instead of authorizing a small Army we will be making it possible for the General

Staff to maintain as large an Army as they want; and so long as the emergency exists they can hold the boys in the Army.

Now, I am not willing by my vote to place in the hands of the General Staff, without limitation or reservation, in time of peace—and that is what this is—the power to hold or demobilize as they see fit an Army of two and a half million men. Outside of the interests of the boys themselves, which are primarily involved, there comes the very important interest of the taxpayer, who must pay the bill for the maintaining of this Military Establishment.

The House should meet this situation squarely and consider the legislative features of the Army bill and provide for an Army, and I favor a small Army; but above all we should keep faith with our soldiers and provide definitely for demobilization and not leave them entirely to the mercy of the General Staff, since the war is over.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. GARRETT of Tennessee. Mr. Speaker, I yield four minutes to the gentleman from Texas [Mr. JONES].

The SPEAKER. The gentleman from Texas is recognized for four minutes.

Mr. JONES. Mr. Speaker, I shall not undertake to discuss the parliamentary situation, as that has already been fully developed. However, I am heartily in favor of the measure as it is reported by the Committee on Rules.

In my judgment this is not the time to settle a permanent peace-time military policy. The times are not normal, the conditions are unusual, and no one can tell what the developments of a few months might indicate. There are now in the military forces of the United States about 3,000,000 men. According to the War Department it will be many months before all of the soldiers will be finally returned from overseas.

The shipping facilities are so limited that it is impossible to return them within a short period of time, even though it has given assurance that every foot of space will be utilized for this purpose. I may add that I sincerely hope they may be returned with all possible speed. In view, therefore, of the estimate of the War Department that for the next year we will have a great many men in the Army, I can see no good reason for establishing an additional army of 537,000 men. It would seem that to permit enlistments for the present under the regular prewar Army provisions would be far more preferable. In the meantime events may shape themselves in such a manner as to enable this country to determine much more satisfactorily the nature and extent of the Army to be maintained.

The advisability of not at this time authorizing a great Army is further evidenced by the uncertainty as to the final provisions of the peace conference. Were we to undertake at the present time to provide a standing Army of a half million men, it might conflict utterly with the international agreement for disarmament in which all the people are interested. In fact, no one issue before the world compares with this one in importance.

You may go 20 miles east of Paris, France, and then you may go in any direction north or south or east, and you are never out of sight of a grave—the little wooden crosses that mark the last resting place of the men who have fought in the battles of freedom. Nearly a million English, more than a million French, and more than a million Germans have been buried in northeastern France. Every one of those graves, every one of those crosses, is a protest against the military system. [Applause.] Every drop of American blood that has been mingled with the soil and the lilies of France is a crying protest against great armies. [Applause.] America, the greatest of the nations, can well afford to set the example; and if she breaks faith with those men who have died and with the mothers who have sacrificed their sons in this war she is unworthy of the cause for which she has fought.

Now, in my opinion, there can be no such thing as a military republic. It is contrary to the genius of a free government. You place that weapon in the hands of any authority, and there is a temptation to its use and finally to its abuse.

I am glad that the President has sought to embody in the terms a provision for disarmament. Of course, this can only be done safely by a concerted effort on the part of all the leading nations. However, for us to declare in advance of the peace treaty our intention to maintain a great military establishment is to show a lack of faith in our spoken ideals.

We have had in this country 100 years of the richest experience that was ever crowded into a single century, and I would hate to see this country desert the policies that have made it great.

This legislation, as I understand it, has nothing to do with the present appropriation bill. I take it that every man is anxious to take care of the present Army. But the adoption of this bill will not in any way affect the legislation with reference to the present Army or its maintenance.

Mr. Speaker, we are passing through a period of transition. For thousands of years the earth has trembled beneath the tread of giant armies and mankind has been engaged in a continual strife. Every great issue upon which the nations have hitherto differed has been settled beneath the smoke of battle. But I hope that we have learned, or that the world has learned, through bitter experience that the way to settle rivalries between nations is for each to build up its own resources rather than tear down the neighboring commonwealth, and that the contests of the future will be creative and constructive rather than destructive. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. SNELL. Mr. Speaker, I yield six minutes to the gentleman from California [Mr. KAHN].

The SPEAKER pro tempore. The gentleman from California [Mr. KAHN] is recognized.

Mr. KAHN. Mr. Speaker, this bill affects only the Regular Army of the United States. Before we got into the war our Regular Army was of the strength of about 110,000 men. Before the war we never were able to get under voluntary enlistment that force of men. This bill would enlist 175,000 men of the line with the colors for a period of three years and four years with the reserves. In other words, it would tie a man to the Army of the United States for seven years. That was the condition of enlistment that prevailed before we got into the war.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. KAHN. I have only six minutes, but I will yield to my colleague.

Mr. GORDON. This bill will be open to amendment?

Mr. KAHN. But it has not been amended, and I am calling attention to its provisions if it passes as reported by the Committee on Rules.

Now, suppose you do not get the force that you believe you can get under this bill. You will have to keep the men who are in France until the emergency that exists shall have passed away. In other words, you will be redrafting the men who, at the conclusion of the war and the signing of definitive terms of peace, are over there to do that share of policing that this country will probably have to do under the terms of the treaty of peace.

Now, that is all there is to it. The Committee on Military Affairs went to the Committee on Rules and asked for a broad, comprehensive rule that would allow the legislative provision in the Army bill to be considered. The Committee on Military Affairs asked that that legislative provision be open to any amendment that is germane, and let the House express its views as to the number of men we want.

Now, there is no doubt but that by voluntary enlistments, such as were proposed in the House bill, you can gradually bring back the men from the other side. Every time a man volunteers for one year under the provisions of the Military Committee bill you demobilize a man who is over there with the existing Army. You will give those boys an opportunity to come home as fast as we can get the ships to bring them home.

This bill does nothing of that kind. This bill simply establishes a Regular Army—men enlisted for a period of three years under the provisions of the national-defense act. It seems to me that you will have more difficulty than you have ever had to get men to enlist for that period. I do believe that there are a great many men in France to-day who are over there with our forces who will be willing to remain under a voluntary enlistment period of one year to see this thing through. That is what happened in the Spanish-American War. In the Spanish-American War the National Guard organizations were sent to the Philippines to put an end to the war.

Before they had finished their work the Philippine insurrection broke out. Then peace was made with Spain. Those State volunteer regiments were entitled to come home. The Congress of the United States realized the seriousness of the situation. They passed legislation to allow voluntary enlistments in so-called United States regiments of volunteers, and from the men who were in the Philippines they secured a sufficient force who enlisted voluntarily to put down that insurrection and bring about peace there.

Mr. IGOE. Will the gentleman yield?

Mr. KAHN. My time is brief, but I yield.

Mr. IGOE. The gentleman says some of these boys may want to stay. Now, when the emergency ends what is the use of keeping them over there? [Applause.]

Mr. KAHN. The gentleman recognizes the fact that when we got into this war we assumed responsibilities not only for our-

selves but toward the world. Now, the final peace terms will decide exactly what we will have to do in maintaining some of our forces over there to see that the terms of peace are enforced. We can not get away from these things. We can not get away from our international obligations.

Mr. IGOE. I do not want to get away from them.

The SPEAKER. The time of the gentleman from California has expired.

Mr. GARRETT of Tennessee. How much time have I remaining?

The SPEAKER. The gentleman from Tennessee has 13 minutes remaining.

Mr. GARRETT of Tennessee. I yield 10 minutes to the gentleman from Georgia [Mr. WISE].

Mr. WISE. Mr. Speaker, if I may have the attention of the House for a few minutes I hope to give some reasons why if this law is enacted further legislation will be unnecessary.

The immediate question before the House is the adoption of a rule which makes in order Senate bill 5279 which repeals that part of the draft act limiting the period of enlistment in the Regular Army under what is known as the national-defense act of 1916. The fight is made here, however, that the Rules Committee should not have reported a rule making this bill in order, but should have reported a rule making in order on the Army appropriation bill legislation as reported by a majority of the Committee on Military Affairs. I shall, therefore, discuss briefly the merits of the two bills, hoping thereby to show that the action of the Rules Committee was the practical and proper thing to do.

This bill which the rule proposes to make in order, if enacted into law, as soon as the declaration of peace is made puts the Army, as to control and size, under the national-defense act of 1916 and authorizes voluntary enlistments in the Army as provided by that act, under which we all, on both sides, agree we can raise 175,000 men in the line of the Army in peace times, which with the other branches of the service will amount, in all, to about 250,000. Furthermore, if the emergency continues, or if there is an emergency existing of any character which in the judgment of the President requires more men, we can enlist an Army of 400,000. In addition to that we have whatever force of National Guard there may be existing at the time in the States. Therefore if this bill is passed there will be authority to raise and organize an Army for peace-time purposes of 250,000 men, and if, as I have just stated, an emergency exists or arises, the Army may be increased to 400,000. So by adopting this rule making this bill in order we are simply removing the limitation imposed on the period of enlistments under emergency legislation and authorizing the War Department to raise an army as I have just stated. Not only will you do this but also you will force, on the date the proclamation of peace is made, a return to a peace-time status and to a Regular Army of not exceeding 175,000 men in the line. I submit that this is all the legislation that is necessary at this time, and that an Army of that size is large enough under peace conditions; and it must be remembered that the appropriation bill and this legislation has reference to peace-time conditions and is to provide for an Army in times of peace.

I desire to call attention to some of the provisions of the legislation which our friends here who are opposing this rule and this bill, if made in order, insist should have been made in order. It provides first "that in addition to the Regular Army as now authorized under the national defense act as amended, there shall be raised and organized, under what is known as the draft act, a force sufficient to maintain an aggregate commissioned and enlisted strength of 28,579 officers and 509,909 men," making a total in round numbers in the Army for the fiscal year ending July 1, 1920, of 540,000 officers and men.

With reference to the first portion of the proposed bill, as recommended by a majority of the Committee on Military Affairs, and which they insist should have been made in order by the rule, at best, I submit, is of doubtful construction as to whether it means an army of only 500,000 officers and men or whether it means an army of that size in addition to the Regular Army as now organized, and I might emphasize the fact that the language used in the very first part of the same is that "in addition to the Regular Army as now organized" there shall be raised a force of 28,579 officers and 509,909 men. And I might also emphasize the fact that it refers to the Regular Army as now organized, and that it is not now organized under the national-defense act of 1916, but that it is now organized under another act by which it is increased very largely. In other words, as I understand it, there is now organized, at the present time, an army of practically 400,000 men in the Regular Army, and if the legislation proposed should be construed as meaning that the Army therein provided for should include the Regular Army "as now organized," and in addition only a sufficient force to make 500,000 in all, there would only be a difference of 100,000 men between the Army as it now exists and the Army they propose. And what would 100,000 men amount to in war now?

I will not discuss in detail the other provisions of the amendment proposed by the Committee on Military Affairs, but they are conflicting and all susceptible of more than one construction. Another proposition contained in the proposed amendment is that it repeals what is known as the Overman Act, under which the War Department is operating at the present time. By express language this is repealed, and immediately following the repealing clause is language which authorizes the President "to form or continue such corps, including the construction corps, field or tactical units or organizations as he shall deem necessary, to be organized as he may prescribe." In other words, in one paragraph or sentence they repeal the Overman Act and in the very next sentence they continue the same and enlarge it and extend it, because the Overman Act was for the period of the emergency, and the proposed legislation continues as much power, vested in the President, in effect during the entire fiscal year 1920.

It is expressly declared by this amendment, following the provision to which I have just called attention, "that the provisions of this law shall not go into effect earlier than the 1st day of July, 1919, and expire not later than the 30th day of June, 1920, except that the provision relating to voluntary enlistments shall become effective upon the approval of the act." Therefore, under the proposed law, giving it the most favorable construction of which it is capable, it would provide for an Army of 500,000 men during the next fiscal year, 1920, but the same could not be organized before July 1, 1919, except men might be enlisted before that time, although it does not seem to me that it would be possible or practicable to enlist men between now and the 1st of July under this provision when they could not be organized into an Army before the beginning of the fiscal year.

This is a fair statement of the two propositions, and it will be readily seen that the real fight and the real issue here is whether we want a peace-time Army of 175,000 men or an Army during the entire fiscal year ending June 30, 1920, of 509,909 men and 28,579 officers.

Why do they want an Army of 500,000? I state a few facts which may throw some light upon that. The General Staff of the Army submitted a proposition to the committee to raise and provide a permanent peace-time Army of exactly the number of officers and the number of men provided for in this amendment—28,579 officers and 509,909 men. The committee unanimously refused to adopt the suggestion, and it was then proposed to raise an Army of that size for one year. In other words, if they could not get such an Army permanently established they will take it for one year. It should also be borne in mind in considering this matter that during the war officers who had been serving as captains and majors were rapidly promoted, and some of them are now colonels and generals—a very great and rapid increase in rank. If we do not adopt additional legislation as to size and organization of the Army, we will go back automatically upon the proclamation of peace under the national-defense act, and those officers who are holding these temporary ranks will be returned to their original status; if you provide this additional legislation for an Army of 500,000 men and make that Army permanent, then, of course, there will be places for these officers and most of them will retain their present temporary rank.

Now, I do not blame the Regular Army officers for wanting to do that; I give them credit for being honest, and I think they conscientiously believe that we should have an Army of that size. They are in the Army; it is their profession, and the Regular Army in times of peace is a professional Army; naturally they want to see it enlarged, and of course the fact that an increase in the Army would necessarily increase the rank of some of them, at least, would not be objectionable to them. I do not believe we need a regular standing Army of half a million men in times of peace, but I am convinced that the Army as provided by the national-defense act of 1916, of not exceeding 175,000 men, with the necessary officers, would be ample for all our needs and to meet any peace-time situation.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. WISE. I yield to the gentleman from Iowa.

Mr. HULL of Iowa. If you adopt this rule, what becomes of the balance of the legislation that does not refer to enlistments?

Mr. WISE. The other legislation is not essential. We do not have to enact the balance of the legislation proposed if a point of order is made against it. If anybody wants to prevent a pen-

sion being given to the British soldier who lost his eyes while serving here helping us to train our Army, let him make the point of order; I will not. We can enact that in another way. If anybody wants to make a point of order aganst the provision which provides that you shall not by regulation compel the wearing of distinctive marks on the uniform, let him make it. It is not necessary to have that in order to maintain an Army. None of these other provisions is necessary. The real moving purpose behind this proposition of such an Army for one year or five years is to give time largely to take care of rank; and instead of having 10,000 officers, as the national-defense act provides, you will take care of 28,000 officers.

It has been intimated that we will not be able to get an army by voluntary enlistment. You can get as many men by voluntary enlistment under this bill, which the rule we are now considering proposes to make in order, as you can under the bill which proposes to raise an army of 500,000 men. You can adopt, if you see proper, the very same provisions with reference to enlistments in this bill by amendment as is provided by the bill which it is insisted should have been made in order here, besides all of the other legislation on the same. As to whether or not we can get the volunteers, whatever may be our opinion, the Chief of Staff and the department having in charge enlistments state that they believe an army for peace times can be raised by voluntary enlistment in this country.

I want to reply to another suggestion which has been insisted on, and that is that this peace-time Army of 500,000 men is necessary for the purpose of relieving the boys in France so that they may be brought home and demobilized. This sentiment appeals to all of us; we all want them to come home, the sooner the better; but let me say that this additional authority to raise a temporary Army of 500,000 men, if given, will not relieve one single boy in France. You can not raise this Army of 500,000 men in France, for the hearings show—the statement of the Chief of Staff himself—that practically every man in the Army in France and in this country also is anxious to be discharged. Therefore you will not get many recruits for this proposed army about which you hear so much for the fiscal year 1920 from the men now in the service in France, or the United States, either. An enlisted man with the American Expeditionary Forces, anxious to be discharged, hoping every day to receive orders to return home, and with good prospects of returning at most within the next few months, certainly will not be inclined to obligate himself by reenlisting and joining this proposed army in France, to stay there at least another year and do police duty. You certainly will not get any volunteers from over there, and I may say that there is not a word in the hearings on which to base a statement that you can; on the contrary, it is clear that they are all anxious to be returned home. The hearings also show that you can not enlist them from the men who are in the Army in this country.

The same thing applies to them as to those in foreign service; they are all anxious to be discharged. You will not get these 500,000 men from those in civil life who have had no experience and who have not been in the Army during the war. You may ask, then, Where will we get the men for this peace-time Army? I quote the Chief of Staff and rely upon his statement and judgment, and believe it is true, that the experience of the department has been that after the men have been discharged, go home and see their people, find things are not just as they expected them to be, positions are not open for them, and after they have been there 30, 60, or 90 days, having had some experience in Army life, and liking many features of it, a great many of them want to reenlist. The opinion of the Chief of Staff and others is that from this source they will be able to get the number of men they want in times of peace; and this is a peace-time proposition. Now, this being true, does anyone mean to say that they expect to enlist men in this country and send them back to relieve the boys in France? We all know that not a single one will be sent across to take the place of a boy there. [Applause.] No one in the War Department intimated such a thing; on the contrary, it was distinctly stated that this proposed Army was a peace-time Army that they want for this country. They now have the Army in France with which they expect to wind up the war with Germany. It is my judgment also that there would be very few men who would enlist in this country now, after being discharged from the Army, for the purpose of going back to France to do police duty, and it is absurd to talk about reenlisting men from the source I have mentioned in the United States, to send them back to France, so that some one now in France could be discharged and sent home. We know that is practically impossible. There are thousands of our soldiers in France now who have been put on priority and are waiting for ships to bring them home, and sending more men across would not provide any additional ships with which to bring back those now in the service abroad.

Once you authorize an Army of 500,000 men you may rest assured that you will have that Army during the fiscal year ending June 30, 1920, because we have the officers now, and when they get the men they will keep them, as they would be authorized to do. If you do not authorize such an Army, automatically on the proclamation of peace we will return to the national-defense act, under which the Army would have to be organized on a basis of 175,000 men; and they could, and would, demobilize the present Army and bring the soldiers home. The adoption of this new proposed Army would not hasten the demobilization, about which the War Department has been so severely criticized. I am not much in sympathy with this talk that they are not trying to demobilize and are not doing their best. I believe they are; there is no good reason why they should want to keep men in France who have already been ordered home and are waiting for ships to bring them. I know that the department—at least they say so, and I believe it—is doing its utmost to get transports and additional facilities for the purpose of bringing soldiers home as rapidly as possible, and I believe that by the beginning of the next fiscal year, at which time, under the terms of the bill proposed, we would only be beginning to organize this Army of 500,000 men, a majority of our soldiers will have been returned to the United States and demobilized. Of course there are no real facts to sustain an argument that by adopting this bill for a great Army we would hasten the return of the boys in France.

The truth is, and the real question is, Do you want an Army of 500,000 men in peace times, or do you believe that an Army of 175,000 is enough? I am firmly convinced that when peace comes we should return to the national-defense act and thereby force a reduction in the size of our Army and the demobilization of all those now in the service. We have heard a good deal of talk about unscrambling and returning to peace conditions. Here we have a situation whereby if you enact this bill, as proposed by the Committee on Rules, you force an absolute unscrambling of the War Department upon the proclamation of peace and a return to peace-time conditions and a peace-time Army. If you adopt the other suggestion, as embodied in the legislation proposed, you contine war-time conditions until at least June 30, 1920. Our expenses have been enormous, the burdens of taxation are heavy, and we ought not to continue them by maintaining a large standing Army in times of peace; and I do not believe that this House has any desire to adopt the provisions contained in the legislation proposed by a majority of the Committee on Military Affairs.

Mr. McCULLOCH. Will the gentleman yield?

Mr. WISE. I will.

Mr. McCULLOCH. Does the gentleman say that is the proposition before the House, whether we shall have 175,000 or 500,000 men?

Mr. WISE. That is the real issue, and for that reason I want the legislation recommended by the Committee on Rules to pass, because it would authorize us to enlist under the national-defense act an Army of only 175,000 men. I do not want, and I do not think the House wants, to enact the other legislation. [Applause.]

Mr. SNELL. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Illinois is recognized for five minutes.

Mr. MANN. Mr. Speaker, let us see of we can get the situation clearly in our heads. The military appropriation bill carries a legislative item providing for enlistments in the Regular Army and providing in the national-defense act also for a temporary Army composed of men enlisted for one year.

The rule now before us provides for the consideration of a bill proposing, practically, to repeal certain provisions—section 7 and section 14—of the act of May 8, 1917. Section 14 merely suspends the operation of existing law which conflicts with that act. Section 7 of that act provides that enlistments in the Regular Army shall be for the period of the emergency. If these two sections to that extent be repealed, the national-defense act comes into effect again, providing for enlistments in the Regular Army for three years with the colors and four years with the reserves, or a total of seven years. The enlistments now are for the period of the emergency. No one has yet defined by law the meaning of the word "emergency" in this connection. I think that it is quite impossible for a good many months to come to bring all of the American Army out of Europe and leave no portion of the Army there. I take it that it is certain that the President will not recall all of the American Army from Europe for some months to come. He will have a definition of the word

"emergency." He can discharge men from the Army now in the service when he pleases. It does not end with four months after peace is declared under the law, because any construction which may have been made by the Army is subject to reconsideration by the President.

Now, what is the situation. We want the boys who were drafted given a chance to come home. [Applause.] They will not be given that chance unless there is some way to provide for some American Army in Europe. The President will not have them brought home until he has somebody there to take the place of a portion of them. Under this bill, if it passes, and to the extent that it goes, it is all right. Under this bill, if it passes, men must enlist in the Regular service for seven years.

Mr. BARKLEY. Will the gentleman yield?

Mr. MANN. No; I can not. Under the proposition for a temporary Army this will enlist them for one year's service. It is believed, notwithstanding the gentleman who last occupied the floor, that there are a good many boys in Europe who would be willing to remain on a one-year enlistment, but who are not willing to remain for an enlistment of seven years—three years with the colors. If this bill passes, of course the proposition is that the provision in the Army appropriation bill will go out. It is not intended that there should be any further legislation if this bill passes.

If this bill passes, the only provision for an army in Europe will be by enlisting men for a period of seven years, and it can not be done. The result will be that the President will declare that the emergency continues, and the boys who were drafted will continue in Europe under the draft, instead of having there those who would like to remain on a one-year enlistment. [Applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, I tried to explain in the beginning that this was a resolution merely to consider a bill, and that it was wholly unrelated, so far as the parliamentary situation was concerned, to the Army appropriation bill. This authorizes enlistments to the extent of 175,000. Let me be perfectly frank about the matter. There is pending before the Committee on Rules a resolution to make in order a proposition to enlist 500,000 men. If this House shall vote down a proposition to enlist 175,000 men, as a member of the Committee on Rules I shall hesitate somewhat to vote for a rule to enlist 500,000 men.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

The SPEAKER. To whom does the gentleman yield?

Mr. GARRETT of Tennessee. I yield to my colleague from New York [Mr. SNELL].

Mr. SNELL. Is there any definite proposition before the Committee on Rules to vote on a proposition whether we would have 500,000 men or not?

Mr. GARRETT of Tennessee. My colleague did not; but gentlemen on that side have chosen to connect this resolution up with the legislation that is pending in the Army appropriation bill. This is a proposition to consider a bill wholly independent of the Army appropration bill.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. Did the gentleman from Illinois desire to ask me a question?

Mr. MADDEN. Mr. Speaker, I simply wanted to ask the gentleman from Tennessee whether there is anything of record to indicate that this proposes to make in order a bill for the enlistment of 175,000 men?

Mr. GARRETT of Tennessee. Oh, well, that is the law. If this passes, then they will be authorized to enlist 175,000 volunteers in the Regular Army.

Mr. MADDEN. That would be three years with the colors and four years with the reserve?

Mr. GARRETT of Tennessee. Yes; but amendments are in order on this proposition to make it one year or three years.

Mr. FIELDS. And if the gentleman will yield, I state that an amendment will be offered to do away with the four-year reserve and make it one year with the colors and two years with the reserves.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. BARKLEY. This Senate bill simply will repeal certain restrictions that were placed on the national defense act by the act of May, 1917, with reference to the term of enlistment, but not in any way touching the size of the permanent Regular Army, and in that event how would any amendment be in order to change the size of the Regular Army as fixed by law?

Mr. GARRETT of Tennessee. If this shall pass as it stands it will then be in order, if I am correctly informed by the Committee on Military Affairs, to enlist 175,000 men under what is known as the national defense act.

Mr. BARKLEY. But the gentleman, in the beginning, if I did not misunderstand him, stated that an amendment to make it 500,000, or to reduce it from 175,000, would be in order on this bill.

Mr. GARRETT of Tennessee. I think it would.

Mr. BARKLEY. I can not see how it would.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. GARRETT of Tennessee. I could draw such an amendment, but I am not in favor of the amendment.

The SPEAKER. All time has expired. The question is on agreeing to the resolution.

The question was taken.

Mr. SNELL. Mr. Speaker, I demand a division.

Mr. GARRETT of Tennessee (while the House was dividing). Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 172, nays 162, answered "present" 2, not voting 93, as follows:

YEAS—172.

Alexander	Donovan	Johnson, Ky.	Romjue
Almon	Doolittle	Jones	Rouse
Ashbrook	Doremus	Keating	Rubey
Aswell	Doughton	Kelly, Pa.	Rucker
Ayres	Drane	Kettner	Sabath
Bankhead	Dupré	Key, Ohio	Sanders, La.
Barkley	Dyer	Kitchin	Saunders, Va.
Beakes	Eagan	La Follette	Scully
Beshlin	Eagle	LaGuardia	Sherley
Black	Essen	Larsen	Sherwood
Blackmon	Evans	Lazaro	Shouse
Bland, Va.	Ferris	Lea, Cal.	Sims
Blanton	Fields	Lee, Ga.	Sisson
Brand	Fisher	Lesher	Slayden
Brodbeck	Flood	Lever	Small
Buchanan	Foster	Lobeck	Smith, C. B.
Burnett	Gallagher	Lonergan	Snook
Byrnes, S. C.	Gallivan	Lundeen	Stafford
Byrns, Tenn.	Gard	Lunn	Steagall
Campbell, Kans.	Garner	McAndrews	Stedman
Campbell, Pa.	Garrett, Tenn.	McClintic	Steele
Candler, Miss.	Garrett, Tex.	McKeown	Stephens, Miss.
Cantrill	Goodwin, Ark.	McLemore	Sterling
Caraway	Gordon	Mansfield	Sullivan
Carter, Okla.	Gray, Ala.	Martin	Sumners
Claypool	Gregg	Mays	Thompson
Cleary	Griffin	Moon	Tillman
Coady	Hamlin	Neely	Van Dyke
Collier	Hardy	Nelson, J. M.	Vinson
Connally, Tex.	Harrison, Miss.	Oldfield	Walton
Connelly, Kans.	Hastings	Oliver, Ala.	Watkins
Crosser	Hayden	Overmyer	Watson, Va.
Davey	Heflin	Overstreet	Weaver
Davis	Hilliard	Padgett	Welling
Decker	Holland	Polk	Welty
Dent	Houston	Quin	Whaley
Denton	Howard	Rainey, H. T.	Wilson, La.
Dewalt	Huddleston	Rainey, J. W.	Wilson, Tex.
Dickinson	Hull, Tenn.	Raker	Wingo
Dies	Humphreys	Rayburn	Wise
Dill	Igoe	Riordan	Woodyard
Dixon	Jacoway	Robinson	Wright
Dominick	James	Rodenberg	Young, Tex.

NAYS—162.

Anderson	Fordney	Knutson	Pou
Anthony	Foss	Kraus	Powers
Austin	Frear	Kreider	Purnell
Bacharach	Freeman	Lampert	Ramsey
Baer	French	Lehlbach	Ramseyer
Birch	Fuller, Ill.	Little	Randall
Bland, Ind.	Garland	Longworth	Rankin
Britten	Glynn	Lufkin	Rogers
Browne	Good	McArthur	Rose
Browning	Gould	McCulloch	Rowe
Burroughs	Graham, Ill.	McFadden	Sanders, Ind.
Butler	Green, Iowa	McKenzie	Sanford
Cannon	Greene, Mass.	McKinley	Schall
Cary	Greene, Vt.	McLaughlin, Mich.	Scott, Iowa
Chandler, Okla.	Griest	Madden	Scott, Mich.
Clark, Pa.	Hadley	Magee	Sells
Classon	Hamilton, Mich.	Mann	Siegel
Cooper, Ohio	Harrison, Va.	Mapes	Sinnott
Copley	Haskell	Merritt	Slemp
Crago	Haugen	Miller, Wash.	Sloan
Cramton	Hawley	Mondell	Smith, Idaho
Currie, Mich.	Hayes	Montague	Smith, Mich.
Curry, Cal.	Heaton	Moore, Pa.	Snell
Dale	Hersey	Moores, Ind.	Snyder
Dallinger	Hicks	Morgan	Steenerson
Darrow	Hollingsworth	Morin	Stiness
Denison	Hull, Iowa	Mott	Sweet
Dillon	Husted	Mudd	Switzer
Dowell	Hutchinson	Nelson, A. P.	Temple
Dunn	Ireland	Nichols, Mich.	Tilson
Edmonds	Johnson, S. Dak.	Olney	Timberlake
Elliott	Juul	Osborne	Tinkham
Ellsworth	Kahn	Paige	Towner
Elston	Kearns	Parker, N. J.	Vestal
Esch	Kennedy, Iowa	Parker, N. Y.	Voigt
Fairchild, B. L.	Kiess, Pa.	Peters	Volstead
Fess	King	Phelan	Walsh
Focht	Kinkaid	Platt	Ward

Wason	White, Me.	Winslow	Zihlman
Watson, Pa.	Williams	Wood, Ind.	
Wheeler	Wilson, Ill.	Young, N. Dak.	

ANSWERED "PRESENT"—2.

Emerson London

NOT VOTING—93.

Barnhart	Fairchild, G. W.	Langley	Sears
Bell	Fairfield	Linthicum	Shackleford
Benson	Farr	Littlepage	Shallenberger
Booher	Flynn	McCormick	Smith, T. F.
Borland	Francis	McLaughlin, Pa.	Stephens, Nebr.
Bowers	Fuller, Mass.	Maher	Stevenson
Brumbaugh	Gandy	Mason	Strong
Caldwell	Gillett	Miller, Minn.	Swift
Carew	Godwin, N. C.	Nicholls, S. C.	Tague
Carlin	Goodall	Nolan	Taylor, Ark.
Carter, Mass.	Graham, Pa.	Norton	Taylor, Colo.
Chandler, N. Y.	Gray, N. J.	Oliver, N. Y.	Templeton
Church	Hamill	O'Shaunessy	Thomas
Clark, Fla.	Hamilton, N. Y.	Park	Treadway
Cooper, W. Va.	Heintz	Porter	Vare
Cooper, Wis.	Helm	Pratt	Venable
Costello	Helvering	Price	Waldow
Cox	Hensley	Ragsdale	Walker
Crisp	Hood	Reavis	Webb
Delaney	Johnson, Wash.	Reed	White, Ohio
Dempsey	Kehoe	Roberts	Woods, Iowa
Dooling	Kelley, Mich.	Rowland	
Drukker	Kennedy, R. I.	Russell	
Estopinal	Kincheloe	Sanders, N. Y.	

So the resolution was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. RAGSDALE with Mr. JOHNSON of Washington.

Mr. BENSON with Mr. TREADWAY.

Mr. BELL with Mr. VARE.

Mr. HELM with Mr. PRATT.

Mr. CARLIN with Mr. FULLER of Massachusetts.

Mr. CALDWELL with Mr. HAMILTON of New York.

Mr. GANDY with Mr. MASON.

Mr. GODWIN with Mr. GEORGE W. FAIRCHILD.

Mr. HENSLEY with Mr. CARTER of Massachusetts.

Mr. KINCHELOE with Mr. COOPER of Wisconsin.

Mr. TAYLOR of Colorado with Mr. DRUKKER.

Mr. TAGUE with Mr. SWIFT.

Mr. WEBB with Mr. DEMPSEY.

The result of the vote was announced as above recorded.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I present the conference report and statement of the managers on the Post Office appropriation bill (H. R. 13308) for printing under the rule.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER. Ordered printed under the rule.

VOLUNTARY ENLISTMENT IN THE REGULAR ARMY.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Mississippi [Mr. HUMPHREYS] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 5279, with Mr. HUMPHREYS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill S. 5279, which the Clerk will report.

The Clerk read as follows:

A bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes.

Be it enacted, etc., That so much of sections 7 and 14 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, as imposes restrictions upon enlistments in the Regular Army, are herewith repealed in so far as they apply to enlistments and reenlistments in the Regular Army after the date of approval of this act.

Mr. DENT. Mr. Chairman, I think I may state very briefly that no Member of this House opposes the proposition of restoring the system of voluntary enlistment as it existed prior to the declaration of war and the adoption of the conscription bill. All that this bill does is to restore enlistments voluntarily in the Army of the United States under the national-defense act of June 3, 1916. I had hoped that we could take care of that situation without any rule under the legislative features in the Army appropriation bill. Personally I went before the Committee on Rules and asked to bring in a rule that would make in order the legislative features of the Army appropriation bill as reported by the committee subject to any germane amendment, so that the House might fight the whole thing out and we could decide exactly what ought to be done under the present situation. Now, I am sure, absolutely sure, that there is not a Member of this House who opposes the proposition that the law in regard to voluntary enlistments in the Military Establishment which existed prior to the declaration of war and the adoption of the act of May 18, 1917, which is the draft act. I am perfectly sure nobody opposes that legislation. The only question left is, What should be the period of enlistment? Under the law which existed prior to the adoption of that act all enlistments were for the period of three years with the colors and four years in the reserve. A suggestion has been made that under the present circumstances it would be a wise idea to allow that act to be amended so as to provide for a voluntary enlistment for a period of one year, and I wish to state to the House that, so far as I am personally concerned, I shall support any amendment which authorizes the enlistment for the period of one year. [Applause.] I reserve the remainder of my time.

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from Vermont [Mr. GREENE].

Mr. GREENE of Vermont. Mr. Chairman, like all men who are disposed to accede to the philosophy which ought to govern good American citizenship, those of us who were opposed to the rule must accept the order of the House and abide by its decision. However, I can not help but express my regret at the action this House has taken to-day, because I am as firmly persuaded as any man can be who has tried to give some serious attention to Army legislation—more particularly during this crisis which has confronted us in the last year and a half, and which is by no means over—that the House will some day come to the conclusion that this action was hasty, abrupt, and not well founded. I am afraid we are going through that experience which is characteristic of human nature, and that so often, after periods of long tense stress and superheightened energy along some line of great consequence, leads us to relax and relapse and to subside in our energies and in our purposes, when we begin to think the strain is about over, and to go sometimes just as far the other way in mischievous reaction as patriotically and purposefully we were inclined to go in a better way before. I am afraid we are going through that pendulum sway which is so characteristic of human nature, and that our reaction may make us just as much difficulty during this period of quasi peace as our failure to go through under the tension of war might have brought us into another set of difficulties at that time.

The Army legislation now on the bill that was under discussion in the House had no direct relation to foreign policy. That was simply the regular annual Army appropriation bill. It could not have any such relation to foreign policy, and all you gentlemen of experience on this floor know that it is not part of the practice of this House to write any foreign policies into an annual Army appropriation bill. It was, however, very manifest from the state of the world's affairs and from the foreign policies that our Nation is already engaged in, that in making the annual Army appropriations we should make a provision for an army sufficient to tide us through this emergency, whatever it may be under the existing circumstances. How long that emergency indicated in the law raising emergency troops will last as a fact or in law no man in this House can guess. No man in the world would presume to guess. But we do know one very significant thing, that when the peace table comes to some determination and decision as to what shall be the terms of peace, and when the various Governments involved shall have ratified that decision and we shall have a legal peace, then, and then only, the President can issue his proclamation declaring that peace a fact; and the emergency under which all this large army was raised will be declared officially to be at an end. If we do not enact something like the legislation proposed in the Army bill, then, as if it were yesterday's snow before to-day's sun, all the great existing emergency army will melt out of existence, and we will be left with a paltry 175,000 enlisted men under the national defense act.

Now, suppose the terms of the peace table do provide that we are to take some part in guarding peoples and properties and interests in Europe while the normal condition of peace is being restored there. How are you going to divide the 175,000 soldiers, which is the limit of the terms of the national-defense act in time of peace, between this country with its home military garrisons, our insular possessions, and their normal garrisons and the force that we shall be required to keep in Europe? How are you going to do it? Can anybody figure it out mathematically and leave any respectable force in any place?

Not only that, my friends, but here is, I think, a part of the situation we can not afford to blink at, although no one can sum the situation up in a mere five-minute talk. All that has been said on this floor heretofore has been in relation to a so-called emergency existing in Europe. I ask you in your calmest moments of thought to question yourselves whether the emergency is in Europe alone or whether it is not also right

now in our own country, and whether it may not continue to be a most serious and threatening emergency in our own country for months after the President has issued his official proclamation declaring that the emergency in Europe is over.

That is the proposition that you and I may be called upon to face some day, perhaps before many months. I do not believe that the American people will ever be satisfied with our going away to-day, leaving them only with a bare defense of 175,000 men in the Regular Army when some great emergency in this country may possibly come in the course of these anxiously troublous times. [Applause.]

Mr. DENT. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. GARRETT].

Mr. GARRETT of Texas. Mr. Chairman, there is no need of any of us trying to deceive ourselves about the matter that we are now considering. We have the plain, barefaced proposition before us for voluntary enlistment in the Regular Army, under the national defense act of 1916, in peace time. What strategic relation this act may have to the military appropriation bill remains to be seen. The question that we have just passed upon in voting for the rule, making in order this legislation and the real question we are facing on this bill, is whether or not the Congress of the United States in time of peace wants a greater Army than 175,000 men in the line, with officers and other units bringing it up to more than 200,000, and in case of emergency or threatened public danger, to which the gentleman from Vermont [Mr. GREENE] has referred, should occur, the President in his discretion could bring the Regular Army up to 400,000 or whether or not we, the Congress of the United States, are in favor of a standing Army in time of peace of 500,000 men. That is the plain proposition, and we need not try to deceive ourselves. I, for one, am absolutely opposed to a large standing Army in time of peace—to be supported by our already overburdened taxpayers.

Now, a great deal has been said here in the last few minutes about the boys that we have sent over to France. God knows, gentlemen, we all want the boys to come home from across the seas, and come now; but who sent the boys to France? The distinguished gentleman from California [Mr. KAHN] stands upon this floor and weeps that the boys may come back from France, when he was the princely knight that led in the selective-draft fight that sent every one of them to Europe. [Applause.]

Now, then, the same law that the gentleman and the rest of us supported upon this floor that sent the boys to France gave the President of the United States the power to keep them there until the emergency was over. Many of the men on the floor of this House opposed lodging that discretion with the President or anybody else, but the gentleman from California [Mr. KAHN], and, if I remember correctly, likewise the gentleman from Illinois [Mr. MANN], said they were willing to trust the President with the Army of the United States until the emergency was over.

What is the matter with you here to-day that you are not willing to still trust him? What has the President done that does not entitle him to the same confidence and trust that you imposed in him before the armistice was signed? What has come over you men? I will tell you, gentlemen. We are playing the baby act. We are trying to shift our own responsibilities to the shoulders of others. What we ought to say now, and what we should have said several days ago, is that when this war was over with Germany that every soldier boy who wanted to come home and finish his education; that wanted to come home and take up the job that is being held for him; that every farmer's son that wants to again take up the plow he left in the fence corner should for these reasons and upon their own applications be discharged, and discharged now. [Applause.] Yet when that proposition was offered here to the appropriation bill a point of order was made against it.

Now, what do we propose to do in this bill? We propose to go back to the peace Army plan as provided by the national-defense act, and until that time, gentlemen, you have all the Army you want until this emergency has passed. Let me tell you, gentlemen, you need not be uneasy. There is not going to be any more fighting in Europe, so far as our boys are concerned, with Germany. Germany has been whipped to a frazzle, and the American soldier did it. [Applause.] And I want to tell you another thing—no such Army as ours has ever been marshaled on the field of conflict. They have gone through the valley and shadow of death in "no man's land" and suffered ten thousand agonies that the rights, honor, and freedom of our own country should be forever preserved and maintained and that peoples everywhere should be free from military autocracy for all time—they have covered themselves with imperishable glory and will have the gratitude of our people forever.

We have to-day this great Army to take care of our every need until the emergency is passed. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GARRETT of Texas. Mr. Chairman, I ask leave to extend my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GREENE of Vermont. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MCKENZIE].

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. MCKENZIE. Mr. Chairman and gentlemen of the House, the proposition now before the House is to repeal sections 14 and 7 of the selective-draft law, by doing which we will revert to section 27 of the national-defense act, which is the enlistment section of that law, and which provides that men enlisted in the Regular Army of the United States shall be enlisted for seven years, three years with the colors and four years in the reserves.

Now, I hope if any amendment is offered in this House to this bill, although it may not be in order, to change that enlistment period, that no man will make the point of order against it, but let us change that part of the law. [Applause.]

I want to say to you, gentlemen, that so far as the Committee on Military Affairs is concerned, we went to the Committee on Rules and asked for bread and, in a sense, they gave us a stone. The Committee on Military Affairs for days and weeks, I may say, have been struggling with the legislation that is attached to the appropriation bill. I want to say, further, in order that you may understand clearly the position of the Committee on Military Affairs, that the officers of the Regular Army, the Secretary of War, and the Chief of Staff submitted a proposition to us, asking us to make permanent a Military Establishment in this country by giving them 28,579 officers and 509,909 men, as a permanent fixed peace-time Military Establishment in this country.

I think I speak truthfully when I say that there is not a single member of the Committee on Military Affairs that believes in a large peace-time Regular Army. Therefore we denied it, and we brought in a substitute proposition, which simply provides that the Regular Army may be enlisted up to its full war strength, and that an additional force sufficient to bring it up to 500,000 may be enlisted for one year.

That is the proposition that we brought in to submit to this House. I want to say to you that so far as I am personally concerned I would not favor that proposition in time of peace, but I realize, as you realize, that it would be the part of wisdom to provide at least an Army of 500,000 men, with such safeguards thrown around it as would disband the same at the end of the fiscal year.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. MCKENZIE. I regret I can not. I have not the time.

The CHAIRMAN. The gentleman declines to yield.

Mr. MCKENZIE. And that the officers commissioned to officer this special and distinct force would go out at the expiration of the period; in other words, hold temporary commissions.

Now, realize this, that you can get rid of an army that is enlisted. Enlisted men enlist for a period of one or more years, and when the expiration of that time comes they go out; but the officer who is commissioned in the Regular Army becomes a fixture on this Government and has a vested right to hold his commission for life as long as he behaves himself, unless he is discharged for physical disability.

Now, my friends, there was one other thing that influenced us, and that was this, that we did believe there were some men in the service who would be willing to reenlist, and I had an amendment to make it possible for them to reenlist in this special force, part of which might be left in Europe. I have not been deceiving myself about these men coming back from Europe. I was one of those who voted for the draft act, along with the gentleman from California [Mr. KAHN], to take these boys and put them into this war, much as I hated to do it; but our necessities and the national honor demanded it. We are in the war, and I say to you now that so far as I am concerned, having put our hand to the plow, we should not turn back until the job is finished. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DENT. Mr. Chairman, I yield four minutes to the gentleman from Missouri [Mr. IGOE].

The CHAIRMAN. The gentleman from Missouri is recognized for four minutes.

Mr. IGOE. Mr. Chairman, I have been trying to follow this Military Committee since this bill came on the floor, but I

confess that they leave me in a very confused state of mind. I do not believe from the report that the War Department knows exactly what it wants for the next fiscal year, but if it does it has not communicated its views to the Committee on Military Affairs. I would prefer to believe that rather than that the Committee on Military Affairs has information that it does not wish to communicate to the House.

When the rule was up here for discussion we learned from the gentleman from California [Mr. KAHN] and the gentleman from Illinois [Mr. MANN] that it was necessary to do one thing for a certain purpose, and now we learn from the gentleman from Illinois [Mr. MCKENZIE] and the gentleman from Vermont [Mr. GREENE] that this army is needed for another purpose.

I want to say that I am in favor of this country keeping its international obligations, and if it is necessary for us to maintain troops in Europe during this emergency I want to see the Government maintain them there. But the gentleman from California starts out by saying that we can not raise 100,000 volunteers in this country, and the gentleman from Illinois [Mr. MANN] replies that these men in Europe are there for the emergency, that the President can return them whenever he wants, and that he will not return them for quite a while; that these men are entitled to come back; that he wants to see these drafted boys brought back, and in order to bring them back he is gong to vote to pass a law so as to enlist men who are over there who want to stay. Now, if anybody can follow that sort of reasoning and talk around and come out anywhere I should like to know who it is.

The fact of the matter is that this legislation is necessary in order that we may have a Regular Army when the emergency ends. I understand that we have probably 20,000 or 30,000 men in the Regular Army whose enlistments will expire when this emergency is over, and unless we reenlist some men at once when the emergency is over we will have no Army at all. Now, as far as this Army is concerned that is over there now or that may be necessary during the emergency, under the draft law these men can be kept there as long as they are needed, and when the emergency ends and the men are not needed then they can come back here, and we do not need anybody to take their places, and if the treaty makes it desirable for us to keep men there after peace is declared I think it will be time enough then to come to this Congress and ask us whether we are willing to vote to send men over there, or if the treaty requires us to do it then we can provide for those men.

Now, I am not a military man, but I have been trying to follow these gentlemen who have been trying to tell us what we need to do, and, in my judgment, all we need to do, as far as the Army in Europe is concerned, is to appropriate enough money to keep the men over there during the emergency, and when the emergency ends, then we can bring them back. If there are men there now who are willing to stay over, we need no legislation. Now, I realize that these boys are entitled to come back. We want to see them back, but if the gentleman from California [Mr. KAHN] is correct, you can not get men in this country to volunteer to go over there to take their places, so the only way you can get men to go over there is to draft some more men. I am not in favor of drafting men now to go over there, for two reasons: In the first place, I do not think it is wise, and, in the second place, we will spend months and billions of dollars in equipping them to go over to take the place of those who are already there, and in all likelihood the new men would not be an effective force until the emergency was over.

Mr. KAHN. Has the gentleman ever heard "the gentleman from California" express a desire to draft men to go over there?

Mr. IGOE. No; but let me tell you what the gentleman from California did say. You said you could not get 100,000 volunteers in this country, did you not?

Mr. KAHN. Under the terms of the Regular Army enlistment, which is three years in the Army and four years in the reserve.

Mr. IGOE. May I ask the gentleman where he is going to get his volunteers?

Mr. KAHN. The Military Committee bill provided for another organization that were to be allowed to volunteer for a period of one year outside of the Regular Army.

Mr. IGOE. How many men does the gentleman think we can get if we provide for volunteers for one year in the Regular Army?

Mr. KAHN. Volunteers for one year in the Regular Army?

Mr. IGOE. I understood that was the gentleman's proposition.

Mr. KAHN. No; I said in this extra force. If you call for one-year enlistments in the Regular Army, I am inclined to think you can get a quarter of a million men.

Mr. IGOE. And, then, in the extra force, how many can you get?

The CHAIRMAN. The time of the gentleman has expired.

Mr. IGOE. That leaves me in about the same position that I was before, and the House is in about the same position.

Mr. KAHN. I yield five minutes to the gentleman from Pennsylvania [Mr. CRAGO].

Mr. CRAGO. Mr. Chairman, I had hoped that the Rules Committee of the House would adopt such a rule as would make it possible for us to consider several matters in this bill—first, a matter which has raised a great deal of discontent in this country, the matter of promotions, which were stopped by order of the War Department; second, the matter of the designating chevron, which designated the kind of service. We should have taken some legislative action on that.

Mr. LAGUARDIA. Will the gentleman yield there, just for one question?

Mr. CRAGO. I have very little time, but I will yield to the gentleman for a short question.

Mr. LAGUARDIA. Then the justification for asking for 509,000 men is so that these men can wear these chevrons, is it?

Mr. CRAGO. No; not at all. In the next place I think we ought to have some legislation which would provide for some force to tide us over this emergency other than the Regular Army; but we have not been given that right in the rule which has been adopted.

Mr. Chairman, had the war with Germany been pushed to a final conclusion, and the military and naval power of Germany entirely crushed, as it would inevitably have been had the war continued a few months longer, the problem of disbanding our Army more rapidly and the return of our Military Establishment to an entirely peace basis would have been much simplified. Gen. Foch, however, and we think wisely, concluded the armistice when he did in order to save lives which would undoubtedly have been sacrificed if he had continued the offensive and absolutely conquered Germany on her own soil. Because of this very humane act we are now confronted with many problems not contemplated when our Army was formed. We had in view the final winning of the war in such a way that we would all know our work was finished, and that all our men could be sent home just as rapidly as transportation could be provided. Since we have these problems by reason of the armistice we should not hesitate to meet them in the proper spirit.

Our men were content to remain as long as hostilities continued; some of them now are perfectly willing to remain in the service; but the great body of them want to get home, and their wishes should be respected. We should be willing to lay aside our preconceived ideas of a peace-time Army and give the War Department all necessary legislation to enable them to form an Army composed of men who are willing and glad to remain in the service; and just as we give them a chance to enlist men, we thus give them a chance to send home the men who should be back in civil life; to withhold this authority may compel them to keep a great body of our soldiers abroad during the many months which may go by before a final treaty of peace can be concluded and ratified by the different Governments.

We should look at our present situation in the light of the past, and try to avoid the errors of the past where it is at all possible.

The sudden ending of the Spanish-American War in the summer of 1898 is somewhat analogous to the present situation in Europe. The real problems confronting our Government after the cessation of hostilities in 1898 presented themselves with great force, and these problems grew as the months went by during the time the terms of the treaty of peace with Spain were being discussed and finally ratified.

The situation in the Philippines was more acute on the day this treaty was ratified than it was before hostilities with Spain had ceased.

I have taken the following from The Military Unpreparedness of the United States, by Frederic L. Huidekoper, which, by the way, is a splendid history of our Military Establishment. His explanation of the situation as it existed before the treaty of peace with Spain had been ratified is here given:

To cap the climax, Congress expressly stipulated that all volunteers "shall be discharged from the service of the United States when the purposes for which they were called into service shall have been accomplished, or on the conclusion of hostilities." This was tantamount to leaving the question to the adjudication of the volunteers, and scarcely had the peace protocol been signed on August 12 than they proceeded to avail themselves of what they deemed to be their privilege. On the 18th of that month an order was issued by the War Department for the mustering out of 100,000 volunteers, but, as this embraced less than half of that force, any number of officers and men began to clamor for their discharge, using every possible influence to procure it, quite regardless of the fact that the Government was in nowise obligated to grant it until the treaty of peace had been definitely signed and ratified.

In many cases their demands were complied with in order to reduce military expenditures, but when the Regulars were withdrawn from Cuba and Porto Rico the Government found itself greatly embarrassed by the demands of the volunteers, who had to be sent to replace them in order to hold those islands. By the time the treaty of peace was signed the volunteers had in turn been superseded by other Regulars, had been brought home and mustered out, so that the terms of the enlistment contracts had been complied with. The exigencies in the Philippines rendered such a course impossible. Allusion has already been made to the declaration of independence by the Filipinos, who were not permitted to participate in the operations culminating in the capture of Manila. Having formed a government, they demanded recognition of it, but this was refused, although no steps were taken to prevent their acquiring control over substantially the rest of the archipelago, partly owing to the paucity of our troops and partly owing to the policy laid down by our Government. This attitude, coupled with a fear that the United States was about to seize the islands, engendered such distrust and enmity that in October the Filipinos began to concentrate their forces, to the number of some 40,000, around Manila and virtually shut up the American Army under Gen. Otis in the city, where, apart from guarding 13,000 Spanish prisoners, it was compelled to maintain order among 300,000 hostile inhabitants. By January, 1899, Otis received a paltry reinforcement of 6,500 men, thus bringing his command up to 20,481, the Regulars, armed with the Krag-Jorgensen rifle, being only 5,372 strong, while the other 15,400 were State volunteers, supplied with the obsolete Springfield. On February 4, 1899, began the Philippine insurrection, which was not finally quelled until more than three years later. Congress had not only committed an egregious blunder in the wording of the law of April 22, 1898, instituting the volunteer army, but it neglected until March 2, 1899, to create other forces to replace it. In consequence of this failure, not until June 14, 1899—10 months after the necessity had ceased for the use of volunteers called out under the act of 1898—did a sufficiency of Regulars reach the Philippines to permit Otis to send home any of his volunteer troops, and not until October 11 did the first of the newly-created force join him. As a matter of fact, the last of these regiments—the Forty-eighth Volunteer Infantry—did not arrive at Manila until January 25, 1900. Owing to the lack of a Regular Army large enough to respond to the increased demands in the two hemispheres, the Government was confronted by two alternatives, namely, either to abandon the Philippines entirely or to endeavor to hold them by retaining in service such troops as were available. Having determined upon the latter course, it was compelled to break its contract and to hold the men, who had volunteered for the War with Spain only, through a succession of active operations lasting for six months after the period when their term of enlistment had legally expired.

I have gone into this matter at length, because I was in the Philippines at this time in command of one of our volunteer organizations, and we knew that it was absolutely necessary for us to remain there even though our terms of enlistment expired with the signing of the treaty.

In the Philippines we did more fighting, lost more men, after the war with Spain was over than we had lost during the war, and on the day of the signing of this treaty this small force in the Philippines was entrenched in and about the city of Manila, guarding that city and the base of all our supplies from the attacks of the Philippine Army. During all these months of campaigning in the heat and unhealthful climate of the Philippines we realized something was wrong at home, and it took months for Congress to make up its mind to organize temporary forces in addition to recruiting the Regular Establishment in order that these men whose terms of enlistment had expired months before might be relieved. I hope the present Congress will not delay matters in such a way that we will be criticized for failing to do our plain and manifest duty.

The bill which we indorsed contemplates an average Military Establishment after July 1, 1919, of 509,000 men only, and every man who has enlisted either in the Regular Army, a part of this force, or in the temporary force to be organized for one year makes it possible to return a man from the Army cantonments or from the battle fields of France to his home, and any delay in providing for the organization of the force contemplated by this act just to that extent delays the return to their homes of the men who are already in the Army, but who are not willing to remain in it during the long months which must elapse while the treaty of peace is being considered.

In connection with what I have quoted from Maj. Huidekoper's book, I call attention to the fact that following the Spanish-American War we had greater problems confronting us as a Nation than we had during that war; and if you will refer to the CONGRESSIONAL RECORD, Fifty-fifth Congress, third session, pages 2364 almost inclusive to 2688, you will find that the Senate and the House spent much time in consideration of that situation when it was proposed to raise a volunteer force of 100,000 men, and the same arguments were urged against that particular military step then that you hear urged against this now. One hundred thousand men were eventually authorized for use in the Philippine Islands and elsewhere. Yet at the end of the greatest war in the history of the world, when these great problems are confronting us, we are hesitating to allow our Military Establishment a reorganization of the Regular Army to provide for a volunteer force for one year of two or three hundred thousand men. The situation in the Philippines was more acute at the time the treaty of peace was ratified in the Senate than it ever was before. The men were compelled to stay in the Philippines for six months after their terms of enlistment had expired, because of the fact that Congress spent five or six months in deliberating on what they should do in order to provide a force to take the place of these men whose terms of enlistment had expired.

I do not want us to make the same mistake now and sit here splitting hairs while men in Europe are anxious to be returned; and it is impossible for all to be returned until we do provide legislation under which a force shall be formed to take their places over there. After July 1 every man in the forces authorized by this act approved by the committee would take the place of a man in Europe who wants to come home. Prior to that date every man who enlists in the voluntary force will take the place of a man in cantonments who wants to return to his home now. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAGO was granted unanimous consent to revise and extend his remarks.

Mr. FIELDS. Mr. Chairman, I yield four minutes to the gentleman from Arizona [Mr. HAYDEN].

Mr. HAYDEN. Mr. Chairman and gentlemen of the committee, I want to make it clear to you just what this bill will accomplish if enacted into law. It is understood that it will be amended to provide for one-year enlistments, and we all agree that the term of enlistment should be so reduced. This measure repeals sections 7 and 14 of the selective-draft act of May 18, 1917, and permits a return to the Hay Army reorganization act of June 3, 1916. The Hay Act provided for 64 regiments of Infantry, 25 regiments of Cavalry, 21 regiments of Artillery, the Coast Artillery Corps, and so on, aggregating 175,000 men in a time of peace, but a much larger number in time of war. The bill that we are now considering will go into effect in a time of war, so that the maximum, and not the minimum, number of volunteers may be enlisted. Now, in my opinion, there is no reason why a half million men could not be enlisted under the terms of the Army reorganization act. I have read the act carefully. I have also inquired of the members of the Committee on Military Affairs, and no one has been able to point out anything that would prevent the General Staff from changing the tables of organization and thus make the regiments mentioned in the law large enough to accommodate all the men they have asked for. I have here a table prepared by an officer of the General Staff which estimates that there might be obtained a maximum of 288,185 enlisted men and 11,864 officers, or a total of 300,049, under the Hay Act. This estimate was made in 1917 and was undoubtedly based on the old tables of organization. Everyone knows that the war strength of our regiments has been greatly increased since that time.

I understood the gentleman from California [Mr. KAHN] to say a few minutes ago that the maximum number of volunteer enlisted men that could now be obtained was 250,000.

Mr. KAHN. That was not the maximum; I said it was an easy matter to get that many men.

Mr. HAYDEN. Under the terms of this bill 38,000 more men may be enlisted than the number mentioned in the estimate made by the gentleman from California. I wanted to bring that fact to the attention of the House, so that you need not fear that you are limiting the Army that may be raised by voluntary enlistments during the present emergency to 175,000 men. We can have a voluntary Army of 288,000 enlisted men and eleven or twelve thousand officers, or a total at least of 300,000 men. I wanted to impress that fact upon the House, so that when you vote for this bill you may know that instead of voting for the 175,000 men you are actually voting for at least 300,000, and, in my judgment, 500,000 men may be obtained. After peace is declared the number in the line of the Army will be reduced to 175,000 men, but that will not take place until at least four months after the treaty is signed and proclaimed. [Applause.]

The table to which I have referred is to be found on page 73 of volume 2 of the National Service Library, edited by Maj. Charles E. Kilbourne, of the General Staff, and is as follows:

Estimated authorized strength of the Army under the national-defense act.

	Minimum.		Maximum.	
	Officers.	Enlisted men.	Officers.	Enlisted men.
General officers of the line	44	.....	44	.....
General Staff	52	.....	52	.....
Adjutant General's Department	51	.....	51	.....
Inspector General's Department	29	.....	29	.....
Judge Advocate General's Department	32	.....	32	.....
Quartermaster Corps	296	10,000	296	20,000
Medical Department	1,800	10,000	296	15,000

Estimated authorized strength of the Army, etc.—Continued.

	Minimum.		Maximum.	
	Officers.	Enlisted men.	Officers.	Enlisted men.
Corps of Engineers	505	5,384	505	7,578
Ordnance Department	142	2,000	142	2,000
Signal Corps:				
Signal Corps	127	3,500	127	3,500
Aviation Section	148		148	
Bureau of Insular Affairs	3		3	
Chaplains	141		141	
Sixty-four regiments of Infantry	3,415	86,272	3,415	126,016
Twenty-five regiments of Cavalry	1,300	25,275	1,300	37,175
Twenty-one regiments of Field Artillery	876	18,232	876	26,741
Coast Artillery Corps	1,201	30,018	1,201	30,018
Porto Rico Regiment of Infantry	51	1,348	51	1,969
Military Academy	7	632	7	632
Detached officers	1,022		1,022	
Recruiting parties, recruit depots, and unassigned recruits		15,000		15,000
Service School detachments		746		746
United States Disciplinary Barracks' guard		350		350
With disciplinary organizations		110		110
Division and brigade headquarters troops and detachments		1,350		1,350
Total estimated strength	11,242	210,217	11,864	288,185 300,049

Mr. FIELDS. Mr. Chairman, I yield four minutes to the gentleman from Ohio [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman and gentlemen of the House, I want to thank the chairman of the committee for yielding this time to me. I am in favor of this bill if it will do anything to bring back the boys from France. I want to say that I am not in favor of the plenipotentiaries coming to an agreement whereby we will have to keep a large number of soldiers in Europe after the war is over.

JULIUS KAHN, our esteemed Member of Congress from the State of California, born in Germany, ranking Republican member of the great Military Affairs Committee and its next chairman, leader at the war session of this Congress in the fight in favor of the military bill as desired by experts, uttered these words:

I am an American, for America first, last, and all the time; no other country appeals to me.

JULIUS KAHN'S liberty-loving attitude is a symbol of what America and Americans stand for. [Applause.] His untiring work in this Congress for his country, his intelligent and fearless guidance, places him in the front rank of American statesmen. [Applause.]

There may be excellent reasons for the establishment of a Jewish nation in Palestine for the persecuted Jews of other countries, but the Jews in this country are satisfied and contented with the liberty, freedom, and opportunity they have enjoyed here for many decades.

If there is to be a league of nations I hope it will provide, among other things, that citizens of all classes, races, religions, and creeds shall have equal protection of the laws of the countries in which they live—the same freedom, at least, that we have in the United States.

Previous to the Civil War Jews came to this country as individuals, but after the war conditions in Russia forced them to come to America to find an asylum from the oppression of Russian tyranny. Since 1870 they have come here in large numbers. In 1880 it was estimated there were 250,000 Jews in the United States, mostly belonging to the mercantile class; now there are several million distributed among all trades, professions, and in the mercantile pursuits.

JULIUS KAHN says:

This country has been their Zion for 140 years. They ought to be so loyal to the flag of the United States as to leave no desire whatever in the heart of any man of the faith to carry any other flag.

Let us see how the Jewish-American has lived up to this advice during this present war. Jewish-American soldiers have done their part and have gone over the top for American institutions and for the honor of the flag. Thus they have shown their love and appreciation for a country that gave them liberty and opportunity. There were in the Army, Navy, and Marine Corps during this war between 150,000 and 200,000 Jews. Of 80,000 tabulated, 69,000 were in the Army, 8,800 in the Navy, and about 1,700 in the Marine Corps. Of the 69,000 in the Army, 35,000 were in the Infantry, 6,500 in the Artillery, 9,300 in the Medical Corps, 3,964 in the Signal Corps, 1,895 were in the Engineer Corps, 1,213 in the Cavalry, 1,019 in the Ordnance branch, 3,521 were in the Quartermaster's Corps, and about 8,814 in other branches.

There were 5,021 Jewish commissioned officers in the Army, of whom 30 were colonels, 202 majors, 782 captains, and 4,007 lieutenants. In the Navy there were 205 commissioned officers, including 1 rear admiral, and in the Marine Corps 25 commissioned officers. Over 30,000 Jewish soldiers went from New York City alone, Philadelphia sent over 7,000, and about 3,000 from Chicago.

In casualties the Jewish soldiers suffer heavily, probably more than is generally expected. Out of a total of 64,157 casualties reported on November 1, 1918, 2,502 were Jewish troops, or nearly 4 per cent of the total.

The entire Jewish population in the United States is about 3 per cent of the total population, and if these casualty lists signify anything it means that the Jewish Americans furnished from 4 to 5 per cent of the total personnel, or more than their share. And the beautiful part of it all is the large number of them were Jewish volunteers, and this is from statistics.

It was the Seventy-seventh (Upton) Division that was in the thick of the fight at the Argonne Forest, and it was a Jewish battalion belonging to the famous Three hundred and eighth that won deathless glory for itself and for the honor of the Jewish name in the Argonne.

Many have been cited for bravery, and it will be found in the last analysis that the Jewish Americans have done their part in this great war, and history will write their names alongside of the other brave American boys who have made themselves immortal. In conclusion, I will read the poem to America written by a Jewish poet by the name of Emma Lazarus:

Not like the brazen giant of Greek fame,
With conquering limbs astride from land to land;
Here at our sunset gates shall stand
A mighty woman with a torch, whose flame
Is the imprisoned lightning, and her name
Mother of Exiles. From her beacon hand
Glows world-wide welcome; her mild eyes command
The air-bridged harbor that twin cities frame.
"Keep, ancient lands, your storied pomp!" cried she,
With silent lips. "Give me your tired, your poor,
Your huddled masses, yearning to breathe free—
The wretched refuse of your teeming shore—
Send those, the homeless, tempest-tost to me.
I lift my lamp beside the golden door."

During the above remarks Mr. EMERSON'S time expired, and the following occurred:

Mr. EMERSON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to revise and extend his remarks.

Mr. LONDON. I object to that.

Subsequently, by unanimous consent, Mr. EMERSON had leave to extend his remarks.

Mr. GREENE of Vermont. Mr. Chairman, I yield five minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Chairman, on the portion of this bill on which we are all agreed I shall not spend much time. As a matter of fact, the bill now before us for consideration was included by the Military Affairs Committee in the Army appropriation bill. It removes the restrictions now upon enlistments in the Regular Army. Therefore there is no difference between us as to the bill now before us, but the Military Affairs Committee in the Army bill proposed to go much further than this.

Let us assume that a Regular Army of 175,000 men of the line could be enlisted under this provision. The committee, after hearing the Secretary of War and his military advisers, were not inclined to believe that we should leave the Military Establishment reduced to that point during the next fiscal year.

If anyone on the committee favored a larger Regular Army, I do not know who it was. We all agreed that we did not wish to increase the Regular Establishment at this time. An amendment which would have been proposed here, had the legislative part of the Army bill been made in order, provided that at no time should the Regular Army exceed the peace-time requirement of 175,000 men of the line, and, my friend from Texas (Mr. GARRETT) to the contrary notwithstanding, that proposition does not increase the Regular Army by one officer or one man.

It was made very emphatic to us that it would be unsafe if we did not have some provision for a larger number of troops which it was believed we might need during the next year. For that additional number of troops we proposed a temporary force, to be enlisted for a term not to exceed one year, but to be used for such time only as might be considered necessary.

Our reason for providing for that force was just this: There are in France a large number of men who would like to come home and be mustered out of the service and whom we should like to bring home and have mustered out of the service, but

who can not be brought home until the emergency shall cease or until somebody shall take their places. Then, we do not know how that elastic term "emergency" will be construed.

Finally, there are a large number of troops in this country, kept as a working force in the demobilization camps, who are being kept from their homes and business because there is no one to take their places. It may be that there are thousands of discharged soldiers who would be glad to go there and take their places in the demobilization force, but that can not be done until some provision is made for resuming enlistments.

Our proposition was simply this: Let us have a voluntary Army for cleaning up after this war the same as we did after the Spanish War, as the gentleman from Pennsylvania [Mr. CRAGO] has just pointed out. The emergency at that time strung out for many long, weary months. We needed a number of men, but we did not keep them in the Army at that time for another year or two. We went frankly before the people and said, "We want enough men who are willing to go overseas to the Philippines and do this service to come forward and offer their services," and they did come forward, a considerable number of regiments. They went overseas and performed that service, and did it well. They were a satisfied army. They had volunteered to do it.

The issue between us comes right down to this: We must either keep those men over there indefinitely and keep the men in the demobilization camps in this country indefinitely as a demobilization force or, on the other hand, we must prepare a temporary force to take their places and serve until the emergency shall be entirely over.

I believe that there are a large number of men in this country who would be glad to enlist for this temporary work, a large number who will be willing to go overseas and take part in the work of the army of occupation. We ought to give them a chance to do so, and at the same time make it possible for the men who have borne the brunt of this war to be brought home at the earliest possible moment.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, while I, with most of the Members on the Republican side of the House, voted against the rule that was just adopted, that vote was not directed against the provisions in the bill which is now pending. It was a protest against the failure of the Committee on Rules to give the House an opportunity to pass upon the question in regard to a temporary army in order to bring home the boys now in France. As far as I am concerned, I shall vote for the pending bill, the substance of which has already been favorably reported from the Committee on Military Affairs. I think no one is opposed now to permitting enlistments in the Regular Army, and the responsibility on the Republican side of the House is only to do the best that it has an opportunity to do. We are not the majority in the House. If the Democratic side of the House—the majority side—refuses to let the House provide a sufficient temporary army in order to bring home all of the drafted men who want to come home, they accept that responsibility; it is not ours. [Applause on the Republican side.] When in the future months, if this is the only legislation which is enacted, the boys are kept in France over their protests, it will be because of the stupidity or something else of the Democratic side of the House in its refusal to grant relief. It will be a Democratic administration keeping the boys in France under Democratic legislation, against which we have protested. We believe in providing an opportunity for a sufficient temporary army, so that the President will not be able to resist the demand that the drafted boys shall be brought home according to the original provisions and intent of the law [applause on the Republican side], and if on the Democratic side of the House they choose to interfere with that, theirs will be the responsibility. It is they who refuse to do it, it is they who refuse the opportunity for those boys to come home, as they wish to come home.

Mr. DECKER. Mr. Chairman, will the gentleman yield?

Mr. MANN. I have only five minutes. I think the most of the Army ought to have been brought home at once. I think there has been undue delay both in bringing the Army home from France and in demobilization of the Army that is in the United States. The excuse has been that they had to have an army of some kind, and that they could not disband the existing Army until they were authorized to raise a temporary army to do the work which must be done. It is the Democratic administration that is doing this thing through the executive department; it is the Democratic control on the majority side that is refusing to remedy the conditions. So far as it goes, we approve of the proposition that is contained in this bill, but it does not go far enough. We can vote for the bill and still protest that it is not sufficient, and leave those gentlemen to take the responsibility which they have assumed.

Mr. DENT. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS. Mr. Chairman, as one member of the majority, I am entirely willing to accept the responsibility for the vote which I cast in favor of the rule and for the point of order which I made against the provision in the Army appropriation bill, which I understand from the gentleman from Illinois [Mr. MANN], the leader of the Republicans, represents the Republican view. I am opposed to an Army of 500,000 men. [Applause on the Democratic side.] I am in favor of limiting the Army to 175,000 men in the Regular Army, and that is all we propose to do here. The gentleman speaks of "Democratic stupidity or something else." When the gentleman had the floor he said that under the law the question of when the emergency ended could be interpreted one way by the President and another way by the Army.

And the President could if he wished keep these drafted men in France to do police duty there after the emergency had passed. I do not know whether that was due to stupidity or to something else. [Applause on the Democratic side.] The law says that whenever the state of war shall cease by the conclusion of peace between the United States and its enemies in the present war the President shall declare by published proclamation to that effect. The President shall do it, and thereafter no man who has enlisted or been drafted into the Army serving abroad can be held to compulsory service after four months from the date of the proclamation, or such time as it is possible for the President to secure transportation facilities to bring him home.

Mr. DECKER. Will the gentleman yield?

Mr. HUMPHREYS. I can not yield. The gentleman from Connecticut [Mr. TILSON] said that "the emergency" was an "elastic term." The trouble with these gentlemen is that they do not know what the law is now. [Applause on the Democratic side.] Naturally they would not know how to change it. [Applause on the Democratic side.] We have put the responsibility where it belongs, and that is on the President of the United States primarily. We authorized him to send the boys to France. We all want them back as soon as we can get them back, and no demagogue here can make anybody else believe to the contrary. [Applause on the Democratic side.] We all want them back, but gentlemen on the other side, if I am to understand the gentleman from Illinois, want at least 500,000 to remain in France. Under the law as it stands to-day enlistments in the Regular Army are only for the term of the emergency. This law proposes to enable the Regular Army now to accept enlistments which shall be for three years, and four years in the reserves, under the terms of the law which this House several years ago passed.

That is all there is to it, and I want the Regular Army held to 175,000 men, so that all our boys can get back within a year. The department is doing the best it can, they say. I hope so. The responsibility is not on the Congress. It is primarily on the President and secondarily on the Secretary of War to get them back. We have said that the emergency shall cease when the President issues his proclamation, and we have further provided that he must issue it when peace is concluded. We have no business keeping soldiers over there after this war is over and after sufficient time has passed, when by exerting every effort the department can get them all back. If under this treaty the gentleman from California refers to we become obligated to maintain a force in France, then it will be up to the Congress to pass legislation to create a force and send it to France, but no Democrat wants any of these boys who have been drafted and enlisted to fight Germany after the war is over to be held over there [applause] to do police duty on the other side. Some gentleman stated we might need this 500,000 additional troops because some great emergency might arise. Once more gentlemen do not know what the law is. Under the law as it stands now the President can call out an additional force if an emergency arises and the Regular Army is not sufficient.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Chairman, it has been stated on the floor here correctly that there was no opposition to the removal of the restrictions which were provided in this bill. It did not require

a rule to secure the removal of those restrictions. What is the issue then before the House to-day? We have shown, I think, those of us who are opposed to the rule, that there was no reason or ground for believing that you could secure an army across the seas of 175,000 men under the circumstances that will exist if this is the only legislation that is passed. Gentlemen talk as if we had an army over there of 175,000 in the Regular Army. Now, that is not true. We have only 30,000 or 40,000 in the Regular Army across the seas at the present time, the rest are volunteers, or drafted men. Gentlemen who take the position that it is a contest between 175,000 men in the Regular Army and 500,000 men are not stating the issue fairly or truly. There is no such issue before the House. What we are in favor of and what the majority are opposing is to provide any temporary force that may take the place of those who are now across the seas.

Mr. DECKER rose.

Mr. TOWNER. I can not yield. We believe on this side that men who volunteered for this emergency are entitled to come home now if they can safely arrange it. We believe that the drafted men ought not to stay longer there if we can provide a method of preventing it. We believe that if this temporary force is provided for by voluntary enlistments of a year's time that there will be no difficulty in obtaining all the men who are necessary, in addition to the 30,000 or 40,000 of the Regular Army that will be required of the Expeditionary Force during the pendency of these negotiations for peace until the emergency shall have entirely ended, and thus bring the boys home who ought to be allowed to come home. And this, gentlemen, is your responsibility. You are unwilling to make any provision whatever; you are saying to those men, "You will be kept there just as long as any emergency exists, because a majority of Congress refuses to provide any other temporary expedient." Gentlemen, it is a serious responsibility, it is a responsibility which in my judgment you ought not to accept. I know that men on the majority side are as anxious as we are that their boys shall come home.

I know that they are receiving, as we are receiving, imploring messages from the fathers and families of those who are across the seas, that they may come home early.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. TOWNER. No; I can not yield. And we propose a method by which they may be allowed to come home, those of them who desire it. There is not a man, I think, who will give any thought to the proposition but will know that there are men already among the nearly 2,000,000 men across the seas that will voluntarily enlist and stay there a year longer, and thus allow those who do not want to stay, and thus allow those who are called home by sickness or by calamity or by the calls of their business and the dependency of their families, to come home to this side again. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. Mr. Chairman, how much time is there left?

The CHAIRMAN. The gentleman from Alabama has five minutes, and the gentleman from California [Mr. KAHN] has consumed all of his time.

Mr. DENT. Mr. Chairman, I yield three minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Chairman, there is a good deal of political camouflage being indulged in in this House this evening. [Applause.]

Now, the distinguished gentleman from Iowa [Mr. TOWNER], who just spoke, told you with a straight and solemn face that their side of the House wanted those boys back here at once, and that this legislation has something to do with bringing them back. It has absolutely nothing at all to do with it. Anybody who knows anything about what the attitude of the War Department is knows that. The Secretary of War and the Chief of Staff testified before our committee that they wanted this, of course. In fact, I guess all the Army officers wanted these 28,000 officers and these 509,000 men to furnish places for these officers; but not one of them ever insinuated, ever intimated, that these men were ever to be sent to Europe. This is a new invention that has been made here to meet the political exigencies of the time. That is all there is of it.

Now, the gentleman from Illinois [Mr. MANN] and the gentleman from Iowa [Mr. TOWNER] intimated here that the terms of enlistment of these 2,000,000 men in Europe had expired. Now, those gentlemen, both of whom voted for this draft law, know that every man that has gone in since April, 1917, enlisted or was drafted for the period of the emergency, and they also know that the emergency has not expired. What is the use of demagoging here and saying that these men ought to be brought back just because they want to come? As a matter of fact, the period of enlistment of these men over there has not expired. And if we are to accept the statement of the War Department, the Secretary of War, and the Chief of Staff they are returning those men to the United States just as rapidly as shipping can be procured. [Applause.] The number of men authorized by this legislation has absolutely nothing to do with the time when our soldiers in Europe will be returned, because the War Department has repeatedly stated that they are returning the men and intend to keep returning them just as rapidly as shipping can be secured for that purpose.

Now, if our brethren on the other side of the House, who are so anxious to have a regular standing army of 509,000 men and 28,679 officers, will just possess their souls in peace for a couple of weeks they will be in power, and they will have the authority and the votes to go ahead and put it through. [Applause.] But in the meantime let us legislate decently and in order and pass the necessary legislation. And it seems to me that the observations that have been made upon this side of the House clearly demonstrate that all that is necessary for us to do at this time is to pass the legislation which is before us.

I am very glad to have the assurance of the gentleman from Illinois [Mr. MANN] that they have no possible objection to this legislation. They voted against the rule, nearly all of them, just for political reasons. And when we come to pass this bill they will all join us in passing it, and everything will be lovely, and we shall all be happy ever after. [Applause.]

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

A bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes.

Be it enacted, etc., That so much of sections 7 and 14 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, as impose restrictions upon enlistments in the Regular Army, are herewith repealed in so far as they apply to enlistments and reenlistments in the Regular Army after the date of approval of this act.

Mr. FIELDS. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. FIELDS: At the end of line 10, after the word "act," insert the following amendment:

"*Provided*, That for a period of 12 months from the approval of this act enlistments in the Regular Army of the United States shall be made for a period of one year."

Mr. FIELDS. Mr. Chairman, because of the unsettled condition in the country as to the future military policy, I deem it advisable, and I believe my colleagues on the committee deem it advisable, to provide for enlistments for a period of 12 months—for at least 12 months after the approval of this act. After that, or probably during that 12 months, we will know more about the permanent policy of the country. Therefore, this does away with the Army reserve, to which objection has been urged, and makes the enlistment for one year.

Now, there is one other thought I want to advance before I leave the floor. Gentlemen who have been arguing here that the legislative rider proposed to the appropriation bill would expedite the return of men from France know that they are camouflaging and demagoguing and playing politics. There is not one word in the hearings nor has it been contended by any member of the Military Committee in committee that this force would be provided for any place except the United States. The military officers stated when before the committee that unless voluntary enlistments were resumed or some provision made to build up the regular establishment that it would have only 20,000 to 30,000 men at the end of the emergency. Therefore these forces that are provided for under any of this legislation are for service in this country.

Mr. KAHN. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Kentucky yield to the gentleman from California?

Mr. FIELDS. If he will be very brief.

Mr. KAHN. Did I understand the gentleman to say that nobody contended that the men who would be raised under this law would be required to do service on the other side?

Mr. FIELDS. There has been a good deal of contention of that kind on the floor of this House for political purposes.

Mr. KAHN. But was there any contention of that kind in the committee?

Mr. FIELDS. But the gentleman knows that the object of the Military Establishment in asking for this additional legislation and for legislation to raise the temporary force was to build up the Regular Establishment in this country to what they felt it ought to be. That is a question of difference of opinion between the military authorities and the Members of Congress as to what the size of our Army should be under peace

conditions, and all the arguments that have been made in favor of the legislation proposed by the gentleman from California [Mr. KAHN] that it, if enacted, will expedite the return of the boys from France is political demagogy, and the man who utters it knows it. [Applause.]

Mr. KAHN. Mr. Chairman, in order to keep the record straight, I think a fair statement ought to be made to the Members of the House. The Secretary of War and the Chief of Staff appeared before the Committee on Military Affairs about January 16, 1919, and submitted an Army reorganization bill. The chairman of the committee, the gentleman from Alabama [Mr. DENT], told them that the time was so short during the remainder of the session that it was impossible to put through at this session an Army reorganization bill. Then they proposed that they be allowed to write a rider to be put on the Army bill which would accomplish the same purpose in a very few paragraphs. They brought the rider to the committee. It practically did in a few paragraphs what was attempted to be done in a bill several pages in length, introduced by the chairman of the Committee on Military Affairs, and that rider did propose a peace-time Army of 500,000 men. The members of the Committee on Military Affairs unanimously tabled that proposition and refused to act upon it.

There was not a member of the Committee on Military Affairs that favored a peace-time Army of 500,000 men. [Applause.] There is not a member of the Committee on Military Affairs now, so far as I know, who favors a peace-time Army of 500,000 men. But during the deliberations in the committee on this subject it became evident that something ought to be done to bring back the men who are in France, and after considerable discussion the Committee on Military Affairs practically favored unanimously the provision that was in the Army bill when it came to the House.

Now, that is a plain statement of fact, and to charge political demagogy on the part of any man who favored it is itself demagogy. [Applause.]

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. GILLETT of Tennessee. All that the Committee on Rules brought in was a resolution to consider Senate bill 5279.

Mr. KAHN. I am aware of that.

Mr. GARRETT of Tennessee. One moment. Is the gentleman for that bill?

Mr. KAHN. This bill was a part of the provision which was on the Army appropriation bill. We tried to form a Regular Army under that provision, and, this being a part of it, I am for it. That is all there is to it.

Mr. OLNEY. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. OLNEY. Do you not think that we are tying the hands of the President and the War Department?

Mr. GARRETT of Tennessee. Were you opposed to the rule?

Mr. KAHN. The gentleman from Massachusetts is a member of the Committee on Military Affairs. I answered the gentleman's [Mr. GARRETT'S] question. I hold the floor, and I yield to the gentleman from Massachusetts.

Mr. OLNEY. Do you not think that Congress is tying the hands of the President and the War Department, which recommended an Army of 505,000 men, by now limiting it to the small Army of 175,000 men when the emergency is not yet passed? [Applause.]

Mr. KAHN. I have felt all along that we ought to organize a substantial Army until the emergency is passed, until peace has been proclaimed and a condition of peace prevails throughout this country.

Mr. OLNEY. I was against this rule, and I predict that the conferees will come back here and reverse themselves and vote for an Army of 500,000 men. [Applause.]

Mr. KAHN. I do not know what the conferees will do, but I think we will need an Army considerably beyond 175,000 men if we want to maintain our international obligations.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes; I yield to the gentleman.

Mr. GARRETT of Tennessee. Does the gentleman propose to support this bill?

Mr. KAHN. I said I would support it, because it is a part of the plan which was in the provision of the Army appropriation bill reported from the Committee on Military Affairs. For that reason I shall support it. It does not go as far as the Committee on Military Affairs provision went. We felt that under that provision the War Department would be able to get a sufficient number of men to enable this country to carry out its obligations to the world. [Applause.]

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. QUIN. Mr. Chairman, I have not had anything to say about this bill. [Applause.] I spoke my sentiments on the Army appropriation bill, which is still pending, and will be called up for passage as soon as we pass this substitute for the big temporary Army therein proposed. Aside from all this political talk about it, where is the man who can assign any reason for voting against this bill?

You have in this Republic to-day no law by which you can establish a Regular Army. This is the reenactment of what this Congress almost unanimously passed in the year 1916, when we were arranging to go to Mexico to straighten out affairs down there. This is what was enacted into law when the President of the United States went out on the hustings everywhere and declared that the world was on fire and that great preparations must be made. Now, in face of the fact that the American Congress, before we entered the war, thought that this was ample and sufficient to safeguard the people of the United States and maintain the integrity of this Government, why is it that at this late hour, after the American soldiers have conquered the greatest military power on this earth, men can now stand up and say that reenacting the national defense act of 1916 is not necessary to protect our Government and that it is insufficient?

Let me show you: A man who would stop to think, if he had read these hearings, would know that the War Department does not propose to handle a single one of those 500,000 men that was proposed to raise in the Army appropriation bill except in this country, and all of this nonsensical talk about sending these men across the ocean and bringing back some that are over there now has no operation or effect, nor should it have, in the mind of any man who has studied that bill for a moment. I was against that big Army of 510,000 men and 29,000 officers, and our fight has brought this substitute of 175,000 men before you. The truth of the matter is that the War Department was after fixing a permanent establishment of 510,000 enlisted men and 29,000 officers on this country. You have now an opportunity to reestablish the Regular Army, and if we fail to do it we will not be true to this country. You have the chance right now to put into force and operation a bill giving us a force that was sufficient to take care of our Republic at the time when we were actually threatened with war by Mexico, a little Government below the border, and which was actually the only force we had when we entered the war with Germany.

And yet men oppose it and say that you should have a greater force than you had then. If gentlemen really want an Army sufficient to take care of this country, if you really want a Military Establishment in keeping with our Government you will support this bill. Gentlemen talk about having an Army of 510,000 men to meet an emergency. What emergency is it that you want to meet, when both branches of Congress voted almost solidly to place on the statute books the law that now has in France nearly 2,000,000 men and raised an Army in this country of which there are nearly three-quarters of a million men now under arms, all of whom can be held by the President, the Commander in Chief of the Army, until four months after the proclamation of peace?

Let us pass this bill and immediately hitch it on to our Army appropriation bill. Then our country will be secure and our people satisfied that we have protected the country amply without fastening on to them the heavy burden of a great Military Establishment for peace times. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I offer an amendment to the amendment of the gentleman from Kentucky, to strike out the word "made" and to insert at the end of the amendment the following.

The CHAIRMAN. The gentleman from Iowa offers an amendment to the amendment, which the clerk will report.

The Clerk read as follows:

Mr. GOOD offers the following amendment to the amendment offered by Mr. FIELDS: In the second last line of the amendment strike out the word "made" and add the following proviso:

"*Provided further*, That any person so enlisting shall not be required to serve with the reserves for any additional period under such enlistment."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GOOD].

The amendment was agreed to.

Mr. DYER. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

Mr. DECKER. I desire to offer an amendment.

The CHAIRMAN. The gentleman is not in order just at present. The gentleman from Missouri offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DYER: Add at the end of the amendment as amended the following:

"*Provided further,* That no enlistment for the one-year period shall take place other than in the United States."

Mr. DENT. I reserve a point of order on that amendment.

Mr. DYER. I am sure it is not subject to a point of order.

Mr. MANN. Let us have the point of order disposed of.

The CHAIRMAN. The gentleman from Illinois demands the regular order, which is the decision of the point of order.

Mr. MANN. It is not subject to a point of order.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard?

Mr. DENT. No.

Mr. DYER. It is not subject to a point of order.

The CHAIRMAN. The point of order is overruled.

Mr. DYER. Mr. Chairman, we have just read in the papers that United States Senator OWEN has returned from France, and he tells us that the condition of the American soldiers in France is very bad. He tells us that the American people do not realize the condition of the American soldiers in France to-day not only in the disgraceful camp at Brest but in other places. Now, if we permit enlistments in France for this one-year period you will find that the men over there will enlist against their own wishes and against their own desires, because of the persuasiveness of officers in the Army in France and because they believe that they may get out of some of the hell-hole camps that they are in and get into better camps. We ought to enlist in this country the Army that we need over there for this one-year service. Here the men can use their own judgment freely and do what they desire. Our ships must go over to France to bring back the men who are there, and these men enlisted here can go from here in those same ships to take their places, if need be. Personally I am opposed to another American soldier going to France or to Europe. I am in favor of bringing those back who are over there, and I am in favor of bringing all back within the time limited by law, four months after the proclamation of peace by the President. I want to see them back here, and if you adopt my amendment it will prevent the keeping of many men in France who want to come home and who ought to come home, instead of staying there for another one-year period.

Mr. PLATT. Has the gentleman seen the statement that 200,000 of our men in France want to stay there?

Mr. DYER. I have not seen it and I do not believe it. I think it is more of the false information that has been perverted and spread over this country by officers and others who are anxious to maintain a big Army, in order that we may continue to have upon our rolls five generals and thousands of major generals and brigadier generals who, when we reduce the Army in accordance with this resolution, will have to go back to their former rank.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. DYER. I yield to the gentleman from Vermont.

Mr. GREENE of Vermont. How many brigadier generals were provided for in the bill the gentleman introduced to increase the Medical Department? [Laughter.]

Mr. DYER. The Medical Department is one of the departments that has given most efficient service. [Applause.] Not only that, but my bill provided for officers according to the strength of the Army. Not only did my bill provide for what we ought to have, but the Senate put it on the military appropriation bill of last year, and we enacted it into law.

My bill, and the one referred to by the gentleman from Vermont, provided as follows:

That hereafter the commissioned officers of the Medical Corps and of the Medical Reserve Corps of the United States Army on active duty shall be distributed in the several grades in the same ratios heretofore established by law in the Medical Corps of the United States Navy.

The Surgeon General shall have authority to designate as "consultants" officers of either corps and relieve them as the interests of the service may require.

Here is what Congress enacted into law last July as an amendment to the military appropriation bill:

Increase in Medical Department: That the Medical Department of the Regular Army be, and is hereby, increased by one Assistant Surgeon General, for service abroad during the present war, who shall have the rank of major general, and two Assistant Surgeon Generals, who shall have the rank of brigadier general, all of whom shall be appointed from the Medical Corps of the Regular Army.

That the President may nominate and appoint in the Medical Department of the National Army, by and with the advice and consent of the Senate, from the Medical Corps of the Regular Army not to exceed two major generals and four brigadier generals.

That the commissioned officers of the Medical Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades, as now provided by law.

That the commissioned officers of the Medical Reserve Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades, as now provided by law for the Medical Corps of the Regular Army: *Provided,* That nothing in this act shall be held or construed so as to discharge any officer of the Regular Army or deprive him of a commission which he now holds therein.

This law did not provide sufficient general medical officers for the needs of the Army, and the President commissioned many more under the authority given him in the selective-service act. All of which has demonstrated that my bill should have been enacted into law in whole and not in part, as the above provision is.

For the first time we have many brigadier and major generals of the Medical Department. I include the editorial from the Missouri State Medical Journal, of St. Louis, Mo., of August, 1918, as regards this legislation and its need:

FIGHT FOR INCREASED RANK WON.

The long struggle of the medical profession for higher rank in the Medical Reserve Corps of the Army has been won, although some concession was forced from us concerning the number of general officers. The provision increasing the rank of the Medical Reserve Corps officers was attached as an amendment to the military appropriation bill which was passed by Congress and on July 10 was signed by the President. It is therefore now a law.

This law provides for an increase in the Medical Department of the Regular Army by the addition of one Assistant Surgeon General, who shall have the rank of major general, for service abroad during the present war, and of two Assistant Surgeon Generals who shall have the rank of brigadier general. These officers must be appointed from the Medical Corps of the Regular Army. In addition to this increase in general officers the President is given the power to appoint two major generals and four brigadier generals in the Medical Department of the National Army. These officers will require confirmation by the Senate and must be drawn from the Medical Corps of the Regular Army.

For commissioned officers in the Medical Reserve Corps of the Army the highest rank permitted is colonel, but the number of officers in the several grades from lieutenant to colonel will be the same as now provided by law for the Medical Corps of the Regular Army.

It required ceaseless efforts on the part of the medical profession and our friends in Congress to obtain the passage of this measure even in its abbreviated form, for it is said that the Secretary of War and the General Staff were uncompromisingly opposed to any legislation along the lines of the Owen-Dyer bill. However, the law gives the medical officers a very substantial increase in authority and will furnish the Medical Department of the Army an opportunity of demonstrating what scientific medicine can do in maintaining the physical well-being of the troops, because the orders of the medical officers will not now be so often pigeonholed or countermanded by a superior officer, especially one whose medical lore convinced him that because he did not take typhoid fever by drinking a cup of water from a condemned well the water must therefore be potable and would not infect the men in line. Senator OWEN and Congressman DYER, the latter one of Missouri's Representatives, deserve the thanks of the medical profession for their untiring efforts in securing the passage of this measure.

Mr. Chairman, as a further evidence of the need for legislation yet for the Medical Department of the Army let me call attention to a bill I now have pending, which I shall press for enactment into law at the earliest possible date. It is as follows:

A bill to amend sections 10 and 37 of the act entitled "An act for making further and more effectual provision for the national defense, and other purposes," approved June 3, 1916.

Be it enacted, etc., That the Medical Department of the Army shall consist of one Surgeon General with the rank of major general, who shall be chief of said department, assistant surgeon generals in the ratio of one-half of 1 per cent of the total number of officers of the Medical Department provided by law, the assistant surgeon generals to be equally distributed in the grades of major general and brigadier general of the Medical Corps, the Dental Corps, and the Veterinary Corps, authorized by law, the commissioned officers of which shall be citizens of the United States, the enlisted force of the Medical Department of the Army as now provided by law.

SEC. 2. That commissioned officers of the Medical Corps below the rank of brigadier general shall be proportionately distributed in the several grades as now provided by law for the Medical Corps of the Navy.

SEC. 3. That hereafter the President shall be authorized to fill any vacancy that may occur in the commissioned personnel of the permanent establishment of the Medical Department of the Army of the United States by selection from the medical officers of the United States Army of not less than one year's continuous active service: *Provided further,* That the selection shall be upon the efficiency rating and satisfactory examination of the officer; and where two or more officers are of equal rating, selection will favor the one of longest service in the United States Army, Volunteer Army, National Guard, Officers' Reserve Corps, or National Army: *Provided further,* That the officers so selected will be commissioned without loss of rank in the permanent establishment of the Medical Department of the Army of the United States, and such officers so commissioned shall be entitled to all pay, promotion, and allowances of officers of like rank in the permanent establishment of the Army of the United States, excepting that the rate of retirement pay shall be one-thirtieth of the present retirement pay as now prescribed by law for each year's service as enlisted man or commissioned officer, or the total of such services in the United States Army, Volunteer Army, National Guard, Officers' Reserve Corps, National Army, Dental Corps, Dental Reserve, or enlisted personnel in the Army or National Guard in any of the various departments of the Army of the United States: *Provided,* That at the age now prescribed by law for retirement an officer to receive retirement pay shall have not less than 15 years' service in any or all branches enumerated in this act: *Provided further,* That the provisions of this act shall in like manner govern the filling hereafter of all vacancies in the Dental Corps of the United States Army: *Provided further,* That the ratio of dental sur-

geons now and hereafter commissioned shall be two dental surgeons per thousand of enlisted strength of the Army of the United States: *Provided further*, That all laws or parts of laws, in so far as they are inconsistent with the provisions of this act, are hereby repealed.

SEVERAL MEMBERS. Vote! Vote!

Mr. MANN. I move that all debate on the pending section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Illinois moves that all debate on the bill and all amendments thereto be now closed.

Mr. DENT. Mr. Chairman, I was trying to get recognition for that purpose.

Mr. MANN. I yield to the gentleman from Alabama.

The CHAIRMAN. The Chair will recognize the gentleman from Alabama.

Mr. DENT. Mr. Chairman, I move that all debate on this bill and all amendments thereto be now closed.

Mr. DECKER. Will the gentleman yield?

The CHAIRMAN. The gentleman from Alabama moves that all debate on the bill and amendments thereto be now closed.

Mr. DECKER. Mr. Chairman, I ask unanimous consent that one more amendment may be offered.

Mr. MANN. The gentleman can offer his amendment after the debate has closed.

The CHAIRMAN. The question is on the motion offered by the gentleman from Alabama.

The motion was agreed to.

Mr. DECKER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. There is an amendment pending. The question is on the amendment of the gentleman from Missouri [Mr. DYER] to the amendment offered by the gentleman from Iowa [Mr. GOOD].

The question was taken, and the amendment to the amendment was rejected.

Mr. DECKER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. DECKER: At the end of the amendment insert the following: "That the pay of the men so enlisted shall be the same as that now provided by law."

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Missouri [Mr. DECKER].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The question was taken, and the amendment of Mr. FIELDS as amended was agreed to.

Mr. MANN. Mr. Chairman, I move to amend, in line 8, by striking out the word "herewith" and inserting the word "hereby."

The Clerk read as follows:

Line 8, strike out the word "herewith" and insert in lieu thereof the word "hereby."

The amendment was agreed to.

Mr. DENT. Mr. Chairman, I move that the committee do now rise and report the bill, with amendments, to the House with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The CHAIRMAN. Under the rule the committee automatically rises.

The committee rose; and the Speaker having taken the chair, Mr. HUMPHREYS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army and for other purposes, and had directed him to report the same back with amendments with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. DENT. Mr. Speaker, I understand that under the rule the previous question is ordered.

Mr. DECKER. Mr. Speaker, I ask unanimous consent that the amendment which I offered and which was unanimously adopted be amended by adding the words "during the emergency," so that there will be no question that in case the emergency ceases before the end of the year men will get their pay during enlistment.

Mr. MANN. By the gentleman's amendment they will get pay during the term of enlistment.

Mr. HUMPHREYS. They will get it as it is, and I object.

The SPEAKER. Is a separate vote demanded on any amendment?

There was no demand for a separate vote, and the amendments were agreed to.

The Senate bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. DENT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. DYER, Mr. BAER, and Mr. MCCULLOCH, by unanimous consent, were given leave to extend remarks in the RECORD.

THE ARMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 15835, a bill making appropriations for the Army.

The motion of Mr. DENT was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. When the committee rose a point of order was pending, made by the gentleman from Mississippi, against the paragraph beginning on page 57.

Mr. HUMPHREYS. I insist on the point of order.

The CHAIRMAN. The gentleman makes the point of order to the entire paragraph, and the same is sustained.

Mr. DENT. I understand, Mr. Chairman, that the gentleman from Mississippi made the point of order to the paragraph beginning on page 7 and including page 58. I concede the point of order.

The CHAIRMAN. The Chair has sustained the point of order.

Mr. ROGERS. Mr. Chairman, I offer the following amendment to be inserted after the word "legislative," on page 57, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 57, after the word "legislative," line 20, insert "it shall hereafter be unlawful for any person, within the United States or Territories, possessions, waters, or places subject to the jurisdiction of the United States, to wear or display on or about his person any naval or military medal, badge, decoration, or regalia of the United States, or any medal, badge, decoration, or regalia so nearly resembling the same as to be calculated to deceive, or any ribbon or rosette pertaining to the same, unless such wearing or displaying thereof be duly authorized by the United States through its duly constituted authorities. Any person who violates the provisions of this paragraph shall upon conviction be punished by a fine not exceeding $300 or imprisonment for not exceeding six months, or by both such fine and imprisonment."

Mr. HUDDLESTON. Mr. Chairman, I make the point of order on that amendment.

Mr. ROGERS. Mr. Chairman will the gentleman reserve the point of order for two minutes?

Mr. HUDDLESTON. Yes.

Mr. ROGERS. Mr. Chairman, this amendment is drawn after consultation with the General Staff and has the concurrence of the General Staff——

SEVERAL MEMBERS. Then it ought to be defeated.

Mr. GARRETT of Tennessee. Then, Mr. Chairman, I make the point of order.

Mr. ROGERS. Will the gentleman reserve it for two minutes?

Mr. GARRETT of Tennessee. No; that does not appeal to me at all.

The CHAIRMAN. The point of order is sustained.

Mr. MCCULLOCH. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 57, line 20, after the word "Legislative," add the following:

"*Provided*, That all men who enlisted in the Army for the period of the war and all men inducted into the Army under the so-called selective-service act and all officers commissioned for the period of the war shall be discharged not later than July 1, 1919: *Provided further*, That any such soldier shall be immediately discharged upon the filing of an application with his immediate commanding officer, whether he be at present in service overseas or within the United States: *Provided further*, That when any soldier is discharged upon the filing of an application he shall be furnished transportation from the point where he is released to the point of his enlistment or induction and shall continue to receive the same pay and allowance as now provided by law: *Provided further*, That all such men discharged under the foregoing provisions shall be granted the opportunity of enlisting in the volunteer army under the provisions of this section until the voluntary enlistments provided for herein shall have been filled and all such soldiers shall be advised by their commanding officer of their rights and that such enlistment in the volunteer army is not compulsory but voluntary."

Mr. DENT. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Officers of the emergency Army appointed to the Officers' Reserve Corps may be appointed therein, in the grade held by them in the emergency, or higher grade as the Secretary of War may direct: *Provided*, That so far as the same relates to the Army of the United States and the War Department, "An act to authorize the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and a more efficient concentration of the Government," approved May 30, 1918, is hereby repealed.

Mr. SANFORD. Mr. Chairman, I make the point of order on the paragraph.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard?

Mr. DENT. It is subject to the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Within the authorized strength herein provided for, the President shall form or continue such corps, including the construction corps, field or tactical units, or organizations as he shall deem necessary, to be organized as he may prescribe: *Provided further*, That the foregoing provision relative to the organization and strength of the Army be, and the same hereby is, declared to be temporary, and the same shall go into effect not earlier than the 1st day of July, 1919, and expire not later than the 30th day of June, 1920, except that the provision relating to voluntary enlistments shall become effective upon the approval of this act: *Provided*, That the Boughton Memorial Association, a corporation organized and existing under the laws of the State of Kansas, be, and is hereby, authorized to erect and maintain a suitable building, under such regulations as the Secretary of War may prescribe, in and upon the United States military reservation at Fort Leavenworth, Kans., the plans of such building to be first approved, and to be constructed in such location as may be prescribed by the Secretary of War: *Provided further*, That the use of such portion of the ground floor of said building as may be necessary shall be given to the Post Office Department of the United States, free of charge, for the post-office service of the reservation: *Provided*, That the Secretary of the Treasury be, and he hereby is, authorized and directed, out of any moneys not otherwise appropriated, to pay to Frank Barber, a first lieutenant of the Dorset Regiment of Infantry of the British Army, who lost the sight of both eyes and became totally blind by reason of a premature explosion on February 14, 1918, while acting as an instructor of United States troops at Camp Wheeler, Ga., as compensation for disability resulting therefrom, such sums of money as by the act of Congress approved October 6, 1917, entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department,' approved September 2, 1914, and for other purposes," is provided to be paid as compensation for disability to an injured person who has lost both eyes or become totally blind from causes occurring in the line of duty in the service of the United States; and such compensation shall be payable and be paid as of and from the 14th day of February, 1918, and under and according to the terms, conditions, and basis of computation in said act provided.

Mr. WISE (interrupting the reading). Mr. Chairman, I make the point of order against the paragraph. I am familiar with the several amendments.

The CHAIRMAN. The Clerk has not finished the reading of the paragraph. The Clerk will read.

The Clerk concluded the reading of the paragraph.

Mr. GARRETT of Tennessee. Mr. Chairman, I make the point of order on the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

Mr. ASWELL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD upon the paragraph just read.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Chairman, the Construction Corps of the Army should be made permanent. This division can and will close out all pending construction contract claims within a period of six months, otherwise claims on war contracts against the Government will be pending for 10 years. It is economically, scientifically, and equitably sound for the Congress to continue and make permanent the Construction Division of the Army. There is clearly but one side to this question. The provisions of H. R. 15835, on page 59, second paragraph, in lines 11 to 13, inclusive, only, while not altogether sufficient, should be permanent.

Early in April, 1917, when Congress and the War College decided hurriedly to organize the student officers' training camps, it was discovered that it would be necessary to embark on a large construction program incident to the providing of the necessary facilities for the training required. The Quartermaster General's office, working through the camp quartermasters of the various posts in question, with its evident and known inefficiency to meet the emergency, undertook this construction, and the student officers' training camps were all designed to care for approximately 3,000 men each. The difficulties encountered during April and the early days of May in constructing these small-size camps in large numbers brought before the military authorities of the United States in a forcible manner the necessity for some special organization to construct and complete on time the 32 cantonments and National Guard training camps which would be required to properly house and train the men necessary to complete the first allotment of men for the Army to be officered by the officers graduated from the first officers' training camps.

About the middle of May, 1917, Brig. Gen. I. W. Littell was assigned the task of organizing what is known as the Construction Division of the Army. This he did efficiently and with dispatch, and the result was construction on nearly all the vast camps now in use in the United States was begun between June 15, 1917, and July 5, 1917. The completion date for the camps was set at September 5, 1917, allowing a little over two months' time for the construction of 32 cities, with complete facilities, designed for the housing of 50,000 men. In addition to the above-named camps the construction of various additional projects, such as terminals, port facilities, and warehouses, was undertaken. To do this work promptly and on time it was found that there were no men available in the Army of the United States who possessed sufficient technical and practical training which would fit them for the vast construction projects about to be undertaken, and in order to provide the necessary personnel to carry on this work Brig. Gen. Littell called on the various engineering societies to furnish and recommend the men to handle the projects and do the work, using a few reserve officers of the Quartermaster Corps and officers commissioned as reserve officers in the Corps of Engineers for the purpose, the Chief of Engineers and the Quartermaster General approving the necessary commissions for men trained in their civilian life to handle this work. It may be of interest to know that the greater percentage of the Construction Division then organized was composed of civilian engineers drawn in for the purpose and placed in positions of great responsibility and trust and in ranks ranging from first lieutenancies to majorities, and every one of them entered the service of the United States Army at a great personal sacrifice.

Under the able leadership of Gen. Littell and his staff the cantonments and camps were completed on time and Provost Marshal Gen. Crowder was enabled to send to the camps the first draft contingents promptly on time. This state of affairs can be attributed primarily to the efficiency of the Construction Division and its chief and to the technical and practical knowledge brought into the service by the men called to do the work. Approximately December 15, 1917, after the construction of the various camps and facilities handled by the Construction Division was practically complete in every respect, the work was then turned over to the various post and camp quartermasters in addition to their other duties, and they were directed from time to time to carry on the various new construction projects authorized for their camps. This was the greatest mistake ever made by the War Department, as it had the effect of practically stopping all construction work, due to the fact that the camp quartermasters were already overloaded with their duties and primarily to the fact that they did not possess the necessary technical or practical training to carry on the work and handle large organizations of civilian personnel.

About the middle of January, 1918, the War Department realized that with the volume of construction work being authorized and ordered, in order to complete it expeditiously and in an economical manner it would be necessary to reorganize the Construction Division, and Col. R. C. Marshall, jr., now brigadier general, Chief of the Construction Division, was assigned the task of hurriedly reorganizing the Construction Division and sending out the necessary constructing quartermasters to the various projects to carry on the work. In view of the fact that the apparent demobilization of the Construction Division in December, 1917, appeared to be permanent, the greater part of the trained field forces of the Construction Division was assigned to other duties and a large number of them went to France. It is easy to realize the immensity of the task imposed on Gen. Marshall when he was called upon to again build up an organization to handle the work due to the fact that a large percentage of the available engineers with experience had already been placed in service and assigned elsewhere. There are no words at my command that could properly express the efficiency, ability, and speed with which Gen. Marshall accomplished this task. It is a matter of history that it was accomplished and on time.

It is a well-known fact that the Construction Division of the Army at all times has maintained its prestige, accomplished all of its tasks assigned on time in a creditable manner, and it is clear that the entire credit of assembling the American Expeditionary Forces in France six months ahead of schedule is due to the speed maintained by the Construction Division in providing the necessary housing and training facilities on time in 1917. This division has never been investigated, has never been the target of adverse criticism, has overcome apparently insurmountable difficulties with ease and dispatch, and has accomplished a task in the past 18 months that makes the construction of the Panama Canal look very insignificant in the light of the records established by this branch of the service.

It would be impossible to cover fully the performance of the Construction Division or adequately outline its achievements; neither would it be possible to point out any one salient fact that stood out before its fellows that would entitle any one

particular man to special commendation, as each and every one of them worked to a common end and adopted as their motto the word "speed," and maintained that speed continuously until the day the armistice was signed.

The value of the machinery of the Construction Division was clearly demonstrated in the past influenza epidemic when every available man of the Construction Division—civilian, commissioned, and enlisted—was placed at the disposal of the camp and hospital authorities and overnight constructed the necessary temporary facilities at the various hospitals throughout the country to care for the tremendous number of cases and patients involved, and it is clear that the prompt and efficient action of the Construction Division, both in Washington and in the field, is responsible for the saving of many thousands of lives which would otherwise have been lost on account of the lack of adequate facilities for the care of the patients.

The experience of the present war has taught the necessity and need for the Construction Division, composed primarily of construction men technically, practically, and previously qualified to carry on the work. Should the argument be brought to bear that there would be no place for this organization to operate in times of peace, I would like to point out the fact that at the present time the Construction Division is not only handling all new construction, but are also carrying out all maintenance and repair programs and operating the utilities and city administration at all the large camps. The peace-time organization of the Construction Division, if authorized by Congress, could be used advantageously for this purpose and would provide the necessary nucleus of trained men which could be expanded at a moment's notice to provide a corps able to cope with any construction or emergency problems that might be brought to bear should the United States at any future time be forced into another war.

Considerable space has been devoted in the press to the achievements of the Marine Corps, the Navy, the Army, the service of supply, and other branches of the service, but the Construction Division of the Army has never sought publicity and has really been too busy for the past 18 months to design an insignia emblematic of the division, and all they have succeeded in doing to date has been to adopt the motto "Speed," and maintain that speed through the past 18 months, and have served willingly and cheerfully on duties within the boundaries of the United States, although the greater majority of the officers on this work volunteered and enlisted and desired to go overseas.

It is proposed by the General Staff that several new staff corps be provided for, namely, the finance department, transportation corps, motor transport corps, air service, tank corps, and the general staff corps, and it is apparently the idea to allow the Corps of Engineers and the Quartermasters Corps to handle the Army construction. Army construction, both in time of peace and in time of war, is sufficiently important to the general public to provide a staff corps especially trained for the purpose and combine all construction undertaken by the War Department under one branch of the service, and should this proposition meet with the approval of Congress I have no doubt that sufficient highly trained and specialized personnel can be obtained from officers and men now on duty with the Construction Division to complete the peace-time organization of this branch.

The reorganization of the services of the Construction Division by providing for a permanent construction organization in the Regular Army of the United States will meet with the unqualified approval of all the engineering societies of this country and all engineers who have played such an important part in the construction program of the Army since its origin in April, 1917.

Too much credit can not be given the Construction Corps, and I am confident that every Member of this House who carefully studies the record of facts will cordially support the legislation making this division permanent. You will do this in the interest of the taxpayer, in the interest of good business, in the interest of efficient government, and in the interest of effective and expeditious service to our country both in time of peace and time of war. The brilliant record of this division of the Army is irrefutable and convincing. They are recruited from civil life and have proper contempt for Army red-tape delays and well-known inefficiency. This corps is the one capable, energetic, progressive, and efficient division of the Army that does the job, and does it well.

By unanimous consent Mr. FLOOD and Mr. FREAR were granted leave to extend their remarks in the RECORD.

Mr. KAHN. Mr. Chairman, respecting the paragraph which went out on the point of order made by the gentleman from Tennessee [Mr. GARRETT]—and I refer to the last paragraph which was read—will the gentleman from Tennessee reserve his point of order on the provision for the Boughton Memorial Association?

Mr. GARRETT of Tennessee. Oh, that is within the paragraph and the point of order went to the whole paragraph. I make the point of order.

Mr. FIELDS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FIELDS. I desire to inquire whether the gentleman would exclude from the point of order the provision respecting Frank Barber, who was made blind by an explosion——

Mr. RAYBURN. Oh, Mr. Chairman, I make the point of order to that.

Mr. WALSH. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The Chair will say to the gentleman from Kentucky that if he desires to raise that question he can do it by offering that as a separate amendment. The Clerk will read.

The Clerk read as follows:

That no part of the appropriations in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any such employee between the starting and completing thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

Mr. PARKER of New Jersey. Mr. Chairman, I make the point of order on that. This applies to any employee of the United States Government and is not restricted to the members of the Army. It is not germane.

Mr. DENT. Mr. Chairman, the point of order on this paragraph has been debated time and time again, and the Chair has always overruled the point of order.

The CHAIRMAN. Does the gentleman from New Jersey make the point of order?

Mr. PARKER of New Jersey. I make the point of order.

The CHAIRMAN. The point of order is overruled.

Mr. PARKER of New Jersey. Then, Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. PARKER of New Jersey: Page 61, strike out the paragraph beginning on line 6 and ending with line 18, both lines inclusive.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The question was taken, and the Chair announced that the noes seemed to have it.

On a division (demanded by Mr. PARKER of New Jersey) there were—ayes 24, noes 46.

So the amendment was rejected.

Mr. RANDALL. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk, at the end of this paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. RANDALL offers an amendment on page 61, after line 18, to insert the following as a new paragraph:

"That the Secretary of War be, and he is hereby, required to furnish to the adjutant general of each State, or to the officer thereof exercising corresponding functions, after requisition therefor, the name, home address, and rank attained of the men of such State who were mustered into the service of the United States during the war between the United States and the German Empire and its allies."

Mr. STAFFORD. Mr. Chairman, I reserve the point of order; I make the point of order.

Mr. DENT. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. SIEGEL. Mr. Chairman, I ask leave to insert a letter written by the Secretary of War in reference to the matter that just came up.

The CHAIRMAN. The gentleman from New York [Mr. SIEGEL] moves to strike out the last word.

Mr. SIEGEL. Mr. Chairman, the Secretary of War has written a letter to me explaining at length his views in regard to the taking of copies of the records, and so forth, of the men who are drafted, and instead of having the letter read—it is quite long—I ask unanimous consent to put it in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

The letter is as follows:

WAR DEPARTMENT,
Washington, February 11, 1919.

Hon. ISAAC SIEGEL,
House of Representatives.

MY DEAR MR. SIEGEL: I am in receipt of your letter of February 3 transmitting a copy of the resolution adopted by the senate and assembly of the State of New York requesting that authority be given by the War Department to allow to remain in the State of New York under proper supervision such records as will furnish information for the preparation of a list of its citizens who have been inducted into the Federal service through the medium of the draft law, and who have been mustered into the service of the United States during the war between the United States and the German Empire and its allies, and to permit authorized agents of the State of New York to make extracts from these records.

In a telegram dated December 6, 1918, the Provost Marshal General authorized State and local historical societies, the American Red Cross, and like societies which are interested and are assisting in the work of helping returned soldiers to find employment and of locating relatives of deceased soldiers whose bodies are to be returned to this country, upon proper permit from the Provost Marshal General, to make copies of such information concerning registrants inducted into the military service as is available from the duplicate registration cards of the said registrants, which cards are in the possession of local boards.

Upon the special requests of the president pro tempore of the New York State senate and of the speaker of the New York State assembly the Provost Marshal General on January 29 authorized agents of that State to examine the records in the office of the adjutant general of New York and of the New York local boards for the purpose of obtaining all available information relative to New York registrants inducted into military service. Under this permit it is possible for the authorized agents of the State of New York to secure from the records of the local boards all information proposed to be secured by the resolution of the senate and assembly of that State, except the information concerning the assignment and discharge of inducted men and the information in respect to men who were mustered into the military service other than through the process of the draft. Because of the confidential character of the information contained in questionnaires, authority for access to local board records had previously been restricted.

The information contained in the records of the selective-service system is limited to the steps taken to place registrants in the military service through the process of induction. The history of registrants after their arrival at camp and of all men who enlisted can only be obtained from the records of The Adjutant General of the Army. To provide the information requested in the resolution of the Senate and Assembly of the State of New York it would, therefore, be necessary to supplement the selective-service records by data taken from the Army records.

The records of the selective-service system have a vital relationship to the records of this department, especially as they apply to a proper and just administration of the war-risk insurance act, the future pension laws of the country, and the charges of desertion and delinquency which involve the honor of thousands of registrants. It is believed that draft records can be preserved with greater security and economy by bringing them together under a single custodian. Under the plan now being pursued it is expected that within a few weeks the draft records will be brought to the National Capital and permanently filed with The Adjutant General of the Army.

I am deeply impressed with the laudable interest of the various States in their returning soldiers and assure you of the desire of this department to cooperate in fostering that interest. Inasmuch, however, as the selective-service records contain only a part of the information requested by the New York authorities, I feel that the advantage to be gained by retaining the State draft records for an indefinite period is outweighed by the importance of promptly accomplishing their final filing. Permit me, therefore, to suggest that the State of New York avail itself of the authority already granted by the Provost Marshal General to secure from the duplicate registration cards in the possession of local boards the information available from these records, which information can later be supplemented from the records of The Adjutant General of the Army in so far as they relate to the assignment and discharge of the inducted men and to the entire record of men who enlisted for military service.

Very truly, yours,

NEWTON D. BAKER,
Secretary of War.

Mr. HARRISON of Virginia. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRISON of Virginia: After line 18, on page 61, insert the following: "That all commissioned officers of the Army responsible for public funds or public property intrusted to their custody since April 6, 1917, who have been or may hereafter be honorably discharged, who may be called upon to travel for the purpose of making explanation concerning their accounts or who may be called upon to testify concerning the same, shall be entitled to a per diem compensation equivalent to the per diem salary of the rank they held in the Army at the time they were discharged, and mileage as allowed to officers of the Army."

Mr. DENT. Mr. Chairman, I reserve the point of order.

Mr. HUDDLESTON. Mr. Chairman, I make the point of order.

Mr. DENT. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Alabama [Mr. HUDDLESTON] makes the point of order, and the point of order is sustained.

Mr. FIELDS. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 61, at the end of line 18, insert:

"*Provided*, That the Secretary of the Treasury be, and he hereby is, authorized and directed, out of any moneys not otherwise appropriated, to pay to Frank Barber, a first lieutenant of the Dorset Regiment of Infantry of the British Army, who lost the sight of both eyes and became totally blind by reason of a premature explosion on February 14, 1918, while acting as an instructor of United States troops at Camp Wheeler, Ga., as compensation for disability resulting therefrom, such sums of money as by the act of Congress approved October 6, 1917, entitled 'An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and for other purposes,' is provided to be paid as compensation for disability to an injured person who has lost both eyes or become totally blind from causes occurring in the line of duty in the service of the United States; and such compensation shall be payable and be paid as of and from the 14th day of February, 1918, and under and according to the terms, conditions, and basis of computation in said act provided."

Mr. RAYBURN. Mr. Chairman, I make the point of order on that amendment.

Mr. DENT. Mr. Chairman, I hope——

Mr. RAYBURN. This has been up here once before, and I am not going to stand for people coming under this act who are not citizens of the United States, and I make the point of order.

The CHAIRMAN. The gentleman from Texas makes the point of order, and the point of order is sustained.

Mr. HULL of Iowa. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. HULL of Iowa: Page 61, line 18, insert as a new paragraph:

"*Provided*, That no part of the moneys appropriated in each or any section of this act shall be used or expended for the purchase or acquirement of any article or articles that at the time of the proposed acquirement can be manufactured or produced in each or any of the Government arsenals of the United States for a sum less than they can be purchased or procured otherwise."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order; I make the point of order.

Mr. HULL of Iowa. It is not subject to the point of order. It is clearly within the Holman rule.

Mr. STAFFORD. The gentleman's observation does not make it so.

Mr. HULL of Iowa. But I have a right to be heard. If it can be manufactured for less and save money to the Government that is a limitation.

The CHAIRMAN. The Chair thinks this amendment is in order, and the question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

That it shall be unlawful for the Secretary of War to provide by regulations or otherwise for any distinctive stripe or chevron of any kind indicating service overseas or in the United States, to be worn upon the uniform of any officer or enlisted man in the service of the United States, and any regulation heretofore made upon this subject is hereby invalidated.

Mr. MADDEN. Mr. Chairman, I make a point of order on that.

Mr. JOHNSON of South Dakota. Will the gentleman reserve the point of order?

Mr. MADDEN. No; I make it.

The CHAIRMAN. The point of order is sustained.

Mr. TILLMAN. Mr. Chairman, I want to offer an amendment, which I send to the Clerk's desk, and which has already been printed in the RECORD.

Mr. MADDEN. The gentleman can not do it while a point of order is pending.

The CHAIRMAN. The point of order has been sustained.

Mr. TILLMAN. The amendment is on the Clerk's desk. It has already been printed in the RECORD. I wish to offer an amendment as a new section, to take the place of the paragraph just stricken out on a point of order.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TILLMAN: Page 61, in lieu of lines 19 to 25, inclusive, striken out on a point of order, insert:

"That no part of the funds appropriated in this act shall be available unless the Secretary of War shall continue in force the regulations made providing for the distinctive stripe or chevron indicating service overseas, and he shall invalidate all orders and regulations requiring officers and soldiers who were deprived of the privilege of overseas service from wearing the distinctive stripe or chevron now required."

Mr. MADDEN. I make a point of order on that, Mr. Chairman.

Mr. TILLMAN. Will the gentleman reserve it for a minute?

Mr MADDEN. No.

Mr. MANN. Mr. Chairman, I make the point of order.

Mr. MADDEN. I have already made it.

Mr. MANN. That is what I thought.

Mr. TILLMAN. I did not understand the gentleman from Illinois [Mr. MANN].

Mr. MANN. The gentleman from Illinois [Mr. MADDEN] said he had made the point of order.

Mr. TILLMAN. I thought he withdrew it.

Mr. MADDEN. Oh, no.

Mr. TILLMAN. I think it is not subject to a point of order.

Mr. MADDEN. It is clearly subject to a point of order. It is not a limitation.

Mr. TILLMAN. I think there is no objection to it. It is a limitation on the appropriation bill, Mr. Chairman.

Mr. MANN. It starts out as a limitation and then instructs the Secretary of War what to do. It is clearly legislation.

The CHAIRMAN. The Chair hardly thinks it can be construed as a limitation.

Mr. TILLMAN. It strikes me that my amendment is somewhat in the nature of a limitation on the appropriation. At any rate I had hoped the point of order would not be made. This amendment will settle the controversy satisfactorily.

Mr. Chairman, let me present this matter at some length. The military authorities have provided by order that overseas troops shall wear gold service stripes, showing the length of service over there and indicating wounds received in battle, while soldiers that remained on this side must wear white stripes. Evidently the officers serving on this side are not satisfied with these distinctive stripes and have, I assume, caused the Committee on Military Affairs to insert a paragraph in the bill to abolish all distinctive service stripes or chevrons. The original paragraph is clearly subject to a point of order and will go out if the point is made, and I shall make the point of order myself if the amendment which I propose is not accepted and adopted.

My amendment in effect permits troops who have had service overseas to wear the gold chevrons prescribed by the War Department, but leaves it optional as to wearing the white chevrons by troops who were denied the honor and privilege of serving abroad.

Certainly we should not consent to the provision in the bill recommended and reported by the Committee on Military Affairs abolishing all distinctive markings.

The gentleman from California [Mr. KAHN], in advocating this proposition, said:

> The committee has seen fit to write into the proposed legislation a provision to remove all service chevrons. We have seen a great many men walking our streets with silver chevrons and with gold chevrons. We hear a great deal of talk in this country about "democracy." All soldiers of the Republic, whether they were fortunate enough to go to France or whether they performed their duty in this country, should be treated alike.

Did you ever hear of a more amazing plea for democracy than this? Many crimes are committed in the name of liberty, and now we have a Member proposing to commit a crime in the name of democracy. The charge is often made that republics are ungrateful. That charge will be proven if the proposition advocated by the gentleman from California is written into the law. Treat everybody alike? How unjust, how discriminating, how undemocratic that would be. That doctrine, carried to its logical conclusion, would mean no service ribbons, no gold chevrons, no medals, no honorable mention, no wound stripes. How democratic it would be to call out on the carpet the Members of this House who did real fighting overseas, the gentleman from Ohio, Capt. HEINTZ; the gentleman from South Dakota, Mr. JOHNSON; and the gentleman from New York, Mr. LAGUARDIA, and say to them, "Soldiers, in the name of democracy we strip you of your hard-won badges of honorable service in battle because forsooth some sensitive official soul, some swivel-chair captain, major, or colonel, who has been gallantly holding a much-assaulted sector here in Washington these bloody months since April, 1917, objects to the sight of Sam Brown belts, foreign-service caps, and chevrons of gold." Those trappings are so discriminating. Brave as these official, intrepid warriors are who have held the critical Washington front from repeated Hun assault from April 7, 1917, to November 11, 1918, they actually turn as pale as their lily-white service stripes when they see a husky private who fought at Chateau-Thierry, St. Mihiel salient, and Argonne Forest stride by them on the sidewalk.

If these gentlemen object to wearing the silver service chevrons denoting service on this side they need not wear them if my amendment is adopted; but in the name of justice do not deny to the boy who braved the submarine, who fought the Hun in the air, who grappled with him in the narrow trenches where flowed the blood of the brave, who met him face to face in no man's land—do not strip him of the golden insignia which is his coveted badge of courage that he honorably wears and should continue to wear, although objected to by the gentleman from California and the bold, local knights of the garter, the booted and spurred captains and majors and colonels who advanced toward the insolent foe no farther than the bloody salient of Dupont Circle northwest.

Yes; in the name of democracy strip these heroes of all that will show that they marched and fought and bled in Italy, France, and Belgium. Palsied be the hand of any man who would reach out an envious finger to pluck from the coat sleeve of the humblest private the golden badge of glory earned by him in the hard service of his country on the shell-gashed hills and valleys of beautiful France.

I recall that when the persecuted and innocent Dreyfus was declared guilty through the unholy machinations of a corrupt military clique in France that they took from him his sword, broke it in two, and cast the pieces at his feet, which action was taken to emphasize his disgrace. To strip from the uniform of our returning fighters their saffron badges of honor would be on a level with the unmerited humiliation visited upon Capt. Dreyfus, condemned alike by fair men in both military and civil circles throughout the world.

The gentleman from California, arguing further in support of his peculiar position, gave utterance to the following statement:

> I am told that in some of the demobilizing camps the young men who come back from the other side will not salute an officer who has the silver chevrons.

Horrible! Shades of the great captain, of Hannibal, of Pompey, and of Charlemagne. Send for the judge advocate at once, let him polish his spurs, grind his bayonet, sharpen his maiden sword, and condemn without benefit of clergy and execute at once this presumptuous and insubordinate varlet!

It is barely possible, of course, that the young man who failed to salute the officer who wore silver chevrons may have lost an eye in the fighting around Metz and may not have seen the officer mentioned by the gentleman from California; and it may be, and it is not such a grave crime, that the situation referred to was similar to the one described in the third scene of the first part of Shakespeare's King Henry the Fourth. Now, the gentleman from California is reported to be a distinguished Shakespearean scholar; indeed, it is said that he was at one time a popular and talented interpreter of the great master's lines on the stage. I wonder if Hotspur was not discussing, in the scene mentioned, an occurrence in some respects descriptive of the surroundings complained of in the words last quoted from the speech of the gentleman from California. I offer it here:

> HOTSPUR: My Liege, I did deny no prisoners; but I remember when the fight was done, when I was dry with rage and extreme toil, breathless and faint, and leaning on my sword, came there a certain lord, neat, trimly dressed, fresh as a bridegroom, and his chin, new reaped, showed like a stubble land at harvest home; he was perfumed like a milliner, and betwixt his finger and his thumb he held a pouncet box, which ever and anon he gave his nose, and took it away again, who therewith, angry, when it next came there, took it in snuff, and still he smiled and talked; and as the soldiers bore dead bodies by, he called them untaught knaves, unmannerly to bring a sloven, unhandsome corse betwixt the wind and his nobility. With many holiday and lady terms he questioned me; among the rest demanding my prisoners in your majesty's behalf. I then, all smarting, my wounds being cold, to be so pestered with a popinjay, out of my grief and my impatience answered neglectfully, I know not what, he should or should not, for he made me mad to see him shine so brisk and smell so sweet, and talk so like waiting gentlewoman of guns and drums and wounds—God save the mark! And telling me the sovereignst thing on earth was parmaceti for an inward bruise, and that it was great pity, and so it was, this villainous saltpeter should be digged out of the bowels of the harmless earth, which many a good, tall fellow had destroyed so cowardly; and but for these vile guns he would himself have been a soldier. This bald, unjointed chat of his, my Lord, I answered indirectly as I said; and I beseech you, let not his report come current for an accusation betwixt my love and your high majesty.

THE VOLUNTEERS.

If the ideas of the gentleman from California prevail the Volunteers will suffer more than will the man who was selected by the draft. Many young men volunteered and fought with the English and French during the entire war, and many volunteered in the spring of 1917 and did not wait to be conscripted, but went to the front at the earliest possible moment. We have not heard much praise lavished upon these volunteers and pioneers; rather more in the way of sympathy and eulogy has been offered the drafted soldier, but let us honor these volunteers as well as the larger numbers of drafted men, and dishonor neither. I beg to call your attention to the few lines below, written by a friend of the volunteers, and at the same time a friend of the selected soldier, but who is one who believes in democracy and thinks every soldier should have his dues, both in the way of praise and chevrons:

ONLY A VOLUNTEER.

Why didn't I wait to be drafted
And led to the train with a band;
Why did I go in so early,
O, why did I hold up my hand?
Why didn't I wait for the banquet,
Why didn't I wait to be cheered,
For the drafted men got all the credit,
While I only volunteered?
And nobody gave me a banquet,
And nobody said a kind word;
The grind of the wheels of the engine
Was all the good-by that I heard.
Then off to a camp I was hustled,
Trained for near half a year,
And, then, in the shuffle forgotten,
I was only a volunteer.

And maybe some day in the future,
When my little boy sits on my knee,
And asks what I did in the conflict,
And his little eyes look up at me,
I'll have to look back, as I'm blushing,
To the eyes that so trustingly peer,
And tell him I missed being drafted.
And my gold service stripes taken from me,
As I was only a volunteer.

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Page 61, line 18, after the word "plant," strike out the paragraph (lines 19 to 25, inclusive) and insert:

"That it shall be lawful for the Secretary of War to provide by regulations or otherwise a distinctive stripe, bar, or chevron indicating service overseas or in the United States, which may be worn upon the uniform of any officer or enlisted man in the service of the United States, but the wearing of any such stripe, bar, or chevron shall hereafter be optional with such officer or enlisted man.

Mr. MADDEN. Mr. Chairman, I make a point of order on that.

Mr. JOHNSON of South Dakota. Will the gentleman reserve the point of order? [Cries of "Regular order."]

The CHAIRMAN. The regular order is to pass on the point of order. The point of order is sustained.

The Clerk read as follows:

From and after the passage of this act, the Secretary of War be, and he hereby is, authorized to promote all officers, noncommissioned officers, and enlisted men who have been recommended for promotion for service of a special meritorious character, which recommendations have been approved by competent military authority, to the grade and rank to which they were respectively recommended and such recommendations approved prior to November 11, 1918. That in the event any such officer or enlisted man has been honorably separated from the service he shall be commissioned in the reserve, with the grade and rank to which he was recommended for promotion.

Mr. KING and Mr. HUMPHREYS made a point of order.

The CHAIRMAN. A point of order is made by a number of gentlemen. The point of order is sustained.

Mr. SNYDER. Mr. Chairman, I offer a new section.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SNYDER: Page 61, after line 18, insert as a new section the following:

"That in cases where a commissioned officer or an enlisted man of the Army has been recommended for promotion by his superior or superiors in rank in the service and has not been so promoted before he shall have been separated from such service, either by resignation or by honorable discharge, the Secretary of War be, and he hereby is, directed under the regulations now fixed to bestow upon such officer or enlisted man the rank to which the officer or enlisted man would be entitled were the recommendations of his superior officer or officers accepted and carried out.

"SEC. 2. That all acts inconsistent with this act be, and are hereby, repealed."

Mr. DENT. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. A point of order is made by the gentleman from Alabama. The point of order is sustained.

Mr. KEARNS. Mr. Chairman, I offer an amendment as a new section.

The CHAIRMAN. The gentleman from Ohio offers an amendment as a new section, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KEARNS: Page 61, after line 18, insert:

"Retired enlisted men of the Regular Army who were called to active service by the War Department during the war with Germany and commissioned in the armies of the United States, and who will again revert to a retired status when their services shall no longer be required, shall be allowed to retain the rank held by them when mustered out or discharged from active service and given the pay of a first lieutenant on the retired list: *Provided*, That muster out or discharge was not due to incompetence or misconduct."

Mr. HUDDLESTON. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. A point of order is made on the amendment. The point of order is sustained.

Mr. DENT. Mr. Chairman, I ask unanimous consent to return to page 9, line 6, and offer the following amendment.

Mr. MANN. It does not require unanimous consent. That was the order of the House.

Mr. DENT. Then I ask to return at this particular time.

Mr. MANN. That was the order of the House.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to return to the page indicated. Is there objection?

There was no objection.

The CHAIRMAN. The Chair will say to the gentleman from Alabama that a point of order was reserved to that paragraph; a point of order made by the gentleman from Wisconsin [Mr. STAFFORD]; the paragraph commencing with "Air Service," on page 9.

Mr. STAFFORD. As I understand the intention of the chairman of the committee, it is to have this matter stricken out and substitue a new paragraph?

Mr. DENT. Yes.

Mr. STAFFORD. I make a point of order on the paragraph as carried in the bill, in order to bring it to a focus.

Mr. DENT. I move to strike out. I concede it is subject to a point of order. I offer this as a substitute.

The CHAIRMAN. Will the gentleman from Wisconsin state to the Chair the matter to which the point of order was reserved? It begins on page 9.

Mr. STAFFORD. The whole paragraph, beginning on page 9, from line 7 down to and including line 16, on page 11.

Mr. DENT. I concede that. I offer a substitute.

The CHAIRMAN. The point of order is sustained. The Chair will ask the gentleman from Alabama if his amendment is just designed to replace the matter stricken out, or does it go further? There is some matter that is still left in this paragraph.

Mr. DENT. It is intended to take the place of that particular part of the bill.

The CHAIRMAN. Of the matter stricken out?

Mr. MANN. Does it cover the matter of production?

Mr. DENT. It combines both of them in one paragraph.

The CHAIRMAN. The Chair will call the attention of the gentleman from Alabama to the fact that the matter beginning on page 11, "Bureau of Aircraft Production," has not been stricken out. Does the gentleman propose that that shall remain in the bill?

Mr. DENT. I move to strike it out.

Mr. MANN. It has not been read yet.

The CHAIRMAN. It has never been read. The reservation of the gentleman only went down to line 17, page 11.

Mr. MANN. It has not been read.

The CHAIRMAN. The Chair stated that. It is now in the bill and must be dealt with.

Mr. DENT. That is entirely proper. I ask unanimous consent that that be stricken from the bill.

The CHAIRMAN. The gentleman asks unanimous consent that the matter in the bill beginning with line 17, on page 11, down to line 11, on page 15, may be stricken from the bill. Is there objection?

There was no objection.

The CHAIRMAN. Now the gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 9, line 6, to page 15, line 10, in lieu of the matter stricken out insert the following:

"AIR SERVICE.

"Creating, maintaining, and operating at established flying schools, course of instruction for aviation students, including cost of equipment, and supplies necessary for instruction and subsistence of students, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, and instruments and materials for theoretical and practical instruction at aviation schools; purchase of supplies for securing, developing, printing, and reproducing photographs made by aerial observers; to maintain and replace the equipment of organizations already in service; equipment, maintenance, and operation of aviation stations, balloon schools, fields for testing and experimental work; procuring and introducing water, electric light and power, telephones, telegraphs, and sewerage; purchase of stoves and other cooking and heating apparatus, kitchen and table ware, and furniture and equipment for kitchens, mess halls, officers' quarters, barracks, hospitals, and other buildings, screens, lockers, refrigerators, and all other equipment; salaries and wages of civilian employees in the District of Columbia or elsewhere as may be necessary; experimental investigation, and purchase and development of new types of aircraft, and aviation engines; purchase, manufacture, maintenance, repair, and operation of airships, war balloons, and other aerial machines, including instruments and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith.

"And also for the purchase or manufacture and issue of special clothing, wearing apparel, and similar equipment for aviation purposes, $15,000,000: *Provided*, That claims not exceeding $250 in amount for damages to persons and private property, resulting from the operation of aircraft at home and abroad, may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post, and approved by the Director of Military Aeronautics: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of $150,000."

Mr. CURRY of California. Mr. Chairman, I offer an amendment to the amendment. The gentleman from Alabama will remember that I discussed this matter with him. It is to insert between the word "established" and the word "schools" the

word "Army," so that Government money can only be used in established Army flying schools, and not in the Wright and Curtiss and other private flying schools.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CURRY of California: In line 1, of the Dent amendment, after the word "established" insert the word "Army."

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: At the end of the paragraph insert: "That no part of any appropriation herein shall be used unless all former civilian flying instructors who were dismissed on or about December 31, 1918, shall be reinstated on application to their former positions as from the date of such dismissal up to and including June 30, 1919: *Provided*, That nothing herein shall be construed to apply to any civilian flying instructor dismissed prior to December 31, 1918, for misconduct or incompetency."

Mr. DENT. I reserve a point of order on that.

Mr. LAGUARDIA. Mr. Chairman, I do not believe the amendment is subject to a point of order. It is worded similarly to the amendment that we adopted in the legislative appropriation bill, to which the point of order was raised and overruled.

I want to tell you something about these civilian instructors. These young men who knew how to fly were called in when we declared war and when we needed instructors. Some of them did not have the educational requirements, others for other reasons were not commissioned, but they instructed our fliers. A good many were not commissioned in order to keep them as instructors all of the time. They were the first instructors, and also instructed 90 per cent of the fliers that we turned out on this side. They could not take out insurance, because of their profession. Several of them were killed. Those who remain alive have been working eight hours a day for 18 months training men to fly. They are all experienced and excellent fliers. Now, the flying officers of high rank who received 50 per cent additional flying pay did very little, if any, of the instruction. These boys were taken on and were promised to be kept on. At the time of the armistice they were led to believe that they would be kept on until June 30, 1919. Now they have been turned loose. On December 18 telegraphic instructions were sent dismissing all of them, to take effect December 31, 1918. I saw the Secretary of War about it. I saw Gen Menoher about it, and they all admitted the justice of the claims of these boys, but no one seemed able or willing to do anything. The Secretary said he would not object to their reinstatement if there was work for them to do.

Mr. MADDEN. How many of them are there?

Mr. LAGUARDIA. I should say between 40 and 50. They did all the training. They were fliers when we declared war. Everybody seems to admit the justice of their claims and that they should be taken care of up to June 30, but no one seems to be able to reinstate them. We must find work for them until June 30.

I know there is work for these men to do. They can be used at the various flying fields. We have a great deal of testing to do, and they may replace boys who are anxious to get out and get home. I saw a telegram from one field in Texas where at least five of these boys could be used. There is plenty of work for these men if they are reinstated. They are not asking for charity. I want to make that clear. They have earned every cent they get, and they will earn their pay up to June 30. I hope the chairman will accept the amendment.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. LAGUARDIA. I will.

Mr. JOHNSON of South Dakota. Is it not true that the men, consisting of 50, initiated all the flying service in the United States, and the only men in the Aviation Service that have not received extra pay and have not received the best treatment?

Mr. LAGUARDIA. That is partially true, and no glory attaches to the hard work.

Mr. DENT. Mr. Chairman, I make the point of order.

The CHAIRMAN. A few days ago the following amendment was held in order on appeal:

Provided, That no part of any appropriation herein shall be used unless all former Government employees who resigned to enter the military service in the war with Germany shall be reinstated on application to their former positions appropriated for herein if they have received an honorable discharge and are qualified to perform the duties of the position.

The Chair does not think that anyone in this House with the utmost power, most refined and subtle discrimination can perceive any difference between that amendment and the one under consideration. The Chair feels constrained to follow the ruling in that case, and holds that this amendment is in order. The Chair overrules the point of order and the question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Add a new paragraph as follows:

"From and after the passage of this act, the Secretary of War be, and he hereby is, authorized to promote all officers, noncommissioned officers, and enlisted men who have been recommended for promotion for service of a special meritorious character, which recommendations have been approved by competent military authority, to the grade and rank to which they were respectively recommended. That in the event any such officer or enlisted man has been honorably separated from the service he shall be commissioned in the reserve, with the grade and rank to which he was recommended for promotion, or if he shall not desire a commission in the reserve he shall receive a commission in the rank to which he was recommended.

"Each officer or enlisted man so commissioned shall receive pay in the increased rank from the day of recommendation to the day of discharge. The commission so issued to officers and enlisted men after the date of honorable separation from the service shall not be in force or effect after the date of such separation and shall contain a provision to that effect."

Mr. DENT. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The gentleman from Alabama makes the point of order on the amendment, and the Chair sustains the point of order.

Mr. JOHNSON of South Dakota. I ask unanimous consent that I may extend my remarks in the RECORD on the amendment.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question was taken and the amendment was agreed to.

Mr. DENT. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

At the end of line 24, page 15, insert:

"Pay of officers, National Guard, $100."

The amendment was agreed to.

Mr. DENT. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Page 16, after line 2, insert:

"Pay of enlisted men, National Guard, $100."

The question was taken, and the amendment was agreed to.

Mr. DENT. Mr. Chairman, I offer another amendment.

Mr. STAFFORD. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Was the last amendment inserted after line 2, page 16?

The CHAIRMAN. Yes.

Mr. STAFFORD. I suggest that paragraph is for pay of officers, and it ought to follow somewhere in the next title "Pay of enlisted men."

Mr. MANN. The gentleman is right about that.

Mr. STAFFORD. Mr. Chairman, the gentleman has offered his amendment in connection with the pay of officers. I suggest that it should be offered somewhere in connection with the pay of enlisted men, on the same page.

Mr. DENT. I intended to offer it at page 16, line 13.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Where was the last amendment offered?

The CHAIRMAN. The Clerk informs the Chair that it was offered on page 16, after line 2.

Mr. DENT. Mr. Chairman, it should be page 16, line 13. I ask unanimous consent that it be corrected.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the action taken in respect to the last amendment be vacated, and that he have permission to again offer the amendment. Is there objection?

There was no objection.

Mr. DENT. Mr. Chairman, I now offer the amendment to come in after line 13, page 16.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, line 13, insert:

"Pay of enlisted men, National Guard, $100."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DENT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 18, strike out all on line 18, down to and including all on line 25, same page, and insert in lieu thereof the following: "Eighty clerks, at $1,800 each per annum, $144,000; 172 clerks, at $1,600 each per annum, $275,200; 222 clerks, at $1,400 each per annum, $310,800; 526 clerks, at $1,200 each per annum, $631,200; 119 messengers, at $720 each per annum, $85,580."

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the amendment.

Mr. MANN. It is not subject to a point of order, but I think it is subject to objection.

Mr. STAFFORD. Yes; it is subject to objection to return for the purpose of offering an amendment.

Mr. SIEGEL. Oh, no, Mr. Chairman; the right to return was reserved on Friday night. I was present, and I raised the point. This bill called for 170 Army field clerks in the Army of 500,000 after July 1. At the present time we have 4,500 field clerks.

Mr. STAFFORD. I was not aware of the consent granted in the committee, and I withdraw the objection.

Mr. SIEGEL. Mr. Chairman, I offer the following amendment to the amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. SIEGEL: Page 18, line 18, insert "20 clerks at $2,000 each per annum, $40,000."

Mr. SIEGEL. Mr. Chairman, these 20 Army field clerks are receiving at the present time $2,000 each, and most of these men fought in either the Indian wars or in the Spanish-American War. They are getting $2,000 now, and have been getting that amount during all of the years that have gone by. Some of them are 61 and 62 and 63 years of age. During the war some Army field clerks became captains, and even a lieutenant colonel, and they go back now to the same status they held as Army field clerks, in charge of divisions and, in numerous cases, at the head of a hundred or more clerks. To reduce them now to $1,800 would be to take the most backward step ever taken. The Adjutant General discussed the matter with me on the telephone to-day, saying that they are short 1,530 Army field clerks at the present time. In civil life these men would get three and four thousand dollars a year. You can not get any man to handle the work they do at the price we are paying them now.

Mr. DYER. How many of them are there?

Mr. SIEGEL. Twenty of them who are getting $2,000, and, under the amendment offered by the gentleman from Alabama [Mr. DENT], we will be reducing these men to $1,800.

Mr. DYER. Does the gentleman want to increase their pay or leave it as it is?

Mr. SIEGEL. Leaving them at the same pay as at the present time.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. STAFFORD. I understand that at the present time there are 4,500 clerks employed in the service.

Mr. SIEGEL. There are three thousand and some odd Army field clerks, and they are calling for 1,530 more, because they need them very badly.

Mr. STAFFORD. Now, the gentleman is merely providing for a thousand.

Mr. SIEGEL. Which is less than what they are asking for.

Mr. STAFFORD. This is assuming they are going to reduce the force, and yet the gentleman is seeking to retain all these of the higher grade.

Mr. SIEGEL. No; what I am trying to do is to give them a fair deal; and the gentleman must remember these are men who fought in this war, who fought in the Indian wars, who fought in the Spanish-American War, and that these men got the same salary before the present war which they are getting to-day.

Mr. LAGUARDIA. What Indian war?

Mr. SIEGEL. In the old Indian wars in the West, and some of these men are 61 and 62 years old.

Mr. LAGUARDIA. They ought to be retired.

Mr. SIEGEL. They should be retired, but there is no provision in the law for retiring them at the present time with pay.

Mr. STAFFORD. They ought to be pensioned.

Mr. SIEGEL. They ought to be pensioned, but we do not pension them. To reduce their salaries now to $1,800 will be doing them a gross injustice. It is about time we realized the great service these men have rendered to the country and give them the fair treatment which they deserve.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. SIEGEL) there were—ayes 40, noes 44.

Mr. SIEGEL. I ask for tellers, Mr. Chairman.

Tellers were ordered.

The committee again divided; and the tellers (Mr. DENT and Mr. SIEGEL) reported that there were—ayes 56, noes 54.

So the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

Mr. DENT. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 7, after the word "officers," insert: "warrant officers, members of the Officers' Reserve Corps when ordered to active service."

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk has informed the Chair that there are some other matters still undisposed of. On page 29 a point of order was reserved by the gentleman from Wisconsin to the paragraph beginning at the top of page 29.

Mr. STAFFORD. I think the Clerk is in error. I think we passed that item, I remember, after considerable discussion. The item is certainly subject to the point of order. That is the item carrying the large appropriation of $449,000,000, which was reduced by an amendment offered by me by $38,000,000, and certainly there is no point of order lodged against the paragraph.

Mr. DENT. Mr. Chairman, I move that the committee do now rise and report the bill with amendments back to the House, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to; accordingly the committee rose, and Mr. JOHNSON of Kentucky assuming the chair as Speaker pro tempore, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13835, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to.

The bill was ordered to be engrossed and read the third time; was read the third time.

Mr. FIELDS. Mr. Speaker, I offer the motion to recommit which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. FIELDS moves to recommit the bill to the Committee on Military Affairs with instructions forthwith to report same back to the House with the following amendment:

"*Provided*, That no part of the funds herein appropriated shall be expended in the payment of the salary of any officer of the Army of the United States who shall issue or cause to be issued any written order prohibiting social intercourse between officers and enlisted men of the same regiment while not on military duty: *Provided further*, That the limitation herein imposed shall not apply to officers whose only connection therewith is in obedience to an order of a superior officer."

The SPEAKER pro tempore. The question is on the motion to recommit.

Mr. DENT. Mr. Speaker, I make a point of order.

Mr. FIELDS. Mr. Speaker, the same amendment was offered in committee, and the chairman of the committee made a point of order. It was discussed, and then overruled by the chairman, the gentleman from Virginia [Mr. SAUNDERS], then occupying the chair.

The SPEAKER pro tempore. The Chair is ready to rule. The Chair overrules the point of order. The question is on the motion to recommit.

The question was taken, and the Speaker pro tempore announced that the noes seemed to have it.

Mr. FIELDS. Mr. Speaker, I demand the yeas and nays.

Mr. MADDEN. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of no quorum. Evidently there is no quorum present.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman withhold it?

Mr. DYER. Mr. Speaker, I ask for the regular order.

Mr. GARRETT of Tennessee. I wanted to make a——

Mr. DYER. Mr. Speaker, I ask for the regular order.

The SPEAKER pro tempore. The Chair does not yet know for what the gentleman from Tennessee rises and can not tell whether it is in order or not.

Mr. GARRETT of Tennessee. Under the rules Calendar Wednesday is not in order on the last two weeks of the session, I understand. Is that correct?

The SPEAKER pro tempore. That is correct.

Mr. GARRETT of Tennessee. Then I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

Mr. STAFFORD. The Speaker has already ruled that there is no quorum present.

The SPEAKER pro tempore. The Doorkeeper will close the doors; the Sergeant at Arms will notify the absentees——

Mr. MANN. Mr. Speaker, there is no occasion for locking the doors yet. The Chair has not ordered a call of the House.

Mr. GARRETT of Tennessee. I move a call of the House.

Mr. FIELDS. Mr. Speaker, I move a call of the House.

The SPEAKER pro tempore. The House was dividing on the motion to recommit.

Mr. MANN. The House was not dividing.

The SPEAKER pro tempore. The Chair had announced that the noes seemed to have it. Thereupon the yeas and nays were demanded, and the Chair announced that all those who favored ordering the yeas and nays would rise and be counted. Thereupon the gentleman from Illinois [Mr. MADDEN] made the point of no quorum, and the Chair announced that no quorum was present.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. LEVER. Mr. Speaker——

Mr. STAFFORD. Division, Mr. Speaker——

The SPEAKER pro tempore. Division is asked for.

The House divided; and there were—ayes 35, noes 73.

So the motion to adjourn was rejected.

Mr. CANDLER of Mississippi. Mr. Speaker, I ask for tellers.

Mr. GARRETT of Tennessee. Mr. Speaker, I move a call of the House.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The motion is to recommit. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of the motion to recommit will, as their names are called, answer "yea," those opposed will answer "nay."

The question was taken; and there were—yeas 191, nays 71, answered "present" 2, not voting 165, as follows:

YEAS—191.

Alexander	Dyer	Knutson	Rouse
Almon	Eagan	Kraus	Rubey
Ashbrook	Eagle	La Follette	Rucker
Aswell	Elliott	LaGuardia	Sabath
Austin	Esch	Larsen	Sanders, La.
Ayres	Ferris	Lazaro	Sanders, N. Y.
Baer	Fields	Lea, Cal.	Saunders, Va.
Bankhead	Fisher	Lever	Schall
Barkley	Flood	Little	Scott, Mich.
Bell	Foster	Lobeck	Scully
Beshlin	Frear	London	Sells
Black	French	Lonergan	Sherwood
Bland, Ind.	Fuller, Mass.	Lundeen	Siegel
Blanton	Gallagher	Lunn	Sisson
Brand	Gallivan	McClintic	Slemp
Brodbeck	Gandy	McCulloch	Sloan
Browne	Gard	McLaughlin, Mich.	Small
Buchanan	Garland	Mansfield	Smith, Mich.
Burnett	Glynn	Mapes	Snook
Byrnes, S. C.	Goodwin, Ark.	Martin	Steagall
Byrns, Tenn.	Gray, Ala.	Mason	Stephens, Miss.
Candler, Miss.	Griffin	Miller, Wash.	Sumners
Caraway	Haskell	Montague	Sweet
Carter, Okla.	Hastings	Morgan	Switzer
Chandler, Okla.	Haugen	Neely	Thompson
Clark, Pa.	Hayden	Nelson, J. M.	Tillman
Claypool	Heflin	Nichols, Mich.	Venable
Cleary	Hilliard	Oldfield	Vestal
Collier	Holland	Oliver, Ala.	Vinson
Connally, Tex.	Hollingsworth	Osborne	Voigt
Cooper, Ohio	Houston	Overmyer	Volstead
Cramton	Huddleston	Overstreet	Watkins
Crosser	Hull, Tenn.	Polk	Watson, Va.
Dallinger	Humphreys	Purnell	Weaver
Decker	Igoe	Quin	Welty
Denison	Ireland	Rainey, J. W.	Whaley
Denton	Jacoway	Raker	Wheeler
Dickinson	James	Ramsey	Williams
Dies	Johnson, Ky.	Ramseyer	Wilson, La.
Dill	Johnson, S. Dak.	Randall	Wilson, Tex.
Dillon	Kearns	Rankin	Wingo
Dixon	Keating	Rayburn	Wood, Ind.
Dominick	Kelly, Pa.	Reavis	Woods, Iowa
Doremus	Kennedy, Iowa	Reed	Wright
Doughton	Kincheloe	Riordan	Young, N. Dak.
Dowell	King	Roberts	Young, Tex.
Drane	Kinkaid	Robinson	Zihlman
Dupré	Kitchin	Romjue	

NAYS—71.

Anderson	Beakes	Browning	Campbell, Kans.
Anthony	Blackmon	Burroughs	Campbell, Pa.
Bacharach	Bland, Va.	Butler	Cannon
Cantrill	Garrett, Tenn.	Kreider	Scott, Iowa
Classon	Good	Lampert	Sinnott
Currie, Mich.	Graham, Ill.	Lehlbach	Stafford
Curry, Cal.	Green, Iowa	Lesher	Steele
Dale	Greene, Mass.	McArthur	Sullivan
Darrow	Greene, Vt.	Mann	Temple
Davey	Griest	Moore, Pa.	Tilson
Dewalt	Hadley	Moores, Ind.	Timberlake
Donovan	Harrison, Va.	Morin	Tinkham
Edmonds	Hawley	Olney	Towner
Ellsworth	Hicks	Parker, N. J.	Walsh
Elston	Hull, Iowa	Ragsdale	Wason
Fess	Hutchinson	Rainey, H. T.	Welling
Fordney	Juul	Rose	Wise
Garner	Kahn	Rowe	

ANSWERED "PRESENT"—2.

Emerson	Madden

NOT VOTING—165.

Barnhart	Foss	Lufkin	Sears
Benson	Francis	McAndrews	Shackleford
Birch	Freeman	McCormick	Shallenberger
Booher	Fuller, Ill.	McFadden	Sherley
Borland	Garrett, Tex.	McKenzie	Shouse
Bowers	Gillett	McKeown	Sims
Britten	Godwin, N. C.	McKinley	Slayden
Brumbaugh	Goodall	McLaughlin, Pa.	Smith, Idaho
Caldwell	Gordon	McLemore	Smith, C. B.
Carew	Gould	Magee	Smith, T. F.
Carlin	Graham, Pa.	Maher	Snell
Carter, Mass.	Gray, N. J.	Mays	Snyder
Cary	Gregg	Merritt	Stedman
Chandler, N. Y.	Hamill	Miller, Minn.	Steenerson
Church	Hamilton, Mich.	Mondell	Stephens, Nebr.
Clark, Fla.	Hamilton, N. Y.	Moon	Sterling
Coady	Hamlin	Mott	Stevenson
Connelly, Kans.	Hardy	Mudd	Stiness
Cooper, W. Va.	Harrison, Miss.	Nelson, A. P.	Strong
Cooper, Wis.	Hayes	Nicholls, S. C.	Swift
Copley	Heaton	Nolan	Tague
Costello	Heintz	Norton	Taylor, Ark.
Cox	Helm	Oliver, N. Y.	Taylor, Colo.
Crago	Helvering	O'Shaunessy	Templeton
Crisp	Hensley	Padgett	Thomas
Davis	Hersey	Paige	Treadway
Delaney	Hood	Park	Van Dyke
Dempsey	Howard	Parker, N. Y.	Vare
Dent	Husted	Peters	Waldow
Dooling	Johnson, Wash.	Phelan	Walker
Doolittle	Jones	Platt	Walton
Drukker	Kehoe	Porter	Ward
Dunn	Kelley, Mich.	Pou	Watson, Pa.
Essen	Kennedy, R. I.	Powers	Webb
Estopinal	Kettner	Pratt	White, Me.
Evans	Key, Ohio	Price	White, Ohio
Fairchild, B. L.	Kiess, Pa.	Rodenberg	Wilson, Ill.
Fairchild, G. W.	Langley	Rogers	Winslow
Fairfield	Lee, Ga.	Rowland	Woodyard
Farr	Linthicum	Russell	
Flynn	Littlepage	Sanders, Ind.	
Focht	Longworth	Sanford	

So the motion to recommit was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. CONNELLY of Kansas with Mr. ROGERS.

Mr. SLAYDEN with Mr. LUFKIN.

Mr. MCLEMORE with Mr. MADDEN.

Mr. COX with Mr. SANDERS of Indiana.

Mr. BORLAND with Mr. MCKINLEY.

Mr. CARLIN with Mr. WINSLOW.

Mr. LEE of Georgia with Mr. HAMILTON of Michigan.

Mr. HENSLEY with Mr. BRITTEN.

Mr. CLARK of Florida with Mr. PARKER of New York.

Mr. COADY with Mr. CRAGO.

Mr. CRISP with Mr. DAVIS.

Mr. DOOLITTLE with Mr. DUNN.

Mr. EVANS with Mr. PAIGE.

Mr. GARRETT of Texas with Mr. FULLER of Illinois.

Mr. HAMLIN with Mr. GOULD.

Mr. HARRISON of Mississippi with Mr. HUSTED.

Mr. HOWARD with Mr. JOHNSON of Washington.

Mr. HOOD with Mr. KIESS of Pennsylvania.

Mr. KETTNER with Mr. LONGWORTH.

Mr. MCKEOWN with Mr. MCFADDEN.

Mr. MAYS with Mr. MCKENZIE.

Mr. MOON with Mr. MAGEE.

Mr. OLIVER of New York with Mr. MERRITT.

Mr. NICHOLLS of South Carolina with Mr. MOTT.

Mr. PADGETT with Mr. MUDD.

Mr. PHELAN with Mr. PETERS.

Mr. POU with Mr. PLATT.

Mr. PRICE with Mr. POWERS.

Mr. SEARS with Mr. RODENBERG.

Mr. SHOUSE with Mr. SANFORD.

Mr. STEDMAN with Mr. SNELL.

Mr. STEPHENS of Nebraska with Mr. SNYDER.

Mr. TAGUE with Mr. STEENERSON.

Mr. THOMAS with Mr. STINESS.

Mr. VAN DYKE with Mr. WARD.

Mr. WALTON with Mr. WATSON of Pennsylvania.

Mr. DENT with Mr. WOODYARD.
Mr. JONES with Mr. WHITE of Maine.
The result of the vote was announced as above recorded.
The SPEAKER pro tempore. The motion to recommit is agreed to. The Doorkeeper will open the doors. The gentleman from Alabama is recognized.
Mr. DENT. Mr. Speaker, I report the bill back to the House with the recommendation that the amendment be agreed to and that the bill as amended do pass.
The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.
Mr. MANN. The question is on agreeing to the amendment.
The SPEAKER pro tempore. The Chair is informed that the last time a similar question was up Mr. Speaker CLARK decided that a vote to recommit was equivalent to the adoption of an amendment and that another vote upon its adoption was unnecessary and out of order. The question is on the engrossment and third reading of the bill as amended.
Mr. MANN. A parliamentary inquiry, Mr. Speaker.
The SPEAKER pro tempore. The gentleman will state it.
Mr. MANN. The bill was ordered to be engrossed and read sometime ago. Is it necessary to have it reengrossed and read the third time again?
The SPEAKER pro tempore. It is necessary in order to engross the amendment. The question is on the engrossment and third reading of the bill.
Mr. MANN. I demand the reading from the engrossed bill, unless there is assurance that there will be no demand for a roll call. Is there going to be a demand for a roll call?
Mr. DENT. I do not expect to demand a roll call.
The SPEAKER pro tempore. The question is on the third reading of the bill.
The bill was read a third time.
The SPEAKER pro tempore. The question is on the passage of the bill.
The question was taken, and the bill was passed.
On motion of Mr. DENT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

HOUR OF MEETING TO-MORROW—11 O'CLOCK A. M.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.
Mr. MANN. I object. I do not know what it is. A gentleman who makes a unanimous-consent request should not climb up on the Speaker's table to do it.
Mr. KITCHIN. I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.
Mr. CANNON. What is the order to-morrow—Calendar Wednesday?
Mr. KITCHIN. I think it is dispensed with under the rule two weeks before adjournment.
The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?
There was no objection.

EXTENSION OF REMARKS.

Mr. HULL of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks.
The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent to extend his remarks. Is there objection?
There was no objection.
Mr. CONNALLY of Texas. Mr. Speaker, I make the same request.
Mr. LEA of California. And I, Mr. Speaker, make the same request.
Mr. WALSH. Mr. Speaker——
The SPEAKER pro tempore. The gentleman from Texas and the gentleman from California make the same request. Is there objection. [After a pause.] The Chair hears none, and it is so ordered.
Mr. WALSH. Mr. Speaker, I would like to know what these requests are.
The SPEAKER pro tempore. To extend their remarks in the RECORD.
Mr. WALSH. On what subject?
The SPEAKER pro tempore. It was not stated.
Mr. WALSH. Then I object. I do not think leave can be granted when a gentleman is on his feet trying to find out what the Speaker has submitted to the House. You can not hear the Speaker. The Speaker says, "Without objection, it is so ordered." I was trying to find out and ask for information from the Chair.
The SPEAKER pro tempore. The gentleman from Texas can answer.
Mr. CONNALLY of Texas. My request was to extend my remarks on the bill. I made some remarks on the bill several days ago, and I wanted to extend them.
Mr. WALSH. I have no objection.
The SPEAKER pro tempore. The Chair recognizes the gentleman from California to make his own statement.
Mr. LEA of California. I want to extend my remarks on this bill on the McKeown amendment.
The SPEAKER pro tempore. Is there objection?
There was no objection.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted—
To Mr. CRISP, at the request of Mr. LARSEN, indefinitely on account of sickness.
To Mr. ASHBROOK, indefinitely on account of illness.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.
The motion was agreed to; accordingly (at 8 o'clock and 38 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Wednesday, February 19, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:
1. A letter from the Secretary of War, transmitting list of leases granted by the Secretary of War during the fiscal year 1918 (H. Doc. No. 1816); to the Committee on Military Affairs and ordered to be printed.
2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the superintendent of the State, War, and Navy Building submitting supplemental estimate of appropriation required for salaries and expenses of temporary office buildings in Washington, fiscal year 1920 (H. Doc. No. 1817); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:
Mr. SHERLEY, from the Committee on Appropriations, to which was referred the bill (H. R. 16020) to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, reported the same without amendment, accompanied by a report (No. 1083), which said bill and report were referred to the Committee of the Whole House on the state of the Union.
Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 14674) to increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska, reported the same without amendment, accompanied by a report (No. 1085), which said bill and report were referred to the Committee of the Whole House on the state of the Union.
He also, from the same committee, to which was referred the bill (H. R. 15212) for the purchase of a site for and the erection of a post-office building at Pittsburgh, Pa., reported the same with amendment, accompanied by a report (No. 1089), which said bill and report were referred to the Committee of the Whole House on the state of the Union.
Mr. CHARLES B. SMITH, from the Committee on Patents, to which was referred the bill (S. 4889) to give effect to certain provisions of the convention for the protection of trademarks and commercial names made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes, reported the same without amendment, accompanied by a report (No. 1090), which said bill and report were referred to the Committee of the Whole House on the state of the Union.
Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 5516) to amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," reported the same without amendment, accompanied by a report (No. 1091), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 13227) for the relief of Della James, reported the same with amendment, accompanied by a report (No. 1086), which said bill and report were referred to the Private Calendar.

Mr. GOODWIN of Arkansas, from the Committee on Claims, to which was referred the bill (H. R. 12613) for the relief of Mrs. Ira D. Raney, reported the same with amendment, accompanied by a report (No. 1092), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERLEY: A bill (H. R. 16020) to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918; to the Committee of the Whole House on the state of the Union and ordered to be printed.

By Mr. SMITH of Idaho: A bill (H. R. 16021) to authorize the sale of certain lands at or near Minidoka, Idaho, for railroad purposes; to the Committee on the Public Lands.

By Mr. WALTON: A bill (H. R. 16022) authorizing the State of New Mexico to apply the proceeds of the grant to said State of 1,000,000 acres of land made by section 7 of the enabling act, June 20, 1910, for the reimbursement of Grant County, Luna County, and the town of Silver City, N. Mex.; to the Committee on the Public Lands.

By Mr. KETTNER: A bill (H. R. 16023) authorizing and directing the Secretary of the Interior to cause investigations to be made of the Colorado River as to the beneficial uses of its waters, and for other purposes; to the Committee on Flood Control.

By Mr. CLARK of Florida: A bill (H. R. 16024) to provide a commission to secure plans and designs for an arch to be erected in the city of Washington, D. C., to be known as "A National Arch of Triumph," to commemorate freedom of the world and the heroes and events of the great war; to the Committee on the Library.

By Mr. CARY: A bill (H. R. 16025) to improve the birthplace of Gen. George Washington; to the Committee on Appropriations.

By Mr. ASHBROOK: A bill (H. R. 16026) authorizing the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the village of Shelby, Ohio; to the Committee on Military Affairs.

By Mr. MERRITT: A bill (H. R. 16027) to provide for the purchase of a site and the erection of a public building thereon at Bridgeport, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. CAMPBELL of Kansas: A bill (H. R. 16028) authorizing the Secretary of War to donate a captured German cannon or fieldpiece to the city of Howard, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 16029) authorizing the Secretary of War to donate a captured German cannon to the city of Thayer, Kans.; to the Committee on Military Affairs.

By Mr. HUTCHINSON: A bill (H. R. 16030) providing for the purchase of a site and the erection thereon of a public building at Princeton, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. COPLEY: A bill (H. R. 16031) authorizing the Secretary of War to deliver to the city of Batavia, Ill., one cannon or fieldpiece, with carriage, captured from the German Army in the recent war, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. LARSEN: A bill (H. R. 16032) making appropriation for combating and suppressing influenza and allied diseases in the United States and its possessions and to conduct investigation and experimental work in such territory with a view of discovering the cause of, a cure for, and the mode of transmission of such disease; to the Committee on Interstate and Foreign Commerce.

By Mr. LAMPERT: A bill (H. R. 16033) authorizing the Secretary of War to donate to the village of Markesan, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ADOLPHUS P. NELSON: A bill (H. R. 16034) authorizing the Secretary of War to donate to the Alonzo Palmer Post, No. 170, Department of Wisconsin, Grand Army of the Republic, for use in the military division of Greenwood Cemetery, Superior, Wis., one medium cannon or fieldpiece, together with a sufficient number of cannon balls to form a pyramid; to the Committee on Military Affairs.

By Mr. CLARK of Florida: Resolution (H. Res. 591) for the consideration of House bill 15987; to the Committee on Rules.

By Mr. CARY: Resolution (H. Res. 592) authorizing and directing the Committee on Interstate and Foreign Commerce to investigate the conditions of transportation to Mount Vernon, Va.; to the Committee on Rules.

Also, a joint resolution (H. J. Res. 429) for the proposed purchase of the estate of Mount Vernon by the National Government; to the Committee on Rules.

By Mr. LaGUARDIA: Joint resolution (H. J. Res. 430) proposing an amendment to the Constitution of the United States by amending Article V of the Constitution; to the Committee on the Judiciary.

By Mr. CARAWAY: Joint resolution (H. J. Res. 431) to investigate cotton exchanges; to the Committee on Rules.

By Mr. DYER: Memorial of the Legislature of the State of Missouri, urging an adequate appropriation for the improvement of the Missouri River; to the Committee on Rivers and Harbors.

By Mr. EMERSON: Memorial from the Legislature of the State of Ohio, expressing the willingness of the State of Ohio to cooperate with the United States Government in building good roads; to the Committee on Roads.

By Mr. HADLEY: Memorial from the Legislature of the State of Washington, favoring the passage of the Jones resolution and requesting the United States Emergency Fleet Corporation to immediately remove the emergency restriction against the acceptance by American shipyards of foreign contracts for ships; to the Committee on the Merchant Marine and Fisheries.

By Mr. KAHN: Memorial of Legislature of California, urging acquisition of Lower California, the Coronado Islands, and the portions of the Republic of Mexico contiguous to the Colorado River; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of California, indorsing the plan of Secretary of the Interior Lane to place returned soldiers on farms; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of California, relative to the construction and fitting out of ships by the Emergency Fleet Corporation; to the Committee on the Merchant Marine and Fisheries.

By Mr. WEAVER: Memorial from the Legislature of the State of North Carolina, favoring the Bankhead amendment to the Federal aid act; to the Committee on Roads.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BIRCH: Petition of Friends of Irish Freedom, Butler, N. J., relating to self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. CARY: Petition of Lodge No. 262, International Association of Machinists, indorsing bill for national ownership and Government operation of transportation systems, known as House bill 10550; to the Committee on Interstate and Foreign Commerce.

Also, petition of Milwaukee Chapter, No. 20, E. S., speaking for 1,000 membership, urging passage of Lewis-Raker bill, which will give American nurses military rank; to the Committee on Military Affairs.

By Mr. CAREW: Statement of National Consumers' League on the Sims bill, House bill 13324; to the Committee on Interstate and Foreign Commerce.

Also, petition of Rotary Club of New York, requesting a bill to establish a national conservatory of music in Washington, D. C.; to the Committee on Education.

By Mr. CURRIE of Michigan: Petition of citizens of Midland, Auburn, and Linwood, Mich., asking for withdrawal of American soldiers from entire country of northern Russia, or that they be properly housed, fed, clothed, etc., and properly reenforced without delay; to the Committee on Military Affairs.

By Mr. DYER: Petition of employees, customhouse, St. Louis, Mo., urging amendment to appropriation bill providing for increase for Federal employees; to the Committee on Appropriations.

By Mr. EMERSON: Petition of Cleveland conference board of International Molders' Union, urging a universal eight-hour day; to the Committee on Labor.

By Mr. FULLER of Illinois: Petition of sundry farmers of Grundy County, Ill., against the importation, duty free, of corn from Argentina; to the Committee on Ways and Means.

By Mr. GRIFFIN: Petition of Bronx memorial committee, United Spanish War Veterans, New York, favoring House bill 15145, providing employment by the United States of discharged soldiers, sailors, and marines; to the Committee on Reform in the Civil Service.

Also, petition of Navy Yard Retirement Association, navy yard, New York, urging passage of House bill 12352 and Senate bill 4637, known as Keating-McKellar retirement bill; to the Committee on Interstate and Foreign Commerce.

By Mr. HUTCHINSON: Resolution adopted by the Rotary Club of Trenton, N. J., favoring the enactment by Congress of some law which will continue the control and operation of the wire systems by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be followed when they are returned to their private owners; to the Committee on Interstate and Foreign Commerce.

Also, petition of Hamilton Grange, No. 79, Patrons of Husbandry, of Hamilton, N. J., urging State and National Governments to appoint a representative farmer on all committees and commissions when the interest of the farmers are concerned; to the Committee on Agriculture.

Also, petition of Hamilton Grange, No. 79, Patrons of Husbandry, of Hamilton Square, N. J., calling upon our National Government to conduct a campaign of education which will give facts respecting the true cost of production to the people; to the Committee on Agriculture.

Also, petition of Mr. W. L. Cooper, and 21 other members, of Trenton local union No. 102, Brotherhood of Railway Signalmen of America, urging Government control and operation of the railways of the United States for a period of five years; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of New Jersey, urging legislation providing for the national ownership and Government operation of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KIESS of Pennsylvania: Petition of Williamsport Merchants' Association, of Williamsport, Pa., relating to Government control of the telephone and telegraph system; to the Committee on Interstate and Foreign Commerce.

Also, petition of Rotary Club of Williamsport, protesting against Government ownership of telephone and telegraph companies; to the Committee on Interstate and Foreign Commerce.

By Mr. LONERGAN: Petition of New England Nurserymen's Association, Boston, Mass., opposing quarantine order No. 37 as contrary to the Federal plant-quarantine act of August 20, 1912; to the committee on Agriculture.

Also, petition of Socialist Party of Connecticut, asking that necessary steps be taken by United States to recognize the Russian Soviet Republic; to the Committee on Foreign Affairs.

By Mr. McARTHUR: Petition of Warren Grange, No. 536, Patrons of Husbandry, Warren, Oreg., relating to control of railroad rates and urging their restoration to the Oregon Public Service Commission, also recommending restoration of railroads of this country to owners at once; to the Committee on Interstate and Foreign Commerce.

By Mr. MORIN: Petition of local board for division No. 2, Pittsburgh, Pa., urging legislation for the deportation of aliens who have taken advantage of alienage to avoid military service; to the Committee on Immigration and Naturalization.

Also petition of Monongahela Council, No. 491, Knights of Columbus, Pittsburgh, Pa., urging that Ireland be permitted to determine for itself the form of government under which it wishes to live; to the Committee on Foreign Affairs.

By Mr. RANDALL: Petition of California Real Estate Association, indorsing appropriation of $100,000,000 for reclamation of lands for returning soldiers; to the Committee on Appropriations.

Also, petition of International Brotherhood of Blacksmiths and Helpers of America, Los Angeles, Cal., favoring continued operation of the railroads by the Government; to the Committee on Interstate and Foreign Commerce.

Also, petition of Friday Morning Club, of Los Angeles, Cal., indorsing the league of nations; to the Committee on Foreign Affairs.

By Mr. ROUSE: Petition of 100 citizens of Kenton and Campbell Counties, Ky., asking for Government ownership of the railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: Petition of city council, Chicago, Ill., urging payment of six months' compensation to all discharged soldiers; to the Committee on Military Affairs.

Also, petition of Ancient Order of Hibernians in America, asking favorable consideration of the claims of Ireland for self-determination; to the Committee on Foreign Affairs.

By Mr. SCHALL: Petition of sundry citizens of Minneapolis, Minn., urging Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. SWEET: Petition of citizens of Dubuque, Iowa, favoring Government ownership and control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. VARE: Petition of Council of Jewish Women of Philadelphia, Pa., urging legislation creating national department of education; to the Committee on Education.

By Mr. WATSON of Virginia: Petition of sundry citizens of Nottaway County, Va., in favor of the Government ownership and operation of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, *February 19, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we present ourselves to Thee reverently, in the spirit of worship. We recognize Thy goodness, and put ourselves under Thy guidance. We are facing the great problems of life, not only the problems that must yield to human reason but those deeper problems that lie in the hand of God, and that can be reached and solved only as Thou dost lead us. We pray Thee to save us from error of judgment, from conceit of ignorance and pride, and give us that yielding spirit to the divine will that we may write into the laws of this Nation the will of God and establish our institutions upon the divine plan. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Thursday, February 13, 1919, when, on request of Mr. ASHURST and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Norris	Smoot
Baird	Hardwick	Nugent	Spencer
Bankhead	Henderson	Page	Sterling
Beckham	Hitchcock	Pittman	Sutherland
Brandegee	Jones, Wash.	Poindexter	Thomas
Calder	Kellogg	Pollock	Thompson
Culberson	Kendrick	Pomerene	Townsend
Cummins	Kenyon	Ransdell	Trammell
Curtis	Kirby	Reed	Underwood
Dillingham	Knox	Robinson	Vardaman
Fernald	La Follette	Saulsbury	Wadsworth
Fletcher	McCumber	Shafroth	Walsh
France	McKellar	Sheppard	Warren
Gay	McLean	Sherman	Watson
Gore	McNary	Shields	Weeks
Gronna	Moses	Smith, Ga.	Williams
Hale	New	Smith, S. C.	Wolcott

Mr. SHEPPARD. I wish to announce that the senior Senator from North Carolina [Mr. OVERMAN], the junior Senator from North Carolina [Mr. SIMMONS], the junior Senator from Rhode Island [Mr. GERRY], and the senior Senator from Oregon [Mr. CHAMBERLAIN] are detained on official business.

The VICE PRESIDENT. Sixty-eight Senators have answered to the roll call. There is a quorum present.

COST OF THE WAR (S. DOC. NO. 397).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of December 23, 1918, a report relative to the actual and estimated expenditures made on account of the war, which, with the accompanying paper, was ordered to lie on the table and be printed.

GOVERNMENT EMPLOYEES.

The VICE PRESIDENT laid before the Senate communications from the Secretary of the Treasury (S. Doc. No. 400) and the Secretary of the Navy (S. Doc. No. 398), transmitting, in response to a resolution of December 15, lists showing the num-

ber of civilian employees in their department on February 1 and the number discharged during the previous two weeks, which were ordered to lie on the table and be printed.

He also laid before the Senate communications from the Secretary of War (S. Doc. No. 401), the Secretary of Agriculture (S. Doc. No. 399), the Attorney General (S. Doc. No. 406), the Secretary of the Interior (S. Doc. No. 403), the Postmaster General (S. Doc. No. 407), the Secretary of Labor (S. Doc. No. 405), the Director of the War Trade Board (S. Doc. No. 404), and the Chairman of the United States Shipping Board (S. Doc. No. 402), transmitting, in response to a resolution of December 15, 1918, lists showing the number of civilian employees in their respective departments on February 12 and the number discharged during the previous two weeks, which were ordered to lie on the table and be printed.

CLAIMS OF ARMY OFFICERS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, supplemental to his letter of February 7, 1919, a list of items for the relief of officers and for the settlement of certain claims, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

PRODUCTION OF POTASH (S. DOC. NO. 396).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of the 5th instant, certain information relative to the consumption of potash in the United States, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

AGENTS OF DEPARTMENT OF JUSTICE IN MICHIGAN (S. DOC. NO. 395).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, in response to a resolution of the 11th instant, certain information relative to the activities of agents of the Department of Justice in investigating alleged violations of the Federal statutes in the State of Michigan, which was ordered to lie on the table and be printed.

COLUMBIAN DRY DOCK CO. (S. DOC. NO. 394).

The VICE PRESIDENT laid before the Senate a communication from the chief clerk of the Court of Claims, certifying that the case of the Columbian Dry Dock Co., of Baltimore, Md. against the United States, transmitted to the Court of Claims by resolution of the Senate, June 2, 1900, under the act of March 3, 1887, was dismissed by the court December 16, 1918, for want of jurisdiction, on motion of the defendants, which was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution authorizing the printing of 1,500 copies of the Journal of the Fifty-third National Encampment of the Grand Army of the Republic for the year 1918, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 14555. An act granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barrs Ferry, in said county; and

H. R. 15495. An act to amend an act to provide for the appointment of a commission to standardize screw threads.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution adopted by the Legislature of the State of Washington, praying for the immediate formulation of rules and regulations governing demobilization of the Army, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
THE STATE OF WASHINGTON,
DEPARTMENT OF STATE.

To all to whom these presents shall come:

I, I. M. Howell, secretary of state of the State of Washington, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 7, with the original copy of said senate joint memorial No. 7 now on file in this office, and find the same to be a full, true, and correct copy of said original, and of the whole thereof, together with all official indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Washington. Done at the capitol, at Olympia, this 10th day of February, A. D. 1919.

[SEAL.]

I. M. HOWELL,
Secretary of State.
By J. GRANT HINKE,
Assistant Secretary of State.

Senate joint memorial 7.

To the honorable Senate and House of Representatives of the United States and to the Secretary of War:

Your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, would most respectfully represent and memorialize your honorable body and the Secretary of War as follows:

That rules and regulations governing demobilization should favor the immediate release of those who are needed in business and industrial pursuits and defer the release of men without present opportunities for employment.

Wherefore your memorialists pray that your honorable body and the Secretary of War, at the earliest possible moment, formulate rules and regulations governing the demobilization, as herein indicated.

Passed the senate January 31, 1919.

LOUIS F. HART, *President.*

Passed the house February 5, 1919.

FRED A. ADAMS, *Speaker.*

Indorsed: State of Washington, ss. Filed in the office of secretary of state February 10, 1919. I. M. Howell, secretary of state.

Mr. ROBINSON presented a petition of sundry citizens of Paragould, Ark., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. STERLING. I present a concurrent resolution of the Legislature of the State of South Dakota memorializing Congress to appropriate money for the purchase of the wheat crop of 1919. I ask unanimous consent that the resolution may be read at the desk and referred to the Committee on Agriculture and Forestry.

The resolution was read and referred to the Committee on Agriculture and Forestry, as follows:

[Sixteenth session Legislative Assembly State of South Dakota.]

Senate concurrent resolution, introduced by the joint committee on agriculture.

A concurrent resolution memorializing the Congress of the United States to appropriate money for the purchase of the wheat crop of 1919 and to confer upon the President of the United States full power and authority for the handling of the same.

Whereas the price of all wheat to be produced in the United States in the year 1919 has been fixed by the President of the United States by authority of Congress, which act is of great importance to the farmers of all wheat-producing sections of the country, causing as it has the planting of a large acreage of winter wheat and the plowing and otherwise preparing for the sowing to wheat of a large acreage in the States raising spring wheat, which, owing to the high cost of labor and other factors entering into such enterprise, has required a much larger investment than for any preceding crop: Now, therefore, be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That the Legislature of the State of South Dakota in regular session assembled does earnestly and urgently petition the Congress of the United States to take such congressional action as may be necessary to empower the President of the United States to fulfill the contract entered into with the farmers of the United States, so that they may receive the full benefit of the price fixed for the wheat crop of 1919 without unnecessary delay, and that the Government of the United States may purchase all wheat offered it, thereby removing any danger of wheat speculators depressing prices during the period when the greater portion of the wheat crop is being placed upon the market, and enabling the Government of the United States to hold full and absolute control of the situation, to minimize the loss, if any, which might possibly otherwise occur, and to fix if deemed wise the price of flour to the consumer on a parity with that of other food products; be it further

Resolved, That engrossed copies hereof be mailed to the President of the United States, the Secretary of the Senate of the United States, and to the Chief Clerk of the House of Representatives of the United States.

Mr. STERLING. I also present two concurrent resolutions of the Legislature of South Dakota, one relating to the change of the name of the Panama Canal to the Roosevelt Canal, and the other memorializing Congress to cooperate with the Dominion of Canada in the enlarged canalization of the St. Lawrence River. I ask that they be printed in the RECORD without reading and appropriately referred.

The memorials were referred, respectively, to the Committee on Interoceanic Canals and to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed resolution, to wit, a concurrent resolution, was duly passed by the sixteenth session of the Legislature of the State of South Dakota.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at the city of Pierre, February 12, 1919.

[SEAL.]

C. A. BURKHART,
Secretary of State.

Hon. C. A. BURKHART,
Secretary of State.

The following concurrent resolution has been adopted by the senate and concurred in by the house of representatives:

Whereas our Nation suffered a sense of bereavement personal to every American when the Maker of men recalled the intrepid soul of Theodore Roosevelt, the most virile, most brilliant, best beloved, and most typical American of his time, whose accomplishments as athlete, plainsman, soldier, author, explorer, President, and apostle of undiluted Americanism have made him a figure to touch and inspire the imagination of youth for generations; and

Whereas one of his many great achievements is represented by the canal between the Atlantic and Pacific Oceans which his constructive and practical genius, brushing aside the bickerings, debates, and delays of 50 years, made possible: Now, therefore, be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That Congress be petitioned officially to designate that American-made waterway the Roosevelt Canal, so that the same shall stand in name, as well as in historical fact, an enduring monument to his greatness, a constant reminder that the canal is, like the great President who started it, unqualifiedly American; and

Resolved further, That copy of this resolution, duly attested by the signatures of the presiding officers and chief clerks of the two houses, shall be transmitted to the President of the Senate, to the Speaker of the House of Representatives, and to each of the Senators and Representatives in Congress from this State.

For the senate.

W. H. MCMASTER, *President.*
A. B. BLAKE, *Secretary.*

For the house.

LEWIS BENSON, *Speaker.*
WRIGHT TARBELL, *Chief Clerk.*

Dated at Pierre, S. Dak., this 10th day of February, A. D. 1919.

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed resolution, to wit, a concurrent resolution, was duly passed by the sixteenth session of the Legislature of the State of South Dakota.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at the city of Pierre, February 12, 1919.

[SEAL.] C. A. BURKHART,
Secretary of State.

Hon. C. A. BURKHART,
Secretary of State:

The following concurrent resolution has been adopted by the senate and concurred in by the house of representatives:

A concurrent resolution memorializing the Congress of the United States to cooperate with the Dominion of Canada in the enlarged canalization of the St. Lawrence River for the passage of ocean-going vessels into the Great Lakes.

Whereas the Dominion of Canada has provided for the improvement of the Welland Canal, connecting Lake Ontario and Lake Erie, so that such canal will accommodate ships of 25-foot draft, 800-foot length, and 80-foot width, work on which improvement was suspended during the war and is now again being taken up and will be completed in the near future; and

Whereas the St. Lawrence River between Montreal and Lake Ontario can not be used by vessels of over 14-foot draft and 270-foot length; and

Whereas it is deemed to be a matter of great and vital importance to the United States that the St. Lawrence River be so improved that larger vessels may be accommodated and may move between the Great Lakes and the ocean: Now, therefore, be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That we earnestly and urgently petition the Congress of the United States to take such steps as may be deemed best and most expeditious looking to the early improvement of the St. Lawrence River by joint arrangement with the Dominion of Canada.

Resolved further, That copy of this resolution, duly attested by the signatures of the presiding officers and chief clerk of the two houses, shall be transmitted to the President of the Senate, to the Speaker of the House of Representatives, and to each of the Senators and Representatives in Congress from this State.

For the senate:

W. H. MCMASTER, *President.*
A. B. BLAKE, *Secretary.*

For the house:

LEWIS BENSON, *Speaker.*
WRIGHT TARBELL, *Chief Clerk.*

Dated at Pierre, S. Dak., this 10th day of February, A. D. 1919.

Mr. CUMMINS. I present resolutions from Division No. 1, Ancient Order of Hibernians, of Polk County, Iowa, asking that the United States shall intercede for the freedom and independence of Ireland. I ask that the memorial, which is very short, shall be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the memorial was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

At a regular meeting of Division No. 1, Ancient Order of Hibernians, of Polk County, Iowa, held this 9th day of February, 1919, the following resolutions were unanimously adopted:

Whereas this Nation was the founder of and to-day is the chosen champion of true democracy;

Whereas all nations, no matter how small or insignificant, are by inherent right entitled to rights of self-determination;

Whereas our chosen representative, President Woodrow Wilson, voicing the sentiment of the people, has time and time again openly pledged the allegiance of this country to the principle that no country shall govern without the consent of the governed;

Whereas no nation so small, or for such a long period of time, has suffered as much because of its love of freedom as Ireland;

Whereas the manhood of these glorious United States is now returning from the war they waged on a foreign soil in behalf of this same principle of the rights of small nations;

Whereas this Nation, enjoying all the privileges of a well-organized democracy, has always been on as friendly terms with Ireland as with the other European nations in whose behalf we took up the sword;

Lest we be accused by our enemies of inconsistency and hypocrisy: Be it further

Resolved, That Division No. 1, Ancient Order of Hibernians, of Polk County, Iowa, being associated with the Federation of Friends of Irish Freedom, is of the unanimous opinion that this Nation should, and by unanimous vote of its members asks that this Nation do, intercede in the behalf of Irish freedom and independence; and furthermore be it

Resolved, That a copy of these resolutions be sent to our Senators, the Hon. A. B. CUMMINS and the Hon. W. S. KENYON; our Representative in Congress, C. C. DOWELL; also that copies be furnished to the press of the city of Des Moines, Iowa, for publication.

JOHN P. O'MALLEY.
J. P. MURPHY.
M. T. SCANLON.
JAMES E. O'MEARO.
R. F. KELLEY.
JOHN CONNALLY, Jr.

Mr. CUMMINS. I also present a resolution adopted by the General Assembly of the State of Iowa in regard to uniforms for soldiers, which I ask be printed in the RECORD and referred to the Committee on Military Affairs.

The resolution is as follows:

Be it resolved by the house (the senate concurring), That the Senators and Representatives from Iowa in the Congress at Washington, D. C., be requested and urged to support the proper measures allowing all soldiers and sailors, discharged or to be discharged from the Army or Navy of the United States, to retain the clothing furnished them by the Government; be it further

Resolved, That a certified copy of these resolutions be forwarded to the President of the United States, the Secretary of War, the United States Senators and Representatives from Iowa.

ARCH. W. MCFARLANE,
Speaker of the House.
W. H. HONEY,
President of the Senate pro tempore.

I hereby certify that this resolution was introduced in the House on January 15, 1919, was taken up by unanimous consent, and adopted, and that it was concurred in by the Senate on January 28.

W. C. RAMSAY,
Chief Clerk of the House.

Mr. CUMMINS. I present a resolution adopted by the General Assembly of the State of Iowa in regard to the solution of the railroad problems, which I ask may be printed in the RECORD and referred to the Committee on Interstate Commerce.

The resolution is as follows:

Whereas postwar and reconstruction conditions have brought the United States of America many problems of great import, and perhaps the one of greatest importance is the question of Government ownership of the railways of the United States; and

Whereas our President, in his address to Congress on December 2, 1918, said: "The question which causes me the greatest concern is the question of the policy to be adopted toward the railroads. I frankly turn to your counsel upon it"; and after making other statements on this subject, further says: "Let me say at once that I have no answer ready. The only thing that is perfectly clear to me is that it is not fair either to the public or to the owners of the railroads to leave the question unanswered, and that it will presently become my duty to relinquish control of the roads, even before the expiration of the statutory period, unless there shall appear some clear prospect in the meantime of a legislative solution. Their release would at least produce one element of its solution, viz, certainty and a quick stimulation of private initiative"; and

Whereas our President has turned to Congress for counsel on this momentous subject, in his keen sense of justice endeavoring to deal fairly with the owners of the railroads and protectively to the public welfare; and

Whereas we feel that the Congress of the United States will, by being informed of public sentiment, be better able to solve and direct the course of the problem, and recognizing the necessity, as expressed in the President's address, of relinquishing control of the railroads as quickly as possible, and the certainty of conditions that said release of the railroads by the Federal Government would immediately establish: Therefore be it

Resolved by the house (the senate concurring) of the thirty-eighth general assembly, That we favor the return of the railroads to their owners as soon as it can be accomplished without confusion or losses; be it further

Resolved, That we believe and think private ownership under strong Government control and regulation, in service, income, and disbursement is desirable, and we do not believe Federal Government ownership of railroads is for the best interest of the people at this time; be it further

Resolved, That the secretary of the senate and the chief clerk of house forward properly authenticated copies of this resolution to each United States Senator and Member of Congress from Iowa for their consideration.

ARCH. W. MCFARLANE,
Speaker of the House.
PRINCE R. MOORE,
President of the Senate.

I hereby certify that this resolution was introduced in the house on February 1, 1919, was adopted on February 3, and was concurred in by the senate on February 11.

W. C. RAMSAY,
Chief Clerk of the House.

Mr. NORRIS. I have two resolutions the same in language as to the heading and the signing, one passed by the State Senate of Nebraska and the other by the house of representatives of that State, in relation to an order issued by the Secretary of War. I ask that the resolutions be printed in the RECORD and referred to the Committee on Military Affairs.

The resolutions are as follows:

UNITED STATES OF AMERICA,
STATE OF NEBRASKA.

I, Darius M. Amsberry, secretary of state of the State of Nebraska, do hereby certify that the resolutions hereunto attached and herewith pertaining are a true, correct, complete, and verified copy of the resolutions adopted by the Senate, Legislature of Nebraska, thirty-seventh session, February 5, 1919.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Nebraska. Done at Lincoln, this 7th day of February, in the year of our Lord 1919, and of the independence of the United States the one hundred and forty-third, and of this State the fifty-second.

[SEAL.] DARIUS M. AMSBERRY,
Secretary of State.

LINCOLN, NEBR., *February 5, 1919.*

Hon. D. M. AMSBERRY,
Secretary of State, Lincoln, Nebr.

DEAR SIR: The following resolution was adopted by the State senate under this date and is hereby transmitted to you:

"Whereas press reports state that several hundred men who were drafted for service in the war and refused to bear arms or work or obey orders of their superior officers, or in any manner assist in the defense of their country, or support thereof, are to be given and are being given honorable discharge from the Army, fitted out with a complete outfit of civilian clothing, and paid the full wage, and in some instances fifteen to twenty-five dollars more than that which they would have received had they been loyal to their country and served in the trenches and borne the hardships incident thereto; and

"Whereas there are several hundred thousand loyal American soldiers still in France who have willingly offered their lives in defense of their country and who are anxious to be discharged and return to private life; loyal and unselfish men who will some day return to find their positions filled by the unpatriotic slackers and conscientious objectors wearing the clothing furnished them by the Government, and with no provision made for rewarding and honoring those who have saved the country, and who by their glorious achievements have preserved to posterity the honor of the Nation: Now, therefore be it

"*Resolved by the Senate of the State of Nebraska,* That we earnestly protest against the action of Secretary of War Baker in rewarding the slacker and the traitor, which we stamp as a direct insult to the brave soldiers who so valiantly went forth to defend democracy and freedom against the awful blight of Kaiserism at the sacrifice of their lives, and to the Red Cross nurses who risked their lives to administer to the wounded and bleeding upon the battle fields of Europe, and every other worker who participated in the support of the war; and we call upon the Congress of the United States to condemn the said action of Secretary Baker, as it is not consistent with the principles of true Americanism; and we further call upon Congress to honor and reward the loyal and faithful men of our Army and Navy in a manner befitting their glorious deeds: Be it further

"*Resolved,* That a certified copy of this resolution be sent by the secretary of state to Secretary of War Baker and to the Members of Congress and the Senators from this State."

I, Clyde H. Barnard, secretary of the Senate of Nebraska, hereby certify that the above and foregoing is a true, complete, and verified copy of resolution adopted by the senate February 5, 1919.

CLYDE H. BARNARD,
Secretary State.

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UNITED STATES OF AMERICA,
STATE OF NEBRASKA.

I, Darius M. Amsberry, secretary of state of the State of Nebraska, do hereby certify that the resolutions hereunto attached and herewith pertaining are a true, correct, complete, and verified copy of the resolutions adopted by the House of Representatives, Legislature of Nebraska, thirty-seventh session, February 5, 1919.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Nebraska. Done at Lincoln this 7th day of February, in the year of our Lord 1919, and Independence of the United States the one hundred and forty-third, and of this State the fifty-second.

[SEAL.] D. M. AMSBERRY,
Secretary of State.
W. L. GASTON,
Deputy.

HOUSE OF REPRESENTATIVES,
OFFICE OF CHIEF CLERK,
Lincoln, Nebr., February 6, 1919.

Whereas press reports state that several hundred men, known as conscientious objectors, were drafted for service in the war and refused to bear arms or work or obey orders of their superior officers, or in any manner assist in the defense of their country or support thereof, are to be given honorable discharge from the disciplinary barracks, fitted out with a complete outfit of civilian clothing, and paid the full wage, and in some instances $15 to $25 more than that which they would have received had they been loyal to their country and served in the trenches and borne the hardships incident thereto; and

Whereas there are several hundred thousand loyal American soldiers still in France who have willingly offered their lives in defense of their country and who are anxious to be discharged and return to private life; loyal and unselfish men, who will some day return to find their positions filled by the unpatriotic slackers and conscientious objectors wearing the clothing furnished them by the Government and with no provision made for rewarding and honoring those who have saved the country, and who by their glorious achievements have preserved to posterity the honor of the Nation: Now, therefore, be it

Resolved by the House of Representatives of the State of Nebraska, That we earnestly protest against the action of Secretary of War Baker in rewarding the slacker and the traitor, which we stamp as a direct insult to the brave soldiers who so valiantly went forth to defend democracy and freedom against the awful blight of Kaiserism at the sacrifice of their lives, and to the Red Cross nurses who risked their lives to administer to the wounded and bleeding upon the battle fields of Europe, and every other worker who participated in the support of the war; and we call upon the Congress of the United States to condemn the said action of Secretary Baker, as it is not consistent with the principles of true Americanism; and we further call upon Congress to honor and reward the loyal and faithful men of our Army and Navy in a manner befitting their glorious deeds. Be it further

Resolved, That a certified copy of this resolution be sent by the secretary of state to Secretary of War Baker and to the Members of the Congress and the Senators from this State.

D. S. DALBEY, *Speaker.*
WILL F. HITCHCOCK,
Chief Clerk.
DARIUS M. AMSBERRY,
Secretary of State.

Mr. HENDERSON. I present a petition signed by many citizens of Nevada in favor of the national ownership and Government operation of all the railroads of the country, which I move be referred to the Committee on Interstate Commerce.

The motion was agreed to.

Mr. KENDRICK. I present a joint memorial of the Legislature of the State of Wyoming, which I ask to have printed in the RECORD.

The memorial is as follows:

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, W. E. Chaplin, secretary of state of the State of Wyoming, do hereby certify that the annexed copy of enrolled joint memorial No. 1, Senate, Fifteenth Legislature of the State of Wyoming, being original senate joint memorial No. 1, has been carefully compared with the original filed in this office on the 14th day of February, A. D. 1919, and is a full, true, and correct copy of the same and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming. Done at Cheyenne, the capital, this 13th day of February, A. D. 1919.

[SEAL.] W. E. CHAPLIN,
Secretary of State.
By H. M. SYMONS,
Deputy.

Senate joint memorial 1.

Whereas the State has begun the construction of a comprehensive system of highways, which are essential to the development of the State; and

Whereas the vast distances within our State which must be covered by improved highways and because our present population of only 200,000 people preclude the possibility of completing this task within the next generation, if the funds are to be derived from direct taxation and such Federal aid now available; and

Whereas more than 50 per cent of the total area of Wyoming is still in the public domain, while less than 18 per cent of this area has been patented to our citizens and over 17 per cent has already been set aside as national reserve; and

Whereas our highways must necessarily be built over large areas of public lands, thus greatly enhancing their value, though there is no way to assess a proportionate share of the cost of such construction against these lands: Therefore be it

Resolved, That the Congress be requested to set aside 2,000,000 acres of public lands in the State of Wyoming, to be known and designated as State lands, to be selected, appraised, and sold or leased by the State, and the proceeds to be used in the construction of State highways; be it further

Resolved, That a certified copy of this memorial be sent to each of the Members of the congressional delegation from the State in Congress, the Secretary of the Interior, and the Commissioner of the General Land Office, with the request that they employ their best efforts to secure favorable action from Congress along the lines indicated.

T. G. POWERS,
President of the Senate.
E. J. SULLIVAN,
Speaker of the House.

Approved:

ROBERT D. CAREY,
Governor.

FEBRUARY 14, 1919—3.30 p. m.

Mr. LA FOLLETTE. I present a joint resolution adopted by the Legislature of Wisconsin relating to the establishment of a league of nations. I ask to have it printed in the RECORD and referred to the Committee on Foreign Relations.

The joint resolution is as follows:

Joint resolution (S. J. Res. 4) relating to the establishment of a league of nations.

Whereas the war, now brought to a victorious close by the associated power of the free nations of the world, was above all else a war to end war and protect human rights: Therefore be it

Resolved by the senate, the assembly concurring, That we favor the establishment of a league of nations, of which the United States shall be a member. We believe that such a league should aim at promoting the liberty, progress, and orderly development of the world; that it should clinch the victory won at such terrible sacrifice by having the united potential force of all its members as a standing protection for the world against any nation that seeks to upset the peace of the world; be it further

Resolved, That copies of this resolution properly attested by the presiding officers be sent to the President of the United States, to the Presiding Officers of both branches of Congress, and to each of the United States Senators and Representatives from Wisconsin.

EDWARD F. DITTMAR,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.
RILEY S. YOUNG,
Speaker of the Assembly.
C. G. SHAFFER,
Chief Clerk of the Assembly.

Mr. CURTIS. I present a resolution adopted by the Legislature of the State of Kansas, relative to the construction of a

military highway connecting Fort Leavenworth, Camp Funston, and Fort Bliss, in the State of Kansas, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Senate concurrent resolution.

Be it resolved by the Legislature of the State of Kansas (both houses concurring therein)—

Whereas the great war has demonstrated the necessity of good roads for military efficiency; and

Whereas the Fort Leavenworth, Camp Funston, Fort Bliss National Military Highway Association, representing the States of Texas, New Mexico, Oklahoma, and Kansas, meeting at Hutchinson, Kans., on Monday, January 20, 1919, has prepared a satisfactory route for such a highway, connecting the three great military posts of the Middle West, Fort Leavenworth, Camp Funston, and Fort Bliss, and has effected a strong and effective organization to carry out the said project, and has taken the preliminary steps to memorialize Congress in its favor: Now, therefore, be it

Resolved, That we request our Senators and Representatives to use every effort to secure the necessary appropriations, either by special bill or as a part of the military appropriations, for the construction of the highway approved by the said association as a military highway to be built and maintained by the Federal Government, open, however, to civilian traffic under such rules and regulations as the War Department may impose.

CHAS. S. HOFFMAN,
Lieutenant Governor.
E. D. GEORGE,
Secretary.

Mr. CURTIS presented a resolution adopted by the Chamber of Commerce of Salina, Kans., and a resolution adopted by the Chamber of Commerce of Concordia, Kans., favoring the return to private ownership of the railroads of the country, which were referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Rotary Club of Wichita, Kans., favoring the return to private ownership of telephone and telegraph lines, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Parsons, Labette, and Goodland, all in the State of Kansas, praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of the United Trades and Labor Council of Pittsburg, Kans., and a petition of sundry citizens of Sumner County, Kans., praying for Government ownership of railroads, express, telephone and telegraph lines, which were referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Central Labor Union of Arkansas City, Kans., and a resolution adopted by Local Union No. 555, Journeymen Barbers' International Union of America, of Arkansas City, Kans., favoring the proposed restriction on immigration, which was referred to the Committee on Immigration.

He also presented a petition of Council No. 90, Commercial Telegraphers' Union of America, of Wichita, Kans., praying for the adoption of an eight-hour work day and for increased compensation for overtime work, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Union No. 32, Farmers' Educational Cooperative Union of America, of Republic County, Kans., praying for the enactment of legislation guaranteeing the minimum price of $2.20 per bushel for the 1919 wheat crop, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Board of Education of Lawrence, Kans., remonstrating against the honorable discharge of conscientious objectors, which was referred to the Committee on Military Affairs.

He also presented a memorial of Stringtown Grange No. 1489, Patrons of Husbandry, of Burlington, Kans., remonstrating against compulsory military training, which was referred to the Committee on Military Affairs.

He also presented a petition of the Board of Education of Hutchinson, Kans., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Board of Commissioners of Kansas City, Kans., favoring the granting of six months' additional pay to honorably discharged soldiers and sailors, which was referred to the Committee on Military Affairs.

He also presented a memorial of Local Union No. 555, Journeymen Barbers' International Union of America, of Arkansas City, Kans., remonstrating against the supreme peace council making any effort to regulate labor, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Kansas Veterinary Medical Association of Manhattan, Kans., praying for an increase in the salaries of veterinary inspectors in the Bureau of Animal Industry, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of Lew Gove Post No. 100, Grand Army of the Republic, Department of Kansas, of Manhattan, Kans., remonstrating against the transferring to the War Department of Battle Mountain Sanitarium, of South Dakota, which was referred to the Committee on Military Affairs.

Mr. WARREN presented telegrams in the nature of petitions from the Commercial Club of Sheridan, the Commercial Club of Buffalo, and the Merchants' Credit Association of Cody, all in the State of Wyoming, praying for the return to private ownership of telephone and telegraph lines, which were referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES.

Mr. WILLIAMS, from the Committee on the Library, to which was referred the bill (H. R. 13482) creating a commission for the maintenance, control, care, etc., of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes, reported it without amendment.

Mr. CUMMINS, from the Committee on the Judiciary, to which was referred the joint resolution (S. J. Res. 222) extending until July 1, 1920, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, reported it with an amendment.

Mr. WEEKS, from the Committee on Military Affairs, to which was referred the bill (S. 5313) authorizing the Secretary of War to acquire and maintain a cemetery in France in the name of the United States for the reception and interment of the bodies of American officers and men who lost their lives in connection with the European war, and to appropriate $500,000 therefor, and for other purposes, reported it with amendments and submitted a report (No. 731) thereon.

Mr. SHAFROTH, from the Committee on Public Lands, to which was referred the bill (S. 4729) to exclude certain lands from the Pike National Forest Reservation, reported it without amendment and submitted a report (No. 734) thereon.

Mr. WARREN, from the Committee on Military Affairs, to which was referred the bill (S. 3964) for the relief of Otis C. Mooney, reported it without amendment and submitted a report (No. 733) thereon.

Mr. WALSH, from the Committee on Pensions, to which was referred the bill (H. R. 15706) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported it with amendments and submitted a report (No. 735) thereon.

JENNIE M. HEATH.

Mr. WALSH. From the Committee on Pensions I report back favorably without amendment the bill (H. R. 10225) striking from the pension roll the name of Jennie M. Heath, and I submit a report (No. 730) thereon. It is a bill reducing the pension roll instead of increasing it, and if there be no objection I ask for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to strike from the pension roll the name of Jennie M. Heath, helpless and dependent child of Charles E. Heath, late of Company G, First Regiment Minnesota Volunteer Infantry, who is now pensioned by special act of Congress approved August 7, 1914.

Mr. SMOOT. Will the Senator from Montana explain the reason for this action?

Mr. WALSH. The name was put upon the pension roll by mistake.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DISTRICT ATTORNEY FOR CONNECTICUT.

Mr. BRANDEGEE. From the Committee on the Judiciary I report back favorably without amendment the bill (H. R. 4246) to increase the salary of the United States district attorney for the district of Connecticut, and I ask unanimous consent for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That from and after the passage of this act the salary of the United States district attorney for the district of Connecticut shall be at the rate of $4,500 a year.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. BRANDEGEE subsequently said: Mr. President, I ask unanimous consent that I may have printed in the RECORD the House report upon the bill increasing the salary of the district attorney of Connecticut which the Senate passed early in the day.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the request of the Senator from Connecticut is granted.

The report is as follows:

Mr. MANSFIELD, from the Committee on Expenditures in the Department of Justice, submitted the following report:

The Committee on Expenditures in the Department of Justice, to whom was referred the bill (H. R. 4246) providing for an increase of salary of the United States attorney for the district of Connecticut, having had the same under consideration, unanimously recommend that the bill do pass, with the following amendment:

On line 5, after the word "of," strike out "$5,000" and in lieu thereof insert "$4,500."

The State of Connecticut comprises one judicial district with a population of 1,114,756, as of 1910, and the law provides for the holding of court at New Haven and Hartford. The present salary of the United States attorney for this district is $2,500. The population of the district has increased more than 600,000 since the salary was fixed at $2,500, and your committee believe that at present it is wholly inadequate.

The present incumbent states that between March 1, 1917, and March 15, 1918, there were 253 criminal cases begun and 236 cases closed, and 28 civil cases begun and 11 closed, while during the same period there were approximately 100 complaints made which never developed in cases.

The population of the different other New England States and the salaries paid the United States attorneys therein follow:

Maine, 742,371; salary, $3,000.
New Hampshire, 430,572; salary, $2,000.
Vermont, 355,956; salary, $3,000.
Massachusetts, 3,366,416; salary, $5,000.
Rhode Island, 542,610; salary, $2,500.

In the first session of the Sixty-third Congress a bill (S. 281) passed the United States Senate approving an increase in the salary of the United States attorney for Connecticut to $4,000, and that was before the large amount of extra work entailed by the war was added to the routine of the office. On account of the outbreak of the European conflict at that time, the House took no action, as the policy adopted at the period was that no more bills for increases in salaries should be considered.

The clerk of the court receives about $6,000 a year. The internal-revenue officer for the district receives $4,500 a year. The postmaster at Hartford receives $6,000 a year. The salary of the collector of customs for Connecticut is $5,000 a year.

AMENDMENT OF THE RULES.

Mr. CUMMINS. From the Committee on Rules I report back favorably, with an amendment, Senate resolution 339, submitted by the Senator from Nebraska [Mr. NORRIS], to amend Rule XXV of the Standing Rules of the Senate by adding thereto a paragraph restricting and regulating membership of certain committees of the Senate, and I submit a report (No. 732) thereon. I ask that the report of the committee be printed in the RECORD. I make this request because at the first convenient time after to-morrow I intend to ask for the consideration of the resolution.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Mr. CUMMINS, from the Committee on Rules, submitted the following report:

The Committee on Rules, having had under consideration Senate resolution No. 339, recommends the adoption thereof with the following amendment: Strike out lines 4 to 10, inclusive, and substitute therefor the following:

"Beginning with the first session of the Senate of the Sixty-sixth Congress no Senator shall be a member of more than two of the following standing committees of the Senate, namely, Appropriations, Agriculture and Forestry, Commerce, Finance, Foreign Relations, Interstate Commerce, Judiciary, Military Affairs, Naval Affairs, and Post Offices and Post Roads. No Senator being chairman of either of the committees named in this paragraph shall be appointed on a conference committee upon any bill reported by either of the last-named standing committees unless it is reported by the committee of which he is the chairman."

The purpose of the proposed amendment to the rules is, in the judgment of this committee, commendable, and it is believed that the results of its adoption will be salutary. The object sought to be obtained in restricting the assignment of Members of the Senate to places upon the 10 chief standing committees is to secure a proper distribution of the work of the Senate among its Members, and thereby not only facilitate the disposition of the public business, but to insure a more careful consideration of the bills which are referred to these committees.

With respect to the limitation upon appointments upon conference committees, it is hoped that there will be accomplished a more equitable division of the responsibilities of legislation; a division that will have a tendency, at least, to give all the Members of the Senate an incentive to fit themselves for the important labors which fall upon conference committees.

It may not be amiss to say that the action of the Committee on Rules was unanimous.

CONNECTICUT RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 13369) to extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass., and I ask that it be considered at the present time.

Mr. NORRIS. Mr. President, I desire to ask the Senator from Texas if he will not wait until morning business has been finished and then ask for the consideration of the bill? The Senator from Nevada [Mr. PITTMAN] has consented to wait until then, as there is considerable morning business that ought to be attended to.

Mr. SHEPPARD. I withdraw the report for the present.

The VICE PRESIDENT. The report is withdrawn.

LOAN OF AIRCRAFT MOTORS.

Mr. NEW. Mr. President, I ask unanimous consent for the present consideration of the joint resolution (S. J. Res. 205) permitting the loan of aircraft motors and aircraft material to educational institutions under certain conditions.

I will say that the consideration of this joint resolution will not require a moment's discussion. The facts are simply these: Two or three educational institutions, among them the College of the City of New York, have requested of the War Department the loan of Liberty motors for the use of students of those colleges. The War Department is perfectly willing to make the loan, but lacks the authority to do so. This joint resolution simply confers authority upon the War Department to make such loans at its own discretion, reserving to the Government the title to the motors and all other material.

Mr. TOWNSEND. Mr. President, do I understand the joint resolution applies to certain specified colleges, or is it a general law that applies to all colleges which are similarly situated?

Mr. NEW. The joint resolution is general in its application, so that such loans may be made to any college that wants them.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. JONES of Washington. I think the joint resolution ought to be read. I should like to know its terms.

The Secretary read the joint resolution, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment was, in section 1, page 1, line 5, after the word "loan," to strike out "to bona fide educational institutions in the United States aircraft motors and aircraft equipment in such instance as in the judgment of the Secretary of War beneficial educational purposes can be served by such loan," and to insert "aircraft motors and aircraft equipment to such educational institutions in the United States as provide advanced mechanical and technical instruction, under such rules and regulations as the Secretary of War may prescribe," so as to make the section read:

That the Secretary of War is hereby authorized and empowered, for the purpose of aiding, fostering, and promoting educational experimentation work, to loan aircraft motors and aircraft equipment to such educational institutions in the United States as provide advanced mechanical and technical instruction, under such rules and regulations as the Secretary of War may prescribe.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. PITTMAN. Mr. President, I ask unanimous consent to proceed to the consideration of the conference report on the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. NORRIS. Mr. President, I ask the Senator from Nevada if he will not defer that request until we get through with morning business? We have not had a morning hour for a long time. There are bills and resolutions to be introduced, and it seems to me that the Senator should wait until we get through with the formal morning business.

Mr. PITTMAN. I recognize that there is a great deal of merit in the suggestion of the Senator from Nebraska, and it was my intention to wait until the morning business had been concluded before moving to take up this matter, as I gave notice yesterday that I should do; but there are so many bills now being passed by unanimous consent——

Mr. NORRIS. There has been only one such bill, and I think with this statement there should be no more requests for unanimous consent to pass bills during the morning hour, and the Senator's request should be deferred also.

Mr. PITTMAN. Of course, I defer to the pleasure of the Senate in the matter. I withdraw the request.

Mr. ASHURST. I shall object to any other bill being considered at this time.

DISCHARGED SICK AND DISABLED SOLDIERS.

Mr. HARDWICK. Mr. President, yesterday I gave notice that during the morning hour to-day I would ask the Senate to proceed to the consideration of the bill reported by me from the

Committee on Public Buildings and Grounds, being House bill 13026, to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors. The passage of the bill is absolutely vital if we are to provide for the discharge of disabled soldiers of the United States. I desire to say that I intend to move that the Senate proceed to the consideration of this bill as soon as we get through with morning business.

The VICE PRESIDENT. Bills and joint resolutions are in order.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GORE (by request):

A bill (S. 5636) providing for the enactment of a credit-union law in the District of Columbia by which the officers of such credit union shall be empowered to receive deposits from and make loans to the stockholders thereof; to the Committee on Banking and Currency.

By Mr. STERLING:

A bill (S. 5637) granting an increase of pension to George Montgomery (with accompanying papers); to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 5638) to provide for election contests in the Senate of the United States; to the Committee on Privileges and Elections.

By Mr. SHEPPARD:

A bill (S. 5639) to establish and promote civic, social, and health extension education; to the Committee on Education and Labor.

By Mr. NUGENT:

A bill (S. 5640) donating captured cannon to the towns of Coeur d'Alene, Sandpoint, and Gooding, in the State of Idaho; to the Committee on Military Affairs.

By Mr. NORRIS:

A bill (S. 5641) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

DEPARTMENT OF EDUCATION.

Mr. SMITH of Georgia. Mr. President, on October 10, 1918, I introduced a bill to create a department of education, which is Senate bill 4987. I have modified that bill somewhat and I desire to introduce it anew to-day and have it referred to the Committee on Education and Labor.

The bill (S. 5635) to create a department of education, to appropriate money for the conduct of said department, to appropriate money to encourage the States in the promotion and support of education, and for other purposes, was read twice by its title and referred to the Committee on Education and Labor.

Mr. SMITH of Georgia. In connection with introducing the new bill I wish to ask unanimous consent that the Committee on Education and Labor be discharged from the further consideration of Senate bill 4987, and that it be indefinitely postponed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the bill is indefinitely postponed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. KNOX submitted an amendment authorizing the President to appoint Col. George K. McGunnegle, United States Army, retired, to the position and rank of brigadier general, on the retired list, intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. JOHNSON of California submitted an amendment providing that the transportation from the District of Columbia of governmental employees whose services are no longer required or who may resign from their positions, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to lie on the table and be printed.

NITRATE PLANT AT SHEFFIELD, ALA.

Mr. GORE. I offer a Senate resolution, which I send to the desk, and I ask for its present consideration.

Mr. NORRIS. Mr. President, will not the Senator from Oklahoma yield to me for just a moment? On account of an important meeting of the Banking and Currency Committee, I am compelled to leave the Senate, and I have a Senate resolution which I desire to offer and to have read before I leave the Chamber.

Mr. GORE. I yield to the Senator from that purpose.

Mr. NORRIS. I submit a Senate resolution and ask that it be read and referred to the Committee on Military Affairs.

The resolution (S. Res. 459) was read and referred to the Committee on Military Affairs, as follows:

Resolved, That the Committee on Military Affairs be instructed to make an investigation and report to the Senate its findings of fact upon the following:

First. What inducement, if any, did the War Department offer to officers and enlisted men in investigating and making improvements in the method of extracting nitrogen from the air in the United States Nitrate Plant No. 1 at Sheffield, Ala.?

Second. What improvement, if any, in such process was invented by Capt. R. S. Tour and Second Lieut. F. C. Binnall?

Third. Was any such improvement discovered by the said Capt. Tour and said Second Lieut. Binnall patentable under the laws of the United States?

Fourth. If any such process so discovered was patentable, were the said Capt. Tour and said Second Lieut. Binnall required by any official of the War Department, by coercion or otherwise against their will, to assign such patentable rights to the General Chemical Co.?

FREIGHT RATES ON WHEAT AND WHEAT FLOUR.

Mr. GORE. I offer the resolution which I send to the desk, and I ask unanimous consent for its immediate consideration.

The resolution (S. Res. 458) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Interstate Commerce Commission be, and is hereby, directed to inform the Senate as to the comparative freight rates on wheat and on wheat flour, and if there be a differential to state the same and cite typical cases.

AMERICAN TROOPS IN RUSSIA.

Mr. McCUMBER. I offer an amendment to Senate resolution 411, submitted by the Senator from California [Mr. JOHNSON], requesting that our soldiers be withdrawn from Russia. As that subject has been discussed and the amendment is pertinent, I will ask that the Secretary read it, and that it be printed and lie on the table.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

Amend Senate resolution 411 by striking out the same and inserting in lieu thereof the following:

"Whereas by a revolution in Russia in the month of March, 1917, the government of that country was wrested from its autocratic rulers and the people proceeded to establish a representative form of government and duly elected a congress to administer its affairs; and

"Whereas through the instrumentality of a German propaganda and by intrigue and bribery a counter-revolution was inaugurated which overthrew the government so established by the Russian people and abolished and dispersed their representative body; and

"Whereas through the basest treachery and at the most perilous period in the history of the war their criminal element controlling the destinies of Russia abandoned the cause of the allies, betrayed their comrades in war and their country, and made their country subservient to the demands of the central powers, thereby enabling those powers to withdraw all their armies from the east and use them in a final blow on the western front to destroy the cause of Russia and her allies; and

"Whereas Lenine and Trotzky and other so-called officers of the Bolsheviki element now devastating Russia are not only our enemies but, worse than enemies, are traitors to the cause of liberty and civilization; and

"Whereas the atrocities committed by them are manyfold greater than all the atrocities charged against the invading German armies or committed by the Turkish armies in Armenia; and

"Whereas the President of the United States pledged the good offices and support of this Government to assist the Russian people in establishing a representative government, and assured, as one of the 14 articles of peace conditions, the cooperation of this and other allied nations in obtaining for Russia an unhampered and unbiased opportunity for the independent determination of her own political development, and agreed to extend to her the more than welcome assistance of every kind that she might need; and

"Whereas the vast majority of the Russian people are bitterly opposed to the Bolsheviki rule, with all its atrocities, but are unorganized and unable to maintain their rights; and

"Whereas if the Bolsheviki criminals now in control of that unhappy country are allowed to continue their robberies and murders and to annihilate the more intelligent and patriotic class of Russian citizenship, that whole country will soon be dominated and controlled by Germany, and the sacrifice of the millions of men who have died to check the world's domination of the German Empire will have been in vain: Now, therefore, be it

"*Resolved*, That by every principle of national honor and military strategy and for the defense of the civilization of the world, for which millions of men have laid down their lives in this great war, it is the duty of the United States and our allies from both a moral and military standpoint to immediately send a sufficient army into Petrograd and Moscow and other Russian points to defeat the murderous band of pillagers in Russia known as the Bolsheviki, and to protect the decent, intelligent, and patriotic people of Russia until they shall have been able to elect a representative congress to govern and control that country."

Mr. McCUMBER. I ask that the amendment go over under the rule.

The VICE PRESIDENT. The amendment will lie over and be printed.

AMENDMENT OF FEDERAL RESERVE ACT.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States.

Mr. HITCHCOCK. I move that the Senate disagree to the amendments of the House, and request a conference with the

House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. OWEN, Mr. HITCHCOCK, and Mr. MCLEAN conferees on the part of the Senate.

GRAND ARMY OF THE REPUBLIC.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (No. 69) of the House of Representatives, which was read and referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the journal of the Fifty-third National Encampment of the Grand Army of the Republic for the year 1919, not to exceed $1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

HOUSE BILLS REFERRED.

H. R. 14555. An act granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barrs Ferry, in said county, was read twice by its title and referred to the Committee on Commerce.

H. R. 15495. An act to amend an act to provide for the appointment of a commission to standardize screw threads was read twice by its title and referred to the Committee on Standards, Weights, and Measures.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. PITTMAN. Mr. President, is a motion now in order to proceed to the consideration of the conference report on Senate bill 2812?

The VICE PRESIDENT. If there is no further morning business, morning business is closed. The Senator from Nevada is recognized.

Mr. PITTMAN. I move that the Senate proceed to the consideration of the conference report on Senate bill 2812.

The motion was agreed to.

The VICE PRESIDENT. The Chair lays before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. POINDEXTER. Mr. President, this conference report is entitled to very deliberate consideration. It deals with a matter which has divided the public opinion of the country for a number of years, upon which there has been more or less of a deadlock in legislation; so I assume that Senators will desire an opportunity for a thorough examination of the details of the agreement which has been reached by the conference committee, and that the matter can not be disposed of in a few moments.

While that is pending, Mr. President, I desire to call attention to another situation.

Mr. PITTMAN. Mr. President, before the Senator goes to the other situation, I should like with his permission simply to make a suggestion in keeping with what he has already said, without making a speech, of course.

Mr. POINDEXTER. Very well; I have no objection.

Mr. PITTMAN. For the benefit of the Senate, on yesterday I had the full report printed in the RECORD, so that it appears in the RECORD this morning. It shows the bill as agreed upon by the conferees, and an itemized statement of each change made in the Senate bill as well as in the House bill; so that it will facilitate the examination of the report by the Senate.

I thank the Senator.

Mr. POINDEXTER. I think it is very well that the Senator from Nevada called attention to that, so that Senators may know where to find the printed report.

Mr. PITTMAN. And the Senator from Nevada refrained from making any brief statement with regard to the changes that took place in the Senate bill, out of respect for the notice that the Senator from Washington had given that on this morning he would address himself to another subject.

Mr. POINDEXTER. I appreciate exceedingly the courtesy of the Senator from Nevada.

Mr. PITTMAN. So soon as the Senator has finished I will make a brief statement—unless, of course, it interferes with some other Senator—in regard to the changes made in the Senate bill by the conference committee.

Mr. SHAFROTH. Mr. President, if the Senator will pardon me, this same report was published in the CONGRESSIONAL RECORD of a week ago, the matter being presented in the House, so that the whole report and a copy of the bill have been on record in the House proceedings for more than a week.

LEAGUE OF NATIONS.

Mr. POINDEXTER. Mr. President, the most conspicuous item of news in the headlines of the morning papers refers to an Associated Press dispatch from Paris, the principal digest of which I read from one of the morning papers, which I have at hand, as follows:

Delegates anxious to take up peace treaty and to end war status.

Mr. President, it has been more than three months since the solemn and formal armistice was signed, bringing to an end actual military operations between the allies and Germany; so that it arrests one's attention to read after that lapse of time as the principal news which is published in the world from Paris, to which the gaze of all men is directed, the statement that the delegates to the peace conference now, on the 19th day of February—the armistice having been agreed to on the 11th day of November—are beginning to become anxious to take up and consider, at least, the peace treaty to bring an end to the status of war.

I read a moment ago in an edition of a noon paper which has just been circulated the news—which will startle the world—that Georges Clemenceau, the great leader of France in the heroic war which has terminated in her victory, has been the object of an assassin's bullet. Fortunately for humanity, the assassin failed of his purpose, and Clemenceau still lives. I say fortunately for humanity, because of all men the world could least afford to lose at this juncture, in this great epoch of its affairs, is the French premier, who has stood for victory and for efficiency in the fight of civilization against the German hordes.

I mention that, Mr. President, because it seems to me that it is a symptom of a disease which is afflicting the world and social affairs, and which is being irritated and aggravated to the point where it may become chronic by the delay of the conference, which was called to secure and establish peace, in performing the duties for which it gathered. Assassination is a weapon of those who represent the internationale, of those who have taken up the cause of international revolution, which is now beginning to be active in the United States as well as in the countries of Europe and which needs to be cured by the establishment of definite and permanent peace.

Mr. President, there are two divisions of men upon this question. One of those divisions advocates the proposition that before we establish present peace we should provide, by some as yet ill-defined means, for permanent and universal future peace. The other division of men who are interested in this great question believes, on the contrary, that the first duty of the world is to establish present peace, to restore order in Europe, and that instead of satisfying ourselves with expressions of interest in the future welfare of mankind the leaders of the Governments should demonstrate their sincerity by relieving the present suffering which afflicts the world.

There is another division of public opinion upon this question, Mr. President. One division of public opinion upon the question of peace believes that permanent peace can not be secured for the United States or for the rest of the world by the traditional policies of the American Government. Those who take that view of the matter believe that in order to arrive at a satisfactory basis of peace not only must we ignore and neglect the duty of bringing the present war to an end, but that we should cast aside, as the refuse of government, the great policies of the past, and adopt new policies, and make, as they express it, a new order in the world. The other party believes that the great men who have formulated public opinion in America in the past, shaped its policies, and achieved its greatness were as sincere and as intelligent advocates of peace, of permanent peace, as those who are in charge of American affairs to-day.

So the question arises, Was Washington a friend of peace? Did he desire the world to dwell in amity and good will, one nation with another? And so the question arises, With what purpose did Washington enunciate a foreign policy for the new Government which his fortitude and wisdom had been the chief agents in establishing? Was its purpose war, or was not its purpose the same purpose which is now proclaimed throughout the world—to secure peace, maintain good will among nations, and security and happiness among the people of the world? I think that was the object of Washington's advice against entangling alliances. Was it the purpose of Monroe, when he in an earlier generation than ours proclaimed that famous policy which bears his name, to sow the seeds of war and discord? I think not. I think his purpose was peace. Was Cleveland an advocate of war when he enforced that doctrine when it was attacked? Was Roosevelt promoting war or was he securing peace when he, in his turn, as President

of the United States, resisted the efforts of the German Empire to invade the traditional policy of America? He was rewarded by an impartial tribunal to whom had been intrusted the prize to be bestowed upon those who contributed most to the peace of the world.

They were all for peace; and, Mr. President, all intelligent men and women are for peace. The question is, Does the proposition which is presented to the world tend to promote peace to a greater extent than those policies which have secured peace for America during the greater part of its career, or, on the contrary, does it add to the opportunity, to the cause, and to the temptation for war?

Mr. President, it is perhaps not an exaggeration to say that the matters contained in the proposed constitution of the league of nations, recently reported by a special committee authorized to investigate and report by the peace congress, are the most momentous in their effect upon the Government and the people of the United States since the Civil War. They are closely related, in fact, to the problems presented for discussion and determination by the people in the formation of the Constitution of the United States. In adopting or rejecting this constitution—and I quote the words which the instrument itself uses in characterizing it as a constitution—and thereby becoming or not becoming a member of the league established under it, the Government and the people of the United States will determine whether they are to remain the great sovereign and independent Nation, with the most complete self-government ever devised by man and the highest functions of citizenship ever enjoyed—a people controlling their own destiny, determining for themselves, through their constituted Government, the extent of their military preparations, the size of their armies and navies, maintaining peace and amity with the world during the greater part of their career, establishing for themselves their international relations—or whether, on the other hand, they are to merge their destinies with those of the other nations of the world, share their burdens, participate in their quarrels, and become a party to all the international complications arising from diversity of race and language and conflict of interests of the various peoples of Asia, Africa, and Europe. Are we to surrender to an international council and body of delegates those high functions of sovereignty which heretofore we have exercised for ourselves, and vest in the jurisdiction of an international league the determination of our armaments, the decision of peace or of war, even in the most vital questions affecting our national honor, integrity, or material welfare? I think I can demonstrate that that is the issue which is to be determined.

There is this further question involved of whether or not we would be promoting the cause of peace in the world by the adoption of this constitution, or, on the other hand, would be plunging the world into a new set of controversies, and, by requiring every nation to meddle with every other nation's business, would be bringing about an indefinite series of armed conflicts. "Mind your own business" is a good motto for an individual, and heretofore it has been the fundamental principle of our foreign policy as a Nation. It has saved us from many wars and given us long eras of peace, in which we have developed our social and industrial life, brought happiness to our people, and waxed great and prosperous among the nations of the world. The question is now presented of whether we are to adhere to this policy of Washington and Monroe, of cultivating friendly relations with all nations and making entangling alliances with none, or whether we are to enter into a treaty and adopt a constitution of a league which binds us to a great number, and possibly to all, of the other nations of the world in the most entangling alliance that could be conceived, since it binds us as one of the guardians and guarantors of every right or interest of any of these nations which might be involved in actual or threatened war.

These are great questions, and if so decided as to commit the United States to what the President himself has described as "a new order in the world," will deprive our people of that high and mighty state which they and their fathers have builded for themselves. There is no other citizenship in the world so entirely free of class distinction, or discrimination, as that of the American people. There is no other nation which to-day is more absolutely sovereign than the United States. There is no other nation where an individual citizen, standing upon an absolute legal and governmental equality with every other citizen, wields an equal voice in determining the highest prerogatives of government. There is no other nation where all of its members occupy the high estate which these conditions secure to the American people. The question now presented is whether or not this high sovereign jurisdiction of the political heirs of Jefferson, Washington, and Lincoln is to be in part surrendered and subjected to the control of strangers and aliens.

We have heard a great deal, Mr. President, in recent years of the right of the people themselves to direct the affairs of government; and if the people themselves are to participate at all in the decision of these mighty issues it is absolutely necessary that the question should be submitted to them for free discussion and full consideration in every forum and at every fireside. The basis of a successful republic is an intelligent public opinion. But there can be no intelligent public opinion without free communication of news, full information, and unhampered discussion, both in the press, in the public councils, and among the people themselves. Surely if these principles apply to the ordinary affairs of government they apply to an extraordinary program, by which it is planned to establish a "new order in the world." The constitution of the league of nations, which was printed in the afternoon papers of Friday, February 14, 1919, was framed in secret. Until it was so published the world, whose future was to be controlled by its terms, was purposely kept in entire ignorance of any of its provisions. It came forth full panoplied, as though born from the head of Jove. On the same day a eulogy of its terms and an argument in its behalf was made by the President. On the morning of February 16, 1919, there was published to the world a request from the President that its provisions be not debated in Congress until he should have an opportunity, in a private meeting with the members of the Foreign Relations Committees of Congress, to further speak in its advocacy and to justify not only the principles involved but the very form of its language, article by article.

In the meantime, under this plan, while Congress, the council of the people, is to remain silent, the various organizations, such as the League to Enforce Peace, the Society of Free Nations, Carnegie Endowment for International Peace, and other internationalists employing an ex-President of the United States as one of their chief lecturers and including members of the Cabinet, are busy in appealing to the American people in its behalf. Before the busy world, whose destinies are to be controlled by this new dispensation, has had an opportunity to thoroughly read and digest its provisions, we are requested not to make it the subject of debate in Congress until the President can again speak in its behalf. The situation is very similar to that when the people of this country indignantly protested against premature negotiations for peace with Germany, and were told to leave the discussion of terms of peace to the Governments involved and to busy themselves with providing the necessary funds.

So we are requested here, Mr. President, while the advocates of this supergovernment of the world are making arguments in its favor, to remain silent. It is a matter, however, of too much importance for us to remain altogether silent. No harm can be done by full discussion. These great questions should be considered from every standpoint and should be decided in the full light of public information and well-informed public opinion. If the proposals contained in the constitution of the league are meritorious, they will be strengthened by debate. If they are unwise or ill-advised, that fact may be disclosed by free discussion. No injury can possibly accrue to anyone by the freest and most painstaking examination of the provisions of this proposed constitution of the world.

We are all in favor of giving effect to "humane impulses" in the government of the world. We ardently desire peace. Whatever steps we can take which will relieve the oppressed, establish justice, inculcate virtue, and bring happiness to mankind we advocate. There is no monopoly of benevolence, of humane impulses, of the desire, if possible, to obtain universal and perpetual peace. The question is the adoption of means which will really promote to the utmost extent these great and beneficent ends. It is to be determined in the discussion of the league of nations what the language of its constitution imports and whether or not it will promote, in truth and in fact, the welfare of mankind. There are many who contend that it will provoke and precipitate war and entail untold misery upon mankind by the conflicts, jealousies, and surrenders which it would bring about. These are entitled to be heard. If their views and deductions are wrong, their fallacy will be easily exposed. It is, we are told, a day of "open covenants openly arrived at," and never was there a covenant since the chosen people followed the ark in the wilderness that was so fraught with good or evil for the children of men. If covenants are to be openly arrived at, this covenant, of all others, should be exposed to the light and to discussion in the open.

It is intended as a permanent and universal league and covenant. I think that feature may well be emphasized, and I will speak a moment later of the fact that there is no provision in it for abrogating any covenant of adherence to it. It binds

mankind and their destinies forever. The question at once arises whether, when we have once committed ourselves to its power, we can ever withdraw. It no doubt will be contended by its advocates that we can renounce our allegiance and abrogate our agreement at any time. It was so contended by many of the States who joined the Federal Union.

Some of them ratified the Constitution of the United States upon that express condition. Virginia did; I think that New York did, reserving the right to withdraw from the Federation at will. This, however, was decided to the contrary by the Union itself, and over the question was fought the bloodiest war, with the most pitiful sacrifices of a noble race of men. There is nothing, Mr. President, in the proposed constitution of the league of nations which provides for its abrogation or for the secession of its members. When power is once in their hands, its executive council, with its changing membership and the uncertain virtues of rulers, may likewise decide that its obligations are binding forever upon its members. It may well be considered by the Senate whether such a question should be left to implication or doubt.

In its simplicity of form, the absence of what might be called specialization of functions of the government of this constitution of nations, the machinery of the league is similar to the Soviet government of Russia. Its "body of delegates" and "executive council" and "permanent secretariat" are very largely a duplication of the framework of the Soviets.

Now, Mr. President, coming to the substance of this constitution of a league of nations, I may say that there are five principal matters of prime importance contained in the constitution, and it is in regard to those, because the others are of comparatively slight importance, that I desire to speak.

First. There is contained in this constitution a surrender by the several nations to the league of the power and discretion of determining the rules, methods, and degree of disarmament, and the relative and absolute size of the Army and Navy which any member of the league may maintain.

Second. Compulsory arbitration of all questions of every kind and description, even those which heretofore have been regarded as nonjusticiable, affecting the vital interests, honor, and even the independence of the nations.

There is no exception whatever. No question concerning the welfare or even the existence of the United States can arise in controversy with another nation which, if this league is adopted and its provisions enforced, our people will not be compelled to submit to a foreign tribunal and abide by its decision.

Third. The commitment of each member of the league, including the United States, if it should become a member, to participate in the wars and controversies of every other nation, and to assume the general guardianship of "various peoples," quoting from the constitution itself, in Europe, Asia, and Africa.

Fourth. The participation by the league, through an international bureau of labor, in the domestic, social, economic, and industrial problems, quoting from the constitution of the league, "both in their own countries and in all countries to which their commercial and industrial relations extend." This is contained in article 20 of the proposed constitution, and the extent of the participation and powers of the international bureau of labor are left entirely vague and indefinite. What steps will be taken by the league or what power it will legitimately have to carry out the policies declared in this article are left to the wide discretion of the league itself, as there is no limitation placed upon it.

Fifth. The surrender by the United States to the other members of the league—I say to the other members of the league because the other members of the league constitute the overwhelming majority and will direct its action—of the power which under our Government is vested by the Constitution in Congress to regulate commerce with foreign nations in arms and ammunition. This is contained in article 18 in the following language: "The high contracting parties agree that the league shall be intrusted with general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest."

Of course, the league is to determine in what country its control is necessary. There is no limit, consequently, placed upon the power of the league to supervise the commerce of the United States or any other nation in arms and ammunition, which power under the Constitution of the United States is vested in Congress.

The control of trade in arms and ammunition is one of the most essential attributes of sovereignty. It has been exercised by the United States in various ways, at various times, and in relation to various countries. It is one of the chief weapons of defense, both direct and indirect, whether in the matter of export or import of arms and ammunition from or into the United States itself, as in the case of neighboring countries, such as Mexico or Cuba, in the matter of a controversy between them and the United States, or whether in the matter of the shipment of munitions of war to other belligerents, in the exercise of their belligerent rights, in a war which, as in the case of the present war with Germany before we ourselves became a belligerent, indirectly involved our most vital interests.

Mr. President, the provisions of the constitution of the league as proposed, giving the league absolute discretion as to the armament of its several members, are contained in articles 7, 8, and 9 of the proposed constitution. I want to ask Senators to pay particular attention to article 7, especially to one part of it. It contains an unequivocal provision, as follows:

> No State shall be admitted to the league unless its people give effective guaranties of its sincere intention to observe its international obligations and unless it shall conform to such principles as may be prescribed by the league in regard to its naval and military forces and armaments.

Under this the determination of what are the international obligations of the United States, once it has joined the league, will be taken from the people of the United States, where it is now vested, and given to the league of nations, and the United States will be absolutely bound by every order of the league, backed by its power, as to our naval and military forces and armaments.

Article 8 provides for a different degree of disarmament in the different nations in accordance with "the geographical situation and circumstances of each State," and that "the executive council shall also determine, for the consideration and action of the several governments, what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the program of disarmament, and these limits, when adopted, shall not be exceeded without the permission of the executive council."

Mr. REED. Mr. President, will it interrupt the Senator from Washington if I ask him a question?

Mr. POINDEXTER. No.

Mr. REED. At this point will the Senator advise us who the executive council is to be? I do not mean the personnel, but how it is to be made up?

Mr. POINDEXTER. It is impossible to tell who the entire representation on the executive council will be. Five of its members of nine shall be the United States, Great Britain, France, Italy, and Japan, and they shall select four others. If they should select Germany, for instance—Germany, one of the great populations of the world, with something like 77,000,000 or 80,000,000 of people, an industrious people, capable of a high degree of organization, very likely would be selected as a member of the executive council—then if, with that capacity which Germany has for propaganda and for organization and for manipulation, she should be able to secure the cooperation of the other three of these additional four members, then, with one other out of the five, she could control the executive council of the league.

Mr. REED. But, as the league will stand on its initial organization, it will have how many members?

Mr. POINDEXTER. It will have nine members.

Mr. REED. And how many votes will the United States have?

Mr. POINDEXTER. It will have one.

Mr. REED. So that the question of how much of an army or how much of a navy the United States may have is to be determined by a tribunal upon which the United States will have but one vote and foreign nations will have eight votes?

Mr. POINDEXTER. Exactly; that is the proposition.

Mr. REED. That is a complete surrender, is it not, of America's vital right to defend herself, to a tribunal that is made up, eight to one, of non-Americans and that may be composed eight to one of enemies of America?

Mr. POINDEXTER. Certainly; it is to be composed eight to one, of conflicting interests, of rival powers of America, entirely different in their environments, in their interests, and in their traditions from the United States.

Mr. STERLING. Mr. President, is it not also true that any nation, however small, or without regard to its population, its extent, or its resources, will be as powerful, if admitted to membership in this league, as is the United States itself?

Mr. POINDEXTER. It will be as powerful, so far as its vote is concerned. Of course, it would not be as powerful in directing the affairs of the league, for ultimately the league is based upon force, however much argument may be made to the contrary.

Mr. STERLING. I mean, if the Senator from Washington will permit me, in any decision arrived at by the league?

Mr. POINDEXTER. Absolutely.

Mr. REED. Let me ask one further question.

Mr. NORRIS. Mr. President——

Mr. POINDEXTER. I will first yield to the Senator from Nebraska and then I will yield to the Senator from Missouri.

Mr. NORRIS. Is it not true that the small nations, about which the Senator from South Dakota [Mr. STERLING] has spoken, would not be members of the executive council, and that, in order to have the same influence in the affairs of the league as the United States, for instance, a nation would have to be represented on the executive council?

Mr. STERLING. But, Mr. President, if the Senator from Washington will permit me a moment, I suppose the ultimate power rests in the league itself and in the delegates to the league, and each nation admitted to the league will have but one delegate, or at least one vote, though it may have three representatives.

Mr. NORRIS. Such a nation would not, probably, have a vote in the executive council unless it was a member of it, because the executive council is confined to a membership of nine, and they are named.

Mr. STERLING. It might not. They are named in the present constitution of the league; but when it comes to the action of the league itself Serbia or Cuba will have as much power in that action as will the United States of America.

Mr. POINDEXTER. Mr. President, I am very glad to yield in the course of my remarks on this subject to any Senator to ask a question or to answer a question to the best of my ability, but I should much prefer that colloquies or debates between other Senators be postponed until the conclusion of my remarks.

Mr. REED. Will the Senator from Washington pardon me one further question in the line of those I was asking?

Mr. POINDEXTER. Yes.

Mr. REED. In this executive council, which is primarily to be composed of nine men, representing nine different countries, the United States, having one representative, is it not true that Japan will have a vote equal with that of the United States?

Mr. POINDEXTER. Certainly; that is true.

Mr. REED. That is to say, we propose to enter a league in which we give to Japan a vote concerning our destiny equal to our own vote, although we refuse to allow a Japanese citizen to become a citizen of the United States?

Mr. POINDEXTER. Japan would have the same vote that the United States has on the executive council; but I think the Senator from Nebraska [Mr. NORRIS] is mistaken in the assumption that small nations will not be represented on the executive council. There is no such limitation as that. There are four vacancies on the executive council.

Mr. NORRIS. When those are filled, that will complete the list.

Mr. POINDEXTER. They can be filled by representatives of small nations.

Mr. NORRIS. Yes; they might be; but the point I want to make is that in order for any so-called small nation to have the same power in this league that the United States, for instance, would have, it must be a member of the executive council, of which there can be but nine members.

Mr. POINDEXTER. So far as the executive council is concerned, a member would have more influence than a mere delegate.

Mr. NORRIS. Exactly.

Mr. POINDEXTER. Mr. President, article 9 of the proposed constitution provides that "a permanent commission shall be constituted to advise the league on the execution of the provisions of article 8, and on military and naval questions generally." That is the disarmament program.

Under the provisions of article 7, which I have already quoted, when this program and method of execution shall have been decided by the league, the United States and the other members will be bound to conform to the same. I will call attention in a moment to the manner in which they will be bound and what the penalty will be if they undertake in any way to evade the decree of the league in fixing the size of their armies and navies.

Much unrelated irrelevant matter is contained in these—and I may say this without disparagement of any person at all—loosely drawn, vague, and uncertain articles. The principles just stated, however, are unequivocally expressed. Undoubtedly a reduction of armaments of the world is most desirable. With equal certainty, however, in deciding upon the terms of this disarmament the United States and its people should have the opportunity to ratify or reject the proposed plan, and the relative degree of such disarmament when so agreed to should be universal among all the nations of the world and should not be confined merely to members of the league. It would be a curious proposition for all the members of this league to enforce peace to disband their armies and navies and to leave the great military nations which are not members of the league to build up a colossal military power; and yet that may be done. If one great nation is free to maintain such armies and navies as it sees fit while the members of the league disarm, the very condition sought to be avoided—namely, the temptation of conquest—would be accentuated. Under these provisions the decision as to the relative reduction of the Army and Navy of the United States, in proportion to that of great rival powers, would be taken absolutely out of the jurisdiction of the people and Government of the United States and vested in the jurisdiction of the league, where the United States has but one vote amid a large number of alien powers. Even a majority of these powers, many of whose interests are in conflict with those of the United States and whose traditions are entirely different, whose sympathies and predilections are subject to a wholly different environment, would determine this vital matter.

Mr. President, these provisions constitute a delegation and transfer of sovereign powers to an alien agency. These powers are vested by the Constitution of the United States in Congress. They can not be constitutionally divested.

It is argued by some that Congress, by accepting the arrangement made by the league of nations and making it its own, would thereby preserve its constitutional powers. I have heard that argued by Senators who are able lawyers. There is a good deal of speciousness in the argument, and yet it is entirely sophistical. The answer to that is perfectly obvious, that, if we keep the agreement which we make binding upon us as a Nation, under this league of nations Congress will not be left any discretion whatever to determine whether it will accept the decree of disarmament provided by the league, but it is bound and obligated in advance by the constitution of the league itself to have no other army and no other navy except that which is provided by the executive council of the league of nations.

Mr. NORRIS. Mr. President, may I ask the Senator a question?

Mr. POINDEXTER. I yield to the Senator.

Mr. NORRIS. Does not that same objection apply to every treaty which the United States makes with any other nation?

Mr. POINDEXTER. I do not know that I thoroughly understand the Senator's question. The same subject matter, of course, is not involved in every other treaty; it is involved in very few.

Mr. NORRIS. If I may be permitted, I will try to make myself plainer. Suppose in the regular way the United States Government enters into a treaty with a foreign nation. It will require legislation, perhaps, to give it effect; it will require appropriations, and the legislation and the appropriations must come before Congress under the Constitution of the United States. Congress may fail, it may refuse to carry it out, even though the Government has made the agreement. The same thing would apply to this league, would it not? If there was required to carry it out some action upon the part of Congress, Congress, of course, could refuse to take the action, just as it could in the case of a treaty, and thus violate the agreement.

Mr. POINDEXTER. Mr. President, in the first place, the matters the Senator has in mind in other treaties are specific programs which are defined by the treaty-making power of the Nation. I said a moment ago in my discussion of this matter that if a disarmament program were specified and submitted to the treaty-making power of the United States, so that this Government would have an opportunity of using its discretion as to whether it was a wise or an equal or a well-balanced relative disarmament, comparing our own Army and Navy with the armies and navies of other nations of the world, it would be a very different proposition. There is a great gulf between that and the delegation of unlimited power to a foreign tribunal to fix such a program of disarmament as it sees fit without any specification whatever.

Mr. NORRIS. Is not that a difference only in degree and not in principle? For instance, suppose that, instead of those powers which the Senator is criticizing in this proposed constitution being general, they were specific, and specifically defined the standing Army and the Navy that the United States, for instance, would be allowed to maintain, still Congress could go ahead and disregard all that if it desired to do so, for, after all, this is going to be nothing but a treaty, and we could raise a larger Army or a larger Navy or a smaller one and thus violate the agreement.

Mr. POINDEXTER. I do not agree with the Senator that it is a difference in degree only. I can see with perfect clarity a distinction of principle between a general, universal, unlimited

discretion and a limited and a specific program. I think there is a very marked distinction in principle between them.

Now, as to the Senator's statement that, after all, this is but a treaty, that is true; but it is a treaty adopting a constitution. It is true, as the Senator says, that Congress can ignore it; but, of course, if we are going on that theory there is no use in any discussion; we need not concern ourselves about this matter at all.

Mr. NORRIS. Oh, no, Mr. President; if the Senator will permit me, I am not going on the theory that we are going to violate our word. I only call attention to it because that is what we could do in the case of any treaty we have ever entered into since the beginning of the Government; we could violate it if we wanted to do so, and we could violate it under the Constitution of the United States.

Mr. POINDEXTER. I realize that fact. The Supreme Court of the United States has often decided that a treaty has no higher sanction than an act of Congress. There has been some confusion on the subject; but the law of the case is that they are on the same plane, and that the one which prevails is the one which is last in point of time. An act of Congress may be modified by a subsequent treaty, and a treaty may be modified by a subsequent act of Congress. But, Mr. President, we assume that we are going to live up to our obligations. We can violate the Constitution of the United States; I think we do, sometimes; but that does not in any degree lessen the importance of the Constitution. The care with which its provisions were framed was none the less because of the realization of the wise judges of human nature who were its authors and creators that not all men would observe its provisions. This constitution for the world is on exactly the same basis. The only basis upon which it can be discussed before the American people is that the American people are people of their word; that they will keep their agreement; and they ought not to be bound by an agreement made on their behalf that they can not and will not observe. We assume, in discussing this instrument, that when we attach the seal of the Government to it, it is binding upon the Government and upon the people of the United States. In order to escape its provisions, the only avenue is the avenue of dishonor and repudiation; and that is what we are seeking to avoid.

This is not an agreement for a specific program. On the contrary, it is the constitution of an alien tribunal, and a vesting of that tribunal with jurisdiction to make a program of disarmament in such degree, with such relations and proportions among the several nations as to the several elements of army and navy, as the league of nations in its judgment may determine; and the United States never will have an opportunity to pass judgment upon the question of whether or not the plan that is adopted is vital to the interests of the United States.

The situation would be wholly different from an agreement by treaty providing for a specific program of disarmament, agreed to through the constitutional agencies of the United States. It is clearly a delegation of powers of the Government of the United States to another power. We have had debates here as to whether or not the establishment of the Interstate Commerce Commission, for instance, and giving it power to regulate railroad rates, was or was not under the terms of the law a delegation of legislative power; and the rule has been laid down that if Congress fixes the measure by which the rates are to be determined, then the commission is a mere agent of Congress; but if we should establish a commission and say to that commission, "You take the power vested by the Constitution in Congress to regulate commerce between the States and operate under it in your discretion," there is not a lawyer in this body who would claim that such an act would be valid. Yet that is an exact parallel to the unlimited, general, universal power over armaments conveyed or attempted to be delegated by the Government of the United States to the league of nations by this constitution. If undertaken, it would be a surrender by the Government of the most essential, vital rights of the people, and of attributes of sovereignty involving the Nation's capacity to take such steps as it sees fit for the safeguarding and defense of its honor and vital interests. It is clearly a delegation of the powers of the Government of the United States to another power, and as such is beyond the capacity of the Government of the United States to enter into.

I will cite some authorities upon that proposition in a moment. The Government can not destroy itself. The trust of government is for the maintenance and protection of the Government. No Government can transfer its powers to some other Government over which it has no control. That is what is attempted to be done by this constitution of a league of nations.

It may be said, of course—and this answers the suggestion made, at least in one aspect, by the Senator from Nebraska—that notwithstanding the obligations of the constitution of the league of nations, Congress may do as it sees fit. That, of course, raises the question as to the enforcement by the league of its decrees. See whether or not Congress can do as it sees fit. See what would be the result, under this constitution of the league of nations, if Congress undertakes to do what it sees fit after this constitution has been adopted. Read the constitution of the league and find out what the consequences will be. You may have the right to put on paper some other program, but what would be the result? The result would be that you would be then in a state of war with every other member of the league, and every other member of the league would have a right to use its military power to coerce Congress and the United States into the observance of the terms of the league.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. POINDEXTER. I yield to the Senator.

Mr. NORRIS. I want to repeat, so that the Senator will not misunderstand me, that I do not want to be put in the attitude of advocating the theory that we should go into this proposition and then violate it; but I have called attention to that merely to show to the Senator, to my mind, that under the Constitution the same objection that he is making to this proposal exists in principle as to every treaty that the United States has ever entered into. Suppose we had a treaty with England that required the payment of money and Congress refused to appropriate and did not carry it out, it might result in war with England. If, with England, France and Spain and Holland were interested, it might result in war with them. If we make this agreement and then refuse to carry it out or refuse to obey it, we may still get into war. I concede that.

Mr. POINDEXTER. It is not a question of "may," Mr. President. The language of the constitution of the league of nations is that——

Mr. NORRIS. That we would.

Mr. POINDEXTER. That, ipso facto, it shall be deemed to be an act of war.

Mr. NORRIS. And if we go into it and do not comply with our agreement, we ought to get into trouble.

Mr. POINDEXTER. I think myself that if we go into it we ought to get into trouble, and we will get into trouble. [Laughter.]

Mr. NORRIS. The history of the world has shown that we have gotten into a good deal of trouble by staying out. We are just getting out of one of the big troubles now.

Mr. POINDEXTER. It is a pretty good policy to apply right here to stay out, keep out, attend to our own business, and let other nations attend to theirs, follow the advice of Washington and the practice of Lincoln, stick by the old, tried traditions of the Government that generations have demonstrated to be wise, and be cautious about throwing them into the discard and accepting some untried nostrum to settle all the affairs of the world for all time.

Mr. REED. Mr. President——

Mr. POINDEXTER. I yield to the Senator from Missouri.

Mr. REED. Will the Senator permit me to make this observation, in view of the observation made by the Senator from Nebraska that we have gotten into trouble:

Europe has had about 100 wars in the last century, and we got into just one of them. When you get through with your little league of nations, if Europe should have a hundred wars we would be a party to all of them.

Mr. NORRIS. Mr. President, it ought to be said, at least, that it is the theory of those who advocate this league of nations that Europe will not have a hundred wars. I may be wrong, and we may be wrong, but it is the object of this league to avoid those wars.

Mr. POINDEXTER. It has pretty nearly that many wars now raging. That is somewhat hyperbolical, but it has quite a number of wars going on at the present time.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Connecticut?

Mr. POINDEXTER. I yield to the Senator.

Mr. BRANDEGEE. I wanted to suggest to the Senator from Washington, in view of the remark of the Senator from Nebraska, that I do not think anybody will claim that the denouncement, as it is called, of a treaty is an act of war or can be considered as a just cause for war of itself. Everybody admits that in the case of any treaty that we make, after the circumstances and conditions surrounding the subject matter have changed and it becomes unsatisfactory to this country, Congress may denounce the treaty and say that we will not be bound by it any longer, but that that ever was construed as an act of war I do not think was ever claimed before by anyone.

Mr. NORRIS. I do not claim that, Mr. President. That was not my claim.

Mr. BRANDEGEE. Very well. Then, the Senator, it seems to me, should not claim that the violation of this proposed league-of-nations condition is at all on a parity with a mere denouncement of an existing treaty.

Mr. NORRIS. No; Mr. President, if the Senator will permit me, the Senator was calling attention to what we would have to do, what the league could require of us, and if we did not do it we would be in war with the other nations under the league. I concede that under the league that might happen.

Mr. BRANDEGEE. I know; but the Senator from Nebraska, unless I entirely missed the point he was attempting to make, was contending that we are in the same position now if we denounce a treaty, and that therefore it would be no worse for us to go into a league of nations than it is to make a treaty with a nation.

Mr. NORRIS. No; the Senator from Connecticut, I think, failed to get the idea I wanted to convey. That is, in meeting the point made by the Senator from Washington that this is an unconstitutional proposition, that we are surrendering some of our sovereignty, my contention is that we never did enter into a treaty since the beginning of the Government but that the Congress—even the House of Representatives alone, not a part of the treaty-making power—might destroy the treaty and refuse to carry it out.

Mr. POINDEXTER. Mr. President, I am compelled to decline to yield for debate between other Senators, notwithstanding it is conducted with all good intentions, because it goes on indefinitely and destroys ultimately the continuity of the argument I am attempting to make. In view of what the Senator has said, if he will pardon me, I will say in this connection that the distinction is between a valid treaty and an invalid treaty. The treaties to which the Senator has referred are assumed to be valid treaties. Now, the argument here is whether or not this treaty is valid. There never has been a treaty in the history of the Government under which we undertook to delegate the power of the Government to any other power. There have been many treaties which bound the Government as to its international affairs; but there never was another treaty in the history of this country, or, so far as I am informed, in the recent history of the world—there have been some, the Achæan League, the Holy Alliance, and others, in former times, all of which proved to be utter failures—but there is no parallel whatever in the history of the United States for the transfer or delegation by the Government of the United States to another tribunal, not of the power to do a specific thing but of the right to assume the unlimited powers of Government within the sphere of its jurisdiction of the subject matters which are defined in this constitution.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. POINDEXTER. I yield to the Senator for a question.

Mr. HITCHCOCK. Has the Senator forgotten the treaty between the United States and Great Britain regarding armaments upon the waters between Canada and the United States?

Mr. POINDEXTER. No; I have not forgotten it. There is nothing whatever in that treaty that in any way is in conflict with the statement I have just made. There is not any international tribunal determining upon a limitation of armaments between this country and Canada.

Mr. HITCHCOCK. In that case the United States and Great Britain mutually agreed as to the armaments and naval preparations on those waters?

Mr. POINDEXTER. Yes.

Mr. HITCHCOCK. The United States gave up its right to put naval armament upon those waters and——

Mr. POINDEXTER. The Senator evidently has not been listening to what I have been saying.

Mr. HITCHCOCK. Yes; I have been listening quite closely.

Mr. POINDEXTER. If the Senator listened closely, he heard me concede that not only would it be legal but it would be desirable if the various nations of the world could get together, as the United States and Great Britain did in the case of our Canadian border, and agree upon a reduction of armaments. I said that that was what we should have done; and the case which the Senator from Nebraska has cited to dispute the argument which I have made is a demonstration of its soundness. It is exactly parallel to what I claim we should do in this case.

Mr. HITCHCOCK. The Senator has been asserting that the legislative power of Congress could not be restricted with regard to armaments; and the treaty to which I refer is a direct restriction upon the power of Congress as to armaments.

Mr. KNOX. Mr. President——

Mr. POINDEXTER. Not at all, Mr. President. I will yield to the Senator from Pennsylvania in just a moment. The Senator from Nebraska entirely misapprehends what I said. What I said was that the discretion vested by the Constitution in Congress to determine the extent of the armament of the United States could not be delegated to another tribunal. I did not say that under the Constitution of the United States a certain reduction of armament, or entire disarmament, specified in a treaty could not be made the supreme law of the land.

Mr. KNOX. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Pennsylvania?

Mr. POINDEXTER. I yield to the Senator from Pennsylvania.

Mr. KNOX. I merely want to call the attention of the Senator from Nebraska to the fact that the treaty to which he refers, between the United States and Great Britain, has relation to a boundary line between the two countries, and anything relating to a boundary line is always a matter of mutual agreement, and it is no precedent for any other thing than a boundary-line treaty.

Mr. POINDEXTER. The President of the United States has said in the speech which he made to the peace congress in vindication of this constitution of a league of nations that force is in the background; but he said it is in the background. In other words, there is a statement of the chief advocate of the constitution of a league of nations that unequivocally and ultimately the execution of this constitution is based not upon decrees or statutes but upon force.

Should Congress refuse to obey the mandate of the league in this respect, then the United States would be subject to coercion by this force so defined by the President. Furthermore, the United States would be subject to the discredit and shame of a violation of a compact solemnly entered into with other nations. This will inevitably be the result in the face of any vital emergency affecting the independence or safety of a high-spirited people such as ours. They will act as they see fit in vital emergencies, both as to raising armies, maintaining navies, and as to the compulsory arbitration of nonjusticiable questions.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. POINDEXTER. The nations should avoid entering into an agreement which can not be kept, which compromises the interests of the people and subjects them to the shame of an inevitable repudiation of ill-advised, unwise, and unconstitutional agreements.

There should be a common-sense plan among all of the great military powers for a reduction and limitation of armament; but this plan should be specifically worked out in advance of its acceptance. It should be submitted to the Government and to the people of the United States for their approval or rejection; and, when approved, there should be an express reservation of the right of the people of the United States to abrogate the agreement upon due notice and due procedure. This blind commitment of the people to submit their future to the decision of a tribunal in which the United States is only one voice in a multitude, without limitation as to what its decision shall be, or any provision whatever for its discussion, acceptance, rejection, modification, or abrogation under any circumstances by the people, would be a betrayal of the trust and heritage of the Nation. It would mean the end of the high station which both as citizens and as a Republic we have occupied heretofore in the world.

The provisions of the constitution for compulsory arbitration of every question or dispute are contained in articles 12, 13, 15, 16, and 17. These contain many conflicting provisions. There is much repetition. The provisions are loosely expressed, indefinite, and uncertain, but in this mass of undigested and conflicting matter there is contained the indubitable provision for compulsory arbitration of every controversy, whatever its vital nature may be, even though it involve the integrity, honor, or essential interests of the Nation.

Article 12 provides—

> The high contracting parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy, they will in no case resort to war without previously submitting the questions and matters involved either to arbitration or to inquiry by the executive council, and until three months after the award by the arbitrators or a recommendation by the executive council, and that they

will not even then resort to war as against a member of the league which complies with the award of the arbitrators, or the recommendation of the executive council.

I suppose the construction given to these various conflicting methods in these different articles would be that they are concurrent, and that it was left to the discretion of the members of the league to adopt one or the other, of course all being equally binding, and article 12, which I have just enunciated, compelling the arbitration of every question as I have already stated, they would all be equal in effect, in so far as they were concurrent and so far as all could be given effect.

Articles 13 and 15 provide entirely different and conflicting rules of arbitration, but do not in any way modify or suspend article 12, just stated. It is unfortunate that such an ambitious document as the proposed constitution of the world should be so loosely and more or less incoherently drawn. But, taking it as it is, the question to be decided in its adoption is whether or not the American people, in a great and vital emergency, such as many times confronted them in the past, will surrender their power of ultimate decision as to the course to be taken and give over in advance their freedom of action in the defense of the Nation. It is true there is contained in another article a provision against "external aggression of territorial integrity and existing political independence of all States members of the league." But slaughter of American citizens, invasion of American rights absolutely essential to the maintenance of the Nation, have often occurred without an invasion of territory or an attack upon political independence. This was the case in the war conducted against us on the sea by Germany, and in the brutal murder of our citizens and the confiscation of their property in Mexico. The destruction of our fleet and the control of our sea routes by an enemy power would not come within either of these exceptions.

I want to pause to say these are not exceptions to compulsory arbitration, but simply provisions that in the two cases mentioned the other members of the league agree to protect the interests of all.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Washington yield to the Senator from Missouri?

Mr. POINDEXTER. I yield for a question.

Mr. REED. Does the Senator intend to discuss later on the effect of the clause he has just referred to in reference to the preservation of the integrity of the domain of nations?

Mr. POINDEXTER. Yes; I intend to discuss that, and to call attention to another effect of it.

Mr. REED. Then I do not desire now to anticipate the Senator.

Mr. POINDEXTER. Controversies in regard to immigration on the Pacific coast, or elsewhere; of naturalization; of alien ownership of land, neither involve political independence nor territorial aggression; and yet, under this provision, we are required to submit them all to the decision of a tribunal the great overwhelming majority of which is composed of aliens to our interests and institutions.

So as to the Monroe doctrine, when a threat was made to infringe upon it in Venezuela—once in the administration of Cleveland and once in that of Roosevelt. Neither of the conditions just stated were involved, and yet these were attacks upon a fundamental essential policy of the Nation, which ought not to be and can not be—if we are true to the trust which we have received from Cleveland and Roosevelt; and from Washington and from Monroe—transferred to the control of a league of nations or any tribunal established by it. It should remain under the control of the American people.

During all of this stupendous proceeding upon which for weeks and months the attention of the world has been concentrated for the devising of means to prevent future wars and establish universal and perpetual peace, wars and military operations have been in progress; and it is permissible to inquire whether the machinery here proposed would have prevented them, or was necessary to enable the United States to maintain peace. Was the league of nations necessary to enable the United States to preserve peace instead of war in Haiti, or in San Domingo, or in Honduras? Was a league of nations essential to enable the United States to preserve peace when it took Vera Cruz, or when it made war upon Villa in northern Mexico? Furthermore, if a league of nations had been in existence at the time, would it have furnished any resources not already available to the United States for the settlement of the Mexican question and for the preservation of peace between Mexico and the United States? Certainly, so far as force is concerned, the power of the United States as compared with Haiti, or San Domingo, or Mexico, or Honduras, is sufficient to put into operation the humane impulses which are to be gratified by the league of nations; and it is difficult to see what element of value in the establishment of universal and perpetual peace in these countries would be provided by a league of nations not already possessed by the United States to compensate us for the obligations which we are asked to assume in the league by adding to our cares the protection of the territorial integrity of the several members of the league, and the guardianship of the moral, spiritual, and physical well-being of "peoples of central Africa." Furthermore, will the league of nations bring peace to Russia? There is already a league of nations, whose representatives are sitting in Paris along with their associate, the United States. We have not thought enough of this league to join it, but have taken great pains to differentiate ourselves from it, under the name of an associate power; while we have agitated for a league of a different kind, although up to the time of the publication within the last few days of the proposed constitution of the league no explanation was given as to wherein it would differ from the existing league. This existing league has been powerful enough to overcome the greatest monster that ever appeared among the nations—unregenerate Germany, which has been brought to her knees.

If this league has been so diverted from its purposes and so preoccupied in seeking for a permanent and universal league, for the establishment of future peace, that it has not been able to restore present peace, or set up orderly government in central Europe and in Russia, can we expect the proposed future league to accomplish more?

It is not going to be any more powerful than the present one. Why should we expect there is going to be some mysterious virtue in it by which it will do what the present alliance of the righteous nations of the world has failed to do?

If civilized and righteous mankind, organized as it is, acting with a governmental unity never before achieved, has not been able to bring peace in Europe or stop the war which is raging around its feet, can we expect that, as a compensation for the surrender of sovereignty proposed by this constitution, the league for which it provides will establish universal and perpetual peace in the future? On the contrary, with the additional obligations and complications of interest which it will create, will it not multiply the occasions for war? The test of intention is action. Benevolence is best displayed by conduct. The expression of "humane impulses" and of ardent desire for the future good of mankind must be judged by present performance. If the present welfare of the world, including our own people and our own soldiers who are garrisoning occupied territory in Europe, is neglected in the face of the threat of class war and of the existence of international war, can we give credence to protestations of interest in its future welfare? While talking of perpetual peace our voice is drowned in the clamors of war.

Article 10, Mr. President, of this constitution binds the United States as one of the contracting parties to undertake to "preserve," quoting from the instrument, "as against external aggressions the territorial integrity and existing political independence in all States members of the league." This is somewhat ungrammatical but its meaning and intention is perfectly obvious.

The next sentence authorizes the executive council "to advise upon the means by which the obligation shall be fulfilled."

Mr. REED. The Senator has reached the point about which I rose to ask him a question.

Mr. POINDEXTER. I yield for a question.

Mr. REED. Is it the Senator's opinion that under the terms of this league if Ireland was to conclude to set up a separate government it would be a part of the duty of the United States to furnish troops to assist Great Britain in suppressing Ireland?

Mr. POINDEXTER. Undoubtedly.

Mr. REED. Now, assume that Canada was to conclude that she wanted to set up a separate government and no longer be controlled by Great Britain, would it not likewise be our duty to furnish soldiers to cross the Canadian line to suppress Canadian patriots who might be undertaking to establish an independent republic on this continent?

Mr. POINDEXTER. Of course, under other articles of this constitution the United States is compelled to take an interest, and the degree and the extent of the interest is undefined, in a war or a threatened war anywhere in the world. So far as the particular language which I just quoted is concerned, and to which the Senator is referring, I should judge, while I stand here on my feet, not having considered the question before, that there would be some question as to the recognition by the Government of the United States of the independence of Canada or of Ireland before we could determine what the obligation of this Government would be in that case under this language.

Another question that would arise would be whether or not the operations of Ireland or of Canada threatened the political independence or constituted an aggression upon the territorial integrity of Great Britain.

Mr. REED. Let me ask another question.

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Washington yield to the Senator from Missouri?

Mr. POINDEXTER. I yield for a question.

Mr. REED. To my mind this is one of the most interesting points in the matter. Let us assume that Russia is organized again under the old autocratic Government, that Poland has been erected as an independent republic, and that a portion of Russia—Russia having been admitted into the league—would want to join Poland and become a part of the Polish Republic, and Poland was to undertake to permit that and to assist in it, that, of course, would be an invasion of the territorial rights of the Russian autocrat. Would not that be a case where it would be plainly our duty, as guarantors against external aggression, to join the Russian autocrat to crush the Russian revolutionists and the Polish Republic?

Mr. POINDEXTER. There is not any limit to the combinations of circumstances which can be conceived as entirely possible, and many of them inevitably arising in the future affairs of mankind, in which the United States would be bound to intervene under the language of the constitution which I have just cited. The instances which the Senator from Missouri has suggested are very pertinent and illustrate and illuminate the potentialities of trouble, the probabilities of trouble under these provisions.

Mr. REED. I should like to ask the Senator one further question. Has he compared this particular clause with a similar clause in the Holy Alliance? If he has not, I would like to hand it to him at the proper time.

Mr. POINDEXTER. I have not. It is said by some that this is not an entangling alliance. Some of the advocates of a league of nations have gotten into such a transcendental plane of logic that I have been unable to follow them. They have said that the Monroe doctrine is not affected. I always thought the Monroe doctrine was an American doctrine to be administered by America, and that was one of its essential elements. They propose to transfer its administration to Europe and say it is not affected at all. I have never quite understood the process of thought by which they arrive at that conclusion.

Another very ethereal and difficult—sublimated, as the able Senator from Connecticut [Mr. BRANDEGEE] suggests to me—process of reasoning is the assertion that the obligation which we here enter into by this constitution, if it is adopted, to defend every member of the league in all parts of the world and to assume the guardianship of unknown and undesignated peoples of Africa and elsewhere is not an entangling alliance. They seem to argue in some way which I am not able to understand that if you carry on the process of entanglement far enough you finally get to a point where it is not entanglement.

The fact of the case is, Mr. President, that, looking at it from the standpoint that I think the American citizens look at it, the everyday man on the street, the way I look at it, from a common-sense standpoint, no such colossal burden or entangling alliance was ever before conceived in the world, not only in the United States but in the world at large.

Under this obligation the United States assumes, if it is adopted, the protection of every nation which shall become a member of the league. In this we would have the cooperation of other members who were willing and able to fulfill their obligations under this article, but, whether acting jointly with them or alone, or with such of them as would live up to their obligations, the United States would be bound to tax its people and sacrifice its soldiers to make war in behalf of every foreign country, member of the league, when attacked in the manner indicated, either by a member or by a nonmember nation. No such colossal burden or entangling alliance was ever before conceived in the world. Instead of being an instrument of peace it is the fertile seed of war—the dragon's teeth from which, when sown, armed soldiers will spring.

Article 19 places upon the United States the further burden of the joint guardianship with the other members of the league of "colonies and territories which, as a consequence of the late war, have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves," of "certain communities formerly belonging to the Turkish monarchy," and "other peoples, especially those of central Africa." The further scope of this guardianship, to which the United States pledges itself by this article, is unlimited and undefined and presumably would be left to the unlimited and undefined discretion of the league of nations. The extent to which this guardianship shall be delegated to a "mandatary state" as agent is left entirely in the discretion of the league.

That means that the degree of responsibility of the guardian nation to be directly exercised by the league itself is left in the discretion of the league. How much responsibility shall be assumed by the mandatary state it is not for us to determine. It is for the league to determine, and when determined by the league we become responsible for it.

The article states—

> The degree of authority, control, or administration to be exercised by the mandatary state shall, if not previously agreed upon by the high contracting parties in each case, be explicitly defined by the executive council in a special act or charter.

Mr. LODGE. May I ask the Senator a question?

Mr. POINDEXTER. I yield to the Senator for a question.

Mr. LODGE. I want to ask a question to get the Senator's construction. Perhaps he has given it. Does the Senator find that there is anything that tells us whether being appointed a mandatary is compulsory or can it be refused by the nation selected as a mandatary without violating the treaty?

Mr. POINDEXTER. There is nothing in the constitution expressly fixing a rule upon that subject. In my opinion the necessary construction of the instrument is that when a nation is designated by the decree of the league, then that decree is upon the same basis as the other decrees of the league, and the nation has no discretion and can not refuse to assume the responsibility.

Mr. LODGE. That is the conclusion I came to; but, of course, like most of the others, it requires a good many vigorous inferences.

Mr. POINDEXTER. I think after these various examinations, which are quite necessary, have been made you will find, after all, that where there is a provision that the league can designate one of the nations as a mandatary, and there is nothing else on the subject, the implication is perfectly plain that there is no discretion left in the mandatary itself. In other words, it would require an express provision to enable a member of the league to refuse to obey an order made by the league.

As to these various peoples of the world, for whose future welfare we would thus become responsible, the article states that "the mandatary must be responsible (to the league) for the administration of the territory, subject to conditions which will guarantee freedom of conscience or religion, subject only to the maintenance of public order and morals, the prohibition of abuses, such as the slave trade, the arms traffic, and the liquor traffic." Other obligations in addition to these are also stated. Not satisfied with the service to mankind, greater than all others, which has been rendered by the establishment of a government without class, with equal opportunity, and subject to the control of the people, in the United States, and with that protection which we have extended under the Monroe doctrine to other nations in the Western Hemisphere, we thus undertake, practically unsolicited and unsought, to extend our responsibilities and cares into the uttermost parts of the earth. The expense, labor, and sacrifice of life which will be the direct result of the performance of such an obligation on the part of the United States are past calculation. The indirect injury, however, to the spirit of our Government in thus assuming, along with others, a despotism, however benevolent we may conceive it now to be, over large portions of the world is far more sinister than the losses which we will inevitably suffer directly in men and money. It is an insidious menace, undermining the principles of the localization of government, of nationality, and substituting for them the principle of despotic internationalism, in which the self-determination of all peoples will be merged.

Correspondingly, while assuming obligations of government in Asia, Africa, and Europe, this article, at once, by the same terms, surrenders to Asia, Africa, and Europe American policies which have been the prize jewels in the American diadem of state. Emergencies which have arisen in the past may arise in the future. The expulsion of Maximilian from Mexico, the protection of Venezuela from Germany and Great Britain, the freeing of Cuba from the despotism and cruelty of Spain under Lincoln, Roosevelt, Cleveland, and McKinley, in pursuance of the famous policy of Monroe, would have been impossible under a league of nations. All of these issues instead of being decided by the United States, in the light of the high ideals of these traditional doctrines would be left to the administration of an alien tribunal, established under the league of nations.

What the outcome would be no man can tell. Whatever it would be, it would be the decision which at the time corresponded with the motives and beliefs of the majority of the foreign members of the tribunal. This, of course, means the end and obsequies of American determination and control of these matters.

The Monroe doctrine is an American doctrine. If its administration is transferred to the congregated nations of the Old World, it ceases to be a Monroe doctrine. Its application, construction, and existence would then be dependent upon the mercy of the very nations against whose interests it was promulgated. Its fate can easily be foreseen.

I have in my desk verified, detailed statements of continuing outrages upon Americans lawfully in Mexico—the murder of our citizens and the confiscation and looting of their property. For six years we have allowed this, in one form or another, to proceed. It is to be presumed that some day the self-respect and honor of the American people in these matters will be protected by their Government. However, if the constitution of the league of nations is adopted, our Government will have surrendered forever its power to protect its citizens in Mexico and will have committed them unequivocally to the judgment and discretion of the other nations of the world. Our citizens may continue to be the victims of Mexican disorder, and their blood will cry in vain to their country for help. There can be no help, for the power to protect its citizens—the chief and primary function of government—will have been transferred to another.

Surely the "humane impulses" of the administration can be exercised in the performance of our obligations toward the small countries of the Caribbean and of Mexico by the most powerful Nation in the world without the aid of a league of nations. If we have tears to shed over the woes of mankind, we can shed them without stint, and are free to put into effect at will such measures as our benevolence may dictate within the traditional sphere of our influence. If we desire perpetual peace in America—and by that I mean in all the Americas—do we need a league of nations to enforce it? Have we not already in the union of the States, each one built from the sacrifices and toil and from the brains and courage of its inhabitants, a league of nations amply able to guarantee such peace in the western world as our people may deem wise and just?

The purpose of the league is stated to be universal and perpetual peace. The question to be determined by the American people is whether the establishment of these additional obligations and interests will not inevitably make for war where heretofore we have been able in the exercise of our sovereignty and under the benevolent policies of our country to preserve peace. Furthermore, there are some prices that are too high to be paid even for peace. Our fathers could have had peace in 1776 at the price of liberty, but they chose war and were aroused by Henry's cry, "Is peace so sweet or life so dear as to be purchased at the price of chains and slavery?" They could have had peace in 1860 by the sacrifice of the Union, but they chose war, war without measure, to save that Union which was the palladium of free institutions.

Who can say that the sacrifices of any of the heroes who fell for the preservation of the Union in the North were too great a price to pay for the countless blessings which have come to their children and to the world, bought with their blood? We could have had peace in 1898, when the anguished cry of helpless Cuba, ground under the cruelties of Weyler, fell upon our ears. But we chose war, and who can say that the freeing of these people upon our immediate borders from tyranny and persecution and the establishment of security, industry, and order was not worth the price we paid? We could have had peace in 1917 by supinely surrendering our rights upon the high seas and abandoning the trade and commerce of our people, essential not only to prosperity but to national existence. Had we been willing to follow the advice of pacifists and take the coward's part of servile submission to the orders of a monster among the nations, to betray the trust of Government and leave our murdered citizens unavenged, there would have been no immediate war. But our Government in its essential functions would have been ultimately destroyed, because its essential function is the protection of the honor, the lives, and the rights of its citizens.

France might have had peace in the fateful days of August, 1914, when her soil was invaded and her homes devastated by the Huns, if she had been willing to pay the price. That price would have been slavery of her people, the destruction of her civilization, and with it the civilization of the world, but, to the honor of France, she chose war.

In the search for universal and perpetual peace those who advocate it at any price make no distinction between the war of conquest and lust of Germany and the holy and righteous war of defense of France. On the contrary, both now and at all times through the war, the principal advocates of peace at any price seemed rather to favor the cause of Germany than that of our own country and its allies. They seem now to be desirous of saving the vandals of devastated France and Belgium from retributive justice. Instead of peace by the victory of the allies they seemed to favor a peace of submission to the conquest of the Huns.

If their views had prevailed, the great principle of the protection of our rights and the lives of our citizens from violent aggression would have been abandoned. Germany, perhaps, would have triumphed in Europe, and, having consolidated the resources of her enemies there, would have carried her campaign of conquest to our shores. Who except the pacifists and those who then favored peace at any price can say that we should have made such a poltroon peace? Who except the cowards that would seek safety in nonresistance can say that the victorious war which we waged with our allies was not wiser than the inevitable war which we would later have been compelled to wage unaided if we had remained neutral while Germany absorbed the resources of France and England and consolidated them to her purposes? Universal and perpetual peace is much to be desired, but only when it can be obtained in honor and without the surrender of the vital interests of the Nation. Furthermore, there are occasions when the vital interests and honor of the Nation are not immediately involved, but when plans and movements are being set afoot for purposes of aggression which, if not checked, will inevitably menace both honor and safety, when wisdom dictates that such movements shall be checked in the beginning—by war, if necessary, as a last resort—rather than to allow the menace to develop to such proportion as will call for greater sacrifices in the end.

The national liberty of action to determine and carry out these policies is the most essential attribute of national sovereignty. All this would be surrendered by the constitution of the league of nations, and the destinies of the American people in all such crises would be taken from their own control and vested in the league. It can not be done, at least, in silence. It must be known, and the American people must be advised of this proposed surrender of their liberties.

It is a curious circumstance, Mr. President, that the South—and I speak of it as one of the South—which failed in its great effort for independence in 1865, having obtained control of the Government of the Union, now is about to achieve the sardonic triumph of depriving the North of its independence and setting up over it a supergovernment. The North conquered the South by force of arms; the South now seems to be in a fair way of conquering the North by a diplomatic surrender of its liberties. The South having fought the most heroic war, in many respects, in history, and having lost and been subjected to the domination of the North, now apparently has no objection to go still further and subject both the South and the North to the control of an international government. It would, indeed, be a sardonic triumph. Will the North agree to this extension of the idea of the Union to include the alien nations of the Old World? The Union, as it was idealized by Lincoln, was not only in its essence the federation of the States, but, equally as important, it was the sovereignty and independence of the United States. Without sovereignty and independence the Union of the States loses its soul and becomes a mere piece of machinery. It was for the independence and sovereignty of the States that Washington gave himself, and whose achievement placed him at the very pinnacle of human greatness. To surrender that now would be to destroy the living work of all of our mighty dead. To now place in the hands of the council of the league of nations, all but one foreigners, nearly all of them speaking an alien language, born and bred to different traditions, accustomed to a diverse environment, with different ideals and varying interests and motives, that control over the sovereign action of the American people for which so many of our precious heroes have labored would be as though it were a pitiful murder of the very soul of our fathers in their own house, builded by their hands. It would be in its result the same thing as treason, because it would be a transfer of allegiance.

The most active advocates of this transfer of ultimate control of our most cherished rights to a foreign tribunal tell us—and this is one of the most frequent arguments—that we need fear nothing, for we will have friends among the other representatives on the tribunal who will protect our interests and sympathize with our aspirations. This, in itself, is a confession of the betrayal of the great trust of government, because it is a confession that the decision of these matters, instead of depending upon the American people themselves determining their own fate, depends upon the friendship or benevolence of an alien tribunal. No doubt the American people could have depended upon the wisdom, disinterestedness, loyalty, and honor of Washington. No other in human affairs has ever been more to be trusted. It was suggested by some that he be given a crown, but the sons of liberty, though they loved Washington and trusted him without limit, realized the immortal principle that liberty is too precious a thing to be trusted to the power of any man or set of men. And so it was that they denied this power even to Washington and vested it in the representatives of the people, under the people's control, subject to

the people's retirement, and set up a Constitution which is a model of checks and balances, by which the powers of government are divided, one department balancing another, and various procedures operating as checks upon each other. Many despots have been benevolent, and some of them loved their people, and yet they ruled as despots. Have the American people come to the point when, as confessed by the advocates of the league of nations, who say that in various contingencies we can depend upon the good will of the alien members of the league—they say we can depend upon the friendship of the Anglo-Saxon members of the league and others—but have we come to the point that we must submit our fate to the charity, to the good will, or to the benevolence of alien powers? That is what is proposed. Understandingly our people will not do it; and if they do so, it can not be binding upon their children. Those children, when they come into control of the affairs of the Nation, when emergencies arise, will repudiate the surrender of their liberties, assert their ancient rights, even though at the price of war. This is inevitable, and the vice of such an obligation is that it leads to repudiation, to dishonor, and to war, although it is done in the name of high ideals and perpetual and universal peace.

Mr. President, the powers vested in the league of nations by this constitution necessarily must be exercised by men. If we may suppose that the men who will first be chosen to act for the nations upon this league will be both good and wise, and that we can trust our great policies of state, of peace, security, and the honor of the United States in their hands, what guaranty can the advocates of the league give us that the changing personnel of its council, or its delegates, or a majority of them, will continue to be wise, benevolent, charitable, or humane? Good and great men have been scarce in the history of the world; and why should we assume that the league will be dominated only by the good and the great? The teachings of statesmen in the past have been to subject the officials of government to rule and to law, for the very reason that the weaknesses of human nature can not be trusted with discretion and unlimited power. The constitution of the league of nations proposes an opposite principle, where the most comprehensive powers ever delegated to an official body are vested in a number of delegates and in an executive council without checks or balances or definite rules or limitations; where the legislative, executive, and judicial power over the world is consolidated in a single body of men, with no rules of procedure except such as they make for themselves, the wisdom of their action being left entirely to the people of conflicting interests, of varying degrees of intelligence and civilization of the several nations, and to the characters of the delegates they may choose. The history of the world shows that this dependence is frail and uncertain. Inevitably this unlimited discretion will be exercised in accordance with the motives, interests, environment, tradition, ideals of the constituted members of the league, and to this heterogeneous mass of controlling influences the destinies of America will be submitted. These destinies are now under the absolute, unrestricted, unlimited control of the people whose destinies they are and who, consequently, have no motive to betray—because it would be a betrayal of themselves—acting under the set and clearly limited rules established by the classic phrases of the Constitution of the United States.

Under the proposed loosely drawn, inconsistent, ill-defined constitution of the world these destinies will be submitted to the control of nations, however civilized, humane, and enlightened they may be, who have no personal, direct interest in our destinies, but who, on the contrary, have destinies of their own to guard, and in whose guardianship we admire them for looking out for the interests of their own people, which in many aspects are in direct opposition and conflict with our own.

The Government of the United States has no constitutional power to make a treaty transferring any of its sovereign powers to an alien tribunal. No treaty which takes from the various departments of the American Government, established by the Constitution, the jurisdiction therein conferred and transfers it to an extraconstitutional body, and particularly to an alien body, and particularly an alien body composed of foreign sovereign nations, is valid. Chief Justice Taney, in deciding the case of Doe et al. *v.* Braden (16 How., pp. 635–657), said:

> The treaty is therefore a law made by the proper authority and the courts of justice have no right to annul or disregard any of its provisions unless they violate the Constitution of the United States.

Here is a clear implication that courts have the power to annul any treaty which violates the Constitution of the United States. The same views were expressed by Justice Swayne in the case of the Cherokee tobacco, Eleventh Wallace, page 616, where he said:

> It need hardly be said that a treaty can not change the Constitution or be held valid if it be in violation of that instrument.

Also Justice Field expressed his views to the same effect in the case of Geofroy *v.* Riggs (133 U. S., 258), where he "declared," as stated by Second Butler, Treaty-Making Power, page 392:

> That while the treaty-making power of the United States extended to all proper subjects of negotiation, and is in terms unlimited except by those restraints which are found in the instrument itself against the action of the Government, or of its departments, or from those arising from the nature of the Government itself and that of the States, it would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government, or in that of one of the States.

As stated by Prof. Woolsey:

> The treaty-making power must be exercised for the purpose of preserving national life, and not for destroying it.

We are told by Mr. Wilson and Mr. Taft that the war in which we are now involved, and in which we do not seem to be able to make peace, was a crusade for the benefit of the world. We are told that we went to war, not for any selfish interests of our own, but for the benefit of mankind at large. Crusades and conscript armies do not go well together. Governments have no moral right to sacrifice the lives of their soldiers, and to levy compulsory taxes upon their people, merely to gratify a feeling of benevolence toward the world in general. This country, the people of the United States, would never have supported the war with Germany as they did, with such unanimity and heroism as they exhibited, upon any such basis of idealism as a crusade for the interests of the world at large. We went to war, and contributed of our substance and of our blood, to protect and defend the vital interests and ultimate independence of the United States itself, and no Government has a right to plunge its people into a war for any but a similar purpose.

It has been said that our soldiers in France were fighting for the 14 points, and yet every one of them that has ever been questioned on the subject was extremely doubtful as to what the 14 points were. The fact of the case is that the soldiers went to France because most of them were conscripted and drafted; and they exhibited there, with those that volunteered—and they were all eager in the service of the Nation—a heroism, in the face of a new species of warfare which the world had never before experienced, which added new glory to the already bright pages of American history. What were those men fighting for? Why, when they went into battle they went in with a cry, as though it were the shriek of some note of the Marseillaise, of "*Lusitania!*" They went into battle against the Germans because they were fighting for their country and their country's flag. Their object in that war was not to carry on a crusade, but it was to defeat the Germans.

Mr. President, there is an internationalism abroad in the land—an internationalism of the élite and an internationalism of the proletariat rampant.

There is internationalism at the top and internationalism at the bottom, and both are moving forward through different means and methods to the same destination. Germany is supporting both. The idealists and peace-at-any-price pacifists are approaching by one road. The Industrial Workers of the World and their Bolshevist allies throughout the world are approaching upon another. Both lead to the same destination—an international and despotic government of the world. Both involve the surrender of nationality and the setting up of a centralized despotism. It must be a despotism, because no government in whose discretion is centered the ultimate control of the affairs of the whole world can be free.

This movement is backed with great resources and ample funds. Such organizations as the Carnegie Endowment for International Peace, endowed by a subject of Great Britain, with resources acquired in the United States, are among its most powerful supporters. These great organizations are able to employ, at high prices, influential lecturers, including even an ex-President of the United States.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. POINDEXTER. I do.

Mr. REED. I want to ask the Senator if we are to understand that statement literally?

Mr. POINDEXTER. Absolutely.

Mr. REED. That is, that ex-President Taft is under the pay of those organizations?

Mr. POINDEXTER. Such organizations as I have referred to.

The founder of the society which I have just mentioned—the Carnegie Endowment for International Peace—is an open advocate of the reunion of the United States with Great Britain—in fact, he has written a book on the subject—and of the amalgamation of our Government with the British Empire. The organization of a league to enforce peace is but an enlargement of this conception. It is the same principle and a part of the

same program. In a dispatch on yesterday from London it is truly stated:

The American and British viewpoints are totally different. America gets nothing out of the war except a large share of responsibility in world affairs, while Great Britain gets a powerful ally in the maintaining of peace. The British insist that America is morally forced to assume this responsibility.

Another explanation of the news that comes to us of the favoring of a league of peace by Europe, which no doubt is astounded that it is put forth by America.

I want to point out now what we are getting into.

Under the provisions of article 16 of the proposed constitution, upon any refusal on the part of the United States, as a member of the proposed league, to comply with the covenants of compulsory arbitration of all matters, as set forth in article 12, it "shall thereby ipso facto be deemed to have committed an act of war against all the other members of the league which hereby undertakes immediately to subject it to the severance of all trade or official relations, the prohibition of all intercourse between other nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial, or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a member of the league or not." In other words, once we have entered into this fatal covenant, which contains no provision for our withdrawal from it, our failure to obey the decrees of the league, or of tribunals constituted under the terms of its constitution, automatically makes us an outcast and a pariah among the nations of the world, and plunges us into a state of war with all the other nations composing the league.

And yet this is the covenant that we are asked to make by a number of college professors, and by Miss Julia Lathrop and Miss Jane Addams—excellent women, who have done a devoted work in the world, deserving of the thanks and consideration and gratitude of our people, and yet who have not had any experience which qualifies them to frame a constitution for the government of the world.

This proposal is also advocated by a number of college presidents, one of whom a short time ago I noticed criticizing some remarks that I had made in the Senate in opposition to a league of nations which, by its advocates upon the floor, was compared with the Government of the United States, and that is a very favorite comparison of its advocates. They want to set up over the world a government such as that which our fathers set up over the States of the American Union, and subject our Nation to those powers which the Federal Government exercises over the States. This great college professor—I think it was the president of Harvard University—said that the constitution of a league of nations did not have anything more to do with the Monroe doctrine than it had to do with the price of sugar. He seemed to think that it did not have anything to do with the price of sugar, and that shows the impractical mind of many of the advocates of a league of nations. It has a great deal to do with the price of sugar, because the purpose of such a league is to prevent war, and the price of sugar is one of the most fertile causes of war. We had war in Cuba over the price of sugar. Sugar is one of the standard bases of food; and every war that the world ever saw, in its ultimate analysis, was based upon a controversy over the food of mankind. It has to do with the price of beans. If beans had been cheap and plentiful in Mexico, we would have been saved the war which has ravaged that unhappy land. Beans are one of the principal articles of their diet.

This college president said, however, that if these objections which were made to the proposed league of nations were valid, another one could be framed which would not be subject to the objections. Evidently he was accustomed, as so many college presidents are—I used to have an idea that they were all filled with the wisdom of Socrates—to hiring men who know things, like business managers of great business institutions. They have been so accustomed to being able to employ men who could teach the varied learning of the world that if you puncture a league of nations full of holes they have not the slightest doubt that they can hire somebody who can frame up a good one for you.

This is the frightful compact, Mr. President, that we are asked to make—to surrender our destinies to the league, with the awful penalty of immediate war upon us by all the combined nations composing its membership, should we decline in any respect to obey the decrees of the league, however destructive they may be of our happiness or prosperity.

This is the substitute we are asked to make for the peaceful and happy state under which we have lived during the greater part of our national career in peace and amity with the world. We have had but few wars, and have avoided war by avoiding the cause of war. We are now asked to avoid war by multiplying immeasurably the cause of war, and by surrendering to a heterogeneous league of diverse races our sovereign rights and privileges. By such a course the independence which was preserved by the patriotism of our people and the heroism of our soldiers in the fighting which has just been concluded will be surrendered, and the guaranties of peace which victory has afforded us will be mortgaged to every nation in the world.

If this constitution is ratified without being submitted to the American people in a political campaign, where it shall have been made an issue, and upon which they will have had an opportunity to render judgment in an election, then self-government in America will have disappeared. We are facing an abyss and the American people should not be led into it blindfolded. [Applause in the galleries.]

The PRESIDING OFFICER. The occupants of the galleries will desist from any demonstrations.

DEMOBILIZATION OF TROOPS.

Mr. REED. Mr. President, I want to read a letter to the Senate as the basis of a few remarks I desire to make; and I read this letter because it is typical of hundreds of letters that I am receiving and that I assume other Senators are receiving. It is dated from a small town in my State:

DEAR MR. REED: Just a few minutes of your time. I know you have many such requests as I am going to ask of you, but this is my first one. It is this:

I have a boy who offered his services to the Government in August, 1918, and I was glad of it; but listen: The war is over. We have always employed or worked four or five hands. Two of the boys are in the Army; the others have quit and gone to farming; but none we get are experienced hands like my boy and the one that was drafted and is not out yet. This is the strange part of it: They are not working at all, or practically so.

Listen here: I got a letter from my boy to-day saying he was not working two hours a day—just lying around waiting for some one to die, as his job is in the laboratory in the autopsy of the dead. Here I am, working 12 or 14 hours a day, and my partner is doing the same. Do you think this is a fair proposition? I have done three men's work for the last two years, and they will not let my boy out now to help me do my work on the farm. Now I am needing my boy to help me the very worst kind. Here in the spring, when we need help so bad, the farmers need this and that thing done, such as we were called on the other day. We have pumps to repair, cars to load, fertilizers to unload, cream separators to deliver, and no help; and my boy is lying down there at Camp Jackson and has not done 15 minutes' work in three days. It puts me out with the Government, or with the Army officers, or wherever the blame lies.

Then he makes a request that this matter be investigated; and his son is at Camp Jackson. That is a letter from an old farmer, not always grammatical but full of good sense. I have another letter, that I am not going to read, which is from a private in the Air Service, who states that he has been making every effort to get released, and that he is there under great disadvantage, great loss, and he can not get released.

Mr. President, this war has been over now for a good while. Peace ought to have been made before this; and if we had been making peace instead of making contracts for the future, if we had been settling our own disputes instead of undertaking to provide for the settlement of all disputes that may hereafter arise, I think we would have been much nearer a final settlement of the peace conditions. But waiving that, it is certainly true that the keeping of the American boys in these camps in America is absolutely inexcusable.

I said the other day, and I repeat, that I believe the economic loss in labor plus the expense of the support in camp of each one of these men is not less than $100 a month, and a million men in camp would mean a hundred million dollars a month. We are being asked to tax our people to the very limit, and we are taxing them to that limit. We are cutting down the resources of the country and the power of production by keeping as consumers something like three-quarters of a million men, instead of turning loose that number of men and making producers of them. It is a piece of stupidity without parallel, and, I say unqualifiedly, without excuse, and the sooner it is remedied the better for our country.

How do you suppose a farmer feels who said to his boy 12 or 15 months ago, "God bless you, my son; go and give your time ,and, if need be, give your life, for your country, and I and your mother will try to struggle along and take care of this farm and keep it going," when he knows that his boy has been kept in camp 12 or 14 months; that he not only has not seen Europe but that it is now certain that he never will be sent to Europe, and it has been certain for months that he will not be sent to Europe—how do you think that farmer feels when he sees his fields going to waste and his business going to destruction while his son is confined in a camp, doing nothing but responding once in a while to roll call or turning out on dress parade?

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. I do.

Mr. VARDAMAN. I have had in the last 60 days more than a thousand letters telling the same story related in the letter just read by the Senator. When he pictures the home of the old farmer whose boy has been carried away it recalls a letter that I received yesterday from a young wife on a farm. There is a scarcity of labor in Mississippi. This young woman's husband was unable to get labor to work his little farm last year. The season is passing very rapidly. They must begin to prepare for the crop there during the present month if they are to make a crop during this year. The boy is in one of the camps in the United States. He is not needed, but I am told by the department that they can not let him out just now.

I am glad the Senator has called attention to the matter, and I wish it were possible to do something to urge the War Department to perform its duty in regard to turning the men out, as well as paying them what the Government owes them.

Mr. REED. Mr. President, I am getting tired, as far as I am concerned, of wasting time with the War Department. I know something of what is the matter, because I happen to have heard a conversation almost immediately after the war closed when members of the War Department were asked what was going to be done to stop the mobilization of troops who were then on the way to camps, and what was going to be done to release the soldiers who were in the camps; and at that time the statement was made, in substance, that great care would be taken lest the labor market should be overcongested by the return of these troops, and an elaborate scheme had been worked out to release first those of particular occupations, and then those of other particular occupations. Then the reason for these releases appeared a few days later when a certain distinguished labor leader protested that already the country was being overrun with a surplusage of labor.

I do not think it is difficult at all to tell who is telling the War Department how and when to release the soldiers from the Army. I think it is time that Congress took some effective action to compel the demobilization of troops in this country. I think any department that will keep nearly three-quarters of a million men lying in camp, at great expense to the Government, at great inconvenience to themselves, and at great loss to the country, after war has been over as long as this war, is incompetent or worse than incompetent. It is time to end this business. It is time to speak with indignation, because the people of this country are feeling an indignation.

The idea of somebody sitting down here at the War Department, whether he is a Secretary of War or whatever he may be, and saying that he proposes to release these American citizens in such a manner and in such form that the labor market will not be congested! As though you could benefit the labor market by compelling the labor of the country to support hundreds of thousands of idle men, for in the last analysis the burden for the support of all must come from those who produce!

I suggested at the time of the conversation I referred to if the War Department could just get it into its little head that the American people had some sense and knew something about managing their own affairs we would get along better. I suggested that it is an absolute truth, although, of course, very much doubted in these days, that the citizen who holds no office at all has as much brains in his head as the individual who happens to fill a public position; that the boy who knew enough to run a great business, as many of them did, and entered the Army as a private because he was a patriot, might actually have as much sense about his own business affairs as some lieutenant of the Regular Army who never had earned a dollar in his life, who started into West Point at 17 years of age and has been on the Government pay roll ever since, and who never had any experience in life. If they would simply say to these boys, who are American citizens and who represent the average of American intelligence and American energy and American thrift and American brains, "You can go," they would not need to watch where they went or how they went. It would be found that they actually had sense enough to go back to their homes and to their fathers and their mothers and their wives and their sisters and their sweethearts and their jobs, and that they did not need the tutelage, they did not need the guardianship, of a Secretary of War or a Chief of Staff or a Lieut. Blank, whatever his name may be.

Mr. President, I have got very great respect for these gentlemen personally, but there is a theory abroad to-day that the people of the United States do not know anything, that all the wisdom in the land has been concentered here in Washington, that the most of that has been concentered in a few departments; and yet in the majority of cases the men in those departments could not hold a first-class job in a responsible business concern in the country.

I am simply trying to appeal for the doctrine of letting the American people have a chance to attend to their own affairs. I am appealing for the doctrine that American boys should be allowed to return from these American camps.

Now, I propose to make an appeal for another class of men. There are across the seas nearly 2,000,000 American boys. The war is over. It is finally over. If it is not finally over, then Foch and Haig and Pershing and all the statesmen of Europe are madmen or worse than madmen—they are idiots—for they have had Germany by the throat since the 11th day of November; they have had her at their mercy; they have had their bayonets pressed against the breast of Germany, and in a position at any moment to destroy her; and if at this time they have left her in a position so that the armies of France and of England and of Belgium and of Italy can not take care of that situation, then they have been acting, I say, like madmen; and I am sure they have not so acted.

If this is true, why should our troops be kept there longer? If you tell me it is the lack of transportation, I ask this question: If we could send 300,000 men each month to Europe through seas that were infested with submarines and that were sown with mines, through seas that were so dangerous that every vessel had to be convoyed and had to run upon a zigzag course, why can we not, when the seas are open and clear from all danger, return them as rapidly as we sent them?

I have a letter in my possession from a colonel, a colonel who went into this war from the ranks of civil life, who, knowing or anticipating the war before most men did, prepared himself for it, educated himself for it, qualified himself in the highest degree—a man who never flinched from any difficulty, and who never shirked any danger, who never protested against any hardship as long as the war lasted. I received a letter from him a few days ago in which he said: "So far as I am concerned, so far as the officers are concerned, of course we are quartered in a way that is reasonably satisfactory; but you will be surprised," said this colonel, "when I say to you that, probably, our common soldiers are suffering as many hardships or greater than they were during the war, because," he said, "our transportation, which we had largely borrowed from France and England, has been withdrawn from us, and we are actually finding it difficult to get our supplies; and our men are staying here during the winter months, when the ground is sodden and the air damp, when the rain is pouring down in torrents day after day, when sickness is rife, and when these men are enduring the greatest kind of hardships;" and, he added, "if anyone believes that these troops want to be kept here a single minute for any other purpose than to force a just and honorable peace that individual is mistaken."

Mr. President, I have appeals sent to me every day, as do other Senators, that would melt a heart of stone—the appeal of mothers for their sons, of mothers whose hearts ache, whose eyes are blinded with tears for the want of a sight of the gallant fellows they gave birth to and whom they sent abroad in the service of their country. They want them back home, and they ought to be brought back home. I have appeals from fathers who say that their business is going to ruin—the business in which their son was one of the chief pillars and stays. They want their sons back to help save their business. I have appeals from widows for their sons to be sent back in order that they may preserve the estate that needs their care.

You can go to the War Department from now until you are black in the face, and you will get the curt answer of some military gentleman that they have a general order that can not be varied from. A general order may be necessary, but I protest that the keeping of this American Army abroad another day is a wrong upon that Army; that it is a wrong upon this country; that they should be returned at once; and the 60 or 90 days that have been frittered away are 60 or 90 tragic days filled with heartaches, filled with loss of time, and filled with a loss of money.

Mr. WALSH. Mr. President, I have very great sympathy with the views expressed by the Senator from Missouri with respect to the men who are in this country. I do not know any reason why we should have half a million or three-quarters of a million in camp in this country long after the war. As far as the men abroad are concerned, can the Senator advise us whether the tonnage at the command of the Government will enable us to bring the boys back from abroad more quickly than they are being brought?

Mr. REED. I can not advise the Senator whether the tonnage at the command of the Government will bring them back, but I can say that a Government that could get plenty of tonnage to carry men to Europe ought to be able to get tonnage to bring them back, and that if I were dealing with Great Britain, that has at its command so much tonnage, after Great Britain was asking and receiving of us all she receives from us, I would have the boats.

Mr. WALSH. The Senator will recall that we were something over a year in sending the Army across, taking them to Europe, with all this tonnage at our command.

Mr. REED. I will answer the Senator. The Senator was not in when I began my remarks. I said we had taken them over at the rate of 250,000 to 300,000 a month, and we ought to be able to bring them back at as rapid a rate.

Mr. WALSH. That would take some eight months, would it not?

Mr. REED. Yes; but we are not bringing them back at that rate, and we are not approximating that rate. As nearly as I can make out from the statements in the newspapers, instead of bringing them home on passenger ships we are trying to transform or transmute some freighters into ships to bring them back. We were told—I saw it in the papers the other day, and I assume that it is correct—that in an interview the Secretary of War said it took 49 days to change one of these freighters into a passenger vessel.

Mr. WALSH. The Senator is a member of the Military Affairs Committee and I am not, but I got the impression from what I learned about the matter that much of the deplorable condition that undoubtedly exists at the debarkation port of Brest is due to the fact that the returning armies are congregated there in such a number that they are unable to get ships with which to take them out.

Mr. REED. Mr. President, I think it is true, although I did not get it as a member of the Committee on Military Affairs. I got it in the newspapers through an interview with Senator OWEN that they have a very large number of men at Brest, which is said to be a very bad place to keep men, and they have not ships with which to move them. But the fact that they brought the men to Brest not having the ships to move them does not excuse the failure to have the ships.

It is the business to have these ships, and I repeat if we could get them over at the rate of 300,000 a month through seas that were infested with submarines and sown with mines we ought to be able to get them back through seas that are open and not in danger. They are engaged, according to this newspaper statement, and I think it is correct, in transforming a lot of old freight ships into passenger ships, and the statement purporting to come, as I said a moment ago, from the Secretary of War was that it took 49 days to change one of these ships; and when you have it changed I will venture the assertion that you will not have a very good ship to haul human beings in.

Mr. LEWIS. Mr. President——

Mr. REED. But why is it that we do not get the ships and bring the boys back that we had to take them over? Why do we not demand them? Why do we not get them back as a right? We have certainly done enough for France and England in this war, and we are certainly doing enough now when we are controlling the price of American foodstuffs and American products for their benefit.

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Illinois?

Mr. REED. I yield.

Mr. LEWIS. Mr. President, the able Senator from Missouri said that in a letter which he had received from some commanding colonel there was a statement that the transports were being taken from us. May I ask the Senator if he understood from that——

Mr. REED. The Senator misunderstood me. Transportation in France—the motor transports, the cars, and things that haul goods over there in France.

Mr. LEWIS. Oh, the letter refers to the interior transportation in France, not transports?

Mr. REED. Yes; transportation in France was the term I used.

Mr. LEWIS. I was interested to know what that did refer to; but I nevertheless ask the Senator if he does not recognize that many of the ships which we were permitted to use for taking the men over while we were at war were ships of the countries which are generally spoken of as our allies, and now that those countries are at peace they have taken those ships for their own uses, and they are wholly out of our command, and we are powerless to control them, and if that is not one of the exceeding difficulties we are now contending with?

Mr. REED. I can not tell you just what our difficulties are, because it has been the policy of the State Department to keep as profoundly secret as possible from Congress many important facts that Congress ought to have known. So I can not tell you exactly what the situation is.

Mr. SMOOT. Mr. President——

Mr. REED. But I make this remark, if the Senator will let me finish the sentence. I have already made it. When we count the obligations that France and England are under to the United States and the obligations they are daily being placed under by the furnishing to them of foodstuffs and of raw material and the control of prices for their benefit, but at the expense of the American producer, I know they would furnish these ships if the proper kind of demand was made, and it ought to be made mighty quickly.

Mr. LEWIS. May I ask my friend what method would the Senator from Missouri suggest to enforce France and Britain to put their ships at our command? I should like to have it myself.

Mr. REED. If the Senator wants to know, I will tell him what I would tell them if I was running this business. Instead of writing leagues of nations, with perpetual peace in them, instead of spending my time talking about some scheme that is to concern the civilization of the future, I would say to the gentlemen running those countries: "I need some ships. I need them now. I want you to give them to us. I believe you will give them to us." And if they did not give them to us I would see to it that every benefit and advantage they have in the American market was taken away the day after to-morrow. [Applause in the galleries.]

The VICE PRESIDENT. The occupants of the galleries are totally disregarding the rule of the Senate. The Chair did not make the rule; the Chair does not approve of it; but it is the rule of the Senate that no marks of approval or disapproval can come from the occupants of the galleries; and it will be the very painful duty of the Chair to clear the galleries if this demonstration occurs again.

Mr. SMOOT. I wish to say to the Senator from Missouri that this difficulty was foreseen by a number of Senators before ever we began to transport our Army to France. When the first appropriation bill was passing through this body with the increased appropriation for our Army, the Senator from Georgia [Mr. SMITH] was, I believe, the first one who brought this subject to the attention of the Senate. He insisted at that time that there should be a distinct provision put upon the appropriation bill that would require England to furnish just as many ships to return our soldiers as she furnished to take them over. If that had been done, this difficulty never would have arisen at this time.

I wish to say to the Senator I am told there are three English ships put at our disposal for the transportation of all the troops we have on the other side to this side. I do not know whether that number is correct or not, but I have seen it stated in the press, and I have also had an official of the War Department make the same statement to me.

Mr. LEWIS. If the Senator from Missouri will allow me one suggestion, though he ought not to be interrupted, I am only anxious that the War Department shall have no further blame upon it than it should bear, and that wherever it is not responsible for any particular condition that fact should be made known and plain to the American people. May I ask my able friend from Missouri if he contemplates this thought, that while it would be an act of goodness and justness for Britain to give us any shipping she has, must we not consider that she is using many of her own ships to take her own soldiers back to their homes in Australia, in Canada, and other portions of the globe, and that that probably consumes much of her ships which heretofore she had at our service to bring soldiers over to France?

Mr. REED. Does the Senator state that as a fact?

Mr. LEWIS. I am merely stating from newspaper report. [Applause in the galleries.]

The VICE PRESIDENT. The Chair is not going to sit here all the afternoon admonishing the occupants of the galleries to obey the rule of the Senate. If this occurs again the galleries will be cleared.

Mr. LEWIS. I am compelled to reply to the able Senator that I read that in the public report, as that is the only way, of course, we can get any news touching what Britain does. If it be true, we have to consider it; if it be not true, then it will probably mean that Britain has some ships which if accessible it would not be inappropriate for this country to ask the use of. I was only calling this fact to the attention of the Senator that he might consider it in connection with his presentation of a very worthy subject.

Mr. REED. I did not mean when I asked the Senator if he stated that as a fact to tell us the source of his information, but I wanted to know whether the Senator understood it to be a fact, because of the manner in which he put the question to me; it was rather hypothetical and I did not know how to reply to it.

Now, my understanding is that Great Britain is using her ships and that she is using some of them to transport her sol-

diers back home, and she is using a great many of them in commerce; that Great Britain, unlike the United States, has been very forward looking and has been prepared to invade all countries with her commerce the moment her vessels were released.

Mr. President, I have also been informed by the vice chairman of the Military Affairs Committee recently that Mr. Baker said that by April we would be bringing over our troops at the rate of 300,000 a month. I hope that prophecy will turn out better than some others we have had, but if we are going to bring our troops back from Europe at the rate of 300,000 a month in April I want to know why we are not discharging them in the month of February in the American camps and getting them out, and getting all of them out. The greater the difficulty in getting soldiers back from Europe, the more that is delayed, the more reason there is for emptying the American camps and stopping this enormous drain upon our Treasury.

Mr. President, there is a limit to the resources even of America. This wonderful land, with a wealth so much greater than we imagine, has nevertheless mortgaged her future to an extent that no other nation prior to this war has ever mortgaged its future. We have dealt in billions as in former times the world dealt in millions. The apparent prosperity of the hour is that kind of prosperity which a man enjoys who has mortgaged his home for $10,000, and therefore has $10,000 in the bank as ready cash, but who nevertheless is in debt $10,000. The illustration is not happy. It would have been better if I had said the man had mortgaged his home for $10,000 and had spent $9,000 of it and had $1,000 still in bank. Sooner or later the pinch hour is bound to come, and that peace will be greater or less just as we act wisely from this time on.

The first thing manifestly to do is to stop the waste to some extent. All war is waste. Every boy taken from the farm means not only the loss of that man's time but it means more than waste, it means perhaps the farm half cultivated. That means higher prices in the market when you come to aggregate it altogether. It means that this man taken from his home lives at an expense two or three times greater than he would have lived under in his own home. It means the disarrangement of all business. It is but common sense to get these men out, to get them back, to let them cease being consumers, and let them become producers, and instead of being a public burden let them become a public benefaction.

Get the Army back as soon as we can get it back; stop the expense. Then will be the time to begin to hope, through the productive capacities of this vast Army of splendid young men, to rehabilitate our fortunes and to stop that strain and draft and drain upon our resources, which, if they be not stopped, will ultimately produce very hard times in this country.

Mr. President, the man who keeps a million men in the field one day longer than necessary deprives this country of at least $2,000,000 a day, in my opinion, indeed, I think a much larger sum. We are going to be asked to buy bonds in an enormous quantity, but the people of this country are going to be in no temper to buy bonds unless they find the Government is willing to cut down its expenses.

In that connection I desire to say the war is over. When the war began, we started in erecting acres and hundreds of acres of buildings in Washington, and we began importing clerks from all parts of the United States and putting them into those buildings. I think we must make allowance for waste; we must make allowance for miscalculation; we must be very charitable in our criticism; and yet, as I went through those buildings day after day, I was impressed with the fact that the lives and the limbs of those clerks were actually being jeopardized because they were crowded in so thickly that they were falling over each other. It was my hope that when the war was over that thing would cease, and that these clerks would be returned to their homes, at least a very large percentage of them; but you can go down through those buildings to-day and you will find that the number of clerks has been but slightly decreased.

Mr. SMOOT. In some of those buildings the number of clerks has been increased.

Mr. REED. I am informed by the Senator from Utah [Mr. SMOOT] that in some of the departments the number of clerks has actually been increased. You can not get the head of a department to cut down his clerical help. There is first one excuse and then another given for not doing it. I am about prepared to say on these matters that the only way to retrench is to retrench, as somebody once said the way to resume was to resume.

Why, Mr. President, this Senate, discovering that these temporary buildings out here in front of the Capitol would require over a million dollars of expenditure in order to make them usable, and believing that there would be a reduction in clerks, passed a bill to discontinue the work upon those buildings. That bill went to the House of Representatives, but it was followed there by the representatives of these departments, and they succeeded in persuading the committee in the House of Representatives not to report the bill, or at least to take no action upon it. So the million or the million and a half of money is to be expended on these buildings after the war is over to house an army of clerks after the army ought to have been demobilized and returned to their homes. I do not say that to criticize the House of Representatives; I have never indulged in any criticism of that great coordinate branch of our Government; but I say it to criticize the department chiefs, who went down to the House of Representatives and pursuaded them that they had to keep this army of employees.

Mr. President, that you can heap the burden upon the people for a while—for our folk have been good-natured and have paid their money out like thoroughbreds during the war, mortgaging their incomes, mortgaging their future, and doing it gladly—is no certain reason to believe that they are going forever and a day to continue to pay these taxes, when they have a right to believe the money is being wasted.

I had intended to say a word, and I have said a good many words. It is time somebody said something about getting these armies home; it is time that they found some means down at the department whereby a second lieutenant can not keep a man lying there almost rotting in camp, who is worth four or five thousand dollars a year at home, or if he is not worth four or five thousand dollars is worth four or five dollars a day at home. In the circumlocution of camps affidavits that you have dependents upon you, solemn proof that some great calamity will befall—all these things are required before a man can get discharged who ought to have been discharged within 10 days after the war was over; who ought to have been sent home, and gladly sent home, and probably paid a month's wages to start him out with. If you had given these boys 30 days' or 90 days' or even six months' pay, as they did in Canada, and let them have gone home you would still have been money ahead, for you would have saved their keep.

It is mismanagement; I unhesitatingly say it is the grossest mismanagement. I unhesitatingly say the time where patience has ceased to be a virtue has arrived, and for one I protest against this mismanagement. I do not know whether it will do any good to protest; I do not know that it would do any good for this Senate to pass a resolution; but unless the situation is remedied very soon I am going to offer a resolution regarding it.

I want at this time to give notice that on Saturday, after the reading of the Farewell Address of Washington, which, I presume, will still be read in pursuance of the ancient resolution of the Senate, I shall address the Senate, with its kind permission, upon the league of nations.

Mr. LEWIS. Mr. President, a parliamentary inquiry. I desire to ask what bill is now pending before the Senate?

The VICE PRESIDENT. The legislative, executive, and judicial appropriation bill is now before the Senate.

MARKET PRICE OF LIBERTY BONDS.

Mr. JONES of Washington. Mr. President, I coincide very largely, if not entirely, with the views of the Senator from Missouri [Mr. REED]. I am receiving letters every day from parents asking that their sons may be sent home; and I am receiving letters from soldiers in the camps here and in the camps abroad, asking to be sent home. Many of these soldiers state that they have positions awaiting them, but that those positions can not be held up indefinitely. Yet there does not seem to be any way that we can get them home.

There is another matter that I want to speak about, and which I think is not entirely out of place in connection with what has just been said by the Senator from Missouri. I had hoped the chairman of the Committee on Finance [Mr. SIMMONS] would be here, but he has been called out of the Chamber. I see the Senator from Utah [Mr. SMOOT] is here, and he is also a member of the Finance Committee. I want to ask him or any other member of the committee a question after I have read a letter, which I hold in my hand.

I have noticed in the newspapers of my State advertisements of firms or banks that they will purchase liberty bonds, inviting the holders of such bonds to come and deal with them. I received a letter from a friend of mine in Seattle, calling especial attention to these advertisements, and particularly calling attention to the fact that many of the national banks are encouraging people who hold liberty bonds to come in and sell them; also calling attention to the fact that the liberty bonds are being discounted from 5 to 7 per cent, and that the people who were urged a few months ago to buy liberty bonds and who did so at a very great sacrifice, acting under the patriotic appeals that

were made to them by these same bankers, were being compelled, in order to get food and to sustain themselves, to sell their bonds at a discount to the very same bankers who had appealed to their patriotic instincts to purchase the bonds some time ago.

I took the matter up with the Treasury Department to see whether or not the Treasury was doing anything or taking any steps to try to maintain these bonds at par, and apparently but very little has been done. I wrote this friend of the situation, and I have his letter in my hand, which I desire to read. I see the chairman of the Committee on Finance is now present, and I want to call his attention to this letter with reference to liberty bonds, and then to ask him a question. This gentleman says:

> Beyond question the Congress of the United States can maintain its bonds at par. Is it right that this should be done? If so, why not do it? Should the great mass of our interest-bearing debts be permitted to get in the hands of a few, and at a "shave" at that? Already lines of men and women here in Seattle stand at the national bank counters—and no doubt do so elsewhere—waiting their turn for the "shave," notwithstanding the advice of these "patriots" not to dispose of them for less than par. People have to pay taxes, and ought to; they also have to purchase food. To do this it is calculated to set them to thinking when compelled to sell a United States bond to a national bank for less than 94 cents over the same counter which they paid 100 cents per dollar only a few months ago.
>
> I will admit that we may not know just how to protest, which makes it all the worse for those who stand for law and order in all things.

Now, Mr. President, what I want to ask the chairman of the Committee on Finance, or any other member of that committee, is this: Is anything being done or is any proposition being considered for the maintenance of the liberty bonds of this country at par, especially the liberty bonds to a certain amount anyway, that are in the hands of people who by force of circumstances are compelled to dispose of those bonds in order to get a living, in order to maintain themselves? It does seem to me that something ought to be done in behalf of the clerks who, for instance, were practically forced by a departmental head to skimp and save out of their monthly earnings a few dollars with which to buy a $50 bond or a $100 bond, who now, when the necessities of life force them, in order to raise some money, to sell these bonds, and they must sell them at a discount of from 5 to 7 per cent.

It probably would not be proper or advisable to make these bonds good in the hands of the men who hold them by the thousands or hundreds of thousands of dollars worth, but it does seem to me that something ought to be done, at any rate, so that the man and woman of limited means who may hold $50 or $100 or even $1,000 worth of these bonds should have them maintained at par.

I do not pretend to know very much about how these things can be done, but it does seem to me that if a fund could be provided at the Treasury, out of which bonds up to $100 or $1,000 would be redeemed at par upon a proper showing to protect the Government, it ought to be done. I should therefore like to know of the chairman of the committee whether there is any proposition being considered or whether anything has been done under which this can be accomplished?

Mr. SIMMONS. Mr. President, of course the Senator understands that one of the most difficult questions that can confront any nation is that of always keeping its government obligations at par. There has not been a time since we began to issue liberty bonds—and especially is this true of the latter issues; in fact, it is absolutely true as to all of the issues except the first—when they have commanded par in the markets of this country.

Mr. LODGE. Except the three-and-a-halfs.

Mr. SIMMONS. I said except the three-and-a-halfs—and they are now below par. The Government, through the Secretary of the Treasury, has of course been very much concerned about this situation and has discussed with the Finance Committee possible ways and means of removing this condition. There is a provision, as I now recall, for a sinking fund, which sinking fund is not adequate, I think, and should be increased; but it was thought at the time that if a sinking fund were provided, it would help very materially to keep these bonds at a higher level. I do not think anybody thought that it would be possible for some little time, even with a large sinking fund, to bring them immediately to par.

One of the troubles about keeping these bonds at par grows out of the fact that a great many people have bought them through loans and upon the installment plan. They did not themselves have the money to invest, so they went to banks and borrowed it; the banks extended them credit and gave them time in which to pay, so as to permit them to make payments as they were able. In many instances these purchasers have found themselves unable to meet their payments, and consequently unable to hold their bonds. In other instances persons who have bought these bonds have found that they needed the cash which they had invested in the bonds. This situation has forced them to throw great quantities of these bonds upon the market. That is one reason that has caused a decline in the liberty bonds.

Mr. JONES of Washington. I am not asking for the reasons for or causes of the decline.

Mr. SIMMONS. I am giving the reasons, so that I may finally inform the Senator as to a statute which is now under contemplation by the Treasury Department and by the committees of the two Houses.

There is another scheme, which has become a sort of a system in this country on the part of designing speculators, which has had a great effect in pressing down the price of these bonds in the market. It is a scheme whereby issues of stock—wildcat stock, we sometimes call it; stocks of different kinds—are taken by agents and peddled all over the country. Wherever they can find a credulous person in possession of some of the liberty bonds he is offered these "high-interest bearing," "high-profit earning" stocks, according to the stories of the agents, for these low-interest bearing bonds; and they succeed in gathering up, so the Secretary of the Treasury advised the committee, enormous quantities of these bonds, which are immediately thrown upon the market and converted into cash at any price that can be obtained for them. That has had a very great tendency toward depressing the price.

To meet that situation, the Secretary of the Treasury has sent to the Finance Committee and to the Ways and Means Committee of the House a bill which he has prepared, which possibly may meet and overcome the evil; but that is a question yet to be determined. That bill is under consideration. I am very much inclined to think, if that bill passes, it will stop that method of exploiting the holders of these bonds and the throwing the bonds in such vast volumes upon the market.

Outside of a sinking-fund method and outside of another method which has probably helped to some extent to keep these bonds from going even to a lower level than they have now reached is the practice of the War Finance Corporation of each month setting apart a fund for the purpose of purchasing these bonds in the open market. I do not know how much that fund is, but I am advised that in recent months this institution has put in the hands of its agents in New York, and probably in Chicago and at other points, many millions of dollars.

Mr. LODGE. I think they have set aside for this purpose something over $200,000,000.

Mr. SIMMONS. I was going to say that, in the aggregate, up to this time I think that corporation has invested something over $200,000,000 in the purchase of liberty bonds for the sole and only purpose of trying to keep them from falling to a lower level or in the effort to raise them to a higher level. Those are methods that ordinarily would accomplish a greater result than seems to have been accomplished in this case.

Mr. LODGE. Mr. President, if I may interrupt the Senator—he may have stated what I am about to suggest, but if so I missed it—surely we put in one of the bills passed by Congress a provision for a special fund to be used by the Secretary of the Treasury, in the nature of a revolving fund, to purchase bonds with a view of sustaining their price.

Mr. SIMMONS. I thank the Senator; we did that. So that the Secretary of the Treasury, I will say to the Senator from Washington, and the committees of the two Houses in charge of this matter have been alert and have, within their limitations, been doing what seemed to them to be expedient and necessary to help against the situation to which the Senator from Washington calls attention, and which, I think, is a very grave situation.

Mr. JONES of Washington. Can the Senator tell me how the revolving fund to which he has referred is used? Is it used to buy bonds promiscuously or can an individual take his bond to the Treasury and get it redeemed at par?

Mr. SIMMONS. No; I think it is used largely in the markets where bonds are bought and sold for the purpose of maintaining a standard price.

Mr. JONES of Washington. Has the committee considered any proposition that would make it possible for the holder of a hundred dollar bond to go to the Treasury Department and, upon a showing of his original ownership and of his necessities, have that bond redeemed at par?

Mr. SIMMONS. No, Mr. President; and I think, if the Senator will reflect, he will reach the conclusion that it is impossible for the Government to guarantee the par value of these bonds, unless the Government is ready and able to redeem all of them, if it becomes necessary.

Mr. JONES of Washington. Well, does not the Senator think that a plan like that could be worked out?

Mr. SIMMONS. I think, Mr. President, that if the Government were able to redeem all of its bonds there would be no necessity of issuing any more bonds.

Mr. JONES of Washington. I was not suggesting and did not put a proposition that to my mind would involve the redemption of all these bonds, but there are people who own a $5,000 bond, a $10,000 bond, a $20,000 bond, or a million dollars in bonds. About those people I am not worrying, although I should like to see all of our bonds at par. I am not worrying particularly about bonds of the larger denominations to which I have referred, in the hands of people who are able to hold those bonds; but it seems to me, as I said a while ago—and I confess that I do not know very much about these financial matters—that we could provide a fund, and hedge it about with such restrictions as would prevent the Government being flooded with these bonds, under which the holder of a $100 bond or a $500 bond, on a proper showing and under such regulations as the Secretary of the Treasury might prescribe, so as to prevent the bonds being poured in, could present them to the Treasury and have them redeemed at par. It may be difficult to work out such a plan, but it seems to me something of that kind could be provided, and I wanted to ask whether the committee had considered anything of that sort?

Mr. SIMMONS. No; I will say to the Senator that no such proposition has been presented to the committee or discussed by the committee. That would be a very difficult proposition to work out. Of course, we could not very well say that the Government will redeem certain bonds of certain denominations and will not redeem bonds of other denominations. If it were desirable to provide that the Government should set apart a fund to be used in the purchase of the bonds of such holders as might be in distress and might by force of circumstances be compelled to put them upon the market, that could be done.

Mr. JONES of Washington. That is what I have in mind, something of that kind.

Mr. SIMMONS. That could be done, but I do not know whether or not that would be a wise thing to do.

Mr. JONES of Washington. Mr. President, it seems to me that something of the sort ought to be considered. It is a very important matter. The difficulty of it should not dishearten us if it is possible to work it out. The Senator has suggested in two sentences what I have really been trying to get at. The class that the Senator describes is the class I wish to take care of, namely, those who have a $100 bond and have to dispose of it in order to get some money on which to live—people who are in distress. The plans and methods the Senator has described have not taken care of the situation; they have not prevented these bonds from going way below par, and something ought to be done to meet this particular situation.

Mr. President, the man who has a $5,000 bond knows that the bond is going to be redeemed some day, and that when it matures it is going to be paid in full by this Government; everybody knows that; but what I should like to see done is to provide a fund of some sort to take care of the bonds that will be taken care of when they mature, of course; but which should be taken care of now, in order to meet the distressing conditions that confront some of our people. I wish that some effort would be made to create a fund in the Treasury Department that could be used in that very way.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. JONES of Washington. I yield to the Senator from Massachusetts.

Mr. LODGE. I merely desired to make a suggestion with regard to this subject.

Mr. JONES of Washington. Very well; I am through.

Mr. LODGE. Mr. President, we are struggling against an unfortunate situation. The bonds were sold at an artificial price. The exemptions and the rates attached to them were not sufficient to make them sell at par in the market when they were placed. We relied on the patriotism of the country to buy those bonds for more than they were worth. The result is, of course, that, as they were not sold to meet the market when they were issued, they have never been able to meet it since, because they were sold above their real value.

The 3½ per cent bond was made a desirable bond, and it remained above par until very recently certainly, although carrying the lowest rate of interest of any of the liberty bond issues; but it was given an exemption, which held it up. The other bonds never were worth what they were sold for when the loans were placed; that is the trouble. The difficulty of meeting such distressing cases, as the Senator has described, has given me, for one, a great deal of thought; but it is very hard to see how we can remedy the situation, because, if we begin to redeem the $100 bonds, we shall find a great increase in the number of hundred-dollar bonds to be redeemed at par. We have made some provision on this subject, which the Senator from North Carolina has pointed out, but it has been only palliative; and now everywhere in my city the newspapers are full of advertisements of readiness to purchase these bonds, to be bought by people who can afford to hold them.

The fundamental trouble is in not having met the market when the bonds were issued. If that had been done, people would either have bought them below par, or they would have bought them at par when they were worth it. We have a very difficult situation, and I, for one, confess that it is very hard to see how it can be met.

Mr. SMOOT. Mr. President, if I were the Senator from Washington, in answering that letter I would advise the writer of it that up to the present time we have issued over $16,000,000,000 worth of bonds, that there is staring the country in the face at the present time a further issue of thirteen to fourteen billion dollars' worth of bonds, and with that amount of bonds in circulation it will be absolutely impossible, as long as money is worth what it is to-day, to maintain those bonds at par.

If we should agree to redeem at par all $100 bonds, every issue of bonds hereafter would be of $100 bonds, and it would simply mean that in the case of every loan that was put up and sold it would be only a very few months until the Government would have to redeem in some way the whole amount of the loan.

The Senator could say further to the writer of the letter that at the rate of 4½ per cent a taxable bond, such as is provide for in the law now, will of necessity sell for less than par. Money to-day is worth from 6 to 7 per cent; and therefore a bond of this kind that is taxable will not bring in the market more than about 94 to 94½ cents on the dollar.

If we want to make a change in the value of the bonds already issued, the terms of the bonds must be changed; and I do not believe that will be done. The Senator from Massachusetts has well stated that these bonds when sold, at the rate of interest they were carrying, were not worth par by any manner of means; and I know thousands of people who subscribed for liberty bonds with the distinct understanding that they would sell the bonds, and they were perfectly willing to pocket the loss.

Mr. LODGE. Precisely.

Mr. SMOOT. Millions and hundreds of millions of dollars of bonds have been sold in that way, and bought for that very purpose.

Mr. LODGE. Precisely. They were perfectly willing to give that 5 or 6 per cent to the Government. That is the case with many people; but now the bond is meeting the market, as every other obligation is to-day.

Mr. SMOOT. And it will have to meet the market hereafter, with an additional amount of bonded indebtedness.

Mr. LODGE. Absolutely.

Mr. KENYON. Mr. President——

Mr. SMOOT. I yield to the Senator from Iowa.

Mr. KENYON. I should like to ask the Senator if he thinks the exemption from taxation of the Federal farm-loan bonds, and the attracting of money in that direction, has affected in any way the market value of these bonds?

Mr. SMOOT. Just as soon as the Federal Farm Loan Board offer a bond issue, inasmuch as the bonds are nontaxable, as the Senator knows, they are taken immediately. The Federal Farm Loan Board could issue bonds to-day, if we should authorize them to do so, to the extent of two billion, of three billion, or five billion dollars and sell them, without a doubt, in a very short time.

Mr. KENYON. What reason or justice is there in exempting those bonds from taxation and not exempting what we term liberty loan bonds?

Mr. SMOOT. I will answer the Senator very frankly. Because of the fact that Congress was appealing to the farmers of the country, and for that reason the bonds were exempted. I think that is the proper way to answer the question, and I think I ought to answer it just exactly in that way.

Mr. KENYON. It did not really help the farmers particularly, did it? It helped those who wanted to buy a tax-exempt bond.

Mr. SMOOT. It certainly will help the man who buys the bond. There is not any doubt about that.

Mr. KENYON. And it will keep on affecting the liberty bonds.

Mr. SMOOT. Mr. President, I do not know that there is anything else I desire to say, unless the Senator wants to ask me a further question.

Mr. JONES of Washington. No; I wanted to say just a word myself.

Mr. SMOOT. If the Senator will yield just a moment, I will add that one of the bills that we passed—I forget the date—provided a revolving fund of $500,000,000. The Senator will remember that right after that bill was passed our 4½ per cent bonds advanced from about $95 up to about $98 on the hundred; but then the sales began in such large quantities that they soon drove down the price of the bonds. If the Government should undertake to buy all the bonds that were offered, it would bankrupt the Government immediately, just as the Senator from North Carolina has said; but we provided that revolving fund, thinking that perhaps a purchase of bonds at some critical time would tend to stabilize the price of the bonds. I do not know but that it has done so; but the $500,000,000 is a mere bagatelle when you take into consideration the vast quantities of bonds that are passing daily in transactions of commerce in this country.

I will say that a great many of the advertisements come from stockbrokers. The stockbroking business to-day is unprofitable. There is very little transfer of stocks in any part of the United States. Thousands of stockbrokers are failing all over the United States, and those that are living are living from hand to mouth. If they can make one-sixteenth of 1 per cent upon transactions in liberty bonds, they are just that much ahead; and they are trying to maintain their business until better times come through the transfer and purchase of these liberty bonds.

Mr. JONES of Washington. Mr. President, I shall send this RECORD to my constituent. It probably will not bring him very much consolation.

Mr. KENYON. Mr. President, will not the Senator also send to his constituent the votes on the different appropriations that are going on in Congress? That ought to interest him, too, I am sure.

Mr. JONES of Washington. He will acquaint himself with the aggregate amount of our appropriations, anyhow. As I say, it will not give him very much consolation. We have had practically a confession here that it is impossible for the Government to take care of the situation that I have described, and that the writer of this letter has described to me. I do not like us to take a position of that kind.

The Senator from Utah says that if all the obligations of the Government were presented for redemption at once it would bankrupt the Government. I think I know enough about finance to agree with him in that statement; but that is not what is proposed to be done at all. It is suggested that a special fund be created to redeem bonds under particular conditions, and the proof of particular conditions. Now, I admit that that would be hard to work out. I admit that if the bonds were selling on the market at $95, and if they knew that in case a certain showing were made to the Government they would be redeemed at par, an attempt would be made to get these bonds in the hands of people who could comply with those conditions; but, Mr. President, our people are not all perjurers. They are not all people who would try to defraud the Government or deceive the Government. I believe that if a fund were provided under which bonds to the amount of, say, $500—I do not mean $100 bonds—could be presented to the Treasury and redeemed at par upon proof that the person presenting the bonds was the original purchaser of the bonds—not an assignee but the original purchaser of the bonds—and that it was necessary for him to secure money to take care of distressing conditions, and that was the reason why the bonds are presented for redemption, there would not be a flood upon the Treasury under such circumstances, with stringent rules. I am merely suggesting an outline, of course.

Of course, it may be, upon mature consideration, that that could not be worked out; but it does seem to me that we ought to try to do something to work out this situation and take care of it. This revolving fund only benefits the man with money. He is the only one that gets any benefit from the revolving fund that we have had, except the reflex action upon the bonds. They go into the public bond market and buy bonds from brokers—from men who are able to carry the bonds. These men probably want to sell their bonds in order to get money to invest. I am not interested in those people. I am interested, of course, in our bonds and in our obligations; and I should like to see some fund or some way provided, or an attempt made to provide it, under which the men who bought these $50 or $100 bonds by skimping and saving and denying themselves can now, when stress comes upon them, go to the Government and get the face of the bonds, instead of having to go to some broker or banker and dispose of the bonds at a large discount.

I hope we will not stand here confessing that we can not do anything to meet that situation. I hope a serious attempt will be made by the proper committees and by the Secretary of the Treasury to suggest some plan under which the situation can be met.

Mr. SIMMONS. Mr. President, I want to say to the Senator that I am very glad he brought up this matter. It is one that ought to receive very serious consideration; and I have no doubt the Senator's remarks this afternoon may lead to some reflection that may eventuate in some scheme that will be helpful.

I want to say to the Senator, however, that I do not recall and I do not think that there is, a single country among the belligerents whose war bonds are to-day selling for par. The same fate befell the war bonds of England and France and Italy and Germany that has befallen our war bonds. As the Senator from Massachusetts says, of course these bonds were issued under very extraordinary circumstances. They were taken by our people, however, in a spirit of patriotism, with full knowledge at the time they were taken—except in the case of the first issue—that bonds previously issued of the same character, with the same rate of interest, were selling below par. I do not know now exactly what was the price of our liberty bonds of the second and third issues at the time of our last liberty-bond sale——

Mr. SMOOT. Ninety-seven and something.

Mr. SIMMONS. I understand that it was 97 and something, a little bit higher than they are now; but every purchaser of one of the last issue of liberty bonds bought them with full knowledge of the fact that they were not worth par in the open market; and so, if we are to have another issue of those bonds every purchaser will buy them with full knowledge that they are not worth par in the open market. As long as the spirit of patriotism in this country is sufficiently alive to make a flotation of these bonds possible under those conditions we will continue to sell our issues, but when that spirit disappears and these bonds have to be sold upon a commercial basis, of course you can not float them at 100 cents on the dollar with the knowledge that they will not, as soon as purchased, be worth that much money.

As the Senator from Massachusetts has very correctly said, there is but one complete remedy for that situation. What the Senator suggests would give some relief to a certain class of bondholders, and it may be that there is a certain class that is entitled to special consideration and for whom some relief provision ought to be adopted. But, Mr. President, the only way in which we can be assured that these bonds will maintain their value in the market at the price at which they are sold by the Government is either by the extension of the exemption from taxation now allowed by law, or by an increase in the interest rate. That, I think, is pretty generally understood in this country, and the question is, Are we ready to further exempt bonds from taxation, and are we ready to further increase the rate of interest?

Mr. SHAFROTH. Mr. President, since the discussion of this afternoon I telephoned to the War Department to ascertain the number of soldiers in the United States at the time of the signing of the armistice and how many had been discharged. The statements made here in debate almost made it appear that the officers of the Army and the Secretary of War were willfully negligent in the work of demobilizing the Army. Why, it seems to me that anyone who knows Secretary Baker, and knows of his tremendous energy—that he works day and night—will agree that it does not seem fair or right that he and the officers under him should be condemned when they are doing the very best that can be done, and are making a record that is most commendable in effecting the discharge of the soldiers.

Mr. President, I inquired how many soldiers had been discharged from cantonments and Army posts in the United States, and was informed that there had been discharged up to to-day 1,156,000, and that the number in the United States on November 11, 1918, was 1,676,510. Thus, from two-thirds to three-fourths of the soldiers that were in the cantonments and fortifications and forts of the United States at the time of the surrender of the Germans have been discharged by the War Department.

I will ask any fair Senator whether that is not a remarkable record. You must remember that it takes time to discharge men. They have to be examined; a certain number that are in hospitals can not be released; it takes time to make the physical examinations of millions of men by a limited number of physicians; it takes time to prepare the data for the permanent record the Government must keep of each soldier.

I asked how many soldiers had been transported from France since the 11th day of November, 1918, and the answer was given that 232,000 had arrived in the United States, and that 60,000 are now at sea bound for American ports. The war came

to an end very suddenly. The United States was not prepared to transport its soldiers. We lacked the number of vessels that were necessary for that purpose. We have been unable to get either France or Great Britain to furnish ships for the purpose of transporting soldiers. Now, Mr. President, when we consider the fact that Great Britain has soldiers from Australia, England, Scotland, Ireland, Wales, soldiers from Canada and India that must be returned, you can readily see that she is pretty well occupied with her own returning soldiers, and that consequently her ships are very largely used for that purpose.

Mr. President, we find also that these other nations are engaged in similar tasks, in service which they regard absolutely necessary and essential. When Senators say that the War Department is asleep when it has demobilized two-thirds or three-fourths of the Army in the United States and has demobilized the troops in France at as rapid a rate as it is possible to transport them to our shores, it seems to me that they are indulging in criticism that is unfair, and they are not giving credit to men who are trying to do their duty.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Missouri?

Mr. SHAFROTH. I do.

Mr. REED. Will the Senator tell me why we still have in the camps in the United States approximately three-quarters of a million men?

Mr. SHAFROTH. We have not that number.

Mr. REED. When was it reduced below that number?

Mr. SHAFROTH. The number that have been discharged up to to-day, according to a telephone message from Gen. March's office in the War Department, is 1,156,000 men.

Mr. REED. How many does that leave?

Mr. SHAFROTH. That leaves 560,000 men.

Mr. REED. What are those half million men doing in camp all this time?

Mr. SHAFROTH. Mr. President, it takes time to discharge men. They are discharged after an examination. Many of them are sick and can not be discharged now.

Mr. REED. Oh, but, Mr. President, the Senator does not mean to say that these are sick men?

Mr. SHAFROTH. No; I do not say that all of them are. There are certain numbers on the sick list. Many of those who have passed the physical examination have been released.

Mr. REED. Yes; many of them have gone, but 500,000 of them are still here.

Mr. SHAFROTH. That is true; but, nevertheless, the proportion of those that are sick is larger among those who remain than among those who went. Now, as I said to the Senator, it takes time to demobilize men. It took a great many months to demobilize the men in the Civil War. The great parade of the soldiers of the Union in this city did not take place until months after the surrender of Lee at Appomattox. It requires a large number of men to remain at cantonments, forts, and camps to guard and keep them in good condition until complete demobilization has taken place and until Congress determines what we will do with our cantonments.

We have had criticism continually. The War Department has done nothing that was right, according to some. No matter what is done, it is wrong; and yet I make the statement that no nation on earth ever made the preparations for war that the United States did with greater dispatch nor transported to a foreign country the number of men that the United States landed in France in so short a time.

Mr. President, I wish to call attention to the work that was done. I want to show just what has been the record in transporting our soldiers to France. There was a great deal of discussion here in the past about the slowness of the War Department in transporting troops overseas. Morning after morning Senators would ask, Why do we not get the men over to France? Why do we not get them on the firing line?

I have a comparison between Great Britain's action and the action of the United States. Here are the figures: In the first period of the war, from the 14th day of August, 1914, until the 1st day of January, 1915, England sent to France only 480,000 men. From that time until the 1st day of January, 1916, England sent to France only a sufficient additional number of men to make a total of 1,000,000. There was nearly a year and a half that England, presumably much better prepared for war than we were, had spent in getting across the channel of a few miles into France only 1,000,000 soldiers. By the 1st of January, 1917, the total number of soldiers that Great Britain had transported to France was but 1,500,000, and by January 1, 1918, the total number she had landed there was 2,000,000 men.

Look at the record of the United States. I warrant that no one can say but that the record of the War Department in the preparation for war and in the transportation of soldiers to Europe has been far better than that of any other nation in the history of the world—far better than that of Great Britain.

The war started between the United States and Germany on the 6th day of April, 1917, and from that time until the 11th day of November, 1918, the United States transported and landed in France about 2,000,000 men. I can give you the exact number. The total number of men transported was 2,002,175. Not in four years, not in three years, but in one year and a half the United States Government had collected these soldiers, drilled them, provided transportation for them, and had landed them in France. Is there any record of any nation in the history of the world equals that in preparation for war?

When you remember that for the first year and a half Great Britain transported to France only 1,000,000 men, you can readily see that in our year and a half we have doubled the record of Great Britain, which had a passage of only 42 miles crossing the Channel in order to land her soldiers in France, while we had a distance to traverse of more than 3,000 miles.

Mr. REED. Will the Senator permit me to ask a question?

Mr. SHAFROTH. Yes; I will answer the question if I can.

Mr. REED. While England had landed only 1,000,000 men actually in France, how many million had she trained in her own country?

Mr. SHAFROTH. I suppose quite a number, but she never took all of them over.

Mr. REED. Oh, well, but as a matter of fact had not she trained a greater army than she had sent to France, and was she not simply holding that army in her own country for the finishing touches?

Mr. SHAFROTH. No; I do not think so. I think she was holding some, and she was, of course, training soldiers. But, Mr. President, so was the United States. The very fact that on the 11th of November, 1918, at the time of the signing of the armistice, we had in the United States in the cantonments and in the forts and other places 1,676,510 men shows that we were training men also and did not have time to transport them in that short period of time.

Mr. REED. Will the Senator yield for a moment?

Mr. SHAFROTH. I yield.

Mr. REED. The Senator, of course, is discussing an entirely different question than that which I discussed. I said nothing about demobilization of the Army. That is no answer to the fact that you are not getting men back home as soon as you should to say you got them over as quickly as you ought to. But I wish to call the Senator's attention——

Mr. SHAFROTH. I wish to remind the Senator that I have been answering criticisms which have been made, and which I say have been made principally upon the other side of the aisle, to the effect that there has been delay in nearly everything the War Department undertook; and it is a record that is much better than that of any department in any government that ever prepared armies for war.

Mr. REED. I wish that were true.

Mr. SHAFROTH. If you will allow me to put these figures in I will show it is true.

Mr. REED. I wish to ask the Senator a question about his figures. Of course, anybody can make up figures when he starts to get a result. I wish to know if it is not true that England, with her population—I am speaking about England, Ireland, and Scotland; Great Britain we will call that to contradistinguish it from the British Empire—had not raised, equipped, and trained and had ready there at the front, or ready for the front, only a few miles away, an army millions greater than the figures which the Senator has given?

Mr. SHAFROTH. I will say to the Senator that she did have some men in England. There is no doubt about that; just as we had 1,600,000 men in the United States at the close of the war. There is no doubt in the wide world but that the speed and the expedition with which these men were put to the front by England was slow compared to that which the United States developed in transporting 3,000 miles every soldier that we landed in France.

I will state to the Senator, with respect to these figures, that they have been compiled by the Assistant Secretary of War, Mr. Crowell, and they show the exact number of men that were enlisted and the number of men that were transported. They show the manner in which the various departments furnishing supplies had complied with the speed orders that were urged.

Mr. REED. Does that show that we had enough shells on the front?

Mr. SHAFROTH. Of course, you can not declare war on the 6th day of April and expect to have manufactured and shipped all the necessary materials, especially when it was necessary in many cases to build factories for their manufacture, and expect to deliver them in time for a battle six months thereafter. That would be a physical impossibility.

Mr. REED. The Senator said these figures showed the system used in a way that led me to believe that we had performed something marvelous. I am not here criticizing and do not want to get him into that line of discussion, but I will say to the Senator that if he is undertaking to demonstrate to the country that we sent our men into battle fully prepared and equipped, he had better keep away from that question.

Mr. SHAFROTH. Mr. President, I think the records are accurate. They have been compiled very carefully.

Mr. REED. I will show you Gen. Pershing's telegram in a few moments.

Mr. SHAFROTH. I wish to show the Senate just what we did. The Army in Europe on the 11th day of November, 1918, amounted to 2,002,175. In the States we had 1,676,510; in the Insular possessions and in Alaska we had 55,735; a grand total in our Army, excluding marines, of 3,707,132; including the marines the grand total was 3,734,420.

Mr. President, England had perhaps between 4,000,000 and 5,000,000 men. I do not believe that they had more than that, if they had that number. We raised ours in 18 months and sent 2,000,000 of them to France 3,000 miles away, while England took four years and three months to raise her army and had in France at the time of the surrender 2,000,000 men.

Mr. SMOOT. The Senator, however, will admit that with all the men we sent to Europe England transported over 60 per cent of them?

Mr. SHAFROTH. England did transport a great many; there is no doubt about that. We did not have the vessels. But England was very anxious then to get them over. She was much more anxious at that time to get them over and save her forces there than she is now to get them back.

Mr. SMOOT. What the Senator states is absolutely true.

Mr. SHAFROTH. There is no doubt about that, and we can not get ships on that account.

Mr. SMOOT. But we could have done so if the resolution that was offered by the Senator from Iowa [Mr. CUMMINS] and upon which he delivered a speech in the Senate and which was finally referred to the Foreign Relations Committee and lies there now perfectly dead——

Mr. SHAFROTH. What is it?

Mr. SMOOT. A resolution that there should be an agreement between this country and England that she would grant to the United States the same shipping facilities after the war to get our men back into this country that she offered to get them over to France.

Mr. SHAFROTH. That shows great foresight on the part of the Senator from Iowa, and perhaps it ought to have been considered; but if it was not taken up it was the fault of Congress, it was not the fault of the Secretary of War.

Mr. SMOOT. I do not know about that; I will not say that.

Mr. SHAFROTH. There might have been said, if we had passed that resolution, that we were delaying the sending of troops over there.

Mr. SMOOT. Oh, no.

Mr. SHAFROTH. One can criticize anything that is done, I care not what it is. Right now the contention was made in the early part of the discussion to the effect that President Wilson is delaying the soldiers coming back by negotiating for a league of nations to prevent future wars instead of only fixing the terms of peace in a treaty.

When Senators criticize that effort they are criticizing not only the President of the United States but they are criticizing every Government that is at the peace table. Is it possible that the President ought to have interposed an objection to try to establish a permanent peace when all the powers seemed willing and anxious to make provisions to prevent future wars? Senators must remember that when they criticize that fact they are criticizing every one of our allies, because every one of them wanted this league of nations determined upon before there was a treaty of peace outlined. Everybody knows that if we do not get a league of nations before we get the treaty signed, we never will be able to get Germany into any such league. We can force her now by reason of the fact that in the settlement of the peace terms we can make those terms absolute. When it is announced that the President of the United States urges a league of nations to prevent wars, critics say then that the cause of the delay in bringing our troops home is the President. Oh, yes, it is the President that is delaying demobilization, when, as a matter of fact, the force that was most insistent upon a league of nations was the Government of Great Britain, even more so than the United States.

The Senator from Missouri has suggested that America is simply one nation and that we are to be in a league with eight foreign Governments, and that therefore these eight foreign nations might be against our one, our own Government. What could Great Britain say? The representatives of Great Britain could say, We have India; we have Canada; we have various other possessions with populations amounting to five times as much as that of the United States. We find ourselves in the condition of being one nation in a league with eight foreign nations; the eight might be against Great Britain.

If you are going to be controlled by an argument of that kind, you can never have a league of nations. It is impossible to have one, because each one will say, "We have to yield something and therefore we will not go in," and this war with all its horrors, with its tragic losses both in life and in property is liable to be precipitated again by a trivial incident such as the killing of an archduke. Can it be wrong for nations to agree that they will stand together in preventing war?

I never believed that there were people who would object to peace, to a permanent peace. It was that for which we declared throughout the liberty bond campaigns. The burden of our speeches was that this was a war to end all wars, and now we find objection to even moral suasion being used for the purpose of preventing war. Every time one of us made a statement in behalf of liberty bond subscriptions we emphasized that this is a humane war; this is a war of unselfishness on our part; it is a war to save civilization, it is a war to prevent the recurrence of these horrors; and now we find Senators ready to object to any kind of agreement that will put into the treaty some kind of a stipulation that will prevent war or even have a tendency to prevent war.

Mr. President, we may not get the strongest league of nations, but I am in favor of a league of nations, even if there is but one clause contained in its constitution, a declaration that each nation agrees to respect the territorial boundaries of the nations as they exist at the time of the signing of the treaty, and that they are to aid all of the nations in maintaining the same.

We should go further and use our power for the purpose of preventing invasion of any territory of any nation unless the aggressor submits the controversy to a court of arbitration.

If we are able to get only that agreement, we have something that will stop nine-tenths of the wars of the world, because nine-tenths of the wars are for conquest, nine-tenths of the wars are for the purpose of grabbing territory, and if you once obtain an agreement that no nation can invade another, that no nation can take from another any part of its territory, the incentive or inducement for war will cease.

Mr. President, I have been diverted from these figures, and I wish to call attention to them because they show a remarkable record not only as to the troops which were embarked and transported but also as to the manufacture and shipment of war supplies. We began to transport our soldiers in American ships in May, 1917, and we increased the number until in June, 1918, we transported during that month in American bottoms 115,903 of our American soldiers. At the same time we were using the British tonnage and vessels of the other allies.

The total number of soldiers transported in American ships during the war was 896,449. The number transported in British ships was 1,047,374; the number in French ships, 48,691; the number in Italian ships, 61,608.

Mr. President, after the declaration of war we had to pass through both bodies of Congress conscription laws which were long and vigorously fought. We had to give considerable time for the eligible men to register for service. We had to list the 10,000,000 eligible men and give time for the claiming of exemptions and deferred classifications. We had to train the men for actual service by months of drilling. We had to construct enormous cantonments, to build ships, to manufacture guns, artillery, munitions of war, and clothing in gigantic quantities. When we take into consideration all these matters, and the speed with which they were put into the service, ready for fighting upon the battle line, it makes a most remarkable record. There were 2,056,122 of our soldiers transported.

I wish to call attention to other things the War Department has done. The cargoes that were sent to the American Expeditionary Forces from April, 1917, to November 1, 1918, in short tons to the supply service are as follows: I find that there were shipped to France in the Quartermaster's supplies 2,149,400 tons; in engineers' supplies, 1,314,300 tons; in ordnance supplies, 989,900 tons; in the Signal Service, 115,500 tons; in medicinal supplies, 88,900 tons; in the mortar transportation, 113,300 tons;

in the aviation department, 51,400 tons; in Red Cross supplies, 31,900 tons; in the miscellaneous, 43,000 tons; making a total of the shipments of supplies by the War Department to France of 4,897,600 tons.

Is not that a great record? The war came upon us suddenly; the war ended suddenly; and the result of these shipments and the preparation and manufacturing and getting ready of the same is the most remarkable record in the history of the world.

Mr. President, in some of the instances they had to go into the forests and find the spruce and cut it green and season it, and then had to manufacture it into the shapes that they needed. Is it possible that men can fairly say that it should not take time to do those things; that men who worked day and night for the accomplishment of the same should be condemned?

Mr. President, if officials are to be held to account in the degree suggested by the criticism offered here we should require the services of one having the magic of Alladin with his wonderful lamp who can create in an instant great armies and enormous supplies.

I wish also to call attention to something else that was done. Here is the production of munitions for the United States Army from April 6, 1917, to November 11, 1918. Here were the complete units that were manufactured:

Artillery in complete units, 75-millimeter guns, 932; 3-inch, 75 millimeter AA guns, 97. I shall not read the whole list, but I will get the total. The total is 1,647 cannon that were produced in the United States for the United States Army from April 6, 1917, to November 11, 1918.

Mr. SMOOT. The Senator does not mean to say that these 75-millimeter guns were made in this country, does he?

Mr. SHAFROTH. I am showing the complete units of these that were made.

Mr. SMOOT. In the United States?

Mr. SHAFROTH. In the United States, production of munitions in the United States for the United States Army from April 6, 1917, to November 11, 1918.

Mr. HITCHCOCK. How many?

Mr. SHAFROTH. One thousand six hundred and forty-seven.

Here is a list of the complete rounds that were manufactured in the gun factories and in the munition factories of the United States. I shall give the total. These include those for the 75-millimeter guns and for all the artillery. We find that there were 17,203,000 complete rounds for the artillery of the United States that were sent to France.

We had other factories at work; we had other things to do; and the same War Department that seems not to be able to do anything to suit some people, Mr. President, has manufactured of helmets, 1,975,000; of machine guns, 130,000; of machine rifles, 52,000; of rifles, 2,507,000; of pistols and revolvers, 666,000; of rifle and machine-gun ammunition, 2,879,000,000 rounds; of pistol ammunition, 328,000,000 rounds.

Oh, the War Department was sleeping; it was doing nothing; it was absolutely oblivious to the necessity of getting our troops over to France!

Of tractors, it built 32,409; of tanks, 69; of smokeless powder, it manufactured 198,000,000 pounds; of TNT, 101,000,000 pounds; of ammonium nitrate, 91,000,000 pounds; of picric acid, 37,000,000 pounds.

Mr. President, the War Department had other duties to perform. It had to ship and deliver ordnance materials to the American Expeditionary Forces. Here is a statement showing the total amount of complete units that were shipped up to November 15, 1918. There were 454 cannon shipped to our forces; there were British and French deliveries to November 11 of 3,091; a total of 3,545. The amount of artillery ammunition, in complete rounds for the artillery, was 9,066,420.

For the other ordnance the total is not mentioned, but of rifles there were shipped 1,800,000; of pistols and revolvers, 615,000; of machine guns, 49,350; and of machine rifles there were 38,000 shipped.

The rifle ammunition which was shipped was 1,629,300,000 rounds; of pistol and revolver ammunition there were shipped 233,848,000 rounds. Many grenades, tanks, and tractors were also delivered.

Mr. President, they were somewhat busy in doing those things.

I want now to state the production of munitions in the United States for Great Britain and for France which were sent over to those countries by the United States:

For Great Britain, field guns, complete units of 361 in the artillery and of extra guns 216.

The limbers and vehicles delivered were 278 in number.

For France there were shipped 70 of the complete units, 525 extra guns, 50 extra carriages, 70 limbers and vehicles.

In artillery ammunition the amounts that were shipped to Great Britain were 3,568,001 rounds; for machinings 2,888,840.

Complete rounds for the artillery, 3,577,040 rounds.

Yet the War Department was asleep!

Mr. President, we find that the airplanes which were made between April 6, 1917, and November 11, 1918, were as follows:

Combat De Haviland fours, 3,227.

Combat Handley-Paige, 101.

Training—elementary, 5,346.

Training—advanced, 2,474.

Making a total of 11,148 airplanes which were shipped overseas.

Mr. REED. Mr. President——

Mr. SHAFROTH. Just a moment. Those were the figures of production. Of those shipped overseas, the first were 1,985.

Mr. REED. What were they?

Mr. SHAFROTH. They were combat De Haviland fours. Combat Handley-Paige (parts), 100; training—elementary, 0; training—advanced, 0; making a total of 1,985.

Mr. REED. Mr. President——

Mr. SHAFROTH. Let me finish the figures in regard to the engines, and then I will yield to the Senator. There were produced of combat—Liberty motors, 13,554; shipped overseas, 4,383. Combat—Hispano, 469; shipped overseas, 245. Training—elementary engines, 10,568; shipped overseas, 0. Training—advance, 5,221; shipped overseas, 200; making a total product in the United States between April 6, 1917, and November 11, 1918, of 29,832, and shipped overseas, 4,828.

Now I yield to the Senator from Missouri.

Mr. REED. Mr. President, I merely desire to know if the War Department has furnished those figures to the Senator as an actual representation of the airplane situation?

Mr. SHAFROTH. At the time of November 11, 1918; yes, sir.

Mr. REED. I charge that they are deliberately misleading as to the facts.

Mr. SHAFROTH. I do not know about that.

Mr. REED. I charge that the investigation made by the Military Committee made an absolute demonstration that up to the time the war closed our airplane program was a substantial failure. I am sorry to have to say this. I have made no attack upon the War Department except for failure to bring back our soldiers; but I say to the Senator from Colorado that if the War Department has the insolence to send figures of that kind here in regard to the airplane situation it needs checking up, and it will get it.

Mr. SHAFROTH. The airplane program, which was made the subject of debate in this body, was behind in April, May, and June of last year because an immense amount of work had to be done by way of preparation. Factories had to be erected, railroads built to the forests; they had to cut the spruce timber green in the forests, to season it, and then to manufacture it into forms. All that takes time, and of course they could not have, and did not have at that time, the number which we anticipated and hoped they would have; but that shows no inefficiency; it merely shows they were behind in their contracts; it shows, as a matter of fact, that they were doing good work.

Mr. President, I want show another thing which the War Department has done. I desire to say to the Senator from Missouri, whose reference was only to the bringing back of the soldiers, that the equipping of the soldiers has been criticized in this body almost continually. I have some data here with reference to the United States squadrons at the front. A squadron is equipped with from 15 to 25 airplanes. On April 30, 1918, we had 3; on May 31, we had 12; on June 30, 1918, we had 13; on July 31, 1918, we had 14; on August 31 we had 26; on September 30 we had 32; on October 31 we had 43; and on November 11, 1918, we had 45.

A comparison of enemy planes brought down by the United States forces and United States planes brought down by enemy forces will show that the United States planes lost to the enemy were 271, while the enemy planes lost to the United States numbered 491. That shows a record of efficiency on the part of our soldiers which was more than twice that of the German Army, which had been supposed to be, and has been heralded to be, the most expert, the best equipped, and the most perfect military organization in the world.

Mr. President, there was something else done by the War Department. I refer to railroad transportation equipment produced and shipped to the American Expeditionary Forces from April 6, 1917, to November 11, 1918. Of standard-gauge locomotives there were produced 1,691. Does it not take some time to build locomotives? Of that number there were shipped overseas, 1,141. Of narrow-gauge locomotives 445 were pro-

duced, and 406 were shipped overseas. Of standard-gauge cars 19,516 were manufactured and 16,372 shipped overseas. It takes time to manufacture cars; it takes time to construct locomotives; it takes time to make cars of both narrow-gauge and standard-gauge pattern. Yet we did all this in 18 months, without any preparation whatever.

As to automobile transportation, of two-wheel-drive trucks, 55,563 were produced and 30,417 were shipped overseas in 18 months. It takes time to make automobiles and it takes time to transport them 3,000 miles from our shores. It takes time to get them from the factory to the seaboard, especially in view of the fact that the railroads of this country were congested to such an extent that the shipments could not get to the port of departure without long delay; yet it is said that we were sleeping on our job.

Mr. REED. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. REED. Does the Senator mean now to argue that we are entitled to any glorious record on account of trucks? Let me read a telegram from Gen. Pershing.

Mr. SHAFROTH. On account of what?

Mr. REED. On account of trucks.

Mr. SHAFROTH. Very well.

Mr. REED. The telegram to which I refer is as follows:

OCTOBER 13.

Subparagraph (a)—

Failure to float reconnaissance and staff observation cars, to fill tonnage allotment, resulting in improper equipment of regiments and uneconomical diversion of passenger vehicles urgently needed for other purposes. Vehicles should be available and tonnage allotted, but only 55 reconnaissance cars and 75 staff observation cars arrived or were reported by ships during September and October. Please cable prospect for balance for October and November.

Failure to float light repair trucks greatly handicapped repair ordnance work. General motor transport situation does not permit diverting other transports for this purpose. Two hundred and sixty-four reported shipped in August and others presumably available. Tonnage allotments made and total arrivals or reported by ships to date, only 114.

Mr. SHAFROTH. I really do not see any criticism in that, except that they were in a hurry and, of course, anybody who needs equipment of any kind is anxious to get it. That is simply a request to have it expedited.

Mr. REED. Does the Senator see any criticism in the statement of the shortage? Does he see any criticism in this—

On account of the nonarrival of motor transport and animals as heretofore requested, our situation with respect to animal transport is becoming increasingly and alarmingly serious.

Mr. SHAFROTH. That may be true, but England had been in the war for four years trying to do things, and her supplies were short also.

Mr. REED. But the Senator has just been arguing that everything was supplied; and when I start to read him of a serious shortage, he replies that England was also short. Now, what does the Senator say to this one line? I presume he will also reply that England did something—

Unless supplies are furnished when cabled for, our armies will cease to operate.

PERSHING.

Does that sound very encouraging?

Mr. SHAFROTH. Well, Mr. President, of course we were anxious to get our soldiers over there, and no doubt Gen. Pershing was also; and, as shown by the statement I have here, the number of soldiers we transported overseas from April to November amounted, in the respective months, to 117,244, 277,000, 306,000, 281,000, 251,000, 174,000, and 30,000. Of course, if Gen. Pershing had stated, "I want 5,000,000 troops," we could not have forwarded them; there is no doubt about that.

Mr. REED. I was not talking about troops.

Mr. SHAFROTH. Well, the same thing is true as to supplies. They have to be manufactured; it is necessary to have the bottoms in which to ship them; many things have to be done, and, unless a person knows the exact situation, he can not appreciate the magnitude of the undertaking.

Mr. REED. I know that some things were done, and some things were not done.

Mr. SHAFROTH. Yes.

Mr. REED. What I am replying to is this pretense of the department that they have done everything so marvelously well; and, when I show that there was a shortage, the Senator replies that England perhaps did not do as well. That is hardly an answer.

Mr. SHAFROTH. Yes, it is an answer, because all things are relative; there is no doubt about that. If a demand is made for something before it can be obtained or manufactured, it is absurd to say that there is negligence on the part of anybody for not immediately sending it.

Mr. REED. The Senator claims that they performed their duty perfectly——

Mr. SHAFROTH. No.

Mr. REED. And then, when it is shown that it was performed imperfectly he says that everything is imperfect.

Mr. SHAFROTH. I mean to say that their undertakings were more nearly perfect than similar undertakings of any other nation that ever attempted such a task.

Now, Mr. President, as to four-wheel drive trucks, the number produced in the United States was 16,934, and the number shipped overseas, 9,420. Of ambulances there were 10,893 produced, and 6,981 shipped overseas. Of motor cars 17,666 were produced, and 6,989 shipped overseas. Of motorcycles 28,310 were produced, and 16,188 shipped overseas.

Mr. President, the War Department had also other duties to perform, and I wish to call attention to some of them. Here is the list of "Clothing and equipage stocks overseas November 1, 1918":

Stocks on hand in France and days' supply based on Gen. Pershing's new automatic allowances, effective November 1, 1918:

Number of blankets in United States, 4,294,000. Stock overseas, 1,119,000.

Number of days 2,000,000 men could be supplied with stock overseas in blankets, 425; in jerkins, 159 days.

Coats, stock in United States, 3,991,000. Stock overseas, 1,419,000.

Number of days 2,000,000 men could be supplied with stock overseas, 154.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. SHAFROTH. I yield.

Mr. SMOOT. Does the Senator know that a great many of those were made by Spain and England and France?

Mr. SHAFROTH. No; not those that were shipped overseas.

Mr. SMOOT. They were overseas, it is true; but the Senator knows that we have spent now about $30,000,000,000, and we certainly ought to get something for that $30,000,000,000; and the Senator must know, if he knows where that clothing for overseas service was made, that a great part of it was made in England and Spain and France.

Mr. SHAFROTH. The criticism has been continual——

Mr. SMOOT. I am not criticizing at all.

Mr. SHAFROTH. The Senator has been giving a thrust once in a while; that is all.

Mr. SMOOT. But when the Senator stands up here and gives the Senate information, and leads them to believe that all these things were made in the United States, I can not agree with him.

Mr. SHAFROTH. I read the title as to what this was.

Mr. SMOOT. Certainly.

Mr. SHAFROTH. And this is what I say the War Department reports under that title.

Mr. SMOOT. There is no doubt that they had those things on hand, but American money purchased them from foreign countries.

Mr. SHAFROTH. Why, certainly American money paid for them. We pay for our things. If we had had a shortage of a few blankets, we would have heard something from Senators upon that subject. If we had had a shortage of coats, we would have heard Senators, in a chorus of denunciation, proclaiming against the stupidity of the War Department. I do not know where the articles came from, but I do know they were there, and they were ready for the service of the soldiers.

Mr. SMOOT. If the Senator really invites criticism, I could say to him that it could be based upon the very things that the Senator has just mentioned; but I am not criticizing. What I wanted to do was to give the Government all the money that could possibly be spent, and I wanted them to get the goods wherever they could get them in the world; but I do not want credit given where credit is not due.

Mr. SHAFROTH. The heading of this was read. It gives this statement:

Clothing and equipage stocks overseas November 1, 1918.

Stocks on hand in France and days' supply based on Gen. Pershing's new automatic allowances effective November 1, 1918.

Now, whether they were purchased in Spain or whether they were purchased in the United States, I do not know; but we know that a great many were purchased in the United States.

We find that in the case of drawers the stock in the United States was 15,746,000, which must have been made in America, and the stock overseas was 5,304,000, enough to supply the Army in France for 202 days.

I do not want to go through all of this list of supplies purchased by the War Department for the Army.

In the supply of stockings, there were in the United States 16,290,000 pairs, and 8,753,000 pairs were overseas.

In the stock of coats, 4,142,000 were made, and 2,141,000 were in stock overseas.

This includes all of the furnishings and stock on hand, both for the soldiers in the cantonments and the soldiers in France.

There were 8,850,000 pairs of shoes in stock in the United States, and 2,033,000 pairs overseas. That shows evidently

that there were manufactured in the United States at least 6,000,000 pairs of shoes, because that is the total stock now in the United States; and if you take that comparison you will find that very few of these goods, compared to the total manufactured in the United States, were manufactured in foreign countries. England had soldiers to supply. Spain did not; but Spain is not a great manufacturing country.

In the case of gloves, there were 3,734,000 pairs in stock in the United States, and 2,682,000 overseas.

In the case of overcoats, the stock in the United States was 3,691,000, and the stock overseas was 477,000.

In the case of raincoats, the stock in the United States was 1,620,000 and 550,000 overseas.

Winter undershirts, 13,806,000.

Mittens, 3,070,000.

Caps, 2,931,000.

As to diseases in the Army, I saw an account in a newspaper the other day showing by far the smallest percentage of deaths among our soldiers compared to the deaths from disease in the Civil and Spanish-American Wars, notwithstanding the fact that the most fatal epidemic known for centuries had existed during the last six months of the war.

Mr. President, such is part of the record of the War Department, and it demonstrates that there is no comparison between what the United States has done in the period of one year and a half and the results shown by other nations covering a much longer period of time.

I have always felt that when officers of the Government are endeavoring earnestly to do their duty, when they are working day and night for the success of this great war, they should not be subjected to the condemnation and the criticisms which have been made concerning their actions. No man is perfect; no man can do everything in the short time that is available for preparation for a great war; but we do know that here is a record giving each particular item, and I challenge comparison with any other nation as against that which was done by our own United States. This applies not only to the Secretary of War, whose record has been phenomenal, but it applies to all the other departments that have bent their energies toward the success of this great victory which we have achieved in behalf of liberty and civilization.

Mr. REED. Mr. President——

Mr. UNDERWOOD. Mr. President, will the Senator allow me to make a suggestion to him?

Mr. SHAFROTH. Yes, sir.

Mr. UNDERWOOD. In behalf of the War Department, let me say that we have nine days more of this session of Congress. We have 14 supply bills necessary to pass to run the Government. The Army bill came over here this morning. Unless we make some progress, there will be no money with which to run the War Department in any way. Now, I was very much interested in the figures that the Senator read; but those bulletins from the War Department have come down here regularly for the last six months, and I was going to make this suggestion in order that we might pass the appropriation bills that are necessary to take care of the Army.

The Navy Department have a very good provision in the legislative bill. They provide an appropriation for the Navy to write its own history of this war. It might be well for those interested in the War Department to supplement that appropriation by providing an amount for the War Department to write its own history, instead of sending in bulletins; and then we might get right down to business and pass the appropriation bills.

I want to suggest to those who are interested in the War Department that we might compromise this matter, so that we could attend to business, by providing for an appropriation to authorize the War Department to write its own history; and I shall be very glad to accept that amendment, if the Senator or somebody else interested will offer it.

Mr. SHAFROTH. Mr. President, I am one of the Members of this body who very seldom occupy the attention of the Senate. I never make a long speech. I have spoken about an hour, and the tirade against the administration occupied from 15 minutes of 1 o'clock until 15 minutes of 5 o'clock.

Mr. UNDERWOOD. I assure the Senator that I am not discussing him in this connection. I am talking about the bulletins that come down here. This is only one of a number.

Mr. SHAFROTH. Yes; that may be. I had no intention of speaking to-day or at any other time upon this subject; but while Senators were laying emphasis upon the large numbers of soldiers in cantonments and the lack of excuse for not releasing them I went to the telephone and obtained the exact number; and the real facts, which, added to the information contained in this document made up by the War Department, show a record of efficiency that is marvelous, indeed.

Mr. President, I ask unanimous consent to incorporate in my remarks in the RECORD the tables to which I referred.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Clothing and equipage stocks overseas, Nov. 1, 1918.

STOCKS ON HAND IN FRANCE AND DAYS' SUPPLY BASED ON GEN. PERSHING'S NEW AUTOMATIC ALLOWANCES, EFFECTIVE NOV. 1, 1918.

	Stock in United States.	Stock overseas.	Number of days 2,000,000 men could be supplied with stock overseas.
Blankets	4,294,000	1,119,000	425
Drawers, winter	15,746,000	5,304,000	202
Jerkins	1,405,000	1,044,000	159
Coats, denim	3,991,000	1,419,000	154
Puttees, woolen	5,231,000	3,356,000	149
Trousers, denim	3,374,000	1,842,000	140
Boots, rubber, hip	1,199,000	551,000	140
Shirts, flannel	6,710,000	3,033,000	136
Stockings, wool, heavy	16,290,000	8,753,000	134
Coats, wool	4,142,000	2,141,000	126
Shoes, field	8,850,000	2,033,000	103
Gloves, wool	3,734,000	2,682,000	82
Paulins	38,000	21,000	80
Breeches and trousers, wool	6,791,000	1,789,000	75
Overcoats	3,691,000	477,000	73
Raincoats	1,620,000	550,000	59
Undershirts, winter	13,806,000	1,231,000	55
Mittens, leather	3,070,000	664,000	51
Caps, overseas	2,931,000	189,000	14

PUBLIC-LAND ENTRIES.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes.

Mr. MYERS. I ask leave that the reading of the amendments may be dispensed with. I move that the Senate disagree to the House amendments, and request a conference with the House, and that the Chair appoint the conferees.

Mr. UNDERWOOD. Mr. President, I do not like to interrupt the Senator from Montana in reference to this particular bill, but there is an appropriation bill before the Senate which was reported some days ago, and it has been before the Senate the entire day and no progress has been made on it.

Mr. MYERS. This is just a request for a conference.

Mr. UNDERWOOD. I expect to move an adjournment at half past 6 o'clock, so that these matters may be taken up in the morning hour to-morrow. There are but nine days left of this session, and I think the Senate ought to give some opportunity for the consideration of the supply bills that it is necessary to have passed.

Mr. MYERS. This will take only a minute.

Mr. UNDERWOOD. I intend to move that the Senate adjourn at half past 6 o'clock, so that Senators may have an opportunity to bring up these matters in the morning hour to-morrow.

Mr. MYERS. But I can not do it then. This has no place in the morning hour. There is no heading of business at all for it. This is a privileged question, as I understand.

The PRESIDING OFFICER (Mr. THOMAS in the chair). This is a message from the House and is a privileged communication, as the Chair understands. The Senate has heard the motion of the Senator from Montana that the Senate refuse to concur in the House amendments and asks for a conference with the House.

The motion was agreed to; and the Presiding Officer appointed Mr. MYERS, Mr. RANSDELL, and Mr. SMOOT conferees on the part of the Senate.

LEGISLATIVE, ETC., APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

DEMOBILIZATION OF TROOPS.

Mr. REED. Mr. President, I am very sorry to take a minute or so, particularly after the remarks of the Senator in charge of this bill; and I think his remarks are entirely justified.

Mr. UNDERWOOD. They were not personal at all.

Mr. REED. I know they were not.

Mr. UNDERWOOD. I simply wanted to proceed with the appropriation bill; that is all.

Mr. REED. In what I said this afternoon I undertook to call attention not to the general shortcomings of the War Department but to the fact that our soldiers are being held in

camp and that they are not being sent home as rapidly as we want them—at least, not as rapidly as some of us want them. I did not undertake a criticism of the way in which the War Department had conducted the war.

Mr. SHAFROTH. Mr. President, I did not say that the Senator had. I was criticizing generally the statements that had been made in the last two or three months in this Chamber, principally by Senators upon the other side of the Chamber.

Mr. REED. Well, the Senator got me so confused and mixed with Senators on the other side and with the criticism that I confess I could not differentiate between myself and them; but that is all right. The Senator never means to do an injustice to anybody, and I know he would not do one to me.

Mr. SHAFROTH. No, sir.

Mr. REED. But I wish to take a minute to call attention to the fact that every time anybody calls attention to anything that is wrong the cry is always raised, "You are criticizing everything that is done." That is the cloak under which refuge is taken in every case.

Now, I want it understood that the Congress has a right to criticize. It is true that there are a good many men who have lost the power of criticism. There are some men who are under some kind of hypnotic influence that has made it impossible for them to do anything except to exclaim, "Me, too!" to every proposition which comes over to them. They stand in the light of the great white throne of glory, blinded, and they do whatever they are told to do, regardless of their opinions. In fact, they cease to have any opinions. Now, that is just a little nauseating, and I do not wonder that the Congress comes into the contempt of the public and into the contempt of the Executive. I do not think it is the business of Congress to stand here and pick flaws with everything, but neither do I think it is the business of Congress to do nothing but stand here in the attitude of glorification, singing "Te Deum laudamus."

The thing that I want to say at this moment is that I am sorry the War Department is sending out any such mess of figures as it gave here to-day. I am sorry it has resorted to it. There were many good things done in this war; many things were splendidly done; but I will tell you that the best job that was done in this war was not done by the War Department. It was done in the homes of America, where there was raised the best material for soldiers that God ever put on this earth. That job was not done by the War Department. Another thing the War Department did not do: It did not produce the wealth of this country. That was produced by the people.

Now, far be it from me to stand here and harshly criticize. Many things may be praised, but when the War Department sends in figures here, trying to convince this body and the country that every supply was on hand, that everything was just as it ought to be, that it performed miracles, that it had airplanes that darkened the skies, and all that sort of stuff, it is not telling the truth, and it is not reflecting any credit upon itself.

I am going to read a telegram, and I have a lot more like it. I am just going to read it to show how misleading figures can be:

SEPTEMBER 13.

Experience of last three months, during which our tonnage receipts fell far short of our expectations, made it necessary to call attention in most positive terms to conditions which have resulted——

Mr. SMOOT. Was that in 1918?

Mr. REED. Oh, yes.

It has been necessary to place combatant troops in the lines shortly after their arrival in France. Divisions have at intervals been employed in quiet or active sectors according to their degree of training, but all must be employed if we are to reap full advantage of the present favorable situation. In most essential articles of engineer and quartermaster equipment we are over our estimated allotments for June, July, and August, but all other departments are short in percentages figured on a tonnage allotment basis, as follows: Ordnance Department, 33 per cent; Signal Corps, 52 per cent; Chemical Warfare Service, 51 per cent; Medical Corps, 23 per cent; Motor Transport, 81 per cent; and railroad transportation, 20 per cent. At the present time our ability to supply and maneuver our forces depends largely on motor transportation. The shortage in motor transportation is particularly embarrassing, now due to the shortage of horses for our horse-drawn transports. We are able to carry out present plans due to the fact—

Now, notice this—

that we have been able to borrow, temporarily, large numbers of trucks and ambulances from the French. We have also borrowed 15 American ambulance sections from Italy. The shortage of ambulances to move our wounded is critical. Attention is called to our shortage in motor transportation, as contained in our cable 1606, subparagraph A. These shortages have been augmented by troops arriving since that time. In this connection attention is called to the fact that we have already been called upon to equip with motor transportation 8 of the 10 divisions which have come over to us from the British.

We have reached the point where we can no longer improvise or borrow. The most important plans and operations depend upon certainty that the home Government will deliver at French port material and equipment called for. It is urged that foregoing be given most serious consideration and that tonnage allotted for supply of Army in France be sufficient to deliver material and equipment properly proportioned in kind and amounts to meet the needs of our troops. The need of motor transportation is urgent. It is not understood why greater advantage has not been taken of deck space to ship motor trucks. Trucks do not overburden dock accommodations nor require railroad transportation, which in fact it relieves. Can you not impress this upon shipping authorities?

PERSHING.

Now, I have a stack of these here, and I do not intend to read them, for there is no use encouraging people, but I do not want very much more of this stuff sent over by the War Department or I will read it.

Mr. SMOOT. Mr. President, I wish to say merely one word at this time about the custom that has grown up in the departments here in Washington. There is not a citizen in the United States who does not know that there has been some splendid work done by every one of our departments. We have had some officials in the departments who could not have done better, and no one else could have done more than they did, but there were other officials who were a total failure, and it ill becomes anyone to try to make an excuse for them.

I have noticed of late that if there is a criticism either in the House or in the Senate the same parties who are criticized send up a load of stuff from the departments and get some one to get up in the Senate or the House and read it as an excuse. I think that that practice ought to be stopped. Senators can get all the information they desire at any time they wish it without having some little official down in one of the departments who has been criticized, as soon as he hears about it, send a telephone message up and send a whole lot of stuff to encumber the RECORD.

I am one who has not uttered a word of criticism in relation to the war and the caring for every department of it, but that does not mean that I do not know that there have been criminal mistakes. That does not mean that I do not know the waste has been indefensible, and the people's money has been squandered by the hundreds of millions of dollars, and there has not been any return from it. My whole thought and idea was to win the war, and I did not care if the head of a department came before the Appropriations Committee and asked for a billion dollars; I did not go into the question as to whether it was all wanted immediately or not; I made the statement upon the floor of the Senate that I was going to vote for all that was asked, and I would hold the administration responsible for the expenditure of the money. The time will come when they will have to answer for it, Mr. President. If it is well spent, the American people will know it, and if it has been squandered in any way the American people will be advised of it.

AMERICAN SHIPPING PROBLEM.

Mr. RANSDELL. Mr. President, I desire to give notice that when the Senate convenes on Monday, the 24th instant, I shall present a brief diagnosis of the American shipping problem arising out of the recent world war.

MARKET PRICE OF LIBERTY BONDS.

Mr. JONES of Washington. Mr. President, I wish to refer for just a moment to the statement made by the chairman of the Finance Committee with reference to liberty bonds. It is a good ways from that in the RECORD now, but he made one statement that I do not think ought to be passed over without notice. He stated that all those who purchased the 3½ per cent liberty bonds did it knowing that the bonds would go below par.

Mr. President, those who are accustomed to dealing in bonds probably knew that, but in my judgment the great mass of the people who purchased a small amount of bonds—a $50 bond or a $100 bond—did not know it. As a matter of fact, men went all over this country stating from public platforms that every man who bought a $50 bond was simply investing $50, and he would get that $50 back with the interest whenever he wanted it. That was uttered by four-minute men all over the country, by representatives of the Government, by Senators and Representatives in Congress, and by the Secretary of the Treasury himself in his trips throughout the country. As I said, the men who are accustomed to deal in bonds probably knew that they would be below par, but the ordinary citizen in purchasing those bonds thought he was getting $50 worth when he got a $50 bond.

Mr. SUTHERLAND. Mr. President, bearing upon the point which the Senator from Washington has called to the attention of the Senate, I desire to have the Secretary read a letter which I have received in reference to the bonds and the price at which they are selling.

The PRESIDING OFFICER (Mr. THOMAS in the chair). The Secretary will read as requested.

The Secretary read as follows:

SLAB FORK COAL CO.,
Slab Fork, W. Va., February 17, 1919.

Hon. HOWARD SUTHERLAND,
Washington, D. C.

MY DEAR SENATOR: From the papers I see that Mr. Glass, Secretary of the Treasury, has asked Congress to place before the people in April a so-called victory loan.

I supported four liberty loans and will support the victory loan. But unless either Congress or Secretary Glass does something to raise the liberty bonds scattered about the country to par, I fear we of Raleigh County, W. Va., will have a hard time raising our quota.

The four-minute men and others led the people to believe that bonds were money, and the United States liberty bonds would all be of the same value. Since work has gone to the bad many miners are selling their bonds, and don't understand why a $50 bond is only worth $46 or thereabouts. The bond sharks are doing a thriving business. I understand that $50 bonds have sold at Slab Fork for $35.

Many business men who subscribed for $1,000 to $5,000 of bonds are worried over the market condition of the bonds and are not as enthusiastic about the coming victory loan as we would like to have them. And if this victory loan bond is made so inviting that it will drive the liberties lower on the market I very much fear the mining world will do but little, if anything, in the coming victory drive.

Exempt all liberty bonds from taxes. Give the same rate of interest for liberty bonds and victory bonds and you will restore confidence and invite thrift.

Yours, truly, W. GASTON CAPERTON,
General Manager.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The Secretary resumed the reading of the bill at line 24, on page 43, and read as follows:

Bureau of War Risk Insurance: For expenses of the Bureau of War Risk Insurance, as authorized by law: For salaries of the director and commissioners, and of such deputies, assistants, accountants, experts, clerks, and other employees in the District of Columbia as the Secretary of the Treasury may deem necessary, $9,509,630; stationery and minor office supplies, $150,000; miscellaneous expenses, including telephones, telegrams, freight, express, foreign postage, not exceeding $100 for street car fares, and not exceeding $500 for law books, books of reference, and periodicals, $25,000; printing and binding, to be done at the Government Printing Office, and necessary printing of forms, etc., for use abroad may be done abroad, $125,000; furniture, equipment, and supplies, $175,000; traveling expenses (exclusive of field investigations), $5,000; salaries and expenses of employees engaged in field investigations and expenses of not more than eight temporary branch offices, $1,000,000; in all, $10,989,630: *Provided*, That all employees appropriated for by this paragraph shall be engaged exclusively on the work of the Bureau of War Risk Insurance during the fiscal year 1920.

Mr. SMOOT. I wish to say to the Senator from Alabama that I never noticed when the bill was under consideration by the committee the item in line 13, on page 44, "exclusive of field investigation," $5,000 for traveling expenses. I thought all travel allowances were for field investigations. This is new, is it not?

Mr. UNDERWOOD. I will have to look into the matter. I will say to the Senator I do not remember whether it was carried in last year's bill or not.

Mr. SMOOT. I have not a copy of last year's bill before me.

Mr. UNDERWOOD. I will find it in a minute. I am inclined to think that this is a reappropriation.

Mr. WARREN. If it were in the last bill it would be noted in the committee print, would it not?

Mr. UNDERWOOD. I will say to the Senator that that is the current law; it is the customary language.

Mr. SMOOT. I have just turned to the committee print and I see that those words were used in the last year's appropriation bill. I see it was put in by the House and I will not object to it.

Mr. SUTHERLAND. I should like to ask the chairman of the subcommittee in charge of the bill whether he is satisfied with the wording of the provision, beginning on line 9, page 44, which reads:

Printing and binding, to be done at the Government Printing Office, and necessary printing of forms, etc., for use abroad may be done abroad, $125,000.

It does not seem to me that that conveys a clear intention. It provides that the work shall be done at the Government Printing Office and then that it may be done abroad if for use abroad.

Mr. UNDERWOOD. There is a general law that all printing of that class shall be done at the Government Printing Office. There is an exception made in this particular case where it is impossible to do it at the Government Printing Office. I think that is all.

Mr. SUTHERLAND. Would it not be necessary, then, to separate the items and provide specifically for printing abroad?

Mr. UNDERWOOD. This language has been carried in the bill, as it is now, for some years and never has given any trouble. We have operated under it.

Mr. JONES of Washington. I wish to ask the Senator in charge of the bill with reference to line 15. It reads:

Salaries and expenses of employees engaged in field investigations and expenses of not more than eight temporary branch offices, $1,000,000.

Where are these temporary branch offices? What are they for? Why are they temporary?

Mr. UNDERWOOD. The Senator will pardon me for just a moment. If I can turn to the hearing I can give more full information. My understanding is that there were certain temporary offices to aid in the expedition of the work of classification and investigation.

Mr. JONES of Washington. Where were they located?

Mr. UNDERWOOD. I will not read all the hearing, but this will give an idea. The Senator will find the same matter was discussed by Mr. Brown, who was then acting chief of this bureau, and Mr. Nesbit, on page 1019 of the hearings before the House committee. This throws light on it. It is stated on page 1020 by Mr. Nesbit:

At least 40,000 allotments and allowances are paid to people in foreign countries—15,000 in Italy, 2,500 in Greece, and in 15 or 16 other foreign countries. These cases all require investigation.

These outside offices were established for the purpose of investigating the validity of the claims for allowances.

Mr. JONES of Washington. Those offices are really in other countries.

Mr. UNDERWOOD. My understanding is that some of them are in the United States; that not all of them are in foreign countries, but a part are in foreign countries and a part in this country. It is to facilitate the question of investigation as to whether the allotments were valid and not fraudulent.

Mr. JONES of Washington. I suppose that they were considered necessary during the exigencies of the war, and when we get down to a normal basis they are expected to be done away with.

Mr. UNDERWOOD. I suppose when the war is over and we get down to a normal basis a very large proportion of the machinery of this office and the expensive work will be abolished, although the office itself will be a permanent office in the future.

Mr. JONES of Washington. Yes; and there will be a very large force too.

Mr. President, I simply want to say that, as the Senator understands, when this bill was brought out of the subcommittee it was put through the full committee very speedily, and some of us at work elsewhere did not have an opportunity to go over the bill very fully when it was reported from the subcommittee. While I am a member of the Committee on Appropriations I did not have an opportunity to participate very much in the consideration of the bill. As I said, it was called up and hurried through, and my recollection is in the afternoon when the Senate was in session. There were some matters I had to look after and I could not be there. If I ask questions about some of the items that is the reason why.

Mr. UNDERWOOD. Mr. President, I am only too glad to give any information that I can in reference to this bill. I am only too glad to have the attention of the Senate directed to the bill. This bill takes care of the salaries of all the executive departments of the Government and it would be very hard for the Government to run without it. We have been in session to-day for over six hours. We have read one page of the bill. At this rate I think we will get through probably a dozen pages before the 4th of March, but as long as the time is occupied in the consideration of the bill I have no objection at all.

Mr. President, I am going to move for an executive session for a few minutes, as one of the Senators desires to refer a nomination. That will take only a minute. Then I wish to announce when that is over I intend to move that the Senate take an adjournment until 11 o'clock to-morrow, but I want to ask the Senate as far as this particular bill is concerned, if it is possible, to let us get down to-morrow and really consider the bill, because I think it really would be a reflection on the Senate if we finally scrapped these great supply bills without a reasonable effort to pass them.

In the last analysis, Mr. President, the principal business to which Congress should direct its efforts is to pass the revenue bills to raise the money to run the Government and to pass the supply bills that will take care of the machinery and operations of the Government; and very little along that line has been done at this session of Congress.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to

the bill (S. 4723) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12211) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The message also announced that the House had passed a bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

H. R. 15835. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, was read twice by its title and referred to the Committee on Military Affairs.

EXECUTIVE SESSION.

Mr. UNDERWOOD. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After four minutes spent in executive session the doors were reopened.

ADJOURNMENT.

Mr. UNDERWOOD. I move that the Senate adjourn until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 6 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 20, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 19, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for the brave men who answered the call of the colors when the world was imperiled, and those who braved the dangers of the ocean, who did their work and did it well, and are now returning to the land they love, with new laurels added to the American soldier, with Old Glory upheld and sustained through the perilous fight—her stars and stripes still streaming o'er us with added luster.

Some are coming back strong and well, others sick and wounded. Some are left where they fell on the field of carnage.

May those who come back have a warm welcome and be held in sacred memory by all true lovers of liberty.

God grant that the principles they fought for may live and be a blessing to mankind. Grant that the dead may live in our memory, the wounded be ours to care for. In Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BARNHART, for one day, on account of illness.

LINCOLN'S BIRTHDAY ADDRESS OF MR. SLOAN.

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address by Hon. CHARLES H. SLOAN, of Nebraska, on the life and character of Lincoln before the Grand Army of the Republic, the Woman's Relief Corps, and other patriotic organizations.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD by printing a speech made by the gentleman from Nebraska [Mr. SLOAN] on Lincoln's Birthday. Is there objection?

There was no objection.

HON. JOUETT SHOUSE.

Mr. DOOLITTLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the appointment of my colleague, Hon. JOUETT SHOUSE, to be Assistant Secretary of the Treasury.

The SPEAKER. The gentleman asks leave to print in the RECORD a speech about his colleague, Mr. SHOUSE, becoming Assistant Secretary of the Treasury. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the amendments of the House of Representatives to bill and joint resolutions of the following titles:

S. 3646. An act to grant rights of way over Government lands for dam and reservoir purposes, for the conservation and storage of water to be used by the city of San Diego, Cal., and for other purposes;

S. J. Res. 107. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury; and

S. J. Res. 208. Joint resolution providing that one term of the United States District Court for the Eastern Judicial District of Oklahoma shall be held annually at Hugo, Okla.

The message also announced that the Senate had passed with amendments the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, had requested a conference with the House of Representatives on the bill and amendments and had appointed Mr. FLETCHER, Mr. RANSDELL, and Mr. JONES of Washington as the conferees on the part of the Senate.

UNITED STATES SHIPPING BOARD.

Mr. GOULD. Mr. Speaker, I move to discharge the Committee on the Merchant Marine and Fisheries from consideration of House resolution 562, calling upon the President for certain information in accordance with section 12 of the shipping act approved September 7, 1916.

The SPEAKER. The gentleman will send up the resolution, and it will be reported by the Clerk.

The Clerk read as follows:

Resolved, That the President of the United States be, and he is hereby, requested, if not incompatible with the public interest, to report to the House of Representatives for its information all the facts within the knowledge of the United States Shipping Board, as required to be reported by section 12 of the act entitled "An act to establish a United States Shipping Board, and for other purposes," approved September 7, 1916, including the recommendations made by the United States Shipping Board relating to seamen's wages, equalization of the higher cost, if any, of building ships in American yards, and the method or policy adopted for operating American ships in competition with foreign-owned ships, whether by the United States Government or by private corporations or individual American citizens; also full information as to the plans which have been adopted for providing stations for furnishing fuel for United States vessels in all parts of the world.

Mr. GARRETT of Tennessee. Mr. Speaker, I reserve the point of order that the resolution is not privileged. What committee has the resolution been referred to?

Mr. MANN. The Committee on the Merchant Marine and Fisheries.

Mr. GARRETT of Tennessee. It strikes me from hearing it read that it calls for a question of policy. Of course I have not seen a copy of the resolution.

Mr. MANN. I will give the gentleman a copy. The gentleman's impression is a very natural one, from listening to the reading of the resolution; but what the resolution calls for is a statement of fact as to recommendations which have been made by the Shipping Board as to certain subjects. That is purely a question of fact.

Mr. GARRETT of Tennessee. The gentleman understands that I was merely reserving the point of order until I could read the resolution.

Mr. MANN. Certainly, I understand; but what it calls for is recommendations, among other things, which have been made as to equalization of costs, the payment of seamen's wages, and the policy to be pursued, so it does not call for any conclusions.

Mr. GARRETT of Tennessee. I see now that it does not call for any explanations, but merely for facts.

Mr. MANN. It calls for recommendations which have already been made.

Mr. GARRETT of Tennessee. I withdraw the point of order.

The SPEAKER. The question is on discharging the Committee on the Merchant Marine and Fisheries from further consideration of the resolution.

The motion was agreed to.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

RETENTION OF UNIFORMS BY SOLDIERS.

Mr. DENT. Mr. Speaker, I ask unanimous consent that H. R. 13366, known as the bill for the retention of uniforms by the soldiers, be laid before the House, and that the House disagree to the Senate amendments and ask for a conference.

The SPEAKER laid before the House the bill (H. R. 13366) permitting any person who has served in the United States Army or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions, with Senate amendments.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the House disagree to the Senate amendments and ask for a conference.

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. DENT, Mr. FIELDS, and Mr. KAHN.

POST OFFICE APPROPRIATIONS.

Mr. MOON. Mr. Speaker, I call up the conference report on the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. MANN. Is not the gentleman willing to let that go over until to-morrow morning?

Mr. MOON. We are very anxious to get through with this. I do not think it will take over half an hour.

Mr. MANN. Very well.

The SPEAKER. The Clerk will read the report.

Mr. MOON. I ask unanimous consent to read the statement in lieu of the report.

The SPEAKER. The gentleman asks unanimous consent to have the statement read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement of the House conferees.

CONFERENCE REPORT (NO. 1088).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 10, 11, 14, 15, 16, 17, 18, 19, 36, 39, 40, 41, and 49.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 6, 7, 8, 9, 12, 13, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 34, 35, 37, 42, 43, 44, 45, 47, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 70, and 73, and agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: Strike out "$5,000,000" and insert in lieu thereof "$6,000,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"That hereafter all days, other than the holidays enumerated in the act of July 28, 1916, making appropriations for the Postal Service for the fiscal year ending June 30, 1917, set aside by the President of the United States as holidays to be observed by the other departments of the Government throughout the United States shall be construed as applicable to the Postal Service in the same manner and to the same extent as the executive departments."

And the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"That out of this appropriation the Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes and the operation and maintenance of aeroplane mail service between such points, including service to and between points in Alaska, as he may determine. The Postmaster General in expending this appropriation shall purchase, as far as practicable, such available and suitable equipment and supplies for the aeroplane mail service as may be owned by or under construction for the War Department or the Navy Department when no longer required because of the cessation of war activities, and it shall be his duty to first ascertain if such articles of the character described may be secured from the War Department or the Navy Department before purchasing such equipment or supplies elsewhere. If such equipment or supplies, other than emergency supplies, are purchased elsewhere than from the War Department or the Navy Department, the Postmaster General shall report such action to Congress, together with the reasons for such purchases. All articles purchased from either of said departments shall be paid for at a reasonable price considering wear and tear and general condition. Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That the Secretary of War and the Secretary of the Navy are hereby authorized and directed to deliver immediately to the Postmaster General, as he may request, and as hereinbefore provided, such aeroplane machines, supplies, equipment, and parts as may be serviceable and available for the aeroplane mail service, the same to be out of any equipment that the War Department or the Navy Department has on hand or under construction, the War Department and the Navy Department appropriations to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane mail service."

And the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: Strike out "$1,500,000" and insert in lieu thereof "$2,000,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"*Provided*, That hereafter rural carriers assigned to horse-drawn vehicle routes on which daily service is performed shall receive $24 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage, and rural carriers assigned to horse-drawn vehicle routes on which triweekly service is performed shall receive $12 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage: *Provided further*, That during the fiscal year 1920 the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding $2,250 per annum."

And the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the amendment proposed by the Senate restore the word "herein," at the end of line 15 on page 28, and add the following: ": *Provided, further*, That no assistant postmaster or supervisory official at offices of the first class shall receive a less salary than $100 per annum in excess of the sixth-grade salary provided for clerks and carriers in the City Delivery Service, nor shall an assistant postmaster at any office of the second class be paid a less salary than that paid the highest-salaried clerk or letter carrier employed in such office: *Provided further*, That the provisions of this section shall not apply to employees who receive a part of their pay from any outside sources under cooperative arrangement with the Post Office Department, or to employees who serve voluntarily or receive only a nominal compensation: *And provided further*, That the increased compensation at the rate of 10 per cent and 15 per cent for the fiscal year ending June 30, 1918, and the increased compensation for the fiscal year ending June 30, 1919, shall not be computed as salary in construing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows:

"SEC. 5. That the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, is hereby amended to provide that the term 'rural post roads,' as used in section 2 of said act, shall be construed to mean any public road a major portion of which is now used or can be used, or forms a connecting link not to exceed 10 miles in length of any road or roads now or hereafter used for the transportation of the United States mails, excluding every street and road in a place having a population, as shown by the latest available Federal census, of 2,500 or more, except that portion of any such street or road along which the houses average more than 200 feet apart: *Provided*, That section 6 of said act be further amended so that the limitation of payments not to exceed $10,000 per mile, exclusive of the cost of bridges of more than 20 feet clear span, which the Secretary of Agriculture may make, be, and the same is, increased to $20,000 per mile.

"SEC. 6. That for the purpose of carrying out the provisions of said act, as herein amended, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums: The sum of $50,000,000 for the fiscal

year ending June 30, 1919, and available immediately; the sum of $75,000,000 for the fiscal year ending June 30, 1920; and the sum of $75,000,000 for the fiscal year ending June 30, 1921; said additional sums to be expended in accordance with the provisions of said act: *Provided*, That where the constitution of any State prohibits the same from engaging upon internal improvements, or from contracting public debts for extraordinary purposes in an amount sufficient to meet the monetary requirements of the act of July 11, 1916, or any act amendatory thereof, or restricts annual tax levies for the purpose of constructing and improving roads and bridges, and where a constitutional alteration or amendment to overcome either or all of such prohibitions must be submitted to a referendum at a general election, the sum to which such State is entitled under the method of apportionment provided in the act of July 11, 1916, or any act amendatory thereof, shall be withdrawn by the Secretary of the Treasury from the principal fund appropriated by the act of July 11, 1916, or any act amendatory thereof, upon receipt of the certification of the governor of such State to the existence of either or all of said prohibitions, and such sum shall be carried by the Secretary of the Treasury as a separate fund for future disbursement as hereinafter provided: *Provided further*, That when, by referendum, the constitutional alterations or amendments necessary to the enjoyment of the sum so withdrawn have been approved and ratified by any State, the Secretary of the Treasury, upon receipt of certification from the governor of such State to such effect, shall immediately make available to such State, for the purposes set forth in the act of July 11, 1916, or any act amendatory thereof, the sum withdrawn as hereinbefore provided: *Provided further*, That nothing herein shall be deemed to prevent any State from receiving such portion of said principal sum as is available under its existing constitution and laws: *Provided further*, That in the expenditure of this fund for labor preference shall be given, other conditions being equal, to honorably discharged soldiers, sailors, and marines, but any other preference or discrimination among citizens of the United States in connection with the expenditure of this appropriation is hereby declared to be unlawful.

"SEC. 7. That the Secretary of War be, and he is hereby, authorized in his discretion to transfer to the Secretary of Agriculture all available war material, equipment, and supplies not needed for the purposes of the War Department, but suitable for use in the improvement of highways, and that the same be distributed among the highway departments of the several States to be used on roads constructed in whole or in part by Federal aid, such distribution to be made upon a value basis of distribution the same as provided by the Federal aid road act, approved July 11, 1916: *Provided*, That the Secretary of Agriculture, at his discretion, may reserve from such distribution not to exceed 10 per cent of such material, equipment, and supplies for use in the construction of national forest roads or other roads constructed under his direct supervision.

"SEC. 8. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1919, the sum of $3,000,000, for the fiscal year ending June 30, 1920, the sum of $3,000,000, and for the fiscal year ending June 30, 1921, the sum of $3,000,000, available until expended by the Secretary of Agriculture in cooperation with the proper officials of the State, Territory, insular possession, or county, in the survey, construction, and maintenance of roads and trails within or partly within the national forests, when necessary for the use and development of resources of the same or desirable for the proper administration, protection, and improvement of any such forest. Out of the sums so appropriated the Secretary of Agriculture may, without the cooperation of such officials, survey, construct, and maintain any road or trail within a national forest which he finds necessary for the proper administration, protection, and improvement of such forest, or which in his opinion is of national importance. In the expenditure of this fund for labor preference shall be given, other conditions being equal, to honorably discharged soldiers, sailors, and marines.

"The Secretary of Agriculture shall make annual report to Congress of the amounts expended hereunder."

And the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows:

Strike out the language proposed by the Senate, and insert in lieu thereof the following:

"SEC. 9. That no officer or enlisted man of the Army, Navy, or Marine Corps shall be detailed for work on the roads which come within the provisions of this act except by his own consent: *And provided further*, That the Secretary of Agriculture through the War Department shall ascertain the number of days any such soldiers, sailors, and marines have worked on the public roads in the several States (other than roads within the limits of cantonments or military reservations in the several States) during the existing war and also the location where they worked and their names and rank, and report to Congress at the beginning of its next regular session: *Provided further*, That when any officer or enlisted man in the Army, the Navy, or the Marine Corps shall have been or may be in the future detailed for labor in the building of roads or other highway construction or repair work (other than roads within the limits of cantonments or military reservations in the several States) during the existing war, the pay of such officer or enlisted man shall be equalized to conform to the compensation paid to civilian employees in the same or like employment and the amount found to be due such officers, soldiers, sailors, and marines, less the amount of his pay as such officer, soldier, sailor, or marine, shall be paid to him from the 1920 appropriation herein allotted to the States wherein such highway construction or repair work was or will be performed."

And the Senate agree to the same.

JOHN A. MOON,
THOS. M. BELL,
A. B. ROUSE,
H. STEENERSON,
MARTIN B. MADDEN,
Managers on the part of the House.
J. H. BANKHEAD,
CLAUDE A. SWANSON,
THOS. W. HARDWICK,
CHAS. E. TOWNSEND,
JOHN W. WEEKS,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreement of the House to the amendments of the Senate to H. R. 13308, entitled, "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes," submit the following written statement in explanation of the effect of the action agreed upon by the conferees as to each of said amendments.

The Senate recedes from amendments numbered 1, 2, 3, 10, 11, 14, 15, 16, 17, 18, 19, 39, 40, and 41. These amendments proposed to increase the compensation of supervisory officials in post offices of the first and second class, inspectors in the post-office inspection service, and assistant division superintendents in the Railway Mail Service, receiving salaries in excess of $2,200 per annum, from an increase of 5 per cent, as proposed by the House, to approximately 10 per cent, as proposed by the amendments of the Senate.

The managers upon the part of the House agree to amendments numbered 4, 5, 6, 7, 12, 13, 20, 21, 26, 27, 28, 29, 31, 32, 34, 35, 42, and 43, which necessarily increases the amount of the appropriation for the payment of salaries to postal employees provided for in the various sections of the bill, because of the legislation contained in section 2, which extends the temporary increases, with slight modifications, hereinafter explained in connection with amendments 51 to 69, inclusive, provided for in the current fiscal year. The bill as it passed the House did not provide for the increased appropriations in the various sections of the bill necessary to carry out the provisions of section 2, except by general language making available the necessary funds without specifically stating the amount. The Senate, by its amendments in the various sections of the bill, made the necessary increases in the total amounts.

On amendment 8: Increases the compensation to postmasters at offices of the first, second, and third class from $35,000,000 to $36,500,000. This is necessary because of the legislation proposed by the House and concurred in by the Senate authorizing the Postmaster General to readjust the salaries of such postmasters, effective July 1, 1919, in accordance with the law regulating the salaries of postmasters prior to the war, except that in making such adjustment no allowance shall be made for the revenue derived from increased rates on first-class mail.

On amendment 9: Increasing the number of assistant postmasters from 50 to 60 at salaries not to exceed $3,000 per annum becomes necessary because of the advance in salary of postmasters at first-class offices in consequence of the legislation authorizing the readjustment of the salaries of postmasters at offices of the first, second, and third class.

The managers upon the part of the House agree to amendment 22, providing for the promotion of 85 per cent of clerks in first and second class post offices from the fifth to the sixth grade and the promotion of 15 per cent of sixth-grade clerks to special clerks in grades of $1,300 and $1,400 in view of section 2, which supersedes the act of March 2, 1907, classifying clerks and city letter carriers in first and second class

post offices, and restores automatic promotions. Under the reclassification act of July 2, 1918, clerks and carriers are automatically advanced $100 per year to the sixth grade at a salary of $1,500 per annum. The managers upon the part of the House agree to amendment 23 because the language stricken out is unnecessary in view of the reclassification act of July 2, 1918.

The managers on the part of the House agree to amendment 24 substituting the word "hereafter" for the word "thereafter" which was a clerical error in the print of the bill as it passed the House.

On amendment 25: Agreed to by the managers of the House, inserts the word "practicable" in the legislation proposed by the House requiring the employment of a substitute clerk if available rather than requiring a regular clerk to work overtime. The effect of the legislation as it passed the House, as pointed out by officials of the Post Office Department, would in many instances seriously interfere with prompt handling of the mails.

On amendment 30: Increases the amount for temporary and auxiliary clerk hire and for substitute clerk hire from $5,000,000, as proposed in the amendment of the Senate, to $6,000,000, which the Post Office Department insists will be necessary for the service during the next fiscal year. As it passed the House the appropriation was for $6,500,000.

On amendment 36: As proposed by the Senate strikes out the House provision which diverted $60,000 from the appropriation for vehicle allowance, etc., for the erection and equipment of a garage on a site owned by the Government adjoining the post-office building in the District of Columbia and inserted in lieu thereof an amendment authorizing the Postmaster General, in his discretion, to contract for pneumatic mail tube service upon such terms as may be agreed upon in the cities of New York and Brooklyn, and further provided that pending acting by Congress the properties of the pneumatic mail tube service within the basements and subbasements of post-office buildings in Philadelphia, Boston, New York, Brooklyn, Chicago, and St. Louis be not removed, but remain undisturbed without expense to the Government. The Senate recedes from its amendment respecting the pneumatic mail tube service and also the amendment striking out the provision for the construction of a garage. The bill as agreed upon contains no provision concerning pneumatic mail tube service.

On amendment 37: Relates to the compensation for the transportation of mail on Lake Winnepesaukee from the post office at Laconia, N. H., who furnishes his own equipment. This provision has been included in all recent appropriation bills. The unusual circumstances surrounding this contract, in the opinion of the conferees, justifies the legislation.

On amendment 38: Increases the amount that the Postmaster General may expend for Aeroplane Mail Service from $300,000, as proposed by the House, to $850,500, and the language proposed by the Senate lodges with him larger discretion respecting the character of equipment that he may purchase from either the War Department or the Navy Department for the service where such equipment is no longer necessary for war purposes. The language of the amendment, with certain modifications, agreed to by the House, directs the Postmaster General to purchase such supplies and equipment either from the War Department or Navy Department, if suitable for the Aeroplane Service, at a reasonable price, considering wear and tear and general condition; and in event purchase of equipment is made elsewhere, a report shall be submitted to Congress, together with the reasons for such purchases. Provision is made that separate accounts be kept of the amount expended for Aeroplane Mail Service. In the opinion of the managers of the House, the language of the Senate amendment is an improvement of the provisions of the House. The increased amount was shown to be necessary, in view of the fact that $300,000 would not be sufficient to continue the experiment for Aeroplane Mail Service upon a basis that would demonstrate its usefulness in the Postal Service. With the sum of $850,500 proposed the department explains that it will be enabled to establish one representative aeroplane mail route approximately 1,100 miles in length and provide the necessary equipment therefor. It was represented that any less sum would not be sufficient to insure a fair or thorough experiment.

On amendment 44: Agreed to by the House managers, increases from $1.20 to $2 per day the amount that may be allowed railway postal clerks assigned to duty in railway post-office cars while on duty for more than 10 hours from the time of beginning their initial run. The practice of the department is to divide the sum into four equal parts, allowing, under present law, 30 cents for each meal and 30 cents for a bed. The conferees are of the opinion that 30 cents for these items is not sufficient under present conditions. Under the law the clerk is entitled only to the amount expended by him, not to exceed 30 cents per item.

On amendment 45: Increases the appropriation for wrapping twine and tying devices from $420,000 to $560,000, which the department insists is necessary to take care of the growth of the service.

On amendment 46: Increases the amount of $1,500,000 proposed by the Senate to $2,000,000, for the purchase, manufacture, and repair of mail bags, etc. As it passed the House, the appropriation was for $2,435,000. The increased appropriation over the bill last year is necessary because of the growth of the service and the immense quantity of mail bags necessary for the over-seas mail service, where it is explained that large quantities of mail bags have been lost or used by the War Department for emergency military purposes.

On amendment 47: The increased appropriation is necessary to carry out the provisions of section 2, which increases the salaries of rural-delivery carriers 25 per cent in excess of their basic salary, which is an increase of 5 per cent over the increase proposed by the House.

On amendment 48: The language proposed by the Senate continues the allowance of $24 per mile to rural carriers in each mile traveled in excess of 24 miles and increases for the fiscal year the compensation for motor-vehicle carriers who serve routes not less than 50 miles in length from $2,160 per annum to $2,250 per annum, an advance over the current temporary increase of 5 per cent.

On amendment 49: This amendment restores the provision of the House appropriating $1,250,000 for village delivery service and also provides service in communities adjacent to cities having City Delivery Service.

On amendment 50: This amendment decreased from $1,000,000, the amount provided for experimental motor-vehicle truck service, to $300,000 and prescribes the conditions under which the experiments may be made which in the opinion of the conferees is necessary and essential to a determination of the wisdom of such service.

On amendments numbered 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, and 69: These amendments extend to employees in the Postal Service increased salary allowances because of the high cost of living throughout the country. As it passed the House the increased allowance was made permanent law. The Senate by its amendments limits the increases to the next fiscal year.

Section 2 of the bill as agreed to in conference in effect is the same as proposed by the House with the exception that it is temporary and increases the compensation for rural-delivery carriers and motor-route carriers, on routes in excess of 50 miles in length to 25 per cent in advance of their basic salaries, or 5 per cent in addition to the increases proposed by the House. Section 2 is further amended by a provision agreed to in conference as a substitute for an amendment proposed by the Senate, which provides that in offices of the first class no assistant postmaster or supervisory official shall receive a less salary than $100 per annum in excess of the sixth grade salary provided for clerks and carriers in the City Delivery Service and in offices of the second class that assistant postmasters shall not be paid a less salary than that paid the highest-salaried clerk or letter carrier employed in such office.

Section 2 restores automatic promotions to clerks and carriers and railway postal clerks. The per cent increases for employees as provided in the current appropriation bill is continued for another year. The $200 increase for assistant postmasters and supervisory officials whose salaries are less than $2,200, as provided in the current bill, are continued, and the salaries of such employees in excess of $2,200 are increased 5 per cent, the same as in the current law.

On amendment 70: The language of the Senate amendment contained in section 3, which creates a commission to investigate and readjust the salaries of postal employees, is accepted by the managers on the part of the House in lieu of the language as it passed the House.

On amendment 71: The managers upon the part of the House concur in the Senate provision which amends the definition of rural post roads on which Federal aid may be applied in their construction and maintenance and increases the limit of $10,000 per mile, which may be expended, to $20,000. Section 6 increases the appropriations available for Federal aid by $50,000,000 for the fiscal year ending June 30, 1919, and $75,000,000 for the fiscal year ending June 30, 1920, and a like sum for the fiscal year ending June 30, 1921; and also provides that the amount allotted to the various States shall be held as a separate fund in the Treasury for future expenditure in such States where the fundamental law of the State prohibits appropriations for internal improvements until such States have amended the fundamental law so as to be able to participate in the funds provided. Provision is also made, other conditions being equal, that in the expenditure of the fund preference shall be given to honorably discharged soldiers, sailors, and marines.

Section 7 directs the Secretary of War in his discretion to transfer to the Secretary of Agriculture, for distribution among the several States upon the same basis of distribution as provided in the Federal aid act of all available war material, equipment, and supplies not needed for the purposes of the war.

Section 8 increases the appropriations for the construction of roads and trails within or partly within the national forests from $1,000,000 per annum during the fiscal years ending June 30, 1919, 1920, and 1921, by $3,000,000 per annum, and also contains a provision that preference shall be given in the employment of labor, other conditions being equal, to honorably discharged soldiers, sailors, and marines.

Section 9 prohibits the detail of any officer or enlisted man of the Army, Navy, or Marine Corps in the construction or repair of roads that come within the provisions of the act except by his own consent, and further directs the Secretary of Agriculture to ascertain through the War Department the number of days and the location where such soldiers, sailors, and marines have worked on the public roads, other than those within the limits of cantonments or military reservations, and directs that in such cases their compensation shall be equalized to conform to that of civilian employees in similar employment, the amount found to be due to be deducted from the allotment in the 1920 appropriation to such State wherein the work was performed, less his compensation as such soldier or sailor, and paid to him from the allotment of such State wherein the work was done. The same provisions are made applicable to soldiers, sailors, and marines who may be in the future, during the existing war, detailed to work upon such roads.

On amendment 73: The House recedes, which is merely a correction in the number of the section.

JOHN A. MOON,
THOS. M. BELL,
A. B. ROUSE,
H. STEENERSON,
MARTIN B. MADDEN,
Managers on the part of the House.

The SPEAKER. The gentleman from Tennessee [Mr MOON] is recognized for one hour.

Mr. MOON. Mr. Speaker and gentlemen of the House, I think it hardly necessary to discuss this bill except in a very general way. You are familiar with the bill. The report is rather complete, and the statement of the House conferees is, I think, a fair statement of the effect of the provisions of the bill and of the Senate amendments.

Mr. Speaker, when the bill left the House it carried in round numbers $357,000,000. However, the House must understand that that amount did not include the increase of salaries for clerks and carriers as provided in the bill. There was at the close of the bill a general provision that made the appropriation available for the payment of increase of personnel allowed in the bill for carriers and clerks as it had been in the previous bill.

The computation of that amount would have increased the figures of the bill as it left the House from three hundred and fifty-seven millions to three hundred and ninety eight millions in round numbers. So it is but fair to say that the bill as it reached the Senate carried nearly $400,000,000.

Mr. GARNER. Will the gentleman yield?

Mr. MOON. Yes.

Mr. GARNER. If I understand the gentleman's computation, the increase of salaries was about $30,000,000?

Mr. MOON. Nearly forty million, taking all the increases.

Mr. GARNER. That is an increase in the present fiscal bill?

Mr. MOON. Yes. The Senate made seventy-odd amendments to this bill, but a great number of the amendments are due to the fact that they did not calculate the amount of the salaries upon the basic law, as the House had done, but it included the amount of the increase of salary. That accounts for a great many amendments that the Senate put on.

The Senate added various provisions to the bill. I do not deem it necessary to discuss all the items in the bill, but I will take up a few of the more important amendments.

We provided for the clerks and carriers, with their salaries and automatic promotion and permanent law. The Senate insisted that that should be a temporary provision and not permanent, by reason of the fact that both Houses, they said, had agreed to a commission for the purpose of adjusting and making salaries permanent and that all the other departments of the Government had made the salaries temporary. We felt that there was some force in the position under these circumstances, and therefore we yielded to the suggestion of the Senate that the salaries should be made for the fiscal year ending June, 1920—making them temporary and not permanent.

On the question of rural carriers the Senate insisted on an increase in their pay. It was thought by the House conferees that that question ought also to abide the action of the commission, but so persistent was the Senate that in order to have an agreement on the matter at all the majority of the House conferees agreed to the increase in the pay of rural carriers to the amount of $60 apiece per annum. That is also temporary.

A commission was provided for, to be appointed by the Vice President on the part of the Senate and by the Speaker on the part of the House, of five men from each body, to consider the question of salaries, the readjustment of salaries in the Postal Service, and the House accepted the language of the Senate amendment because it is broader and more comprehensive, I think, and more satisfactory than the language of the House.

On the question of motor trucks the House placed $1,000,000 in the bill for the purpose of establishing motor-truck communication between the country and cities, particularly in that portion of the country where the rural routes were not paralleled by the railroads. It seems that the experiment heretofore made, or many experiments, were made along the lines of parallel railway and dirt roads. In the collection of the matter to be transported a large class of the first-class mail was diverted from the railroads to the trucks, and the trucks were given credit for it, and the space occupied by the Government on the railroads was not utilized for the purpose that it ought to have been.

In other words, the experiment was not just what it was intended to be. I may as well speak frankly about it, the Postmaster General did not desire, it appears from the hearings before the Senate committee, a larger sum than $70,000 for the continuation of this experiment. The Fourth Assistant wanted the increase the House gave, $1,000,000, for that purpose. After some difficulty the Senate, by a narrow vote, passed the proposition for $300,000 to continue the experiment and provided lines along which the experiment should be made in rather a satisfactory way.

The House conferees thought it best to agree to the $300,000 and waive the $1,000,000 proposition as carried in the House bill.

On the aeroplane question there was practically a total change from the House provision. It was very clear that the number of machines which were authorized to be purchased by the House were not at all suitable to aeroplane service to the Post Office Department. It transpired that only a very few routes, one a long one, could be established and maintained under the appropriation of $850,500 which was agreed to.

The House conferees thereupon adopted the Senate provision for the increase in the Aeroplane Service.

There was also in the Senate an amendment that provided for the use of pneumatic tubes for the department, a provision requiring that the tubes be left in the condition they were supposed to be in, in order that the Government might take up that service if it deemed it advisable hereafter. The House conferees felt that that question had been closed, and that the tubes as used heretofore were not of the character and type and value that they ought to be in carrying the mail; that they were only carrying 12 per cent of the letter mail in the tubes in great cities, and that if used at all they ought to be large enough to carry all the mails. So we resisted very strongly the reviving of the pneumatic-tube question at all, and upon that question the Senate yielded. Everything was stricken out of the bill in reference to the tubes.

The supervisory salaries provided for in the bill by the Senate amendments the House could not agree to, because they were largely the salaries of men already receiving the highest amount in salary, and we felt that if there was any change to be made in the salary of that class it ought to be in the salaries of those who were receiving less than $2,200 instead of those who were receiving more. The Senate receded from its position on that question.

I believe that those are the more important features of the bill, except one exceedingly great and important amendment that was made by the Senate, in which the House concurred with some amendments. That is the appropriation of $200,000,000 for good roads in the United States. The appropriation is in pursuance of the existing good-roads law. The amount appropriated is divided for use into three years, $50,000,000 to be immediately available, $75,000,000 available next year, and $75,000,000 more available the next year, with the provision in the bill that preference shall be given to honorably discharged soldiers in the performance of the work.

A great deal of work has been done during the war on roads partly military and partly civil, if I may apply that term to

them, by soldiers and by civilians. By the side of the soldier, who was getting $1 a day, worked the civilian at about $4 a day or $5 a day. We have provided that all of the soldiers of the United States who were detailed to that work and who performed it in part should be ascertained by the Secretary of Agriculture, and that the amount of the service that they rendered should be ascertained and that they should be paid the amount that the civilian employee received who worked by his side, and that the amount should be charged to the quota of the State where the work was done, because the road was built in that State and for the benefit of the State.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. MOON. Yes.

Mr. KNUTSON. That would not be retroactive for soldiers who have already rendered that work?

Mr. MOON. Oh, yes; it is required that in the use of the appropriation here, wherever a road has been built—that is, already built and the work was done by soldiers—that they shall have the pay that the civilians got who assisted in the work at the time, and it also provides for the future, that the soldiers shall have the preference in this work.

Mr. RAMSEYER. How did they happen to build roads purely for the benefit of the State, or does the benefit of the State come in only indirectly?

Mr. MOON. They did not build the roads purely for the benefit of the State. They built the roads primarily for military purposes, but they were along such lines of highway that they inured to the ultimate and final benefit of the State, and in most instances the State cooperated in the construction of those roads. It is in that class of work where a gang of white men and negroes worked for the State and were getting $4.50 and $5 a day for the work, while the soldier detailed by the Government to perform the Government part of the work or the military part of the work was given $1 a day. We are providing that that soldier wherever he performed that work shall now have the same amount as the others received.

Mr. RAMSEYER. Were there any other roads built than roads connecting a town to a camp, over which to haul the supplies to the camps?

Mr. MOON. It appeared before us in the conference that at Camp Humphreys, in Virginia, there is a short road that was exclusively for military purposes, connecting the camp with the depot. That road is not of much benefit to the State of Virginia, but it was of great benefit to the United States at the time. It may not be of great benefit hereafter; but the fact remains that in the construction of that particular road, which perhaps is of less benefit to either State or Federal Government than any road we know of, the soldier worked for $1 a day in making the road, while a civilian received three or four or five dollars a day. The soldier should have equal compensation with the civilian.

Mr. RAMSEYER. Who employed the civilian—the Army?

Mr. MOON. Yes; all of it was done under the Army, or cooperation between the Army and the State.

There is one other instance I know of where the Government of the United States is building to one of its cantonments a road 6 or 8 miles in length, where, by mutual consent, the county cooperated with the Government and paid one-half of the construction of the road. It is a very fine road; a concrete road about 60 feet wide. It was originally constructed, of course, by the county, but the Governemnt had torn it to pieces and it was then repaired in that way.

Mr. RAMSEYER. How did they happen to mix the civilians and the soldiers—because they could not get enough civilian labor, or because they did not have enough soldiers?

Mr. MOON. They could not get enough civilian labor, and then the State could not employ the soldiers.

Mr. RAMSEYER. I thought the gentleman just stated that these roads were built under the supervision of the War Department.

Mr. MOON. All of the roads, of course, were built under the supervision of the War Department. The participation of these counties in the matter was simply for the furnishing of money for assistance, and in some instances that was not done at all. Of course, where the State has employed men and paid them we have nothing to do with it; but where we have employed soldiers, and that is the only point there is in the matter, to assist in the construction of a road, where the soldiers worked side by side with civilians, whether it was done by the joint action of the county and the State and the Government or done by the Government alone, the soldier was under the control and jurisdiction of his Government—was detailed for that work at $1 a day—and we propose to give him for what he has done heretofore as much as the men that helped to do the work at his side received at the time. We think that is fair. We provide also in that bill that no soldier shall be detailed for work under the provisions of this act except by his own consent.

Mr. RAMSEYER. Just one other question. Does this also apply to soldiers who did road work overseas in France?

Mr. MOON. No. I do not know of that.

Mr. RAMSEYER. They did a lot of road work over there.

Mr. MOON. I know; but this applies to roads in the United States.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. MOON. Yes.

Mr. SNYDER. Were these roads of which the gentleman is speaking built strictly under appropriations of the Army, or were they built out of moneys that we provided several years ago in the regular governmental roads-building proposition?

Mr. MOON. They were supposed to be strictly military roads, although the county and the State participated with the Government in construction in some instances.

If they pay for it out of appropriations for military purposes it ought not to come out of this fund.

Mr. SNYDER. Out of the money provided for military purposes only the military must have employed the citizens who worked alongside of the soldiers.

Mr. MOON. I think in most instances they did.

Mr. SNYDER. How can you provide in this act to pay soldiers through the Army to bring them up to an equality with the civilians who are employed by the Army? I should think the Army would have to pay the soldiers out of their appropriations rather than for them to be paid out of this.

Mr. MOON. It is merely a correction of an act of injustice. It is a matter of bookkeeping, whether the War Department or the Agricultural Department should pay. If we put our soldiers by the side of other men who work on public works, whether we paid it or somebody else paid it, and the civilian employees were paid $4 or $5 a day, while the soldiers did not get but $1, in our judgment the soldier ought to have the amount to make the pay equal to that of the civilian for the work they are performing of the same kind and character.

Mr. SNYDER. I quite agree with the gentleman, but is it not a fact in this case the civilian was employed in work alongside the soldier you just reverse what the gentleman says? Is it not a fact further that all these cantonment roads were built wholly by soldiers during all the period of the war, who were only paid $1 a day?

Mr. MOON. Well, that may be true; I do not know how it was in all of them, but wherever the soldier did work and all were paid alike, $1 a day, it was all right, I presume.

Mr. SNYDER. The only point I am making is that if there was a short spur road built outside of a cantonment upon which a body of civilians and soldiers were employed, I can not see any more reason why the soldier who did that work outside of the cantonment should get additional pay than the men who built the road inside. I think if one gets the additional pay they should all get it who were road builders.

Mr. MOON. I think inside of cantonments, having no one associated with him except fellow soldiers, and they are all doing work for the Government of the United States at a particular price of $1 a day, neither one was prejudiced in the matter.

Mr. SNYDER. If the gentleman will yield——

Mr. MOON. The gentleman can not ask questions and not give me time to answer them. While that condition existed there was nothing to complain about particularly, but the soldier can properly complain when his Government employs a gang of civilians at $4 or $5 a day and puts them to work and tells him to go to work on the same job and only pays him $1 a day. I think he has a right to complain of that discrimination.

Mr. SNYDER. The point I am making is there is considerable complaint on the part of soldiers at least who build roads and other mechanical work inside of cantonments; there is a great deal of complaint on the part of those men. Now, you have provided that those who work with civilians outside shall have additional money and——

Mr. MOON. I have said to the gentleman there are very few instances of that kind I am informed. It is a very small amount involved so far as the provisions of that work are concerned.

Mr. KING. Will the gentleman yield?

Mr. MOON. I will.

Mr. KING. In the case where soldiers at Camp MacArthur were put out to work on a county road, will it cover a case of that kind?

Mr. MOON. On a county road?

Mr. KING. Yes, sir; where their arms were taken away from them six weeks ago, and they were placed there upon a road to work. Would this cover that case?

Mr. MOON. Is the gentleman sure they were ever placed there?

Mr. KING. I do not know anything about it, but that is the information——

Mr. MOON. I do not know anything about it either; the gentlemen will have to get the construction of the department.

Mr. KING. I am asking the gentleman's construction of the law which he is preparing.

Mr. MOON. We can never construe the law in reference to a particular state of facts unless we can obtain the state of facts necessary to obtain an intelligent construction.

Mr. KING. If it was a fact, would it come under the provisions of this bill?

Mr. MOON. If what was a fact?

Mr. KING. If the soldiers at Camp MacArthur were placed at work upon a county road in the State of Texas before being discharged, would they receive the same pay as a civilian?

Mr. MOON. I should think they ought to receive full pay.

Mr. KING. Just one more question I would like to ask the gentleman. Under this provision, will soldiers at Newport News, working on the municipal water-works plant, receive the pay?

Mr. MOON. I do not think water works has anything to do with good roads.

Mr. LINTHICUM. Will the gentleman yield?

Mr. MOON. I yield to the gentleman.

Mr. LINTHICUM. I agree with the gentleman about paying soldiers the same amount as is paid to other employees, but as to charging it up to the States I do not exactly undersand. For instance, in my State they have built a good many miles of road which will not be practically of any use after the close of the camp. Those are built 30 feet wide, whereas 16 feet would be all that would be necessary. Will that entire cost be charged up to our State whether the roads are of use to us or necessary; would they be charged up to our part of the fund?

Mr. MOON. I think it ought to be and is under this provision. You have the roads and ought to pay for them.

Mr. KINCHELOE. Will the gentleman yield?

Mr. MOON. I would like to get through with this, but I will yield to the gentleman.

Mr. KINCHELOE. This additional appropriation of $200,000,000 for good roads—is that to be expended in the same way that the original good-roads law provides now; that is, with the cooperation of the States, dollar for dollar?

Mr. MOON. Exactly; wherever the State puts up money the Government puts up an equal amount, and it is on the basis of population, area, and roads. There is no change in the provisions of the original law at all.

Mr. KINCHELOE. It is just an increase in the amount of appropriation?

Mr. MOON. Yes.

Mr. SNYDER. Will the gentleman yield for one more question?

Mr. MOON. Yes, sir.

Mr. SNYDER. If what the gentleman has just said, that this money is to be expended in the regular way, through the governmental road-building act, there can not be any of the money spent unless a State makes application for the expenditure of such money. Is that correct?

Mr. MOON. I take it so.

Mr. SNELL. Will the gentleman yield?

Mr. MOON. I yield to the gentleman.

Mr. SNELL. Is it the expectation of the committee that any of this money can be used during the coming summer?

Mr. MOON. Fifty million dollars is appropriated for this present fiscal year.

Mr. SNELL. How much of the money that was appropriated under the other act is yet unexpended?

Mr. MOON. I do not know just what the amount is, but I will ask unanimous consent now as an extension of my remarks to place in the RECORD as Exhibit No. 1 a statement from the department as to the amount that will go to each State.

The matter referred to is as follows:

EXHIBIT 1.

Apportionment of funds under Federal aid road act and under proposed amendment thereto.

States.	Amount available for fiscal years 1917, 1918, 1919.	$50,000,000 proposed for fiscal year 1919.	Totals for fiscal year 1919.	Fiscal year 1920 allotment.	Fiscal year 1920 proposed $75,000,000.	Fiscal year 1920 totals.	Fiscal year 1921 allotment.	Fiscal year 1921 proposed $75,000,000.	Totals.	Total allotment now authorized.	Grand total.
Alabama	$625,903.17	$1,050,264.10	$1,676,167.27	$420,105.64	$1,575,396.15	$1,995,501.79	$525,132.05	$1,575,393.15	$2,100,528.20	$1,571,140.86	$5,772,197.23
Arizona	411,081.14	685,043.57	1,096,124.71	274,017.43	1,027,565.36	1,301,582.79	342,521.79	1,027,565.35	1,370,087.15	1,027,620.38	3,767,794.65
Arkansas	498,085.77	840,229.53	1,338,315.30	336,091.81	1,260,344.30	1,595,436.11	420,114.76	1,260,344.30	1,680,459.06	1,254,292.34	4,615,210.47
California	900,358.99	1,524,248.30	2,433,607.29	609,699.32	2,286,372.45	2,896,071.77	762,124.15	2,286,372.45	3,048,496.60	2,281,182.46	8,378,175.63
Colorado	508,349.34	867,570.90	1,375,920.24	347,028.36	1,301,356.35	1,648,384.71	433,785.45	1,301,356.35	1,735,141.80	1,289,163.15	4,759,446.75
Connecticut	185,487.77	307,064.65	492,552.42	122,825.86	460,596.98	583,422.84	153,532.32	460,596.98	614,129.30	461,845.95	1,690,104.55
Delaware	48,965.10	81,384.45	130,349.55	32,553.78	122,076.68	154,630.46	40,692.22	122,076.68	162,768.90	122,211.10	447,748.91
Florida	338,652.69	573,797.20	912,449.89	229,518.88	860,695.80	1,090,214.68	286,898.60	860,695.80	1,147,594.40	855,070.17	3,150,258.97
Georgia	803,897.89	1,346,044.75	2,152,942.64	538,417.90	2,019,067.12	2,557,485.02	673,022.38	2,019,067.12	2,692,089.50	2,018,338.17	7,402,517.16
Idaho	363,862.05	610,509.27	974,371.32	244,203.71	915,763.91	1,159,967.62	305,254.64	915,763.91	1,221,018.55	913,320.40	3,355,357.49
Illinois	1,321,102.17	2,185,550.65	3,506,652.82	874,220.26	3,278,325.97	4,152,546.23	1,092,775.32	3,278,325.97	4,371,101.29	3,288,097.75	12,030,300.34
Indiana	813,473.04	1,349,919.40	2,163,392.44	539,967.76	2,024,879.10	2,564,846.86	674,959.70	2,024,879.10	2,699,838.80	2,028,400.50	7,428,078.10
Iowa	873,180.41	1,443,046.20	2,316,226.61	577,218.48	2,164,569.30	2,741,787.78	721,523.10	2,164,569.30	2,886,092.40	2,171,921.99	7,944,106.79
Kansas	858,754.08	1,436,313.98	2,295,068.01	574,525.57	2,154,470.89	2,728,996.46	718,156.96	2,154,470.89	2,872,627.85	2,151,436.61	7,896,692.32
Kentucky	585,400.35	976,865.17	1,562,265.52	390,746.07	1,465,297.76	1,856,043.83	488,432.59	1,465,297.76	1,953,730.35	1,464,579.01	5,372,039.70
Louisiana	403,179.27	680,729.03	1,086,908.30	272,291.61	1,021,093.55	1,293,385.16	340,364.51	1,021,093.55	1,361,458.06	1,018,835.39	3,741,751.52
Maine	290,161.92	481,231.35	771,393.47	192,492.62	721,847.33	914,339.95	240,615.78	721,847.33	962,463.11	723,270.32	2,648,196.53
Maryland	293,013.09	434,737.02	697,750.11	173,894.81	652,105.53	826,000.34	217,368.51	652,105.53	869,474.04	654,276.41	2,393,221.49
Massachusetts	442,814.70	736,883.30	1,179,698.00	294,753.32	1,105,324.95	1,400,078.27	368,441.65	1,105,324.95	1,473,766.60	1,106,009.67	4,053,542.87
Michigan	872,707.53	1,447,213.80	2,319,921.33	578,885.52	2,170,820.70	2,749,706.22	723,606.90	2,170,820.70	2,894,427.60	2,175,199.95	7,964,055.15
Minnesota	853,017.58	1,420,774.53	2,273,822.11	568,309.81	2,131,161.80	2,699,471.61	710,387.26	2,131,161.80	2,841,549.06	2,131,744.65	7,814,642.78
Mississippi	535,469.12	899,488.26	1,434,957.38	359,795.31	1,349,232.39	1,709,027.70	449,744.14	1,349,232.39	1,798,976.53	1,345,008.57	4,942,961.61
Missouri	1,017,765.21	1,695,314.11	2,713,079.32	678,125.64	2,542,971.14	3,221,096.78	847,657.05	2,542,971.14	3,390,623.19	2,543,547.90	9,324,804.29
Montana	593,382.46	999,467.15	1,592,847.61	399,786.86	1,499,200.73	1,898,987.59	499,733.58	1,499,200.73	1,998,934.31	1,492,902.90	5,490,771.51
Nebraska	639,757.68	1,066,642.07	1,706,399.75	426,656.83	1,599,963.10	2,025,619.93	533,321.01	1,599,963.10	2,133,284.14	1,599,735.55	5,856,303.82
Nevada	386,424.72	642,933.45	1,029,358.17	257,173.38	964,400.18	1,221,573.56	321,466.72	964,400.18	1,285,866.90	965,034.82	3,536,798.63
New Hampshire	125,599.97	207,810.38	333,410.35	83,124.15	311,715.57	394,839.72	103,905.19	311,715.57	415,620.76	312,629.31	1,143,870.83
New Jersey	353,995.26	594,050.80	949,046.06	237,620.32	891,076.20	1,128,696.52	297,025.40	891,076.20	1,188,101.60	889,640.98	3,265,844.18
New Mexico	474,847.98	798,785.78	1,273,633.76	319,514.31	1,198,178.67	1,517,692.98	399,392.89	1,198,178.67	1,597,571.56	1,193,755.18	4,388,893.30
New York	1,501,835.01	2,487,956.40	3,989,791.41	995,182.56	3,731,934.60	4,727,117.16	1,243,978.20	3,731,934.60	4,975,912.80	3,740,995.77	13,692,821.37
North Carolina	685,702.23	1,139,977.47	1,825,679.70	455,990.99	1,709,966.20	2,165,957.19	569,988.74	1,709,966.20	2,279,954.94	1,711,681.96	6,271,591.83
North Dakota	458,015.09	768,360.27	1,226,375.37	307,344.11	1,152,540.42	1,459,884.53	384,180.14	1,152,540.42	1,539,720.56	1,149,539.34	4,222,980.46
Ohio	1,118,759.68	1,854,462.47	2,973,222.15	741,784.99	2,781,693.71	3,523,478.70	927,231.24	2,781,693.71	3,708,924.95	2,787,775.91	10,205,625.80
Oklahoma	691,906.34	1,153,055.50	1,844,961.84	461,222.20	1,729,583.25	2,190,805.45	576,527.75	1,729,583.25	2,306,111.00	1,729,658.29	6,341,878.23
Oregon	472,394.85	787,459.10	1,259,853.95	314,983.64	1,181,188.65	1,496,172.29	393,723.55	1,181,188.65	1,574,918.20	1,181,108.04	4,330,944.44
Pennsylvania	1,382,078.29	2,296,075.85	3,678,154.14	918,430.34	3,444,113.77	4,362,544.11	1,148,037.92	3,444,113.77	4,592,151.69	3,448,546.55	12,632,849.94
Rhode Island	69,969.51	116,530.95	186,500.46	46,612.38	174,796.43	221,408.81	58,265.48	174,796.43	233,061.91	174,847.37	640,971.18
South Carolina	430,437.00	717,297.05	1,147,734.05	286,918.82	1,075,945.58	1,362,864.40	358,648.52	1,075,945.58	1,434,594.10	1,076,004.34	3,945,192.55
South Dakota	486,013.67	810,720.68	1,296,734.35	324,288.27	1,216,081.02	1,540,369.29	405,360.34	1,216,081.02	1,621,441.36	1,215,662.28	4,458,545.00
Tennessee	683,123.95	1,132,103.50	1,815,227.45	452,841.40	1,698,155.25	2,150,996.65	566,051.75	1,698,155.25	2,264,207.00	1,702,017.10	6,230,431.10
Texas	1,752,770.13	2,926,219.37	4,678,989.50	1,170,487.75	4,389,329.05	5,559,816.80	1,463,109.69	4,389,329.05	5,852,438.74	4,388,367.57	16,031,245.04
Utah	341,613.62	567,592.10	909,205.72	227,036.84	851,388.15	1,078,424.99	283,796.05	851,388.15	1,135,184.20	852,446.51	3,122,814.91
Vermont	135,662.33	225,987.70	362,650.03	90,395.08	338,981.55	429,376.63	112,993.85	338,981.55	451,975.40	340,051.26	1,244,002.03
Virginia	597,102.90	992,052.95	1,589,155.85	396,821.18	1,488,079.43	1,884,900.61	496,026.48	1,488,079.43	1,984,105.91	1,489,950.56	5,458,162.37
Washington	432,183.03	722,367.25	1,154,550.28	288,946.90	1,083,550.87	1,372,497.77	361,183.62	1,083,550.87	1,444,734.49	1,082,313.55	3,971,782.54
West Virginia	319,525.27	532,009.10	851,534.37	212,803.64	798,013.65	1,010,817.29	266,004.55	798,013.65	1,064,018.20	798,333.46	2,926,389.85
Wisconsin	767,790.41	1,272,945.53	2,040,735.94	509,178.61	1,909,419.79	2,418,598.40	636,473.26	1,909,419.79	2,545,893.05	1,913,442.28	7,005,228.33
Wyoming	367,396.24	612,912.45	980,308.69	245,164.98	919,368.68	1,164,533.66	303,456.22	919,368.68	1,225,824.90	919,017.44	3,370,667.25
Total	29,100,000.00	48,500,000.00	77,600,000.00	19,400,000.00	72,750,000.00	92,150,000.00	24,250,000.00	72,750,000.00	97,000,000.00	72,750,000.00	266,750,000.00
Administration	900,000.00	1,500,000.00	2,400,000.00	600,000.00	2,250,000.00	2,850,000.00	750,000.00	2,250,000.00	3,000,000.00	2,250,000.00	8,250,000.00
Grand total	30,000,000.00	50,000,000.00	80,000,000.00	20,000,000.00	75,000,000.00	95,000,000.00	25,000,000.00	75,000,000.00	100,000,000.00	75,000,000.00	275,000,000.00

Mr. SNELL. Is it not a fact that none of that money has been expended yet?

Mr. MOON. I do not know. I will say to the House that this is a rider on the Post Office bill and that this question will be better answered by the chairman of the Committee on Roads. The Committee on the Post Office and Post Roads has no jurisdiction of the same as an original question. We have obtained jurisdiction by reason of its being a Senate rider. But I can later give the gentleman the information. The report is not before me.

Mr. SNELL. I appreciate that fact; but it was brought into the House on your appropriation bill, and under the condition of the finances of the Government I think we should have some definite information before we add an appropriation like that on any appropriation bill—that calls for an expenditure of $200,000,000.

Mr. SAUNDERS of Virginia. I think I can answer that question in part. I understand that there is about $50,000,000 available of antecedent appropriations.

Mr. MOON. I will say that there is a statement about it in the report.

Mr. SNELL. As given out by the Labor Committee, only $4,000,000 of that money has been expended.

Mr. SAUNDERS of Virginia. I will say to the gentleman that it is larger than I thought it was. The amount to be available from antecedent balances is larger than I thought. The balances available from former and present fiscal years, due to interruption of war, from Federal and State sources, is about $70,000,000.

Mr. MOON. That is from the paper that we will put in the RECORD. You will all have it before you.

Mr. SNELL. It ought to be before the House. It is a question of whether or not we ought to put it on the people. I think it is important to know whether we will be able to spend the money during the coming season.

Mr. MOON. I am sure you will spend all the money you want to on this or anything else that you get it for.

Mr. SNELL. There are certain conditions to be met before we can spend the money. We must lay out roads, and, as I understand it, many of the States have never made a provision for spending this money, and we should have that information before the House.

Mr. BROWNE. Will the gentleman yield?

Mr. MOON. I yield.

Mr. BROWNE. I asked the Secretary of Agriculture the other day under whom the road funds are expended. He informed me there were over 7,000 miles of roads built under the last appropriation.

Mr. SNELL. Do you mean that there have been 7,000 miles of roads built under that appropriation?

Mr. BROWNE. Seven thousand miles of road built under the Federal aid act with the amount that different States contributed toward it.

Mr. SNELL. Do you mean built or just provided for? Do you mean they were just surveyed?

The SPEAKER. Does the gentleman from Tennessee yield to these gentlemen to have a debate?

Mr. MOON. No, sir; but I will let them run for about a minute.

Mr. BROWNE. I was going to state to the gentleman that over $25,000,000 has been expended in the last Federal road act of $75,000,000.

Mr. MOON. Now, Mr. Speaker, may I observe here that I most heartily approve of this appropriation of $200,000,000. And I do not appreciate very much any captious criticism. I know we are very largely involved in the war debt. We have spent millions of dollars for armament and for all the purposes and paraphernalia of war. I know of necessity that in the conduct of a great war like this, both at home and abroad, there must have been very much money improperly spent, whether corruptly spent or not, of course we could not know. I know that some of this work you speak of may have been unnecessary. But those things are behind us now. The $20,000,000,000 of money we used we have to meet and pay. That being true, Mr. Speaker, I would like to inquire how this is to be done except by taxes from the people. Of course, you appreciate the fact, and I do, too, that this Government can be and ought to be run for less than one-half of the amount that is expended in its administration, even when we wipe away these war boards and all the instrumentalities in a clerical way for war purposes here. We ought to destroy more than two-thirds of these commissions that are in operation to-day under the Government. We ought to consolidate departments.

It may be we ought to consolidate even Cabinet positions in the interest of economy. We ought to ultimately reduce salaries. We ought to take the necessary steps for that purpose. We ought to realize that in this Government we have to tax the people and issue bonds to pay the amount of this debt. Only the interest can be paid now. To undertake to levy taxes to pay the principal would be practical confiscation of the people's property. Then let us have as simple a Government as we can, and do away with all the boards that we can dispense with, and all the salaries that we can dispense with, and greatly reduce the Army, put it at the minimum figure, and bring our Government down to the lowest possible figure at which it can be administered economically. And then what comes? There still remains an immense debt that must be paid; and if you pay it, gentlemen, you have got to repeal, and repeal, and still further repeal, numbers of laws that you have enacted here, not only on the pretext and for the purposes of war, but laws which you enacted before this war began, restricting the commerce, the business interests, of the country.

You have to deal with these economic propositions now, because you are passing from a position of war into a position of peace. In addition, a reconstruction is upon us, under which you can not get your revenue unless you increase your business and commerce and foster and encourage all the material interests of this country. You can not do that unless you take the steps necessary to expand your commerce, your business interests, agriculture, mining, and manufacturing in the United States.

Therefore one of the greatest propositions, I think, involved in the whole question is not a recession from public economies, but an advance movement along that line, and there is no better one than a good-roads proposition, and that ought to come at the very hour and minute of the reconstruction of the business interests of the United States that must follow this war. Unless you develop and our people prosper, you can not get taxes to pay public debts.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. MOON. I yield to the gentleman from Illinois.

Mr. MANN. I understood the gentleman to say that this bill as it left the House carried appropriations and authorizations to the amount of about $400,000,000?

Mr. MOON. Yes. The reason it showed on its face $360,000,000 I believe I stated.

Mr. MANN. How much does the gentleman figure the bill as reported from the conference committee will carry in appropriations and authorizations?

Mr. MOON. It will carry a fraction over $600,000,000, in my judgment. The exact figures have not been made, but it will carry something over $600,000,000.

Mr. MANN. So that in conference it has been increased over 50 per cent?

Mr. MOON. I thought the gentleman understood the reason why the figures of the House were different. It was this: When we were in the House we calculated everything on the old law of salary, which made about $358,000,000 or $359,000,000. But we made provisions in the act which we did not compute, as you know, in the bill. We provided for increases which, if they had been computed in dollars and cents, would have amounted to about $400,000,000.

Mr. MANN. Four hundred million dollars in the House increased to over $600,000,000 is an increase of 50 per cent.

Mr. MOON. The gentleman is correct in the fact that this appropriation for good roads increases it $200,000,000, which is a third of the total of the $600,000,000.

Now, I was about to observe before yielding to the gentleman from Illinois, Mr. Speaker, that in the condition in which we find our fiscal affairs we ought to do all we can to encourage the business interests of the country. To expand is necessary to secure prosperity, and prosperity alone produces large taxes. Taxes of all kinds must be reduced. You can not have people engaged in manufacturing and agricultural and mining industries in this country for profit if you are going to take every dollar of that profit and put it into the Federal Treasury. You have to give encouragement to them if you want to get the revenues sufficient to pay this debt not only by a reduction of national governmental expenses, but you have to give a reduction in taxation against the citizen. If you do not you break him down and make it impossible for him to raise the revenue to pay your debt. And you have to quit your disputes about tariff and lay any tariff tax that will produce revenue, but never so high as to create monopoly and trusts nor so low as to destroy industries and reduce labor to low conditions. Let us come to the consideration of these questions which will encourage, upbuild, and foster all of the material interests of our country in order that you may get the revenue to meet your debt. In other words, you have to have an enlarged United States commercially in all its business lines to

meet these great obligations, with the removal of all improper restrictions on the people. Good roads will do more than all other things to bring unbounded prosperity to our country.

Mr. STEENERSON. Mr. Speaker, will the gentleman yield?

Mr. MOON. Yes.

Mr. STEENERSON. I would like to inquire if it is the purpose of the gentleman to give some time to others? He has now occupied 45 minutes of the hour.

Mr. MOON. We have got more than an hour if we want it. I have occupied that time largely in answering questions, which I thought altogether proper. I am going to yield to the distinguished gentleman later. I yield 10 minutes now to the gentleman from Illinois [Mr. MADDEN].

Mr. STEENERSON. I had supposed I would control the time on this side, and it was my purpose to yield to the gentleman from Illinois; but if the gentleman from Tennessee proposes to yield to him, all right.

Mr. MOON. I had an hour, and I used 40 minutes of it, and I have a right to do anything I want with the balance of it. I will give the gentleman from Minnesota some and the gentleman from Illinois [Mr. MADDEN] some time, and the gentleman from Wisconsin [Mr. BROWNE] some, and then I am going to save enough of the hour to move the previous question.

Mr. STEENERSON. Does the gentleman intend to give me some time?

Mr. MOON. I said I would if you wanted it; yes.

Mr. STEENERSON. How much time does the gentleman desire? Have I only an hour, Mr. Speaker?

The SPEAKER. That is all.

Mr. MOON. How much does the gentleman from Illinois desire?

Mr. MADDEN. Ten minutes.

Mr. MOON. How much does the gentleman from Minnesota want?

Mr. STEENERSON. I want some time when the gentleman gets through. I have two or three applications for time.

Mr. MOON. I want to be frank with the gentleman, and——

Mr. STEENERSON. I thought we could make some arrangements in advance, so that I would know what my rights are.

Mr. MOON. The gentleman ought to know what his rights are under the rule. I have the hour. Under that I can move the previous question.

Mr. STEENERSON. I do not care.

Mr. MOON. I ask unanimous consent, Mr. Speaker, that the gentleman from Minnesota may have all the time he wants. I will give the gentleman from Illinois [Mr. MADDEN] 10 minutes and the gentleman from Wisconsin [Mr. BROWNE] 5 minutes, and that will leave me 5 minutes. Then I will ask unanimous consent that the gentleman from Minnesota can have what time he wants.

Mr. MANN. Let the gentleman from Minnesota be recognized.

Mr. MOON. The gentleman from Illinois knows that unless we have some agreement I will lose the floor.

Mr. MANN. Oh, no. The gentleman can take the floor and move the previous question.

Mr. MOON. How much does the gentleman desire?

Mr. STEENERSON. I think I will require about half an hour.

Mr. MOON. I ask unanimous consent, Mr. Speaker, that that time be given the gentleman.

Mr. CANNON. I would like to have a little time, if I may be permitted to take it. I have just come in from my committee room, where I have been trying to assist in preparing another enormous deficiency bill. I have not had time, as one Member of the House, to read the conference report. I have been able only to go through it hop, skip, and jump. There ought to be four or five hours' debate on this proposition, so that we may understand it.

Mr. MOON. Mr. Speaker, I ask unanimous consent that, including the 40 minutes I have occupied, there shall be two hours' debate upon this question, 20 minutes of that time to be controlled by myself and an hour to be controlled by the gentleman from Minnesota [Mr. STEENERSON]. That would be 1 hour and 20 minutes more in all.

The SPEAKER. The Chair could not hear the gentleman.

Mr. MOON. I said I would ask unanimous consent that 1 hour and 20 minutes more time should be given to this debate, making 2 hours in all, 20 minutes to be controlled by myself and 1 hour to be controlled by the gentleman from Minnesota.

The SPEAKER. Does the gentleman want that 1 hour and 20 minutes to be added to what the gentleman has already used?

Mr. MOON. Yes. That makes two hours in all.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the time be extended one hour, which will leave 20 minutes to be controlled by him and will give the gentleman from Minnesota [Mr. STEENERSON] one hour. Is there objection?

Mr. MANN. And that at the end of that time the previous question be considered as ordered.

Mr. MOON. And that at the end of that time the previous question be considered as ordered.

The SPEAKER. And at the end of that time the previous question be considered as ordered. Is there objection?

There was no objection.

Mr. MOON. Does the gentleman from Minnesota [Mr. STEENERSON] desire to proceed now?

Mr. STEENERSON. No. It was my intention to yield to the gentleman from Illinois [Mr. MADDEN] five minutes.

Mr. MOON. And I yield him 10 minutes.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] is recognized for 15 minutes.

Mr. MADDEN. For four years now I have been working as strenuously as I knew how in an effort to get legislation which I consider of great importance and quite essential to the future welfare of the Post Office Department. That legislation consisted in arranging an automatic scale of promotion, giving higher standards of compensation to the carriers and clerks, and to the railway mail clerks. The House with full knowledge of the facts voted substantially unanimously for the enactment of a permanent law giving clerks and carriers a new status. Unfortunately, when the bill went over to the Senate, that body decided to make the law temporary, and while the conferees of the House sat for several days, insisting very strenuously upon the House provision of the bill, we were compelled ultimately to yield to the pressure of the Senate, because we did not want to take the responsibility of the Senate defeating the legislation for all other branches of the Postal Service.

Mr. GARNER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr GARNER I want to say to the gentleman that I think he is to be congratulated upon his success in securing an increase of payments to postal employees of about $40,000,000, as I gather from the gentleman from Tennessee [Mr. MOON], because according to the best information I can get about $5,000,000 of that will go to Chicago, and the Chicago people ought to pass resolutions very complimentary to the gentleman from Illinois.

Mr. MADDEN. I am very much obliged to the gentleman from Texas, but I think he does not quite comprehend the facts in the case. Unfortunately, Chicago will get a very small portion of this, although I would be glad to see them get a large portion; but I have not been working on this legislation with any idea of promoting the welfare of Chicago. My work is intended to promote the success of the Postal Service all over the United States, and I think experience shows that because of a lack of proper compensation for men engaged in this important service the service has run down materially in all the great centers of the country. These men were permitted to enter the service on a basic salary of only $800, and it took them five years to get up to the basic salary of $1,200, and you can not get men of the type required in the service to work for that compensation. My thought was that the increased compensation provided for in the bill as reported back from the conferees—namely, a minimum of $1,000 and a maximum of $1,500—is not a war-time compensation at all but a peace-time compensation, only adequate for the important duties these men are called upon to perform. The same thing is true with respect to the rural carriers. I was anxious to see their increase made permanent. I was anxious to see the increase of the rural carriers combined with the increase of the city carriers and the clerks and made permanent law. It ought to have been made permanent law without any question; but the Senate did not agree with us. I am proud that every conferee appointed by the House stood like a stone wall in favor of the permanency of this legislation in all its aspects, and yielded only because they did not want to assume the responsibility of defeating the legislation entirely. But provision has been made by the conferees for the appointment of a commission to consider the whole question of salaries in the Postal Service; and I assume this commission will be appointed before the adjournment of this Congress, and it will probably be engaged in the work of investigating and adjusting salaries all during the coming summer. I am quite certain that no salary will be reduced, but, if anything, salaries will be increased above what we provide in this bill. The Postmaster General already, in a communication to the conferees, says that the supervisory officials of the Post Office Department are not getting sufficient compensation, and that increases ought to be made along the

line among those supervisory officials. Now, the supervisory officials are the high-paid men in the department, and while I recognize the ability of these men, they are already getting a good deal more than the men whose compensation is provided for in this act. They are entitled to more than they are getting, because some of these men are very able, and if they were employed in commercial life they would receive a good deal more compensation than the Government pays them.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CARTER of Oklahoma. What provision does this bill make, if any, for an increse in the pay of the fourth-class postmasters?

Mr. MADDEN. The basic law provided for the payment to fourth-class postmasters of the first $50 cancellations quarterly. Last year we make it $80 quarterly. This bill provides for $100 quarterly, so that is quite an increase.

Mr. CARTER of Oklahoma. Twenty dollars.

Mr. MADDEN. Twenty dollars a quarter, or four times twenty, or $80, a year.

Mr. CARTER of Oklahoma. Twenty dollars a quarter over what their pay was last year?

Mr. MADDEN. Twenty dollars a quarter increase; yes. So the fourth-class postmasters have been provided for in this bill very generously. Yet there are over 10,000 fourth-class postmasters in the United States whose compensation is less than $50 a quarter, and perhaps this is very much less than it ought to be. There ought to be some readjustment of that, and doubtless there will be when this commission gets to work and knows the facts in the case. Then there are other men whose compensation as fourth-class postmasters almost reach the line of third-class postmaster compensation, and there it turns out that they have a good deal of expense in connection with the work. The work is voluminous and perhaps we do not pay them what we ought to pay.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CARTER of Oklahoma. Can the gentleman tell us what provision was made in the line of clerk hire for the third-class offices?

Mr. MADDEN. The clerk hire for third-class offices has always been paid out of a lump-sum provision allotted to the Postmaster General and distributed to the third-class postmasters, the minimum for the lowest third-class postmaster being $300 per annum. It went up to $400, $600, and $800. Now we make the $300 $450, the $400 $600, and the $600 $900, and the $800 $1,200, making an increase of 50 per cent over what they received before.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WHITE of Maine. Has there been any increase in the amount allowed the fourth-class postmaster for fuel, light, and so forth?

Mr. MADDEN. No; that has never been done, and there is no change in that respect.

Mr. McKENZIE. Will the gentleman yield?

Mr. MADDEN. I will yield to the gentleman.

Mr. McKENZIE. The allowance paid to the third-class postmasters for clerk hire is a fund he can expend in any way he may deem best?

Mr. MADDEN. He can expend the allotment accorded to him by the Postmaster General in such manner as the best interests of the service require, and he is the judge of that.

Mr. CARTER of Oklahoma. With certain limitations.

Mr. MADDEN. Certainly.

Mr. McKENZIE. If he has a $900 allowance and he can hire a clerk for $600——

Mr. MADDEN. He can not take any part of the $900 himself. Oh, no; it must be paid to the clerk. The postmaster is not permitted to take any part of it.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. MADDEN. I will yield to the gentleman.

Mr. SMITH of Michigan. Is there any provision in the bill that limits the employment of a janitor to any post office not canceling a certain amount of stamps?

Mr. MADDEN. There is no provision to limit the amount of work any man may do.

Mr. SMITH of Michigan. I understcod that there would be no janitor at any office where the receipts were less than $20,000.

Mr. MADDEN. There is no such provision in the bill.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. GREEN of Iowa. I have not been in the House all the morning. Has the gentleman reached the subject of the rural carriers?

Mr. MADDEN. I have, but I shall be glad to answer any question the gentleman may wish to ask.

Mr. GREEN of Iowa. What arrangement was made about the rural carriers?

Mr. MADDEN. The rural carrier section provides for pay for each mile over 24 miles, and the extra mileage pay is made permanent, and in addition to that the compensation of the rural carrier is increased 25 per cent.

Now, I wish to call the attention of the House to the road question. We are in a period of transition that requires preparation for the employment of men who are coming back from the front. If there ever was a time when every public institution in the land, county, State, and Nation, should make provision for more opportunities for employment, this is the time. Everybody seems to be fearful about entering upon new enterprises. Labor conditions are in a state of uncertainty. Nobody knows what the wage scale is to be. The price of materials fluctuates; it may go up and it may go down, and no man in the United States cares to enter upon a new undertaking. That creates a state of doubt in the public mind. That state of doubt will undoubtedly create a state of stagnation if it is continued far enough.

Then the duty of the public functionaries is clear, and that duty in my judgment calls for provision, calls for action, so that employment of some kind out of the funds of the public Treasury may be used to advance the interests of different sections of the Nation.

Although we are in debt, and we have created obligations due to the war that are onerous and gigantic, we still owe an obligation to the country to dissipate the state of doubt that is being created by the refusal of private individuals, companies, and corporations to enter upon new adventures, so to speak. For every man we employ by the creation of new works in the State, county, and Nation will tend to encourage private employers to enter upon new work, and when we encourage that I think we have done a patriotic duty.

Mr. FESS. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. FESS. How soon could this work be begun?

Mr. MADDEN. I anticipate that a great many of the States have already made provision. Take, for example, the State of Illinois. The people there have already voted $60,000,000 in bonds to construct new highways. Fifteen millions of that $60,000,000 will be available as early as April of this year. Fifty millions of the $200,000,000 in this bill is available for distribution during the fiscal year of 1919. That means between now and the 1st of July. The State of Illinois undoubtedly would get its proportion. The State of New York, I understand, already has in contemplation the construction of a large mileage of roads, and there is provision in this bill for allotments to States like New York through the increase of the limitation of the cost per mile. For example, the basic law provided that no allotments could be made to any State where the cost per mile of the road was more than $10,000. That, of course, would cut out of the allotments from these appropriations States like New York and perhaps Ohio and Illinois.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Speaker, may I have two or three minutes more?

Mr. STEENERSON. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. MADDEN. We now fix the limit at $20,000 a mile, because the character of road being constructed by those States costs that much, and so we open the doors to the participation by these States in the benefits to be derived from the immediate use of money which will give employment to men already out of work.

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. FESS. The work here contemplated does not necessarily compete with private enterprise, because it is not likely that private enterprise will do such work.

Mr. MADDEN. The only thing it does is this: We do not compete with private enterprise, but we find employment, which private enterprise will not take the risk to find. Finding the employment, we encourage the purchase of new supplies and the opening of new avenues of employment, and thereby we begin to create the confidence which is necessary to maintain the equilibrium of proper business conditions.

Mr. FESS. Mr. Speaker, we all understand that the gentleman from Illinois speaks always to the fact, and I desire to get his judgment upon the question of unemployment. Will the gentleman state whether he thinks there will be a great deal of unemployment if public enterprises are not entered upon?

Mr. MADDEN. I am afraid there will be; it looks that way now. Let me take, for example, the case of a young man who has just returned from France, who held a high rank in the Army—a genius in his own line. He took several days to investigate conditions which would confront him upon his return, and he reported back to me, after he had given two weeks of careful study to the question, that every man with whom he came in contact was afraid of the labor conditions, the uncertainty, afraid of the fluctuating costs of supplies, afraid of the conditions that abound in the country, and they all said that they were going to hold back and would not enter upon any new enterprise, and he himself, anxious to enter upon new enterprises, said that he would wait for the next six months or a year to see what would happen. If that feeling is general throughout the country, and I think it is, then our duty is clear, and we are performing a patriotic function when we participate with the States in the development of public enterprise.

Mr. FESS. Does this appropriation contemplate cooperation with the States?

Mr. MADDEN. Oh, yes; it is only used for that purpose and nothing else.

Mr. HASTINGS. Would the gentleman permit me to state that Oklahoma will also ally herself with States like Illinois and New York in this good-road movement? Already the State of Oklahoma is considering the issue of $50,000,000 of bonds for good-road work.

Mr. MADDEN. I think all of the States are alive to the necessities of the case, and I am very glad they are. I have advised it everywhere, and I think now, above all times, is the time for municipalities and counties and States to take the lead, and if Federal cooperation can be had in connection with their activities so much the better. [Applause.]

By unanimous consent Mr. MADDEN was granted leave to extend and revise his remarks in the RECORD.

Mr. STEENERSON. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. BROWNE].

Mr. BROWNE. Mr. Speaker, the last Federal highway law passed July 11, 1916, provided for an appropriation of $75,000,000 for highways, besides $10,000,000 for highways through the national parks. The question was asked here in regard to the amount that had already been expended. I have a letter here from the Secretary of Agriculture or from the Director of Roads in that department, and he says that all except $25,000,000 has been apportioned among the several States.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. BROWNE. Yes.

Mr. SNELL. How much of that has been actually expended up to the present time? I ask the gentleman to please answer that question for the information of the House.

Mr. BROWNE. I shall do so before I get through with my remarks. In the State of Wisconsin I know that we have expended quite a good portion of the share apportioned to us. Of course, road work, as all other work, has been held up on account of the war, but the gentleman can not find any great fault because all of this money has not been expended. It is there; it has not been wasted. The argument was originally advanced that the money would be wasted, and a good many were skeptical about Federal aid when we passed the Federal aid act, but to-day every highway commission in the United States, and there are 48 of them, is heartily in favor of Federal aid for roads. It has stimulated road building more than anything else in the last 100 years. To-day there are over 7,000 miles of road projects that have been examined and approved by the Federal Government, and the machinery is all ready. Almost every State in the Union is ready to begin work on its system of roads and pay one-half the cost of the roads as soon as this appropriation is available. Some of these roads have not only been surveyed, but they have been graded, and the preliminary work has been done.

I want to say a word in regard to the labor question involved here, the question of unemployment. We know there will be millions of men out of employment when war industries and the Army are demobilized. Various public works have been suggested to give employment to these men, but I think none of them is as practical as road work. In the first place, every one of the 48 States has to put in at least dollar for dollar for the aid given by the Federal Government in this work. This will be a check on extravagance. So far the States have put in more than the Federal Government has; they have put in more than dollar for dollar, and with the road machinery all ready, with the State highway organizations all ready in these 48 States, without any delay whatever they can take the surplus labor and put it to work on the roads. Road work furnishes employment not only for skilled labor—civil engineers and skilled mechanics—but also for common, everyday labor.

And there is no kind of work that will furnish such a diversity of labor as road work. The work is out of doors; it is healthful employment; and, as I say, for every dollar expended by the Federal Government the State has to put in a dollar beside it.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BROWNE. I will.

Mr. LAGUARDIA. I understand the reward we are going to give these boys for fighting is to give them a job with a pick and shovel when they come back.

Mr. BROWNE. If they want it. They need not accept it; but a million of men will be out of employment who are now engaged in the war industries, and while they are demobilizing and readjusting themselves we can use these men upon the roads.

Mr. SNYDER. Will the gentleman yield?

Mr. BROWNE. I will.

Mr. SNYDER. If the gentleman has had any experience in road building, I would like to ask the type of men in the State of Wisconsin who go to work on the highways? Does the gentleman think a very large percentage of the men coming back from the war will be applicants for a position with pick and shovel?

Mr. BROWNE. I think they will be.

Mr. SNYDER. I think the gentleman is highly mistaken.

Mr. BROWNE. There will be civil engineers——

Mr. SNYDER. A very small per cent.

Mr. BROWNE. And there will be laborers; there will be all kinds of laborers. I know men to-day just out of the Army who have gone out to work as civil engineers and in other capacities in different States on the roads——

Mr. SNYDER. This, then, is a proposition to provide civil engineers with jobs?

Mr. BROWNE. I have simply taken civil engineers as an example.

Mr. SNYDER. I have not any doubt it looks good to them.

Mr. BROWNE. We have seen right down here in the South—it has been brought up here to-day—that men were getting $4 and $5 a day for working on roads.

Mr. SNYDER. The gentleman, in my judgment, is hitting the right point.

Mr. BROWNE. Right down here our soldiers were asked to be given the same amount, and they have been given the same amount for working on the roads, and I think with the wages which the different States and localities can furnish there will be thousands and thousands of workmen who will be very glad to work on the roads in that out-of-door employment. It is not all with a pick. There are different kinds of work and different kinds of skill used in road work. Now, another thing. The appropriation passed by the Sixty-fourth Congress for Federal aid, July 11, 1916, was the first appropriation made by the Federal Government for over 100 years. Our city friends objected to it because the Federal aid did not extend to the cities. This is a rural highway proposition. There does not a dollar of it go into any city over 2,500 inhabitants, and to such cities only where the roads are a part of a rural highway system. Now, when we stop and think for a minute that at least 90 per cent of all the appropriations that Congress makes go into the cities and only about 10 per cent go to the country, taking into consideration at this time, too, that $50,000,000,000 of our wealth is in our farms and property on the farms, and that 50,000,000 of our people out of our 100,000,000 population live in the rural communities and in cities and villages of less than 2,500, we are led to the conclusion that it is only a matter of justice to appropriate some money that will directly benefit our rural population.

Mr. SNELL. Will the gentleman tell me where he got the information that only 10 per cent of all the appropriations made by the Congress goes outside of the cities of this country?

Mr. BROWNE. I got it from people who compute it.

Mr. SNELL. It is just a general statement, no real authority?

Mr. BROWNE. No; it is from authorities who have given it consideration. Now, another proposition here. During this war we know this: All the war industries have been located in the large cities, mostly throughout the East, because they could be more advantageously used, and as a result the labor from all over the country has flocked to the cities, and millions of dollars have been spent there. The pay rolls in a great

many cities have doubled and trebled, and the population has increased several hundred thousand in some cities during these war times. Now, much of the wealth that has accumulated in the cities during this time has been at the expense of the country. The country suffered from this war, the small town has suffered during this war, and it is only fair from an economical standpoint to bring some of this money that has gone to the cities back to the country. We know that in the year 1917, right in the city of New York, there were five men who made a net income of over a million dollars a month, the five making over $60,000,000 in a single year. We know there were five others who made a net income of over $27,000,000 in a single year. We know in the year 1917, during the war, we created nearly 8,000 millionaires, while in all the 140 years of our national life we had only about 14,000 millionaires. I am just simply illustrating that the cities during these war times have grown richer. The city banks are full of money, and the country, the rural community, has suffered by the war; the country bank has suffered greatly and the country people in general have.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BROWNE. Yes.

Mr. LAGUARDIA. The country now is going to be protected by the price of wheat, is it not?

Mr. BROWNE. We fixed the price of wheat, to the injury of farmers. Our farmers made a sacrifice. It would have been a great deal better for the farmer if we had not fixed the price of wheat. We did not fix the price of a great many city products. We tried to fix the price of steel but could not do it, and as a result the steel companies have made a great deal more than ever at any time in their history.

Mr. TREADWAY. Before the gentleman gets away from the subject of roads, which is very interesting, I would like to ask him two questions in reference to that matter.

Mr. BROWNE. I would like to finish up what I was going to say——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BROWNE. Can I have some more time?

Mr. STEENERSON. I yield the gentleman three minutes.

Mr. TREADWAY. I want to ask the gentleman two questions. The first is, How many miles of road have actually been built under the original road act, not arranged for but actually constructed? Second, What has been the total expenditure by the department so far in furnishing the preliminary details, which I judge the gentleman refers to when he speaks of the machinery being ready to operate? I think those are two pertinent questions as applied to the subject we are supposed to be discussing.

Mr. BROWNE. I do not know just exactly the number of miles of road, but I know this: I wrote to the Director of Roads of the United States Department of Agriculture, and in his letter of February 15, 1919, he says this:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF PUBLIC ROADS,
Washington, D. C., February 15, 1919.

Hon. EDWARD E. BROWNE,
House of Representatives, Washington, D. C.

DEAR MR. BROWNE: Your letter of February 14 citing the apportionments to the States under the Federal aid road act for the first four years has been received, and the figures you quote are approximately correct. At the present time $25,000,000 remains to be apportioned under the original act.

With regard to the attitude of the States in taking up these apportionments under the law there is no doubt whatever. They are doing everything they can and appear eager to secure the assistance which the Government extends. As to their financial ability to absorb the appropriation under the present act there has been no trouble so far with the first four apportionments. On December 31, when the first three apportionments only were available, amounting to approximately $29,000,000, projects had been initiated by the States covering approximately $22,500,000, and six months still remained of the current fiscal year. As of the same date agreements (contracts) had been entered into for approximately $10,300,000.

When it is considered that during the last year a very strenuous effort was made through the Capital Issues Committee and the United States Highways Council to limit bond issues, to restrict transportation and materials, and to force the general postponement of the highway programs in the several States the above showing indicates that there was no lack of financial resources available to the States to meet Federal aid. Even under the conditions existing, some States, notably Texas, submitted projects in excess of their apportionments, and no State lost any of its aid by reason of the time limits fixed by the law.

The fourth apportionment listed in your letter was made on January 7 of this year and is available to the States until two years from June 30 next before it lapses, so that it appears entirely probable that this apportionment will likewise be absorbed by the States within the allotted time.

We know that several States have authorized, or are about to authorize, very substantial bond issues, notably Illinois, Pennsylvania, California, North and South Carolina, and Georgia, and other States have made legislative appropriations specifically to meet the entire apportionment under the law throughout the five-year period. With this disposition so generally in evidence there appears to be no doubt that all of the appropriation covered by the present act will easily be taken up within the prescribed time.

This bureau has no specific information that would indicate the exact capacity of the several States to absorb further appropriations, but if the time limit is not restricted below that of the present act in force it appears very probable that the States are desirous and ready to make provision for very heavy expenditures on road improvement.

Yours, very truly, P. ST. J. WILSON,
Acting Director.

—

FEBRUARY 14, 1919.

P. ST. J. WILSON,
Chief Engineer, Office of Public Roads and Rural Engineering, Department of Agriculture.

MY DEAR SIR: I understand the allotment of Federal aid to the States has been as follows:

1916	$4,850,000
1917	9,700,000
1918	14,550,000
1919	19,400,000
	48,500,000

$75,000,000
—48,500,000
26,500,000

This would leave $26,500,000 which has not been apportioned to the States. Please let me know whether these are the correct figures and whether the highway department believes that the States are in a position to undertake road improvement on a scale which the Post Office appropriation would justify.

I am heartily in favor of this road legislation and want to get the facts.

Yours, very truly,

Now, that is as far as I can answer the gentleman's question.

Mr. TREADWAY. That does not answer either question, does it?

Mr. BROWNE. I know in the State of Wisconsin, where I am familiar with the road work, we have a system of 5,000 miles of roads, and we have used our Government funds—I think practically all that was apportioned to us up to that time. We took it as fast as the road law that we passed provided for. Of course, under our road law all of it was not available, or would not be available until 1920 and 1921, under the original act, and of course we were delayed during the war. That is not an argument against the road system or does not show any extravagance or any waste. The great doubt in the mind of some when we started in on Federal aid was waste, but there has not been any waste.

Mr. TREADWAY. Is there any way of proving that up? I am trying to find out what the establishment of this machinery you refer to has cost the Government so far. If the establishment of machinery is an expensive proposition, there has been waste.

Mr. BROWNE. The Government does not do any work on the road, but simply looks at the road after it is built. They first have to approve of the project when it is put on paper and see whether it is a main traveled road that meets the requirements of the law—a thing that is anticipated under this act. After that is done the State has to make estimates, and the Federal road department must approve of those estimates; and after the road is built they look over the road, and if it is built according to specifications they approve it and pay the amount the Federal Government is to pay, not exceeding 50 per cent; and they can not pay any amount until more work has been done on the road than the amount they are to pay as their share.

TRANSPORTATION SYSTEM.

President Wilson, in his message before Congress December 2, 1918, said:

What the country chiefly needs is that all possible means of transportation should be developed—its railways, its waterways, its highways, and its countryside roads.

The highways must be considered just as much an essential part of our transportation system as the railways and waterways. Every wagon road serves a local use, a State use, and a national use. Over every wagon road are carried the crops from the farm to the near-by railroad station, and from there the products of the farm find their way into interstate commerce, and many times do not reach their destination until they cross the seas and are sold to the foreign consumer. It is the stupendous wealth of the farm which begins its journey in wagons over the country roads that, after supplying our home demands, finds its way abroad to turn the balance of trade in our favor and to bring to our shores the golden stream of wealth that makes for national prosperity.

WHAT FOOD ADMINISTRATOR HOOVER SAYS.

The Food Administrator, Mr. Hoover, in September, 1918, told the regional directors of the highway-transportation committee:

For 10 years after peace comes the productivity of the United States will be called upon to help. The world is never more than 60 days ahead of famine between harvests, and in consequence of the draining

of men from the usual occupation of food production large areas of Europe to-day are facing starvation. If we are to do our duty by the world and ourselves, we must utilize every means to increase production and distribute food efficiency.

The rural motor-truck express using the highways of the country commands every moral support of which we are capable. It is obvious that highway development must precede or be carried on simultaneously with motor-truck development. The cost of hauling over the average unimproved roads has been estimated by good authority at 21 cents per ton-mile. The cost of hauling over improved roads is estimated at less than 13 cents per ton-mile, making a saving of 8 cents per ton-mile.

GROSS TONNAGE.

The gross tonnage to be hauled over the highways of the United States on an average year is over 700,000,000 tons. This computation was made by a joint committee of Congress on Federal aid in 1914. The average haul computed at 9 miles makes a gross saving on the transportation over improved roads of 72 cents per ton. This, multiplied by the gross tonnage, gives $504,000,000 the saving per year through improved roads. In other words, the United States has been paying a penalty of more than $504,000,000 per year in the excessive cost of the transportation of our agricultural products alone because of its neglect of its highways. The heaviest tax that the people of the United States are paying to-day is the poor-road or mud tax. Quite a portion of this tax falls on the ultimate consumer and is shared by the laboring man in the city as well as the producer on the farm.

GOOD ROADS.

The question of good roads concerns everybody. At one end of every road is the farmer with his crops for sale, which aggregated last year over $15,000,000,000. At the other end of the road is the city with its people waiting to be fed, with merchants waiting for trade, and with the railroad waiting for goods to transport. To whose advantage is it to have good roads? For the farmer to come to town it is clearly to the advantage of the merchant in the city and the railroads as much as it is to the farmer. Every man's house faces on a road that connects with every other road and leads to every other man's door and to every market place throughout the land. The farm and the farmer are the great and abiding support of the city.

WAR CONDITIONS.

Our Labor Department tells us that there are now many thousands of men who want work, that are out of employment. In the course of a few months there will be demobilized at least one and a half million soldiers. In a few months the millions of men that have been engaged in manufacturing munitions and other war material will be demobilized. The United States must be ready to take care of this surplus supply of labor. The men who have been in the Army and Navy must be given work until they can get back to their former employment. War industries must be given time to adjust themselves. The only solution of this very important and critical situation is that the Federal Government engage in some great public work that will give employment to labor. Many suggestions have been made as to the kind of public work this Government should engage in.

HIGHWAY IMPROVEMENT WILL SOLVE THE LABOR PROBLEM.

I contend that the improvement of our highways will solve the labor problem. Improvement of our highways will give employment to the skilled engineer, draftsman, and common laborer, and to many of our crippled soldiers. Every man that has any work in him can be utilized in road building, which will afford a healthful, out-of-doors employment.

NO DELAY NECESSARY.

Each one of the 48 States has a splendidly organized highway department, and most of the States have mapped-out road systems, with specifications, surveys, and plans already approved by the National Government. Many of our State legislatures are now in session, ready to make appropriations to enable them to place a dollar beside every dollar appropriated by the National Government for highway improvement. The National Government has tens of thousands of trucks and other road machinery that will be turned over to the highway departments under this bill and will be of inestimable value. The Federal-aid law, which was passed by the Sixty-fourth Congress and became a law July 11, 1916, has been tried, found workable, and has greatly stimulated road building throughout the United States. The apportionment of the money appropriated by the Federal Government has been considered the fairest and most equitable apportionment of public funds among the several States that has as yet been devised. Every State is satisfied, and the rural population in every State in the Union is asking Congress to make this appropriation. There will be no delays, no experiments. Each of the 48 States has the necessary organization to begin work on the great trunk highways within its borders. Nothing is lacking except the cooperation of the National Government for this appropriation for which this legislation will provide.

ECONOMIC JUSTICE.

In the last two years the people of the United States have had only one objective, and that has been winning the war. Able-bodied men all over the United States who were not in the military service of their country responded to the call of the Commander in Chief, President Wilson, and have worked long hours in producing munitions of war, building ships, and in the various war industries. Every law of trade had to give way to efficiency in the location of the great manufacturing plants. As a result the large cities, especially those cities in the eastern part of the United States, had their populations increased by the hundreds of thousands, their pay rolls many times doubled and tripled. These fortunate localities and many of their citizens have greatly profited by the war.

Contrast the prosperity of the city with that of the country.

FINANCIAL DEPRESSION IN THE COUNTRY.

During the period of the war the country, including the small towns and cities, has suffered great financial loss. It has responded patriotically to every demand made upon it by the Government, but it has made great sacrifices to do so. The country banks have been unable to accommodate many of their former patrons, and it will take years before the rural part of this country will recover from the effects of this war. Many small industries throughout the country were unable to carry on their business because they could not get material and labor, as they were not manufacturing war supplies or products that were deemed essentials, and as a consequence were obliged to go out of business or fail.

HIGHWAY IMPROVEMENT.

The expenditure of several millions of dollars in the rural communities of each of the 48 States and the employment of thousands of men will bring back to the different rural communities some of the money that has accumulated in the cities by reason of the segregation of our great war industries and will greatly add to the prosperity of the rural communities during a time when they are readjusting themselves to new conditions. To-day we are threatened with a slowing up of production. We are at the same time threatened with an increased labor supply by reason of the disbanding of three and one-half million soldiers and the demobilization of from five to ten million men in war industries. Every effort should be made to prevent panic and financial distress. The high cost of living will not be altered to any extent, because the purchasing price of a dollar has practically been cut in two. If our soldiers return home jobless, with empty pockets, and the millions of laboring men that have been working in the war industries are thrown out of employment while those industries are adjusting themselves to new conditions, this country will face the most severe crisis that has ever confronted it.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. BROWNE. Mr. Speaker, I ask leave to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. STEENERSON. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, have the Members of the Sixty-fifth Congress gone absolutely stark mad in a desire to expend money? Have we absolutely forgotten that the time has come right now when we must stop making these extravagant lump-sum expenditures? Are we absolutely unmindful of the fact that every dollar of this must some day be paid from the savings of the people? Have we become so accustomed to dealing in hundreds of millions and billions of dollars that we can not get our feet down to earth and look at a proposition in a sane and businesslike way? When we have just passed a revenue bill, or a tax on our people, so big that you did not dare to levy it at one time for fear that it would absolutely strangle the business of this country, a bill so large that the American people, as rich and powerful as we are, are obliged to take four bites before they can swallow it, the time has come for the American Congress to stop, look, and listen. And I tell you right here now that unless the Members of this House do this, and in some way consider the people who pay the taxes, somebody else will be here to do it for you. They will not keep us here.

Mr. BROWNE. Will the gentleman yield?

Mr. SNELL. In just a minute I will yield.

Now, as I look at this proposition it is not a question of whether you are in favor of good roads or not. Practically every man is in favor of good roads. It is simply a question of whether we can afford it and need to appropriate this money at this time. I believe that we should cut our garment according to the cloth, and we certainly have no cloth to cut this garment out of at the present time.

Now, the chairman of this committee made quite an extended talk in regard to economy and what we must do. He also said we had expended $20,000,000,000, but that was a matter behind us and we need not bother with that now. Let me tell you, gentlemen of the House, he is very much mistaken. It is very much before us. The paying of that twenty billions is yet to be done, and the American people will know it when they pay it. He calls for economy and then brings in a proposition to this House to embark on a problem where the initial expense is $200,000,000, and then says he had no information in regard to it. I asked him that question, and he said it was put on at the other end of the Capitol and he did not know anything about it. I want to gain some information. Do the people want us to continue passing these appropriations without any information or not? I do not believe they do.

Now, the recklessness with which we add riders to appropriation bills, I think, should be called to the attention of the whole country.

The time has come when they should be cut out. Nine times out of ten these riders are such they will not stand on their own footing, and it is necessary to attach them to some appropriation bill in order to get them through the House, and thus force us to vote for them or defeat the whole bill, and they know we can not do that.

Now, let us consider for just a minute what the actual conditions are in connection with the road situation. The gentleman from Massachusetts [Mr. TREADWAY] asked some questions that are very pertinent to this legislation and I am going to answer him. We have left under the original appropriation of $75,000,000 over $70,000,000 unexpended. In the two years it has been available we have spent only a little over $4,000,000, and there are over $70,000,000 available at the present time, and that is more money than you can possibly spend this year and the proponents of this bill know it, but they want to take advantage of the situation and get the legislation on the statute books and the money appropriated regardless. Now, the gentleman asked the question as to how many miles of road have been actually built under this appropriation. I can tell him. There have been just 45 miles completed up to the present time in the whole country.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. SNELL. In just a minute.

Mr. BANKHEAD What information is that based upon?

Mr SNELL. A report from the Labor Department, issued yesterday. That is my information.

There have been approved by the Agricultural Department for Federal aid under the original act, which really does not mean very much, 7,889 miles of road. That is, plans have been made for building that much road this year. And every thinking man knows that is more road than you can possibly build this year, and when you can not expend this money you now have on hand what on earth is the use of appropriating more at this time when we have so much money that necessarily must be raised and paid by the American people this year?

Mr. TREADWAY. Can the gentleman answer the other question I asked the gentleman from Wisconsin, as to the cost of establishing the so-called machinery, or operation, which I take to be in cooperation between the Federal Government and the States?

Mr. SNELL. No, sir. I have not any information along that line.

Mr. TREADWAY. Is it not possible that the $5,000,000 to which he refers has something to do with that expenditure in view of the fact that only 45 miles of road have been constructed in that cooperative manner?

Mr SNELL. Maybe so. Although Federal aid for State roads has been available since 1917, only eight States report road projects involving Federal aid completed. The department states that Arkansas has completed one project of 5.1 miles.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. SNELL. In just a minute. California, two projects, 6.7 miles; Louisiana, one of 4 miles; Massachusetts, one of 13.8 miles; North Carolina, one of 8 miles; Vermont, one of less than 1 mile; Washington, one of 3.5 miles; West Virginia, one of 2.5 miles. That is all that has been done so far. But there have been approved, of projects in those States, to be built out of money on hand at the present time, nearly 8,000 miles of the roads. But they have not yet been touched, and not a stroke of work done upon them.

Mr. RAKER. Mr. Speaker, will the gentleman yield further?

Mr. SNELL. Yes.

Mr. RAKER. I know this applies to California and all other places, that the Capital Issues Committee refused to grant its consent to the use of funds for the construction of these roads, and therefore during the war the road construction has been delayed because of the need of funds.

Mr. SNELL. I entirely agree with the gentleman, and I have no contention with him on that matter. But I do maintain that we have more money on hand at the present time than we can possibly spend economically during this year, and when we already have that money on hand there is no reasonable excuse for appropriating at this time on this bill a provision carrying $200,000,000 more money. [Applause.]

Mr. RAKER. The gentleman was talking about the excessive amount of labor seeking employment, and about the soldiers returning home. Is it not a fact that there is no place in the United States where better results can be had to improve the situation than by putting unemployed men and returning soldiers to work on these roads, where they can work together?

Mr. SNELL. I do not understand so at all. From what I know about returning soldiers, they do not intend to do pick-and-shovel work. The most of them did not before they went to war and certainly will not now.

Mr. RAKER. Why not?

Mr. SNELL. Because throughout our State such pick-and-shovel work of road construction is largely done by foreigners.

Mr. RAKER. Oh, 90 per cent of the roads now being constructed are done by machines.

Mr. SNELL. Then you do not need to have this legislation in order to provide employment for more labor in this country. [Applause.] And that is one reason why it is presented at this time. There certainly could be no other reason.

Mr. RAKER. But it requires labor to run the machinery.

Mr. SNELL. Oh, yes; but only a comparatively few, and the main argument is to furnish employment for labor.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield?

Mr. SNELL. Yes.

Mr. SMITH of Michigan. What part was contributed by the Government toward the construction of these roads?

Mr. SNELL. Fifty per cent.

Mr. SMITH of Michigan. I understand that is the case in this bill also?

Mr. SNELL. Yes. I understand the same conditions are to continue.

Mr. SMITH of Michigan. This bill carries $200,000,000?

Mr. SNELL. Yes; in addition to the original $75,000,000.

Now, in order to spend the money economically you have got to work out a complete system in each State, and there are very few States at the present time where that system has been completely and comprehensively worked out, so that they are in a position to spend this money at this time, and it will be impossible to get the benefit, so far as the employment of labor is concerned, during the present year.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. SNELL. Yes.

Mr. KINCHELOE. Can the gentleman name me the States that have not the machinery provided under this original road bill?

Mr. SNELL. I can not give you the names.

Mr. KINCHELOE. I understood the gentleman stated there were few that had.

Mr. SNELL. I said there were some that had not. There was a misunderstanding on that.

Now, the contention I make is that we can not afford at this time to make the appropriation, because we can not spend the money even if we have it.

Mr. MADDEN. Why not?

Mr. SNELL. Because you have not the machinery to do it, and the gentleman knows it.

Mr. MADDEN. No; I do not, and the gentleman from New York does not know it.

Mr. SNELL. I do know it.

Mr. MADDEN. Oh, no. The gentleman from New York is just making an assertion without any facts.

Mr. SNELL. But my assertion is just as good as yours. Can the gentleman tell me how you are going to make surveys and plans and make the general arrangements so we can economically spend this money this summer?

Mr. MADDEN. Yes. In nine cases out of ten the surveys are already made and everything is prepared to go on with the work. All that we need is the money and the men.

Mr. SNELL. You have got more money appropriated now than you can possibly use this year.

Mr. MADDEN. Seventy million dollars divided among 48 States is a mere bagatelle. The gentleman seems to be arguing against the opportunity of his own State for going on with the improvements.

Mr. SNELL. My own State has more roads laid out now than they can possibly build this year, and the gentleman knows it.

Mr. MADDEN. That is just as I said; they have got more laid out than they can build.

Mr. SNELL. But the money is all arranged for this work, and we can not use this extra money this year.

The whole question is whether you can afford at the present time to appropriate this sum of money that you do not need at present and can not possibly spend during the present year. I say no. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. STEENERSON. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. LAGUARDIA].

The SPEAKER pro tempore. The gentleman from New York is recognized for three minutes.

Mr. LAGUARDIA. Mr. Speaker and gentlemen, I want to call attention to Senate amendment No. 38. We amended the bill on the aviation provision. The department asked for $2,185,000 to carry out certain mail routes. We cut that down to $300,000 and provided that the Army should carry mail whenever called upon by the Post Office Department. We directed the Army to turn over the personnel and the machines. Now, for some reason or other the Post Office Department did not want that. They went to the Senate, and they told them they could not carry the mail with Army fliers, and they had that provision stricken from the bill and asked for more money. Now they have got $850,000.

Gentlemen, I want to tell you this, that the aero mail of this country is doomed to failure. They can not make good. They refused the machines and personnel which we wanted to give them. They want to carry it out with $850,000, and it can not be done.

You will recall that at the end of the discussion the chairman of the committee said they would start that day with the Chicago and New York line. I told you then that the Post Office Department did not have the equipment or the personnel to start the Chicago and New York line; and, gentlemen, they have not carried a letter from New York to Chicago, and they can not do it for another year.

It is easy for the gentlemen in the Post Office Department to come and testify before a committee, but their testimony on aviation matters is pathetic in their ignorance of the subject.

Now, if we want to develop the industry, if we want to develop the aero mail in this country, we will have to go about it right. We have started right. We have saved this year on the appropriation something like $60,000,000 on aviation that the Navy and the Army and the Post Office Department have asked for. The only way to do it, gentlemen, is to starve these people into their senses, to cut out their appropriations until they all decide to come in with a unified, single air service, the same as England, France, and Italy have; and then, with the ingenuity that we have here, and the factories and the facilities that we have, we can develop the best air machines in the world. Now, I just want to point out that if anybody expects that the Post Office Department is going to establish an aerial mail service in the United States, he should get rid of that idea, because they can not do it. This is just $850,000 being wasted.

Mr. KNUTSON. Will the gentleman yield?

Mr. LAGUARDIA. Briefly; yes.

Mr. KNUTSON. Would it be practicable to have an aerial mail service in the Northern States, and to continue it through the winter months, during the inclement weather?

Mr. LAGUARDIA. Not at this time. To give you an example, they complained that they could not use the Army machines. I went to New York a few days ago, and went to Belmont Park, and they were starting four machines from New York to Bellefonte, Pa. I pleaded with every man on that field who had charge not to send out those machines on that day. It was hazy, the clouds were low, and it was impossible to make it. They said, "Oh, we fly in every kind of weather." That was not being smart; that was showing they did not know anything about aviation. They sent out those four machines, and not one of them reached its destination. Three of them crashed and one of them landed near Philadelphia. Then they came before the Senate committee and said, "Why, the machines are no good. Mr. LAGUARDIA, of New York, was on the field one day, and he saw that we could not make it." It was not the fault of the machines; it was simply the fault of their judgment.

Mr. RANDALL. What was the practice on the front? Did the machines all wait for good weather before they went up?

Mr. LAGUARDIA. Yes. [Applause.]

Mr. STEENERSON. I yield 10 minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, there is no quorum here. I make the point of no quorum present. You shall not rob the Treasury by improper legislation without a quorum.

The SPEAKER pro tempore (Mr. BURNETT). The gentleman from Illinois makes the point of no quorum present. The Chair will count. [After counting.] Eighty-two Members present, not a quorum.

Mr. SAUNDERS of Virginia. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Anderson	Farr	Maher	Stafford
Barnhart	Flynn	Miller, Minn.	Stephens, Miss.
Benson	Francis	Mott	Stevenson
Blackmon	Freeman	Nelson, J. M.	Swift
Booher	Gandy	Nolan	Tague
Borland	Gard	Norton	Taylor, Ark.
Britten	Garland	Olney	Templeton
Brodbeck	Gillett	O'Shaunessy	Thomas
Brumbaugh	Godwin, N. C.	Park	Van Dyke
Burroughs	Goodwin, Ark.	Parker, N. J.	Vare
Caldwell	Gould	Porter	Venable
Carew	Graham, Pa.	Powers	Vestal
Carlin	Gray, N. J.	Pratt	Voigt
Carter, Mass.	Hamill	Price	Volstead
Chandler, N. Y.	Heintz	Rainey, J. W.	Waldow
Church	Helm	Reavis	Walker
Copley	Helvering	Roberts	Wason
Costello	Hensley	Rowland	Watson, Va.
Cox	Johnson, Wash.	Russell	Weaver
Crago	Kahn	Sanders, N. Y.	Webb
Crisp	Kelley, Mich.	Schall	Whaley
Davis	Kennedy, R. I.	Sears	White, Ohio
Decker	Kiess, Pa.	Shackleford	Wilson, Tex.
Delaney	Langley	Shallenberger	Young, N. Dak.
Elliott	Little	Slayden	Young, Tex.
Estopinal	Littlepage	Smith, C. B.	
Fairfield	Lufkin	Smith, T. F.	

The SPEAKER pro tempore. On this roll call 323 Members have answered to their names. A quorum is present.

Mr. MANN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. CANNON. Mr. Speaker, I made the point of order that there was no quorum present. There were less than 60 Members on the floor. A quorum have answered—more than 300—and half of them have gone already. I know of no way to mandamus the membership of this House, including myself.

I have 10 minutes to discuss this matter, and unless you are better informed about it than I was 30 minutes ago you do not know what it is. But it is for employment, to pay out $200,000,000 on a hop, skip, and jump. Now, in 10 minutes I can not say much, but I am going to say a little. Have you stopped to think of the condition that this country is in and that the world is in? The world has eaten up and shot away during this world war $179,000,000,000. We have loaned a part of that—$8,000,000,000, and more to follow after—and we have not got it back. We have made a debt to pay interest on, that we know about, that will cost $1,000,000,000 a year, to be raised by taxation or by borrowing. God knows what the total appropriations of this Congress are to be and what will follow in the incoming Congress. I do not know and you do not know. But here is a proposition to appropriate $200,000,000 for cooperation with the States when we have not spent $15,000,000 for cooperation in the several years since that law was passed.

Oh, gentlemen, it is so easy to appropriate. We are to be confronted with the proposition to spend $100,000,000 to drain land and to buy cut-over land. I have not received a letter or a request from any soldier for that proposition. How many have you received? Hold up your hands. Not one. There is a propaganda going on all over the country to have us make this appropriation to buy cut-over land. I have had letters from people who have cut-over lands to sell; plenty of them. I had a civil engineer come into my office last week, and have had several letters from civil engineers going back into civil life. I said to one of them, "Are you a farmer?" No. "Do you expect to go upon them and get a home?" No. "What is your inter-

est in it?" "Why," said he, "I want employment as a civil engineer; I am an educated man." There is the size of it. [Laughter.] So much for that.

Who pays in the last analysis this thousand millions of dollars interest annually on this great public debt—and it will be fifteen hundred millions of dollars interest on the public debt before the expiration of the next Congress? Who pays it? The man that consumes pays it.

"Oh, but we want to give employment to the soldiers." Good God! how many of the soldiers that are coming back would accept employment in road building? Not one-tenth of 1 per cent. It was the exclamation of Madame Roland when about to be executed, "O Liberty, what crimes are committed in thy name!" Talk about "caring for the soldiers." I am for taking care of them, as we pledged ourselves to do and as we ought patriotically to do.

Mr. MADDEN. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. MADDEN. Really, it does not make any difference who is employed out of this money; the mere fact that somebody is employed, whether a soldier or not, will add an opportunity for soldiers to find other employment, because it creates other activities that need employment.

Mr. CANNON. Who speaks now? My honorable colleague, for whom I have great respect. He says, "It does not make any difference whether we employ a soldier or not." Now, are we going to employ foreigners? Flimsy! It is not worthy—I will not say it is not worthy of my honorable colleague, whom I respect and love; but if he can not give a better excuse than that, it ought to be turned down. [Laughter and applause.]

Now, gentlemen, I am at work in the committee room on another deficiency bill. Somebody whispered and said, "Do you know the Post Office appropriation bill is up?" I left the gentleman from Mississippi [Mr. SISSON] in there alone by himself to continue the work. I wanted to come in and see how I ought to vote on this proposition. Why, gentlemen, the soldier will take care of himself when he comes back—three million or three million and a half of them. They were good stuff when they went into the Army [applause], and those who come back wounded we will care for. We will care for them by compensating them as they are entitled to be cared for. We will pay the insurance where life is lost. We can not do too much for the soldiers; but, oh, what mistakes we are liable to make in saying "We are taking care of the soldiers." I want the soldier to get what we appropriate for him. [Applause.] I do not want the cry to take care of the soldier under false pretense of caring for the soldier and then squander the appropriation for something that does not take care of the soldier.

Say, do you know how much we have already expended and what the debt is? If you have not reckoned it up, you do not. Do you know what is to be paid as interest? If you have not inquired, you do not.

You may say, "Oh, well, I would like to have it when I go back to Illinois, Minnesota, or Iowa; I would just like to take home this thing to appeal to the people and say, 'Here is what we have done for you.'"

Yes; what else have we done? We can not eternally borrow to pay the interest on the public debt. We can not eternally borrow to fill up the vacuum we are creating by providing money not needed and that we can not get except by borrowing. Now, one of two things is to happen: On the one hand the world debt is to be repudiated—and I warn gentlemen that you have got to meet that issue—or it is to be charged over upon the consumers of the country—and we are all consumers, and the tax burdens of our respective States and the National Government will pile up and up and up.

If I am right, I want you to think along that line and vote as I shall vote; for if I am but the one man against this conference report I shall vote against it. The way to get a Post Office bill is to turn down this conference report and send this bill back to conference with the Senate conferees, with the instruction not to agree to this $200,000,000 appropriation for construction of roads throughout the country when the $60,000,000 appropriated in 1916 is substantially unspent. Mr. Speaker, this Congress ceases to exist on the 4th day of March, 1919. You Democrats are in the saddle until that time and are responsible for unwise appropriations. We Republicans of the House will become responsible after the 4th of March next for the action of the House. As one Member, I will not vote for this appropriation.

Mr. MOON. Mr. Speaker, I ask unanimous consent to include in my remarks a table furnished by the Agricultural Department showing the amount of the $200,000,000 of good roads that will go to each State in the Union.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD by printing therein a table. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Speaker, we have heard some criticism upon this conference report, but I think on careful consideration you will agree with me that it ought to be adopted. The statement has been made that the House has yielded on a great many points of disagreement with the Senate. Most of those points were matters about which there was no dispute, because they consisted in specific increases in salaries which we had increased in the general provisions of our bill, so that a great many of these Senate amendments were simply carrying out legislation that we had already provided but which we had not specified in each instance. So far as extravagance is concerned, I want to say this, that the Postal Service is a service established for the convenience of the people and ought to be carried on for their benefit at cost, or approximately at cost. This service consists, as you all know, in the payment of salaries of clerks and carriers and officials, inspectors, postmasters, and so on, and we all know that salaries generally have been increased within the last two or three years, so that if the bill carries a larger sum than before, it is explained by the fact that compensation of every kind—for labor and for official services—has increased generally. The receipts of the Post Office Department in the last fiscal year were something over $380,000,000. The normal increase for a period of years has been about 6 per cent per year, so that if we have the same ratio of increase in that as in the past we would increase the rates something like twenty or twenty-one million dollars a year. Last year showed a surplus over expenditures in the Postal Service of something like $20,000,000, and if this bill gives a $40,000,000 increase in salaries we are simply bringing it up to where it ought to be. It can not be charged as extravagance when you pay your servants who do the work for you, who carry these letters by day and by night through rain and sunshine, what they ought to receive in compensation and which corresponds with the compensation in other employments. That is not extravagance. Take the compensation of the rural carriers. Congress last year increased it 20 per cent, and we made that increase permanent in the House bill. The Senate increased it to 25 per cent. Before the House yielded, a matter was brought to our attention which was very instructive to me and which influenced my mind. The House had provided for a garage at Union Station, down here near the post office, to cost some $40,000 or $50,000. The Senate struck it out. The postmaster of Washington, Mr. Chance, wrote a letter, which was read to the committee, in which he said that the present garage is one and one-tenth miles from the present Union Station post office, and that it costs so much to bring the automobiles over from that garage and to take them back, and that the saving in transportation for three or four years would more than pay for the rent of the garage.

He said that the cost per mile with the driver would average 25 cents; and if it costs 25 cents per mile to move an automobile from the Union Station post office over to the garage on asphalt pavement, then would it not cost that much to move an automobile on a highway in the country, and, at 25 cents per mile, the rural carrier would get $1,800 on a 24-mile route, paying him nothing for his extra services as clerk of the post office, issuing money orders, and so forth, simply paying him as a driver and cost of maintaining equipment.

Mr. SCOTT of Michigan. Mr. Speaker, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. SCOTT of Michigan. Last year, under an order made by the Postmaster General, the rural carriers' salaries were increased 15 per cent. Is this 20 or 25 per cent increase carried in the conference report an increase over the 15 per cent?

Mr. STEENERSON. Oh, no. The increase made last year was 20 per cent. The committee reported, as the gentleman says, 15 per cent, but on the floor of the House it was increased to 20 per cent, and now the Senate added 5 per cent, so that the total increase is 25 per cent from former basic salary.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. STEENERSON. For a short question.

Mr. SNYDER. Will the gentleman state right there what is the compensation of a rural carrier?

Mr. STEENERSON. The compensation on the standard route of 24 miles will be $1,500. As reported to the House, the bill provided for $1,440, but the 5 per cent increase makes it $1,500—$60 additional put on by the Senate. The House yielded on that increase. This gives you a compensation for a rural carrier, whether he furnishes the horse or the motor vehicle upon the so-called horse-drawn vehicle routes of 24 miles, less com-

pensation per mile than it actually costs here. You give $300 less than it costs to run an automobile of ordinary size upon a paved street. We are simply increasing the compensation that he is entitled to by reason of the increased cost in operation and of his equipment. The actual pay per day of the rural carrier for his labor has not been increased.

Mr. SNYDER. Just one more question, to finish this up. Will the gentleman tell us what the extra compensation of the rural carrier is when he goes extra mileage?

Mr. STEENERSON. He gets $24 per mile per year for each mile in excess of 24. So that the charge of extravagance is not well founded. We are simply appropriating an amount which seems large, but which will be made up, we hope, if business is good next year, by the increased postal receipts. The Postal Service should be run so as to be self-sustaining, and we think that it will be. It is not a burden to the taxpayer as long as it is self-sustaining. The charge of extravagance does not apply.

Mr. LOBECK. Mr. Speaker, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. LOBECK. What was the increase in receipts because of the 3-cent postage against the 2?

Mr. STEENERSON. I will explain that. The 3-cent postage never went to the postal receipts at all.

That is estimated monthly and paid into the Treasury for the benefit of the general fund, and we have never counted that when we counted the receipts, as I have stated.

Mr. LOBECK. Will the gentleman yield?

Mr. STEENERSON. I will.

Mr. LOBECK. These increased receipts this year have not been counted in?

Mr. STEENERSON. Certainly not; the gentleman is correct. We do not count that at all, and they will be abolished as soon as the next fiscal year begins, I understand. So they are absolutely to be disregarded.

Now, in regard to this disputed road provision. Can the charge of extravagance be laid against it at this time? The Post Office Committee never considered that, so far as the House committee was concerned. They are not to blame that it comes into the bill. It was put on as a kind of rider by the Senate committee, and they insisted on the provision. Now, if it had been something with which we were ignorant, something that had not been understood, it would perhaps be proper to throw it out, but I want to say that we created a special committee of this House to study the road question. They have studied that question for years; they brought in what is believed by all fair-minded men to-day to be the fairest division of money to be contributed by the National Government to improve the roads that has ever been devised. It is based on the compound system of allowing for distance, population, road mileage, rural-route mileage, so that it gave satisfaction. The House of Representatives agreed to that road law almost unanimously, and this provision here is simply a provision that increases the allotment under the road law. It is limited here in this provision to postal roads. Of course, the post roads are under the jurisdiction of the Post Office Committees of both Houses, so that in increasing the allotment which was made under the original road act, which was administered by the Department of Agriculture, we were simply taking advantage of an existing law to increase the amount of road construction that was to be made in the next two years. Now, some say it is a bad time to build roads, because everything costs so much. Well, I do not know that there is very great argument in that. If wages are high, of course they are no higher in that line than anything else. Roads are undoubtedly needed in the country. A good road is a matter of economy, it is a good investment. It is what may be called and is called a productive investment, because it cheapens transportation, and therefore every dollar you put into that kind of an investment is a profitable dollar. It earns more than it costs in interest to the public.

We thought it was an opportune time for many reasons to increase this road work in the different States and encourage it by Federal aid. One reason was that there might be a number of soldiers returning who wanted this kind of employment and this kind of employment was increased by this appropriation. Another thing was that the War Department is supposed to be in possession of a great many motor trucks and road-making machines that they have used in the war and which will be absolutely worthless unless they are utilized at this time for that purpose. We are not expecting another war, and all these things that we have acquired for road making perhaps can be availed of now for this useful work, and who can better use them than the soldier who is familiar with them? These machines, these motor trucks and powerful machinery, can be handled by them, as it is believed. Another thing was that the States have only recently been awakened to the advantage of availing themselves of this Federal aid. Many of them have engaged to contribute a sufficient amount, and they are showing signs that they are coming in, and the more that come in the more roads will be built and the more roads that are built the better it will be for the whole country.

Mr. DENISON. Will the gentleman yield, if it will not interrupt him?

Mr. STEENERSON. I yield.

Mr. DENISON. I want to ask if this provision, in reference to the employment of soldiers in connection with the construction of roads, was put in the bill for the purpose of helping the soldiers or for the purpose of helping the road proposition?

Mr. STEENERSON. Well, it was probably to help the roads. We simply put that clause in that preference shall be given to the soldier if he wants work of this kind. The wages, as I understand, for running machinery are from $5 a day up, and it is good employment—out-of-door employment—and if they desire it they should be preferred over anyone else. That is all there is to it. We do not expect a great many to avail themselves of it.

Mr. SNYDER. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. SNYDER. The gentleman understands, of course, the Government does not initiate any of this road construction at all?

Mr. STEENERSON. I will not discuss that.

Mr. SNYDER. Will the gentleman permit one observation? The gentleman also ought to know, if he does not know, that these contracts for State roads are let to contractors, who control the question of who they shall employ to build the roads. Does the gentleman understand that?

Mr. STEENERSON. Probably they are, but I will not discuss it.

Mr. WALSH. Will the gentleman yield?

Mr. STEENERSON. For a question.

Mr. WALSH. Does this scheme which is provided in this bill require the States to appropriate $200,000,000 before they can take advantage of Federal aid?

Mr. STEENERSON. It does not require anything; but if they want $200,000,000 from the Federal Government, they will have to appropriate $200,000,000 of State funds, and if they want $50,000 they will have to appropriate $50,000. Some States have constitutional provisions that prevent them from contributing the amount required to enable them to receive the full allotment of Federal aid under the road act. One of these States is Minnesota. The bill now before you contains a proviso as follows:

Provided, That where the constitution of any State prohibits the same from engaging upon internal improvements, or from contracting public debts for extraordinary purposes in an amount sufficient to meet the monetary requirements of the act of July 11, 1916, or any act amendatory thereof, or restricts annual tax levies for the purpose of constructing and improving roads and bridges, and where a constitutional alteration or amendment to overcome either or all of such prohibitions must be submitted to a referendum at a general election, the sum to which such State is entitled under the method of apportionment provided in the act of July 11, 1916, or any act amendatory thereof, shall be withdrawn by the Secretary of the Treasury from the principal fund appropriated by the act of July 11, 1916, or any act amendatory thereof, upon receipt of the certification of the governor of such State to the existence of either or all of said prohibitions, and such sum shall be carried by the Secretary of the Treasury as a separate fund for future disbursement as hereinafter provided: *Provided further*, That when, by referendum, the constitutional alterations or amendments necessary to the enjoyment of the sum so withdrawn have been approved and ratified by any State, the Secretary of the Treasury, upon receipt of certification from the governor of such State to such effect, shall immediately make available to such State, for the purposes set forth in the act of July 11, 1916, or any act amendatory thereof, the sum withdrawn as hereinbefore provided: *Provided further*, That nothing herein shall be deemed to prevent any State from receiving such portion of said principal sum as is available under its existing constitution and laws.

This will give such States the opportunity to change their constitutions and thus enable them to avail themselves of the Federal aid allotted to them.

The amount available to Minnesota from the Federal Treasury under existing law and pending provision during the next three years will be $7,814,682.78; that is, in the event that she amends her constitution so as to permit her to contribute an equal amount. I believe the legislature has already taken steps to submit the question to the voters, and if they approve there will be a total of $15,629,365.56 available.

The SPEAKER. The time of the gentleman has expired. The gentleman from Tennessee has 15 minutes, if he desires to use that time.

Mr. MOON. Mr. Speaker, I yield 10 minutes to the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS of Virginia. Mr. Speaker: This is no new road legislation. Permit me to call the attention of the House to the fact this bill merely carries an appropriation in aid of the

existing road act, and every dollar hereby appropriated will be expended in conformity with the terms of a measure which this body heretofore passed with practical unanimity. And let me say another thing in this connection. This bill has not been offered to the House as a bill that ought to be passed merely because it contains a provision referring to the returning soldiers. No such contention has been, or is being made. This appropriation will be in aid of road work in the United States under a comprehensive existing law. Wisely, it contains a provision to the effect that any soldier desiring employment on road work shall be given preferential consideration. Who is there that will object to this provision? Permit me to go a step further, and point out that there will be a considerable number of soldiers who will secure employment in this connection, although the bill is not offered on the ground that it will be exclusively, or even chiefly for the benefit of the soldiers.

In the first place, a great deal of machinery is used in the process of modern road building, and many of the soldiers returning from abroad, who have been in the motor transport, or other mechanical service, will apply for and secure employment as expert operators of this machinery.

Mr. ROSE. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will.

Mr. ROSE. Under the present law, as I understand it, the Agricultural Department is permitted to appropriate the sum of $10,000 per mile to any State in the building of roads. If I understand this bill properly the only thing this amendment does is to increase the appropriation already made by law.

Mr. SAUNDERS of Virginia. I have already stated in the most emphatic fashion that this is precisely what this bill will do. In this connection I will state that the limit of contribution under the act of 1916 on the part of the United States was $10,000 a mile. The gentleman from New York [Mr. GOULD] came before the Roads Committee of this body, and pointed out that in view of the cost of modern road construction, growing in part out of the war, and in part out of other causes, this limit was too low, and should be raised. The Roads Committee agreed with this contention, and reported a bill which is incorporated as an amendment in the pending measure, raising this limit to $20,000 a mile. Pass this bill, and the State of New York which will derive something like $14,000,000 from the appropriations herein made, will be able to employ that fund as aid in building roads that may cost as much as $40,000 a mile. But to return to the soldiers.

Engineers will be needed in all of the States in connection with road construction. Many of the soldiers returning from the war are engineers, and will find employment in this field. Foremen of construction will also be needed, and the returning soldiers will supply these foremen. Many of the soldiers drafted into the American Army were men engaged at the time in road work in the States. I have no doubt that a considerable proportion of these men when they return to private life will naturally turn to their former line of work which they will find actively in progress, and affording opportunities of immediate employment at attractive wages. So that it will be true that in the aggregate many soldiers will secure employment in connection with the road activities that this appropriation will set in motion.

Yet the advocates of this measure do not present it on the sole ground that it is designed to aid the soldiers, but, rather, on the ground that in a large way it will benefit the entire country, and incidentally will afford attractive employment to a very considerable number of returning soldiers. As the gentleman from Illinois [Mr. MADDEN] has pointed out, and very justly, this appropriation will stimulate road construction on a large scale in the States. This construction will not only call for labor, but for tools and machinery. This will mean orders for the industrial plants, and activity in those plants, so that the actions and reactions that this construction will effect, will play no inconsiderable part in our economic readjustment from a war, to a peace basis.

These activities will afford employment on a considerable scale, and in many communities, in every State in the Union, and the political economists are agreed that the employment of labor at this time is a vital issue.

A number of questions have been asked by the opponents of this appropriation, some of them reasonable and entitled to an answer, others showing an entire lack of acquaintance with the provisions of the original road act. One gentleman wishes to know how much has been expended up to the present time under this act. How is it an argument against the proposed appropriation that all of the appropriations heretofore made has not been expended? It is enough to know that what has been expended, has been expended economically and judiciously. As a matter of fact, since the road act went into effect, two years ago, road building has been below normal in the States, though there has been much activity in preparing for road work on a large scale with the return of peace. In my own State road construction, and even road maintenance have been practically suspended during that period.

For what purpose do the gentlemen opposed to this appropriation bring this fact of suspended activity, into this discussion? Do they wish that state of suspended animation to continue? The money heretofore appropriated is still available for future construction. The appropriation in this bill merely serves to enlarge this fund and increase the scale on which roads will be built during the next three years. Now that our efforts in the war have been crowned with victory, the whole world will soon be knocking at our doors for our raw materials and finished products. The work of destruction has come to an end, the work of construction must begin. A necessary part of this work of reconstruction will be the reconstruction of our highways. The need for this reconstruction has been fully recognized, and within the last 12 months under the stimulus of potential Federal aid many States have voted great sums to build modern highways of the latest and most approved type. Traffic on the railroads is approaching its limit, for rails will carry just so much, and no more. "But the modern highways with the motor transport, and an efficient system of rural motor express, can and will bear any burden thrust upon it. The highways are the natural arteries, while the motor truck is the transportation medium that will bind us together as a Nation."

Mr. SNYDER. Does not the gentleman think the question was raised due to the fact that there is still $70,000,000 of the appropriation not expended?

Mr. SAUNDERS of Virginia. Not $70,000,000 derived from the United States. That is where the gentleman makes a mistake. This $70,000,000 is composed in part of Federal, and in part of State contributions, but the entire sum is available for present road work. To that sum this bill will add $50,000,000 to be used during the year 1919.

Mr. SNYDER. And much of it has been allotted and not spent?

Mr. SAUNDERS of Virginia. All has been allotted, but very little spent. The bulk of the appropriations for the past two years, which only amounted to $15,000,000 for the years 1917, and 1918, and $15,000,000 for the year 1919, has not been expended for the reasons that I have mentioned. What argument do you derive from that fact? If the States have not been able to spend this money, it has not been wasted. It is still available for road purposes under the act of 1916.

Mr. MANN. For information I would like to ask the gentleman a question. He stated awhile ago that they had authorized road building up to $30,000 a mile. Was it not $40,000?

Mr. SAUNDERS of Virginia. It may have been $40,000. I think the amount was changed in the Senate from the amount reported in the House bill.

Mr. MANN. I simply wanted the information.

Mr. SAUNDERS of Virginia. The gentleman is probably right. A Member from the State of New York came before our committee, and asked to have the road act amended, so that Federal aid could be given to an amount greater than $10,000 to the mile.

Mr. MANN. The gentleman said $30,000 a mile. Whether that meant two-thirds contribution by the General Government and one-third by the State I did not know.

Mr. SAUNDERS of Virginia. I referred to the total cost of the roads on which the Federal aid was proposed to be applied. The road act limited the application of Federal money to $10,000, a mile, that is one-half of the cost of a road costing $20,000, a mile. Under the Senate amendment a State can use its quota to the extent of one-half of the cost of a road not to exceed $40,000 a mile. That is to say that the new limit of cost for the Federal money will be $20,000, a mile.

Mr. SNYDER. The other reason for making that observation was it was thought on the part of some gentlemen here that if it has taken two years to spend less than $5,000,000, we could not possibly spend $70,000,000 this year.

Mr. SAUNDERS of Virginia. Does the gentleman think that is a fair criticism, having in mind the conditions in the United States during the past two years?

Mr. SNYDER. I do know——

Mr. SAUNDERS of Virginia. I do not think it is.

Mr. SNYDER. The gentleman will not let me answer.

Mr. SAUNDERS of Virginia. My time is too short to permit the gentleman to make a speech in my time. I would be perfectly willing to yield to him if I had more time.

Mr. AYRES. The gentleman knows that the Capital Issues Committee has practically stopped all road building, does he not?

Mr. SAUNDERS of Virginia. Yes. In all parts of the United States both road building and road maintenance have been practically suspended during the last two years. It has also been stated in the course of this debate that the States are not in shape to do this road construction economically at the present time. That is a mistake. Most of the States are now provided with all the organization and the personnel necessary to expend every dollar of this appropriation to the very greatest advantage. But concede that all of the money available for the present year, will not be expended during the calendar year 1919. The act provides that any unexpended balance in a State's quota in any one year, will be available for use in the succeeding year. With respect further to the suggestion that the States will not expend this fund economically, it may be said in reply that the Secretary of Agriculture will be responsible for any wasteful, or extravagant expenditure. The act gives the Secretary of Agriculture ample authority to protect the interests of the Federal Government. No project can be entered upon until the Secretary is satisfied that the plans provide for the proper construction of a properly located and desirable road. Moreover the Federal fund can not be drawn upon until the Secretary, acting with the aid and advice of his engineer assistants is satisfied that the road has been constructed in conformity with the plans, and at the cost which he has approved.

Another thing that I wish to say is in response to a statement made I think by the gentleman from New York [Mr. SNELL] that this bill provides an initial expenditure of $200,000,000. That is a mistake. The bill makes an appropriation of $200,000,000 for the next three years. That means about $66,000,000 to be expended annually by the Federal Treasury for road building in the several States during the next three years. Is that an extravagant or prodigal sum to be expended for this great work of domestic development in the entire United States?

The fact is that but for the war and the burdens imposed by the war, the appropriation for road building should exceed one hundred millions a year. It is only the state of the Treasury and the exigent demands in other directions that hold this appropriation within the moderate limit reported. There is one further reply that may be made to the suggestion that all of the Federal appropriation has not been used during the past two years, and that is that not only has the shortage of necessary labor been very great during that time, but in addition the States in many instances have had to create the organization necessary to put themselves in shape to make avail of the Federal fund. Comprehensive road plans have had to be formulated, to be followed up by elaborate project statements. All of this work had to be done in advance of any actual construction. But these preliminary details have been largely completed, and this year will witness road building on a large scale in every section of the country. The war was won by the united effort of the whole people. That same union of effort should now be applied to the great work of economic readjustments. A thoroughly systematized and vigorously prosecuted scheme of road construction in the States will play no small part in bringing this readjustment speedily to pass.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. MOON. Mr. Speaker, I believe I have five minutes left?

The SPEAKER. Yes.

Mr. MOON. I yield three minutes of that time to the gentleman from Maryland [Mr. LINTHICUM].

The SPEAKER. The gentleman from Maryland is recognized for three minutes.

Mr. LINTHICUM. Mr. Speaker, I am not a member of the Committee on the Post Office and Post Roads, nor am I a member of the Committee on Good Roads. Moreover, I am a Representative of a district entirely embraced within the city of Baltimore, and yet I am very strongly in favor of good roads.

I think it is very refreshing now to have a chance to vote for an appropriation for construction and not for destruction, as we have been compelled to vote some billions for war in the past two years. I tell you that as a Representative of the State of Maryland, which has had an experience of many years in good-road building, there is nothing so valuable as good roads. Maryland is not excelled, or equaled, in good roads in all this country. We have found it very profitable, indeed, to pay out $30,000,000 of State funds for good roads. It is not only profitable to the man in the country, but it is also profitable to the man who lives in the city. Baltimore, which pays a large proportion of the entire taxes of the State, has always advocated improved highways. Our city friends find it extremely profitable, as does the man who lives in the country.

When I was a boy, living 6 miles south of the city of Baltimore, I was compelled many times to go in a cart to the city on Monday mornings to attend school, because the roads were so bad that a buggy or a wagon could not get over them. It took two mules to this cart to get us to the city, with the mud up to the hubs. To-day you can speed in an automobile to the city of Baltimore in 15 or 18 minutes. Let some one who is qualified to answer say what that is worth to the farmer and to the city man to get goods transported in the wintertime as well as in the summer. Good roads and improved farm machinery has largely taken the sting out of agricultural work. Keep up the good work and keep the boy and girl on the farm.

Traveling in France, as some of you have done, has enabled me to know the meaning of a system of good roads. One of the things that enabled the allies and our Nation to win this war is the splendid system of good roads that prevails throughout France. What would have happened at Chateau-Thierry and Belleau Woods but for good roads. Here we are talking about $200,000,000, to be spread over three years, and some gentlemen question whether it is good policy. We should do the same thing in regard to the country that we do in regard to our own individual business; we should do with regard to the community what an individual does with regard to his own interests. If a man wants his business to be profitable he will put his money into such things as will enable the machinery of his business to be run easily and economically, and if we want to build up the business and farming interests of this country we must construct good roads and have good roads and good streets where they can be obtained.

In 1904 I was a member of the House of Delegates of Maryland, when the first bill was introduced appropriating $100,000 toward the construction of the present boulevard between Baltimore and Washington. I advocated this appropriation and voted for it, and it was the first money which the State of Maryland put into good roads. [Applause.]

The experiment proved so valuable that at the very next administration, in 1908, a complete system of State highways was laid down by the road commission, and from that time until now we have been appropriating and building good roads throughout our State.

As I have said, the roads have cost in the neighborhood of $30,000,000, and I do not believe you can find a score of people in the whole State who believe the policy to be unwise. If a little Commonwealth like Maryland, of less than one and one-half million people, can expend $25,000,000 to $30,000,000 upon its highways, what does $200,000,000 amount to throughout the whole United States when divided into three payments of $50,000,000 the first year and $75,000,000 during each of the two succeeding years?

It ought to be a pleasure for this House to vote for a measure of reconstruction such as this after having gone through the vast appropriations for carrying on the war in Europe. France and its allies won the war largely through the operation of trucks and cannon over the splendid highways of that Republic.

Not only are they so immensely valuable in time of war, but throughout all the years they have been the most profitable investment of the Government and assisted business and made pleasure.

I hope the league of nations, which we will no doubt form, will prevent any wars in the future; but then, these highways which we are to construct will be of wonderful service to all our people, and if by chance another war should come they will be of wonderful advantage in connection with that.

The highways of Maryland have been most valuable to the National Government during the war. They have served as a means of transportation when the railroads and other transportation facilities fell down. All the countries of Europe have seen the wisdom of splendid highways for many years. Even the Roman Empire in the height of its glory saw the wisdom of such construction.

I hope that we may be able in the near future to lessen the appropriations for Army and Navy by virtue of the league of nations, and that we may begin internal improvements upon a larger scale than heretofore. The Government is calling upon individuals, States, and cities to speed up on construction. Why should not the National Government do the same? Why should we not have more roads giving employment to labor rather than the construction of temporary buildings, which will be useless within the near future, and which will largely be completed for the purpose of giving employment?

The automobile has broken down the State barrier, and great trunk lines of good roads are demanded. There ought to be a trunk line leading from the Atlantic to the Pacific of one of the best highways in the country. There ought to be others leading from the South to the North and from the Capital to

the various important sections of our land. This would not only give employment to labor but would enhance the value of property, reduce the cost of transportation, and induce more people to take to the farms and the life of production in the country instead of living in the crowded cities, where they are now largely congregated. Every inducement ought to be offered to have the people live in those localities where they can benefit by the sunshine and fresh air and thereby improve the health of the entire people.

As I said at the beginning, I am from a city which will get benefit from this expenditure only incidentally and from a State whose highways are largely completed; nevertheless I think there is no better way for the United States to spend its money than in the construction of good roads. It gives employment, improves the business, and grants pleasure. It solidifies the land and improves health. Let us have more good roads.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LARSEN. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. MOON. Mr. Speaker, I yield two minutes to the gentleman from Texas [Mr. BLACK].

The SPEAKER pro tempore. The gentleman from Texas [Mr. BLACK] is recognized for two minutes.

Mr. BLACK. Mr. Speaker, being a member of the Committee on the Post Office and Post Roads, I have followed with considerable interest the conference report on this bill and have listened to some of the criticism on the part of some of the Members of the House as to the agreement of the conferees on Senate amendment No. 71, which provides an appropriation of $200,000,000 to aid the States in the construction of improved highways under the act of July 11, 1916, the appropriation to be divided as follows: Fifty million dollars for this fiscal year, $75,000,000 for the fiscal year of 1920, and $75,000,000 for the fiscal year of 1921. I think that the conferees would have been subject to just criticism if they had not agreed to that amendment. I do not know of anything that has contributed more to the rapid building of improved highways in the United States than the good-roads bill that we passed in July, 1916, and to my mind the reasons for further activities of that kind are much greater to-day than they were in 1916, when we set the precedent by passing that law. A very wise and helpful precedent, I think it was, of a proper cooperation between the National and State Governments.

Now, some gentlemen undertake to argue that a bill of this kind is contrary to democratic principles in that it imposes upon the National Government an activity which it was never intended that it should assume. When I remember that the greatest of all Democrats, and the most profound statesman that America has produced, Thomas Jefferson, was an advocate of the building of national highways, I have no fear of being criticized as having abandoned democratic principles when I advocate a bill of this kind. A measure of this sort does not in any sense relieve the States and their several subdivisions of their duty and responsibility in the matter of building improved highways, but simply supplements their good work and gives intelligent and helpful assistance and, most important of all, a lively stimulus. It was never intended to relieve the States of any of their responsibility. Those who have studied the improved-highway situation as it has been affected by the good-roads act which we passed July 11, 1916, are bound to be impressed with the thought that the following good results have been obtained by reason of the enactment of that legislation:

First. State laws have been enacted providing effective State control of a large measure of road work, making funds available to meet the Federal appropriations, systematizing the work so that there might be definite and correlated results instead of haphazard construction.

Second. By means of the rules and regulations put into force and effect by the Department of Public Roads and Rural Engineering of the Department of Agriculture a standardization of form and arrangement for highway plans and specifications has been obtained. This will in time be very helpful and beneficial not only to the Federal Government but also to the States by way of encouraging simplicity and standardization in the matter of building good roads.

The citing of the good results following the passage of the act of July 11, 1916, could be extended to cover many more matters of interest, but time forbids now. I shall certainly vote for the adoption of the conference report. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired. All time has expired.

Mr. BLACK. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Speaker, I make the same request.

Mr. SAUNDERS of Virginia. And I make the same request.

The SPEAKER. Two gentlemen from Virginia make the same request. Is there objection?

There was no objection.

Mr. CANNON. Mr. Speaker, I make the same request.

Mr. GOODWIN of Arkansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD, as does the gentleman from Arkansas. Is there objection?

There was no objection.

Mr. CANNON. Mr. Speaker, I move to recommit the bill with an amendment.

The SPEAKER. The gentleman from Illinois moves to recommit the bill. The Clerk will report the motion.

The Clerk read as follows:

Mr. CANNON moves to recommit the bill H. R. 13308, with instructions to the managers on the part of the House not to agree to Senate amendment 71.

Mr. MOON. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question being taken; and on a division (demanded by Mr. CANNON) there were—ayes 41, noes 101.

Mr. CANNON. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 70, nays 267, answered "present" 4, not voting 88, as follows:

YEAS—70.

Bacharach	Garrett, Tenn.	Lehlbach	Rowe
Browning	Glynn	Longworth	Sanford
Cannon	Good	McAndrews	Scott, Iowa
Cramton	Gordon	McKinley	Sherley
Curry, Cal.	Gould	McLaughlin, Pa.	Sherwood
Dallinger	Graham, Pa.	Magee	Slayden
Darrow	Green, Iowa	Mann	Snell
Dempsey	Haskell	Mondell	Snyder
Drukker	Haugen	Moores, Ind.	Tilson
Dunn	Hicks	Mott	Tinkham
Eagan	Humphreys	Paige	Treadway
Elston	Husted	Parker, N. J.	Venable
Fairchild, G. W.	Hutchinson	Parker, N. Y.	Walsh
Foss	James	Phelan	Ward
Fuller, Mass.	Kelly, Pa.	Platt	Winslow
Gallagher	Kennedy, Iowa	Rainey, J. W.	Woods, Iowa
Gallivan	Kraus	Ramsey	
Garland	LaGuardia	Rogers	

NAYS—267.

Alexander	Cary	Dyer	Hardy
Almon	Chandler, Okla.	Eagle	Harrison, Miss.
Anthony	Clark, Fla.	Edmonds	Harrison, Va.
Ashbrook	Clark, Pa.	Elliott	Hastings
Aswell	Classon	Ellsworth	Hawley
Austin	Claypool	Esch	Hayden
Ayres	Cleary	Essen	Heaton
Baer	Coady	Evans	Heflin
Bankhead	Collier	Fairchild, B. L.	Hersey
Barkley	Connally, Tex.	Ferris	Hilliard
Beakes	Connelly, Kans.	Fess	Holland
Beshlin	Cooper, Ohio	Fields	Hollingsworth
Birch	Cooper, Wis.	Fisher	Hood
Black	Crosser	Flood	Houston
Blackmon	Currie, Mich.	Focht	Howard
Bland, Ind.	Dale	Fordney	Huddleston
Bland, Va.	Davey	Foster	Hull, Iowa
Blanton	Decker	Frear	Hull, Tenn.
Bowers	Denison	French	Igoe
Brand	Dent	Fuller, Ill.	Ireland
Brodbeck	Denton	Gandy	Jacoway
Browne	Dewalt	Gard	Johnson, Ky.
Buchanan	Dickinson	Garner	Johnson, S. Dak.
Burnett	Dill	Garrett, Tex.	Jones
Butler	Dillon	Goodwin, Ark.	Juul
Byrnes, S. C.	Dixon	Graham, Ill.	Kearns
Byrns, Tenn.	Dominick	Gray, Ala.	Keating
Campbell, Kans.	Donovan	Greene, Mass.	Kehoe
Campbell, Pa.	Dooling	Greene, Vt.	Kettner
Candler, Miss.	Doolittle	Gregg	Key, Ohio
Cantrill	Doremus	Griest	Kiess, Pa.
Caraway	Doughton	Griffin	Kincheloe
Carew	Dowell	Hadley	King
Carlin	Drane	Hamilton, Mich.	Kinkaid
Carter, Okla.	Dupré	Hamlin	Knutson

Kreider	Montague	Rose	Sumners
La Follette	Moon	Rouse	Sweet
Lampert	Morgan	Rubey	Taylor, Colo.
Larsen	Morin	Rucker	Temple
Lazaro	Mudd	Sabath	Thompson
Lea, Cal.	Neely	Sanders, Ind.	Tillman
Lee, Ga.	Nelson, A. P.	Sanders, La.	Timberlake
Lesher	Nelson, J. M.	Saunders, Va.	Towner
Lever	Nichols, Mich.	Schall	Vestal
Linthicum	Oliver, Ala.	Scott, Mich.	Vinson
Little	Oliver, N. Y.	Scully	Voigt
Lobeck	Osborne	Sells	Volstead
London	Overstreet	Shouse	Walton
Lonergan	Padgett	Siegel	Watkins
Lundeen	Polk	Sims	Watson, Pa.
Lunn	Pou	Sinnott	Watson, Va.
McArthur	Powers	Sisson	Weaver
McCormick	Purnell	Slemp	Welling
McCulloch	Quin	Sloan	Welty
McFadden	Ragsdale	Small	Whaley
McKenzie	Rainey, H. T.	Smith, Idaho	White, Me.
McKeown	Raker	Smith, Mich.	Wilson, La.
McLaughlin, Mich.	Ramseyer	Snook	Wilson, Tex.
McLemore	Randall	Steagall	Wingo
Madden	Rankin	Stedman	Wise
Mansfield	Rayburn	Steele	Wood, Ind.
Mapes	Reavis	Steenerson	Woodyard
Martin	Reed	Stephens, Miss.	Wright
Mason	Roberts	Stephens, Nebr.	Young, N. Dak.
Mays	Robinson	Stiness	Young, Tex.
Merritt	Rodenberg	Strong	Zihlman
Miller, Wash.	Romjue	Sullivan	

ANSWERED "PRESENT"—4.

Cooper, W. Va.	Emerson	Moore, Pa.	Riordan

NOT VOTING—88.

Anderson	Farr	McClintic	Stafford
Barnhart	Flynn	Maher	Sterling
Bell	Francis	Miller, Minn.	Stevenson
Benson	Freeman	Nicholls, S. C.	Swift
Booher	Gillett	Nolan	Switzer
Borland	Godwin, N. C.	Norton	Tague
Britten	Goodall	Oldfield	Taylor, Ark.
Brumbaugh	Gray, N. J.	Olney	Templeton
Burroughs	Hamill	O'Shaunessy	Thomas
Caldwell	Hamilton, N. Y.	Overmyer	Van Dyke
Carter, Mass.	Hayes	Park	Vare
Chandler, N. Y.	Heintz	Peters	Waldow
Church	Helm	Porter	Walker
Copley	Helvering	Pratt	Wason
Costello	Hensley	Price	Webb
Cox	Johnson, Wash.	Rowland	Wheeler
Crago	Kahn	Russell	White, Ohio
Crisp	Kelley, Mich.	Sanders, N. Y.	Williams
Davis	Kennedy, R. I.	Sears	Wilson, Ill.
Delaney	Kitchin	Shackleford	
Dies	Langley	Shallenberger	
Estopinal	Littlepage	Smith, C. B.	
Fairfield	Lufkin	Smith, T. F.	

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. O'SHAUNESSY with Mr. LUFKIN.

Mr. STEVENSON with Mr. JOHNSON of Washington.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. LITTLEPAGE with Mr. COOPER of West Virginia.

Mr. HAMILL with Mr. GOODALL.

Mr. SHALLENBERGER with Mr. FAIRFIELD.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. BARNHART with Mr. BURROUGHS.

Mr. BENSON with Mr. COPLEY.

Mr. BOOHER with Mr. CRAGO.

Mr. CALDWELL with Mr. DAVIS.

Mr. CRISP with Mr. FREEMAN.

Mr. GODWIN of North Carolina with Mr. KAHN.

Mr. HELM with Mr. KENNEDY of Rhode Island.

Mr. HENSLEY with Mr. MILLER of Minnesota.

Mr. KITCHIN with Mr. NOLAN.

Mr. MCCLINTIC with Mr. PETERS.

Mr. MAHER with Mr. PORTER.

Mr. NICHOLLS of South Carolina with Mr. SANDERS of New York.

Mr. OLDFIELD with Mr. SWIFT.

Mr. OLNEY with Mr. SWITZER.

Mr. PARK with Mr. HAMILTON of New York.

Mr. SEARS with Mr. WASON.

Mr. THOMAS F. SMITH with Mr. WILLIAMS.

Mr. WEBB with Mr. WILSON of Illinois.

On this vote:

Mr. MOORE of Pennsylvania (for) with Mr. BELL (against).

Mr. MOORE of Pennsylvania. Mr. Speaker, I voted "yea," but I find I am paired with the gentleman from Georgia, Mr. BELL, and I request that my vote be changed to "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

The doors were opened.

EXTENSION OF REMARKS.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the conference report.

The SPEAKER. Is there objection?

There was no objection.

FILLING VACANCY IN BOARD OF REGENTS, SMITHSONIAN INSTITUTION.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 195.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of Senate joint resolution 195.

The Clerk read the resolution, as follows:

Joint resolution (S. J. Res. 195) providing for the filling of a proximate vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Mmbers of Congress.

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which will occur on February 6, 1919, by reason of the expiration of the term of George Gray, of Delaware, be filled by the reappointment of the said George Gray for the ensuing term.

Mr. MANN. I do not object, but I want to offer an amendment.

There was no objection.

Mr. MANN. Mr. Speaker, I move to amend, in line 5, by striking out the words "will occur" and insert in lieu thereof the word "occurred."

Mr. PADGETT. That is proper.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The joint resolution as amended was ordered to be read a third time, was read the third time, and passed.

The title was amended by striking out the word "proximate."

On motion of Mr. PADGETT, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

RIVER AND HARBOR BILL.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the river and harbor bill, disagree to all the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to take from the Speaker's table the river and harbor bill, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. MANN. I think we had better have the Senate amendments printed first.

Mr. SMALL. The Printing Office reports that they are very busy and can not have them printed before to-morrow morning. There will be no meeting of the conferees before to-morrow.

Mr. MANN. Then there is no reason for sending it to conference to-day.

Mr. SMALL. Except that we want to know who the conferees are, so that they may be studying the Senate amendments.

Mr. MANN. Some other Members want to study the Senate amendments.

The SPEAKER. Is there objection?

Mr. MANN. Does the gentleman insist on his request?

Mr. SMALL. I prefer to insist upon it, but if the gentleman is insistent——

Mr. MANN. If the gentleman insists on his request and refuses to let it be printed, I will object now and hereafter.

Mr. SMALL. Mr. Speaker, I withdraw my request.

PENSIONS AND INCREASE OF PENSIONS—CONFERENCE REPORT.

Mr. KEY of Ohio. Mr. Speaker, I call up conference report on the bill H. R. 12211.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12211) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, 7, 9, 12, 14, 15, 16, 18, 19, 20, 21, 23, 24, and 27.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 6, 8, 10, 11, 13, 17, 22, 25, 26, and 28, and agree to the same.

JOHN A. KEY,
SAM R. SELLS,
Managers on the part of the House.
T. J. WALSH,
REED SMOOT,
Managers on the part of the Senate.

The statement is as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12211) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependents of such soldiers and sailors, submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, viz:

On amendment No. 1 (Sarah B. Greene): Restores provision for pension.

On amendment No. 2 (Edward Blackmer): A correction.

On amendment No. 3 (Annie Neate): Restores provision for pension.

On amendment No. 4 (Fred A. Angelo): Restores provision for pension.

On amendment No. 5 (Samuel E. Spencer): Grants $17 a month in lieu of $12.

On amendment No. 6 (Edith V. Bowman): Strikes out provision for pension.

On amendment No. 7 (Grant H. Hill): Restores provision for pension.

On amendment No. 8 (Lindley Herrington): Strikes out provision for pension.

On amendment No. 9 (Genevra M. Lamb): Restores provision for pension.

On amendment No. 10 (Charles A. Walters): Restores provision for pension.

On amendment No. 11 (Edward P. Aler, alias John P. Edwards): A correction.

On amendment No. 12 (Emma L. Green): Restores provision for pension.

On amendment No. 13 (James P. Dooley): A correction.

On amendment No. 14 (Frances L. Young): Restores provision for pension.

On amendment No. 15 (Fred F. Newell): Restores provision for pension.

On amendment No. 16 (Susan E. Brown): Restores rate of $25 in lieu of $20 proposed.

On amendment No. 17 (Henry A. Jaegle): Grants rate of $17 a month in lieu of $12 proposed.

On amendment No. 18 (Mary A. Lawson): Restores provision for pension.

On amendment No. 19 (Mary O. Barbee): Restores provision for pension.

On amendment No. 20 (Carrie E. Dennis): Restores provision for pension.

On amendment No. 21 (Lafayette Martin): Restores provision for pension.

On amendment No. 22 (Walter Sewell): Strikes out provision for pension.

On amendment No. 23 (Addie Burns): Restores provision for pension.

On amendment No. 24 (Mary E. Wainright): Restores provision for pension.

On amendment No. 25 (Rebecca Strouther): Strikes out provision for increase of pension, as she is now pensioned under special act of Congress.

On amendment No. 26 (Belle R. Reid): Strikes out provision for increase of pension, as she is now pensioned under special act of Congress.

On amendment No. 27 (Alice A. Thorburn): Restores provision for pension.

On amendment No. 28 (Wesley H. Crockett): Strikes out provision for pension.

JOHN A. KEY,
SAM R. SELLS,
Managers on the part of the House.

The conference report was agreed to.

Mr. KEY of Ohio. Mr. Speaker, I call up the conference report on the bill S. 4723.

The Clerk read the conference report.

CONFERENCE REPORT (NO. 1072).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4723) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1, 2, 5, 6, 7, 8, 10, 11, 12, 13, 15.

That the Senate recede from its disagreement to the amendments of the House numbered 3, 4, 9, and agree to the same.

Amendment numbered 14: That the Senate recede from its disagreement to the amendment of the House numbered 14, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"The name of Robert J. Erwin, late of Company H, Eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving."

And the House agree to the same.

JOHN A. KEY,
SAM R. SELLS,
Managers on the part of the House.

T. J. WALSH,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4723) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Provides a pension of $50 per month for the widow of Maj. Gen. Albert L. Mills, as proposed by the Senate.

On No. 2: Provides a pension of $50 per month for the widow of Rear Admiral Vincendon L. Cottman, as proposed by the Senate.

On No. 3: Strikes out, as proposed by the House, the provision for increase of pension for David A. Kooker.

On No. 4: Strikes out, as proposed by the House, the provision for pension for James W. Wilson.

On No. 5: Provides, as proposed by the Senate, pension for Mark M. Coffman.

On No. 6: Provides, as proposed by the Senate, increase of pension for Martha E. Hammond.

On No. 7: Provides, as proposed by the Senate, pension for Louise R. Hanley.

On No. 8: Provides, as proposed by the Senate, pension for Belle H. Purdon.

On No. 9: Strikes out, as proposed by the House, the provision for pension to John Bernard Rueben, alias Bernard Reuben.

On No. 10: Provides, as proposed by the Senate, a pension of $50 for the widow of Brig. Gen. Palmer G. Wood.

On No. 11: Provides, as proposed by the Senate, pension for Amy B. Mitchell.

On No. 12: Provides, as proposed by the Senate, increase of pension for Louis Miller.

On No. 13: Provides, as proposed by the Senate, increase of pension for Dora L. Brown.

On No. 14: Provides increase of pension to $17 per month for Robert J. Erwin instead of $24 as proposed by the Senate.

On No. 15: Provides, as proposed by the Senate, increase of pension for Julia Carey.

JOHN A. KING,
SAM R. SELLS,
Managers on the part of the House.

The conference report was agreed to.

FORTIFICATIONS APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15979, making appropriations for fortifications.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15979, the fortifications appropriation bill.

Mr. BYRNS of Tennessee. Pending that, Mr. Speaker, I wish to ask the gentleman from Iowa if we can not agree upon some time for general debate?

Mr. GOOD. How much time does the gentleman suggest?

Mr. BYRNS of Tennessee. About an hour on a side.

Mr. GOOD. I have a request for over three hours on this side.

Mr. BYRNS of Tennessee. The gentleman realizes, I think, that, if possible, we want to finish this bill to-day. I hope that gentlemen can cut that down. There will be other appropriation bills to follow this.

Mr. GOOD. Not very many, and these gentlemen are very anxious to address the House. I am anxious to do all I can to expedite the bill. Will not the gentleman give us three hours and a half for general debate?

Mr. BYRNS of Tennessee. Can not the gentleman make it three hours, and that will take us until 6 o'clock?

Mr. GOOD. Will the gentleman yield some of his time to this side?

Mr. BYRNS of Tennessee. I would not care to promise, because I have a number of requests from gentlemen on this side, but I may be able to yield some of my time. I do not want to be bound by any promise, however.

Mr. GOOD. Well, we will try to get along with that understanding.

Mr. BYRNS of Tennessee. Mr. Speaker, pending the motion, I ask unanimous consent that general debate on the pending bill be limited to three hours, one-half to be controlled by myself and one-half by the gentleman from Iowa [Mr. GOOD].

The SPEAKER. Pending the motion, the gentleman from Tennessee asks that general debate be limited to three hours, one-half to be controlled by himself and one-half by the gentleman from Iowa [Mr. GOOD]. Is there objection?

Mr. MANN. Mr. Speaker, I shall reserve the right to object in order to get some information, if I may be permitted to do so. Three hours of general debate will run until about half past 6 o'clock, I take it. It will not take very long to pass the bill under the five-minute rule, for I imagine there are not very many controverted items in it. Is it the intention, then, to keep on this evening and take up the railroad deficiency bill?

Mr. BYRNS of Tennessee. I can not answer the gentleman.

Mr. MANN. I think we would better find out. I think Members of the House would like to know. Then I would like to know what we are going to do to-morrow and Thursday and Friday. Is it the intention to bring in the wheat bill for consideration, and, if so, when?

Mr. KITCHIN. Mr. Speaker, if the gentleman will permit, I think we will try to finish this bill to-day.

Mr. MANN. Ah, that is too easy. We could do that and have seven hours of general debate.

Mr. KITCHIN. To-day?

Mr. MANN. Yes.

Mr. KITCHIN. And then to-morrow we will take up the railroad bill.

Mr. MANN. I thought probably we would go ahead with the railroad bill to-night. That is what I would do if I were running the House.

Mr. KITCHIN. And the wheat bill Friday, and by that time we hope the sundry civil bill will be reported—by Friday, so that we can begin its consideration on Saturday.

Mr. MANN. If they have good luck, they may get the sundry civil bill in on Friday.

Mr. KITCHIN. Yes. I would say this bill to-day, the railroad bill to-morrow, the wheat bill Friday, and then begin the sundry civil appropriation bill on Saturday morning.

Mr. MANN. No rule is required for the railroad bill, but I take it that the Committee on Rules would report a rule for the wheat bill.

Mr. GARRETT of Tennessee. Mr. Speaker, I hope the gentleman from North Carolina will ask unanimous consent that the wheat bill may be in order for consideration under the general rules of the House. Otherwise we will have to go through the form of reporting a rule.

Mr. WALSH. On Friday?

Mr. RAYBURN. To follow the railroad bill.

Mr. GARRETT of Tennessee. To be in order as a privileged bill.

Mr. MANN. We want to know when it is coming up. Will it be in order to take it up following the railroad bill? Of course, it would not have to come up under such conditions.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the bill known as the wheat bill shall be in order after the disposition of the railroad deficiency bill. We will not take it up until Friday.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the wheat bill shall be in order after the railroad bill, under the general rules of the House. Is there objection?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee that general debate upon the pending bill shall not exceed three hours, half of that time to be controlled by himself and the other half by the gentleman from Iowa [Mr. GOOD]?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Tennessee, that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the fortifications appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the fortifications appropriation bill, with Mr. CLARK of Florida in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk reported the title of the bill.

Mr. BYRNS of Tennessee. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Chairman, the fortification bill carries items for the seacoast defenses of continental United States, the insular possessions and Panama, and also for mobile artillery and artillery ammunition for the armies of the United States. In addition to that, this bill carries appropriations for the barracks and quarters for continental United States, the insular possessions and Panama, items which have heretofore been carried in the sundry civil appropriation bill, and which for the first time are carried in the bill now pending.

The seacoast defenses of the United States, the Panama Canal, and the insular possessions have been carried forward from time to time under the reported projects of various boards of the War Department. The first comprehensive scheme of coast defenses was based upon the so-called Endicott board. This was revised by the Taft board, and that in turn was revised by the board of review as late as November, 1915. The report of the board of review called for the expenditure of approximately $100,000,000 for additions, alterations, and modifications of existing defenses and the initiation of defenses at new points. All of the schemes of coast defense up to and including the original board of review report were based upon the installation of fixed armament. A subsequent modification of the board of review project by the War Department provided for the procurement of a limited number of heavy guns mounted upon railway carriages to supplement the fixed fortifications at a point of attack. The development of the use of and the procurement of heavy railway artillery in the present war has brought some confusion into the future scheme of coast defenses. So far as fixed fortifications are concerned the better military opinion is to provide for coast defenses mainly by use of heavy railway mounted guns and guns mounted upon tractors.

The board of review project has never been fully appropriated for or carried out. No estimates were submitted this year for the manufacture of the armament remaining to be installed, the whole question of further fixed fortifications and railway mounts being reserved for further study and recommendation by the War Department. The United States has on hand now a very considerable number of heavy guns mounted upon railway cars, and additional guns are under manufacture.

It is the belief of the committee that in view of the very great change which has come in the use of heavy railway and tractor mounted guns that a careful survey of our entire coast-defense system must be made and a policy determined upon.

The estimates for seacoast cannon and armament in connection with this bill have been practically eliminated. The War Department in most instances has large balances on hand unallotted and unobligated which can be used economically and slowly in arriving at a policy of coast defense. No considerable expenditure should be made until a determination of correct policy has been arrived at.

The estimates upon which the bill is based have been very greatly modified since they were first prepared. As originally prepared before the signing of the armistice, the estimates call for $645,576,961.01. After the signing of the armistice the War Department made an arbitrary cut in the estimates of 90 per cent, and since that cut was made further reductions were made. In addition thereto a number of supplementary estimates were submitted. The total revised estimates upon which the bill is based call for $92,893,657.71. The committee, after a very careful consideration and a hearing of some length, has reported a bill which carries $11,199,291. Of this sum it may be said that $4,161,849 is for the construction of permanent barracks and quarters for the Panama Canal, $225,000 for barracks and quarters in the Hawaiian Islands, and $40,000 for certain improvements in barracks here in continental United States.

If these sums be eliminated, the remainder of the bill is $6,764,442, a little more than the amount of the fortification bill prior to the embarkation of the Government upon the board of review projects for the enlargement of the coast defenses.

Mr. TILSON. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will.

Mr. TILSON. There was some confusion a few minutes ago and I do not know that I understood the gentleman correctly, but I did understand him to say that nothing is to be appropriated for the construction of large semimobile guns, guns to be installed on railway carriages or to be driven by tractors.

Mr. BYRNS of Tennessee. That is correct. There was no estimate submitted to the committee for the construction of heavy guns, with the exception of an estimate for an 18-inch gun, which was intended to be constructed for experimental purposes.

Mr. TILSON. Does not the gentleman think that in view of the large part which these very large semimobile guns played in the present war in Europe that we ought to at least go on with the development of something along that line?

Mr. BYRNS of Tennessee. I will state to the gentleman that there are now in process of construction eight 16-inch rifles and also twenty-five 14-inch guns which are not provided with mounts. In addition thereto, the project of installing thirty-six 12-inch guns mounted on Barbette carriages will soon be completed. There have also been acquired six 50-caliber 12-inch guns which were originally manufactured for the Chilean Government, and there will also be acquired thirteen 14-inch guns on railroad mounts.

Mr. TILSON. There are sufficient funds to go forward with their manufacture?

Mr. BYRNS of Tennessee. There are sufficient funds to complete those guns; but, to be entirely frank with the gentleman, I will say that the department estimated for 25 railway-mount carriages for these 14-inch guns to which I have referred, and the committee makes no recommendation of an appropriation for that purpose. These railroad carriages can be constructed, of course, much quicker than the guns can be forged and machined. In addition thereto, it was stated to the committee that so much has been learned from our experience in the war and the experience of our allies that there is more than likely to be a great development and improvement in the construction of railway mounts and also with reference to the use of tractors for guns.

Mr. TILSON. That is, so far as there has been a pause it is only to wait until we can get authentic up-to-date information together and then decide upon a final and permanent plan for these large guns?

Mr. BYRNS of Tennessee. The gentleman is entirely correct, and the department has in its hands a sufficient amount of money to carry out the present project. And I will say to the gentleman and the committee that the sum of $11,000,000 carried in this bill is not the only money which will be spent, in all probability, during the coming year. The department, as I have stated, has now a very large sum on hand unallotted and unobligated, and the committee believes that after settling the obligations now existing that it will be able to save quite a considerable sum of money out of which to carry forward and take care of the experimental and development work now under consideration, and also to do such salvage of ordnance and ammunition as is necessary.

Mr. ALEXANDER. Will the gentleman yield?

Mr. BYRNS of Tennessee. I do.

Mr. ALEXANDER. Will the gentleman state, approximately, how much of the money that has been appropriated heretofore and not expended will be available in addition to what will be carried in this bill?

Mr. BYRNS of Tennessee. For field-artillery purposes alone there are now available appropriations aggregating $2,290,209,905.18. That sum is to be held for the settlement of outstanding obligations and allotments aggregating $2,182,946,813.52, on the basis of paying 75 per cent of their face value, and for the settlement of outstanding reservations created, $4,353,331,966.13, on a basis of 15 per cent of their estimated cost. The gentleman will remember that those were the percentages which were used in the deficiency bill, or the covering-in bill, which was passed by the House and Senate some days ago, and the committee, as I stated before, thought that was a very liberal percentage, especially with reference to the reservation of appropriations which have been made and which were entirely unallotted and unobligated. The question was asked of those appearing before the committee whether or not they would not be able to save enough money out of the money on hand to carry forward these various experiments and development processes thought necessary, and also to make proper salvage of ordnance and ammunition, and, while they insisted they ought to have the appropriation, none were willing to deny that they would not be able to save enough money to——

Mr. SHERWOOD. Will the gentleman yield for a question?

Mr. BYRNS of Tennessee. I yield to the gentleman.

Mr. SHERWOOD. I would like to ask the gentleman a question which I think is vital and fundamental. I have been reading very carefully the constitution of the league of nations, which, I understand, is to make all future wars impossible. If that be the fact, what is the need of any fortifications at all?

Mr. BYRNS of Tennessee. Well, I do not think that the time will ever come when this country can afford entirely to abandon its coast defenses, and I will say this to the gentleman——

Mr. SHERWOOD. Then the gentleman would abandon the league of nations?

Mr. BYRNS of Tennessee. No; I certainly would not do that. This bill does not undertake to make any appropriations for additional work. It is only to carry out projects which are now under way and, in many instances, very nearly completed.

Mr. SHERWOOD. Well, the appropriations originally were useless. None of these coast defenses have ever fired a gun and never will be called upon to fire a gun.

Mr. BYRNS of Tennessee. That may be true, I will say to the gentleman; but that in itself does not prove the want of necessity of having coast defenses.

Mr. SHERWOOD. I understood the war was to make the world safe for democracy. If it is made safe for democracy, what do we need of fortifications?

Mr. BYRNS of Tennessee. Well, I do not care, of course, to enter into any lengthy discussion upon that particular proposition, but I will say to the gentleman that I think the time is far distant when we will not need substantial coast defenses as a measure of safety and protection against possible attack.

Mr. DENISON. Will the gentleman yield?

Mr. BYRNS of Tennessee. But I will admit that it would be a most happy result——

Mr. SHERWOOD. Then let us aim at it. If that is a happy result, let us aim at it then.

Mr. BYRNS of Tennessee. As long as we make appropriations for as large a Navy as we have done, as long as we make appropriations for a considerable Army, I take it we ought to have appropriations for keeping up our coast defenses.

Mr. DENISON. Do I understand the gentleman from Tennessee to state that this bill carries no provision for any additional coast defenses, but is simply a continuation of what has heretofore been provided for?

Mr. BYRNS of Tennessee. This bill simply carries appropriations to continue work now under construction. I will say to the gentleman there was no estimate submitted, no request made, to the Committee on Appropriations for what might be called new projects in continental United States. There was an estimate for the purchase of some land in the island of Oahu, in Hawaii. But that was not allowed.

Mr. DENISON. Are there under contemplation no further increments of defense of the Panama Canal?

Mr. BYRNS of Tennessee. Oh, yes.

Mr. DENISON. Does that bill carry any such provision for any additional coast defense at the Panama Canal?

Mr. BYRNS of Tennessee. This bill carries no provision for coast defense at the Panama Canal. There is an appropriation in the bill for the clearings and trails and for barracks and quarters in Panama. But I will say to the gentleman that the officials of the War Department are of the opinion that in view of the fact that we have just passed through a great war and that there are many lessons to be digested as the result of that war, in view of the fact that there was at the time of the signing of the armistice a great development taking place in the way of improving our mobile artillery, our guns and their mounts, that there ought to be time given to enable the proper board to study the proposition and to make necessary experiments in order to determine just what is the most up-to-date form of armament before we make any very heavy further expenditures in the way of providing new coast defenses.

Mr. DENISON. The department has made no estimate, then, for any increase or improvement of the defenses of the canal?

Mr. BYRNS of Tennessee. I do not want the gentleman to misunderstand me. There was a considerable estimate for aerial stations on the Panama Canal that I was about to overlook.

Mr. DENISON. It was stated on the floor of the House, I think, last week, by a Member of the House, and, I think, a member of the Committee on Foreign Affairs, who had been in Europe during this war, that the canal could not be defended for one day against an enemy. Does the gentleman think that statement was wrong or is there some foundation for it?

Mr. BYRNS of Tennessee. They have now, of course, considerable defenses in the way of fortifications on the Panama Canal. Some considerable money has been spent there. An appropriation was made last year for the purchase of land on an island near the Canal Zone, in order to provide for additional fortifications on the Pacific side.

Mr. DENISON. Has that island been purchased?

Mr. BYRNS of Tennessee. It has not. A commission has been appointed, consisting of certain Panamans and officials of our Government. They have had the matter under consideration. They have not yet been able to agree upon the acquisition of the land and no action has been taken for that reason. But they have the money.

Mr. DENISON. Does the gentleman know what island that is?

Mr. BYRNS of Tennessee. The island of Taboga.

Mr. DENISON. A question in reference to the statement the gentleman made awhile ago; I understood him to say there was an amount appropriated for permanent barracks at Panama.

Mr. BYRNS of Tennessee. There is an amount slightly over $4,000,000 carried in this bill for permanent barracks and quarters at Panama.

Mr. DENISON. What is the purpose of that appropriation?

Mr. BYRNS of Tennessee. To provide barracks and quarters for two regiments on the Canal Zone and also barracks and quarters for two companies of Coast Artillery, 150 men each, at Fort Sherman, which, as the gentleman will recall, is near the mouth of the Chagres River. There is a battery now in the course of construction, not yet completed, at the mouth of the Chagres River, which is known as Fort Sherman. There is no place there in which to house the men who will man that battery, and this bill carries $150,000 for the purpose of constructing barracks and quarters for 300 men. And in addition to that, as I have stated, there is a recommendation for $3,900,000, in round numbers, for two regiments to be located on the canal. I will say to the gentleman that an estimate was submitted last year, and resubmitted this year, that called for $13,000,000 for barracks and quarters for six regiments, two regiments of Infantry, to be located at the Gatun lock and dam, and two regiments of Infantry at Miraflores, and two regiments, one of Cavalry and one of Artillery, at Corozal. The committee did not allow the full estimate, but did allow sufficient money for barracks and quarters for two regiments, believing that was all that could be efficiently done this year.

Mr. DENISON. Where are the barracks to be located that are called for in this bill?

Mr. BYRNS of Tennessee. That was not determined. It was the idea to have barracks and quarters at the three places I have named. The committee has left it entirely with the War Department as to whether they will put them at one place or the other. We simply make provision for barracks and quarters for two regiments.

I will state, Mr. Chairman, in connection with what I have said concerning the amount of money carried in this bill by way of appropriation, that the committee has recommended a provision covering back into the Treasury $1,819,000. Therefore it should be noted that while this bill carries appropriations aggregating $11,199,291, it repeals appropriations heretofore made aggregating $1,819,000, so that the net charge upon the Treasury by this bill is $9,380,291.

Mr. SHERWOOD. Mr. Chairman, I will not make the point of no quorum unless the gentleman thinks he wants it. I think this is an important debate, and this bill is against the whole policy of the administration and against the high ideals of the President. I think we should not change the policy of the administration unless more gentlemen are here. I will not make the point, however, unless the gentleman wishes me to do it.

Mr. BYRNS of Tennessee. I hope the gentleman will not do that. There are quite a number of Members present now, but I would like to see a larger attendance here in the discussion of the bill under the five-minute rule.

Mr. SHERWOOD. You are making an important speech.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. LONDON. Does this bill provide a much greater appropriation than the bills heretofore?

Mr. BYRNS of Tennessee. No.

Mr. LONDON. It does not increase the amount over them?

Mr. BYRNS of Tennessee. This bill is a very few dollars more than the appropriations made for fortifications prior to our entrance into the war. The gentleman will remember that up until 1917, the year in which we entered the war, there was never appropriated for the purposes carried in this bill more than $9,316,000, and in nearly every instance it was $4,000,000, $5,000,000, or $6,000,000.

Mr. SNYDER. Mr. Chairman, will the gentleman yield there?

Mr. BYRNS of Tennessee. Yes.

Mr. SNYDER. I was just going to ask that question as to the years from 1913 up to 1919. Will the gentleman put those figures in, please?

Mr. BYRNS of Tennessee. Yes. In 1913 the amount carried by the bill was something over $4,000,000. In 1914 the appropriation was $5,218,250; then an additional amount of $31,000 was carried in a joint resolution for a site at Cape Henry. Then in 1915 the appropriation was $5,627,700. In 1916 the appropriation was $6,060,216.90, while in 1917 the appropriation was $25,747,550. The gentleman will remember that a great deal of that appropriation was required for some extra fortification purposes in the Panama Canal, and that it was made in pursuance of the revised plans of the board of review.

Mr. SNYDER. I remember that distinctly. But I just wanted to point out the fact that now, in the face of a league of nations and a world's peace, we are asking three times as much for fortifications as we did in 1913.

Mr. BYRNS of Tennessee. No.

Mr. SNYDER. Practically three times as much.

Mr. BYRNS of Tennessee. No; the gentleman is entirely mistaken. This bill, it is true, carries $11,191,000, but of that amount more than $4,000,000 is for barracks and quarters in this country and also in Panama and in the insular possessions. As a matter of fact, that portion of this bill which the gentleman can justly compare with the bill that was passed in 1913 amounts to only $6,764,442.

Mr. SNYDER. That is the fact that I wanted to bring out.

Mr. BYRNS of Tennessee. The gentleman will see that it is very little larger and in some cases less than what was carried in some of those years. As I have said, this bill carries no appropriation for new defenses or additional armament.

Mr. LONDON. How much of that $25,000,000 appropriated for 1917 has been expended?

Mr. BYRNS of Tennessee. I think practically all of it. It is impossible for me to answer that question, because these are continuing appropriations, but practically very nearly all of that money has been expended on projects now in course of completion.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. TILSON. In order to make the gentleman's statement complete, should he not refer to the fact that in the fortifications bill and other bills during the year 1919 there were over $5,000,000,000 appropriated or authorized for the most important item of this entire bill, which is mountain, field, and siege cannon, the acquisition of ammunition, and so on? The gentleman does not carry a single cent in this bill for any of those objects, for the reason that we have on hand already, or in process of manufacture and nearing completion, a large supply of the most important things needed for our Military Establishment, which have been provided for under the appropriations for 1919. Is not that a fair statement?

Mr. BYRNS of Tennessee. Yes. I am obliged to the gentleman for the statement. The gentleman is entirely correct.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. DENISON. How many troops has this Government in Panama now, and how many has it been maintaining there heretofore?

Mr. BYRNS of Tennessee. The estimates submitted to the committee call for barracks and quarters for about 10,000 men.

Mr. DENISON. In this bill?

Mr. BYRNS of Tennessee. In this bill. But the committee has submitted a recommendation only for barracks and quarters which will house approximately 4,000 men. There have been down there, according to my recollection, about eight or nine thousand men, but it has been stated that the commanding officer has requested permission to withdraw the greater portion of those troops on account of the fact that there are no decent quarters for them to live in. He says there is no place for them to live in a decent manner.

Mr. DENISON. How have they been housed?

Mr. BYRNS of Tennessee. They have been living in old wooden buildings, some of them constructed by the French at the time the French Panama Canal Co. was trying to dig the canal. These buildings are old. Last year $500,000 was appropriated by Congress to repair some of those buildings. As a matter of fact only $275,000 of the amount was expended. The commanding general reported to the War Department that he

would not spend the $225,000 remaining for repairs because it was merely throwing good money after bad, and that the buildings were not worth repairing.

Mr. DENISON. So that there is need of permanent barracks?

Mr. BYRNS of Tennessee. I am convinced in my own mind that if we are to keep troops in Panama, they need barracks and quarters. For my part I think when private soldiers are required to stay there for a year or two they ought to be given decent and proper housing.

Mr. DENISON. Will the gentleman give the name of this officer who refused to waste the money in that way? I think he ought to be commended and given a medal of some kind.

Mr. BYRNS of Tennessee. Gen. Blatchford.

Mr. DENISON. He ought to be commended.

Mr. BYRNS of Tennessee. Mr. Chairman, how much time have I used?

The CHAIRMAN. Thirty-five minutes.

Mr. BYRNS of Tennessee. I must hurry along.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. COOPER of Wisconsin. Section 7 of the bill, it seems to me, is one of the most suggestive and interesting provisions. The law of 1916 provided for appropriating $417,000 to procure one radio-dynamic torpedo unit, and provided also, did it not, for the purchase by the United States, and the transfer by John Hays Hammond, jr., to the United States of all the patent rights of Hammond?

Mr. BYRNS of Tennessee. Yes.

Mr. COOPER of Wisconsin. Now, this pending bill amends that, so as to appropriate $400,000 and get one radio-dynamic unit to control torpedoes, but not to get the patent rights of Hammond. That is a very different thing.

Mr. BYRNS of Tennessee. I will say to the gentleman that the situation is just this: The law of 1916, to which the gentleman refers, appropriated $30,000 to be used in making certain tests by a board to be appointed by the President and composed of Army and naval officers. And it provided that upon their approval and recommendation $750,000 should be paid to Mr. Hammond for the acquisition of the entire patent rights of his radiodynamic torpedo, and that after acquiring all those rights $417,000 should then be spent in the installation of a unit. Now, since that law was passed, a board of Army and naval officers have conducted a number of trial tests at different times. They state to the committee that they are thoroughly convinced and satisfied that Mr. Hammond has demonstrated that he can control what might be called a waterborne, or surface, craft, or a torpedo on top of the surface, but that they are not entirely prepared to recommend payment of the $750,000 until they are more clearly satisfied that he can control a torpedo under the water. Some of them expressed the opinion that they thought that Mr. Hammond would be able to demonstrate his ability to control a craft or a torpedo under the water.

Mr. COOPER of Wisconsin. By wireless?

Mr. BYRNS of Tennessee. By wireless or radio. They asked the committee, therefore, to reverse the process and to permit them to spend $417,000 now in the installation of a unit, so that they can thoroughly test out his invention before recommending the payment of $750,000 to him; and the committee felt that, owing to the importance of the matter and the large amount of money involved, it was an entirely proper thing to do.

Mr. COOPER of Wisconsin. Then the gentleman from Tennessee says that the law of 1916 provided for the appropriation of $417,000 for the procurement and installation of one radio-dynamic torpedo unit, and then provided that no part of that should be expended unless the Government got all the rights of Hammond, and Hammond was to receive $750,000——

Mr. BYRNS of Tennessee. In advance, before the installation of the unit. Now, this is simply turning the thing around, to provide for the installation of the unit and the actual demonstration of his ability to do what he says before paying him for his rights.

Mr. COOPER of Wisconsin. If this bill is enacted, will it then still leave the law so that upon the payment of $750,000 to Hammond he must transfer to the Government all his rights to this invention?

Mr. BYRNS of Tennessee. Oh, yes; provided this board of officers under the act of 1916 approve the purchase of his invention.

Mr. COOPER of Wisconsin. The reading of the provision in the pending bill rather confused me. I did not understand from reading it that if the Government paid the $750,000 it would receive the exclusive rights owned by Hammond. In other words, I did not want it so that $417,000 would be expended for the procurement of one of these units and still leave the possibility of Hammond retaining the exclusive right to the patents.

Mr. BYRNS of Tennessee. No; the gentleman will notice that when this $417,000 is expended this unit shall belong exclusively to the United States, which shall have control of it.

Mr. COOPER of Wisconsin. Yes.

Mr. BYRNS of Tennessee. Then if the board of Army officers are satisfied that this invention does what he says it will do, they will recommend the payment of $750,000 and therefore acquire all of his rights to the invention.

Mr. DENISON. If they do not recommend it, then the $417,000 will be lost?

Mr. BYRNS of Tennessee. Not altogether lost, because there will be a good deal of salvage.

Mr. COOPER of Wisconsin. The language to which I wish to direct the attention of the gentleman from Tennessee is the last proviso, found on line 7, page 12, of the bill:

Provided further, That no part of said sum shall be expended until the United States shall first receive from John Hays Hammond, jr., and from the Radio Engineering Co. of New York (Inc.) an unconditional license to use without cost said unit and all repairs and replacements thereof, in the event that the United States shall not acquire as heretofore provided the exclusive rights of said John Hays Hammond, jr., and of said Radio Engineering Co.

Mr. BYRNS of Tennessee. That language refers to the expenditure of the $417,000 for the installation of the unit, and does not refer to the $750,000 which will eventually be paid to Mr. Hammond provided he satisfies this board of Army and naval officers.

Mr. MANN. Will the gentleman yield further in that connection?

Mr. COOPER of Wisconsin. There is an important point there.

Mr. BYRNS of Tennessee. I yield to the gentleman from Illinois.

Mr. MANN. I have not before me the language of the law, but I believe it provided for acquiring the entire rights to this invention. Now, this proposition is to amend the prior language so as "to read as follows"—and then follows the language. What I wish to know is how much of the former language is repealed by this?

Mr. BYRNS of Tennessee. No part of the law is repealed except that provision which provided for the installation of the unit and the expenditure of the $417,000 after the acquisition of the rights of Mr. Hammond. This simply reverses the process. It does not undertake to repeal any portion of the law. It simply undertakes to give authority for the installation of the unit, in order that this test may be made properly, and that the board may be thoroughly convinced before directing the payment of the money.

Mr. MANN. The power, then, to acquire the entire rights of Hammond would still remain on the payment of the $750,000?

Mr. BYRNS of Tennessee. Yes; undoubtedly.

Mr. GOOD. Less the $30,000 already paid out for tests.

Mr. BYRNS of Tennessee. Yes.

Mr. COOPER of Wisconsin. The gentleman from Illinois raises the exact point I had in mind.

Mr. MANN. Without having the language of the original law before me, it strikes me, as it does the gentleman from Wisconsin, to inquire as to how far, if at all, that modified the right of the Government to acquire the entire rights in the invention?

Mr. GOOD. If the gentleman will yield to me, I think I can explain that.

Mr. COOPER of Wisconsin. Before the gentleman makes his explanation, let me make one suggestion. I think it is in the mind of the gentleman from Illinois [Mr. MANN], too. The proviso of existing law quoted on line 17, page 11, reads:

Provided, That no part of said sum—

That is the $417,000 to be paid for the unit—

shall be so expended unless the United States shall first acquire as heretofore provided the rights of the said John Hays Hammond, jr., and the Radio Engineering Co. of New York.

Now, that means, does it not, that you shall not expend any part of the $417,000 for the construction of the radiodynamic unit until by the expenditure of $750,000 you have first acquired the rights of Mr. Hammond?

Mr. GOOD. Now, let me explain. When the matter first came before the committee the War Department desired to purchase outright these patents, 128 of them, from John Hays Hammond, jr., for about $1,000,000, and an appropriation of $417,000 to construct one unit. The committee, after having hearings for more than a week, reported out the bill, which was adopted and became a part of the law, that the War Department had en-

tered into a contract with John Hays Hammond, jr., for the purchase of these patents for $750,000, of which $30,000 was to be paid in developing experimental work. The balance should not be paid until the general board appointed by the President should be satisfied that the proposition was a workable one, and the torpedo or boat containing the explosive could be controlled by this process. For the last three years they have been conducting experiments and they have had several before this board.

The matter has developed to such a state that the War Department is satisfied that John Hays Hammond, jr., has done what he promised and more before he came to Congress, but they want to see whether or not one of these torpedoes constructed as he proposes can be controlled and managed just as he can control and has controlled a surface boat, and Mr. Hammond has agreed to give a license to the Government to construct, without any payment to him, one unit that is to cost $417,000; that the Government shall own the unit, shall have the unconditional right to use it in any way, whether it purchases afterwards the patents or not.

Now, the Government proposes with that money to construct these units, and then if the board, after seeing the completed unit in operation, is satisfied that they can make a report, then the Government will pay Mr. Hammond the balance of the $750,000?

Mr. MANN. What we want to know is whether, when the Government expends $417,000 for the purpose of demonstrating whether the patents are any good, the Government is then certain to be able to own the patents.

Mr. GOOD. Yes.

Mr. MANN. On the payment of the $750,000. Suppose Mr. Hammond does not carry out the contract. He would not get the $750,000?

Mr. GOOD. No; and an action could be commenced to enforce the specific performance.

Mr. MANN. Of course, if the proposition is demonstrated to work the way it is supposed it will work, it will be worth a good deal to foreign countries to own the patents. But I have no doubt the committee has given full consideration to that proposition. We ought to know for sure that we do not expend $417,000 to demonstrate that Mr. Hammond has a good patent.

Mr. GOOD. The committee was strongly impressed with the high character displayed by John Hays Hammond, jr. It is his desire to have the Government of the United States own the patents, and we are satisfied that if he had wanted to sell them he could have gone abroad and sold them for a great deal more than twice that provided for here. But he is now willing to give the patents for the unit without any payment at all.

Mr. COOPER of Wisconsin. In lines 16 to 21 of the bill, page 11, is a copy of the law of 1916. If this pending bill is enacted into law it will absolutely repeal that, because line 22 says that the language is amended so as "to read as follows." Therefore that provision from the law of 1916 will be repealed and the only law on the book touching that subject will be that remaining on pages 11 and 12, and the proviso on page 12 contemplates that the United States Government may never get the patents.

Mr. BYRNS of Tennessee. I think the gentleman is mistaken about that.

Mr. COOPER of Wisconsin. Let me show the gentleman. Beginning on line 7, page 12—

> That no part of said sum shall be expended until the United States shall first receive from John Hays Hammond, jr., and from the Radio Engineering Co. of New York (Inc.), an unconditional license to use without cost said unit and all repairs and replacements thereof, in the event that the United States shall not acquire as heretofore provided the exclusive rights of said John Hays Hammond, jr., and of said Radio Engineering Co.

Mr. BYRNS of Tennessee. Yes; but that was simply to enumerate——

Mr. COOPER of Wisconsin. The language of the act of 1916 as it appears on page 11 is this:

> For procurement and installation of one radiodynamic torpedo unit, $417,000: *Provided*, That no part of said sum shall be so expended unless the United States shall first acquire as heretofore provided the rights of the said John Hrys Hammond, jr., and the Radio Engineering Co. of New York.

Mr. BYRNS of Tennessee. "No part of said sum"; that is, the $417,000 which is appropriated for the installing of one radiodynamic torpedo unit; but that does not refer to the $750,000 which was to be paid to Mr. Hammond for the acquisition of all his rights.

Mr. COOPER of Wisconsin. You can not expend under the law of 1916 one cent until you get the patent rights.

Mr. BYRNS of Tennessee. That is true.

Mr. DENISON. That is not correct.

Mr. COOPER of Wisconsin. Yes; it is.

Mr. DENISON. You do not have to have the patent rights, but you have to have the right to go ahead and make the experiment.

Mr. BYRNS of Tennessee. That is, under this proposed bill, but under the act of 1916 no sum could be expended for the installation of a unit until you first acquire the patent rights of Mr. Hammond.

Mr. COOPER of Wisconsin. Exactly; I knew that was existing law.

Mr. BYRNS of Tennessee. It is proposed to permit the establishment of a unit in advance of acquiring his rights.

Mr. COOPER of Wisconsin. Exactly.

Mr. BYRNS of Tennessee. But it does not in any way interfere with or disturb the law of 1916 in so far as subsequently acquiring all of the rights of Mr. Hammond, providing this board so recommends.

Mr. COOPER of Wisconsin. Is there anything in the law to show that the United States has a contract with Mr. Hammond or with that engineering company?

Mr. BYRNS of Tennessee. They have a contract with him.

Mr. COOPER of Wisconsin. Is there anything in the law to show that?

Mr. BYRNS of Tennessee. The law provides for a contract, and there has been a contract entered into between Mr. Hammond and the department officials. I think it is set forth in the hearings.

Mr. COOPER of Wisconsin. It seems to me that the law of 1916 is absolutely repealed if we enact this into law.

Mr. BYRNS of Tennessee. If the gentleman will examine the law of 1916, I feel sure he will find that he is in error. Mr. Speaker, I trust that the committee will permit me to proceed now for a few minutes more, as I have promised to yield some of my time to certain gentlemen. Estimates were submitted to the committee for the building of certain aerial stations and balloon stations, both in continental United States and in the insular possessions and Panama, calling for quite a number of millions of dollars. The committee has declined to recommend any sum for the construction of aerial stations or balloon stations, but there is in the hands of the department the sum of $10,821,000, which is left with the department, and with that they can proceed to construct a number of stations in continental United States.

The failure to carry any appropriations for field artillery purposes in this bill does not mean that the Ordnance Department will not have funds for these purposes until June 30, 1920. It does mean, however, that in order to finance the 1920 needs in connection with field artillery items, that the sum of at least $31,000,000 must be saved from the balance on hand for the discharge of existing obligations. Neither does it mean that the committee entirely approves of the comprehensive plan of experimentation and development work outlined by the War Department under these items.

There are a number of experimental and development processes which are contemplated and which, in my judgment, are very necessary in order to perfect the present types of ordnance, because it was stated to the committee that this war has demonstrated that all of the types of ordnance used in the war, both by this country and by our allies, were in a measure obsolete on account of the information gained by our experience in the war.

It does, however, indicate that only such sums shall be expended from existing balances as may be needed to salvage and protect the vast quantities of material the Government has acquired and such additional sums as may be needed to carry out the military policy of the United States under whatever strength of army may be authorized for the coming year or may be warranted by the conclusions that may be reached by the conference of nations now being carried on.

The appropriations carried in the fortifications bill heretofore have been made without reference to a fiscal year and have continued available until they have been expended. The committee has recommended that the appropriations contained in the accompanying bill shall not be available after June 30, 1920, and that beginning with the fiscal year 1921, and annually thereafter, estimates for fortifications shall be made upon a fiscal-year basis. The greater number of the appropriations now provided in the bill are for maintenance purposes, and if appropriations for construction work which will require more than a fiscal year to complete are carried hereafter the question of their availability for more than a single fiscal year can be adjusted to fit the particular item. In connection with the placing of this bill upon a fiscal-year basis the committee also recommends that none of the unexpended balances of appropriations for fortifications remaining upon the books of the Treasury on June 30, 1920, shall be available for obligation after that date. Very

large sums have been appropriated during the war for purposes generally described as "fortifications," and especially with reference to field artillery. While portions of these have been repealed, the committee believe that a limit to the period of availability of any sums which may remain will result in a more careful checking up of expenditures from continuing appropriations than otherwise could be had. [Applause.]

I reserve the balance of my time.

Mr. GOOD. Mr. Chairman, during the past few years considerable criticism has been directed to our military and naval program. Our entrance into the war with Germany found us unprepared both from a military and naval standpoint. The fact that we were unprepared was seized upon as a ground for the charge that America did not have a military or naval policy. Any person who will make a study of military or naval affairs must be forced naturally to the conclusion that such criticism is entirely unfounded. The military and naval policy in the United States for a number of years prior to our entrance into the world war has been for a small Army and for a reasonably large Navy. Whatever of criticism, however, may be directed against our Military Establishment in this regard can not with any justice be urged against that branch of the service for which the fortifications bill makes financial provision.

Keeping in mind the real objects of fortifications, it is admitted by those who are familiar with our fortifications and works of defense that they are the best in the world. I do not believe it is contended by anyone that we should erect permanent fortifications at points along our coast, as well as along our northern and southern borders, sufficiently close together to prevent an enemy under all circumstances landing at some place on American soil. Such a plan has never for a moment been seriously considered by anyone. Such a plan never will be seriously considered.

Broadly speaking, the functions of coast fortifications are threefold: First, they are designed to defend a particular place such as a harbor or a large center of population, and by the defense of a harbor is included the prevention of an enemy fleet from entering the harbor and using it as a rendezvous; second, to release the Navy in order that it may attack an approaching enemy, when without the fortifications the Navy would be compelled to remain where it could defend such harbor or center of population; third, it would compel an enemy to go to some undesirable point in order to land.

How well we have succeeded in accomplishing these results can best be gathered from the opinions of men who are, from a technical standpoint as well as a personal knowledge of our coast fortifications, competent to judge.

Fortifications in the United States have grown with the art of gunmaking. When the navies of the world carried only cast-iron, smoothbore guns, up to the period of the Civil War, it was only necessary to place like armament upon our seacoast fortifications. But when the navies commenced to discard this class of armament and substituted in its place modern rifled ordnance it was necessary for us to displace the old cast-iron cannon with a piece of ordnance having a range equal to that of any gun that might be brought against it.

Various boards have been established from time to time by the War Department to establish standards for our coast fortifications. The Getty Board on Heavy Ordnance was appointed pursuant to an act of Congress of 1881. The Gun Foundry Board was appointed under an act of Congress of 1883. But the board which formulated the plans of our modern coast fortifications was known as the Endicott Board, which was appointed by the President on May 12, 1885, and made its report on January 23, 1886. The report of the Endicott Board was the rule that guided Congress in making appropriations for fortifications for more than 20 years. President Roosevelt constituted the National Defense Board, commonly known as the Taft Board, which made its report to Congress on March 5, 1906. This report, with slight modifications in its recommendations made from time to time by the War Department, continued to be the guide of Congress in making appropriations for fortifications after its adoption until 1916, when a new board appointed by the Secretary of War in February, 1915, made its report in 1916.

The estimated cost of constructing these works of defense under the several plans adopted from time to time by the acceptance of the reports of the various boards is as follows:

Endicott Board, scheme of fortifications, exclusive of ammunition, was	$126, 377, 800
Taft Board, cost completing defenses, exclusive of ammunition	6, 571, 301
Taft Board, cost of ammunition	50, 876, 339
Board of Review projects	96, 000, 000

These reports of military boards composed of experts have been the charts guiding Congress in the making of appropriations for fortifications and other works of defense. Members of the committee can not form independent judgments that are worth anything on technical matters of this kind, but are forced to follow these charts that have been made for them by the men who are competent to pass upon these matters.

In 1914 Maj. Gen. Leonard A. Wood, then Chief of Staff, in a statement before the Subcommittee on Fortifications, gave it as his opinion that with the completion of the Taft board projects our fortifications were adequate. His statement was as follows:

Mr. SHERLEY. It has been testified heretofore that so far as the continental United States was concerned we were not only adequately fortified but in many instances overfortified.

Gen. WOOD. Yes, sir.

Mr. SHERLEY. And you concur in that general proposition?

Gen. WOOD. Yes, sir.

Mr. SHERLEY. In your judgment, would it ever be necessary, as to the large proportion of fortified places, to make any change in the armament that has been provided?

Gen. WOOD. No, sir; except possibly in the type of mortar carriages and some other minor changes which might involve the placing, possibly at an advanced point, a battery or two of a heavier type of gun, but essentially the present armaments will remain intact so far as we can see.

Gen. Wood further stated that the Taft board project which Congress had approved remained to be completed; that some portions of it might not be needed, and he gave a list of the batteries, with their accessories, which it would be necessary to construct to fully complete the scheme.

In a statement before the Subcommittee on Fortifications in 1915 Maj. Gen. Erastus M. Weaver, who for many years was the efficient Chief of Coast Artillery and familiar with its every detail, speaking of our fortifications, said:

My opinion is that our system of fortifications is reasonably adequate for all defensive purposes which they are likely to be called upon to meet. * * * I have been a close student of the whole subject, naturally, for a number of years, and I know of no fortifications in the world, as far as my reading, observation, and knowledge go, that compare favorably in efficiency with ours.

This year when this same subject was before the committee Gen. Black was questioned, and he answered as follows:

Mr. GOOD. What lessons have we learned during this war with regard to the power of guns or new implements of war that would change in any material degree the plans for the seacoast defenses as laid down by the board?

Gen. BLACK. I really can not say that there has been anything new brought out. The only new feature that has been brought out has been airplane fighting.

Mr. GOOD. How about the range of guns? Would that unsettle your plans?

Gen. BLACK. No, sir; not very much, or not more than we have outlined in the estimates, and that was foreseen.

I quote these experts on this subject only to show in a general way what our defenses are and as a further reason for our failure to adopt new and costly additions for our defenses which have never been adopted by the Board of Review.

Since these hearings were had we have done very much toward adding to our fortifications and strengthening those already constructed by the installation of guns of greater power and range. During the past 25 years the War Department has recognized the fact that as long as the art of war was in a stage of progress the plans of coast fortifications had to keep abreast with such progress; that the function of seacoast fortifications would not serve their full purpose unless such fortifications were able to cause a naval enemy to keep beyond the range of the armament of the fortifications. Unquestionably such a claim can truthfully be made for the fortifications of the United States.

Mr. DENISON. Does that include the Philippines?

Mr. GOOD. Yes; that includes the Philippines, Hawaii, Panama Canal Zone, and continental United States. The bill embraces the whole matter.

Mr. DENISON. I had reference to the statement which the gentleman has been reading. Had they a reference to these fortifications, too?

Mr. GOOD. Yes. I might say that our fortifications in the Philippines are finer even than those in the United States, as the construction there was commenced at a later date than our fortifications here, and I think without question they are the most modern fortifications in all the world.

Mr. DENISON. In that connection I want to repeat what I heard here in the House the other day in reference to the fortifications at the Panama Canal Zone——

Mr. GOOD. I can not yield for that purpose now. This splendid showing has, as I have already indicated, not come about by chance. The system adopted in the United States has been a consistent system and has been adopted by accepting the judgment of men qualified to pass on the subject.

I do not believe that any member of the committee professes to have that scientific knowledge requisite to say where a forti-

fication should be placed, the character of the armament, or anything of that kind, and, so far as I know, it has never delegated to itself that authority; but what we have done is to take the report of these boards as they were brought down to date from time to time, analyze them carefully, consider very carefully the estimates for appropriations, and give such money as in the judgment of the committee was thought wise to appropriate under all the circumstances.

I do not mean to say that Congress has at all times followed explicitly the reports of the various boards or of the Secretary of War where he modifies the reports of any of these several boards. For instance, a few years ago an estimate was made by the War Department to build an artificial island down at Cape Henry. On investigation it was found that the total cost would be about $30,000,000. That matter was before Congress for a number of years, was finally rejected by Congress and abandoned by the War Department, and yet able men from the War Department had advocated that work for a number of years. Take this year. Here we have estimates totaling $71,740,180 for aero service.

Mr. COOPER of Wisconsin. Will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. COOPER of Wisconsin. The amount of $125,000,000 under the Endicott Board plan has already been expended. What are the actual appropriations up to this time for our coast fortifications, approximately?

Mr. GOOD. I am sorry I can not give the gentleman that information; I do not know what the total is. My recollection is in the continental United States the armament alone is carried on inventory at something over $50,000,000, and what the emplacements and armament cost, what additions in the way of alterations have been made, I do not know, as changes are constantly going on. This bill provides for one item of $1,125,000 for alterations alone, a great deal of it to be expended to change certain carriages so they will give the guns an elevation of 20 degrees instead of 15 or less degrees, as now obtains for a great many of those guns.

Now, the committee had before it estimates for over $71,000,000 for aerial stations. Already the War Department has $10,800,000 that could be expended in continental United States for that purpose. The committee did not give anything for this project and for a very good reason.

In the first place, if the projects have the merit that the officers who came before the committee claimed for them, then it seemed to the committee that the War Department should ask this Board of Review, which is a permanent board, to modify their changes, and come before the committee with a complete report upon which the officers who have studied the problems agree that that is a solution. Suppose Congress would give $71,000,000 on the request of the Secretary of War and the showing made by some subordinate officer without a report from the Board of Review, and then we should find we had made a mistake and that there had been great extravagance and waste and that these stations had been placed at points where they do not add to our defense? If that were done one can readily see the criticism for such useless expenditures might properly be directed toward the Congress.

Take the question of railway mounts. We were asked to give large sums of money—several millions of dollars—for railway mounts for these large guns. We went into that question quite fully. The Board of Review has not asked for a single railway mount to be provided for fortification purposes, and yet the Board of Review is a permanent board as now constituted. Hence this estimate comes without their approval so far as the record discloses. Gen. Black testified that there are two principal objections to railway mounts, so far as guns of large caliber is concerned; that is, over 10-inch guns. In the first place, you can not fire them as rapidly, and, in the second place, you can not fire them as accurately. When a gun at a fortification is fired at a moving target and that target is comparatively small, a battleship, for example, two things are absolutely essential; first, there must be absolute accuracy of fire if the fortifications are to be effective, and, secondly, there must be great rapidity of fire.

It is not like training a gun upon a big city like Metz, as Gen. Beach pointed out, with its fortifications and its manufacturing plants and its railroads. Used at such a place, if a projectile does not strike at the point where it was desired to strike it still does great damage if it destroys a railway or if it destroys a munition factory, or something of that kind. Not so with a moving target. If it fails to hit the battleship no damage is done. When the committee heard these conditions it did seem to us that before we provided for additional railway carriages in addition to those which we will obtain in bringing a great many of them back from France, the Board of Review should take the matter up and study it in a scientific way, and then make a report to Congress upon which a layman could act in an intelligent way.

As stated by the chairman, there was estimated originally, before the armistice was signed, and in supplemental estimates, for the purposes of this bill, $645,576,961. After the signing of the armistice additional estimates came in, estimates for objects that were not estimated for while war was in progress. And a revision brought the total amount down to $92,893,657. The committee has reported this bill carrying $11,199,000. While the reduction seems to be very large, I undertake to say that by that great reduction we have not postponed for a single day the completion of any project provided for, either in the Endicott Board, the Taft Board, or the Board of Review. But we did eliminate a great many things that were not provided for in the reports of any of these boards, and in some places we did not give as much money as was requested, because it was found that with the amounts appropriated and the money on hand the department would have more than it could probably expend.

A great deal of money was asked for making alterations in field artillery and field-artillery ammunition, and the committee was amazed and surprised to learn that after the millions and billions of dollars we had expended for field artillery the men best qualified to know stated to the committee that we did not have a piece of field artillery to-day but that was obsolete or comparatively so, and they wanted vast sums of money with which to commence the study of new types.

The same thing was true with regard to field artillery and other ammunition. The committee did not give any money for this purpose because the department, in the opinion of the committee, has sufficient funds with which to discharge its obligations and also to carry on reasonable investigations in this regard.

And I want now to call the attention of the House to a thing that I think the War Department intends to do that it should not be permitted to do.

Mr. FESS. Will the gentleman yield before he gets onto that question?

Mr. GOOD. Yes.

Mr. FESS. How long does it take to make a piece of artillery obsolete? What I am trying to get at is, is the change so frequent that it is impossible to keep up with the latest?

Mr. GOOD. Changes are constantly going on, and the only example that was brought before the committee's attention in that respect was of our 75-millimeter guns.

Mr. FESS. How old are they?

Mr. GOOD. They are new. We have turned out more since the signing of the armistice than we turned out before, so far as our own manufacture is concerned. It is said that that gun is practically obsolete, because that gun was designed to be drawn, as I now recall, by four horses—maybe it was eight horses—that the bringing into use of the self-propelled vehicle upon which these guns would be mounted makes the 75-millimeter gun interchangeable with the 88-millimeter gun of the Austrians, and that the two are interchangeable so far as mobility is concerned, but the range of the Austrian 88 is a great deal more than our 75.

Mr. FESS. I thank the gentleman. I did not want to interrupt his line of thought.

Mr. GOOD. I was speaking about a matter which I think the War Department has no authority to do with money in its hands. A considerable amount of money was asked for the purpose of making experiments in ammunition. We have already appropriated vast sums of money for ammunition, and a great deal of it was used for the purpose of constructing nitrate plants. We built four nitrate plants—one at Sheffield, one at Muscle Shoals, one at Toledo, and one at Cincinnati, or rather we commenced one at Cincinnati. Now it has been discovered that the ammonium nitrate we are manufacturing at Muscle Shoals, for instance, where one plant has been completed, has turned out commercially so that it can not be used for fertilizer. It cakes rapidly. It must be produced in a more powdered form in order to be available for commercial fertilizer; and the War Department asked the committee for $300,000 to build a laboratory in the city of Washington to make this investigation, not for war purposes but for commercial purposes. That might be desirable, but so far as the money that was appropriated for war purposes is concerned, not a single penny of it ought to be expended for any commercial purposes, no matter how desirable it might be to do work along that line. The committee on fortification has no jurisdiction of that subject.

Mr. LONGWORTH. I would like to say at that point in the gentleman's argument that I have been informed within the

past two weeks that the Muscle Shoals plant has been entirely shut down and is not now in operation.

Mr. GOOD. That is correct. The committee went into that question. We have fine buildings at Muscle Shoals and fine buildings at Sheffield, where this experimental work could be done, and the committee was amazed to find that the only substantial reason urged why it could not be done there, if done at all, and why it should be done at Washington, was that the officers in the Army would not live at Muscle Shoals or at Sheffield; that neither was a desirable place in which to live. I do not know whether that would be true of Cincinnati or not.

Mr. LONGWORTH. They would have all flocked there.

Mr. TILSON. The gentleman said "expended," but he did not say how much, on the Sheffield and Muscle Shoals plants.

Mr. GOOD. I do not have the figures at hand but my recollection of the figures is that these four plants have cost us considerably over $100,000,000.

Mr. LONGWORTH. I can state that so far there has been over $65,000,000 expended at plant No. 2 at Muscle Shoals alone, and the estimates are that it will amount to about $80,000,000, and the plant is now closed.

Mr. GOOD. Then the entire expenditures for nitrate plants will run very much over $100,000,000.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. KEARNS. The gentleman says that the location of the plant at Cincinnati would not be a desirable place to live. I will say it is located close to Amelia, Ohio, and it is a very desirable place to live in.

Mr. SLOAN. May I ask the gentleman what is the objection to living in Cincinnati?

Mr. GOOD. I take it none. Cincinnati is a very desirable place to live in, no doubt.

Mr. LONGWORTH. I will say to the gentleman that we are particular as to whom we will allow to come there. [Laughter.]

Mr. GOOD. That may account for the fact that the War Department was unable to locate this $300,000 plant down there. [Laughter.]

I submit that a very substantial reason is given in this connection for a little discipline to some of these Army officers, whether they want to live there or not. If it is necessary to do this work, they ought to be compelled to live there. Other people live in these communities, the plants were located by the War Department, and in constructing them the officers of the War Department ought to have taken into consideration then the desirability or undesirability of the location within which people might comfortably live, and if workmen can live there it is a fit place for officers to live.

But, as I have said, there is another objection which to my mind is even greater, and that is that this bill does not and should not carry a provision for studying commercial standards for anything. This is the fortification bill, and the money appropriated under this bill is purely for military purposes, and not a penny of it is authorized to be expended for purposes such as are proposed. And I for one propose to see to it that the policy that has always prevailed in behalf of the War Department and Congress, so far as the items carried in this bill are concerned, shall be followed out, and that not a single penny shall be expended for matters that are not specifically authorized.

The bill this year, as I stated, carries something over $11,000,000. The average appropriation for 10 years prior to 1917 by the fortification appropriation bill is a trifle over $6,000,000 per annum. It is fair, however, to say that this bill carries some objects not formerly carried during those years in the fortification bill. It takes care of the fortifications at Panama, and contains an item of $4,000,000 for the erection of barracks and quarters at Panama for two regiments of Infantry.

Mr. SLOAN. Mr. Chairman, will the gentleman yield right there?

Mr. GOOD. Yes.

Mr. SLOAN. I see we continue to spend money in defending Panama, and in fortifying Panama against any invasion that might be attempted there.

Mr. GOOD. Yes. We carry a considerable sum.

Mr. SLOAN. What is the object of defending it since the United States has no special privileges reserved to its citizens there?

Mr. GOOD. A few Members of Congress think we have some special interests at Panama worth protecting, and they are not only willing to protect them, but intend to see to it that ample protection is afforded.

Mr. SLOAN. But the House some years ago yielded them up at the request of the Executive, but without my vote.

Mr. GOOD. Yes.

Mr. GREEN of Iowa. Mr. Chairman, will my colleague yield?

Mr. GOOD. Yes.

Mr. GREEN of Iowa. Does it take $4,000,000 to shelter two regiments of Infantry?

Mr. GOOD. Those buildings are to be fireproof buildings. They are barracks and quarters. There is a great deal of work to be done in the way of bringing water to the barracks, and quite a considerable expenditure for sewers and the like. At the present time the only provision for the troops at Panama is on one side of the canal, while the railway and the places where it was desired to keep the troops are on the other side.

There are no barracks there at all where the men can find shelter, except the barracks formerly occupied by the Porto Rican regiment. That regiment has gone back to Porto Rico, and it is impossible to use those barracks for the shelter of those that we are sending there at present. The bill also provides for storage for hay and grain and a few things of that kind.

I will say to my colleague that the amount estimated was considerably in excess of that, but the estimates were made at a time when everything—labor and materials—was at the peak, and the committee seemed to think that we could reasonably cut the estimates by about 15 or 20 per cent, which we did.

There is also an item in the bill which is unusual, and helps to swell the total by something over $500,000—for the protection of Sandy Hook. That matter has been before our committee for a couple of years. The action of the waves at that point upon a narrow strip has been to encroach upon the land, washing away the trestles that carry the Government railroad and endangering our fortifications there as well. The committee, after considerable hesitancy, decided that that piece of land—that reservation there containing many thousands of acres of land—was worth protecting, and especially in view of the fact that we maintain a large garrison there and have very extensive fortifications at that point. Therefore we thought that we should yield to the demands that have been made for several years, inasmuch as the work of encroachment upon the land seemed to be going on.

But the one thing about the bill that, it seems to me, ought to commend it to the House is the fact that, while it represents a cut of over $80,000,000 from the amount recommended by the War Department, it will not in the slightest degree prevent the carrying on of the work as outlined by the Board of Review for Seacoast Fortifications.

Mr. DENISON. Mr. Chairman, has the gentleman's time expired, so that he has not time to answer any questions in regard to the bill?

Mr. GOOD. I shall be glad to answer.

Mr. DENISON. The act of 1916 in regard to this John Hays Hammond apparatus appropriated $417,000, and provided that no part of that amount should be expended until the Government had first secured from Mr. Hammond his rights. That is repealed in this act, and this act appropriates $417,000 for the purpose of going ahead and making the demonstrations, with no assurance whatever that the Government will get the rights after it has made the expenditure. Is that the intention of the committee?

Mr. GOOD. No; it is not the intention of the committee, and I do not think the language of the bill warrants that interpretation. All we have done by this provision is to permit the expenditure of $417,000 prior to the acceptance of the patent to be acquired from Mr. Hammond.

Mr. DENISON. Can the gentleman point out any language which secures to the Government the patent rights in case they go ahead and make the demonstration?

Mr. GOOD. The Government's rights are secured, not by the act of 1916 alone, but rather by the contracts with Mr. Hammond mentioned in that act. The fact that the Government has entered into a contract with John Hays Hammond, jr., for the purchase of this, and that that contract is referred to in the legislation which authorized the purchase of these patents, the act of July 6, 1916, known as proposal Z, which was made by John Hays Hammond, jr., and that the patents themselves will repose in the Patent Office under a special provision whereby no one can get them and no one can see them, ought to be sufficient warrant to the Government that it will get the patents if the board finally conclude that they are a desirable thing to acquire.

Mr. DENISON. I think that is true, if they have such a contract.

Mr. GOOD. They have. [Applause.]

I yield to the gentleman from Pennsylvania [Mr. BUTLER] four minutes.

Mr. BUTLER. Mr. Chairman, I have here in my hand an account of the work done by the rifle makers at Eddystone. Samuel M. Vauclain, who is the first vice president and general manager of the Baldwin Locomotive Works, was the farseeing man under whose direction this plant was built. I recall that the Baldwin Locomotive Works at one time made two locomotives a day. Now they make 10 each day of the heaviest sort of locomotives. Mr. Vauclain put through the plant at Eddystone in eight months. At the beginning there was a swampy piece of ground. At the end of that time there was a plant with 33 acres of floor space, 15,000 men employed, and 10,000 machines at work. They made 1,000,000 rifles for the allies abroad and 60 per cent of the rifles for the Americans. These men stayed at home to help in the work of preparation. Mr. Vauclain chose for his assistants Mr. Charles H. Schlacks and Maj. Garrett. He planned this great plant, organized it, made it do its work, and now its work is done.

I ask unanimous consent to insert in the RECORD a newspaper account of the work done by the rifle makers at Eddystone.

The CHAIRMAN (Mr. MARTIN). Is there objection to the gentleman inserting in the RECORD the article which he refers to?

There was no objection.

The article is as follows:

EDDYSTONE SOON TO CEASE LABOR—BIGGEST RIFLE WORKS IN WORLD WILL CLOSE JANUARY 11—JOB DONE, AND WELL.

The rifle makers at Eddystone stop work January 11, but their spirit and their achievement will go marching down through history.

These workers, men and women, own a full share in the glory of the war with the boys who gave their lives at Chateau Thierry and Belleau Wood.

For Eddystone made the rifles that drove the Kaiser out of France.

Washington has ordered a discontinuance of the manufacture of arms. The need has passed for rifle making by the million. Eddystone has done its job, just as our fighting forces in France have done theirs.

The workers at Eddystone wear on their breasts, whether they be mechanics or executives, a bronze medal of honor. It was given them by the Government when they had completed the millionth rifle for the American Army.

That medal tells the story of the Midvale Steel & Ordnance Co.

The great rifle plant met the stirring emergency of war as gallantly and as victoriously as the Army which it equipped with weapons.

BIGGEST IN THE WORLD.

The Midvale Steel & Ordnance Co. is the biggest rifle works in the world. It made 60 per cent of all the rifles manufactured for the United States Army.

A large majority of the rifles that spat lead and death at the boche in the last decisive battles of the war were made at Eddystone. Many a straight-shooting American rifleman, coolly pausing as he advanced through gusts of shrapnel and machine-gun bullets to take aimed shots at the enemy, defended his life with an Eddystone rifle.

It would be almost literally true to say that every rifle used in battle was an Eddystone product. If we except a few hundred thousand Springfields, the only rifles which got abroad to the boys in the fight were made at Eddystone.

So, perhaps, it isn't too much to say that the 15,000 men and women who toiled in the great Eddystone factory, with its 10,000 machines and its 33 acres of floor space, possess a proud share in the honors of victory.

They are still making rifles at Eddystone. But within a year there will be no sign of the present rifle plant. The vast building will be there, but the floors will have been gutted out and huge overhead cranes will swing their chain cables from under the roof. The great rifle works will become a great boiler shop, part of the Baldwin plant.

To date the Midvale Steel & Ordnance Co. has made, in round numbers, 2,000,000 rifles for both the British and American Governments. It armed Britain before it armed America.

When working at top speed it has employed as many as 16,000 hands, 20 per cent of them being women.

Its pay roll has run about $375,000 a week.

Its 10,000 machines are worth $5,000,000 alone.

It has had on hand constantly reserve stocks of cutting tools made of the costliest steel, worth from $1,000,000 to $2,000,000.

Day after day it has turned out complete 5,500 rifles—some days 6,500.

Every part for every rifle, down to the smallest screws, has been made in the plant.

To make 5,000 rifles in a day entails a total of 15,000,000 single operations.

By September of 1917 its first American rifle was delivered to the Government.

Twelve months later it had completed 1,000,000 rifles.

These facts and figures give some notion of the vastness of the plant. Only a visit to the place itself and hours spent walking through its acres of swiftly whirling belts and speeding machines could convey an adequate idea of the plant's great size and ceaseless industry.

The beginnings of the great arms factory at Eddystone go back to the early days of the European war, when England's need created it and when few Americans were sufficiently farseeing to realize that ultimately this country would become involved.

VAUCLAIN'S PROPHECY.

One man at least who had to do with the erection of the Eddystone rifle plant read the handwriting on the wall. He was Samuel M. Vauclain, vice president of the Baldwin Locomotive Works. The Baldwin Co. built the plant. When the broad lines of its construction were being laid out Mr. Vauclain said, in effect, to his associates:

"Let us build it big. Let us make it the greatest of rifle plants, for sooner or later this country must be drawn into the war, and if we build adequately now we will be able to do our best for the Nation then."

So they built it as it stands. When America sprang to arms to help the world win back its freedom the Midvale Steel & Ordnance Co. was ready. The machines were there, needing but few changes to manufacture the American type of rifle. The executive personnel was there. A large nucleus of trained and expert men and women were ready to build the rifles that armed Americans in the great cause. The rifle plant was a great, swift-running, perfectly functioning organization.

Back in 1914, when the war caught all the world but Germany unprepared, Britain needed rifles. Her own plants could not turn them out nearly fast enough. She came for help to industrial America.

In May of 1915 the spot where the rifle plant now stands was a great tract of swampy land adjacent to the Baldwin works at Eddystone. On May 11 ground was broken for the rifle works.

Mid-August saw the first pieces of machinery stored in the building, then well on toward completion. By the end of the month the furnaces were going in.

The last day of 1915 at the Eddystone plant was historic. On that day they completed their first rifle for the British Government.

From the breaking of ground in a swamp it had taken less than eight months to build a modern factory with 33 acres of floor space; to purchase and set up rifle-making machinery, all of which had to be especially manufactured for the purpose; to get together a huge stock of the finest and scarcest steels; to fabricate millions of small parts, made with accuracy carried to the thousandth part of an inch and less; to assemble these in the completed product.

RIFLES FOR THE BRITISH.

It was an achievement even in this day and land of mechanical miracles.

In all, the Midvale Steel & Ordnance Co. made 600,000 rifles for the British Government. Most of them went to France. One hundred thousand, however, were shipped to far Mesopotamia, where sun-bitten English Tommies carried them in that terrible march to Bagdad.

The rifle made for England was the Enfield of 1914, chambered for the British type of rim cartridge of .303 caliber. A fine, hard-shooting, accurate weapon, the best rifle that had been devised prior to the war. And these rifles were turned out in such huge quantities at Eddystone that at the peak of production the Midvale Steel & Ordnance Co. was making more English rifles than all the arsenals and private plants of England combined.

Then came our entrance into the war. From the first month it was evident that we would need huge armies. They had to be raised, trained, equipped, transported abroad in record time. Making rifles for them was one of our biggest problems.

Shortly after war was declared the officials of the country's various rifle plants were called to Washington for a conference with Secretary Baker. He laid the Nation's needs before them. He asked them to estimate how long it would take to deliver rifles of the American type in the quantities needed. They said six months.

The Midvale Steel & Ordnance Co. agreed to furnish its first quota of American rifles by November 12, 1917.

It did so on September 17.

By September of 1918, a year after these first rifles were turned over to the United States, a total of 1,000,000 had been manufactured and delivered.

This was record production—faster than even the British rifles were made.

THE MILLIONTH RIFLE.

On the 23d of September the employees of the plant celebrated the making of the millionth rifle. It was a great occasion. The broad courtyard in front of the rifle factory held 14,000 people—workers and guests. Secretary Daniels was there, with representatives of the Secretary of War, of the Army, of the various departments of the Government. Brig. Gen. John T. Thompson, present director of arsenals at Washington, and one of the men who assisted in the organization and development of the Eddystone plant, cabled news of the millionth rifle to Gen. Pershing.

Mr. Vauclain, on behalf of the plant's employees, presented the millionth rifle to Charles H. Schlacks, general manager of the works and the man who is credited by officers and employees alike with having had the biggest share in perfecting and maintaining the great organization.

This millionth rifle was bought for him by the employees themselves. They subscribed a penny each to make the purchase—and had more than a hundred dollars over for the Red Cross.

To show the spirit of industry of the great plant, it might be mentioned here that the employees on that gala day, when they celebrated the making of the millionth rifle, kept right on the job until 3.30 o'clock in the afternoon. Until the moment the whistle sounded to cease work the machines and the men and women who ran them sped faster, if anything, than usual, so that there might be no production loss.

The spirit of the employees is one of the most interesting things about the big rifle works. They have earned good wages, but they have given full value. Never was there a day's shutdown; never was there an hour's labor disturbance. The workers were too busy, too patriotic, too certain of the fair intentions of their employers, to listen to agitators.

MILLIONS FOR LIBERTY BONDS.

It is significant, too, that the workers, men and women, bought more than $3,000,000 worth of the various liberty loan issues, besides investing large sums in war-savings stamps and contributing generously to the War Chest and Red Cross.

So much for the workers—now for their product.

The rifles made at Eddystone for the American Army are the last word in small arms. They combine the best qualities of both the British Enfield and the old American Springfield.

The British Army uses a cartridge of .303 caliber. The American Army for years has been using a .30-caliber cartridge. When our country went into the war American rifle plants, which had been making small arms for England, could have continued making the same type and caliber arm for the United States without the loss of a day.

That, however, would have made necessary two kinds of ammunition. Rather than risk the danger and inconvenience of this course, the War Department accepted the delay incidental to changing machines and manufacturing a new stock of parts.

The lessons American rifle makers had learned in manufacturing the British Enfield helped make the new American rifle the truest-shooting, hardest-hitting military rifle ever devised.

The rifles with which our new armies are equipped is known as the United States rifle, caliber .30, model 1917. It has a muzzle velocity of 2,750 feet, compared to the 2,200 feet muzzle velocity of the Enfield. The explosive pressure developed in the American rifle is 51,000 pounds, compared to the 40,000 pounds of the British arm. Our rifles are

tested with a bursting charge equivalent to 70,000 pounds to the inch, as against the 52,000-pound-per-inch test charge of the Enfield.

The gun made at Eddystone and used by our troops in France will kill a man at 3 miles.

It shoots so accurately that a trained marksman can hit an individual with it at a full mile.

It is worth while quoting a letter written by an Army captain in France about the Eddystone rifle to one of the assistant general managers of the plant:

"We went through the St. Mihiel drive, and as I write the drive of November 1 is going merrily on—started 3.15 a. m. Some 3,600 pieces of artillery let go at that time. You can easily imagine the way the earth rocked as 'Wilson's answer' went home. Our big guns usually carry a placard, 'Wilson's answer,' and after the barrage has been placed and our boys go over, then the Springfield-Enfield, or model 1917, rifles come into their own.

THE RIFLE FOR BAYONET WORK.

"I have handled many rifles, old and new—Springfields, Krags, Mausers, and a few others—but when it comes to service the sturdy-built Eddystone rifle certainly delivers the goods. The stock is so strong that it makes an ideal rifle for bayonet work. I have in St. Mihiel seen many evidences of the bayonet on the business end of an Enfield make perfectly good Huns out of bad ones—they were, of course, dead ones. The German rifle is but a toy compared to ours."

The man who wrote that letter knows the Eddystone rifle. He has staked his life on it.

The letter links the shops with the battle field. The same spirit of service that made our soldiers indomitable in the field has animated the men and women at lathe and drill. They, too, are heroes.

Go into the shops and you will see this spirit.

It is impossible to describe the actual making of rifles at Eddystone. It is an extremely complex undertaking—as you may realize if you reflect a moment upon the statement made early in this article that there are 15,000,000 single operations entailed in a day's output of 5,000 rifles.

To do so vast a job in a day with even the 15,000 employees who were at work with production at its height naturally means perfect system. Every man does just his own job. He has studied every movement of hands and body so as to get the most work out of the fewest motions. He may operate one or several machines. If several, he times their operations so that he can adjust one idle tool while the others are working.

Every floor of the great plant is close packed with machinery, ranged in broad trucks that clang about all day, with aisles so that electric "jitneys," the loads of raw material, or parts in various stages of completion can run freely back and forth.

As far as eye can reach down the long vistas of machinery stretch forests of belting—there are 75 miles of whirling belts in the "receiver department" alone.

The making of this receiver—in layman's language the part of the rifle that holds the loading and firing mechanism—is one of the most painstaking and important tasks in rifle manufacture. It goes through 144 operations. At the start it is a forging of the finest steel weighing 8 pounds. Complete, it weighs about 8 ounces.

LEARNED AS THEY WORKED.

When the Eddystone plant was built, few men understood rifle making. Few plants made the machine tools for it. Eddystone studied the problem as it unfolded, first adopting and then perfecting processes already in use.

Automatic tools are used in most operations. They are marvelously accurate. In this connection it might be mentioned that the Midvale Steel & Ordnance Co. has the finest machine-tool shop in America, devoted entirely to the manufacture of its own cutting tools.

One of the most engrossing operations to watch is the boring of rifle barrels. The barrel is whirled against a hollow, stationary drill at the speed of 1,800 revolutions a minute. Oil forced through the drill under pressure brings back the minute steel chips. A barrel is drilled at the rate of about an inch a minute. A somewhat similar machine reams out the first fine hole cut by the drill. Still another puts in the delicate grooves which we know as "rifling."

Before the rifle is assembled the barrel and action are tested by firing through them a special bursting charge developing a pressure of 70,000 pounds to the square inch. The test shot is fired into sand. A number of rifles are fired at once, racked in a frame, and discharged automatically. The testing is done in a series of little armored rooms, bullet and splinty proof, and the operator fires only after he has taken position behind a thick steel shield, to guard against the danger of a defective barrel.

The assembled rifle is fired again for accuracy by Government experts. Every process of its manufacture, of course, is under Government supervision. There are more than a thousand Government employees at Eddystone who do nothing but inspect. The plant's own inspectors likewise follow the rifle through all its processes, from raw material to finished product.

This firing for accuracy is one of the things that catches the interest of the outsider visiting the plant, if he be lucky enough to win through the door that is guarded against even plant employees, into the long, narrow "shooting gallery." Here experts "lay" the rifle with the aid of a telescopic sight. Fifty-six rifle tests are going at once. They are fired at small paper targets set up 100 feet from the muzzle. Four out of five shots must hit inside a rectangle measuring one by one and a half inches.

EYE-STRAIGHTENING BARRELS.

Another fascinating operation is the final straightening of rifle barrels. This is done by eye, which proves more accurate than any machine yet devised.

The experts who do this work use a big and curious vise, with a jaw actuated by a heavy wheel. The contrivance looks like an old-fashioned letter press set on a pedestal about as high as a man's head. The straightener puts the barrel in his vise and sights through the bore at a straight black line on the background of a glazed glass window. He doesn't see the line through the barrel, but he does see two parallel shadows cast down the barrel half its length. If the shadows are exactly parallel, the barrel is straight. If they waver, the barrel is crooked, and pressure of the vise is applied at the right place to straighten it.

It takes a highly educated eye to see the slight wavering of these lines. Not every eye is capable of this kind of education. Barrel straighteners are "born," the experts say, more truly even than are poets. When Eddystone got into the business of rifle making there were only three or four real barrel straighteners obtainable in the country. Eddystone hired as much of the available supply as was possible, then began to train a big corps of experts of its own.

It is related that about the best man developed at Eddystone had never looked through a rifle barrel in his life before some one accidentally discovered the power he did not know he owned. He had been employed for months in the plant as an iceman, delivering ice in a zinc-lined truck.

While you watch, a gunstock is made. Saws, drills, turning lathes work with human accuracy. Each process takes but a few moments. When cut and turned the stocks are put in racks and dipped in linseed oil, which soaks into every pore.

Stock assembly is comparatively simple—if you are an expert—because of the absolute interchangeability of parts. Before Eddystone studied and perfected this assembly job a good workman would put together 50 rifles in a day and feel proud of his work. Now many of the men assemble 200 rifles a day. One man, who holds the plant record, has assembled 285 rifles in 10 hours.

READY FOR THE FRONT.

When the last job is done and the rifle stands complete it is given a protecting bath of vaseline before being packed for shipment. In a rack with many others it is swung over a vat of hot vaseline and dipped in. The liquid vaseline clings to barrel, stock, and working parts. When it hardens it makes a thick incrustation, impervious to water or dampness.

Then the rifles are ready for packing, 10 to the crate. They go out in freight cars or motor trucks, which are run right into the delivery room for loading. And then overseas.

This is but a glimpse of the work at Eddystone, a few of the things that stand out so vividly that the least technical visitor can not help seeing them. It would be a hopeless task to attempt to picture the real sights and sounds of the place.

Eddystone is still hard at work, despite the Government order that will put out the forge fires and still the roar of the hammer shop next month. Between 3,000 and 5,000 employees are at work there now.

Eddystone has completed its task. It has faced and won its big fight. It will simply be "demobilized," like the gallant Army it equipped.

The thousands who work there will carry with them, when they leave the plant next January, the same deep, quiet pride that is the soldier's best memento of the war. They have done their work.

Mr. GOOD. I yield 20 minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Chairman, I wish the attention of the House for a few minutes while I refer to some matters that I think are of extraordinary importance to every citizen of the United States, and of especial importance to every industry in the United States and to every one dependent upon those industries.

It may not be generally known, but it is true, that it is almost impossible for any person, firm, or corporation to export any article from the United States to Holland, Norway, Sweden, Switzerland, or any of the neutral countries. It occurs to me that it is time the people of the United States are apprised of the reasons why this extraordinary condition exists. Before a person can export any article out of this country to any neutral country he must first get a permit from the country to which it is expected to export the goods in order to obtain a license from this country to export them. Whenever an attempt is made by any exporter in the United States to send any of his manufactured goods abroad, before he can get a permit from the War Trade Board in the city of Washington he must show to the War Trade Board that the consignee has a permit to receive those goods over on the other side. For this reason the United States is not exporting goods of any consequence to-day. The result is that idleness in this country is constantly increasing while the volume of business is diminishing, until to-day many of the railroads of this country are doing 40 per cent less business than they were doing at the time the armistice was signed.

Now, what brought about all this? When the war was on there was organized what is known as the Netherlands Overseas Trust. Its purpose was to prevent goods shipped from the United States into any of these countries that I have named from sifting into the enemy countries. When this trust was organized it was dominated and controlled by British influences and British officers.

It is likewise controlling to-day, and they are exercising the same domination and enforcing the same boycott with reference to goods manufactured in the United States that they were exercising at the time the war was on. So that before the person now can get any goods into Holland or any of these countries, the person who is to receive the goods in that country must get a license to receive them before the War Trade Board will give a license to ship them.

What is the result? A cable is sent over for the purpose of getting the license required over there. No return is had inside of 25 or 30 days. In the meantime the man who wants the goods is compelled to go to some place else to purchase. The gentlemen who are censors on the other side find out whether it is possible for these wants to be supplied with manufactured goods furnished by somebody in the English Empire, and they are bold to say, and I have the concrete evidence here and will furnish it to anyone who wishes to know the fact, or to any investigating committee, that they have in the United States customhouses and in the United States men, British officers, who will say to the American shipper or the

man who wants to ship, "We do not propose that you shall ship anything out of the United States that we can manufacture and ship from Great Britain."

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. GREEN of Iowa. Is it part of the same scheme that the censorship has been retained on the mails of the country?

Mr. WOOD of Indiana. Yes; and I want to give you an illustration of these facts. There are British export houses in the United States that can send a cablegram from here to Singapore with reference to the shipment of their goods and get a return in two or three days. On the other hand, an American exporter, exporting the same character of goods, can send a cablegram to Singapore and he can not be answered in 30 days. These are facts capable of proof, and it is time that the American Congress should be advised as to why this is so.

Now, I want to call attention to a few concrete examples. There was an American concern organized and established to export from the United States to Samarang, in the Dutch East Indies, organized by American capital, seeking to take advantage of the situation for the purpose of extending American trade. They opened up their house in Samarang, and the very first attempt they made to export any goods from this country to that distributing house they were notified by the War Trade Board that the shipments could not be made. When asked why, they said because objection had come from the Netherlands Overseas Trust. When asked why, there was an intimation that the parties conducting this concern were disloyal. But they were Americans with American capital, and when asked to be furnished with the proof of their disloyalty, protesting that they were as loyal as anybody in the United States, they were advised that they could not have the information upon which the action of our department was based. The result was that hundreds of thousands of dollars put into this investment in that legitimate business was absolutely wasted.

Here is another concrete example to which I wish to call the attention of the committee: There was a concern in this country seeking to ship 3,000 cases of tea. They sought to get a permission for the house on the other side that wanted to get tea but they could not get it, and in consequence could not get the license on this side. When the reason was asked why this permit would not be granted on the other side they were informed by this Netherlands Overseas Trust that they proposed that it should be supplied immediately from Java and not shipped from any other country. Tea was selling here for 53 cents a pound. It was selling in Holland for $3 or $3.50, depending on the quality. After refusing to grant a permit to the American exporter, within two days after the refusal an agent of Sir Thomas Lipton came into this house and made a proposition to purchase this tea. When informed of the attempt to ship it across to the other side and the reason given why they could not ship it, the agent said, "We will take care of that." The result was that this house sold the tea to Lipton's agent and it was shipped from here to England and from there into Holland, at the price of $3 to $3.50.

That is going on constantly in this country, and I dare say that every Member of this House that has manufacturing industries in his district is receiving almost daily complaints from men who are seeking to ship out their goods in order that they may keep their factories going and in order that they may give employment to their men, and are met with these same results.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. KEARNS. I understood the gentleman to say a while ago that the British are maintaining officers at our ports to see that no goods were shipped out or only such goods as they would permit to be shipped out. Does the gentleman mean to be shipped to Great Britain or does he mean to any point in the world?

Mr. WOOD of Indiana. To any point in the world where the British can supply the goods.

Mr. KEARNS. What rights have British officers at our ports to tell any American shipper where he can ship his goods, provided he does not want to ship them to England?

Mr. WOOD of Indiana. British officers are telling the American manufacturers that they can not ship their goods or they will see to it that they will not be permitted to ship them as long as manufacturing concerns in Great Britain can supply the demand. There is a man now located, or there was in the month of January, and I dare say he is there now, in the customhouse in the city of New York, who has the unadulterated gall to send out and bring in exporters whom he knows are seeking to export goods out of this country into Sweden, into Switzerland, and into the Netherlands, and to tell them "You must cease your efforts, for we will not permit you to ship anything," and when asked why they are not permitted to do this thing, he simply smiles and says, "Because we are controlling the shipping of this country to-day and expect to continue to do it as long as the present embargo exists."

I think it would be very interesting to call your attention to what this gentleman has said. This is what the exporter says, addressing the British agent:

> I can tell you this, that since a couple of weeks ago I have been making complaints to the proper authorities in Washington about this obstructing of American business by the censor of cables in London, and from now on I certainly will make more complaints on every specific case that might come to my attention where we can prove that cables or letters are held up for a certain length of time; and then really the climax of our conversation came. Both the captain and his assistant smiled, and they asked me, "Mr. Stork, so you really think they act on these complaints in Washington?" I think this is about the limit, unless they could have gone a little further and said, "Do you really think they dare to act upon these complaints?" The whole interview really came down to this: They told me to my face that I would not have a ghost of a chance to promote American business so long as the Britishers could prevent it. At the end of this conversation I asked Capt. Makins, who is this British officer, "Captain, now that we have been talking so frankly to each other, how long do you figure you Britishers can play this game?" He said, "Oh, anyhow for several months, because we are running the actual blockade and we won't take it off."

That is the situation, if you please.

Mr. SLAYDEN. What did he mean by "running the actual blockade"?

Mr. WOOD of Indiana. They meant that they were in control. They have established this blockade by reason of these two facts. In the first place, the exporter from this side must get a permit before he can ship any goods out of this country abroad, and before he can get a permit from his own country to ship it this Netherlands Overseas Trust sees to it that the gentleman on the other side does not get his permit, and, in consequence, the exporter on this side can not get his license here, and it is just as complete a blockade as could possibly be made. That thing is going on, and has been going on, continuously, and just think of the idea of this country, which has done so much for the allies, being absolutely prohibited from any commercial intercourse with the allies, absolutely prohibited, if you please, from any intercourse with the neutral countries, and the whole business being done by a gentleman not of our country, yet, if you please, with the very sanction, if not with the encouragement, of our country, when they are permitting such men as Makins in the customhouse in the city of New York to take the high-handed action he has taken in the cases named.

Mr. SLAYDEN. What do our people here say in explanation of such an extraordinary state of affairs?

Mr. WOOD of Indiana. They say this, that under the arrangement they have with the allies, and under the arrangement they have with Great Britain, with reference to passing censorship upon all goods shipped into Denmark, Holland, Switzerland, and these other countries, as long as that arrangement stands they are bound upon this side. It was once said that Nero sat on a hill and fiddled with delight while he was watching a city of more or less respectability burn. While the business industries of this country are going to pot as rapidly as they can, those who are in absolute control, at the heads of these departments, are attending to everybody's business but our own.

That is the reason why this thing has been continued thus far unchecked and uncriticized. If you go to one of these departments to-day—go to the War Trade Board, if you please—and ask them why this is thus and so, and they will admit that all the criticism you make is absolutely true and obtains, but that they are powerless to change any order until their chief comes back. He is away on the other side. You go to the Shipping Board and you meet with the same response there. The heads of all of these departments are away from their place of business, and where they ought to be attending to the interests of the people of the United States and are gallivanting around on the other side. That is one reason.

Mr. DENISON. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. DENISON. This arrangement was evidently entered into during the war, and when there might have been some possible excuse for it, but it was never intended to continue it with the consent of our Government during peace times when we ought to be restoring our industries?

Mr. WOOD of Indiana. Absolutely; and here is the proposition: The other countries, our allies, are taking advantage of this situation—taking and tying up the threads of commercial intercourse broken by reason of the war and reestablishing their trade while we are absolutely prohibited from entering into that competition at all. If it continues for many months, and Mr. Makin says it will continue for many months, these new trade relations will have been established and it will be hard, indeed, for a manufacturer and exporter of the United States

to break in. I am not blaming England for taking the advantage that she naturally would take as a competitor in business, but I am blaming the administration of the United States that is not only permitting but encouraging, by inaction at least, this very kind of treatment of our exporters. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOOD of Indiana. I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, I want to submit a few remarks about cotton. I am in favor of lifting the embargo against the raw materials of America on everything, including cotton. I think the time has come when we must look out for the products of our farms, our factories, and of our mines. I am not in favor of permitting any foreign countries now to buy up the raw material of America in congested markets with the price beat down, because of any embargo condition that now exists, and then move that produce to the foreign country and sell it at a greatly increased price to the consumers of that country. To-day the cotton producers of America are being wonderfully handicapped by conditions that exist in the embargo, and the time has come when that embargo should be lifted. I stand ready to support a measure that will lift it. I will support a measure that will lift the embargo against the other products of America. Now, gentlemen, the wheat crop of America, estimated to be worth about $1,600,000,000—when the war ended the price of wheat fell, because a big crop was coming in, it was said. Now, the Government comes in and it takes up the loss that the wheat grower would sustain, and it is going to protect him. The cotton producers of the United States, with a crop estimated to be worth a billion and a half dollars, are suffering a loss now, and what are we doing to protect the cotton producer and prevent his loss? He does not ask the Government at this stage to come to his rescue with money. All that the producer asks is that this Government will give him a fair chance with his product. He asks that the embargo in every form be lifted on the cotton going to the consuming world. If you will permit that the foreign spinners will pay the producers of the United States inside of 30 days from 30 to 35 cents a pound for this cotton. If you do not permit that then the foreign spinners will be aided in their scheme to rob the American cotton producers.

The purpose is to beat down the price of cotton so that the cotton merchants of Europe can buy it cheaply, and then they will sell it to some of the spinners of the Old World at from 40 to 50 cents a pound. I am not in favor of sitting here and permitting the American producer to be robbed in this fashion. We asked the Rules Committee of this House, and I appeal to the gentleman from Ohio [Mr. FESS] a member of that committee as well as to the Members on this side to report out the Caraway resolution that will permit an investigation of the New York and New Orleans Cotton Exchanges to see how much cotton they have on hand, the character of that cotton, and see how many contracts with legitimate speculators are actually filled and how much of that is a gambling transaction.

Gentlemen, great reforms come about in times of stress and strain, and it may be the time has come to prevent gambling in cotton and grain. Let us investigate these exchanges. I hold that the New York Cotton Exchange is buying cheap cotton—low-grade cotton—and tendering it on these contracts of the middling grade. For instance, if you buy a contract on the middling basis, and they tender you a cotton they call middling and it is not, and the middling price is 30 cents a pound, they will tender you stuff that they buy for 19 cents a pound; and when you ask for a difference in the grades and settlements they will tell you it is a dollar and a quarter, and you will insist that it is $8.50; but you have no remedy.

I charge that these exchanges as now conducted are no longer places for safe and honest hedging. Ask the spinners of New England; ask the spinners of the South if they are. Ask the producer if they aid him. If they do not, why should the Congress of the United States permit them to longer exist? To-day Germany wants to buy 2,000,000 bales of American cotton. We can not ship it there yet. She is willing to buy it and store it in the United States until the allied powers say it can go. She wants to know that she will have it, and I think that she is entitled to it. I think that the cotton producers of the United States are entitled to let them buy this cotton and store it here. We are permitting grain and meat to go to Germany; why not cotton? Take the embargo off and let cotton go unrestrictedly to all the allied countries, and let Germany and Austria buy cotton in the United States and store it until our Government and the other governments say she can have it. Gentlemen, that looks fair to me.

Yesterday a gentleman informed me that a friendly little country in Europe wants to buy 50,000 bales of cotton now and asked my advice where to go in order to get it—to the exchanges or where. I told him not to go to the exchanges, but to go to Memphis, Tenn., or Galveston, Tex.; to go to the spot market, buy the cotton, and have it shipped direct. I advised him not to go to these exchanges.

Gentlemen, we ask the Rules Committee of this Congress to report out this resolution of Judge CARAWAY, and let us investigate these exchanges and find out the exact truth of the situation. Why, they have got a bogus concern up there like the fellow who once sold whisky in New York. He had a café running in connection with his whisky establishment, and the law was that you could not sell whisky on Sunday except when you served food with it. So he got to serving sandwiches with a drink of whisky, and a man would go in and buy whisky. He did not want anything to eat, but they had to put something to eat on the table. So the officer would look around and glance in through the window and see if there was food on the table, and if he saw a sandwich or a piece of brown bread with a piece of ham between the slices he would pass on. And what do you suppose they did? This bartender said there was no use to go to all that expense; that the people did not eat that bread; and he hired an artist to paint him some sandwiches made out of wood. The artist painted a red streak in the middle and brown on the outside, and the policeman would look in and see something that looked like bread and would say that they were complying with the law. But when they did that they no longer called on the baker or the butcher. They were not helping that business. It was a liquor transaction purely and wholly.

I hold to-day that these exchange transactions are gambling transactions. A sample of cotton is laid upon the table, a bet is made, and no cotton is delivered in the deal, no contract is fulfilled by the delivery of actual cotton. I make the charge here and now that out of the 11,000,000 bales of cotton the New York Cotton Exchange has not supplied spinners within 12 months with 75,000 bales delivered at the mills.

Now, gentlemen, what particular purpose does that interest serve? Is it a gambling concern or is it a legitimate speculation? I think that it is a gambling concern. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I yield seven minutes to the gentleman from Ohio [Mr. FESS].

The CHAIRMAN. The gentleman from Ohio is recognized for seven minutes.

Mr. FESS. Mr. Speaker and Members of the House, I am going to ask Members to study with me for a little while this proposed constitution of the world. I do not do this as an advocate, neither as one condemning the idea of a league of nations, but rather as an expositor, to study this proposed constitution of a league of nations as to the possibilities within it.

I think that all the world, and especially our country, would be glad to find a way to prevent war in the future; and, as the league of nations is a plan that has frequently been identified with our hopes, if we could find such a league to accomplish such a great desire without submitting to greater dangers probably than war, we ought certainly to do it.

I hold in my hand the proposed constitution of 26 articles of the league of nations. I have made a very careful study of it, as careful as the average student would study a draft of this sort. I think there are some features in it that are fraught with grave danger. Under this proposal the United States is to become an integral part of a league whose legislative body of delegates is undetermined in number and voting power. The covenant embraces no limitation of subject matter save as found in the first article. It designates the number to constitute the league by those which become signatory powers. Article 2 provides each member has but one vote. Article 7 provides the method of joining the league and extends the privilege to self-governing countries including dominions and colonies. This will give the United Kingdom at least five to seven times the voting power in the body of delegates that is permitted to the United States.

The executive council which is to be the real agency of the league to enforce its finding is to be limited to nine members, one each from the United States, Britain, France, Italy, and Japan, and one each from four other States to be selected by the body of delegates. The decisions of each body, delegates or executive council, are by a majority vote; so that in all cases the findings of the council will be determined by five members. In other

words any five of the nine voting together can bind the United States without its consent to any matter falling within the province of the league.

To be specific: Article 19 authorizes the league to vest mandatory authority and select the nation to exercise it over such countries recently under other sovereignties, and which are not yet regarded sufficiently stable to maintain stable self-government. This article permits by a vote of the league the necessity of the United States to undertake the maintenance of law and order in Armenia, for example, or a country in Africa. No matter what may be the wish of our own people to avoid mixing in the tangle of European or Asiatic politics any five of the nine can fix such responsibility upon us.

Any group of five of the nine can fix the character of our defensive program, as the question of the size of armament large or small of any member of the league is up to this vote by article 8.

While the preamble or covenant article pretends to limit the subject of consideration to war, it must extend without limit, as it embraces what may be considered as causes of war, to be determined by a vote of the league. This transfers the nation's sovereignty on these matters completely to a group of European nations by a mere vote to the effect that the subject in question may lead to war.

Articles 23, 24, and 25 abrogate all existing treaties between the signatory countries which by decision of the league are inconsistent with the provision of the league, and forbids any further treaty except under specific direction or in connection with the countries making up the league. This means if a treaty now exists between us and Japan inconsistent with the judgment of the league as expressed by any five of the nine, it must be abrogated. The question of European immigration will also fall under this authority, and our laws of limitation inconsistent with what a majority of this league shall find must be abrogated.

The Japanese delegation presented an amendment providing that radical discrimination should not be tolerated in immigration laws, but it was dropped for the present when other delegates urged that this would open such a large question that great delay might ensue. This interest of Japan in a sensitive question between us for many years indicates a future claim of this country. It will certainly be brought up later by Japan as a matter of interest of the league to be determined by a vote of the league in which we have but one vote.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Nebraska?

Mr. FESS. I regret I can not yield.

No further legislation on European or Asiatic immigration shall be enacted without the consent of the league, as it covers not only treaty making, but such laws as are based upon treaties. Can we be sure that questions of an American merchant marine will not fall under a vote of European countries, which quite naturally will prefer to keep the monopoly of this particular activity? Who will be the judge? Evidently the league will have something to say about it. The gentleman from Indiana [Mr. WOOD] called our attention awhile ago to the restrictive regulations by Great Britain touching the commerce leaving our shores. It appears by this practice already our merchant marine is somewhat under the control of overseas powers. This covenant increases this power.

Article 21 proposes to give to the league certain powers over the commerce of the nations making up the league. This article, read in the light of article 20, which looks to a permanent international labor bureau, will show the subtle plan of placing the matter of our own commercial standing in legislation looking to maintain American standards under a group of European countries. The moment this authority is granted we will hear Democratic free-trade politicians demand all protective legislation repealed upon the basis that to favor an American standard not reached by Europe is not within the authority of this Nation, because by this covenant we have surrendered any such authority we may have had to the findings of the league of nations, of which we are a responsible party.

The most dangerous feature of this proposed constitution of the world is the provision which makes this independent, self-developing Republic a constituent part of a league which exercises supreme authority, through a body of delegates without name or number, each of which will have equal authority in all matters which come before it with this Republic. The matters of consideration are not defined, and therefore not limited. If the Mouroe doctrine is included in the judgment of a majority of the members, what recourse have we after we have entered the league, which speaks by a majority vote? If immigration is included according to a majority of the league, what is our defense? If a tariff is included according to the judgment of the majority, what have we left to surrender or commit a breach of covenant? This Nation should never, under any circumstance, surrender its sovereignty on any questions which pertain to its future welfare to a vote of a league made up of an indeterminate number of countries whose major interests can not be expected to be identical with our own.

Article 26 purports to provide for amendment of the league. Of course, no amendment in the interests of the United States will likely ever be made, as it requires the vote of all the nine States which are represented in the council, and then the ratification of three-fourths of the States represented in the body of delegates, which must be indeterminate. If it should be claimed by the proponents of this preposterous proposition that questions I have named are not included in the league, no man of sense will deny that under article 26 amendments can be made by interested nations to include these questions.

I look upon this proposition as couched in the proposed constitution of the world which is to supersede our own authority as a Nation as monstrous, and I predict that just as soon as the American people shall grasp the vicious possibilities herein included there will be such a revolution of sentiment aroused that any man who will subscribe to this perpetual surrender of this Republic's future to a vote of foreign nations will be, as he should be, repudiated as an enemy to the spirit and genius of American institutions. [Applause.]

Mr. GOOD. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. PARKER].

The CHAIRMAN. The gentleman from New Jersey is recognized for 10 minutes.

Mr. PARKER of New Jersey. Mr. Chairman, before proceeding, I ask unanimous consent to extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PARKER of New Jersey. Mr. Chairman, after this war and our experience in it we ought to feel now, if never before, that Congress ought to provide for the common defense. If at the beginning of this war it had been known to the world that we had arms and munitions to arm our people; if we had had the enrollment which in old days was prescribed for the militia, and which ought to be continued now for the militia, so that we could have drafted our men without delay; if we had had educated officers to take charge of them in the field, I do not think we would have had to enter this war. No nation would have touched us or dared to do so. And my text to-day, when we have made partial preparation, and when the speeches that have been delivered on this bill tell us how defective that preparation is in some respects, and especially in artillery, what I appeal for is that we may have legislation for the common defense, which will provide that we shall not scrap what arms we have, or camps, or our enrollment, or training schools, or our factories, or our shipyards, or our merchant marine, which will carry our soldiers in case of need; that we shall not scrap the dies, jigs, and gauges which will enable us to manufacture, but so far as possible that we shall preserve our preparedness, not by a large standing army, not by conscription for long service and at great expense, but by the comparatively inexpensive plan of providing what is necessary for our boys when they are called into the field.

Legislation should also provide for an enlargement of the powers and jurisdiction of the great fortifications board, or the creation possibly of a new board which will always give pitiless publicity and annual reports of what we have and not attempt to keep it quiet, as we used to do in the past. The Nation should know whether it is really prepared.

After all previous wars we have scrapped our defense. The maintenance of preparedness and provision for the common defense during the peace that will come is a subject that should not fail to have our attention now before preparedness is gone.

The maintenance of preparedness was utterly neglected after the Civil War. At that time the soldiers went home tired of war. They would usually have little to do with the militia. Arms were sold for a song. The factories manufacturing war munitions were abandoned. Our Navy went to pieces. The fleet of monitors were our only steel vessels and were too slow. The decadence of our merchant marine had begun shortly before 1860, when we extended the "most favored nation" clause to England, and thereby abolished the differential tariff in favor of American vessels. Decline continued until our flag was almost never seen in foreign trade.

When the Spanish War broke out we had no modern field guns. We had some antiquated forts, about 300,000 Springfield rifles in only fair condition, no powder, shot, or shell, and a small Navy so ill supplied with ammunition that McKinley had to delay the war in order to obtain some sort of provision of

transports and ammunition. When that war ended I was on the Committee on Military Affairs and obtained an increase in the appropriation for rifles enough to give 100,000 annually, so that five years ago we had a million rifles on hand, though that appropriation had then been reduced, because our wise men thought that a million was enough for a first line of defense of 700,000 men. Even after the European war began it was the plan of the administration to supply artillery and munitions for only 700,000 men in the course of some seven years. During that time I was urging what has turned out to be the fact, that modern warfare is a war of nations and not of any such first line, and that the nation which can first put its forces into the field, thoroughly supplied, will be the victor. We did nothing, however, until long after we declared war, nearly three years after hostilities had begun. We then were able, after seven months, to produce modified Enfield rifles which would carry our cartridges, and to employ factories which had been manufacturing for England. We did not have the dies, jigs, gauges, and patterns to make artillery, and it was only after seven months of hesitation we adopted the French 75-millimeter field gun, which is the best in the world. We were in November, 1918, just beginning to send our artillery and munitions, and have been and are now using French guns and ammunition for our Artillery abroad.

We had begun to send heavy bombing planes, and were expecting to send scout fighting planes when the war ceased.

We have established a most magnificant system of shipbuilding, which in about four years will be able to supply the losses in merchant ships caused by submarines.

We are ready now to provide what is needed for the life of the Nation. We hope to be at peace and not at war, but we learn from Holy Writ that it is only when the strong man armed keepeth his house that his goods are in peace. War comes now like the bolt from the blue or like the day of judgment. "Be ye also ready, for ye know not what day or what hour" it cometh.

It was the duty of Congress always, as it is our duty now and not hereafter, to enact such legislation as will provide for the common defense. This was one of the main objects of the Constitution.

Under the Constitution the militia meant the whole Nation between the ages of 18 and 45, and Congress was ordered by the Constitution to provide for arming, organizing, and disciplining the militia. It was also empowered to raise armies, and a proper standing Army is necessary for the instruction of the militia and as a model for them. Congress was also given power to organize a Navy and to regulate commerce, and there is no man that does not feel that this Navy must be large enough and that commerce, if necessary, must be encouraged so as to furnish seamen, ships, and shipyards to that Navy. We can not act too soon in seeing that we are kept ready by sea and land.

I am not a militarist. It would not be possible, practical, or sensible to take our whole people away for one, two, three, or four years of their lives from productive occupations and place them in a standing army, as is done by European countries. If our boys are given military drill in their schools, if there are arms in plenty and they are taught how to shoot, and if there are plenty of officers who understand their business, it takes a comparatively short time to make soldiers out of Americans, who are always ready to do their duty with an alacrity and courage that have been the wonder and admiration of foreign nations. The United States marines had not had much drill when they and other American troops captured Belleau Wood, after throwing back the German advance across the Marne and storming a height defended by machine guns, with nothing but their rifles in their hands.

They lost 6,200 men out of the 7,800 of the marine brigade, but they captured the hill and gave new courage to the French Army, which had almost come to believe that the German attack could not be withstood. Then when a flank attack was organized by that great genius, Gen. Foch, that attack at Soissons was composed of three divisions. Two of them were American, and the center division was composed of the foreign legion, the Moroccan brigade and the Senegalese brigade. To such want of men had the French Army come that these were selected for that attack, and they went through, and the German retreat began.

It was soldiers of very limited experience that have been doing tremendous work in the Forest of Argonne, and who worked their way forward day after day against the pick of the enemy's troops until they had the whole German Army in retreat and the allied armies were ready to demand a surrender. Many wish that that attack had been continued until the German Army was captured or crushed and that there had been no armistice, because we are not now sure that conditions of peace can be restored in central Europe except by military occupation and the protection as well as the establishment of local self-governments. It is not so sure, in the state of affairs now prevailing, that we may not have to go to Berlin yet in order to establish such governments, for if we expect indemnity we can not expect it to be paid by anarchy.

This is only by the bye. But there is no man who has seen the delay that has taken place in furnishing arms, even when we were aided by factories that had been selling to the belligerents for two years, that does not feel that we ought to provide and store enough war material to be able to respond to any call to arms within months instead of years. There is no one who has seen our difficulty in supplying officers that has not the same feeling as to the higher military education. There is no one who has seen our shortage of ships that does not feel that facilities for their production should be now maintained. All this is not a matter of large expense, but simply of retaining what we have.

Arms are the first essential when a nation is called to arms. War is the nation in arms, and to provide arms, educated officers, and a military training for the whole people is a constitutional duty. In order to "secure domestic tranquillity" it is necessary to "provide for the common defense." A rifle ready for every man, artillery in store, school discipline, with marches and target practice, an enrolled militia, and enough West Point or other thoroughly trained graduates in civil life—these will provide an adequate army at insignificant cost which will be ready for any call to arms.

Here the hammer fell and under leave to extend Mr. PARKER of New Jersey submits the following:

I am quoting somewhat from former speeches. The topic is old but it is ever new and never more so than at present.

Let us deal with arms first. It was the duty of the United States to provide for arming the militia; that is to say, for arming the whole Nation. We may have 5,000,000 rifles on hand now. They are only one-quarter of the number we ought to have if we have to call out our able-bodied population of 20,000,000. Even for 5,000,000 men, 20,000,000 rifles would not be more than sufficient, for in modern warfare a rifle lasts about six months. As for cannon, five fieldpieces are required for every 1,000 men, and we are just beginning to furnish fieldpieces, but we have the factories and should not scrap them. This bill should provide for fieldpieces.

As to shells, we are just beginning to furnish large quantities, but we have the dies and the patterns and the factories, which would be worth nothing if thrown into the junk heap. During this present war some large factories which were making English munitions asked whether they should be preserved or whether they should be scrapped, and our Government said they did not need them and let them be scrapped. Let us see that this not repeated.

Proper legislation will provide sufficient funds, not to manufacture enormous quantities of arms at great expense at the present time, but to pay a small sum for the maintenance of these factories and for the storage of this machinery and of these patterns and models, so that we can manufacture largely on short notice. A provident government will also appropriate from time to time to increase our stores of arms and munitions. This policy will include, of course, the factories that make guncotton and nitrates. We do not wish to continue enormous manufacture, because explosives spoil, but we do wish to have the imperishable nitrates in sufficient store to be used in case of need and we want to maintain factories which can turn them into munitions of war. This had been the German plan for generations. Every factory was paid some small amount, sometimes for a small contract, more often simply for keeping themselves ready to do what work might be demanded. Dye works were so organized that they could be instantly changed into manufactories of explosives. The steel works kept the dies and models by which their machines could be used on cannon instead of on the weapons of peace. We now have a sufficient number of boards and officers that understand all this. We need a policy that shall be fixed by legislation whereby we can maintain that condition so as to meet any future emergency.

Above all, we should not get rid of any war matériel. It was only last year that naval guns had to be repurchased which were not of the long range desired in the Navy. We paid perhaps one hundred times as much as we sold them for, so as to use them as howitzers and for land siege guns. These naval guns were our only artillery in Europe. Springfield rifles, which were sold at $1 apiece to Mexico, might better have been in our hands than in those of Mexicans who were shooting down our men. And the experience of modern warfare is such, especially in trench warfare, that even the long-range modern

rifle is not always so much desired as a shorter range weapon carrying a heavier bullet of greater stopping power. If old rifles were good for nothing else, they would have been good for the drilling of the Nation in the manual of arms and in target practice. Pretty good shooting can be done with those old rifles, even if they do not carry 2,000 yards. To aim at 2,000 yards is almost an impossibility, and long-range guns are dangerous for practice on an ordinary range.

This whole subject needs investigation by a special committee of Congress or by a standing commission or by both. Our fortifications board has been most useful, though somewhat slow, but a board of that character, so organized as to contain a good proportion of younger men and perhaps a few Members of the House and Senate, might give valuable information.

The most important thing of all, however, is publicity. During the Spanish War ordnance officers told me, in a whisper, that we had only between 300,000 and 400,000 Springfield rifles. Every foreign Government knew the appropriations for rifles; knew how many could be made; could easily find out how many were sold; and the knowledge which was withheld from Congress was in their possession. Above all things, therefore, the amount and character of our military stores should be yearly reported in detail to Congress and to the people. It is certain, however, that we ought to have several times the number of rifles that we have now and many times the number of field guns. The average life of any particular pattern is about 20 years, and then a new pattern comes in that is better, although the old one is good. The Springfield muzzle-loading rifle came in shortly after the Civil War. It was changed to a breech-loader, and then in about 1900 the Krag rifle was adopted. The breechloader is a good rifle yet, although the department preferred to change to the Springfield modern rifle, which is as good as any. Some changes are occasionally made in sights, and so forth, but any rifle is good enough in the hands of a good marksman. We have suffered too much from faddists who would not give us any arms because they hoped to better them.

As to cannon, it was about 20 years ago that the French adopted the new seventy-five, which has contrivances to absorb recoil and to facilitate quick aiming and which is better than perhaps any other cannon. Any gun, however, will use ammunition faster than it can be supplied and will wear out with continuous use. What we need is arms for the Nation if we have to put the Nation in arms.

The Constitution also says that the United States shall provide for organizing, arming, and disciplining the militia, by which they meant the Nation, leaving to the States the appointment of the officers and the authority of training of the militia according to the discipline prescribed by Congress; to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions. At that time the musket or the Kentucky rifle was the only small arm known. Every gentleman wished to be an officer, and it was preferred that the appointments should be made by the States. It is not certain that State training is a bad plan. It has never been fairly tried. The United States never furnished arms, for one thing. Switzerland leaves all training to her various cantons. Germany left each Kingdom in charge of its own forces, only providing that they should meet for inspection and maneuvers once a year, at which time ineffectives were weeded out. It should not be forgotten that the German maneuvers were practically a competitive inspection. A German officer is not appointed by the Emperor. There are military schools at which men are educated, or men who have had a college course can take their turn with the various regiments as one-year volunteers, and if they prove themselves fit are certified as fit to be appointed officers. But this certificate from the imperial authority gives no appointment whatever. The appointment comes from the officers' mess of the regiment.

Those officers have the right to select their associates. They are proud of their regiment and of its traditions; and if on the annual inspection any one of their number receives a blue envelope stating that he has failed in his duty and has been ineffective as an officer, his comrades will see to it that he resigns, so that they may be sure to obtain the credit that is due them from year to year. If he does not resign, he is simply sent to Coventry and finds it unbearable, or perhaps has to fight a duel because of some remark made as to what he has done. Each regiment is recruited from a certain district; these districts are rivals.

If an empire finds it advisable to create such a system of rivalry, it is not at all certain that the same can not be done by a republic. It is done in Switzerland. There, after school training without arms, the man joins the army, not to go into the field but to be drilled a year or two, especially in marksmanship. He receives his rifle and his uniform and carries them home with him. He carries the rifle with him to his factory in the morning, if there is a drill in the afternoon, and I have seen 500 men come running down out of a factory, going into a room where they took their rifles and cartridge belts, falling in in the street, and starting off for an hour's march up and down the steep hills of the town. The man stands this drill and saves months of camp life. At the end of his time he goes into the reserves, but takes the rifle home with him as his own if he has done proper target practice and been certified. He keeps that rifle as his treasure, belonging to him. These men were all mobilized in this war.

Remember that all this need cost very little. In peace times a man's uniform can be provided for $20; his rifle for $15 more; tents, and so forth, for enough to bring it up to $50. I think I made an estimate of other articles, artillery, and so forth, which made the total cost $200 or $250 for his share of the whole matériel of the Army. Less than a twentieth of our able-bodied men become 18 each year. Only 5 per cent of those liable to service would be annually provided for; and considering that the cost of a soldier in the Regular Army is at least $1,000 a year, this method of securing a population ready to turn out on call, armed, is incomparably the cheapest of all. As America was, the Constitution provided for a nation in arms as follows:

> A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

It is time that we got back to this principle of the arming of each man.

This brings us, however, to the question of how much drill and training there shall be, and whether men should be taken away from their ordinary occupations. We can not afford that now. We must supply the world with food; we must build ships to repair the losses; we must inaugurate foreign trade; we must pay the enormous debts caused by this war; and we must go to work to make the money that will enable us to do it. The wealth of the Nation lies in productive power. The nation that can produce in the greatest quantity will be the victor in any war, and this war has proved it. But there is no question that discipline and training can be had without infringing on our work.

We have common schools throughout the whole country, and it would be a simple thing to provide that every schoolboy of 14 shall be a member of the militia, and that the schools shall be furnished with arms and sufficient ammunition for target practice under proper instructors. Nearly a million men every year attain the age of 18. It would be a simple matter to provide that those boys should take a certain amount of drill if they have not taken it already in school, and should likewise be members of the active militia, say, for two years, and then be in the reserves of their companies, say, for five years more.

There are many schools and colleges that have long summer vacations. It would be simple to provide for summer camps during two months, with proper officers and drills for at least two years of their course. Pay is unnecessary. Only second-rate service is gotten for second-rate pay. The best and hardest work that is done by every student, the one in which he takes the most interest and which costs him the most money, is in the unpaid athletic games of baseball and football; and it is not impossible to have a like competition between every college and every high school, as to their efficiency in military affairs, their marks for efficiency being multiplied by the proportion of the students who are trained and participate in the contest. The same competition is possible in the militia with reference to localities. That is what is practically done in Switzerland. A contest for prizes appeals to every boy, and the greatest mistake that has taken place, not only in our militia but in our Regular Army, is that the system of competitive inspection adopted by Kitchener in India was not adopted here, except in the case of one brigade of Cavalry, wherein the inspections were made competitive by troops, and every troop received a mark, and the marks were read out at the head of the regiment at the end of the inspection.

The result in that brigade was that companies at lonely posts who had been slack in discipline and careless about their quarters were inspired with such emulation that the men were staying up at night to clean their arms and working over their quarters and horses for weeks before the inspection took place. Nothing is more simple; and after the approval and initiation of this scheme in the posts of the northwestern part of Hindustan as inaugurated by that great soldier, Kitchener, we can be sure that it is worth while. It is, I think, used in every army of any consequence in Europe, but chiefly in the citizen army of the Swiss. We have adopted it generally only as to rifle practice, and as to that my State has the pride of knowing that the New Jersey

range at Sea Girt anticipated rifle contests in the Regular Army and led to its general adoption after Army teams had gone there. What will work for rifle practice will work for other branches of military service.

Trained officers, however, are of as much importance as arms. There can be no use of the arms and no discipline of the men without officers. After the Bladensburg raid and the burning of the Capitol in the War of 1812 we realized that the want of our militia was trained officers, and we increased West Point to 250 men. We had only 5,000 men then in our Army, and many more officers were graduated than could find places in the Regular Army. Our population then was about 8,000,000. It is now 13 times that; and a West Point of proportionate size would comprise over 3,000 cadets. We have no such number there now. The advantages of the enlarged West Point were shown in the War with Mexico in 1848. Almost all of the divisions were commanded by West Pointers, often from civil life.

It was shown again in the War of 1860, when we had four years in which to train men, but except in the case of a few natural-born solders our chief commanders were West Point graduates. They had not usually all stayed in the Army. Meade and Lee were of the Regular Army, but Grant, Sherman, Jackson, McClellan, and a host of others were former Army officers who had gone into civil life during the long period when our Army had been small. It may perhaps be said fairly that a military officer who has seen something of civil life and has been a success there may be the best man for general command, where the arranging of large business affairs is required, as well as ordinary military knowledge.

There is no doubt that our military schools should be enlarged, either at West Point or by the establishment of other rival schools. In this present war our principal need has been officers. We have had to commission a great many by guesswork. We have gotten rid of a good many of these, and ought to have gotten rid of a good many more. On the other hand, we have set our colleges to work, and college graduates with short, intensive training have proved valuable as officers in our National Army. They have done themselves credit in France. But we had to wait for them. We had to wait for men to train the first draft, and we were in an absolute quandary how to get proper officers for the second draft. Officers had not been provided and were being provided with great difficulty, and weeded out with still more difficulty. Men who had worked fairly well in the camps were often discharged just as the troops went abroad, because they were not thought fit for foreign work.

There are many ways in which our military schools could be enlarged. We could continue student training at the various colleges. It can not be forced upon them, but they are more than willing to attempt it if they are aided with arms and officers to train the students. The organization of our staff and of our training schools has been very largely improved, and it ought not to be lost. It might be perhaps possible to allow colleges to send selected students after a three-year course to attend the last year at West Point and to graduate with the class and in competition with them on the final examination, so that the best scholars who are now assigned to the Engineers or Artillery might be selected not only from the West Point graduates but from the other schools. Any sort of competition will give some life to our military system, which is so apt to fall into a condition of dry rot and decay.

It is not necessary to have large expense for buildings. There is nothing about West Point which is to be so despised as the constant requests for costly stone buildings. There is no reason why a regiment on the frontier, if supplied with the proper officers and books, could not teach every one of the soldiers the same studies in the same way as they are taught at West Point. It might almost be said that a standing army of 100,000 men, of which a quarter should be enlisted every year, could give a four-year course of this sort to 100,000 men. Probably 18,000 would graduate each year and go into the community as reserve officers, with education given them free and with the understanding that in those regiments no one should stay after the four years unless he becomes an officer.

This may seem visionary, but nothing is visionary after the experiences of this war, in which our colleges and schools and our officers' training schools have graduated officers by precisely this process, although in the officers' schools they have not enforced the rigorous hardships of discipline which prevail in a regular army and originally prevailed at West Point. Such an army would not need penalties against desertion. The man who did not keep up or did not obey orders would be discharged and another man would take his place, to obtain the benefit of this thorough education in sciences and languages. And it costs no more to give that sort of education than it does to keep the man as an ordinary soldier, except that there must be a few more officers as instructors.

But we must have officers, and the various systems of training officers that have been established should be the last thing to be abandoned. The graduates in peace times are not needed in the standing army, but they are a reserve for an army, ready to go to train their fellow countrymen whenever they are needed. They would become teachers in our public schools and colleges, and be able to train the students without expense to the Government. They would become officers of our militia, and it is fair to the militia to say that if they had good officers they would have been always a very much better force than they have been. The men have always been willing, but the officers have often been ignorant.

All this is a matter which must be dealt with by the administration under legislation that should give authority to appropriate for these various purposes, while appropriations should be made from time to time, governed by the good sense of Congress, after reports of the administration and of any commission that might be appointed, to govern and perpetuate the system.

Enrollment is the basis of any national system. It was hard to make our enrollment, but it will be easy to keep it up. It is important that the lists be not thrown away, that copies be kept in the localities, and that every man who becomes 18 shall be added to the list. This was the law of the United States from May 8, 1792, when the first militia act was passed, until the passage of the Dick bill some 20 years ago. The first section of that act provided:

> Each and every free, able-bodied white male citizen of the respective States, resident therein, who is or shall be of the age of 18 years and under the age of 45 years, except as hereinafter excepted, shall severally and respectively be enrolled in the militia by the captain or commanding officer of the company within whose boundaries such citizen shall reside.

By section 6 the adjutant general of the State was—

> To receive from the several officers of the different corps throughout the State returns of the militia under their command, reporting the actual situation of their arms, accouterments, and ammunition, their delinquencies, and every other thing which relates to the general advancement of good order and discipline. * * * From which returns he shall make proper abstracts, and lay the same annually before the commander in chief of the State.

And by the act of March 2, 1803, he was to make returns of the militia of the State, and so forth, as above, to the President of the United States annually or before the first Monday in January in each year.

Muster day was really observed in the United States for more than half a century. We must return to the wisdom of our fathers in maintaining a complete system of enrollment. It will not be hard to maintain such a system. If the States desire to avoid expense it would be perfectly simple for them to provide by law that no one should vote until he had performed his two years' service in the militia and had an honorable service. This would simplify the difficulties and expense with reference to registry for elections and really save money.

Camps, camp grounds, and barracks must not be scrapped, but maintained and preserved. During the Spanish War our principal difficulty was to find camp grounds near the principal cities and centers of population where the men could be assembled and drilled. We have had the same trouble to a much larger extent in the present war. In the early days there were many forts established in central locations on healthy ground where troops could have been assembled, as, for example, Baton Rouge, Perth Amboy, Omaha, and many other places, and the lack of those grounds was greatly felt in this war. These grounds in time of peace afford the whole neighborhood large public parks for recreation when they are not used for military purposes. We have a number of national parks at the present day—Chickamauga is the most notable—where troops were assembled during the war, and if the costly system of separate park commissions were abandoned and all these parks were placed under the management of the Secretary of War the cost of maintenance would be small.

The cantonments which have been built will be useful for the exercises of the militia and will save expense. Some of the buildings will be valuable as armories for the large quantity of war matériel which a prudent nation ought to keep on hand, and the keepers of those armories could watch over the other buildings in the camp without extra cost. But we should especially avoid the waste of Government property which has taken place under the existing statutes, whereby the Secretary of War and the Secretary of the Navy are eager to get a little money in by selling arms which they deem to be obsolete, scrapping vessels and machinery, and transferring military camps which are not in use to the Secretary of the Interior to be sold for a song in order that speculators may make profits by dividing them up into lots.

Even the Post Office bill just passed orders the War Department to give up road-making tools.

If the jurisdiction of the Fortifications Commission should be enlarged so as to include all war matériel and proper publicity enforced as to what we have on hand, so that we could see whether our military resources were increasing or diminishing in proportion to our population, there would be less danger of the raids on our national military and naval resources which are made from time to time. This war has proved that there is not a single weapon that will use a percussion cap that has not come back into use. Boat howitzers and muzzle-loading cannon are revived in the trench and Stokes mortars. The saber, sword, and bayonet, that were deemed obsolete a few years ago, all find their use now. Even the lance has its advocates in foreign cavalry.

The forts which become valueless for purposes of defense have become of the utmost value when their underground bombproof tunnels were used as storage places for arms, ammunition, and provisions. Verdun, though no longer used as a fort, contained supplies and supply shops 40 feet underground for 300,000 men. Governors Island is no longer a fort, but it is an essential naval and military depot, where troops can be housed before shipment by sea. We now have buildings, grounds, and room enough to store our military matériel and add to it. Let us pass laws which will see that this shall be done. Do not scrap our camps and camp grounds.

The sea is the heritage of the descendants of nations that dwelt on the shores of the Baltic and Mediterranean. Communication by sea is as important as ever, and the nation that owns the means of communication has the control of the world and can feed its people and supply its navy with trained seamen. We have restored American power upon the sea, not only in our Navy, but in the merchant ships that we are building and manning. We must maintain that new creation, and it will not be easy to do so, because in time of peace the cost of running vessels from the tramp to the ocean liner depends so largely upon the wages of the men that are employed in that vessel that Americans will not go to sea unless they receive much higher wages than in other nations. Conditions have changed. In olden times, when pirates infested the ocean, every ship was an adventure, and our whalers and traders sailed as independent ships, with not only a captain but a ship's husband on board, who directed the voyage for the profit not only of the owners but also usually of the crew, for often every man in that crew had an interest in that voyage.

This sort of work was agreeable to the American, who does not care to be a common sailor on a ship plying from port to port, where the crew are discharged at the end of every voyage and where there is no chance of advancement, with hardships such as are not known on shore.

Our laws, which require certain things to be done for every sailor, have made the management of ships so costly that American ships got off the sea. Merchant shipping was carried on by the Germans and French as part of their military system, with sailors obtained by conscription, whose service took the place of military service. In England the vessels came to be manned very largely, and more and more from year to year, by Lascars, Chinamen, Japanese, and all the nations of the earth. England was able to depend upon her large fishing fleets and trawlers, which have really given her the victory in this war by searching out mines and submarines and putting down piracy. We have had no such reserve, but have had to build vessels for the purpose. We have had to commit the most awful waste of public money in establishing shipyards where ships are turned out on standard designs, with the various parts made in different factories throughout the United States, but at prices that never would be repaid by ordinary work in times of peace after freights shall be lower. There is a scarcity of ships now, and though ships will be able to run at a profit with the present rates charged for the carrying of goods, this can not be expected to last, and it is for us now to enact wise legislation by which the building, owning, and operation of ships manned by Americans and commanded by Americans shall be preserved.

There are several means by which this can be done. We can not use conscription for this purpose. It is foreign to the genius of our institutions and would never be submitted to except in case of necessity, as has been the case during this war.

We can use subsidies based upon carrying the mails or upon the number of miles traveled and the amount of freight carried or the speed of the vessels. To a limited extent this ought to be done by general law; but subsidies are such a fruitful source of graft and corruption that they are unpopular, and deservedly so. These subsidies would not be settled by the board called lords of trade and plantations, as they are in England, or of some shipping board, as they are on the Continent, and if we established such boards they could hardly be controlled and would be sure to be abolished. What is needed is some continuous policy which will tempt Americans to go to sea. The really successful policy, once adopted by the United States, was that of granting a rebate of part of the duties upon all goods brought in by American vessels. There are treaties which prevent this, but in the present time of readjustment of all treaties throughout the whole world these clauses ought to be denounced and put to an end and that old system ought to be reestablished. There can be no doubt of this. The rebate is fair, because everyone can get the advantage of it, and it leaves travel by sea open to competition as before.

Another scheme in which I have had great interest was one that I brought once before the Naval Board of the United States. It would have cost at that time about $3,000,000 a year. It would cost more now, but at that time they were unwilling to spend that little money. My suggestion was that if the shipowners were paid the difference between the wages of American seamen and officers and those of foreigners—Lascars and Chinamen—they could afford to run their vessels. The subsidy would be based upon men, and justly so, because wages in America are higher. A freight subsidy is likely to become exorbitant, because what is necessary in the beginning to enable ships to run will not be necessary afterwards when larger vessels are obtained. A subsidy based on speed would have been granted a few years ago for a 15-knot vessel, and now it ought only to be granted for a 25-knot vessel.

A subsidy based on carrying the mails is to a certain extent a sham, because it is much more than the cost of carrying the mails and is a mere favor to certain favored lines. But if it were the law that every shipowner should receive a certain amount per month for every officer and seaman employed by him, who had stood his training in the Navy and enlisted in the Naval Reserve, so as to be subject to the call of his country in time of war, the result would be that the shipowner would be paid the difference between the wages of foreigners and the wages of the Americans, while every American seaman would go proudly to the shipping office, exhibiting his certificate of enrollment in the reserve and the proper service in the Navy, and insisting that he should be paid proper wages because of the amount to be received by the shipowner.

This is entirely different from the ordinary scheme of Naval Reserve, by which the man is to be paid a very small amount for enrollment in the reserve, and the reserve is soon composed of loafers alongshore who do not go to sea at all. The reason for this was that shipowners did not like to employ a Naval Reserve man who has to go away occasionally to stand a month's training in the Navy. This difficulty could be avoided by providing that any man after a year's service in the Navy should be entitled to the rating that he had there obtained. If he desired to increase his rating he would have to go and stand a further examination. The officers would, of course, have to pass examinations and be enrolled as officers in the Naval Reserve. This system has been adopted in the most wonderful fashion in the present war. The transport officers and crews are now enrolled in our Navy as naval reserves. It only needs a continuation of this policy in time of peace to establish the personnel, but their payment must be secured so that they may get proper wages, either by subsidy—best, I think, founded upon man power—or by differential duties, such as existed in the past. We can build ships in America as cheaply as anywhere in the world. We have the machinery, the coal, the steel, and now we have the shipyards, and ships would be built by private enterprise if it can only be made profitable to run them.

Our shipyards should be kept up by the Government. They have been established and connections made therewith at large expense. Little can be got for them if they are scrapped or sold and diverted to other uses. There is no reason why this should be done. Of course, shipbuilding should be by private enterprise, but those yards could be let at proper rents, adjustable from time to time, to private builders. It would pay the Government to let them for nothing except maintenance, if we can only keep up the shipbuilding of the United States. This war has proven that in time of war we must depend upon ourselves for our production of ships, as well as in all other matters. The old doctrine, which had been so long forgotten, that we must so control our industries in peace that we shall be independent of every other nation in time of war is still good. This doctrine has been revived by all modern political economists, who have found that it was a delusion and a snare to cry, "Peace, peace," when there might be no peace. This doctrine is especially applicable to the United States. We have been

allied in this conflict with the nation which commanded the seas, but in any future conflict it might not be so. We might have to depend upon ourselves, and it should be a cardinal maxim that if we desire to maintain our independence we should be able to produce every necessary, whether for the support of our population or the supply of our armies or the defense of our rights at sea.

Let us not scrap preparedness.

Mr. BYRNS of Tennessee. I yield seven minutes to the gentleman from Alabama [Mr. BURNETT].

Mr. BURNETT. Mr. Chairman, a few days ago I felt called upon to criticize some of the methods of the War Department in regard to the infamous system of courts-martial that were being held in our armies. In the course of those remarks I criticized somewhat severely Gen. Ansell, who had been acting as Judge Advocate General. Facts that have come to my attention since that time have led me to believe that I was perhaps too harsh in that criticism. I have received a letter from Gen. Ansell, and the gentleman who handed that letter to me stated that I was at liberty to place it in the RECORD. This letter shows much of the activity of Gen. Ansell in trying to reform that infamous system.

It always gives me pleasure when I have done even a partial injustice to anyone, to admit that fact, or make reparation. I do not believe, however, that even from the letter of Gen. Ansell itself that he has been entirely blameless. He shows in the letter that he did make his appeal to Gen. Crowder, to the Chief of Staff, and to the Secretary of War, urging the correction of the system that had grown up, and which he thought, and which I think beyond question, they had the right to revise and change. He shows that he tried to secure reconsideration in a number of cases, and was overruled. But, Mr. Chairman, my reason for now criticizing him—not so harshly as before—is that, as he knew, that those iniquities were being perpetrated, that those outrages were being committed, he ought to have notified those who were his superior officers and responsible for them that he intended to resign unless such abuses were corrected. Not having done so, I feel that he has not placed himself entirely outside the pale of just and legitimate criticism.

I know what the answer will be. The answer will be that during that time we were at war, and that is true, and that may be a partial mitigation; but we were at war when Senator CHAMBERLAIN bravely dared to criticize conditions in the military camps of this country. Attempts were made to call him down. It was even said by high authority that he had forced the Secretary of War to lose his valuable time in going before the committee of the Senate for the purpose of making explanations. But, Mr. Chairman, though that brave Senator may go down to defeat, I believe he will carry with him the blessings of many mothers of soldiers in this country whose lives he saved by that very criticism, because he brought about at least a partial reform in the infamous conditions that existed in the camps. If that action on the part of that brave Senator shall forever retire him to the shades of private life, he will carry with him the consciousness of having saved human lives from the work of heartless tyrants. And I believe that if Gen. Ansell had then said to the War Department, "Unless these things are changed, unless these savageries are discontinued, unless these barbarous and inhuman cruelties are stopped, I will resign my position and expose to the world just what has been going on," I believe it would have had its effect in getting a correction of those conditions.

He would no doubt have been threatened with court-martial; but if the War Department had permitted that outrage, the country would have arisen in such just protest that the threat would never have been executed.

A brave man may be suppressed for a time, but the conscience of honest people, shocked by atrocity and barbarism, will rise to his vindication, and the cowards who seek his destruction will in the end be driven from the seat of power. The wicked and heartless may flourish for a season, but that justice which has its seat in the bosom of God will finally overtake them. It seems from the letter of Gen. Ansell that whenever he tried to treat soldiers like human beings he was called down and overruled. Then how could he remain in the councils of such Huns? How could he herd with such Attilas?

Mr. Chairman, as he suggests, I was no doubt too harsh in the criticism, and I feel that it is due to me and to this House and to the country that I should read the statement of Gen. Ansell, and thus pillory the Neros responsible for these cruelties before the country.

Only yesterday I received a letter from the War Department in regard to a court-martial sentence that had been brought to my attention. I had placed before them a case where it was stated to me that a young man had, as I thought, been most cruelly sentenced to 20 years at Fort Leavenworth. The reply was that they could not reopen the case now, because more than six months had expired since he made application for clemency, and clemency had been denied. The letter stated that a reexamination at the present time is precluded under War Department orders of August 28, 1907, which prohibit the reexamination of application for clemency within six months of the last consideration, unless new and material reasons therefor are presented. Is that the system under which people in a Christian land, in a civilized country, have to live? Is it possible that the War Department has so tied itself down by inflexible rules that although a most outrageous sentence has been fixed upon a soldier because it has been six months since clemency had been asked and denied, they could not reopen the case? The letter pointed out that the 18th of May, 1919, was as early as he could make another application. Hindenburg and Kaiser Bill could hardly be more cruel. The letter is as follows:

FEBRUARY 17, 1919.

Hon. JOHN L. BURNETT,
House of Representatives.

SIR: I regret to have observed in the CONGRESSIONAL RECORD of February 14 that upon that day, during the debate on the Army bill in the House, you took occasion to make a bitter attack upon me, based upon your gratuitous assumption that I had made no effort to prevent or correct the prevalent injustices of courts-martial administration; and it was with even greater regret, if of greater regret I could be sensible, I observed that your attack upon me evoked the applause of your colleagues.

Despite the intemperance of your remarks, and notwithstanding that you based them upon the purest assumption which the slightest investigation would have shown, even if my present attitude had not satisfactorily indicated, to be the very opposite of the truth, I shall assume, for the present at least, that you do not intend to do me a grievous wrong; that you do not wish to take advantage of your official position to my great injury; and I shall assume, in fairness to you, that the highly objectionable character of your remarks is due to the fact that you spoke out of an outraged sense of justice, and that you want to be fair, and can be fair, and will be fair even now.

If I am justified in indulging this presumption you will permit me to show you, and you will be glad to be shown and to be able to acknowledge, that your attack upon me was as baseless as it was bitter.

Your initial statement was as follows:

"Gen. Ansell, when he made the statement credited to him in the Washington Post to-day, showed that he himself was a party to the crime. Any man who would sit by as an assistant judge advocate general and see men convicted under the circumstances that Gen. Ansell detailed must either be a coward or an incompetent weakling. [Applause.]

"Now, there is no use talking about it. I think he stated facts about it, and there have been committed the enormities and atrocities by men on courts-martial which have been winked at by Crowder, and perhaps by the Secretary of War himself. These outrages are only equaled by the atrocities that the Huns themselves committed. It is infamous. The statement of Ansell shows the wickedness in the War Department among these petty officers, some of whom no doubt were men from civil life who never made $50 or $100 a month, and who tried men and sent them to Leavenworth Penitentiary for years, and yet the men higher up of this department are the ones who are responsible and ought either to be impeached or court-martialed themselves."

And when reminded by another Member that you were doing me an injustice you continued to say:

"Why did he not appeal to Gen. Crowder, why did he not appeal to the President to vindicate him, why did he go on here until he was called before a committee of the Senate to do it? Now, if he had been a brave man and an honest man, he never would have held the place that he held with these atrocities and wickedness being perpetrated by men in high life. You can not get around it, gentlemen. He is a party to the crime; there is no doubt about it. * * * Those things are done, gentlemen. But who has done it? Gen. Ansell is responsible; Crowder and the whole bunch of them; Crowder, no doubt, more than any of them. Do not try to throw it on one man, but hold the whole lot of them responsible. Let the responsibility fall where it ought to fall, gentlemen, and not upon any one man."

I shall speak by the record and tell you, in part at least, of the efforts made by me since the beginning of this war to correct a situation which I believe, and which you with bitterness have proclaimed, to have produced injustice. It is not my purpose to assert that my views were right; it is my sole purpose to show you that I did not "sit back," inactive, without attempting to prevent and remedy a course of administration which is now generally conceded to have resulted in injustice to the enlisted men of the Army.

In the first place, I think I may appropriately say in this connection that throughout my service I have not been able to accept the view that our military code sufficiently establishes the rights of an enlisted man before a court-martial, or that our procedure is sufficiently protective of those rights, or that there is no reason or necessity for authoritative supervision of the procedure of courts-martial, and of revision of their judgments. Such a view I have ever rejected, as all those will attest who have been most closely associated with me in the performance of my legal duties in the Army.

In and out of season, whenever opportunity has offered, and at times with an insistence which has strained, if not transgressed, the military proprieties, I have labored to the end that courts-martial might come to be legally established and universally regarded and respected as courts administering law according to fixed and established principles of jurisprudence; that is, as courts of justice. Such was my attitude as early as 1901. Throughout my instructorship at West Point, from 1902 to 1909, I labored to that end; and the whole course of my conduct as a judge advocate has been marked by a desire to liberalize the harsh features of our military methods and subject them, to the greatest practicable extent, to those guaranties that guard an accused on trial in a civil forum. When, by virtue of seniority, I came to the head of this office in September, 1917, while my chief was engaged in the performance of his duties as Provost Marshal General, I knew that with this new and large citizen Army we should have need of the closest legal supervision of courts-martial pro-

cedure and judgments, and I envisioned the great difficulties that must result from a continuation of our old-established methods.

At the outbreak of the war the state of the law was, as the department had for years construed it, that the judgment of a court-martial once approved by the officer in the field appointing it was final and unmodifiable; that no matter how gross and prejudicial and palpable the errors of law in the proceedings as shown upon the face of the record, there was no power in the department or elsewhere to modify, reverse, or set the judgment aside. This was the crux of the difficulty. There was no authority whatever with power to correct for prejudicial errors of law. If this were true, then, indeed, as was said by those in the department who have opposed me during this agitation, is "a military camp the fittest field of application of the military code." The camp commander's will and view become the touchstone of legality; there can be no such thing as established legal control over courts-martial and courts-martial proceedings; no means of correcting their judgments, however unlawful and however unjust. When I became the senior present for duty in the office in the early days of the war I saw, or at least I thought I saw, the necessity of breaking up such a static and intolerable legal situation, and proceeded to act accordingly. During this war I have made the following efforts, among other innumerable ones in individual cases, to that end:

(a) On October 18, 1917, I had the office begin a study to determine whether the power of revision of courts-martial judgments and the incidental power of a close and corrective supervision over their procedure could not be found in existing law.

(b) On November 10 I completed and submitted to the Secretary of War for his personal consideration a formal office opinion which held, with all my associates concurring, that such a power had been conferred upon the Judge Advocate General of the Army, by virtue of 1199 Revised Statutes of the United States.

(c) I immediately proceeded to revise courts-martial judgments, and on the very first day under the opinion I set aside several sentences on the ground of their illegality.

(d) I immediately took steps to establish in the office a court of revision and to consider the drafting of regulations to govern it.

(e) The Judge Advocate General, who was then Provost Marshal General and who up to this time had been without active connection with this office, thereupon returned to this office, wrote and filed with the Secretary of War a brief in opposition, and held that there was no such power of revision, and urged the reversal of my opinion and my action.

(f) The Secretary of War, for the time being at least, agreed with the Judge Advocate General, as did also the Acting Chief of Staff and the Inspector General of the Army, who apparently had been called into conference.

(g) Thereupon I was relieved of my duties in connection with the administration of military justice, and these were taken over by the Judge Advocate General in person. Consequently, from the middle of November, 1917, to the middle of July, 1918, I was not charged with any duty or responsibility in connection with the administration of military justice, nor was I consulted either by the Secretary of War or the Judge Advocate General upon matters affecting the administration of military justice.

(gg) About this time, also, an order which had previously been issued with the concurrence of the Judge Advocate General and the Chief of Staff, under 1132 Revised Statutes, empowering me to take full charge of the office and its policies, was revoked.

(h) On December 11, 1917, I asked the Secretary of War for a suspension of his decision and that I be permitted to file an extended brief in support of my views and the office opinion. This permission was granted. The brief was filed with the Secretary. As indicating its character, the following were its several points:

I. The action taken by the Secretary of War on the advice of the Judge Advocate General has been taken under very evident misapprehension. Such action is predicated upon the correctness of conviction; and the acceptance of such an act of grace by these innocent men necessarily implies a confession of guilt of a crime, which upon well-established principles of law and justice they never committed. Justice is a matter of law and not of executive favor.

II. It is as regrettable as it is obvious that those who oppose my views do not vision in the administration of military justice what the new Army of America will require, nor do they even see what the present is revealing; they are looking backward and taking counsel of a reactionary past whose guidance will prove harmful if not fatal.

(1) The views of the Assistant Chief of Staff and the Inspector General savor of professional absolutism.

(2) The opposing legal views are anachronistic. They are given a backward slant through undue deference to the theory of an illustrious text writer as to the nature of courts-martial, a theory which civil jurisprudence has never adopted but distinctly denied.

(3) The teachings which followed upon the premise that courts-martial are executive agencies have all been disproved by the Supreme Court of the United States, though this department still clings to them.

III. The whole argument of the other side is found in the contention that the word "revise" has no substantial meaning, but has reference only to clerical corrections.

One single fact exposes the utter fallacy of that contention, and had it been considered must have prevented an expression of that view.

That fact is this: The word "revise" is an organic word, which solely creates and defines the duties of an entire bureau. Congress went to the great length of creating an independent bureau in the War Department for the sole and declared purpose of having it "revise" the proceedings of all military courts, and made that duty of revision the sole duty of that bureau.

IV. "Revise" in its every sense—ordinary, legal, and technical military sense—means to correct, to alter, and amend.

V. The word "revise," as a matter of fact, is in no sense ambiguous, and there is no room for misconstruing it. It would have made no difference, therefore, what the administrative practice was or is. The quality of law is not impaired by nonuse. As a matter of fact, Judge Holt did, in form at least, pronounce sentences invalid, and did not content himself simply with recommending that pronouncement was by superior authority. His views as to the validity of proceedings were expressed in terms that savor of judicial pronouncement, and the orders of the War Department so far as examined seem to respect that quality by confirmance.

VI. The judge advocate general of England certainly did have this power of revision. I am not advised of his present authority.

VII. Whence comes the established power to declare proceedings null and void for jurisdictional error? And why should not the larger power include the lesser radical one of correction of legal error?

VIII. The necessity, in the name of justice, of locating this power in this department and preferably in this office, where logically and, I think, legally it belongs, must be apparent to all who are familiar with the administration of military justice.

(hh) The Judge Advocate General filed a brief in opposition to my second brief, which was to the point that the power did not exist and to the effect that the military code should better be left to be administered by the camp commander.

(i) The Secretary of War again held with the Judge Advocate General that the power was not to be deduced by the existing law, and directed him, not me, to make a "study" of the situation regarding revisory powers.

(j) About this time 13 negro soldiers were hanged in Texas almost immediately upon the completion of their trial and without review of their cases. Indeed, the proceedings under their cases did not reach the department until probably some three months after they had been executed. I took this occasion to file a memorandum with the Judge Advocate General to show what was happening and what was always likely to happen if he and the Secretary of War adhered to their views.

(k) The Judge Advocate General recommended and the department finally adopted an administrative method known as General Order 7, which suspended certain sentences until the proceedings could be examined in this office and the commanding general advised with. This was an administrative palliative which was described by the Judge Advocate General as necessary to head off a "threatened congressional investigation," to "silence criticism," "to prevent talk about the establishment of courts of appeal," and to make it "apparent that an accused did get some kind of revision of his proceedings other than the revision at field headquarters."

(l) I volunteered to criticize this compromise with the law and justice and again asked that revisory power be established in this office. I recommended that if the administrative method was nevertheless to be adhered to, it should be greatly extended.

(ll) It was upon my voluntary recommendation that a branch of this office was established in France, to make such review as departmental administration permitted.

(m) Several times—three times, I think—during January, February, March, and April, 1917, I called attention to the necessity of closer supervision of courts-martial judgments and proceedings.

(n) Returning from Europe in the middle of July, whither I had gone the April before for the purpose of studying the military administration of our allies, I filed with the Judge Advocate General a report which, among other things, treated especially of the administration of military justice in France, Italy, and England, and which indicated those elements of their systems which I believed to be better than our own, and suggested our own weaknesses. This report never reached the Secretary of War.

(o) In August, 1918, I reorganized the office so as to be enabled to present a more thorough presentation of the deficiencies of the court-martial records coming to the office, and by strength and thoroughness of argument, to impel the minds of the military authorities to action in individual cases. For this purpose I created the boards of review, which still exist and perform most valuable service, but without any authority to make a modification of a judgment in any case.

(p) In September, I ordered the Boards of Review to break away from the office interpretation (which, however, was probably correct) of the administrative method heretofore referred to (subpar. k), which had been construed to forbid this office to make any recommendation or suggestion as to clemency. And I ordered that, in a proper case, despite the order, clemency should be suggested to commanding generals.

(q) In September, upon my insistent recommendation, power was established in the Acting Judge Advocate General in France to make rulings upon matters of the administration of military justice, in our own forces in France, which would control all commanding generals until overruled by the Secretary of War. This is now being opposed by the commanding general American Expeditionary Forces and my own action and propriety in procuring the issue of this order is being subjected to question.

(r) In October, the Executive Officer and I advocated (and the head of the office approved) the increase of the personnel of the department, so that at least the trial judge advocate should be a lawyer and could use his power as such to exert some legal control over the court.

Upon every occasion and every opportunity I have stood for an absolute legal supervision of courts-martial procedure and judgments, and even when not charged with any duty touching the administration of military justice, I have never hesitated to express my view upon any matter concerning it that might come to my attention. In certain several cases involving sentences of death, I voluntarily went to the chief of this office and opposed his recommendation for execution.

These are a part of my efforts. I hope they may serve to convince all fair-minded men that I am not a coward or weakling.

You seem to think that under these circumstances I should have gone directly to the President. Upon a little reflection you will appreciate, I am sure, the impossibility of such a course. I think, however, that, resting under the charge which you have made against me, I am justified in saying this, that on one occasion I well remember—and doubtless there are others—when four sentences of death were pending in the department for confirmation, and when this office had recommended execution, I went to the head of the office and orally presented to him my views in opposition. I then filed with him a memorandum in which I did my best to show, what seemed to me to be obvious, that these men had been most unfairly tried, had not been tried at all, and ought not to die or suffer any other punishment upon such records. Discovering that these memoranda had not been presented to the Secretary of War, and feeling justified by the fact that I had no other forum in this department, I gave a copy of the memorandum to a distinguished member of the Judiciary Committee of the House and was told by him that he would present the cases to the President himself.

I was compelled to do this—an act inconsistent with strict military propriety—by the dictates of my own conscience, by my desire to serve justice, and by my sense of duty to my God and these unprotected men that their lives might be spared.

Very respectfully, yours,

S. T. ANSELL.

WASHINGTON, *February 17, 1919.*

Mr. GOOD. Mr. Chairman, I yield seven minutes to the gentleman from Ohio [Mr. KEARNS].

Mr. KEARNS. Mr. Chairman, Gen. Ansell has recognized the injustice that has been done thousands and tens of thousands of private soldiers during this war. These wrongs have been committed in the name of justice through the medium of a military

trial. He has come to this Congress and asked us to revise the military laws under which it is made possible for these wrongs to be inflicted on the enlisted man. If any Member of Congress will take the time and has the inclination to go to the War Department and investigate these alleged courts-martial, he will come back to his seat in this House denouncing in most unmeasured terms the military law under which the enlisted men have been tried during this war and are still being tried.

We ought not to forget that we still have under arms more than two millions of men. Each one is subject to trial by court-martial upon the charge of violating some frivolous and absurd military rule. I will venture to guess that none of you can read the hearings in the average court-martial but will say that justice is an absolute stranger at these so-called trials.

If we adjourn this Congress and leave Gen. Ansell and other officers who want to help him with their hands tied, I do not know what may be the result. If the worst should follow, the responsibility will be at the door of Congress, because we have refused to heed his cry of danger.

In this connection I am going to read to you an excerpt from a letter received from the mother of one of these boys who is somewhere in Europe. The mother says:

I am inclosing you herewith a letter that I have received from my son. Can't these boys be brought home?

I am thinking that this thought is in the heart of many mothers to-day. I will read now a paragraph from the son's letter which was inclosed:

This is the worst hole that I ever got into. I sleep on a board floor, as does each private. The officers are well fed while we starve. They have good beds in good quarters. If we complain, we get a court-martial. I have not been up before them yet. Don't know how soon I will be.

Here follows a warning in this letter that every Member of Congress ought to heed. Listen to the voice of this boy as it comes from over the sea. Here is his closing sentence in this paragraph:

One thing, a time will come when the boys are home, and these officers may never know who got them.

Mr. FERRIS. Does the gentleman think that is a good spirit for the boy to write?

Mr. KEARNS. I am not discussing the spirit of this letter. I am stating a cold fact. I have sympathy for a boy put in this position, where he is made to sleep on a bare floor and the officer is furnished with comfortable quarters and well fed while the boy is being starved. I say most emphatically my sympathy is with the boy.

Mr. FERRIS. Does the gentleman's sympathy extend to the threat to assassinate the officer?

Mr. KEARNS. Of course I have no sympathy with anarchy or lawlessness in any form, but I have read to this House the language of a boy who says he has been made to suffer untold and useless hardships. He says if he complains because he is starving he is brought before a court-martial. Under our present system of courts-martial the chances are he would receive many years at hard labor in prison. To my mind, the entire system is wrong and the hardship of these boys would appeal to a heart of adamant. The only argument that I am trying to advance is the argument that we, this Congress, should act; that we should do something before we adjourn to relieve these boys. No; I am not upholding anarchy, neither do I subscribe to any veiled threat that might be expressed between the lines of the paragraph taken from this letter, whatever that threat may be. I believe in law and order; but I am telling you that these antiquated laws should be repealed. They have come down the centuries from the Dark Ages. We have tried to rewrite these laws here on two or three occasions within the week by way of amendment to the military appropriation bill, but each time some one made a point of order to the amendment. We wanted to rewrite these laws so that boys would not be compelled to make threats against officers, if indeed they make threats. We wanted to make the enlisted man's liberty just as sacred and as safe as your liberty and mine.

I want to say to you that there is not one private out of one hundred who is tried by a court-martial who stands a ghost of a chance of acquittal if an officer is the prosecuting witness. In support of this statement let me read to you from an argument made by a young officer in defense of his client. Before I do that, and by way of explanation, permit me to say that three officers had testified against the defendant who was a private. When these officers had finished their testimony the prosecution rested its case. The young lieutenant who was defending the boy did not put his client on the stand, nor did he put any witness on the stand. Here I call your attention to the reason, as he said, why he did not. Let me say in praise of the young lieutenant who defended this private that he had nerve sufficient to talk straight out from the shoulder to the court. He had the nerve to tell them the situation, the environment in which he found himself in the defense of his client. Listen to the language that he defiantly slings into the very teeth of the court, composed, I think, of about seven officers. And note, too, the silence of the court when, if this statement that follows is not true, the officer making the accusation should have been himself brought to trial. Yet there are high Army officers here in Washington who will tell you this situation does not exist. Listen to the first paragraph of this argument, and then tell me what you think. The language hurled at the court was as follows. Listen to it:

If the court please, I will take up a few minutes this morning of your time in order to sum up the evidence. I will deal mostly with the evidence of Capt. Williams, the man who prepared the charges and on whose account we are assembled here this morning. I did not allow the defendant to take the stand in his own behalf—

Let me pause here and ask, Why do you suppose he did not? I want you to listen to the reason why he says he did not allow his client to take the stand in his own behalf to rebut the testimony of the three officers. This is what he says:

I did not allow the defendant to take the stand in his own behalf because I realize that the words of an officer are above reproach (with this court) and that any evidence that the defendant might be able to give would simply be a waste of time.

This is the first paragraph in the speech made by the counsel for the defendant, and yet officers here in Washington will tell you that what I am saying is not true; yet I have quoted from the record of a military trial wherein the defendant was found guilty and sentenced to imprisonment for eight years at hard labor, and all because an officer's word in a military court "is above reproach." All because it would be "a waste of time" to offer testimony of a private soldier in a military court. I say this is disgraceful; this is shameful, and this Congress ought to deal military autocracy a death blow while we have this chance. Gen. Ansell has defied this military aristocracy and is begging us to act. Here is a young lieutenant, M. P. O'Keefe, defending a private and has the nerve to say to the court that he did not put his client on the witness stand because he realized that the word of a private was worthless in a military court as against the word of an officer, and the court sat there and listened to the charge in silence, and by that silence, as we all know, admitted that every word that Lieut. O'Keefe said was true. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GOOD. Mr. Chairman, I yield seven minutes to the gentleman from Ohio [Mr. SWITZER].

Mr. SWITZER. Mr. Chairman, I shall address my remarks to some of the results flowing from the activities of war rather than to questions of preparation or plans for offense or defense. What I am about to say I know is a matter of great importance to thousands and thousands of men who are returning home, who are crippled, and I believe it will be of interest generally to the people throughout the country. Some weeks ago I called the attention of the House to the inadequate compensation provided by the war-risk insurance law for the soldiers who have become crippled and maimed in the great war just closing. At the time of the passage of the law I called the attention of the House to this lame place in the law and asserted on the floor on several occasions that it appeared that the draftsmen of the act had lopped off the pensions to the blind, the legless, the armless, the man who had lost one leg and one arm, for the purpose of increasing the compensation to be paid other beneficiaries to be provided for in the act. I suppose it was done to round out the symmetrical conception or scheme of some sociologic dreamer. The compensation provided by the act for the man who had lost an arm and a leg, who has no wife or child living, is an insult and a burning shame. Under article 3 of the war-risk insurance law this man is given a percentage of the compensation for a total permanent disability. That sum is $30 per month. Under the general pension law the man who has lost an arm and a leg is entitled to a pension of $60 per month. The Civil War veteran receives $60 a month, the Spanish War veterans receive $60 a month, and the soldier of this war who has lost an arm and a leg would have received $60 a month if the war-risk insurance law had not been enacted. The law unfairly discriminates against the crippled soldier. It is unfortunate that we use the word "compensation" in the act instead of the word "pension."

To my mind there is much more to be considered than the mere physical impairment to earning a living. These injuries that I refer to in the main have been received upon the field of conflict, in the performance of acts of heroism, and the mutilated condition of the soldier should be taken into consideration when we arrive at the reward that an appreciative and rich nation decrees for him. There can be no such thing as compen-

sation to the man who has lost both eyes, who has lost two hands, who has lost two feet, to the man who has lost an arm and a leg, to the man who is helpless and permanently bedridden. He should be granted a pension—a word that comprehends not only his physical impairment for earning a living but also takes into consideration that he rendered valorous services; that he performed acts of heroism; that he has made a sacrifice for his country. His disfigurement also should be considered. But this rule of commercial compensation does not know anything about the principles to which I allude. They are foreign to the principle of commercial compensation which enters into and which is the rule for measuring the amount to be paid under the war-risk insurance law. Paragraph 2 of that act requires the bureau officials to make a schedule of ratings of reduction of earning capacity from specific injuries and combinations of injuries of a permanent nature.

These ratings can be as high as 100 per cent, but they are required to be based, "as far as practicable upon the average impairment of the earning capacity resulting from such injuries in civil occupations." The bureau officials construe this provision to mean that they must classify the soldiers in reference to their vocation or calling in civil life, that they must determine whether or not the soldier in one of these classes is entitled to a greater or less compensation than soldiers in another and dissimilar class who are likewise mutilated, and the result is that practically for the same injury a pension of $25 or $27 or $28 a month is allowed to one man who has lost an arm or a part of an arm, and then for a soldier in another class only $18 or $20 is allowed. I think that this ought to be eliminated from the law. We give the private and the officer the same rate, or we intended to, in the way of compensation. I do not believe that there should be this discrimination in the law between classes of soldiers.

For instance, a soldier who is a lawyer will not be considered as having sustained as great a loss on account of an amputated arm or hand as a soldier who has followed the vocation of a carpenter.

In passing, I wish to state that it will be impossible to ever convince the soldier receiving the lesser rate of compensation that he is not entitled to the higher rate. The lawyer with an arm and a leg off and without clientage will certainly think he is entitled to as much as the carpenter likewise mutilated.

I happened to know at one time a one-armed carpenter who got along much better, so far as making a living is concerned, than many lawyers.

Under the war-risk law the soldier who loses two hands or two feet, or two eyes, or is helpless and permanently bedridden, receives $100 per month, and under the ruling of the bureau officials he is entitled to the 240 monthly payments of any insurance he may have taken out—that is, they hold that these disabilities render him totally and permanently disabled within the meaning of the law. This I believe is the proper interpretation of the act, for I believe the above disabilities to be fair illustrations of what Congress considered to be of total and of permanent nature.

The soldier who loses an arm and a leg, or a hand and a foot, or an arm or a foot will receive anywhere from eighteen to thirty dollars per month for the injury, and out of this he will have to pay the monthly premiums on his insurance or allow the same to lapse unless he has some other income or means, while the soldier losing two hands or two feet will receive $100 per month special compensation, and if he has taken out $10,000 of insurance, he will receive in addition to his special compensation $57.50 per month on his insurance for the period of 20 years.

The insurance to the man who has only one arm and one leg is a handicap to him, as it is a monthly expense and something from which he will never derive any direct benefit and which will never be of any personal assistance to him. We insisted that they should take out this insurance when they were drafted, and now we require them to let it lapse in the event they have no independent means or force them to pay the monthly premiums on their policies out of an inadequate monthly compensation, less than half the pension now paid to the Spanish-American War veteran likewise crippled.

These men can not be anyways near adequately compensated unless the law is amended by specifying the rates for specific injuries, as was done in the general pension law, or the basis for total disability on account of injuries resulting from amputations, or equivalent conditions, be raised from thirty to one hundred dollars per month in the war-risk law.

This is the rate provided in the law for the loss of two hands, or two feet, or two eyes, or for becoming totally blind or helpless and permanently bedridden; and if Congress will specifically declare the rate of $100 per month as the basis for total disability resulting from amputations of limbs and parts thereof, and equivalent conditions, and direct that the impairments of earning capacity resulting from such amputations or conditions be given a rate of compensation prorated on the basic $100 for total disability, the bureau officials by applying the tables of rates and methods now employed would arrive at a rate of compensation for the specific injuries I refer to approximating those carried in the general pension law for similar disabilities.

The War Risk Bureau officials, after more than a year spent in administering the law, suggested or recommended some months ago, so I am informed, that the basis for total disability for what is known as amputated cases or equivalent conditions be raised from $30 to $100 per month, the specific rate in the law for the loss of both eyes, two feet, or both hands, and so forth.

This recommendation of the bureau officials is a high tribute to the Pension Committees of the House, for the foregoing $100 rate per month is the result of an amendment offered by myself when the war-risk insurance bill was under consideration by the House, and I took the rate carried by the existing general pension law for the disabilities above enumerated. The bureau officials state that by applying their tables and methods of computation for partial disabilities from amputations and equivalent conditions that they will arrive at the same rate or about the same rates carried in the general pension law for the same or similar disabilities, a further tribute to the good judgment of the Pension Committees of the House and the Congresses which enacted the laws carrying some of the specific rates referred to more than 30 or 40 years ago.

The Interstate and Foreign Commerce Committee of the House has been so busy investigating the packers and the multitudinous matters piling up before it that it has had no time to consider propositions or suggestions to remedy the imperfections of the war-risk insurance law, although glaring injustices are being daily worked out by the bureau in charge of its administration; and the fault is not with the bureau officials, but with the law.

In order to bring this matter more forcibly to the attention of the House, I have introduced a House resolution to create a new committee, to be known as the committee on soldiers' compensation and insurance, to which may be referred all matters and bills affecting soldiers' compensation and insurance. This committee can devote its whole time to matters coming before it, which will soon be voluminous.

The House has had a pension committee since 1813, and since 1880 it has had two committees to look after the pensions of soldiers of past wars. The enlisted and drafted men of this war, I presume, nearly equal in numbers the total number of the soldiers serving in all the other wars since the birth of the Nation. Therefore there should be a special committee to look after the compensation and insurance of the soldiers of this war. Many imperfections will be found in the existing law, and soon there will be thousands of bills for special relief introduced for those who can not obtain justice under the general law, and these matters should have the attention of a committee which can devote its whole time to the consideration of these subjects.

When the Committee on Interstate and Foreign Commerce of the House was created, no one ever dreamed that it would some time in the future consider and report out legislation for the insurance of ships and seamen and eventually stretch forth its tentacles and take jurisdiction of subjects and over matters which had been under the exclusive jurisdiction of the Pension Committee and the Pension Committees of the House since 1813. But, as this committee has now lost the services of the originator of the law and the colossal bureau builder of this administration, the late Secretary of the Treasury, Mr. McAdoo, I submit that there can be no further excuse offered for its retention of jurisdiction over matters pertaining to pensions or soldiers' insurance. The committee had more work than it could well do before it was commanded to take jurisdiction of pensions.

The 4,000,000 soldiers serving us in the war now closing, and their dependents, will furnish all the work necessary to keep one committee busy, and they should have the whole attention of one committee. The soldiers and ex-soldiers of the Civil War, and their dependents, have at their service the Invalid Pension Committee of the House. I therefore trust that the Republicans, in the organization of the next House, will give this matter their utmost careful attention, and I believe that they will come to the conclusion that such a committee as provided for in my House resolution No. 558 should be created. It may be found necessary to create a committee on allotments and allowances, but I do not believe that the allotment and allowance feature of the war-risk insurance law should be blended or mixed with the subjects that may be

placed under the jurisdiction of the committee on soldiers' compensation and insurance proposed in my House resolution.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SWITZER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, this morning we agreed to a conference report carrying $600,000. This evening we will pass this bill carrying a few million dollars, to-morrow we will consider a bill perhaps to appropriate $750,000,000 to the railroads, and the next day a bill appropriating a billion and a quarter of dollars to the farmers, so that what I have to say may seem very inconsequential. I hold in my hand a letter written from the Quartermaster Department to a man who was a first-class private in the aero squadron in France, and by the time he received the letter had received a probably merited promotion to first lieutenant. This letter is as follows:

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,
TRANSPORTATION AND TELEGRAPH BRANCH,
Washington, August 7, 1918.

No. 553.4-CD-T-Fessenden
B. & A.-2174.
From: The Acting Quartermaster General of the Army.
To: Pvt. (First Class) Frank W. Tillman, A. S. S. E. R. C., care Adjutant General of the Army, Washington, D. C.
Subject: Transfer of baggage.

1. On August 25, 1917, you were issued transportation from Boston, Mass., to Fairfield, Ohio. In connection with this transportation you had your baggage transferred from the Big Four station to the Ohio electric station in Dayton, Ohio.

2. As this transfer was not authorized, it is requested that you forward a check for 25 cents promptly to this office.

By authority of the Acting Quartermaster General:
T. F. POWELL,
Major, Q. M. R. C.

Paid February 5, 1918, 25 cents. P. M.
LGF/AC. RDR.

—

REMBERCOURT, FRANCE.

Inclosed find stamps to cover.

FRANK W. TILLMAN,
First Lieutenant, A. S., U. S. A.,
185th Aero Squadron, 2d Pursuit Group, A. E. F., France.

And the young man complied and forwarded 25 cents. Here was a young man in the Army granted transportation home, and when he reached the city of Dayton he easily and quickly left the Big Four Railroad and transferred to the Electric Ohio Road, which runs through the village of Fairfield, and a great and grateful Republic spends a few dollars in connection with the official communications to inform the young man that he ought to have carried his baggage in his hand instead of transferring it from the Big Four station to the Ohio Electric station, and demanding that he refund to this Government 25 cents. I have often read little descriptions, under the head of "the meanest man" of various kinds, endeavoring to illustrate how small some one person could be in reference to money. We must not forget that in the appropriation of these vast and enormous sums of money we have some very careful officials who insist on collecting, at the expense of several dollars, 25 cents from a poor soldier who did the sensible thing and had his baggage transferred, and then went back to the fighting line and risked his life in aeroplanes and received a promotion from a private to that of first lieutenant. I rather think that the Government takes the cake on being "the meanest man." [Laughter and applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. DENTON].

Mr. DENTON. Mr. Chairman, I have not taken up much time on the floor of this House, and I would not speak now, when time is so valuable, if I did not think that something ought to be said with reference to the tendency manifested here to criticize and try to embarrass the President. This tendency has been more marked since the ending of the war, although it had existed before. We all know what efforts were made by the other side of the House to take the control of the war out of the hands of the President, where the Constitution had placed it, and to put it in the hands of committees to be selected by Congress, a fact that was pointed out by the President in his letter, which has been so much misrepresented, the letter on which the opposition based its statement, and reiterated the same both on the platform and in the press, that the President had branded the Republicans as disloyal, when just the opposite was true, when he had said that they were prowar but antiadministration, which every man in this House knows was true, as applied to the great majority. Some of us remember that when a month or so before the election the gentleman from East St. Louis, Ill., made his bitter and rhetorical attack upon the President it was greeted by loud applause on the Republican side, as were other attacks.

Nevertheless, the Republicans went before the people contending that they were better friends of the President and had supported him better than the Democrats. But no sooner had they gotten in on this theory than they studiously began to try to embarrass him in every way possible.

On the very first day of this session of Congress, when the President appeared to deliver his message, they sought to insult and humiliate him by studied discourtesy, and the same spirit has manifested itself continuously to this day. Everything that he has done has been wrong. He has been on a mission as noble and commendable as ever engaged the attention of any statesman, trying—honestly trying—to bring about such a settlement of this war as will make impossible the recurrence of such another world catastrophe. Certainly this is a desirable end. He may fall far short of his aims. The world has been thousands of years in the making, and its trend can not be entirely changed in a few short months. But much can be done to bring about changes which the lessons of this great war have brought the people to realize the need of. And we should certainly commend the President for the great work he is trying to do instead of criticizing him and throwing obstructions in his way, making his work more difficult. Instead of trying to help and encourage the President in this great work, many Members of Congress seem to want to make his work as difficult as possible, and are trying to discount the result in advance.

A league of nations will not bring about the millenium, but it can do much to lessen the danger of future wars by substituting reason for force in the settlement of international controversies. We settle our domestic difficulties in that way, and there is no reason why we should not settle our international difficulties in the same way. There is no more reason why international difficulties should be settled by force than there is for the settlement of our personal difficulties in the same way.

Some criticism has been made because the peace conference has not concluded its work sooner. Better take a little more time and do this work well; too much haste is always regrettable. Let us tie the nations up in a league that will be permanent while the necessity for the same is impressed on the minds of the people by the great catastrophe which has befallen them. It has been said that the conference should complete its work and bring our boys home as soon as possible. We are all anxious to have our boys brought home, but this will not be hastened by a speedy conclusion of peace. Every ship that comes over now is loaded to its full capacity. It took more than a year to transport 2,000,000 troops, the largest Army we ever had, 3,000 miles across the ocean with the aid of our allies, which was considered almost a miracle, and it will take longer to bring them back.

It has been said on the floor of this House that we should get out of Europe as soon as possible and go back to the good old days of Washington and Jefferson, when we had no entangling alliances but were sufficient unto ourselves. President Wilson should come home, it has been said, and leave Europe to settle its own difficulties and make its own peace. Happy would we be if this could be done. We tried to keep out of the war and to keep free from these entanglements, and we kept out as long as possible, and many of you then criticized the President for keeping us out too long; some of you who are now criticizing him because he does not get out soon enough. You would have him return home and let the warring parties establish another balance of power which might become unbalanced at any time and fall, as it did in the past, with disastrous results to the people of the world. The loss of more than 50,000 of the best of our American boys and a debt of $50,000,000,000, which probably we will eventually have as the result of this war, testify to the futility of any attempt on our part to adopt a policy of nonintervention in world politics. We could not keep out of this world conflagration, and what assurance have we that we could keep out of the next one? Modern science has brought the peoples of the world so closely together that a great upheaval in one part of the world is felt by all civilized people everywhere.

The fathers and mothers of the boys who have made such great sacrifices in this war, and the taxpayers, who will have to bear the financial burden, are back of our great President, wishing him every success. If he can even in a small degree lessen the danger of the occurrence of wars by a league of nations, the people are for it. And instead of decrying our great President and trying to belittle his efforts, we should help him and be proud of him, and of the great work he is doing. No

man at the peace conference has more influence than he; and he would have a still greater influence if he had behind him at home a sympathetic and united Congress.

No man before ever had such a world-wide influence as has Woodrow Wilson. His name is known in every civilized country on the globe, and wherever people are struggling for liberty and the right of self-government their eyes are turned to him, and in him they find their champion. He is the idol of the great mass of the common people the world over; he is revered and looked up to among the people of the nations allied with us, and also by the people striving for democracy, even in the countries with which we have been at war.

What gives him this world power? The same thing that gave him his power at home. The American people have been behind him and Congress has followed his lead, because it was realized that when he spoke it was the voice of the people. How frequently have we seen the defeat in this House of measures advocated by him when they were being considered in the "Committee of the Whole," where there could be no record vote, and then seen these same measures pass this House when there was a roll call, and with the aid of the votes of the same men who had voted against them in committee? Men on both sides of the House have voted for these measures against their personal inclination only because they knew that the people were back of the President. It is this same thing that gives him his power at the world conference. The great mass of the war-weary people of the world are behind him. They have seen in him the embodiment of the principles for which they are striving, and they have made him their spokesman. When he speaks at the world conference it is realized that the people of the world are speaking, and politicians and statesmen of all countries listen.

Can we not forget politics for the time being? Important as it was that we should win the war, the work ahead of us now is no less important; nothing is of more importance than that the questions growing out of this war shall be settled right, so that all our sacrifices shall not have been in vain.

For one, I have no patience with all this talk that, having turned the tide at the critical moment and thus helped to win this war, we have no further duty in the matter, but should come home as fast as we can and leave the settlement to our allies. Experience having shown our vital interest in the questions involved in this war, we have a right to insist, and we would be false to our trust if we did not do so, that these questions must be so settled that we will not again be caught in a great world whirlpool. The American people, who have made the sacrifices necessary to win this war, expect and demand nothing less. If we disappoint them by opposition and obstruction where we should render assistance, we will rue it; we will be faithless to our trust and little less than disloyal to our country. [Applause.]

Mr. BYRNS of Tennessee. I yield the remainder of my time to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I have no patience with any criticism that smacks of politics, but there are times when because of politics to refrain from justly criticizing becomes a breach of duty. I am hoping through the publicity of the following facts to get from the War Department some late, authentic, definite information concerning the present condition of the Thirty-sixth Division in France and, if possible, to secure for the soldiers—brave fighting boys from Texas and Oklahoma—better camp conditions and more comfortable quarters during their enforced stay in a foreign land.

On February 7 Mr. R. E. Johnson, whose home is in Burnet, Tex., and who is a veteran officer of the Spanish-American War, came into my office, stating he had just arrived from France, and that on leaving the Thirty-sixth Division about 20 days before he had promised some Texas boys from my district to let me know the numerous hardships they were undergoing, urging me to get for them some relief.

I immediately sent the following letter to the Secretary of War:

FEBRUARY 7, 1919.

Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

MY DEAR MR. SECRETARY: A substantial citizen from my district has just returned from France. He tells me that he left Brest January 25, and left the Thirty-sixth Division about 20 days ago.

He informed me that the Thirty-sixth Division was quartered in an area of about 10 miles square, and that while the officers had beds to sleep in in the farmhouses the privates were occupying barns, outhouses, chicken houses, and every other place that afforded any cover, with mud everywhere and much sickness. He also stated that these men generally were scratching themselves sore because of "cooties" and were disheartened, with no hope of getting home soon.

Instead of making public criticism in the House, and probably do an injustice to your department, I am bringing this complaint direct to you, hoping that you will give me the facts as they really exist and will take immediate steps to remedy this condition. My informant is a credible citizen, loyal to the core, and would not have made this complaint had there been no foundation for it.

In this connection, if it is possible, could you give me some intimation when the Thirty-sixth may be expected home?

Very sincerely, yours,

THOMAS L. BLANTON.

Five days elapsed, and I received under date of February 11 the following communication from the Secretary of War:

WAR DEPARTMENT,
Washington, February 11, 1919.

MY DEAR MR. BLANTON: I deeply appreciate the information contained in your letter of February 7 and the spirit in which you transmit it. On the occasion of my own visits to France I confess I was amazed at the conditions under which the soldiers had to live; but, of course, there are some two million British soldiers and about two million American soldiers there for whom no permanent provision could be made, and who then had to live, and probably still have to live, under conditions which in this country would be regarded as quite impossible. The contrast between our well-ordered camps in this country, with their barracks, storehouses, bathing facilities, etc., and a quartered division in France is something which can not be described but must be seen to be understood.

Of course, the signing of the armistice enabled us to move some divisions from the least possible places, but until a substantial number of our troops are returned it will not be possible to find even moderately comfortable surroundings for them. We are, of course, using every ship we can lay our hands upon to carry soldiers home, and each boatload diminishes the problem on the other side, but the problem is still there, and is serious, and part of its seriousness lies in the fact that, of course, every soldier now in France has his mind set on coming home, the inspiration under which they lived while the war was still on is withdrawn, and they are more sensitive to unpleasant conditions. In addition to that, I know of no country in the world where it rains so steadily and so often, or where the mud is so impressive, as it is in France at this season of the year. Fortunately, the health records of the Army in France do not bear out the apprehension of your friend as to the sickness prevailing there. It seems to be true that mud is less dangerous than the dust which they have to endure in the summer.

However, I am never willing to rest on presumptions about matters of this kind, and will have an immediate inquiry made into the situation of the Thirty-sixth Division, so as to be sure that everything possible is being done for its comfort. I shall be glad, also, to let you know as early as I can the probable date of the return of the division.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

Hon. THOMAS L. BLANTON,
House of Representatives.

I have received a letter from a major in the United States Army, in which he takes exception to the statement of Mr. Johnson, and from which I quote the following excerpts:

Up to December 5, when I left my battalion, I had only had one death among 480 men and 20 officers. * * *

I, as an officer of this division, wish to forcibly protest and request that Mr. Johnson's statement be withdrawn. * * *

The officers slept in beds in private houses, and the men were billeted in houses, barns, old storerooms, wooden barracks, etc., and were not in camp in the mud as reported. * * *

In regard to the body lice, when men fight in the rain and mud, take their rest in shell holes half filled with water, and otherwise live the life of beasts, which is a necessity in the style of fighting the Thirty-sixth went through, it is to be expected that they will accumulate a few body lice, known in the trenches as "cooties," but better known among the Americans as "crums." But the Medical Department must be credited with a continual war against these festive birds from the time the men are inducted in the service until their discharge. Where and when possible a portable bath is set up and the men given a chance to scrub them off and put on clean clothing and given a fair chance to rid themselves. As soon as the division was moved to winter quarters permanent baths were established, and the men were checked off as they bathed. In view of the fact that at no time could it be possible for every man in an organization to be put through at the same time, and the lice hiding out at bathing time, there is bound to be a few escape. This can not be avoided, and it delays the extermination necessarily for several weeks. I have no doubt but what the Thirty-sixth is entirely rid of them by now.

Notwithstanding the demand of this major in the Army that Mr. Johnson retract, I have a written statement from Mr. Johnson making no retraction. This major left France on December 5, while Mr. Johnson sailed from Brest on January 25.

The following is Mr. Johnson's statement, made since he was criticized by this major in the United States Army:

Inasmuch as it has been published that I had made complaint about the billeting of the Thirty-sixth (Texas-Oklahoma Volunteer) Division in France, I take the liberty to submit a statement that I believe the men of the Thirty-sixth, when they finally return home and are free to express themselves, will declare to be conservative.

I met Congressman BLANTON in his office in Washington a few days ago and related to him what I saw and experienced of the situation of the Thirty-sixth Division as it was when I left it, about one month since, and it is evident that immediate representations were made to the War Department by Mr. BLANTON looking to a betterment of the conditions existing, and now, in order that all who wish to do so may cooperate in such reasonable, patriotic way as they may choose, I submit my observations and offer my own personal suggestions in the premises.

The States of Texas and Oklahoma have two divisions accredited to them jointly overseas, viz, the Ninetieth, commonly known as the National Army Division, and the Thirty-sixth, commonly known as the Volunteer or National Guard Division. The latter, however, is largely mixed, having many selected (drafted) men in its ranks.

The Ninetieth Division was soon after the signing of the armistice designated as a part of the army of occupation and has been in the army of occupation at or near the extreme front for some time, and, from reports received by me from men coming back from that area and from newspaper reports, it seems that the Ninetieth is well billeted, comfortable, and enjoying cleanly, sanitary, and good moral environment.

The Thirty-sixth Division, after the signing of the armistice, was marched back toward the interior of France to a point some 125 miles from Paris, the men believing that they were on their way to a port of embarkation and home. They were billeted in a rural district over an area of some 15 miles square, usually a small contingent in each small farm village. In France I saw no farmhouses as we understand the term. The farms range from less than an acre to several acres, and the people who do the farming live in the near-by villages. There being so very little suitable ground for camps of tents or barracks, the Army has adopted the only sensible plan for troops to occupy the country by billeting them in these villages, and, naturally, the soldiers' requirements are just that much in excess of the purposes for which the villages were established, creating the necessity for occupying as sleeping quarters for the soldiers almost every kind of building that will shield the soldier from the rain that scarcely ever ceases to fall; consequently, the men of the Thirty-sixth Division are occupying all sorts of domiciles, some comparatively good, some better than none, and including barns and other outhouses, with, in many cases, huge piles of manure in very close proximity to these living and sleeping quarters of the men and to their source of drinking water; the latter, however, regulations forbid the men to drink until it has been placed in large water bags and chemically treated.

In some instances horses, cows, rabbits, and fowls occupy the same building as the men, with partitions separating, which do not in all cases prevent the odors from the animals reaching the quarters of the men.

While the military authorities have endeavored to clean up the men moved back from the trenches to the interior, it is quite evident that the men of the Thirty-sixth Division have not been rid of the body lice, a most disgusting, humiliating, and demoralizing pest to the men who are forced to endure such inhabitants of their bodies.

Fuel for the men to use in their billets has at times been hard to get, and I am reliably informed that some of the men bought wood at about the equivalent of $18 per cord when they had not received wood or fuel from the Army supply.

Without any purpose to create the impression that the womanhood of France is totally depraved, I certainly feel justified in saying that immorality is so openly in evidence that I believe a truthful statement, which may be had from our soldiers when they return, will seem to the average American gross exaggeration.

As to intoxicating drinks, while I do not expect our soldiers to come any nearer "going to the devil" as the victims of booze than have the American people thus far, nevertheless France seems to be overflowing with that means of debauchery, and we certainly are not ready to treat our brave men in France as we would convicts and deprive them of liberty to the extent that would insure even a temperate use of intoxicants by those who have the inclination to imbibe freely.

The men of the Thirty-sixth Division have that same true American spirit that has sustained our country since its beginning. They gave themselves to battle for the ideals which prompted us to go to war, and they have endured uncomplainingly every hardship and unpleasant circumstance incident to their purpose to whip Germany and finish the job quickly. Tney appreciated every effort, and cooperated therein, of the people and the Government to get them overseas and into the fight; but, after all, they are not soldiers; they don't want to be soldiers, and they should not be looked upon any longer as mere soldiers. They are, and should be considered by us, an overseas portion of the best of our citizenry; men really more deeply interested in the affairs of our Nation than those on this side who have not gone through the crucible of the last year "over there." They are thinking, virile, earnest young men, who have offered their all and given much, and who now yearn to be granted their citizenship again at the hands of their Government that they may return to their homes and loved ones and resume their civilian life and participate with those at home in shaping the destiny of the United States, to them the greatest country on all the globe. They believe that they have earned that reasonable consideration from the folks at home that would demand and accomplish their severance from the Army with the very least possible delay consistent with the real needs of our Nation at this time. Knowing that the large majority of them are farmers and stock raisers, and that others of them need have no apprehension as to securing employment after being discharged, they are interested in becoming producers instead of very expensive consumers in a far-distant land, and they think along these lines largely because they realize that upon the soldiers now in service and others of their generation will fall much of the burden of meeting the expenses of this war.

Considering the matter from the standpoint of a citizen of the United States just returned from France and familiar with the Thirty-sixth Division as at present located, it would not be unreasonable, nor would it be unpatriotic, on the part of the people of Texas and Oklahoma to urge the return home and demobilization of one of the divisions—either the Thirty-sixth or Ninetieth—at the very earliest possible time commensurate with the actual military needs of the United States, and it certainly would be gratifying to be able to meet part of the farming difficulties of these two far Southern States, where plowing is now in progress for this year's crop, with the men from one of those divisions. As to which division the department might choose to send home, if either can now be spared, to one familiar with the location of each division it would seem reasonable to suppose that the Thirty-sixth would be chosen as the first to return to the States. It is several hundred miles nearer the port of embarkation; it would have to be moved several hundred miles from its present location over into Germany should it be substituted to occupy the sector now held by the Ninetieth; it would have to be "cleaned up" and reequipped; and then, finally, when the peace pact is signed, the Thirty-sixth, if substituted for the Ninetieth at the extreme front, would probably be brought back over the route it would take going up, entailing over 400 miles double travel on the Thirty-sixth, while the time required to make such a change or substitution would probably run into months and accomplished at what might be a useless expense, when it is considered that there can hardly be any preference on the part of the people at home as to which of said divisions is released from military duty first.

In conclusion I wish to state and emphasize the statement, that I have been on the ground and given very careful thought as to what is right and proper for the people at home to do, or suggest being done, for the Texas-Oklahoma men constituting the two divisions in the American Expeditionary Forces and my own humble opinion is that the War Department has done all that has been reasonably possible to be done for the welfare of these troops. I believe that the department is worthy of commendation for having no worse conditions than now prevail with the 36th Division and I firmly believe that it would really be a mistake and waste of money and time to attempt to better existing conditions with that division so long as it is necessary for it to remain in France.

Climatic conditions do not give way to man's desires, therefore, rain and mud must be contended with and men on duty must be exposed to it and as long as the division exists the duties of the soldier must be performed, rain or shine. It is a wonder to me that fuel has been attainable and distributed as well as it has to the 36th, under existing circumstances.

The lice that torment and humiliate the men were acquired at the front, whence they were known to exist, even before the United States declared war, in uncountable billions, beyond the power of man to destroy and the millions of soldiers who have come back through France must have left these pests in most every billet in the interior of France that will perhaps require years of peace-time effort and equipment to eliminate.

Practically every acre of France is devoted to intensive farming, except just room enough for roads, canals, timber areas, villages and cities, so that, in the interior especially, it is not practicable to erect tents or barracks for Army camps; such camps would become quagmires and seas of mud even before completed, so that the billet even in barns and like buildings along or near macadamized roads or streets is far more preferable than tents or barracks in fields that become mud ponds.

The laws, customs, and habits of France are as firmly fixed upon the French people as are our laws, customs, and habits fixed upon us, and, while the French have certain wholesome regulations that have for their object the protection of the soldier from vice and intoxication, for the United States to undertake to remodel French laws, customs, and habits to even approximate those of Texas and Oklahoma would seem as ridiculous to the French people and government as would a proposal of France to have Texas and Oklahoma adopt French laws, customs, and habits.

It certainly does the heart of an American good to find, as I did, that every American soldier he meets abroad is more in love with "the dear old U. S. A." than ever before. I found no boasting among those who had been "in the thick of it"; in fact, was forced to patiently wait and listen to conversations between men who had been over the top, and among men who had dared as terrible dangers in getting supplies and munitions up to the trenches, to gain information as to what our men really did, and there I heard what would be termed, ordinarily, hair-raising experiences spoken of and somewhat detailed in a manner that impressed me that none of them felt that it was a matter to be exaggerated or treated in any other way than as a serious duty performed to the best of the ability of the participant, at a great cost of comrades, who "paid the last full measure of their devotion," and then to see these great, strong young fellows when the conversation would, as it always did, revert to home, to see them search for some little memento or photograph that would take their thoughts and hearts back across the ocean, and to know that, while none of them ever entertained a thought of shirking any duty due the homeland, how very earnestly, indeed, each one longed for the day when he could set his face toward the West under orders to return to the dearest place on earth, resolved me to lay their case before their home people and to say to their home people, "Be sure that those boys shall know that you exerted every honorable, patriotic effort to have them returned home just as soon as it was possible to spare them from overseas, and that a real welcome awaits them when they arrive."

I further suggest that every honorable effort be made immediately to see that Congress enacts the necessary legislation for a new Army to take the place of the men now overseas, and such a bill having been reported and well on its way, Congressmen and Senators should be induced to hasten its passage to the very utmost and to eliminate useless debate and red-tape procedure; in other words, let's show fully as much real zeal in getting our citizens home as we did in getting them overseas, and we shall have the everlasting praise of those citizens.

Respectfully,

R. E. JOHNSON.

On February 14, not having received any satisfactory reply from the War Department, I sent to the Secretary of War the following telegram:

WASHINGTON, D. C., *February 14, 1919.*

Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.:

Since writing yours 11th will you kindly advise whether you have yet received the definite information concerning the Thirty-sixth Division requested in my letter 7th?

THOMAS L. BLANTON.

I have received from the Assistant Chief of Staff the following letter dated February 14, but which, as shown by the envelope, was not mailed by his department until February 17, four days later, wherein he attempts to answer in general terms the statement from Mr. Johnson, but he does not show that any information whatever has been received from France since my letter of February 7.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, February 14, 1919.

The Hon. THOMAS L. BLANTON, M. C.,
House of Representatives, Washington, D. C.

MY DEAR SIR: The Secretary of War directs that I acknowledge receipt of your letter of February 7, relative to the Thirty-sixth Division, and to inform you as follows:

The Thirty-sixth Division is located in one of the areas assigned by the French authorities for the occupancy of our troops. Each division is assigned an area of sufficient billeting capacity to accommodate it. The troops are housed in buildings or billets according to the universal European custom, and not in tents. According to the French custom, all the buildings which are fit for sheltering troops in each area have noted on them by the French authorities the number of officers, men, or animals that they are expected to accommodate. Officers very frequently are alloted beds, and in many cases the noncommissioned officers and privates. Frequently the accommodations in the areas are so limited that officers use their own camp cots, while at one town accommodations were sufficiently ample to assign rooms and beds in a hotel at a fashionable watering place to the privates.

It is true that the billeting accommodations in the area now occupied by the Thirty-sixth Division are not as extensive as those in some other areas, and it is true that an application to the French to add a fairly large town to this area was disapproved by them for reasons which appeared correct. There are many reasons connected with French internal administration which fix the limits of the billeting

areas and their character depends entirely on the section of the country in which they are located. It has not been the practice for divisions to continually remain in one area, and no injustice or unnecessary hardship is inflicted on any division.

The mud can not be denied. It is everywhere. A mild winter, with incessant rain and dampness, has made the ground soft. The villages have no sidewalks and even on the hard, paved roads a slime of thin mud remains throughout the winter. Steps were taken at the headquarters of the corps to which the Thirty-sixth Division belongs to procure "duck boards" to lay on the ground in the muddiest places, by sending trucks to the depots of supply, and even far forward to the abandoned trenches, but no amount of "duck boards" can adequately combat the mud nuisance.

Such sickness as exists is chiefly attributable to the continued dampness and lack of sunshine. It is true that barns and outhouses are used, from necessity, as billets. The report that men are required to sleep in chicken houses conveys an exaggerated impression. Life in French villages is very primitive; steaming manure piles are in the streets and at the front doors of the houses, which are overrun with chickens, that have access to many buildings. Some buildings might appear to be chicken houses that actually are not.

In the matter of "cooties" every effort is made by encouraging bathing and the use of delousing machines to keep the men free from such vermin, which, of course, exist, though not to such an extent in the areas as at the front.

In regard to the men's getting home, it has been the fixed policy of the War Department to refrain from interfering with Gen. Pershing, who is given a free hand in designating the troops to return. This action is necessary because of the many problems still confronting him overseas, and were the War Department to embarrass him in the solution of these problems the result might be detrimental to the welfare of the country at large. Gen. Pershing has not yet designated the Thirty-sixth Division for return.

I trust that in my desire to furnish you a full and frank description of things as they exist I have not trespassed too much upon your time. It would be most desirable if the people of this country could realize the difficulties connected with bringing all the men home at once and, by counseling patience on the part of their loved ones, render the Nation a distinct service.

Sincerely, yours,

HENRY JERVEY,
Major General, United States Army,
Assistant Chief of Staff, Director of Operations.

I want to state that it does occur to me that when complaint is made by a Member of Congress to the War Department with respect to the conditions which surround a whole division of American soldiers in France, that complaint made on February 7 and this is February 19, that the War Department in that length of time could furnish some definite information concerning the condition of that camp. And I am making this criticism in the hope that the department will take some definite and immediate steps to see that these boys are given every care and every attention, and that the place will be surrounded by every comfort which the War Department is able to give to them.

I take it that these men hold us responsible in a way. We placed them there, and they are looking to us to see that they get proper treatment. No private over there is allowed to complain. We have learned by this time that if a private makes a complaint he is court-martialed. I am in favor of this Congress taking some steps to see that a private soldier in the Army can make a proper complaint to his Congressman, and that his Representative can go to the War Department and place the facts of that particular case before the War Department, and obtain justice for his constituent, without having that particular soldier drawn up and court-martialed and punished for it. If he can not look to his Representative, to whom can he look? His Representative is the only person on God's green earth to whom he can look for redress of any wrong, and I hope the War Department will take some action with respect to this Thirty-sixth Division. It is composed largely of Texas and Oklahoma volunteers, who have gone there willingly. As long as the war lasted they were willing to stand knee-deep in the mud, and fight in cootie-infested trenches, and bear all the hardships incident to cruel warfare; but now that the fighting is over, I do not think they should be billeted within 125 miles of Paris under the conditions acknowledged to exist in this camp.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

SEC. 4. That expenditures for carrying out the provisions of this act shall not be made in such manner as to prevent the operation of the Government arsenals at their most economical rate of production, except when a special exigency requires the operation of a portion of an arsenal's equipment at a different rate: *Provided*, That no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work.

Mr. LUNN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment.

The Clerk read as follows:

Amendment offered by Mr. LUNN: Page 10, line 19, after the word "work" strike out the period and insert the following: "nor shall any part of the appropriations made in this act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant."

Mr. LUNN. Mr. Chairman, I do not want to take up the time of the committee. This amendment is intended simply to make this act conform with the language adopted in the Army bill and recommended by the Committee on Military Affairs. If there is opposition, I want to speak upon the amendment at more length. I do not think there will be opposition.

Mr. BYRNS of Tennessee. Mr. Chairman, I will simply state that this section of the bill as reported is exactly in the language carried in the fortifications act for the current year. The amendment of the gentleman from New York was not called to the attention of the subcommittee or to the attention of the full committee. There was no objection to the language as carried in the current law when the bill was passed at the preceding session of Congress.

Personally, I have no objection to the amendment offered by the gentleman from New York, but that is a matter to be left for the judgment of the House.

Mr. LUNN. A year ago, when the bill was introduced, the fortifications bill, it was a large bill, and I think it was passed in an hour's time. I understand this subject, and only half of it was covered in the bill of last year. I understand that the House wants to continue the same policy that they have followed for the last few years.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. LUNN. A division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 7, noes 14.

Mr. LUNN. I make the point of no quorum, Mr. Chairman. This is an important matter.

The CHAIRMAN. The gentleman from New York makes the point of no quorum. The Chair will count.

Mr. LUNN. If there is any other way in which I can bring this to a vote of the House under the circumstances, I would take it, but there is no other way that I know of.

Mr. CLARK of Missouri. The gentleman can move to recommit the bill.

Mr. LUNN. I am not opposed to the bill.

Mr. CLARK of Missouri. If any gentleman is opposed to it and says so, he has the preference; but if nobody qualifies to that extent, then the gentleman would have as much right to offer the motion to recommit as anybody else.

Mr. LUNN. I do not desire to consume the time of the committee or to make the point of no quorum, if there is any legislative way to have us continue as we have continued for years in this matter.

Mr. CLARK of Missouri. If the gentleman will not make the point of no quorum, I will recognize him when we get back into the House, to make a motion to recommit, unless somebody qualifies up and down. [Applause.]

Mr. LUNN. I withdraw the point of no quorum.

The Clerk resumed and completed the reading of the bill.

Mr. OVERSTREET. Mr. Chairman, I ask unanimous consent to return to page 3, line 19, for the purpose of offering an amendment. I asked the chairman of the subcommittee about what time the general debate would close, and he said about half past 6. I got in here at a quarter after 6 and they had passed this section. I make that statement for the benefit of the committee. I have an amendment that I desire to offer. I trust the chairman of the committee will not object.

Mr. BYRNS of Tennessee. I take it, the gentleman does not mean to make the point of no quorum?

Mr. OVERSTREET. No, sir.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to return to line 19, page 3, for the purpose of offering an amendment. Is there objection?

Mr. MANN. If the gentleman offers his amendment, how much time does he propose to take on it?

Mr. OVERSTREET. Five or six minutes.

Mr. MANN. Will the gentleman take the vote in the committee here now?

Mr. OVERSTREET. Yes.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. OVERSTREET: Page 3, line 18, after the figures "$544,000," insert: "For protection of the shores of Fort Screven, Ga., $160,000."

Mr. OVERSTREET. Mr. Chairman, the purpose of my amendment is to authorize the expenditure of the sum of $160,000 for protection of the shore of Fort Screven, Ga. The Chief of Staff of the Army has been informed that the Government reservation at this point was liable to great damage owing to the rapid encroachment of the sea, and ordered a survey and report to be submitted showing the true status of the matter. The local engineer recommended the expenditure of $160,000 for the purpose of protecting the shore against the washing of the waves, and further recommended that this sum be expended in the construction of jetties to be built in accordance with recommendations made in the report. At the hearing before the subcommittee of the Committee on Appropriations Gen. Winslow, of the Board of Engineers, when asked if he considered this an important piece of work, replied that personally he had no opinion on the subject, as he had not seen it, but said that he simply knew the report showed the situation is considered very serious. Upon this statement alone of Gen. Winslow the committee struck this item out of the original draft of the bill. I desire it reinstated.

I respectfully submit, gentlemen of the House, that the item of $544,000 carried in this bill for the protection of the reservation at Sandy Hook is a parallel case with this, and if one is allowed the other should be allowed also. Gen. Winslow said he was not familiar with the Fort Screven project and could not recommend it for that reason. If it was necessary for Gen. Winslow to inspect the situation at Fort Screven in order for him to pass upon this question intelligently, then I submit it was his duty to visit Fort Screven and see for himself. As I have already stated, the local engineer's report shows something ought to be done to keep the shore from washing away, and therefore a prima facie case was made out in favor of the appropriation asked for in my amendment, and it was up to Gen. Winslow to negative this showing by a positive statement.

I have in my hand a memorandum furnished me by the Chief of Coast Artillery, and it shows that the value of the buildings alone at Fort Screven is $801,895, besides the land, armament, and other equipment, and it does seem to me, in view of all these facts, that the committee should adopt the amendment. In addition to this, I have recently received from the former mayor of Tybee a letter, in which he says the situation there is very serious, and unless something is done a large number of houses will soon be washed into the sea. He says a number of buildings have already been moved back, in some instances 50 and in some 100 yards to prevent their being washed away.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. OVERSTREET. Yes.

Mr. PARKER of New Jersey. I happen to know something about Tybee Island and that encroachment. It seems to have been caused by the digging of a new channel on the south. It has changed the whole current there so that they do not know how to control it at all. I do not know whether jetties will take care of it.

Mr. OVERSTREET. Several years ago some jetties were constructed at Fort Screven or out some distance from the shore line. These jetties were built of rock of various sizes. Some of the stone used in the jetties proved to be too small to remain in place under the action of the sea. One of these jetties in particular, so the report shows, proved practically adequate for the purpose, and is now intact. And the local engineer recommends that new jetties be built of stone of no less size than the material used in the successful jetty referred to.

Mr. PARKER of New Jersey. I understand that the new channel has caused such a change in the currents that they do not know how to control them.

Mr. OVERSTREET. I am not an engineer, and, of course, I do not know how best to control the situation the gentleman from New Jersey speaks of, but I desire the amendment adopted and I would suggest that the Government engineers will know best how to use the appropriation provided for in the amendment.

Mr. BYRNS of Tennessee. Mr. Chairman, I am in sympathy with the gentleman so far as the situation at Fort Screven is concerned, but the committee felt that it had not sufficient information on it to submit a recommendation to the House. Gen. Winslow said positively he had no knowledge of the matter and he only relied upon the report furnished him; that he personally knew nothing whatever about it. Under the circumstances the committee felt it could not recommend to the House the appropriation of $160,000 at Fort Screven.

Mr. OVERSTREET. I wish to say in reply to the distinguished gentleman from Tennessee and the chairman of the subcommittee, that the report shows only two questions were asked Gen. Winslow. He said personally he did not know because he had not visited Fort Screven, and when asked if it needed protection he said the report shows the condition was very serious.

I sincerely hope the amendment will be adopted.

Mr. GOOD. Mr. Chairman, the amendment is to put in an item of $160,000 for the repair of this sea wall at Fort Screven. The only person that appeared before the subcommittee was Gen. Winslow, and he said he knew absolutely nothing about it. He brought certain photographs to show us the condition and a report made by an officer detailed there, and the officer says in this report:

I very recently made a visit and noticed the effect of the high tide while there was a strong east wind and considerable sea.

And then he says:

The photographs show a worse condition than that which actually existed.

Which convinced the committee that conditions were improving instead of getting worse; that the tide was bringing in the sand and doing just the very thing that the appropriation of this money would do, and that was to protect the island. There is no use in throwing away $160,000. The item was not urged very strongly by the War Department itself.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia.

The question was taken; and on a division (demanded by Mr. OVERSTREET) there were 8 ayes and 18 noes.

Mr. OVERSTREET. Mr. Chairman, I demand tellers.

The CHAIRMAN. Tellers are demanded.

Four Members rose, not a sufficient number, and tellers were refused.

So the amendment was rejected.

Mr. LUNN. Mr. Chairman, I ask unanimous consent to return to section 4 and allow me to place in the stop-watch provision the language I have heretofore offered, and which was adopted by the Military Affairs Committee. If the chairman objects, I do not want to force a roll call.

The CHAIRMAN. Is there objection?

Mr. MOORES of Indiana. I object.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise and report the bill to the House without amendment, with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CLARK of Florida, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15979, the fortifications appropriation bill, and had directed him to report the same back without amendment, with the recommendation that the bill be passed.

Mr. BYRNS of Tennessee. Mr. Chairman, I move the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BYRNS of Tennessee, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. OVERSTREET, by unanimous consent, was given leave to extend his remarks in the RECORD.

EXTENSION OF REMARKS.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 51 minutes p. m.) the House adjourned until to-morrow, Thursday, February 20, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation, required by the National Bank Redemption Agency of the Office of the Treasurer of the United States, for additional force for the last four

months of the current fiscal year and for the fiscal year 1920, the same to be reimbursed by the banks (H. Doc. No. 1818); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting an estimate of appropriation to pay a claim for damages by collision, river and harbor work, which has been adjusted and settled by the Chief of Engineers, United States Army (H. Doc. No. 1819); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Labor, transmitting an item of repeal of certain appropriations for housing war needs, together with an authorization in connection therewith, for incorporation in the sundry civil act (H. Doc. No. 1820); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. BURNETT, from the Committee on Immigration and Naturalization, to which was referred the bill (H. R. 16017) to expel and exclude from the United States certain undesirable aliens, reported the same without amendment, accompanied by a report (No. 1093), which said bill and report were referred to the House Calendar.

Mr. SUMNERS, from the Committee on the Judiciary, to which was referred the bill (H. R. 15675) to fix the time of holding court in the Amarillo division of the northern district of Texas, reported the same without amendment, accompanied by a report (No. 1113), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GOODWIN of Arkansas, from the Committee on Claims, to which was referred the bill (H. R. 12607) for the relief of Freddie Scofield, reported the same without amendment, accompanied by a report (No. 1094), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12608) for the relief of Mrs. A. R. Carstens, reported the same without amendment, accompanied by a report (No. 1095), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12609) for the relief of T. Binford, reported the same with amendment, accompanied by a report (No. 1096), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12610) for the relief of W. H. Burkett, reported the same without amendment, accompanied by a report (No. 1097), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12611) for the relief of Mrs. C. W. Wright, reported the same with amendment, accompanied by a report (No. 1098), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12614) for the relief of Mrs. E. A. Thompson, reported the same without amendment, accompanied by a report (No. 1099), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12615) for the relief of Miss Almer Reichart, reported the same without amendment, accompanied by a report (No. 1100), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12616) for the relief of Charles T. Clayton, reported the same without amendment, accompanied by a report (No. 1101), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12617) for the relief of Mrs. E. M. Jones, reported the same without amendment, accompanied by a report (No. 1102), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12619) for the relief of James Edward Lyon, reported the same without amendment, accompanied by a report (No. 1103), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12620) for the relief of G. W. Butcher, reported the same without amendment, accompanied by a report (No. 1104), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12621) for the relief of W. A. Wise, reported the same with amendment, accompanied by a report (No. 1105), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12622) for the relief of Mary E. Winkler, reported the same without amendment, accompanied by a report (No. 1106), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12623) for the relief of Mrs. D. R. Patton, reported the same without amendment, accompanied by a report (No. 1107), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12624) for the relief of Mrs. S. Satton, reported the same without amendment, accompanied by a report (No. 1108), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12625) for the relief of Mrs. Horace Moody, reported the same without amendment, accompanied by a report (No. 1109), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12606) for the relief of William J. Drucks, reported the same without amendment, accompanied by a report (No. 1110), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12612) for the relief of Mrs. E. J. Meineke, reported the same with amendment, accompanied by a report (No. 1111), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12618) for the relief of Mrs. F. H. Sherbert, reported the same without amendment, accompanied by a report (No. 1112), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolution, and memorials were introduced and severally referred as follows:

By Mr. SHOUSE: A bill (H. R. 16035) authorizing the Secretary of War to donate to the city of Garden City, in the county of Finney and State of Kansas, two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 16036) to amend section 2, title 12, of an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, and for other purposes; to the Committee on the Judiciary.

By Mr. SNYDER: A bill (H. R. 16037) to amend section 277 (a) of the revenue act of 1918 and extending the date for completing returns under said act; to the Committee on Ways and Means.

By Mr. KING: A bill (H. R. 16038) to repeal the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLITTLE: A bill (H. R. 16039) to repeal the so-called daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHN W. RAINEY: A bill (H. R. 16040) to provide a commission to secure plans and design for an arch to be erected in the city of Chicago, Ill., known as "a national arch of triumph," to commemorate freedom to the world and the heroes and events of the great war; to the Committee on the Library.

By Mr. HICKS: A bill (H. R. 16041) authorizing the Secretary of War to donate to the district of Lawrence, in the State of

New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ALEXANDER: A bill (H. R. 16042) to authorize the Commissioner of Navigation to change the names of vessels; to the Committee on the Merchant Marine and Fisheries.

By Mr. GALLIVAN: A bill (H. R. 16043) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," and for other purposes; to the Committee on Agriculture.

By Mr. WELTY: A bill (H. R. 16047) to donate one captured cannon or fieldpiece to the village of Tippecanoe, Ohio; to the Committee on Military Affairs.

By Mr. MASON: Concurrent resolution (H. Con. Res. 71) urging that the claims of the people of South Africa be heard at the peace conference; to the Committee on Foreign Affairs.

By Mr. SABATH: Resolution (H. Res. 594) for the consideration of H. J. Res. 357; to the Committee on Rules.

Also, resolution (H. Res. 595) for the consideration of S. 2654; to the Committee on Rules.

By Mr. CAREW: Memorial of the Legislature of the State of New York, protesting against the canalization of the St. Lawrence River between Montreal and Lake Ontario; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Miss RANKIN: A bill (H. R. 16044) for the relief of Henry Buck; to the Committee on Military Affairs.

Also, a bill (H. R. 16045) for the relief of Amos Buck; to the Committee on Military Affairs.

Also, a bill (H. R. 16046) granting a pension to Theresa Arnold; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRUMBAUGH: Petition of the Retail Merchants' Association, Columbus, Ohio, protesting against the luxury tax and asking that it be removed from the revenue bill; to the Committee on Ways and Means.

Also, petition of citizens of the State of Ohio, urging the enactment of bill similar or identical with House bill 10550, providing for national ownership and Government operation of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREW: Memorial of the adjutant general of the State of New York, relating to Senate bill 5500, amending the National Guard defense act of June 3, 1916; to the Committee on Military Affairs.

By Mr. CARY: Petition of Ezrah Betzar Society, of city of Milwaukee, Wis., urging against passage of Burnett bill (H. R. 13669), excluding immigration into United States for period of four years; to the Committee on Immigration and Naturalization.

By Mr. COPLEY: Petition of annual convention of Will County, Ill., Farmers' Institute, asking that the President and Congress recognize the newly proclaimed government of Armenia; to the Committee on Foreign Affairs.

By Mr. DALE: Petition of citizens of Pomfret, North Pomfret, Woodstock, South Royalton, and South Pomfret, Vt., favoring the repeal of the postal zone system; to the Committee on Ways and Means.

By Mr. DILL: Petition of J. W. Allen and other residents of Spokane and Hillyard, Wash., urging national ownership and Government operation of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLING: Petition of Rotary Club of New York, requesting passage of bill to establish a national conservatory of music in Washington, D. C.; to the Committee on Education.

By Mr. EMERSON: Petition of United States soldiers of Lithuanian origin, in favor of freedom for Lithuania; to the Committee on Foreign Affairs.

By Mr. GORDON: Petition of George S. Gardner, 3734 West Thirty-third Street, Cleveland, Ohio, and 45 other citizens, in favor of the repeal of the postal zone law; to the Committee on Ways and Means.

By Mr. HAMILTON of New York: Petition of Central Trades and Labor Council of Olean, N. Y., favoring the retention of the railroads by the Government; to the Committee on Interstate and Foreign Commerce.

Also, petition of sundry citizens of Dunkirk, N. Y., favoring the retention of the railroads by the Government; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYES: Petition of Los Angeles Chamber of Commerce, against persons who had declared intention of becoming citizens of United States and who left this country for the purpose of entering armies of enemy, that they should be forever debarred from reentry to the United States; to the Committee on Immigration and Naturalization.

By Mr. KIESS of Pennsylvania: Petition of Williamsport Board of Trade, of Williamsport, Pa., with reference to Government control of telephone and telegraph systems; to the Committee on Interstate and Foreign Commerce.

Also, petition of Sub-Lodge No. 545, International Brotherhood of Boiler Makers, Iron-Ship Builders, and Helpers of America, of Renovo, Pa., favoring Government ownership and operation of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Wellsboro Chamber of Commerce, of Wellsboro, Pa., with reference to the Federal control of telephone and telegraph systems; to the Committee on Interstate and Foreign Commerce.

By Mr. LONERGAN: Petition of members of the Prospect Methodist Episcopal Church, at Bristol, Conn., indorsing league of nations; to the Committee on Foreign Affairs.

By Mr. MOORE of Pennsylvania: Petition of Philadelphia Chamber of Commerce, urging the discontinuance of the United States Employment Service; to the Committee on Labor.

Also, petition of Philadelphia Chamber of Commerce, urging an immediate appropriation by Congress for the purchase and improvement of the Chesapeake & Delaware Canal; to the Committee on Appropriations.

By Mr. WATSON of Pennsylvania: Petition of Chamber of Commerce, Doylestown, Pa., favoring a reasonable period to allow for the necessary preparation and adjustment by the owners of the great wire systems under Federal control; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *February 20, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we call upon Thy name because we are seekers after the truth. We are not afraid of the truth. With all our splendid traditions and all our inheritance of faith and character, with a passion that God has given to us out of the past for the things that are highest, we are not afraid to face the truth. We pray that that equipment for service that comes from the God of Truth may be given to each one of us that we may perform our duties as in the sight of God and receive Thy blessing upon a service well done. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. VARDAMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Calder	Kirby	Pollock	Thomas
Culberson	La Follette	Ransdell	Thompson
Curtis	Lenroot	Saulsbury	Trammell
Fernald	McCumber	Shafroth	Underwood
France	Moses	Sheppard	Vardaman
Gay	Myers	Sherman	Walsh
Hale	Nelson	Smith, Ga.	Warren
Hardwick	Nugent	Smoot	Wolcott
Jones, Wash.	Overman	Spencer	
Kendrick	Page	Sterling	
Kenyon	Pittman	Sutherland	

Mr. SUTHERLAND. I desire to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent owing to illness.

Mr. CURTIS. I was requested to announce the absence of the Senator from Indiana [Mr. NEW] on official business.

The VICE PRESIDENT. Forty-one Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. FRELINGHUYSEN, Mr. GORE, Mr. GRONNA, and Mr. KING answered to their names when called.

Mr. LODGE, Mr. REED, Mr. SMITH of South Carolina, Mr. JONES of New Mexico, Mr. HARDING, Mr. HENDERSON, Mr. NEW, Mr.

WATSON, Mr. POMERENE, and Mr. MCKELLAR entered the Chamber and answered to their names.

Mr. SHEPPARD. I wish to announce that the Senator from Kentucky [Mr. BECKHAM], the Senator from Rhode Island [Mr. GERRY], the Senator from Florida [Mr. FLETCHER], the Senator from Nebraska [Mr. HITCHCOCK], and the Senator from Mississippi [Mr. WILLIAMS] are absent on official business.

Mr. LEWIS. The senior Senator from Oregon [Mr. CHAMBERLAIN] is absent on important public business.

The VICE PRESIDENT. Fifty-five Senators have answered to their names. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the joint resolution (S. J. Res. 195) providing for the filling of a proximate vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other purposes, in which it requested the concurrence of the Senate.

The message further transmitted to the Senate resolutions on the life, character, and public services of Hon. JAMES H. DAVIDSON, late a Representative from the State of Wisconsin.

The message also transmitted to the Senate resolutions on the life, character, and public services of Hon. WILLIAM A. JONES, late a Representative from the State of Virginia.

The message further transmitted to the Senate resolutions on the life, character, and public services of Hon. EDWARD E. ROBBINS, late a Representative from the State of Pennsylvania.

The message also transmitted to the Senate resolutions on the life, character, and public services of Hon. JOSHUA F. C. TALBOTT, late a Representative from the State of Maryland.

PETITIONS AND MEMORIALS.

Mr. JONES of Washington. Mr. President, I have petitions signed by over 5,000 citizens of the State of Washington urging the passage of the bill which I introduced to deport alien slackers. In connection with these petitions I wish to read an extract from a telegram which I received from one of the principal draft officers in our State, in which, among other things, he says:

State Department now trying interfere with our legislature passing bill prohibiting alien slackers in public offices.

It seems to me that the State Department is going a long ways out of the way to prevent the action of the legislature in matters of this kind.

I present these petitions and ask that they be referred to the Committee on Immigration, which, I hope, will take action as soon as possible in reference to the measure.

The VICE PRESIDENT. The petitions will be so referred.

Mr. STERLING. Mr. President, I present a petition signed by about 45 citizens of South Dakota relating to the maintenance of the guaranteed price of wheat. I ask that it be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the petition was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

[Farm, Stock and Home.]

WHEAT FARMERS MAY HOLD THE BAG.

There is a great deal of fog in the public mind about the guaranteed wheat price for 1919. The presidential proclamation set the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920, at $2.20, Chicago. This was subsequently revised to $2.26 to offset the raise in freight rates.

So far all is well, but unless Congress acts quickly and makes provision for the continuance of the United States Grain Corporation there will be no means of carrying out this guaranty. This statement has been questioned, but under date of December 27 Secretary Houston wrote:

"Up to this time no agency of the United States has been created and charged with the duty of making effective the guaranteed price under this proclamation.

"The carrying out of the guaranteed price of wheat 'harvested in the United States during the year 1919 and offered for sale before the 1st day of June, 1920,' fixed by the President's proclamation of September 2, 1918, in pursuance of the direction of the act of Congress of August 10, 1917, presents a much more difficult situation, of which Congress should be advised, and such agencies should be created and appropriations made, by Congress, as will insure the carrying out of the guaranteed price 'to every producer of wheat,' in its integrity."

There is a very strong effort being made, through telling how much carrying out this guaranty is going to cost, to induce Congress to let the necessary legislation go by default. "The only weekly farm paper in Minnesota" is aiding these efforts by parrotlike repetition of these statements. Farm, Stock and Home sent the following telegram to farm papers in the big winter wheat sections:

"Secretary Houston says unless Congress acts 1919 wheat price guaranty can not be carried out. This is most vital to your section, where wheat is already sown. We are sounding the alarm and asking subscribers to sign demand for legislation. Quick work vital."

Now, then, it is up to each farmer to personally offset the vicious propaganda that is being carried on to defeat the wheat price guaranty by protesting to Congress. There are only 48 days left of the present session of Congress from the date of this issue of Farm, Stock and Home. Send this petition when filled out to Farm, Stock and Home, and we will do the rest.

Do it to-day.

H. N. OWEN,
Publisher Farm, Stock and Home, Minneapolis, Minn.

I demand that Congress pass the necessary legislation to carry out the terms of the President's proclamation on the guaranteed wheat price for 1919.

Chairman securing these names will please sign his name here:
Name, N. G. Brito.
Post office, New Effington.
State, South Dakota.

Mr. SPENCER. I present a petition of the officers of the National Shakespeare Federation, praying for the appointment of a commission to secure a site and perfect the plans for a national Shakespeare peace memorial in the city of Washington, which I ask to have printed in the RECORD and referred to the Committee on the Library.

The petition is as follows:

Petition to the Senate of the United States.

We, the undersigned, officers of the National Shakespeare Federation, hereby respectfully petition the Congress for the enactment of a law providing for a commission to secure a site and perfect the plans for a national Shakespeare peace memorial in the city of Washington, D. C., to commemorate the services and perpetuate the memory of the men and women who gave service or their lives in the defense of liberty and the cause of justice in the great war.

The said commission to consist of the following: The President of the United States, the chairman of the Senate Committee on the Library and the chairman of the House Committee on the Library, the Secretary of War, and the president of the National Shakespeare Association.

The construction of the national Shakespeare peace memorial building to be upon such a site and at such cost as shall be determined by the commission and approved by the Congress.

Respectfully submitted.

JOHN TEMPLE GRAVES,
President.
MARY E. CRAIGIE,
First Vice President.
H. H. WHEATON,
Corresponding Secretary.
H. D. FRUIT,
Chairman of Library Committee.

Mr. MOSES presented resolutions adopted by the congregation of the Union Church of South Wolfeboro; of the congregation of the South Parish, of Charlestown; and of the Review Club, of Manchester, all in the State of New Hampshire, favoring the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented a petition of the faculty of the State Normal School, of Plymouth, N. H., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented a petition of the Central Labor Union of Portsmouth, N. H., praying for the continuation of the United States Employment Service, which was referred to the Committee on Education and Labor.

Mr. SHERMAN. I present a number of petitions from various counties in Illinois on the subject of the importation of corn. I ask that the body of one be printed in the RECORD and that the others be merely noted.

The body of the petition is as follows:

ARGENTINE CORN PROTEST.

FEBRUARY 13, 1919.

To the Senate and House of Representatives:

The undersigned growers of corn desire to direct your attention to the injustice which is being done to American farmers through the importation, free from duty, of corn from Argentina. The present tariff, going into effect October 3, 1913, placed corn upon the free list. In the first nine months following that date there was imported 11,843,193 bushels of corn, of which 11,123,281 bushels came from Argentina. This corn found a market along our Atlantic and Gulf seaboard, thereby displacing from our own domestic market an equal amount of American-grown corn. The effect of this invasion of the American market by Argentine corn is shown by the fact that in September, 1913, cash corn sold in Chicago as high as 78¼ cents and in the following February as low as 61 cents. The world war then came on and so disorganized all world commerce and shipping that but little corn could be brought in while it continued. In December, 1918, however, the Food Administration removed all restrictions against the importation of Argentine corn, and the price of American corn declined 15 cents a bushel upon the mere threat of renewal of Argentine imports.

Under normal conditions of ocean shipping corn can be brought from Argentina to New York or New Orleans at no greater cost of transportation than the present rail cost of shipping it by rail from central Illinois to the same points. It follows, therefore, that American farmers, in order to hold the seaboard markets of this country, must be prepared to sell their corn at as low a first price as can the Argentine farmer. The injustice is manifest when it is recalled that it has always been the policy of the United States to so maintain its tariffs as to prevent home competition upon a basis that reduces the American scale of living. Argentina, by reason of low wages and the low scale of living of its farm labor, can produce corn at a figure with which we

can not compete except by a similar lowering of wages and standards of living.

The undersigned respectfully urge that the tariff duty of 6 cents per bushel be restored upon corn.

Mr. SHERMAN presented memorials of sundry citizens of Streator, Mineral, Grand Ridge, Sheffield, and Ransom, all in the State of Illinois, remonstrating against the importation free of duty of corn from Argentina, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry employees of Rock Island Arsenal, Ill., praying that the Government manufacture in its own shops the equipment, etc., used in the War, Navy, mercantile marine, Postal Service, etc., instead of letting large contracts to private concerns and corporations, which was referred to the Committee on Military Affairs.

Mr. LODGE presented a petition of the Board of Trade of Lowell, Mass., praying that the return to private ownership of the telephone and telegraph lines be deferred until Congress shall have studied the question and determined upon a safe procedure to be followed in the future, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Board of Aldermen of Somerville, Mass., praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a memorial of the Sunday School of the Methodist Episcopal Church of Romulus, Mich., remonstrating against the proposed prohibition on importation of various kinds of trees, shrubs, etc., which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Kalamazoo, Mich., praying for the proposed five-year extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Middleville Brotherhood, of Middleville, Mich., praying for the granting of six months' additional pay to honorably discharged soldiers and sailors, which was referred to the Committee on Military Affairs.

He also presented a petition of the local draft board for Oceana County, Mich., praying for the deportation of those aliens who, in order to escape military service, dropped their first citizenship papers, which was referred to the Committee on Immigration.

He also presented a petition of sundry citizens of North Star, Mich., praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of Adrian, Mich., remonstrating against the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented a petition of Local Grange No. 67, Patrons of Husbandry, of Charlotte, Mich., praying for national prohibition, which was ordered to lie on the table.

WORK OF THE PHILIPPINE LEGISLATURE.

Mr. SHAFROTH. I have here a report of the Acting Governor General of the Philippine Islands concerning the action of the Legislature of the Philippine Islands in which a review is made of the excellent work that has been done by those legislative bodies. I ask that it be printed in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

MANILA, *February 12, 1919.*

SECRETARY OF WAR,
Washington, D. C.:

February 10. Yesterday morning the regular session of the Philippine Legislature was ended, and it is with great satisfaction that I am able to inform you that the labors realized during this session will be of great and lasting value to this country and unsurpassed by any previous session in their permanent influence upon its general welfare. Anticipating detailed information of all the legislation just enacted, which will be forwarded later, I desire to call your attention to some of the most important measures adopted, and to the spirit and character shown by the legislature during the last two years. The most important measure, in my judgment, is that by which over ₱30,000,000 was appropriated for the extension of universal free education to all the children of the islands. This act is of prime importance, not only because it provides funds for a term of years sufficient to extend a primary education of seven grades to all the children of school age but also because it enables the bureau of education to prepare and carry into execution a complete and systematic development of the existing excellent educational plan which lacked only extension over the entire field. Furthermore, it is a means of incalculable value for the welfare of the Filipino people, since it will banish illiteracy, establish permanently English as the common language of the land, afford a firm foundation for democratic institutions, and insure order and stability to the insular government. The adoption of this thoroughly American educational measure will tend greatly to lift the moral responsibility incumbent on the United States to secure a firm and orderly government, and aside from the differences of opinion which may have existed among American statesmen in the past, it has been advocated by all Americans from the beginning of the occupation that universal free education of the masses should be an essential characteristic of our national policy in the Philippines. Inasmuch as when Congress considered paragraph 2, the acts of July 1, 19, and of August 29, 1916, much discussion was had about the political capacity of the Filipinos, I feel that I discharge a duty of conscience to call your attention to the fact that this enlightened measure was passed by the legislative department of the government, which, as you know, is composed entirely of Filipinos. By this law of universal free education the all-Philippine Legislature in the last two years has provided for doubling the quantity of the educational work effected in almost two decades of previous American occupation. Under the financial support previously given, it was necessary to turn away from the doors of the schoolhouses one-half of all the children of the islands. In five years all the children of the land will receive educational advantages. Besides this, the salaries of all municipal teachers will be increased 30 per cent. In addition, I direct attention to the fact that at the session of 1917–18 two normal schools were established and 2 more were established at the session just adjourned, all to be located by the secretary of public instruction, making, with 2 already existing, 6 such schools; also 4 agricultural schools were established in the session of 1917–18 and 3 more this year, making 17 in all. The College of Agriculture has just had its appropriation largely increased and an experiment station has been established in connection with it. The appropriation of this year for the university far exceeds any former appropriation. In addition to all this, the appropriation to the bureau of education for this current calendar year exceeds by ₱3,000,000 any former appropriation. Furthermore, legislative appropriation was made for pensioning 150 young men and women to be trained as specialists in the colleges of America and elsewhere, and they are expected to sail on August next. The heroic and unselfish work of American teachers, many of whom lost life or health, deserves, and should receive, the very highest praise, but it would be particularly unjust and unfair for me, as head of the department of public instruction, not to recognize and make known the work of Filipinos in this regard. Of the present teaching force of over 14,000 less than 3 per cent are Americans. The number of American teachers is gradually growing less as Filipino teachers are trained to take the important positions which they held.

Other important laws just passed provide for the increase of food products which, strange to say, in this land of wonderful soil wealth, are imported in large quantities from abroad; also legislation was effected for a geological survey of what are considered commercial oil fields, for the extension of the lines of the Government Railroad Co., for the revision of the internal-revenue law, with a view of making more effective its provisions, for the establishment of a Philippine income tax, for the extension to the mountain Province of the existing provincial and municipal organizations hitherto extended to Mindanao and Sulu, for constituting a metropolitan district for the extension and conservation for the water supply for Manila, and for a comprehensive sewer system. In addition, an appropriation was made for the erection of a mausoleum at the grave of William A. Jones in Virginia to express the grateful memory of the Filipino people for his generous and altruistic services to this country. With the object of organizing the production of the islands, developing its natural resources, establishing new industries, and, in general, stabilizing prices and making a fair market for the raw and manufactured products of the Archipelago, the legislature passed, by a unanimous vote in both houses, a law creating the National Development Co., with a capital of ₱50,000,000, of which the Governor General will be the chairman of the board of control; also a law was passed extending to June 30 next the time in the Osmeña Retirement Act, with the object of including in its benefits all employees, mostly Americans; some of these employees had continued until now in the public service and were in such service at the time of the passage of the original act, but did not then resort to the law, preferring to continue, and others had not served the time specified, so that they were unable to take advantage of it. Many faithful employees of the government had requested this, as expressed by memorials, and this action of the Philippine Legislature is a generous manifestation of its appreciation of the valuable services rendered the government by Americans. There are other important measures which will be duly reported.

The capacity for initiative and the constructive spirit evidenced by the legislature, the first organized under the Jones law, is worthy of great commendation. Its capacity to investigate government problems and to act expeditiously, but with due caution, is certainly unprecedented in history, considering that for three centuries this people had practically no political rights and were debarred from the benefits of education. American legislative practice and procedure has always been examined and with few exceptions followed. As indicative, however, of their independent frame of mind, it may be noted that a single legislative committee has had charge of both appropriations and ways and means since 1907, and under the provisions of the Jones law has adopted substantially the basic principles of the English budget system, instead of maintaining a rigorous application of the theory of the separation of governmental powers as far as the legislative and executive departments are concerned, the latter directed by an American. This legislature has given to the secretaries of the various departments the right to appear before either house to defend publicly the measures proposed by the executive or to oppose measures originated in such houses. Finally, as one of the representatives in these islands of the United States, I wish to attest the patriotism of the Filipinos and their loyal attachment to the United States Government. This legislature, which has just terminated its sessions, has acted with judgment and prudence in what it has done and left undone during its term now drawing to a close, and should be credited for the wisdom with which it has guided and directed the Filipino people in the paths of order and tranquillity during these recent years of almost universal turmoil and unrest. Perfect peace prevailed here, and all provincial and municipal government instrumentalities of force have had no function to perform.

YEATER,
Acting Governor General.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 5566) for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark. (Rept. No. 746); and

A bill (H. R. 12082) authorizing the sale of certain lands in South Dakota for cemetery purposes (Rept. No. 745).

Mr. HITCHCOCK, from the Committee on Banking and Currency, to which was referred the bill (S. 5512) to amend the Federal farm-loan act, approved July 17, 1916, reported it without amendment (Rept. No. 748).

Mr. THOMAS, from the Committee on Finance, to which was referred the bill (S. 5555) to amend the war-risk insurance act, reported it without amendment and submitted a report (No. 749) thereon.

INDIAN APPROPRIATIONS.

Mr. ASHURST. I am directed by the Committee on Indian Affairs to report back favorably, with amendments, the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various tribes, and for other purposes, for the fiscal year ending June 30, 1920, and I submit a report (No. 747) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

TOMBIGBEE RIVER BRIDGE, MISSISSIPPI.

Mr. VARDAMAN. Mr. President, I wish to report two bills from the Committee on Commerce, and I shall ask unanimous consent for their immediate consideration. They are local bills for Mississippi, and they have the approval of the department.

First, from the Committee on Commerce, I report back favorably without amendment the bill (H. R. 14555) granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barrs Ferry, in said county, and I submit a report (No. 736) thereon. I ask for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the board of supervisors of Itawamba County, Miss., and their successors in office, to construct, maintain, and operate a bridge and approaches thereto across the Tombigbee River, at a point suitable to the interests of navigation, at or near Barrs Ferry, in the county of Itawamba, in the State of Mississippi, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PORT OF GULFPORT, MISS.

Mr. VARDAMAN. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 5999) for the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise, and I submit a report (No. 737) thereon. I ask for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the privileges of the first and seventh sections of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement be, and are hereby, extended to the port of Gulfport, Miss.

Mr. SMOOT. From what committee is that bill reported?

Mr. VARDAMAN. From the Commerce Committee.

Mr. SMOOT. Similar bills in the past have always gone to the Finance Committee. I do not know why this bill should have gone to another committee.

Mr. VARDAMAN. I am not familiar with the custom in reference to the matter.

Mr. SMOOT. I will say to the Senator that every bill creating a port of entry of which I have known has been referred to the Finance Committee. However, I am not going to object.

Mr. NELSON. I will say that, while I do not know what the custom now is, I know that for many years, during the time I was chairman of that committee, such bills were referred to and reported by the Committee on Commerce.

Mr. SMOOT. They may have been referred to two separate committees; and so I make no objection.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MAHONING RIVER BRIDGE, OHIO.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 12995) granting the consent of Congress to the Youngstown Sheet and Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio, and I submit a report (No. 744) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONNECTICUT RIVER BRIDGE, MASSACHUSETTS.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 13369) to extend the time for the construction of a bridge across the Connecticut River, between Springfield and West Springfield, in Hampden County, Mass., and I submit a report (No. 743) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 13393) to revive and reenact the act entitled, "An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa," approved April 22, 1912, and I submit a report (No. 742) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MONONGAHELA RIVER BRIDGE, PENNSYLVANIA.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 13427) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania, and I submit a report (No. 741) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OHIO RIVER BRIDGE, PENNSYLVANIA.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 13647) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, and I submit a report (No. 740) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALLEGHENY RIVER BRIDGE, PENNSYLVANIA.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 13648) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania, and I submit a report (No. 739) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALLEGHENY RIVER BRIDGE AT PITTSBURGH.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 13649) granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania, and I submit a report (No. 738) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 5642) authorizing the Secretary of War to donate to the Fort Ridgely State Park, Minn., three captured German cannon or fieldpieces;

A bill (S. 5643) authorizing the Secretary of War to donate to Waldorf, Minn., a captured German siege mortar; and

A bill (S. 5644) authorizing the Secretary of War to donate captured German cannons or fieldpieces to the municipalities of Mankato, Chisholm, and Wright, in the State of Minnesota; to the Committee on Military Affairs.

By Mr. CALDER:

A bill (S. 5645) for the relief of Charles W. Johnson; to the Committee on Military Affairs.

By Mr. SHERMAN:

A bill (S. 5646) to purchase a painting of Abraham Lincoln; to the Committee on the Library.

WOMAN SUFFRAGE.

Mr. McKELLAR. I introduce a joint resolution proposing an amendment to the Constitution of the United States, which I ask to have printed in the RECORD and referred to the Committee on Woman Suffrage.

The joint resolution (S. J. Res. 226) proposing an amendment to the Constitution of the United States was read twice by its title, referred to the Committee on Woman Suffrage, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

"ARTICLE ——.

"SECTION 1. The right of citizens of the United States to vote in any State, the legislature of which shall have voted for the ratification or adoption of this article of, or amendment to, the Constitution of the United States, shall not be denied or abridged by the United States or by any State on account of sex: *Provided*, That no married woman shall be entitled to vote who would not be so entitled if she were a single woman.

"SEC. 2. Congress shall have power, by appropriate legislation, to enforce the provisions of this article."

AMENDMENTS TO ARMY APPROPRIATION BILL.

Mr. CALDER submitted an amendment providing that all retired officers of the Army who have been on active duty throughout the past emergency shall be promoted to the rank to which their length of service entitles them, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

He also submitted an amendment relative to enlistments in the National Guard, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

WITHDRAWAL OF PAPERS—CHARLES ST. JOHN NEELD.

Mr. POMERENE. On December 11, 1918, I introduced a special pension bill (S. 5173) granting a pension to Charles St. John Neeld. The young man has since died, and I want to request the return of the papers that were filed with the bill.

Mr. SMOOT. No adverse report was made on it?

Mr. POMERENE. I do not believe any report was made on the bill; but I shall have to verify that, as I am not sure about it.

Mr. SMOOT. If no adverse report was made on it, the order is all right.

Mr. POMERENE. I will have to inquire about it.

Mr. POMERENE subsequently said:

If I may have the attention of the Senator from Utah [Mr. SMOOT], I wish to say that I have made inquiry about the bill to which I called the attention of the Senate a moment ago and I find that no report whatsoever has been made upon it.

Mr. SMOOT. Then there can be no objection whatever to the withdrawal of the papers.

Mr. POMERENE. I ask for the adoption of an order to withdraw the papers.

The order was reduced to writing and agreed to, as follows:

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill (S. 5173) granting a pension to Charles St. John Neeld, no adverse report having been made thereon.

ENLISTMENTS IN THE ARMY.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 5279) to authorize the resumption of voluntary enlistments in the Regular Army, and for other purposes.

Mr. CHAMBERLAIN. I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. CHAMBERLAIN, Mr. HITCHCOCK, and Mr. WARREN conferees on the part of the Senate.

VOCATIONAL EDUCATION.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 5038) extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act, approved June 27, 1918, and authorizing the Federal Board for Vocational Education to accept gifts and donations for specific purposes, which were, on page 1, line 5, to strike out "is" and insert "together with the items of appropriation made by said act, are". On page 2, line 2, after "employment," to insert "and for supplementing any or all of the other items of appropriation made by said act"; on page 2, to strike out lines 3 to 19, inclusive, and to amend the title to read as follows: "An act extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act, approved June 27, 1918, and for other purposes."

Mr. SMITH of Georgia. Mr. President, I have conferred with a number of the members of the Committee on Education and Labor, to whom this bill and the House amendments were referred, and while we regret that the House has stricken out the provision which broadened the opportunity of gifts to this fund, we think, in view of the advanced time of the session, that it is best not to ask for a conference, but to concur in the action of the other House in amending the bill. I therefore move that the Senate concur in the House amendments.

Mr. SMOOT. Mr. President, I shall have to ask the Senator from Georgia to explain the House amendments or else I shall have to ask that the bill be read as proposed to be amended.

Mr. PENROSE. I should like to have the bill read as proposed to be amended.

Mr. SMOOT. I certainly do not understand what effect those amendments will have upon the bill itself, and I therefore ask that the bill be read as amended.

The VICE PRESIDENT. The Secretary will read the bill as it will stand with the House amendments.

Mr. SMOOT. That is what I desire—that the bill shall be read as it will stand with the House amendments.

The Secretary read the bill as proposed to be amended, as follows:

Be it enacted, etc., That the special fund for vocational education, authorized by section 7 of the vocational rehabilitation act, approved June 27, 1918, together with the items of appropriation made by said act, are hereby made available, in addition to the purposes therein prescribed, for such other expenses as in the discretion of the board is deemed necessary and proper for the payment of necessary travel, lodging, subsistence, and other expenses of disabled men while under investigation by the board to determine their eligibily for training under the act, and the purchase of supplies, equipment, and clothing for disabled men when ready to enter employment, and the traveling expenses of such men to place of employment, and for supplementing any or all of the other items of appropriation made by said act.

The VICE PRESIDENT. The question is on concurring in the House amendments.

The amendments were concurred in.

REGENT OF SMITHSONIAN INSTITUTION.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 195) providing for the filling of a proximate vacancy in the Board of Regents in the Smithsonian Institution of the class other than Members of Congress, which were, in line 5, to strike out "will occur" and insert "occurred"; and to amend the title so as to read: "Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress."

Mr. LODGE. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

HOUSE BILL REFERRED.

H. R. 15979. An act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

OIL AND GAS LANDS—CONFERENCE REPORT.

The VICE PRESIDENT. Are there concurrent or other resolutions? [A pause.] Morning business is closed.

Mr. PITTMAN. Mr. President, I move that the Senate proceed to the consideration of the conference report on the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

The motion was agreed to, and the Senate proceeded to the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. PITTMAN. Mr. President, this bill has passed the Senate three times. It has passed the House of Representatives three times.

Mr. KENYON. Mr. President, this is such an important measure that I should very much like to hear the speech of the Senator from Nevada, but there is so much confusion on the floor that we can not hear him.

Mr. PITTMAN. Mr. President, I consider this bill of great importance. I desire to make a brief statement with regard to the conference report. I assume that the Senate will support the bill as it passed this body, unless it has been changed to such an extent that it is contrary to the sentiment of the Senate.

Let me say at the start that I think there is some misunderstanding with regard to the conference report; and as the Senator from Iowa [Mr. KENYON] has been kind enough to indicate his interest in the matter, I desire to say that I shall welcome any question that he may propound to me with regard to the subject.

As I have heretofore said, this bill has passed the Senate three times, and it has passed the House three times, but this is the first time that the two bodies have ever been able to get together in an agreement.

Mr. KENYON. Mr. President——

Mr. PITTMAN. I yield to the Senator.

Mr. KENYON. But the bill has not passed either the House or the Senate in the form in which it is now presented to us, has it?

Mr. PITTMAN. I really do not understand what the Senator means.

Mr. KENYON. I mean that as it passed the House it was entirely a leasing proposition, was it not?

Mr. PITTMAN. Yes.

Mr. KENYON. And as it is presented to us now it is not only a leasing proposition, but a sale proposition. Now, what is the difference between the form in which the bill passed the House and the form in which it passed the Senate?

Mr. PITTMAN. I will try to explain it. If I should answer the question asked by the Senator by "yes" or "no," it would be misunderstood. I will say frankly at the start that, so far as coal lands are concerned, the Senate provided for either the sale or the leasing; that, so far as oil lands are concerned, the Senate provided solely for the leasing of oil lands, and the House provided solely for the leasing of oil lands. The conferees have agreed upon the provisions of the Senate bill for the sale or leasing of coal lands. Does that answer the question of the Senator from Iowa?

Mr. KENYON. I do not know that it does exactly. The Senator made the statement that this bill had passed the House and also had passed the Senate, I think he said, two or three times. I do not understand that the bill, as it is embodied in the conference report now as the result of the conference, ever passed either House until the conference report was adopted by the House.

Mr. PITTMAN. The bill now before the Senate as embodied in the conference report is substantially the same as the first bill that passed the House of Representatives.

Mr. KENYON. That answers part of my question. Then has a bill ever passed the Senate practically identical with that passed by the House?

Mr. PITTMAN. Not identical. The bill that passed the Senate, to be frank with the Senator from Iowa, was what might be considered more favorable to claimants of oil lands under prior laws. That was the only difference. Both bills, so far as oil, sodium, phosphate, and the other minerals with regard to which it deals are concerned, are leasing propositions; in other words, with the exception of coal, the principle of leasing, thus reserving to the Government the control, is maintained in the bill. As to coal, it was urged upon the Senate that there were 44,000,000 acres of coal land; that there was a surplus of coal; that it required a great deal of money to develop coal; and that the leasing system would not develop it. Consequently there was an optional provision placed in the bill that coal lands might be either purchased or leased, at the option of the person desiring to develop the coal lands, limiting the amount, however, that may be purchased.

Mr. KENYON. That was placed there by the conferees?

Mr. PITTMAN. No, sir; it was placed there by the Senate. The reason for that was this: It was contended before the Senate at the time that provision was adopted that the existing law failed to develop the coal lands of this country, resulting in a monopoly in favor of those who have coal lands. Why? Because coal lands had to be sold at a price fixed by appraisers, and that appraisement was fixed by geologists, and those geologists in every case, having a total disregard to the business conditions, fixed a price so high that nobody ever wanted to buy the land.

Mr. SMOOT. Mr. President, under the provisions of this conference report that same practice is to be followed, is it not?

Mr. PITTMAN. No, sir.

Mr. SMOOT. I should like the Senator to point out why it will not be followed. There is no change whatever in the existing practice of the department made by this conference report.

Mr. PITTMAN. Possibly the Senator will save me time by showing where the report does that.

Mr. SMOOT. I will show the Senator, Mr. President, where it does.

Mr. PITTMAN. It is very kind of the Senator to do that; but it is not the case.

Mr. SMOOT. Will the Senator say in a word how a sale of the coal under the pending conference report is to take place?

Mr. PITTMAN. With pleasure, as the Senator desires to have that information. Under the existing law with regard to coal—and the House reenacted the sale clause of the existing law with regard to coal—it is provided that 160 acres of coal land may be sold to a citizen at not less than the appraised value. Is that clear? Under the pending bill it is provided that coal lands may not be sold for less than a certain price, but at a price fixed by competitive bidding. That is the distinction.

Mr. SMOOT. But all of it can be——

Mr. PITTMAN. I am coming to that; I want this point made clear, and then I will come to that.

Mr. SMOOT. Very well.

Mr. PITTMAN. The distinction is this: Do not for one moment think that the House ever passed a bill that did not provide for the sale of coal lands. That has been charged, but it is not true. The House provided for the sale of coal lands—no one will deny that—and they provided for the sale of coal lands under the existing law at the appraised value. The pending measure provides for the sale of coal lands at the value established by competitive bidding; that is the only distinction. Now, what is the difference? In one case a geologist fixes a price which is impracticable; in the other case, business men fix the price by competitive bidding. I know what is in the mind of the Senator from Iowa—and it was in the mind of the committee—that there might not be fair competition in the bidding; it is possible that the real value might not be determined by that method; but there is reserved in the very act that the Secretary may refuse to accept any bids which he considers unfair.

Mr. LENROOT. Will the Senator yield at that point?

Mr. PITTMAN. I yield.

Mr. LENROOT. I should like to ask the Senator's conception of the word "unfair" as used in this report.

Mr. PITTMAN. Mr. President, "unfair" is a word that has been used in connection with every condition of life. I have heard of businesses that were unfair. I have heard of enterprises that were unfair. I have heard every character of enterprise of life spoken of in that connection as unfair. I think it is the broadest term, if the Senator will permit me—and I understand the reason of his question—that can be used.

Mr. LENROOT. Mr. President, does the Senator then think that the word "unfair" in his definition would be synonymous with the word "unreasonable"?

Mr. PITTMAN. I do.

Mr. LENROOT. In other words, a bid might be entirely fair, so far as good faith is concerned; but, if the Secretary should be of the opinion that the land was worth more than the bid, under this language does the Senator think that he could reject the bid?

Mr. PITTMAN. I do; and I will say frankly to the Senator from Wisconsin that such was the idea of the committee. Every member of the committee, as I understand—and I think

the Senator from Utah will bear me out—mentioned that very subject, that in the end the Secretary of the Interior could say that any bid was unfair to the Government.

Mr. SMOOT. The Senator, I think, states that correctly as far as the members of the committee are concerned; but that very fact goes to allow the Secretary of the Interior to reject any bid that may be made, in case it does not conform to the report made by a geologist in his department as to the value of the coal land. In other words, in my State we have coal land valued at $475 an acre. That land can be put up by competitive bidding for sale; and, supposing that it was a fair competitive bidding, and the highest bidder bid $300 an acre, the Secretary of the Interior has a perfect right to reject that bid.

Mr. PITTMAN. Undoubtedly.

Mr. SMOOT. That is exactly what is stated in this bill. Therefore, Mr. President, while the wording is entirely different from the present law, the result of the competitive bidding is exactly the same, because the Secretary of the Interior has a perfect right to reject any and all bids.

Mr. PITTMAN. Mr. President, I have the very highest respect for the opinion of the Senator from Utah with regard to these matters, but I am compelled to differ with him in regard to the construction. While it is true that the Secretary of the Interior may use his discretion to refuse to make any sale, there is a distinction in this, that under the old law he was arbitrarily bound by the determination of one witness, the appraiser, while under the present law he may accept the testimony of a dozen witnesses in forming his opinion as to the value. That is the distinction.

Mr. WILLIAMS. Mr. President, will the Senator from Nevada yield to me for just a moment?

Mr. PITTMAN. With pleasure.

Mr. WILLIAMS. I want to read a telegram that I received this morning from the Senator from California [Mr. PHELAN]. I suppose he sent it to me with the idea that I should acquaint the Senate with his view upon the pending matter. He wires:

Regret my unavoidable absence, as I am much interested in oil-lands leasing bill, a compromise measure which will be accepted by operators as a settlement and help to restore normal industrial conditions. May I not ask you to be present and consider it when called up by Senator PITTMAN to-morrow, Thursday, immediately on convening of Senate?

I thought it was fair to the Senator from California for everybody to know his views upon the subject, as everybody knows how active he has been in connection with this sort of legislation.

Mr. PITTMAN. Mr. President, may I have the attention of the Senator from Iowa and the Senator from Wisconsin? I am particularly interested right now, before I pass from this statement, to have the attention of the Senators, because if I am in error or if I have misunderstood anything I want their correction.

I take it that the present bill does not change existing law with regard to coal, except in this respect, that under the existing law the Secretary is bound by the appraisement of a geologist, and under the proposed law he accepts the evidence of the geologist.

Mr. LENROOT. Mr. President, will the Senator yield at that point?

Mr. PITTMAN. I yield.

Mr. LENROOT. I should like to ask the Senator whether under the existing law he is bound, except as he chooses to be bound, by the appraised value? The only thing there is in the existing law is the minimum price.

Mr. PITTMAN. He is bound just exactly as the Senator has stated.

Mr. LENROOT. But the minimum is fixed in the law at the same rate that is fixed in this proposed legislation.

Mr. PITTMAN. But there is a further proviso that it shall not be sold for less than the appraised value.

Mr. LENROOT. I think the Senator is mistaken about that.

Mr. PITTMAN. I think not.

Mr. LENROOT. Yes; the Senator is mistaken about that.

Mr. SMOOT. I will say to the Senator that I know, from my own investigation, that there have been coal lands sold in my State for less than the appraised value. It has been brought about by a compromise between the purchasers and the Secretary of the Interior. I have never objected to that, and I do not object to it now. All that I stated in the first place was that the result of this provision is exactly the same as existing law.

Mr. PITTMAN. Oh, well, Mr. President, I will accept the statement of the Senator that it is the same as existing law, because it is not a material section of the bill. If it is the same as existing law, it is the same as the House provision. I think it is a little more flexible; but whether it is or whether it is not, it is not a material provision.

Now, as to the oil.

Mr. LENROOT. Mr. President, before the Senator passes from the coal-land provisions, he stated, as I understood him, that the coal-land section of the conference report was the same as the bill passed by the Senate.

Mr. PITTMAN. Yes.

Mr. LENROOT. I want to ask the Senator whether, in both the Senate bill and the House substitute, so far as leasing is concerned, the Territory of Alaska was not excluded?

Mr. PITTMAN. Mr. President, I understand the purpose of the Senator's question, of course; and therefore I might as well answer it directly without waiting.

The bill passed by the Senate included Alaska. The bill passed by the House expressly included Alaska in the leasing provision. Nine out of ten of the conferees—and the conferees of the House represented the progressive element of the Congress—voted to include Alaska, and I will tell you why. Listen to this letter——

Mr. LENROOT. Before the Senator reads that——

Mr. PITTMAN. I am going to tell you why.

Mr. LENROOT. I want to ask the Senator a preliminary question. By what authority did the conferees include Alaska?

Mr. PITTMAN. I have already stated by what authority—because the bill provided for the leasing or disposition of all coal and oil lands of the United States.

Mr. LENROOT. Outside of Alaska.

Mr. PITTMAN. Not in the Senate bill.

Mr. LENROOT. Oh, I have it here.

Mr. PITTMAN. Well, then, I will ask the Senator to read it.

Mr. LENROOT (reading)—

That the Secretary of the Interior is authorized to lease any deposits of coal or lignite owned by the United States, outside of the Territory of Alaska——

Mr. PITTMAN. In the Senate bill?

Mr. LENROOT. That is the Senate bill. The House bill reads:

That the Secretary of the Interior is authorized to, and upon the petition of any qualified applicant shall, divide any of the coal lands or the deposits of coal, classified and unclassified, owned by the United States otuside of the Territory of Alaska.

Mr. PITTMAN. Mr. President, I hold in my hand the comparative print of the two bills. As to coal, the Senate bill reads as follows:

COAL.

SEC. 2. That any citizen or any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State or Territory, or any municipality of any State or Territory, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State or Territory of the Union not otherwise appropriated by competent authority, not exceeding 2,560 acres.

Mr. LENROOT. I was referring to the provision in regard to the leasing of coal land.

Mr. PITTMAN. I am referring to the provision covering coal land.

Mr. LENROOT. The section to which the Senator now refers covers only the sale. The next section covers the leasing; and section 3 in both the Senate bill and the House bill expressly excluded the Territory of Alaska.

Mr. PITTMAN. Mr. President, that is a point of order that the distinguished Senator from Wisconsin, in his effort to defeat legislation on this subject, is now urging upon the Senate in an indirect way.

Mr. LENROOT. The Senator has not made the point of order. The Senator was inquiring.

Mr. PITTMAN. The Senator is getting ready to do so.

Mr. LENROOT. No.

Mr. PITTMAN. It is one of the theories, I assume, of the other side of this Chamber, which the Senator will develop in proper time.

Mr. LENROOT. Let me say to the Senator that the Senator from Wisconsin has not up to this time expressed any opposition to the bill. He is inquiring for information in the utmost good faith.

Mr. PITTMAN. I am very glad to hear it.

Mr. KENYON. Mr. President, I thought the Senator invited us to inquire for information. That was my only purpose. That does not mean that we are opposed to the proposition at all.

Mr. PITTMAN. I assure the Senator from Iowa that any time he asks a question I shall be very pleased to try to answer it. What I meant was that it was developing an argument which is apparent to all of us, and that is the reason why I made that remark. I wanted to deal with facts and not with a technical argument.

Now, I trust that there is no further question with regard to coal.

The same provision with regard to coal now exists that existed in the House bill, except that in the House bill some contend that the Secretary is bound by the appraisement, while others contend that he is not. In the Senate bill it is clear that he may use the appraisement as evidence. Now, that is all.

Mr. KENYON. Mr. President, the Senator started to tell us, before he was diverted, the reason for this change as to Alaska. Will he please tell us?

Mr. PITTMAN. I thank the Senator from calling my attention to it. I was diverted. I ask that the Secretary read this letter from the Secretary of the Interior, which moved the committee to act in the matter.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The SECRETARY. Reading from the CONGRESSIONAL RECORD of February 18, page 3707:

WASHINGTON, D. C., *February 1, 1919.*

Hon. SCOTT FERRIS,
Chairman Public Lands Committee,
House of Representatives, Washington, D. C.

MY DEAR MR. FERRIS: On December 10, 1917, you transmitted a copy of resolutions passed by the Cordova, Alaska, Chamber of Commerce with reference to the pending general leasing bill, and particularly with reference to deposits of coal and oil. One of the matters urged was that the pending bill be modified so as to make its provisions relating to the sale of coal lands applicable to Alaska. In my reply of January 4, 1918, I advised you, in effect, that the reason this provision was not included was that there is now a special leasing law applicable to that Territory, enacted October 20, 1914 (38 Stat., 741), and that this law has not been in operation long enough for the department to determine whether it will be successful and adapted to the development of Alaska's coal resources.

Since the above letter was written there has been further opportunity to learn whether the Alaska coal-leasing bill is suitable to conditions in the Territory, and I have concluded that it is not entirely so. There has been but little inquiry for these lands and only limited development.

Four leases were granted under the present law, and but two of these were able to finance the small operations thus far begun.

After further study of the situation, I have come to the conclusion that perhaps the field would be more inviting to coal operators if title were granted as in the States, especially since Alaskan operations are so far away from the bases of labor and supply.

I therefore recommend that Alaska be placed on the same footing as the States in the pending bill, and that operators in that field have the same choice of lease and purchase as accorded elsewhere. Otherwise Alaska coal lands will remain in a disadvantageous position.

The Territory of Alaska is now included in the oil provision of the bill, this giving it the same law as the States, which will be an advantage in the administration of the law, because the same rulings would apply to both the States and the Territories, and will obviate the necessity of administering and construing two different laws on the same subject.

I am therefore of the opinion that not only would it be in the interest of the development of the Alaska coal lands to have the provisions of the pending bill made applicable to Alaska, but that it would also be conducive to good administration of the laws.

Cordially, yours,

FRANKLIN K. LANE, *Secretary.*

Mr. PITTMAN. Mr. President, that is the reason why the conference committee unanimously, I believe, agreed to confirm the provision of the Senate bill for the optional privilege of the Secretary to sell coal lands in Alaska, as well as to lease them. I think that answers that question.

I was one of the most ardent supporters of the leasing bill for Alaska. I hoped that it would succeed, and I still believe it may succeed. I know, however, Secretary Lane was an ardent supporter of the leasing system, and when he came to us and asked us to adopt the Senate provision giving him the power to sell a limited quantity of that coal land, we did it. That was all.

Now, as to the oil. The Senate, in dealing with the oil situation, did not disturb that portion of the public domain which was reserved for the benefit of the Navy. The Secretary of the Navy and the Secretary of the Interior reserve certain of the public lands which were supposed to carry or did carry oil for the use and benefit of the Navy. In our bill providing for the leasing of oil lands we eliminated all that land. The House, however, incorporated in its bill a provision for the development of those Navy reserves. The provision in the House bill was that the claimant of an oil well, or rather the claimant of a mining claim under existing law who had developed an oil well that was producing, should have the right, upon the surrender of all claim of title to the mining claim under existing law, to a lease of the well.

That provision was drawn by the Secretary of the Navy, the Attorney General, and the Secretary of the Interior. We adopted that in toto. In other words, as far as the Navy reserves were concerned, we have adopted everything that the Department of the Navy, the Interior Department, and the Department of Justice have asked us to adopt. As far as the Navy reserves are concerned, we reached a compromise. The House bill provided that outside naval oil reserves where a man had developed an oil well in good faith, without fraud, upon the public domain under the belief that he was doing it under existing law, he should have a right to a lease on the claim, provided he surrendered all claim of title, at a royalty of not less than one-eighth, to be fixed by the Secretary of the Interior, both as to past royalty and as to future royalty.

Mr. KING. Will the Senator yield for a question there?

Mr. PITTMAN. Just let me finish this statement. The Senate bill provided expressly that the royalty should be a fixed amount, one-eighth, as to past production and future production. The compromise was that as to past production, which had probably been expended in the form of dividends or costs of new developments, there should be a fixed royalty of one-eighth, and as to the future royalties under the lease it should be not less than one-eighth and as much more as the Secretary of the Interior should state. That was the compromise and that is the bill of the conferees.

Now, that is dealing with developed wells. Of course, it was necessary to deal with the discovery of new oil fields. The real object of this bill is to open up other oil fields. I want to say to the Senate to-day that unless other oil fields are opened up and discovered in this country we will not have sufficient oil to supply our domestic needs and our Navy and our proposed fleet. I want to say to the Senate to-day that unless there are some oil fields discovered, the natural resources consisting of oil will be a thing almost of the past in 10 years from now.

The chief object of this bill was to discover down under the earth new oil fields that we might break the existing monopoly and that we might enrich the resources of this country. In that the House bill and the Senate bill differed. The Senate bill provided that there might be 2,560 acres of public land set aside for prospecting purposes if it was over 10 miles from an existing oil well, and 640 acres if it was within 10 miles. The House bill provided that it should be 64 acres. We compromised upon 1,280 acres as to the prospecting area.

The House bill provided for a preferential right to lease the whole area within the permit if oil is discovered. The Senate bill provided for a patent to one-fourth of the land in the permit area, with a preferential right to lease the balance of the area. They agreed finally that to grant a patent to one-fourth of the area, as provided in the Senate bill, would protect the poor prospector against the greed of the promoter better than the House bill, and we adopted it.

Every provision against dummy locators and fraud contained in the House bill, which was approved by the Secretary of the Navy and the Secretary of the Interior and the Attorney General, was incorporated in this bill.

Men, in fact, a man who is not a Member of either this body or the House of Representatives, who occasionally casts his eye over legislation, who knows nothing about this legislation, has said that the House bill was all right, but the Senate bill was bad, and he wrote letters to public men before the conference report was made. The conference report adopted every provision against fraud that was in the House bill. The only provision that they did not adopt was to declare that that man himself was a fraud.

Now, what is there about the bill that you do not like? For six years we have tried to open up all these lands. We have met with the House three times to try to agree on a bill. We finally agreed on a leasing bill, nothing but a leasing bill, as far as oil was concerned, absolutely within the discretion of the Government. Every discoverer of oil is totally at the mercy of the Government. We agreed on a leasing bill whereby those who have made these great rich naval reserves give up everything except the right to take the oil out of the wells they have sunk and pay the Government such royalty as the Government may take.

We have agreed on a bill as far as the naval reserves are concerned that was drawn by the Navy Department. We have agreed on a bill as far as the fraud terms are concerned that was approved by the Attorney General. We have agreed on a bill that takes everything away from the man who risked his all to find an oil well except the bare opportunity of getting his money back.

Is there any use in arguing this question any further? The conference report was printed in the RECORD days ago so that people could read it and understand it. We have done the best we could in six years. We have done the best we could since May to get together on some kind of a bill and open up these lands. We have worked conscientiously and hard on it, and nine men have agreed on this bill. The five men from the House were intense advocates of the leasing system, intense advocates of Government monopolization of these resources, and when they agreed to it, when they staked their reputation on it, when the House on a fight, on a debate, voted 322 to 109, can there be any question about the sincerity of this thing?

I do not know what more to say. Anyone can kill this report by talking. We all know that. I do not think there is any such intention. We are right here in a jam at the end of the session

when the appropriation bills are crowding on us. I should like to go further into it. I will answer questions that may be asked of me, but I refrain from going further into it because I believe everybody wants a fair, square vote on the bill.

Mr. LENROOT. Will the Senator yield?

Mr. PITTMAN. I do.

Mr. LENROOT. I called the Senator's attention a little while ago to section 3 of both the Senate and House bills excluding Alaska. I wish to say that I have since discovered that section 29 of the House bill does refer to Alaska in certain cases of leasing. It is only fair to call the Senator's attention to it.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. SMOOT. Mr. President, I refused to sign this conference report. Having done so I think it no more than right that I should call the attention of the Senate to some of the reasons for my refusal.

The Senator from Nevada [Mr. PITTMAN] says this bill has passed the Senate three times and the House three times. Mr. President, a bill has passed the Senate three times and a bill has passed the House three times, but the bill as reported in this conference report never passed the House until the conference report was adopted by it the other day and it has never passed the Senate.

Mr. LA FOLLETTE. Before the Senator takes his seat I should like to ask him to indicate clearly the portions of the conference report which were never considered by the House or by the Senate.

Mr. SMOOT. I will say to the Senator that I will come to that before I get through with my remarks.

It is true, Mr. President, that there is a provision in the bill as reported by the conference for leasing and for selling coal lands in the United States under certain conditions, but as far as the sale of coal lands under this bill is concerned there is no material difference from existing law. There is a difference from the wording of the law, but the result will be no change whatever.

In order that I may be perfectly fair in this matter and in order that the Senate may know just what I mean I want to read that part of the report relating to this matter. It will be found, beginning on page 2 of the bill, section 2, under the heading of coal. It reads:

> That any citizen or any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State or Territory, or any municipality of any State or Territory, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State or Territory of the Union not otherwise appropriated by competent authority, not exceeding 2,560 acres, upon payment to the receiver of not less than $10 per acre for such lands where the same shall be situate more than 15 miles from any completed railroad, and not less than $20 per acre for such lands as shall be within 15 miles of such railroad, and the Secretary of the Interior shall offer such coal lands and award the same through advertisement and competitive bidding, reserving the right to reject any and all bids which he may deem to be unfair.

Mr. President, to-day the Secretary of the Interior, through the Geological Survey, has made an examination of all coal lands withdrawn from entry, and if the examination is not made at the time a citizen of the United States desires to enter coal land, a request is made for an examination for the purpose of determining the value per acre of said land. When the Geological Survey makes a report upon the value of the land, then if the entryman desires to purchase at the valuation reported by the Geological Survey he has a right, or he and his associates, to enter 640 acres of coal land and purchase the same, provided the price per acre is agreed upon. But it is not mandatory upon the Secretary of the Interior that the price fixed by the Geological Survey shall be paid for the coal land. As I stated to the Senator from Nevada, I know of compromises that have been made and the lands have been purchased.

Mr. President, we do not want to deceive ourselves in relation to this provision. It simply means that if the Secretary of the Interior does not want to sell any coal lands in the United States they are not going to be sold any more than they are to-day.

The Senator from Nevada says that the reason for the sale provision is that there is a surplus of coal lands in the United States of 44,000,000 acres, and that without the sale provision the present coal operators in the United States will have a monopoly of the production and sale of coal to the consumers in all parts of the United States. Mr. President, there is no difference to-day in the sale of coal lands in the United States from those in existence 10 years ago. I remember 10 years ago it was stated upon the floor of the Senate that in 28 years every pound of coal in the United States would be exhausted; and now we are told that every gallon of oil in the United States will be exhausted in 10 years.

There are coal fields and there are oil fields undiscovered in all parts of the United States, I have no doubt. Doubtless there is enough coal in the State of Utah alone to furnish the United States all the coal that will be needed for 100 years to come.

Mr. SHAFROTH. Mr. President, if the Senator from Utah will allow me, I will state that the Geological Survey has stated that there are in the public lands of the State of Colorado 371,000,000,000 tons of coal—enough to supply the entire world at the present rate of consumption for 300 years—and Wyoming has even more than has Colorado.

Mr. SMOOT. Mr. President, what the Senator from Colorado has stated is true. I do not know whether Colorado has a larger quantity of coal than has the State of Utah, but I rather think it has. However, when the statements were made that we should not have coal enough to last the United States for 28 years—and those statements were made 12 years ago——

Mr. POMERENE. Mr. President——

Mr. SMOOT. I will yield to the Senator as soon as I finish this sentence.

Twelve years ago the same department of the Government which submitted figures to Congress and to the people of the United States to prove that statement beyond a doubt now says there is enough coal in the State of Colorado alone to last the United States for 300 or 400 years.

Mr. SHAFROTH. That there is enough to last the entire world for that length of time.

Mr. THOMAS. We shall not have an opportunity to develop our coal lands for a thousand years under the operation of existing laws.

Mr. SMOOT. Now, I yield to the Senator from Ohio.

Mr. POMERENE. I desire to ask the Senator from Utah if he would favor the Senate with the name of that prophet?

Mr. SMOOT. There was more than one; there were several prophets. That prophecy was sent from one end of this country to the other. In fact, I know of people in the United States who were alarmed and who began to wonder how their children who were born in the future would be kept warm.

Why, Senators will remember when the coal-leasing bill for Alaska was before this body. I admit that I voted for that bill, but in voting for it I said at the time that perhaps it was just as well to try out this system "upon the poor people of Alaska" before entering upon it in the United States. Now, we have a letter, which has been read from the Secretary's desk, signed by the Secretary of the Interior, admitting that the lease system is a failure and asking that Alaska be included in this bill. Mr. President, if it is a failure now, it will be a failure under this bill.

The sale-of-coal provision under this bill does not amount to a pinch of snuff as far as changing existing conditions. The Senator from Montana made this chamber ring with his declarations that there were men then in the District, at the very time that we had the bill under consideration, with millions of dollars to open up the coal fields of Alaska; that, if we would only pass the legislation, he knew of men praying daily for its passage so that they could send their money to Alaska and relieve the stricken people of the troubles and the trials that they were laboring under because of the lack of coal.

It was reported at the time that coal was within a few hundred feet of the homes of people in Alaska; but the people could not take a bucket full of coal that was actually in sight—not a thousand tons or a million tons, but hundreds of millions of tons—and yet not a bucket full of it could be used by the freezing people of Alaska.

Mr. THOMAS. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. I yield.

Mr. THOMAS. I received, and I suppose perhaps the Senator himself did, a communication from one of the commercial bodies in an Alaskan city—I forget the name of it, but it is the terminus of the railroad——

Mr. SMOOT. At Cordova, I think.

Mr. THOMAS. At Cordova, announcing that the coal consumed by the people there was obtained from the Dominion of Canada, and requesting that the laws be so amended as that people could dig their own coal from veins in their own territory.

Mr. SMOOT. Mr. President, I received a copy of the same resolution to which the Senator from Colorado has referred, and I suppose most other Senators did.

When the Alaska leasing bill was before the Senate it was stated that coal was selling in Alaska for $28 a ton, much of it

being shipped from the Dominion of Canada and some from as far as the coal fields of Pennsylvania and West Virginia. Upon those statements and knowing, as we thought we did, after the Senator from Montana had stated it time and again, that there were men anxious to put in millions of dollars to relieve that unbearable situation in far-off Alaska, we passed the bill.

What has been the result? The Secretary of the Interior says that there have been four leases made in Alaska since the passage of that law; two of them have never been operated, and the other two leases have been operated so slightly it could hardly be termed the working of a coal mine.

Mr. JONES of Washington. I wish to say to the Senator that it is also reported—how true it is I do not know—by persons in Alaska who claim to know the situation that the properties which have been leased really command the key to the situation in each of the coal fields.

Mr. SMOOT. I will say to the Senator that I feel sure they do; but so far as the working of them is concerned, it has not amounted to much.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. SMOOT. Yes.

Mr. LENROOT. I should like to ask the Senator if he knows whether the failure of the Alaskan coal-leasing law is due to the law itself or to the drastic regulations made under it by the Secretary of the Interior?

Mr. SMOOT. The only way to answer that question is by saying that both the law itself and the unworkable regulations of the department have contributed to the result; and, Mr. President, if this bill becomes a law, I say now that the regulations, which will be written by some clerk in the department, will be such that they will hamper the production of coal wherever mined. The production of coal, where the land is owned by private parties who are operating it to-day, will not have such handicap, so how can any individual or any company undertake at this time to develop coal hampered by restrictions with which his competitor is not obliged to conform and pay a royalty upon every ton produced when his competitor and neighbor is not compelled to pay a royalty?

During times such as we have had for the last two or three years, while the world war has been going on, even the unfavorably situated coal mines of the country have made money. It has not been a question of the price of coal so much as it has been a question of securing production; and the price that has been fixed upon coal to be paid by the people of the United States during these years has not been fixed upon the basis of what the coal could be produced for by those most advantageously situated, but the price has been fixed upon the coal in this country which cost the most to be produced. That was necessarily so. If that had not been the case we could not have produced sufficient coal for family consumption and for commercial and industrial needs of all kinds.

Mr. President, I remember very well when the leasing system was first talked of in the United States. I was positive at that time that if the policy were proposed and there was opposition to it the domain of the Western States would be withdrawn and withheld from development until the people of those States yielded to a leasing system as demanded by the heads of some of the bureaus of the Interior Department. I was told that that would be the policy if it took 20 years to bring it about; and that was 12 years ago.

I remember the late Senator Newlands appearing before the Public Lands Committee not once, not twice, not three times, but, I believe, since I have been a member of the Committee on Public Lands in the Senate—and that has been for nearly 16 years—he appeared dozens of times, and always took the position that the leasing system desired was not for the purpose of making a profit. It was wanted in order to conserve the coal of the country, in order that we may see to it that the mining of coal is carried on in such a way that there shall be no waste, because, unless coal was conserved, our country will be without coal in less than 28 years. All he wanted was a royalty sufficient to pay the examiners who would be sent from the Interior Department to see that the miner used his pick just as some little $1,200 department clerk thought he ought to use it; to tell miners who had done nothing all their lives but mine coal how to mine it; to pay employees in the department to keep a record of all production brought about through the passage of the proposed leasing law. If this legislation becomes a law, it may be depended upon that we will have another bureau in this Government, employing not 10, not 20, not 100 men, but we will have them traveling by the hundreds in every section of the country.

Mr. President, when this bill passed the Senate it provided that one half of the royalties collected upon the production of coal, the phosphate, the sodium, the oil, the gas, or any of the products named in the bill should go to the States in which the oil or coal or sodium or phosphate was produced. It was to go to the maintenance of the schools and the building of roads in the States in which the products were produced. The other half was to go to the reclamation fund for the purpose of constructing reclamation projects in States in which arid lands are located, so that lands worthless to-day could be made profitable and help raise grain and food sufficient to feed the people of the United States and the needy of the world, if necessary. What do we find in this report? That provision has been modified and a sop held out to the people of the different States in the way of a provision that all the money so derived shall go to the reclamation fund, to be expended for reclamation purposes, and at some time in the future, perhaps when our grandchildren's heads are as white as snow, this fund may leak back into the States, to be used for the purpose provided in the bill as it passed the Senate.

Senators, is it right to withdraw up to 50, 60, 70, 80 per cent of the area of a State and not allow the State to impose a dollar of taxation upon same, thus saying that not an acre of such land shall pay a cent of taxes to the maintenance of the institutions of the State; and in case there is discovered coal, oil, sodium, phosphate within the borders of the State, the same shall not be developed or utilized; the same as these very products have been done in all the States, with exception of the public-land States? Not one dollar shall go to the educating of the children of those sparsely populated States. Not a dollar of it shall go to the building of roads, in order that the people of those States may enjoy at least moderately good roads to carry the products of the farm to local markets.

Mr. President, what would the great State of New York or Pennsylvania say, or what would the great State of Ohio or Illinois say, if they had 80 per cent of all their area withdrawn and if the Government placed its hand over it, saying that no man shall enter such withdrawn land unless under a leasing system? Not only that, but the Government prevents the collection of one cent of taxes from said land. Do you think such a condition would be allowed long? It is unthinkable; it is unbearable; and it is a monument to the loyalty of the people of the West that they have not rebelled against it in the past. Now, Mr. President, if this system is adopted we will never get rid of it. That burden is to be placed upon the people of the West, to carry as long as we live there. It is wrong; it can not be defended; and the day will come when there will be a change, but it will take a long time, no doubt.

The Secretary of the Interior to-day admits that the whole leasing system in Alaska was wrong; that it has been a failure; and I predict now that the same system of leasing of the public lands of the United States will be a failure.

Mr. SHAFROTH. Mr. President, if it should turn out to be a failure, we would be in no worse condition then than now, would we? And if it is demonstrated that it is a failure, the result would be that other legislation would be enacted in order to give development.

Mr. SMOOT. The Senator who has just interrupted me has stood upon this floor for years past, and I have listened to his voice ring out as the clarion notes of a man who was absolutely convinced in his soul that he was doing his people a service and standing up for their rights by asserting that the leasing system is anything but American in principle.

Mr. SHAFROTH. I agree to that now.

Mr. SMOOT. If I felt the same as the Senator has said he felt time and time again upon this floor, I would never change my attitude on the demand of the head of any department. I say that you can not compromise with that which is right at any time. If it is right, it is right; if it is wrong, it is wrong; and the Senator knows that that is the case, not only with individuals but with nations as well.

I recognize the truth of the old saying that a lie can travel around the world while truth is putting on its boots; but finally the time will come when truth overtakes the lie, when the right overtakes the wrong. In the great plans of the Jehovah it has been decreed that ultimately right will prevail.

Mr. President, I would prefer to say to my people: "Bear your burdens a little longer; there is help coming." I have not any doubt but that we could pass through the Senate of the United States to-day a bill giving to the States of the Union all the public lands in the States. I doubt very much whether such a bill could pass the House, but the sentiment in favor of it is growing, and when the people of the United States understand what the people of the West have passed through for the last 15 or 20 years I have too much confidence in the good judgment and absolute justice of the American people to think for a minute that they will not rectify the wrongs done.

Mr. President, the royalties to be collected in the first place, as I stated, were to be just sufficient to pay the expenses of ad-

ministering the law. Have we not been here long enough to learn that whenever there has been created in the Government of the United States a division or a bureau every dollar that they can put their hands on in any way goes to the enlargement of the powers and the increasing of the employees within that bureau or division? I could stand here and recite case after case showing this to be absolutely true. I know that there have been statements made upon the floor of the Senate, when a new bureau was to be created, that at no time in all the history of the country would it require more than $25,000 a year. It would be started with an appropriation of $10,000, and we find those bureaus growing every year, and some of them are now asking for appropriations of about $1,000,000 a year. Some of them last year, because Congress would not appropriate all they asked for, went to the President of the United States for money, and he gave them from the $100,000,000 fund that was given him to carry on this war $100,000, $150,000, $200,000 in some cases. The amounts advanced had no more to do with carrying on this war than if I had given $10 to some poor person out in the Western States to keep cold and hunger away from him.

In the Senate bill it was provided that there should be a minimum royalty charged, and we also provided that there should be a maximum royalty charged. If there is one thing that has been brought forcibly to the attention of the Senate whenever the leasing system has been brought forth, it is that under such provision it is impossible to secure money for the development of new properties. I know that the laws generally say "under regulations to be prescribed by the Secretary of the Interior"; but the Senate decided that there should be a minimum royalty of one-eighth, or 12½ per cent, upon all the oil or coal produced, and they also provided that under no conditions should there be more than a certain percentage charged as royalties. Under this conference report we still maintain the minimum charge, but the maximum-charge provision is eliminated.

In other words, if a man desires to improve or develop an oil well or a coal field, he goes to his banker and asks for assistance; and I want to say to you that the men who undertake such a project are generally men who have not the means to develop it. They have to borrow the money to do it. The banker says, "What title have you to this land?" "None whatever." "Is there any chance for you to get title to it?" "None whatever." "Under what conditions are you going to develop it or work it?" "Well, there was a law passed imposing a minimum rate of royalty of one-eighth." The banker would say, "What about the maximum royalty?" "Oh, there was no maximum royalty fixed. The conference took that out." "Do you mean to say that the Secretary of the Interior can say to you that your maximum royalty shall be 50 or 60 or 70 per cent?" "There is nothing in the law to prevent it." "Well, I do not believe we want to risk any money upon any such proposition."

Mr. President, that has been the case in revocable permits that have been granted by the Department of the Interior for years in the delevolpment of water powers. Who will advance money for the development of a water power with a revocable permit, under which some $1,200 clerk in the department can go out and tell the man who is developing that power, and putting all he has and all that he can get from his friends into it, that he has violated some provision or regulation of the department, and therefore might lose all that he has?

Mr. President, I had hoped that when a leasing bill came into this body or when the conference report was to be adopted it would be a workable proposition. I want also to admit my humiliation, as one of the conferees. I never expected to see conferees sit around a table and agree among themselves to a provision for certain sections of a bill and then have it suggested that some member of the conference take it down to the Secretary of the Interior and see if he would approve it. I never expected to have another conferee sent to another department, and another conferee sent to still another one, asking the heads of these departments of the Government to please approve of what the conferees had agreed to. Is it any wonder that the people are losing confidence in the Members of the Senate and the House of Representatives, their representatives who are sent here to represent them?

What I think ought to be done is for the conferees to agree upon the differences between the two Houses, and if Congress approves of the action of the conferees, let it go to the President of the United States, and if his Cabinet members do not approve of the action of Congress let him veto it, as he could any other proposed law. I would not spend the time in cabling to Paris to find out whether the President was in favor of a certain proposition or not. The President of the United States is not the legislative body. That duty devolves upon us and not upon the members of the Cabinet or the President of the United States.

Mr. President, I am getting tired of having men from all the departments interested in legislation haunting the offices of Senators morning, noon, and night, begging them to support pending legislation. I had an experience this morning by being informed by a delegation that if I did not vote for a certain proposition all the organizations of my State would be notified and that my election would be put in jeopardy. Mr. President, I did not spend any time with that delegation. I told them that whenever the people of Utah tired of my actions on legislative matters that affect the country and the State which I in part represent, they would defeat me.

But I do not propose, Mr. President, to stand here as a Senator of the United States and not only have the heads of departments but the employees of the departments interested in legislation that affects them personally dictate to me how I am going to vote on any question.

The VICE PRESIDENT. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. PITTMAN. I will ask the Senator from Alabama if he will agree to temporarily lay aside the appropriation bill for a little while and see whether we can not dispose of the conference report.

Mr. UNDERWOOD. I will say to the Senator if I had any assurance that the conference report could be disposed of in half an hour, or an hour, or something like that, I would very willingly agree to lay the appropriation bill aside, but without an assurance of that kind I do not feel justified in laying the supply bill aside for what may be a long debate.

Mr. PITTMAN. I will say to the Senator, of course, I could not give him that assurance. I do not know. There are Senators here who desire to speak on it, but I think possibly they might be willing to have a vote within half an hour.

Mr. UNDERWOOD. If the Senator can give assurance that we can get a vote in half an hour I am willing to lay the bill temporarily aside, but I do not think I would be justified in laying it aside for a longer time than that.

Mr. PITTMAN. I will say to the Senator that I have no intimation that any Senator desires to kill the conference report by talking upon it.

Mr. SMOOT. I will say to the Senator that it will take me at least half an hour to complete my remarks.

Mr. UNDERWOOD. I understand some other Senators desire to discuss the conference report. They have so informed me. I think it would take several hours, and under those circumstances I would not be justified in laying the supply bill aside.

Mr. PITTMAN. I would ask the Senator to at least agree to temporarily lay it aside until the Senator from Utah can finish his very interesting speech on this subject.

Mr. UNDERWOOD. I would like to accommodate the Senator from Utah, but I do not know how long he would take, and it would simply delay the supply bill. The conference report is not going to come to a final conclusion, I am sure, to-day.

Mr. PITTMAN. I can not possibly believe that the Senator from Utah would talk solely for the purpose of killing the bill. I think possibly his intention is to enlighten us on the subject. If it is, I should dislike very much to see him discontinue his argument all at once.

Mr. SMOOT. I do not want to disappoint the Senator from Nevada. I noticed that he was out of the Chamber nearly all the time I was speaking, and I do not think he was very much interested in what I said. Perhaps to-morrow, if the report comes up, he will give me his attention. I assure the Senator I will appreciate it very greatly.

Mr. PITTMAN. I have heard the Senator speak so often before I thought he was really speaking for the benefit of the country, and knowing how much they will enjoy it, and knowing how much the western people in particular will enjoy his speech, I wanted him to go on.

Mr. SMOOT. The Senator has made his speech so often that he thinks every other Senator is making the same speech.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Govern-

ment for the fiscal year ending June 30, 1920, and for other purposes.

Mr. THOMAS. Mr. President, I should like to inquire of the Senator from Alabama, who has charge of the pending appropriation bill, whether he intends to insist on continuing our session until some hour in the evening, as was agreed upon by the Democratic caucus some time ago?

Mr. UNDERWOOD. I think it is absolutely necessary that these supply bills should be passed, at least as many of them as possible. This bill has not got very much that is disputed in it. It carries the salaries for all the great departments, and it ought to be disposed of by the Senate at an early hour. If we can not get through with the bill by a reasonable hour this afternoon, and the Senate will sustain me in it, I am willing to stay here for a night session. Of course, that depends upon whether my colleagues will stay here and furnish the quorum. I can not do it myself.

Mr. THOMAS. I have advocated night sessions since the beginning of this year, because I have felt that without them we would be unable to transact the business on the calendar. The majority so determined formally some time ago, but our determination or conclusion seems to have been honored more in the breach than in the observance. I know we can not get through with the business before us unless we hold night sessions, and having so determined, I, for one, shall insist that the Senate remain in session for a reasonable period after the usual time of adjournment, in order that we may at least make the effort to get rid of the business, or some of it, before us.

Mr. UNDERWOOD. I will say to the Senator from Colorado that I am in thorough accord with what he says, but I can not control the situation without a quorum here. I believe this bill can be disposed of, if the Senate devotes its time entirely to it, between now and 7 o'clock to-night. If we can do that, I am willing to take an adjournment at that time.

Mr. THOMAS. I think if the Senate finishes the bill by that time—and I hope it will—we then should take up another bill at 7 o'clock and see if we can not dispose of it between that hour and 10 at least.

Mr. UNDERWOOD. In that event, of course, the control of the situation passes out of my hands and will rest in the hands of the Senator who calls up the next bill. As far as this bill is concerned, if we are not through with it at a reasonable hour this evening, I shall ask the Senate to stay here for a night session. If I can get a quorum I will stay and try to finish the bill; but if it is impossible to get a quorum nothing will be done except to adjourn. In the meantime I hope the Senate will this afternoon allow us to consider the bill to the exclusion of all other business.

Mr. SMOOT. I am of the same opinion. There are a number of Senators absent who are interested in the bill, and I think time will be saved by suggesting the absence of a quorum. We will get them here and then proceed with the bill. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Hitchcock	Moses	Smith, Ariz.
Beckham	Jones, N. Mex.	Nelson	Smoot
Brandegee	Jones, Wash.	New	Spencer
Calder	Kellogg	Norris	Sterling
Culberson	Kendrick	Nugent	Sutherland
Cummins	Kenyon	Owen	Swanson
Curtis	King	Page	Thomas
Dillingham	Kirby	Pittman	Thompson
Fletcher	Knox	Poindexter	Townsend
France	La Follette	Pomerene	Trammell
Frelinghuysen	Lenroot	Ransdell	Underwood
Gay	Lewis	Reed	Walsh
Gronna	McCumber	Saulsbury	Warren
Hale	McKellar	Shafroth	Weeks
Harding	McLean	Sheppard	Williams
Hardwick	McNary	Sherman	Wolcott
Henderson	Martin, Ky.	Simmons	

Mr. LEWIS. I wish to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Arkansas [Mr. ROBINSON], the Senator from Georgia [Mr. SMITH], and the Senator from Rhode Island [Mr. GERRY] are detained on official business.

The PRESIDING OFFICER (Mr. GAY in the chair). Sixty-seven Senators have answered to their names. There is a quorum present. The Secretary will proceed with the reading of the bill.

The Secretary resumed the reading of the bill at line 20, page 44, and read to line 2, page 50, the last paragraph read being as follows:

For compensation, to be fixed by the Secretary of the Treasury, of such number of employees as may be necessary to audit the accounts and vouchers of the Postal Service, $481,700.

Mr. JONES of Washington. I wish to ask the Senator in charge of the bill if that is the usual provision in the legislative appropriation bill, carrying $481,700 in a lump sum for the payment of employees to audit the account and vouchers of the Postal Service. Is that a permanent or usual provision?

Mr. UNDERWOOD. That is the Money Order Division of the Post Office Department.

Mr. JONES of Washington. I have heard a great deal of complaint about that division since I have been here.

Mr. UNDERWOOD. There has been complaint. War conditions have affected it very greatly.

Mr. JONES of Washington. I did not hear of any complaint during the war; it was prior to that time when I heard the complaint.

Mr. UNDERWOOD. I think the war conditions have affected the volume of the work.

Mr. JONES of Washington. And increased the amount of the item?

Mr. UNDERWOOD. Very much.

Mr. SMOOT. Last year there was appropriated for this purpose $297,130. That has been increased to $481,700.

Mr. JONES of Washington. Can the Senator tell me why it is necessary to carry that in a lump sum, and why we do not provide for regular salaried positions?

Mr. SMOOT. I think the Senator is perfectly right in suggesting such a course, although the excuse given for it is that the changes are made very rapidly, that they are not working continually; and they feel that they can employ the necessary people through a lump sum at a cheaper rate to the Government than by having salaries fixed. I do not agree with that proposition. I think the employees ought to be provided for this work just the same as for the other work in the office of the Auditor for the Post Office Department.

Mr. JONES of Washington. This is a permanent division, is it not?

Mr. SMOOT. Certainly; and not only that, but this is a permanent appropriation. It has been going on for many, many years, and it has increased as time goes on.

Mr. JONES of Washington. They do not employ the workers here for a short time and then dismiss them for a while and then reemploy them?

Mr. UNDERWOOD. If the Senator will allow me, I understand that a great deal of it is piecework, and that is the reason why they want this latitude in a general appropriation. But all appropriations of this kind, and there are a number of them, might be improved by a fixed salary. I am in thorough accord with what the Senator says about lump-sum appropriations, but it would be impossible for the Committee on Appropriations, in the time allowed after the bill comes to the Senate, to take up and investigate all those propositions. However, this bill carries in it a proposal for a commission to reorganize all this work. That is the only way by which it can be done. It is impossible for the committee to do it, and I hope the proposal will be adopted, and that it will result in remedying the trouble the Senator complains of.

Mr. JONES of Washington. I think the Senator is perfectly right in that. We have corrected from time to time some of the lump-sum provisions by fixing salaries of employees, but I can see how, with a large force like this, it would be very difficult to do it. I think probably the commission which is provided in the bill, if it is enacted into law, will take care of many of these cases and correct what I really think are abuses.

The PRESIDING OFFICER. The Secretary will resume the reading of the bill.

Mr. HITCHCOCK. Before going further, I desire to give notice that when the bill gets into the Senate I shall reserve the right for a separate vote upon the Senate committee amendments referring to the Department of State that have already been agreed to as in Committee of the Whole.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 53, line 5, after the word "Commissioner," to strike out "$6,500" and insert "$10,000" and in line 17, after the words "in all," to strike out "$687,870" and insert "$691,370," so as to make the clause read:

Office of Commissioner of Internal Revenue: Commissioner, $10,000; deputy commissioners—2 at $4,000 each, 1 $3,600; chemists—chief $3,000, 1 2,500; assistant chemists—2 at $1,800 each, 1 $1,600, 1 $1,400; heads of divisions—1 $3,500, 5 at $2,500 each, 5 at $2,250 each; 3 assistant heads of divisions, at $2,000 each; attorney, $3,600; law clerk, $2,000; insurance expert, $2,000; railroad expert, $2,000; superintendent of stamp vault, $2,000; private secretary, $1,800; clerks—4 at $2,000 each, 52 of class 4, 60 of class 3, 98 of class 2, 83 of class 1, 76 at $1,000 each, 73 at $900 each; 11 messengers; 21 assistant messengers; 16 laborers; in all, $691,370.

The amendment was agreed to.

The reading of the bill was continued to the end of line 14, on page 54.

Mr. JONES of Washington. I wish to ask the Senator in charge of the bill whether the provision on page 54, from line 10 to line 14, is intended to be a limitation on the amount of money that can be expended in connection with the construction and repair of Coast Guard cutters to $6,800, or whether it is a limitation upon the amount that can be paid for draftsmen?

Mr. UNDERWOOD. I will say to the Senator from Washington that this item refers to the employment of skilled draftsmen who receive higher pay than other employees under this provision, and the House limited the amount that could be spent for these particular draftsmen. They increased it $1,500, and I think they gave consideration to the amount that was needed for that purpose. They did not want the general limitation to run into the full appropriation. That is the whole object of that language.

Mr. JONES of Washington. Are these draftsmen permanent employees or merely temporary employees?

Mr. UNDERWOOD. My understanding is that there is a force which is permanent, but that not all of them are permanent. I think their employment only continues so long as the work lasts. On the other hand, I think there is work of this kind being done all the time.

Mr. WARREN. The Senator from Alabama will notice that there is a provision on page 53, line 25, for the employment of a draftsman regularly.

Mr. UNDERWOOD. Yes; and these draftsmen are in addition to that one.

Mr. WARREN. Yes.

Mr. UNDERWOOD. The Senate made no change in this particular, and in the House hearings on the legislative bill, on page 380, the item is explained. Mr. BYRNS of the House committee asked the question:

Mr. BYRNS. You are asking for an increase in the authorization for services of skilled draftsmen from $5,000 to $6,800.

Commodore BERTHOLF. Yes, sir; that is to permit us to get more skilled services along that line. We do not ask for an increase in the appropriation, but for authority to expend that portion of the appropriation for these services.

Mr. BYRNS. Your note states that you now have two draftsmen at $2,400 each per annum.

Commodore BERTHOLF. Yes, sir; they are draftsmen, which is a general term. They do work in connection with ship designing and construction work. We must have some more assistance of that kind, and that is why we ask that the sum available for this assistance be increased. We can not get anybody for $1,000 or $1,500.

I think that explains the reason for this language.

Mr. JONES of Washington. I see that in line 25, page 53, provision is made for a draftsman at $1,500; but he seems to be the only draftsman whom we provide for the Coast Guards; and, as I recollect what the Senator from Alabama read, there are two draftsmen who are paid $2,400 a year each. What does this $1,500 draftsman do?

Mr. UNDERWOOD. I must say I do not know; I am not informed, outside of the testimony which I have just read; but I presume that he does drafting work, but probably he is not as high a class man as are those who are paid the higher salaries. That is, however, entirely a supposition on my part, for the question has not heretofore been raised.

Mr. JONES of Washington. It seems to me as though the man for whose employment it provides permanently ought to be a good man. Of course, that is a matter which probably will be taken care of by this commission; but I think it is a matter that ought to be looked into.

Mr. UNDERWOOD. There is no question in the world that these salaries have grown up for the last 50 years in such a manner that they are out of line. It is impossible for an appropriation committee to straighten them out, and I think that, if we get the proper commission appointed, we may reform the situation very materially.

The reading of the bill was resumed, beginning at line 15, page 54.

The next amendment of the Committee on Appropriations was, on page 55, line 3, before the word "watchman," to strike out "seventy-five," and insert "eighty"; and, in line 7, after the words "in all," to strike out "$285,310," and insert "$288,910," so as to make the clause read:

Bureau of Engraving and Printing: Director, $6,000; assistant director, $3,500; chief of division of assignments and reviews, $3,000; chief clerk, $2,500; disbursing agent, $2,400; cost accountant, $2,000; medical and sanitary officer, $2,250; stenographer, $1,800; storekeeper, $1,600; assistant storekeeper, $1,000; clerk in charge of purchases and supplies, $2,000; clerks—2 of class 4, 8 of class 3, 14 of class 2, 12 of class 1, 12 at $1,000 each, 15 at $900 each, 15 at $840 each, 3 at $780 each; 9 attendants, at $600 each; helpers—1 at $900, 2 at $720 each, 2 at $600 each; 3 messengers; 7 assistant messengers; captain of watch, $1,400; 2 lieutenants of watch, at $900 each; 80 watchmen; 2 forewomen of charwomen, at $540 each; 35 day charwomen, at $400 each; 94 morning and evening charwomen, at $300 each; foreman of laborers, $900; 4 laborers; 85 laborers, at $540 each; in all, $288,910; and no other fund appropriated by this or any other act shall be used for services, in the Bureau of Engraving and Printing, of the character specified in this paragraph, except in cases of emergency arising after the passage of this act, and then only on the written approval of the Secretary of the Treasury, and in every such case of emergency a detailed statement of the expenditures on account thereof shall be reported to Congress at the beginning of each regular session.

The amendment was agreed to.

Mr. SHEPPARD. Mr. President, I desire to ask the Senator from Alabama if the language in line 19, page 55, expresses the purpose intended?

Mr. UNDERWOOD. In what way?

Mr. SHEPPARD. What do the words "one, one thousand," mean.

Mr. UNDERWOOD. That means one clerk of class 3, which is a specific designation of a higher-class clerk; I think one receiving $1,800; he is a statutory clerk. If the Senator from Texas will refer to the back of the bill, he will see what salaries are carried.

Mr. SHEPPARD. What word is supposed to come after the word "one," between "one" and "$1,000"—"one clerk"?

Mr. UNDERWOOD. Nothing is supposed to come between those two words. The clerks provided for before that are statutory clerks. When we say "two clerks of class 4," that means two clerks at $1,800 each; one clerk of class 3 means one clerk at $1,600; but there is no statutory designation for a clerk at a thousand dollars, so he is designated as a clerk at $1,000.

Mr. SHEPPARD. Then would it not be better to have the word "clerk" appear after the word "one," so as to read "one clerk, $1,000"?

Mr. UNDERWOOD. If the Senator will look at the language in line 18 he will find it reads "clerks," and a dash, which makes the word "clerks" apply to every other clerk following. It is the same as if it read:

Two clerks of class 4, one clerk of class 3, and one clerk at a thousand dollars.

Mr. SHEPPARD. I see the connection now, Mr. President.

The reading of the bill was resumed and continued to the end of line 26, page 55.

Mr. JONES of Washington. I wish to ask the Senator from Alabama a question. In line 25 on page 55 there is a provision for a messenger and an assistant messenger, without any compensation named for either. I presume that they both get the same.

Mr. UNDERWOOD. They are statutory positions; and if the Senator will refer to the back of the bill he will find the provision for the salaries of assistant messengers.

Mr. JONES of Washington. What especially attracted my attention was the designation "assistant messenger." I had not noticed that expression before.

Mr. WARREN. It is the regular designation.

Mr. UNDERWOOD. If the Senator will refer to page 151, section 2, he will see that it designates the statutory pay for this class of work; and where this particular language, "messenger and assistant messenger," is used, they are carried in the bill according to the terms of payment fixed in section 2, page 151.

Mr. JONES of Washington. What does the messenger get?

Mr. UNDERWOOD. A messenger gets $840 and an assistant messenger $720; of course, with the bonus added.

Mr. JONES of Washington. In connection with the messenger and assistant messenger, I wish to ask the Senator what is the difference in the duties of a messenger and an assistant messenger?

Mr. THOMAS. The assistant messenger does the work.

Mr. UNDERWOOD. I will say to the Senator that he has asked a question that is beyond my ken. I have sometimes gone into a department and found a $1,200 clerk practically running the office and the $1,800 clerks reading the newspapers. The assistant messenger may be the real man on the job or he may be an attendant; I can not tell the Senator. He will have to designate the job and give me an opportunity to go down and make a personal investigation before I can answer that question.

Mr. JONES of Washington. It does not seem to me that we ought to have classifications of "messenger" and "assistant messenger." It looks like the assistant messenger is to assist the messenger, and surely that is not intended.

Mr. UNDERWOOD. There are some bureaus and some divisions where they need more than one messenger, or think they need more than one messenger, and so they have two.

Mr. THOMAS. A messenger is apt to get tired sometimes and to need a little assistance.

Mr. UNDERWOOD. The provision for the two classes leaves an opportunity for promotion for good work and holds out to the second man the inducement that if he runs far and fast, he may get a higher salary some day.

Mr. JONES of Washington. I think that is a very good place for the commission proposed in this bill to begin some work.

Mr. SMOOT. Mr. President, the statement just made by the Senator from Alabama [Mr. UNDERWOOD] is about the only excuse I have ever heard for the designation "assistant messenger." They do the same identical work in ninety-nine cases out of a hundred as messengers. It is true that sometimes a messenger has a number of assistant messengers under him, but, in the great majority of cases at least, they do the same work. The only difference is that the assistant messenger begins at a lower salary, and, as the Senator from Alabama says, if he does that work well and steps along fast enough he may receive an appointment as messenger.

Mr. JONES of Washington. I want to ask the Senator if these assistant messengers are under orders from the messengers?

Mr. SMOOT. At times, yes, if there is more than one; but they do not take orders very well, I will say.

Mr. JONES of Washington. I do not know that I blame them very much. I think it is just a provision to give one man authority over another and make that an excuse for giving him a little bit more pay.

Mr. WARREN. Mr. President, I think that is hardly a just statement. There is the same promotion from assistant messenger to messenger as there is between a clerk of class 1 and a clerk of class 2. We do not give any particular authority to a clerk of class 2 to give orders to a clerk of class 1. Of course they are under the direction of whoever may be at the head of the division; but these messengers are appointed as young men, and, as has been stated, if they do well, they can be promoted so that they get the salary of messengers. It might be said that the same kind of discrimination exists in the case of messenger and assistant messenger as exists between a clerk of class 2 and a clerk of class 1, or between a clerk of class 2 and a clerk of class 3.

Mr. JONES of Washington. A messenger is supposed to be one who runs errands from one place to another.

Mr. WARREN. Not entirely. You will find in some of the divisions a messenger opening the mail in the morning. He has been there long enough and is sufficiently accustomed to the work to open the mail and divide it so that it may go to the different rooms. He has been instructed how to do that work; while the assistant messenger will be on the door to wait on the people coming in and going out, waiting on Senators and Representatives who come to the door, and so forth.

Mr. JONES of Washington. It takes him, I presume, a good while to secure a promotion to a position where he opens the letters?

Mr. WARREN. Why does the Senator say that?

Mr. JONES of Washington. Because we provide for these places annual salaries, and I take it that these men are not promoted very much throughout the year.

Mr. WARREN. Vacancies occur all the time in the place of messenger, as they occur in other positions, so that there is always a potential opportunity for promotion.

Mr. JONES of Washington. Probably there are more vacancies in the position of assistant messenger than there are in that of messenger.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 56, line 15, after the words "Surgeon General," to strike out "$1,800" and insert "$2,000," and in line 22, after the words "in all," to strike out "$92,770" and insert "92,970," so as to make the clause read:

Office of Surgeon General of Public Health Service: Chief clerk, $2,250; private secretary to the Surgeon General, $2,000; principal bookkeeper, $2,000; statistician, $2,000; technical assistant, $2,000; assistant editor, $1,800; librarian, $1,600; clerks—5 of class 4, 6 of class 3, 15 of class 2 (one of whom shall be translator), 19 of class 1, 6 at $1,000 each, 3 at $900 each; elevator conductor, $840; 3 messengers; 3 assistant messengers; telephone operator, $720; 3 laborers; in all, $92,970.

Mr. JONES of Washington. Mr. President, my recollection is that that amendment was opposed by me in the committee, and I reserved the right to oppose it on the floor of the Senate. I do not think that we ought to grant the increase of $200 in this case. We have not followed the policy of increasing salaries in this bill. We have picked out very few; in fact I think this is about the only one that the committee has raised. I do not remember any others. This man may be entitled to an increase of salary, but there are probably a great many others in this bill who could make just as strong a showing. This employee will get the benefit of the $240 bonus that is provided generally for the clerks. I hope the Senate will not adopt the amendment and single this man out for special consideration.

Mr. UNDERWOOD. Mr. President, the reason the committee agreed to this amendment was that Surg. Gen. Blue came before the committee and represented that the gentleman who holds this place has held it for a number of years; that he not only occupies the position of private and confidential secretary, but, as very often occurs in such positions, he is responsible for a large amount of the routine work of the office which comes under his authority. Eighteen hundred dollars is below the amount which, upon the average, is paid for men of this class; it is below the average that we pay for the work done by our own private secretaries; and the showing was such that the committee concluded that this was an exceptional case.

I will read the statement that Surg. Gen. Blue has made in reference to this matter. It is as follows:

The Secretary of the Treasury, at my request, submitted an estimate for increases in the salaries of my chief clerk and my private secretary. These increases were as follows:

Chief clerk, from $2,250 to $2,750.

Private secretary, from $1,800 to $2,250.

Both of these employees have worked under my supervision with a devotion and ability which could hardly be exceeded. Throughout the period of the war and the still existing influenza epidemic the bureau has been under heavy pressure, and they have labored without ever sparing themselves and without vacations, doing not only their own work but also the work of others who were sick or taken into the military forces. Service of this character, in my opinion, is invaluable to the Government, and I feel that they are both earning far more than their present salaries. Certainly it would be extremely difficult, if not impossible, to replace them with equally efficient men at the existing compensation. My private secretary worked so hard and such long hours during the influenza epidemic that I believe he exhausted his vitality, so that when he finally fell a victim to the disease his case was for a time considered almost hopeless.

If these increases can be allowed it will be in no sense extravagance but true economy, for both of these employees by their efficiency save to the Government much more than their salaries.

It was on the basis of those statements that the committee agreed to this increase, and I think it is wise to leave it in the bill.

Mr. JONES of Washington. Mr. President, without questioning the truth of the showing made by the Surgeon General, I still think that this amendment ought not to be adopted. I have no doubt that many of the heads of departments could make the same sort of showing with reference to employees under them. They may not have done so because of their knowledge of what they thought would be the policy of the committee, and probably of Congress itself, in not picking out one man here and another man there and raising his salary. There is not a question that many of the clerks and secretaries during the war have been put under a much greater strain than they were ever before. It is solely for the injustice, as I conceive, that we are doing to so many more that I am opposed to raising the salary in this case.

Mr. SMOOT. Mr. President, this is the only increase that is given to the office of the Surgeon General, I believe. I will say to the Senator that the House, after listening to the testimony, gave the office of the Surgeon General 15 additional clerks. He had asked for more than that; in fact, his office asked for $31,840 additional for the purpose of paying clerks and bookkeepers. I think, however, in view of the statement made and the earnest request of Gen. Blue, that we were very conservative in this matter, although I think the Senator from Washington is right as to the general proposition. I have not any doubt that there are other items in this bill that it is just as necessary to increase as this particular one, and perhaps more so; but I think the Senator did oppose it in the committee, and it was voted in. As far as I am concerned, I do not care whether it remains at $1.800 or $2,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed, and the Secretary read to line 7 on page 58, the last paragraph read being as follows:

For rent of a storage building and the annex to the Winder Building, $9,500.

Mr. SMOOT. Mr. President, referring to the item of $9,500 for rent of storage building and annex to the Winder Building, did we not decide to cut that out?

Mr. UNDERWOOD. No. What we did decide to cut out was the rent of the Cox Building, and in addition to doing that we cut out the stables, which I do not think was intended. I have here a letter from Secretary Glass, about which I spoke to the Senator the other day, in reference to the Cox Building, in which he says that to move those files would probably cost more than to pay this rent.

Mr. SMOOT. The only thing about that is we shall have to move them sometime anyhow. The statement that he makes

now is absolutely correct. I think the item that the Senator spoke to me about—for the stables for the Secretary of the Treasury—we ought to put in, as he has decided that he would very much prefer horses rather than an automobile; and as I think one is just as cheap as the other, perhaps the Senator had better put it in at this place.

Mr. UNDERWOOD. I should like also to move to put back the item for the Cox Building. The committee did not authorize it, but the Secretary is so insistent on retaining the Cox Building that I think it is wise to put it in, at least until this new commission on buildings can pass on the matter.

Mr. SMOOT. Perhaps it would be wise to do it.

Mr. UNDERWOOD. I move, then, on page 58, after line 7, to insert the following:

For rent of the Cox Building, $2,150; for rent of stables, $1,200.

Mr. SMOOT. What is the rent of the stables?

Mr. UNDERWOOD. Twelve hundred dollars.

Mr. SMOOT. One hundred dollars a month is rather a steep rent, is it not?

Mr. UNDERWOOD. I think so myself; but, still, we have not a chance to attend to it now.

The PRESIDING OFFICER. The Senator from Alabama offers an amendment, which will be stated.

The SECRETARY. On page 58, after line 7, it is proposed to insert:

For rent of the Cox Building, $2,150; for rent of stables, $1,200.

The amendment was agreed to.

Mr. UNDERWOOD. Mr. President, the employees for the Cox Building were cut out, also. If we restore the item for the building we will have to restore the employees; so I ask unanimous consent—because we have already passed it—that on page 39, line 1, after the figures "$660," we insert the following:

Cox Building, two watchmen; laborer.

It merely restores the clerical force that was at the building.

The PRESIDING OFFICER. The Senator from Alabama offers an amendment, which will be stated.

The SECRETARY. On page 39, line 1, after the numerals "$660," it is proposed to insert:

Cox Building, two watchmen; laborer.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Alabama.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, I should like to ask the Senator about the provision on page 58, line 6, for rent of a storage building. What is the nature of that storage? What do they want to store?

Mr. UNDERWOOD. We have the exact information in the hearings; I can find it in a moment; but I understand that a number of documents are stored there at this time that are not in present use. I am inclined to think at this time that there are a good many of those old buildings and storage places that ought to be eliminated, but as we have provided a commission to readjust this proposition, I think it is wiser to let the item stay in. We are drifting into an unknown field if we cut it out without a personal examination, and I will say to the Senator that the committee did not have the opportunity to go into that examination.

I think the Senator will find that the House hearings, on page 165, throw light on the question. In response to a letter, the Treasury Department wrote to the Merchants' Transfer & Storage Co. as follows:

JULY 17, 1918.

MERCHANTS' TRANSFER & STORAGE CO.,
920 E Street NW., Washington, D. C.

GENTLEMEN: You are informed that the department accepts your proposal, dated July 3, 1918, for the rental of the third and fourth floors and the two rear sections known as "A" and "B" on the fifth floor of the buildings Nos. 920–922 E Street NW., used for the storage of documents and records belonging to the Treasury Department, for the fiscal year ending June 30, 1919, at the rate of $8,000 per annum, payable from the appropriation "Contingent expenses, Treasury Department, rent, 1919."

It is hereby understood and agreed that the rental of the floors and sections of floor above mentioned is to include electric light, elevator service (passenger and freight), watchman (day and night), and telephone service, the said rental to be paid in equal monthly installments.

The department reserves the right to terminate this agreement either in whole or in part at any time during the fiscal year on 60 days' notice; also to renew the agreement on the same terms dependent upon Congress making the necessary appropriations for the rental of the premises.

You are requested to acknowledge the receipt of this letter.

By direction of the Secretary.

Respectfully,

L. S. ROWE,
Assistant Secretary of the Treasury.

Mr. JONES of Washington. Mr. President, does the Senator know whether or not that is a fireproof building?

Mr. UNDERWOOD. No, sir; I can not answer that question.

Mr. SMOOT. Why should there be $9,500 appropriated when the amount specified in the agreement is $8,000, and that is to include elevator service, watchmen, and so forth?

Mr. UNDERWOOD. The appropriation is for two buildings—for the rent of the storage building, and also the annex to the Winder Building—and the appropriation covers the two buildings. The letter that I read covers only one of them. I understand that it is largely filled up with a large mass of files in reference to soldiers' claims.

Mr. WARREN. They are claims and other papers under the Auditor for the War Department which ought to be preserved, but which are too cumbersome and perhaps not of sufficient value to put into fireproof safes.

Mr. SMOOT. I think we ought to notify the heads of departments now that with the number of acres of buildings that we have constructed in the District of Columbia, from now on we are not going to rent any storage rooms for any department of this Government. Let them understand it now, and by the end of next year let them prepare to remove whatever papers they want to have stored to some of the unoccupied buildings that we now have in the District of Columbia.

Mr. UNDERWOOD. I will say to the Senator from Utah that, as he knows—and he was a party to it—we have put in this bill a provision to take care of that situation. I hope very much that he will be a member of the commission and will give the notice himself, because I am sure he will do good work on the commission.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Independent Treasury," on page 63, after line 22, to strike out:

The Secretary of the Treasury is authorized and directed to discontinue the offices of the assistant treasurers at Baltimore, Boston, Chicago, Cincinnati, New Orleans, New York, Philadelphia, St. Louis, and San Francisco from and after July 1, 1919; and section 3595 of the Revised Statutes and all laws or parts of laws so far as they authorize the establishment and maintenance of offices of assistant treasurers in the cities enumerated are repealed from and after the said date.

For such expenses as the Secretary of the Treasury may authorize in connection with the discontinuance of the offices of assistant treasurers, including clerks and counters in the office of the Treasurer in the District of Columbia at rates of compensation not exceeding $1,800 per annum, salaries of custodians and other employees (at rates of compensation not exceeding $2,500 per annum) at such of the Subtreasury offices as the Secretary of the Treasury may deem necessary for the safe-keeping of currency, coin, bullion, bonds, and other securities of the United States, $75,000: *Provided*, That the Secretary of the Treasury shall require the custodians or other responsible employees to give bond in such amount and with such surety as he shall deem adequate for the protection of the United States: *Provided further*, That no person employed under a statutory position on June 30, 1919, shall be paid a salary hereunder greater than the amount of such statutory compensation on the said date.

And to insert:

Baltimore, office of assistant treasurer: Assistant treasurer, $4,500; cashier, $2,500; paying teller, $2,000; receiving teller, $1,900; exchange teller, $1,800; vault clerk, $1,800; clerks—2 at $1,600 each, 3 at $1,400 each, 3 at $1,200 each, 3 at $1,000 each; messenger, $840; 3 watchmen, at $720 each; in all, $31,500.

Boston, office of assistant treasurer: Assistant treasurer, $5,000; cashier, $2,500; paying teller, $2,500; vault clerk, $2,000; receiving teller, $2,000; redemption teller, $1,800; clerks—1 $2,200, 5 at $1,600 each, 1 $1,500, 1 $1,400, 2 at $1,200 each, 3 at $1,100 each, 4 at $1,000 each; chief guard, $1,100; 3 watchmen, at $850 each; laborer and guard, $720; 4 money counters and handlers for money laundry machines, at $900 each; in all, $46,570.

Chicago, office of assistant treasurer: Assistant treasurer, $5,000; cashier, $3,000; assistant cashier, $2,000; vault clerk, $2,250; paying teller, $2,500; assorting teller, $2,000; redemption teller, $2,000; change teller, $2,000; receiving teller, $2,000; 2 bookkeepers, at $1,500 each; clerks—1 $1,750, 1 $1,600, 9 at $1,500 each, 13 at $1,200 each; attendant for money laundry machines, $1,200; hall man, $1,100; messenger, $840; 3 watchmen, at $720 each; janitor, $720; 8 money counters and handlers for money laundry machines, at $900 each; in all, $71,420.

Cincinnati, office of assistant treasurer: Assistant treasurer, $4,500; cashier, $2,250; paying teller, $2,000; receiving teller, $1,800; vault clerk, $1,600; clerks—2 at $1,300 each, 4 at $1,200 each, 2 at $1,000 each; clerk and stenographer, $1,000; chief watchman, $840; 2 watchmen, at $720 each; in all, $24,830.

New Orleans, office of assistant treasurer: Assistant treasurer, $4,500; cashier, $2,250; paying teller, $2,000; receiving teller, $2,000; vault clerk, $1,800; assorting teller, $1,200; clerks—1 $1,500, 5 at $1,200 each, 1 $1,000; typewriter and stenographer, $1,000; day watchman, $720; night watchman, $720; messenger, $600; 4 guards, at $720 each; in all, $28,170.

New York, office of assistant treasurer: Assistant treasurer, $8,000; cashier, $4,200; assistant cashier, $3,600; chief clerk, $3,000; check pay division—chief $3,000, assistant chief $2,000; bond clerk and assistant vault clerk, $2,800; paying teller, $3,000; assistant paying teller, $2,250; receiving teller, $2,800; redemption division—chief, $2,700; assistant chief, $2,250; vault and authorities clerk, $2,500; coin division—chief, $2,700; assistant chief, $2,000; paying teller, $2,100; bookkeepers—chief, $2,400; 2 at $2,000 each; clerks—1 $2,300, 2 at $2,000 each, 1 $1,900, 1 $1,800, 1 $1,700, 4 at $1,600 each; 7 at $1,500 each; 9 at $1,400 each; 5 at $1,300 each, 8 at $1,200 each, 1 $1,000; messengers—2 at $1,200 each, 5 at $900 each, 2 at $800 each; guards—chief $1,500, 1 $1,200, 4 at $1,000 each; superintendent of building, $1,800; engineers—chief $1,200, 2 at $1,050 each; 8

watchmen, at $720 each; 12 money counters and handlers for money laundry machines, at $900 each; in all, $150,460.

Philadelphia, office of assistant treasurer: Assistant treasurer, $5,000; cashier, $2,500; paying teller, $2,250; coin teller, $2,000; vault clerk, $1,900; bookkeeper, $1,800; assorting teller, $1,800; receiving teller, $1,700; redemption teller, $1,600; clerks—1 $1,600, 2 at $1,500 each, 2 at $1,400 each, 1 $1,300, 5 at $1,200 each, 1 $1,000; chief guard, $1,100; 5 counters, at $900 each; 6 watchmen, at $720 each; four money counters and handlers for money laundry machines, at $900 each; in all, $49,770.

St. Louis, office of assistant treasurer: Assistant treasurer, $4,500; cashier, $2,500; paying teller, $2,000; receiving teller, $1,800; change teller, $1,600; coin teller, $1,200; clerks—2 at $1,500 each, 5 at $1,200 each, 2 at $1,100 each, 3 at $1,000 each, 3 at $900 each; 2 watchmen, at $720 each; 2 janitors, at $600 each; guard, $720; in all, $33,860.

San Francisco, office of assistant treasurer: Assistant treasurer, $4,500; cashier, who also acts as vault clerk, $2,800; bookkeeper, $2,000; paying teller, $2,400; receiving teller, $2,000; clerks—1 $2,000, 2 at $1,800 each, 1 $1,500; stenographer and typewriter, $1,200; messenger, $840; 4 watchmen, at $720 each; 2 guards, at $720 each; in all, $27,160.

Mr. JONES of Washington. Mr. President, I should like to ask the Senator from Alabama to state briefly the reasons for cutting out the provision abolishing the Subtreasuries?

Mr. UNDERWOOD. The House cut them out. The Senate restored them.

Mr. JONES of Washington. What I mean is, what are the reasons for cutting out the provision that the House put in doing away with the Subtreasuries?

Mr. UNDERWOOD. I think I can answer that question best by sending to the desk and having read a letter that was sent to the Senator from Virginia [Mr. MARTIN] by Secretary Glass, of the Treasury Department.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read the letter.

The Secretary read as follows:

THE SECRETARY OF THE TREASURY,
Washington, January 23, 1919.

Hon. THOMAS S. MARTIN,
Chairman Committee on Appropriations,
United States Senate.

MY DEAR SENATOR: My attention is called to the fact that the appropriation bill makes no provision for the continuance of the Subtreasuries nor, indeed, any provision for their discontinuance nor for the transfer of their functions or property. As you know, I am on record as favoring the discontinuance of the Subtreasuries and the transfer of many of their functions to the Federal reserve banks. There has been no change in my view in this respect. At the moment, however, it would be nothing short of a calamity to cast upon the overburdened organization of the Treasury Department, of the Federal reserve banks, and of the Subtreasuries themselves the burden of the very important reorganization which would be necessary, nor can such a reorganization be effected by simply failing to make an appropriation for the continuance of the work of the Subtreasuries. Not all of that work can properly be done by the Federal reserve banks and the Treasury at Washington. The gold and silver reserves of the United States, which the United States holds in trust for its own notes, could not properly be left in the custody of the Federal reserve banks, nor could the gold settlement fund of the Federal reserve banks be properly left in their custody. It is important that the gold and silver reserves of the United States should not be concentrated at one point, but should be distributed at convenient points throughout the country. This is necessary not only from the point of view of economy, but also from the point of view of safety. It will be necessary, therefore, to retain the properties now occupied by some of the Subtreasuries and their vaults and develop a system for the custody of the funds. During the period of the war, with the great financial operations cast upon them by the Government, the Federal reserve banks have been expanding their organizations very rapidly. The Subtreasuries have all been working hard in aid of the Government's financial plans, and I believe there has never been a time when the Subtreasuries have been busier than they have during the war period. This is a temporary condition which will soon come to an end.

Briefly, my request is that the Senate committee restore the appropriation for the Subtreasuries, in which event I shall endeavor, before another general appropriation bill is presented to the Congress, to formulate a plan for submission to the Congress for dealing with the whole problem in an orderly as well as economical way.

Cordially, yours,

CARTER GLASS.

Mr. SMOOT. Mr. President, this appropriation of over half a million dollars is another of the "war babies." These Subtreasuries have been continued ever since the establishment of the Federal reserve banks and the regional banks of the Federal Reserve System without a shadow of excuse. The Secretary of the Treasury, Mr. Glass, has himself opposed continuing the Subtreasuries. I think it was five years ago that we first made a real fight against them in the Senate. At that time I believe we were beaten by one vote. Ever since the war began, the excuse has been given by the Secretary of the Treasury that we should not touch the Subtreasuries until the war was over. Now, Mr. President, the war is over; and the Secretary of the Treasury has promised that before another legislative appropriation bill is up for consideration, he will submit to the Congress certain legislation that will be necessary, as he says, to take care of the funds that are now held at these Subtreasuries.

I wish to give notice now that I shall never allow an appropriation for Subtreasuries to pass the Senate hereafter without a direct vote upon such a proposition. I can demonstrate beyond a question of a doubt that they are unnecessary. We might just as well appropriate the money to employ people as to keep appropriating money for the maintenance of these Subtreasuries.

Mr. UNDERWOOD. Mr. President, the committee restored the existing law. The language that is now restored in the bill by the Senate committee is exactly in accordance with the existing law. What the Senator from Utah says is true. There was a very considerable division in the committee on this subject; but in view of the letter of the Secretary of the Treasury as to the urgent need of not disturbing that situation at this particular time, and with what he further said in the letter, the committee unanimously agreed to allow this provision to stay in the bill for this year without committing the members of the committee to it in the future. That is the situation.

Mr. LEWIS. Mr. President, at this point I ask to be permitted to state that I have received by telegram and by letter a large number of petitions from the city of Chicago asking that I present to the body the necessity of retaining the office of subtreasurer, the great use the office affords to the business community, and also to present that it has been of great service in view of the late emergencies and exigencies which we all understand have borne heavily upon business generally.

I am like the majority of men in this Chamber, I can not profess the intimate knowledge of business and banking to justify me to say that I could point out wherein these offices were absolutely necessary. The senior Senator from Utah [Mr. SMOOT] is fortunately blessed with a business capacity acknowledged by every one in this Chamber that enables him to speak more authoritatively on a subject like this than we who simply as lawyers have been busy as lawyers and as public men apart from matters of finance. But I beg to submit to the body and the committee that the bankers who sent the petition are all of a very high order of patriotic intelligence, and their policy of interest in government and their desire for economy is no less than our own. They have asked me also to say that the present occupant of the place is a man of independent possession, not depending upon the salary, having no need of the compensation, and is giving such worthy service through that department that to abolish the office would be a great loss to them.

Having made this clear, I think I have discharged my duty. I ask that the Subtreasury be retained at Chicago, and I shall appreciate the courtesy of the committee if it shall be done.

Mr. SMOOT. I will state to the Senator that the Finance Committee of the Senate have agreed that all these Subtreasuries shall remain in the bill for the fiscal year. I do not want to take the time of the Senate now to state why I think they all ought to go out, but I could show in detail the reasons why I think to maintain the Subtreasuries is almost a wicked waste of public money. I know that if that could be shown to the Senator he would be for the abolishment of the offices as quickly as I would.

Mr. LEWIS. May I not make an inquiry? This bill only extends until next year. There will be a new bill next year which may remedy the wrong which may arise.

Mr. SMOOT. The appropriation will have to be made next year and the whole question will arise at that time.

Mr. LEWIS. Then I will not burden the Senate further.

The amendment was agreed to.

The reading of the bill was resumed and continued to line 5 on page 74, the last paragraph read being as follows:

Temporary employees: For the temporary employment of such additional force of clerks and other employees as in the judgment of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the existing situation may demand, $4,000,000: *Provided*, That the Secretary of War shall submit to Congress on the first day of its next regular session a statement showing by bureaus or offices the number and designation of the persons employed hereunder and the annual rate of compensation paid to each: *Provided further*, That no person shall be employed hereunder at a rate of compensation in excess of $5,000 per annum, not more than five persons shall be employed hereunder at a rate of compensation in excess of $2,400 per annum each, and not more than 25 persons shall be employed at a rate of compensation in excess of $1,800 per annum each: *Provided further*, That detailed estimates shall be submitted by the War Department in the annual Book of Estimates for the fiscal year 1921 for necessary services of the character provided for in this paragraph.

Mr. WEEKS. I should like to ask one or two questions relating to the paragraph just read. I should like to ask the Senator in charge of the bill what clerks the appropriation of $4,000,000 on page 73, line 15, covers.

Mr. UNDERWOOD. My understanding is that those are temporary clerks who came in here due to war conditions.

Mr. WEEKS. And not a permanent force at all?

Mr. UNDERWOOD. Not a permanent force. The War Department asked for an increase of $2,000,000 and the committee refused to allow it.

Mr. WEEKS. Has an itemized statement been made to the committee relative to the number of clerks employed under this appropriation?

Mr. WARREN. A short time ago, in answer to a resolution calling for it, we had returns from every department giving the number of clerks employed. I do not happen to have it at hand but the number amounted to some 99,000 here in Washington at the time. If my memory is correct there were some 14,000 in the War Department, but I may be incorrect about it.

Mr. UNDERWOOD. I will say to the Senator that there was a detailed statement put into the hearings on the urgent deficiency bill which was passed several days ago in reference to this item. I have not that hearing with me, but I think the Senator from Utah [Mr. SMOOT] has a statement that Gen. Lord left with the committee of the exact number of clerks covered by this item. The statement was made on another bill and therefore I have not the papers with me. I think the Senator from Utah took the blue print of the statement. I do not know whether he has it with him or not.

Mr. SMOOT. I have the figures here taken from the blue print. Gen. Lord appeared before the subcommittee in relation to the $4,000,000 asked for temporary employees. The original estimate of a year ago was $11,468,282, of which there was appropriated $10,277,250.

Mr. WEEKS. That was for the War Department alone?

Mr. SMOOT. That was for temporary employees for the War Department. Then the estimate for the coming fiscal year was for $5,940,570. The House gave $4,000,000, and they figured it out about as follows: There were on the 1st of November, 1918, 17,156 additional employees in the War Department to be paid out of this appropriation under the heading of "Temporary employees."

Mr. WEEKS. That was for next year?

Mr. SMOOT. No; that is the number of employees actually in service November 1, 1918. Now, the estimated number of employees for the first quarter of the fiscal year ending June 30, 1920, was 10,114, and an average for the whole year of about 5,500. In other words, the number that will be discharged from July 1, 1919, to June 30, 1920, will cause an average of employees in that department of 5,500 under the heading of "Temporary employees."

Mr. WEEKS. Then there is sure to be a deficit, if there is an average number of temporary employees equal to the number stated by the Senator from Utah, because 5,500 employees at $1,000 a year would require $5,500,000.

Mr. SMOOT. That is true, but——

Mr. WEEKS. They will not be employed at $1,000 a year. They will be employed at $1,200.

Mr. SMOOT. Not on an average, I will say to the Senator.

Mr. WEEKS. Pretty close to it.

Mr. SMOOT. Not temporary employees. They will not average more than about $1,080, but that will amount to about $6,000,000. I will say to the Senator that the Secretary asked for $6,000,000, stating that that will cover what they desire.

Mr. WEEKS. I do not know any temporary employees of any considerable number employed at the low rate of $1,080.

Mr. SMOOT. I will say to the Senator that was the estimate the Secretary gave. There are a great many of these temporary employees, and it is just ordinary work requiring no particular education or experience. The estimate was for $6,000,000, but in questioning the general it developed that taking the number of employees they have in each one of the divisions, beginning with The Adjutant General's office and following with the Inspector General's office and the Signal Corps, the Quartermaster Corps, the Chief of Ordnance, the Chief of Engineers, the Bureau of Insular Affairs, and the Coast Artillery, it did develop that it might not be necessary to have an average of 5,500 employees. So the committee of the House on the hearings, and also the committee of the Senate, decided that there would not be required 5,500 additional employees.

I can give the Senator, if he wants it, the number of employees they have in each one of the departments I have mentioned. When added together it shows without any question that they can hardly justify employing that number. Gen. Lord, after we went into the details of the case, did say: "Well, perhaps we can get along with less than the $5,940,570; and, no doubt, if there is a shortage and more employees required than actually appropriated for there will be a deficiency bill, anyhow, passed before June 30 of next year, and it can be taken care of in that bill."

Mr. WEEKS. I should like the attention of the Senator from Alabama for a moment. It seems to me, if the number of employees estimated for are actually employed, very much more than $4,000,000 will be required, and they certainly will be employed, in my judgment, unless there is some positive prohibition against it.

Mr. SMOOT. They certainly will be employed if the appropriation is made, I will say to the Senator, and that is one reason why we thought we would limit the appropriation. I think they will be a little more careful in the employment of men and women if the appropriation were not actually in their hands. I do not believe the department is going to suffer by allowing the amount to remain at $4,000,000.

Mr. WEEKS. I have no amendment to offer. What I particularly want to call attention to is the proneness of bureau officials to continue employees who happen to be in their service and the indisposition to make any reduction unless there is a positive necessity for it. What I am fearful of is that, as to these employees, whether absolutely needed or not, there can be reasons given for their employment, and there will be a large deficiency applying to this particular item next year.

Mr. UNDERWOOD. I will state to the Senator from Massachusetts that when Gen. Lord was before the Senate committee he, among other things, said:

> As I stated before, these clerks are not needed for the entire fiscal year 1920. That is, it would be absurd to think that we would need them all through the year. We will need more in the first quarter than we will in the second; we will need more in the second quarter than we will in the third. I have made an estimate here, which is purely arbitrary, showing that beginning with the first quarter we will have 10,140, beginning with the second quarter we will have 7,400, beginning with the third quarter we will have 5,000, and beginning with the fourth quarter we will have 3,000, estimating the pay of these clerks on a basis of $1,100 each, and I think that is a little small.

On that basis he wanted nearly $6,000,000. The committee refused to raise the House estimate for exactly the same reason the Senator has given, but we did not feel justified in cutting it any more.

Mr. SMOOT. I will say to the Senator that we tried to impress upon the officials of all the departments that Congress was not going to stand the enormous number of employees that have been used in the different departments. Employees have been so crowded that they were stepping on each other's toes. I think myself I could have taken 60 per cent of the employees in all the departments and, under favorable conditions, they would have done more work than the whole 100 per cent have done in the past.

Mr. VARDAMAN. Yes; 50 per cent more work.

Mr. SMOOT. For that reason we told not only Gen. Lord but every one of the department officials that the employment of unnecessary clerks had to cease.

Mr. WEEKS. I happened to make inquiry the other day and I found in one bureau there were about a thousand employees doing work about one-half in amount of that in another bureau where there were about 12,000 employees. There should be a thorough overhauling of the whole system of operations. I do not see how you are to prevent the expenditure of $6,000,000 for this item, including a deficiency of $2,000,000, unless it is provided that the number of employees engaged or kept at work shall not be more than sufficient to use the $4,000,000.

Mr. SMOOT. It is not absolutely necessary to use it, but I say to the Senator it will be used, I am quite sure of that, for I never have known an appropriation yet made for the purpose of employing people that every dollar of it was not expended.

Mr. WEEKS. Of course it will be expended.

Mr. SMOOT. I want in this connection to say to the Senator that there has been introduced in the House and in the Senate a number of bills the purpose of which is the same, and that is to furnish the record of all the soldiers from the different States to the adjutant generals of the States. I was requested by the adjutant general of the State of Utah to introduce the bill, and I did so, but I had no idea what it was going to cost the Government of the United States, nor do I believe any Member of the House or any Member of the Senate when he introduced the bill recognized the enormous expense it would be to the Government of the United States. That was mentioned by Gen. Lord as a great burden that would be placed upon the War Department if that legislation passed, and if it did become law Congress ought to make an appropriation to cover the expense it would entail.

It was stated by Gen. Lord that, in order to furnish the information asked for within 12 months, it would require over 1,000 additional employees in the War Department. When that legislation comes before the Senate for consideration, I want Senators to understand what it is going to cost the Government of the United States to execute it. There may be such a demand from the different States and such pressure brought upon Members of the House and of the Senate, that they will vote for the legislation; but, if they do, I want them to know that

undoubtedly there will be over 1,000 employees engaged in the War Department for more than a year for that purpose.

So far as I am concerned, I should prefer to wait a few years until we can again get our breath; until the people of the United States can ascertain upon what basis their business stands; until every father and mother in the country may take stock of what they owe, how far they may be able to meet their obligations, and what obligations they will have to meet in the future. I desire to say, further, that it is not merely the burdens which they have now to carry, but their burdens will be added to for the next few years, and so far as the removal of the burdens is concerned there is not a person now 20 years old who will live long enough to see those burdens entirely removed.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "War Department," on page 75, line 21, after the word "each" where it occurs the second time, to strike out "advisory architect, $4,000"; in line 23, after the word "each," to strike out "supervising engineer, $2,750"; and on page 76, line 3, after the words "in all," to strike out "$410,340," and insert "$403,590," so as to make the clause read:

Office of Quartermaster General: Chief clerk, $2,750; principal clerks, 5 at $2,250 each; 3 at $2,000 each; clerks, 15 of class 4, 29 of class 3, 50 of class 2, 93 of class 1, 59 at $1,000 each, 10 at $900 each; draftsmen, 3 at $1,800 each, 7 at $1,600 each, 5 at $1,400 each; hydraulic and sanitary engineer, $2,000; civil engineer, $1,800; electrical engineer, $2,000; electrical and mechanical engineer, $2,250; marine engineer, $3,500; sanitary and heating engineer, $1,800; 6 messengers; 14 assistant messengers; 12 laborers; laborer, $600; in all, $403,590.

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," on page 85, line 3, after the word "offices," to strike out "on account of the existing emergency," so as to make the clause read:

Temporary employees: For the employment of such additional temporary force of clerks, messengers, laborers, and other assistants as in the judgment of the Secretary of the Navy may be necessary to the transaction of official business in the Navy Department and its bureaus and offices, as follows.

The amendment was agreed to.

The next amendment was, on page 85, after line 5, to insert:

Office of the solicitor, $10,200.

The amendment was agreed to.

The next amendment was, on page 85, after line 6, to insert:

Office of the Judge Advocate General, $6,000.

The amendment was agreed to.

The next amendment was, on page 85, after line 7, to insert:

Naval Observatory, $2,250.

The amendment was agreed to.

The next amendment was, on page 85, line 19, after the words "in all," to strike out "$1,046,000" and insert "$1,064,450"; and, in line 24, after the words "*Provided further*," to strike out:

That no person shall be employed hereunder at a rate of compensation in excess of $5,000 per annum, not more than five persons shall be employed hereunder at a rate of compensation in excess of $2,400 per annum each, and not more than 20 persons shall be employed at a rate of compensation in excess of $2,000 per annum each.

And insert:

That not more than 49 persons shall be employed hereunder at rates of compensation in excess of $2,000 per annum, of whom not more than 39 shall be employed at a rate of compensation in excess of $2,400 per annum and not more than 10 at a rate of compensation in excess of $4,000 per annum.

So as to make the clause read:

In all, $1,064,450: *Provided*, That the Secretary of the Navy shall submit to Congress on the first day of its next regular session a statement showing by bureaus or offices the number and designation of the persons employed hereunder and the annual rate of compensation paid to each: *Provided further*, That not more than 49 persons shall be employed hereunder at rates of compensation in excess of $2,000 per annum, of whom not more than 39 shall be employed at a rate of compensation in excess of $2,400 per annum and not more than 10 at a rate of compensation in excess of $4,000 per annum: *Provided further*, That detailed estimates shall be submitted by the Navy Department in the annual Book of Estimates for the fiscal year 1921 for necessary services of the character provided for in this paragraph.

Mr. UNDERWOOD. Mr. President, the amendment on page 86, beginning in line 5, was made at the request of the Navy Department, but they now seem to be of the opinion that the language used may cause some difficulty in carrying out what they desire, and they have changed the language, though not the amount of the appropriation, to conform to their wishes. I send to the desk and ask to have read the substitute which they propose.

The PRESIDING OFFICER (Mr. MYERS in the chair). The amendment to the amendment will be stated.

The SECRETARY. In lieu of the amendment proposed by the committee inserting the language from line 5 to line 10, on page 86, it is proposed to insert:

That not more than 49 persons shall be employed hereunder at rates of compensation in excess of $2,000 per annum, of whom not more than 10 shall be employed at a rate of compensation in excess of $2,400 per annum and not more than $4,000 per annum.

Mr. UNDERWOOD. The only change is one of phraseology, which clarifies the language. I move the adoption of the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 87, line 3, after the word "including," to insert "an expert historian at $4,000 per annum and two assistants at $3,000 per annum each, and," and in line 8, after the word "person," to insert "except those specifically provided for in this paragraph," so as to make the clause read:

Toward the collection or copying and classification, with a view to publication, of the naval records of the war with the central powers of Europe, including an expert historian at $4,000 per annum and two assistants at $3,000 per annum each, and clerical services in the District of Columbia or elsewhere, preparation of maps and illustrations, and other necessary incidental expenses, $20,000: *Provided*, That no person except those specifically provided for in this paragraph shall be employed hereunder at a rate of compensation exceeding $1,800 per annum.

The amendment was agreed to.

The next amendment was, on page 96, after line 23, to strike out:

For rental of additional quarters for the Navy Department, $15,000.

The amendment was agreed to.

The reading of the bill was resumed; and the Secretary read to line 14, on page 106, the last paragraph read being as follows:

For investigation of rural education, industrial education, physical education, and school hygiene, including personal services in the District of Columbia and elsewhere, and no salary shall be paid hereunder in excess of $3,500 per annum, $50,000.

Mr. FLETCHER. Mr. President, I will say, in relation to the item just read, that I shall offer an amendment to it when such an amendment will be in order.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed; and the Secretary read to line 16, on page 113, the last two paragraphs read being as follows:

Territory of Hawaii: Governor, $7,000; secretary, $4,000; chief justice, $6,000; two associate justices, at $5,500 each; in all, $28,000.

For judges of circuit courts, at $4,000 each, so much as may be necessary, for the fiscal year 1920.

Mr. MYERS. Mr. President, I desire to ask the Senator in charge of the bill why there is no provision in the Hawaiian items just read, for the pay of the Federal judges in Hawaii.

Mr. UNDERWOOD. The Senator will find that item under the head of "Judicial," on page 147, of the bill.

Mr. MYERS. I thank the Senator.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed; and the Secretary read in line 20, on page 115, the last paragraph read being as follows:

In making readjustments hereunder, the salary of any clerk in any class may be fixed by the Postmaster General at $100 below the salary fixed by law for such class and the unused portion of such salary shall be used to increase the salary of any clerk in any class entitled thereto by not less than $100 above the salary fixed by law for such class. The Postmaster General shall assign to the several bureaus, offices, and divisions of the Post Office Department such number of the employees herein authorized as may be necessary to perform the work required therein; and he shall submit a statement showing such assignment and the number employed at the various salaries in the annual Book of Estimates following the estimates for salaries in the Post Office Department.

Mr. JONES of Washington. Mr. President, I should like to ask the Senator in charge of the bill if this provision regarding readjustments and reductions of salary and increases of salary by the Postmaster General is new legislation, or whether it is usually carried in the bill? I refer to the item on page 115, beginning in line 8, with reference to readjustments of salaries.

Mr. UNDERWOOD. That is the existing law, and has been carried in the bill for a good many years.

Mr. JONES of Washington. Why do we need to carry it in the bill, if that is the law?

Mr. WARREN. That is the law; but it was originally inserted as a part of an annual appropriation bill, and therefore it has been necessary to repeat the language in each annual appropriation bill.

Mr. JONES of Washington. Then, instead of providing for it in each bill, why not provide for it here once for all?

Mr. WARREN. I will say to the Senator that when it was first put in the proposition was to try it out, and they asked for further time to try it the second year, and since that time the matter has not come up on any question as to whether or not it should be put in as a regular statute, but it has been repeatedly in each appropriation bill.

Mr. JONES of Washington. Can the Senator tell me how long it has been thus repeated on these appropriation bills, or about how long?

Mr. SMOOT. Since three years ago.

Mr. JONES of Washington. The Senator from Utah says since three years ago.

Mr. WARREN. I should think it was about three years ago that it was first put in, or more than that.

Mr. JONES of Washington. How has it worked out? Does anybody know?

Mr. UNDERWOOD. I understand it is to give flexibility in the adjustment of salaries between the $200 grade and the various salaries.

Mr. SMOOT. In other words, the existing law is that the promotions may be $200 in grade. Many times it is found there are promotions made of those who are not really qualified to fill the position that is required, and this simply gives the Postmaster General a chance to grant a promotion of $100 instead of $200 and use that difference of $100 in granting further promotions to employees who are worthy and have qualified themselves for promotion.

I wish to say to the Senator that as far as any saving of money to the Government is concerned, it has not done it unless it has been through greater efficiency on the part of the employees. If the report is true, as I read it, it has worked a wonderful improvement in the Post Office Department in that respect.

Mr. JONES of Washington. If that is the intention, if it is a good thing, why not make it a part of the permanent law?

Mr. SMOOT. There is some reason for the Senator asking that question. I think perhaps the present law ought to be amended so that this provision will hereafter apply permanently, but I will state to the Senator that the Postmaster General in asking this asked it upon the theory that he believes it would be a great improvement and bring about a greater efficiency in the department. He says that it has done so, and I believe it has. I think those who made the examination of the question will also make a similar statement. I myself think it would be a very good thing to amend the existing law by adding this provision to it.

Mr. JONES of Washington. Can the Senator tell me about this? I note here it says the Postmaster General may reduce a clerk "$100 below the salary fixed by law," while it says he shall use what he saves by doing that by increasing the salaries of clerks "by not less than $100"; that is, he can increase the salary of any man from $100 up.

Mr. SMOOT. Within $100.

Mr. JONES of Washington. "By not less than $100," is the way it reads.

Mr. SMOOT. I will say to the Senator that under the existing law the promotions go according to the grade of $200, and the Postmaster General could increase here the salary of one employee $100 if he saves the $100 on another employee.

Mr. JONES of Washington. If he saves $500 by reductions, he can add that to one increase.

Mr. SMOOT. Oh, no.

Mr. JONES of Washington. Then, what does this language mean?

Shall be used to increase the salary of any clerk in any class entitled thereto by not less than $100.

Why does it not say "by $100"?

Mr. SMOOT. He can not increase it more than $100, because he has only saved $100.

Mr. JONES of Washington. But suppose he has saved $200 by two reductions and is only going to raise one clerk, can he not use the $200 for that purpose?

Mr. SMOOT. I will read it to the Senator as a whole, and then I think he will understand it.

In making readjustments hereunder, the salary of any clerk—

That is, one clerk, remember—

in any class may be fixed by the Postmaster General at $100 below the salary fixed by law for such class and the unused portion of such salary—

That is, the $100—

shall be used to increase the salary of any clerk in any class entitled thereto by not less than $100 above the salary fixed by law for such class.

Mr. JONES of Washington. Why do you use the words, "by not less than $100" there? Why not say, "by $100"?

Mr. SMOOT. Because of the fact that he may use only $50 of it.

Mr. JONES of Washington. Why, no.

Mr. SMOOT. "Not less than $100" means that he shall use whatever he has saved on a clerk by increasing the other clerk's salary. In other words, he can not increase the salary of one $100 unless he saves the $100 from some other employee's salary.

Mr. JONES of Washington. I know that he can not increase salaries unless he saves something to increase with; but what I was getting at is, if he reduces five clerks in class 1 he has saved $500. Can he use that $500 to increase any other clerk in any other class more than $100?

Mr. SMOOT. No; he can use that to increase the salary of five clerks $100 each, and not more than $100.

Mr. JONES of Washington. Why does it not say "increase by $100" instead of "by not less than $100"? That is what I can not understand. Why not say "shall be used to increase the salary of any clerk in any class entitled thereto by $100"?

Mr. UNDERWOOD. It goes in $100 skips.

Mr. JONES of Washington. Why not say so? What is the significance of "not less"?

Mr. SMOOT. It only emphasizes the fact that the Postmaster General shall not have the right to take $100 from one clerk and use it in any other way than to give it to another clerk. That is the object of it.

Mr. JONES of Washington. That may be the object of it, but it seems to me that under this language if he saved $200 on two clerks of any class he could give one clerk of some other class under this wording a $200 increase.

Mr. SMOOT. I will state to the Senator that that has not been the practice.

Mr. JONES of Washington. What I am trying to ascertain is what the Postmaster General can do under this language and what it is intended to give him authority to do. It seems to me that we ought to strike out the words "not less than" and let him increase by $100.

Mr. UNDERWOOD. I think the Senator is mistaken about that.

Mr. JONES of Washington. That is what I am trying to find out.

Mr. UNDERWOOD. The adjustment of salaries is not by steps of $10 or $20 but $100, and if he cuts the salary of one clerk to the extent of $100 he can add it to another clerk's salary to the extent of $100, no more and no less.

Mr. JONES of Washington. Why not say so, then?

Mr. UNDERWOOD. That is the construction of it. It has been passed upon by the comptroller and is workable on that basis.

Mr. JONES of Washington. If he has construed this language to mean that, I do not know upon what he bases his construction. He has been trying to legislate, I suppose.

The reading of the bill was continued.

The next amendment was, under the head of "Department of Justice," in the item of appropriation for the office of the Attorney General, Division of Accounts, on page 120, line 10, after the word "Chief," to strike out "$2,750" and insert "$3,000," and in line 14, after the words "in all," to strike out "$473,620" and insert "$473,870," so as to read:

Division of Accounts: Chief, $3,000; administrative accountant, $2,500; chief bookkeeper and record clerk, $2,200; clerks—3 of class 4, 6 of class 3, 6 of class 2, 5 of class 1, 3 at $900 each; in all, $473,870.

The amendment was agreed to.

The reading of the bill was resumed, and continued to the end of line 16, on page 126, the last clause read being as follows:

Commercial attachés: For commercial attachés, to be appointed by the Secretary of Commerce, after examination to be held under his direction to determine their competency and to be accredited through the State Department, whose duties shall be to investigate and report upon such conditions in the manufacturing industries and trade of foreign countries as may be of interest to the United States; and for one clerk to each of said commercial attachés to be paid a salary not to exceed $1,500 each and for necessary traveling and subsistence expenses of officers, rent outside of the District of Columbia, purchase of reports, books of reference and periodicals, travel to and from the United States, exchange on official checks, and all other necessary expenses not included in the foregoing; such commercial attachés shall serve directly under the Secretary of Commerce and shall report directly to him, $165,000.

Mr. JONES of Washington. Mr. President, I desire to ask the Senator from Alabama with reference to these commercial attachés. Can he tell me how many the Secretary of Commerce has been appointing and what salary has been paid them?

Mr. UNDERWOOD. I can give the Senator the information in just a moment, I think. I will say, however, that the provision is carried in existing law. I think there are 10 or a dozen of these attachés. My recollection is—and I think I can tell the Senator definitely in a moment—that whatever the

salary is, it is fixed by a law passed by Congress, designating the number of men who are to be employed and the amount of their salaries.

Mr. JONES of Washington. I thought in this case it was a lump-sum appropriation.

Mr. UNDERWOOD. No. Whilst I am not sure, I think this was a provision which was put into the law creating the Department of Commerce, though it may have been a subsequent law; anyway, it is a law.

The reading of the bill was resumed on page 126, line 17, the last clause read being as follows:

In all, for inspectors, Steamboat-Inspection Service, $697,950.

Mr. JONES of Washington. Mr. President, I want to ask the Senator from Alabama whether the committee considered the proposal with reference to the increase of the salaries of these employees? I have received a great many letters and some telegrams regarding the steamboat inspectors.

Mr. SMOOT. The Senator from Washington will remember that at the last session of Congress there was a special bill passed increasing the salaries of these various inspectors. I do not know whether or not the Senator has received any requests of late for the increase of their salaries, but they had a large increase of salary, I will say to the Senator, a year ago.

Mr. JONES of Washington. I have been getting letters recently, especially with reference to the assistant inspectors.

Mr. SMOOT. The assistant inspectors were taken care of in the special bill to which I refer, I will say to the Senator.

The reading of the bill was resumed on line 20, page 127; and the Secretary read to line 11, on page 135, the last paragraph read being as follows:

To determine experimentally important physical constants of materials essential to the industries or in laboratory investigations, as authorized by law, such as the determination of the value of gravity, thermal conductivities of materials, mechanical equivalent of heat, metallurgical constants such as specific and latent heats of metals and alloys, the electrochemical equivalent of metals, the velocity of light, including data important in the efficient planning of industrial processes, and in the effective utilization of the properties of materials, including personal services in the District of Columbia and in the field, $5,000.

Mr. JONES of Washington. Mr. President, I should like to ask the Senator in charge of the bill if the subcommittee gave any consideration to the estimate of the department for industrial safety standards, reading:

To investigate conditions of personal hazard in industrial and mercantile establishments—

And so forth.

They sent in an estimate of $25,000 covering that, and it impressed me as a very desirable appropriation. I see that there is nothing in the bill about it, and I wondered whether the subcommittee investigated that estimate.

Mr. UNDERWOOD. Mr. President, I will say to the Senator that so far as the Senate subcommittee is concerned, we did not go into that estimate. It was before the House. The matter was estimated for. The House turned it down, and in the testimony before the Senate subcommittee it was not insisted on by anyone from the Bureau of Standards. I do not mean to say that they objected to it, but they did not push it, and the Senate committee did not include it in the bill.

Mr. JONES of Washington. Will the Senator tell me who appeared before the committee from the bureau?

Mr. UNDERWOOD. Dr. Stratton appeared on other items.

Mr. JONES of Washington. He represented the bureau?

Mr. UNDERWOOD. Yes.

Mr. JONES of Washington. Did the committee consider the estimate sent down for standardization and testing of mechanical appliances, the estimate reading:

To develop methods of testing and standardizing machines, motors, tools, measuring instruments—

And so forth, for the purpose of adopting and making public an industrial safety code?

Mr. UNDERWOOD. Dr. Stratton appeared before the committee; and if the Senator will refer to his testimony before the Senate committee, on page 132, he will find that those items were not stressed. As there were many large appropriations in this bill for the Bureau of Standards anyhow, the Senate committee did not include those items that were not particularly urged on their attention.

The PRESIDING OFFICER (Mr. FERNALD in the chair). The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Judicial," on page 146, line 23, after "$4,500," to insert "nine law clerks, one for the Chief Justice and one for each Associate Justice, at not exceeding $3,600 each"; and, on page 147, line 2, after the words "in all," to strike out "$153,500" and insert "$185,900," so as to make the clause read:

Supreme Court: Chief Justice, $15,000; eight Associate Justices, at $14,500 each; marshal, $4,500; nine law clerks, one for the Chief Justice and one for each Associate Justice, at not exceeding $3,600 each; nine stenographic clerks, one for the Chief Justice and one for each Associate Justice, at not exceeding $2,000 each; in all, $185,900.

The amendment was agreed to.

The next amendment was on page 147, line 5, after the word "at," to strike out "$7,000 each" and insert "$8,500 each from March 1, 1919, to June 30, 1920, both dates inclusive," and, in line 9, after the words "in all," to strike out "$265,500" and insert "$331,500," so as to make the clause read:

Circuit Courts of Appeals: Thirty-three circuit judges, at $8,500 each from March 1, 1919, to June 30, 1920, both dates inclusive; nine clerks of circuit courts of appeals, at $3,500 each; messenger, to act as librarian and crier, circuit court of appeals, eighth circuit, $3,000; in all, $331,500.

The amendment was agreed to.

Mr. UNDERWOOD. By inadvertence the words "per annum" were left out in the arrangement of the judicial salaries in several places. I have a memorandum where they should be inserted and I ask that the clerks at the desk, if there is no objection, insert them.

The PRESIDING OFFICER (Mr. FERNALD in the chair). Without objection, it will be so ordered.

The next amendment was, on page 147, line 11, after the word "at," to strike out "$6,000 each, $582,000" and insert "$7,500 each from March 1, 1919, to June 30, 1920, both dates inclusive, $776,000," so as to make the clause read:

District courts: Ninety-seven district judges, at $7,500 each from March 1, 1919, to June 30, 1920, both dates inclusive, $776,000.

The amendment was agreed to.

The next amendment was, on page 147, line 14, after the word "at," to strike out "$6,000 each" and insert "$7,500 each from March 1, 1919, to June 30, 1920, both dates inclusive," and in line 16, after the words "in all," to strike out "$16,200" and insert "$20,200," so as to make the clause read:

District court, Territory of Hawaii: Two judges, at $7,500 each from March 1, 1919, to June 30, 1920, both dates inclusive; clerk, $3,000; reporter, $1,200; in all, $20,200.

The amendment was agreed to.

The next amendment was, on page 147, line 18, after the word "judge," to strike out "$5,000" and insert "$7,500 per annum from March 1, 1919, to June 30, 1920, both dates inclusive," and in line 19, after the words "in all," to strike out "$8,000" and insert "$11,333.34," so as to make the clause read:

District Court for Porto Rico: District judge, $7,500 per annum from March 1, 1919, to June 30, 1920, both dates inclusive; clerk, $3,000; in all, $11,333.34.

The amendment was agreed to.

The next amendment was, on page 148, line 2, after the words "Chief justice," to strike out "$7,500" and insert "at $8,500 per annum from March 1, 1919, to June 30, 1920, both dates inclusive"; in line 4, after the word "at," to strike out "$7,000 each" and insert "$8,500 each from March 1, 1919, to June 30, 1920, both dates inclusive"; and in line 15, after the words "in all," to strike out "$36,710" and insert "$42,043.34," so as to make the clause read:

Court of Appeals, District of Columbia: Chief justice, at $8,500 per annum from March 1, 1919, to June 30, 1920, both dates inclusive; two associate justices, at $8,500 each from March 1, 1919, to June 30, 1920, both dates inclusive; clerk, $3,250, and $250 additional as custodian of the Court of Appeals Building; assistant or deputy clerk, $2,250; reporter, $1,500: *Provided*, That the reports issued by him shall not be sold for more than $5 per volume; crier, who shall also act as stenographer and typewriter in the clerk's office when not engaged in court room, $1,200; three messengers, at $720 each; three stenographers, one for the chief justice and one for each associate justice, at $1,200 each; necessary expenditures in the conduct of the clerk's office, $1,000; in all, $42,043.34, one-half of which shall be paid from the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 148, line 18, after the word "justice," to strike out "$6,500" and insert "$7,500 from March 1, 1919, to June 30, 1920, both dates inclusive"; in line 19, after the word "at," to strike out "$6,000" and insert "$7,500 each from March 1, 1919, to June 30, 1920, both dates inclusive"; and in line 23, after the words "in all," to strike out "$43,100" and insert "$54,433.34," so as to make the clause read:

Supreme Court, District of Columbia: Chief justice, $7,500 from March 1, 1919, to June 30, 1920, both dates inclusive; five associate justices, at $7,500 each from March 1, 1919, to June 30, 1920, both dates inclusive; six stenographers, one for the chief justice and one for each associate justice, at $1,100 each; in all, $54,433.34, one-half of which shall be paid from the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 149, line 18, after the word "at," to strike out "$7,000 each" and insert "$8,500 each from March 1, 1919, to June 30, 1920, both dates inclusive"; and in line 22, after the words "in all," to strike out "$54,840" and insert "$64,840," so as to make the clause read:

Court of Customs Appeals: Presiding judge and four associate judges, at $8,500 each from March 1, 1919, to June 30, 1920, both dates inclusive; marshal, $3,000; clerk, $3,500; assistant clerk, $2,000; five stenographic clerks, at $1,600 each; stenographic reporter, $2,500; messenger, $840; in all, $64,840.

The amendment was agreed to.

The next amendment was, on page 150, line 8, after the word "Justice," to strike out "$6,500" and insert "at $8,000 per annum from March 1, 1919, to June 30, 1920, both dates inclusive"; in line 10, after the word "at," to strike out "$6,000" and insert "$7,500 each from March 1, 1919, to June 30, 1920, both dates inclusive"; and in line 18, after the words "in all," to strike out "$59,080" and insert "$69,080," so as to make the clause read:

Court of Claims: Chief Justice, at $8,000 per annum from March 1, 1919, to June 30, 1920, both dates inclusive; four judges, at $7,500 each from March 1, 1919, to June 30, 1920, both dates inclusive; chief clerk, $3,500; assistant clerk, $2,500; bailiff, $1,500; clerks—two at $1,600 each (one of whom shall be a stenographer), one $1,400, two at $1,200 each; four stenographers, at $1,200 each; chief messenger, $1,000; two assistant messengers; three firemen; three watchmen; elevator conductor, $720; two laborers; two charwomen; in all, $69,080.

The amendment was agreed to.

The reading of the bill was continued to line 8 on page 153, the last clause read being as follows:

SEC. 6. That all civilian employees of the Governments of the United States and the District of Columbia who receive a total of compensation at the rate of $2,500 per annum or less, except as otherwise provided in this section, shall receive, during the fiscal year ending June 30, 1920, additional compensation at the rate of $240 per annum.

Mr. SMOOT. Will the Senator from Alabama allow this section to go over, as there will be a contest over it, and after we get through with the bill we can then call for a quorum.

Mr. UNDERWOOD. It is not subject to amendment at this time, because there is no Senate committee amendment. It will have to go over until we finish the bill, as far as that item is concerned, because an agreement has been made that the Senate committee amendments shall be considered first.

Mr. SMOOT. This section contains the amendment of the committee in relation to the War Risk Insurance Bureau. I think the whole section had better go over, and then we will take it up when we get a quorum here.

Mr. UNDERWOOD. I have no objection to the section going over.

The PRESIDING OFFICER. Without objection the section, including the amendment of the committee on page 153, will be passed over.

The reading of the bill was continued.

The next amendment was, on page 158, after line 14, to insert:

SEC. 8. That a joint commission is created to be known as the "Joint Commission on Reclassification of Salaries," which shall consist of three Senators, who will be Members of the Sixty-sixth Congress, to be appointed by the President of the Senate, and three Representatives, who will be Members of the Sixty-sixth Congress, to be appointed by the Speaker. Vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

It shall be the duty of the commission to investigate the rates of compensation paid to civilian employees by the municipal government and the various executive departments and other governmental establishments in the District of Columbia, except the navy yard and the Postal Service, and report by bill or otherwise, as soon as practicable, what reclassification and readjustment of compensation should be made so as to provide uniform and equitable pay for the same character of employment throughout the District of Columbia in the services enumerated.

The commission is authorized to sit during the sessions or recess of Congress, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such personal services and incur such expenses as may be necessary to carry out the purposes of this section.

The heads of the various governmental services and the Commissioners of the District of Columbia shall furnish office space and equipment, detail officers and employees, furnish data and information, and make investigations whenever requested by the commission in connection with the purposes of this section.

For payment of the expenses authorized to be incurred, there is appropriated $25,000, or so much thereof as may be necessary, to be available immediately and to be disbursed upon vouchers approved by the commission, which approval shall be conclusive upon the accounting officers of the Treasury Department.

Mr. JONES of Washington. I wish to make a suggestion, or, rather, to ask the opinion of the Senator from Alabama upon a suggestion with reference to this commission. I am heartily in favor of the object and purposes of the commission. I think it is very important, and we ought to have had it quite a good while ago. I intended to make this suggestion before the committee when the bill was up for consideration, but the Senator knows how we were pressed for time and how we had to have a meeting in the afternoon and a great many Senators had to be in the Senate. I could not be there, and I did not have an opportunity to suggest it.

I suggest that this commission ought to be composed of Senators and Representatives of the present Congress who are going out of Congress, and I wish to state to the Senator why I think so. The Senator knows as well as I do that Senators and Representatives are just as busy as they can be with the ordinary duties of Senators and Representatives with the business that is brought before them. We really do not have the opportunity to attend committee meetings now as we ought to do it. The result of taking Senators and Representatives who are Members of Congress will be that they will, of course, give as much time as they can to the work, but probably there will be two or three or three or four in attendance at a meeting at a time, and they will have to perform the duties when probably they would like to be at home taking a rest or something of that sort, or they will have to neglect the active duties of their position.

There are Senators and Representatives who are going out of Congress who are some of the ablest Members of the Senate and the House, men who are thoroughly familiar with the conditions we seek to remedy by this amendment. I think men who are familiar with those conditions ought to be on this commission. From these gentlemen I have no doubt we can get a sufficient number to serve upon the commission. We shall probably have to provide compensation for them, but I think that is entirely proper. If we could get three Members of the Senate who are going out and three Members of the House who are going out they could devote all their time to this work, and could probably have their report ready for us by the meeting of our next regular session. These Senators and Representatives are just as competent men as we have in either body, and they would render just as valuable service in connection with this work. I believe we will get a great deal better result and more rapid work by having a commission of that kind than to have the commission as proposed here. I ask the Senator whether any consideration was given to that matter?

Mr. UNDERWOOD. No; the suggestion was not made at all and has not been considered, but I do think the suggestion of the Senator is worthy of consideration. If the Senator desires to offer an amendment we can consider it now, or, if the Senator will allow it to stay as it is when it goes to conference, the whole matter will be in conference and I will make the suggestion to the House conferees.

Mr. JONES of Washington. Does the Senator think what I have suggested would be in conference and that the conferees would have a right to report something of this sort?

Mr. UNDERWOOD. Undoubtedly it would all be in conference, because the House could vote such changes in reference to the personnel of the commission as they saw fit. I do not wish to commit myself on the question now, but I think the question is worthy of very serious consideration. If the Senator desires not to offer an amendment to the bill I will be glad to call it to the attention of the House conferees and discuss it very thoroughly.

Mr. JONES of Washington. I believe with that statement from the Senator in charge of the bill I will not take the time of the Senate to offer the amendment, if the matter is to be in conference. I hope the Senator will give the suggestion his thought and consideration in the meantime, and that the adoption of this section by the Senate without any controversy will not make him feel that he is absolutely bound to adhere to its terms.

Mr. UNDERWOOD. I think after our conversation here on the floor, without objection from anyone, I would be justified in agreeing to the amendment.

Mr. JONES of Washington. With that understanding I shall not offer the amendment, but I do hope the conference committee will consider the suggestion.

Mr. WARREN. I think it is entirely worthy of consideration. We might have to examine the situation to see whether we would be able to find those who would accept the position. That is the only doubt I have in my mind.

Mr. JONES of Washington. I do not believe there would be any trouble, because we have to provide compensation for them. We could not expect those men to work for nothing, but I believe it would be money saved to pay men of that kind probably $1,000 a month until they submit their report, and we could require them, probably, to submit a report in six months or something like that.

The amendment was agreed to.

The next amendment was, at the top of page 160, to insert:

SEC. 9. Public Buildings Commission: With a view to the control and allotment of space in owned or leased Government buildings in the District of Columbia, a public buildings commission is hereby created to be composed of the chairman of the Committee on Appropriations of

the Senate and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Public Buildings and Grounds of the Senate and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Appropriations of the House of Representatives and two other members of said committee, to be appointed by said chairman, the chairman of the Committee on Public Buildings and Grounds of the House of Representatives, and two other members of said committee, to be appointed by said chairman, all of whom shall serve thereon only so long as they are Members of Congress, and the Superintendent of the Capitol Building and Grounds, the officer in charge of public buildings and grounds, and the Supervising Architect or the Acting Supervising Architect of the Treasury during any vacancy in said office. Said commission shall elect one of its members as chairman of the commission and is authorized to employ such expert clerical or other services as it may deem necessary.

Any vacancies in said commission shall be filled in the same manner as the original appointments were made.

Said commission shall have the absolute control of and the allotment of all space in the several public buildings owned or buildings leased by the United States in the District of Columbia, with the exception of the Executive Mansion and office of the President, Capitol Building, the Senate and House Office Buildings, the Capitol power plant, and the Congressional Library Building, and shall from time to time assign and allot, for the use of the several activities of the Government, all such space.

For expenses of said commission, $10,000, to be immediately available and remain available until expended and to be paid out on vouchers signed by the chairman of said commission.

Mr. LODGE. Mr. President, I move to amend the amendment by inserting on line 6, page 161, after the words "power plant" and the comma, the words "the buildings under the jurisdiction of the Regents of the Smithsonian Institution."

Mr. UNDERWOOD. I think that amendment to the amendment should be agreed to. It merely brings the buildings of the Smithsonian Institution within the general plan. I think it is a proper amendment to the committee amendment, and I accept it.

Mr. LODGE. Those buildings are all provided for now by statute and placed under the control of the Regents of the Smithsonian Institution.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. UNDERWOOD. Mr. President, since the pending bill was reported to the Senate a revenue bill has been passed providing a change of compensation for the Commissioner of Internal Revenue and providing for deputy commissioners of internal revenue. I have talked with members of the committee about the changes of the law. In the revenue bill there is a provision made which authorizes the appointment and payment of the salaries of these officers up to the 1st day of July next, but there is no provision of law to carry their salaries after that date. I therefore desire to offer an amendment to conform to existing law and to provide those salaries after the 1st day of July. I send the amendment which I propose to the Secretary's desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Alabama will be stated.

The SECRETARY. On page 53, line 5, after the numerals "$10,000" and the semicolon, it is proposed to insert:

Assistant commissioner, $5,000.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Alabama will be stated.

The SECRETARY. On page 53, line 5, after the words "deputy commissioners," it is proposed to strike out the words "two at $4,000 each, one $3,600," and to insert in lieu thereof "five, at $5,000 each."

The amendment was agreed to.

Mr. UNDERWOOD. That completes the committee amendments. I will ask the Secretary to now state the committee amendment which was passed over.

Mr. CURTIS. Mr. President, I move to amend the committee amendment on page 154, line 21, by striking out the words "except that" and inserting the article "The," and on line 23 to strike out the words "at one-half the rate." That would make the amendment read:

The employees of the Bureau of War Risk Insurance shall receive increased compensation allowed by this section for other employees.

Mr. SMOOT. I suggest the absence of a quorum.

Mr. UNDERWOOD. I ask the Senator if he will not withhold that suggestion until the amendment proposed by the committee may be read. That has not yet been done.

Mr. CURTIS. I thought that had been done.

Mr. UNDERWOOD. No.

Mr. LODGE. It has not been read.

Mr. CURTIS. Very well.

The SECRETARY. The committee amendment passed over was, in section 6, page 154, line 21, after the date "January 1, 1916," to insert "except that employees of the Bureau of War Risk Insurance shall receive increased compensation at one-half the rate allowed by this section for other employees: *Provided*, That employees of said bureau who are compensated at rates below $400 per annum shall receive additional compensation at the rate of 60 per cent of the annual rates of compensation received by such employees," so as to read:

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916, except that employees of the Bureau of War Risk Insurance shall receive increased compensation at one-half the rate allowed by this section for other employees: *Provided*, That employees of said bureau who are compensated at rates below $400 per annum shall receive additional compensation at the rate of 60 per cent of the annual rates of compensation received by such employees.

This amendment Mr. CURTIS proposes to amend on page 154, line 21, by striking out, before the word "employees," the words "except that" and inserting the article "the"; and, on line 23, after the word "compensation," by striking out the words "at one-half the rate."

Mr. CURTIS. Mr. President, I offered this amendment in the committee, but it was voted down.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Moses	Smith, S. C.
Bankhead	Henderson	New	Smoot
Beckham	Johnson, Cal.	Norris	Sterling
Calder	Jones, N. Mex.	Nugent	Swanson
Chamberlain	Jones, Wash.	Pittman	Thomas
Cummins	Kendrick	Pollock	Thompson
Curtis	Kenyon	Pomerene	Townsend
Dillingham	Kirby	Ransdell	Trammell
Fernald	La Follette	Reed	Underwood
Fletcher	Lenroot	Robinson	Vardaman
France	Lewis	Shafroth	Warren
Frelinghuysen	Lodge	Sheppard	Weeks
Gay	McKellar	Sherman	Williams
Gronna	McLean	Shields	Wolcott
Hale	McNary	Simmons	
Harding	Martin, Ky.	Smith, Ga.	

Mr. LEWIS. I wish to announce that the Senator from Utah [Mr. KING], the Senator from Oklahoma [Mr. GORE], and the Senator from Montana [Mr. MYERS] are detained on official business.

The PRESIDING OFFICER. Sixty-two Senators have answered to their names. There is a quorum present.

The question is on the amendment offered by the Senator from Kansas [Mr. CURTIS] to the amendment reported by the committee.

Mr. CURTIS. Mr. President, it is not my purpose to take up unnecessarily the time of the Senate in discussing this question. What I want is to have the employees of the War Risk Insurance Bureau put on the same plane as to salary as the employees of other bureaus of the Government. I know it is contended that when these clerks were employed their salaries were fixed so as to include the $120 allowance made last year in the appropriation bill to the regular statutory employees of the Government, but I do not think these clerks were employed with any such understanding.

I wish to read two telegrams that were sent to clerks appointed in the War Risk Insurance Bureau to show that there was no indication of that kind given to them. Here is a telegram sent out on September 11, reading as follows:

Appointed clerk, Bureau of War Risk Insurance, New National Museum, Tenth and B Streets, $1,100 per annum. Report immediately, or before September 20. Services urgently needed. Early promotion, if service proves satisfactory. Wire.

The person who received that telegram reported, was employed at $1,100, has received no increase, and is still working for the bureau.

I read another telegram, dated September 14, which is as follows:

Appointed typist, $1,100 per annum, War Risk Insurance. Chance of promotion, if merited, good. Wire earliest can report at destination. Service urgently needed.

That young lady reported. She started to work at $1,100 and is still drawing $1,100. It will be seen that a promise of promotion was offered, but it has not been kept; and yet in this bill, instead of getting the allowance that has been given to other Government clerks, the employees of the War Risk Insurance Bureau are only given one-half. I hope the amendment offered by me will be agreed to.

Mr. UNDERWOOD. Mr. President, I desire to say that there is no item in this bill to which the subcommittee in charge of it gave more careful consideration than this item in reference to the bonus to the employees of the War Risk Insurance Bureau. It was left out of the bill last year, for the reason that it has been the policy of the Congress in adopting this

bonus not to apply it to those bureaus that were entirely war emergency bureaus, and the committee last year had the idea that the War Risk Insurance Bureau was of that class, although so far as the insurance features of that bureau are concerned it becomes a permanent bureau.

The reason the distinction was made between the old bureaus and departments of the Government and the war emergency bureaus which were established here, was that the clerks in the emergency bureaus were paid out of a lump sum; there was no limitation; there was no statutory provision for those temporary clerks; and undoubtedly they were paid a great deal more salary than the clerks in the regular bureaus. The effort of the Congress and of the committees of Congress was to equalize those salaries, to take care of the statutory clerks whose salaries were not increased and of the clerks in the old bureaus employed under lump-sum appropriations who were on the same basis.

Mr. CURTIS. Mr. President——

Mr. UNDERWOOD. I yield to the Senator.

Mr. CURTIS. Does not the Senator think that the fact that these clerks received telegrams stating that they were appointed at $1,100, and that there would be early promotion, entitles them to some consideration?

Mr. UNDERWOOD. I do not think that alone should determine the matter. We could not increase the clerical force of the Government and their salaries to an amount perhaps of $4,000,000 or $5,000,000 a year because the head of a bureau wired one or two clerks that, if they would come here, he would give them an increase over their initial salary. That would be an impossible proposition. It might have been a very unjust thing for the head of the bureau to have done; but it would not justify Congress in giving a general increase all along the line. However, that is not my argument.

Mr. CURTIS. Mr. President, I merely want to make one suggestion, if the Senator will permit me. I will not take up any of the Senator's time.

Mr. UNDERWOOD. I yield.

Mr. CURTIS. I only read two telegrams, but I had at least 50 clerks, who were employed at $1,100, tell me that they had received similar telegrams.

Mr. UNDERWOOD. That may be; but I want to come to the real details. Young ladies employed in the Bureau of War Risk Insurance came before the committee and urged this increase. They all believed they were getting smaller salaries than anybody else—I have no doubt about that—because they could point to a clerk here or a clerk there in some other department or bureau who was getting more salary than they did; but we sent for the heads of this bureau and examined them, and also had a report from the efficiency commission of the Government, and we found that their salaries last year were placed on a basis to equalize the increase of $120 which we gave to the statutory clerks. Unless we are willing to reject the testimony of Mr. Brown, the head of the Efficiency Bureau of the Government, whom we sent down there to look into this matter and report to us, we must believe that these clerks got that $120 last year by reason of its being provided in the lump-sum appropriation that was made to run the bureau.

Mr. SMOOT. One hundred and twenty-nine dollars was the actual average.

Mr. UNDERWOOD. The Senator from Utah calls my attention to the fact that the actual amount which they got by way of increase was $129. That being the case, if the Senate gave them the entire increase of $240 carried in this bill, instead of equalizing their salaries with the salaries of other clerks of the Government on the statutory roll, we would be putting them $120 above the other clerks. We have attempted to equalize the salaries. We have carefully examined the facts, and there was not a dissenting voice in the committee as to what the result was after we heard the testimony. I am absolutely certain, from the testimony, that if we let this bill remain as it is, we put the clerks in the War Risk Insurance Bureau on exactly the same basis of pay as the average pay in the general statutory bureaus of the Government.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Does the Senator from Alabama yield to the Senator from Kansas?

Mr. UNDERWOOD. I yield.

Mr. CURTIS. I merely wish to correct one statement the Senator made. I think the Senator meant there was not a dissenting voice in the subcommittee.

Mr. UNDERWOOD. That is what I meant.

Mr. CURTIS. The amendment which I offered in the full committee did have two or three votes.

Mr. UNDERWOOD. The Senator is correct. The full committee did not make the investigation.

Mr. CURTIS. That is true.

Mr. UNDERWOOD. It was made by the subcommittee, and the subcommittee reached a united verdict on it. This question involves a number of millions of dollars. It is a question which your committee investigated and on which it called for expert testimony. I do not think there is any doubt about it; and I think the Senate ought to reject the amendment to the amendment.

Mr. CUMMINS. Mr. President, I desire to ask the Senator a question, for this matter has been called to my attention a good many times. I understood the Senator from Alabama to say—and I intend to accept what he says with regard to it—that with the provisions of this bill as they are, the clerks in the War Risk Insurance Bureau will be getting just as much pay as the clerks in the other departments for the same kind of work.

Mr. UNDERWOOD. They will be getting the same basis of pay. Of course, there is a variation as to individuals.

Mr. CUMMINS. I understand.

Mr. UNDERWOOD. But as to the basis of pay, they will be put on an identical basis with the statutory clerks in the Government employ now, with the bonus added.

Mr. SMOOT. Mr. President, I have had a great desire to have all of the employees of the Government receive equal treatment under this provision. The bill passed the House with no mention whatever of the Bureau of War Risk Insurance, as it was not provided for in the bill a year ago. The Bureau of War Risk Insurance, when it began to employ clerks, typists, and stenographers shortly after its organization, paying them out of a lump sum, paid higher wages than most any other department of the Government. Senators know themselves that they lost their own clerks; they were taken away from them; and many of them went to the War Risk Insurance Bureau. In the investigation a year ago it developed that they were paid higher salaries than the clerks in many of the other departments when the clerks in the other departments were paid an additional amount of $120, as they were a year ago.

When the House passed the pending bill, as I said, they gave a $240 increase instead of the $120 which was given a year ago; but they still left out the War Risk Insurance Bureau, and we began an investigation as to whether that was fair to that bureau. It developed—and I have the figures here to prove it—that between the passage of the legislative bill for the present fiscal year and the present time there has been an average increase of $129 in the salaries of employees in that bureau. That increase was made upon the order of the head of the department of which the bureau is a part. The Bureau of Efficiency, with Mr. Brown at its head, went into the whole question. I have here a long statement, which I do not wish to burden the Senate with at this time, showing that that increase was made; and not only that, but it is now agreed that there shall be further increases in the bureau after a service of three months.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Kansas?

Mr. SMOOT. I do.

Mr. CURTIS. Those increases have not been given. I have read 2 telegrams on the subject, and I could have read 50 more.

Mr. SMOOT. No matter whether this provision is adopted or not, they are going to receive the agreed increases. If the Senator doubts it, I have here a statement from the Bureau of Efficiency stating just what the agreement was and how the salaries should be increased.

Mr. TOWNSEND. Mr. President, are these all temporary salaries?

Mr. SMOOT. They are all paid out of a lump sum.

Mr. TOWNSEND. But are they temporary—for one year?

Mr. SMOOT. No.

Mr. LODGE. They are not statutory clerks.

Mr. SMOOT. They are not statutory salaries. They are fixed by the bureau at the time they are employed.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Florida?

Mr. SMOOT. I do.

Mr. FLETCHER. Do I understand the Senator to say that within three months the employees of this bureau will be receiving the same as the employees of other bureaus?

Mr. SMOOT. They will receive the same as the other employees will receive if the others get the $240 increase, and the employees in the Bureau of War Risk Insurance get only the $120. That $120, given to the employees of the War Risk Bu-

reau, places them upon an equality with the others, as nearly as it is possible to place the employees of all of the departments of our Government upon an equality.

I know that the employees of the bureau say that the average compensation in that bureau is not as high as in the Department of Justice, or the Federal Trade Commission, or the Quartermaster General's Department, or the Department of Commerce. That is very easily accounted for. There are over 5,500 employees in the War Risk Bureau drawing a salary of $1,100; or, in other words, they are all employees from typists down. I have here a letter from the Civil Service Commission in which it is stated that many of those employees receiving $1,080 are doing work that requires no preparation and no particular ability, and therefore the Civil Service Commission think the salaries they are receiving now, if the $120 is added, will be ample.

Every young lady who appeared before the committee who was asked what salary she was receiving was receiving over $1,300, and with the $120 added it means that they will be receiving about $1,450 a year; and there are a great many of them. I could go into the details and tell just exactly how many there are, but I believe enough has been said to show the Senate that the committee wanted to do the right thing by all of the employees of the Government.

If an effort should be made upon the part of any Senator to increase the $240 bonus to $360, then, of course, of necessity, the $120 increase for the War Risk Insurance Bureau ought to be increased to $240. That should be done in case the other bonus is increased to $360.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. SMOOT. Certainly.

Mr. LENROOT. I will state that I made an investigation and came to the same conclusion that the committee did; but I should like to ask the Senator whether he has information there as to the lowest salaries paid in this bureau?

Mr. SMOOT. Yes; I can tell the Senator in just a few moments what they are, and there are only a few of the employees who are receiving less than $1,100. I will run through this statement, and tell, in a moment, just what departments they are in.

The filers in the section of correspondence are receiving $1,140. Whatever filers there are are receiving to-day $1,140.

The typists in the same section are receiving $1,140.

The sorters—that is, the incoming sorters, meaning those who sort the mail as it comes into the section—receive $1,080; and the sorters on the outgoing mail, where it is distributed to the desks of the heads who handle it in detail, receive $1,140.

In the claims division the typists receive $1,140, and they are the only employees in that whole division who receive less than $1,200.

Mr. LENROOT. Has the Senator a memorandum there of any that receive a salary of $660?

Mr. SMOOT. I will run through them and see.

There are the graphotype operators, who receive $900; the miscellaneous mail clerks receive $1,080; the numbering clerks receive $1,080; the dropping and stitching clerks receive $1,080; and the punchers receive $900.

Mr. LENROOT. Is it the Senator's understanding that that is the lowest salary that is paid in the bureau?

Mr. SMOOT. I will say to the Senator that that is the lowest salary that is being paid in the bureau to-day.

Mr. SMOOT subsequently said: I ask that following my statement made a few moments ago to have printed in the RECORD a memorandum furnished by the head of the Bureau of Efficiency in relation to just what has been done in the way of increased salaries in the War Risk Insurance Bureau.

The PRESIDING OFFICER. Without objection, leave is granted.

The matter referred to is as follows:

JANUARY 24, 1919.

Memorandum.

At the hearings before the Committee on Appropriations of the House last year, the representatives of the Bureau of Efficiency and the Bureau of War Risk Insurance promised the committee that they would fix standard salaries for the different kinds of work performed in the Bureau of War Risk Insurance and pay the employees according to the value of their services as nearly as that value could be determined. This work was undertaken by representatives of the Bureau of Efficiency, and the standard salaries were designated. These standard salaries were submitted first to officers of the War Risk Insurance Bureau and later to representatives of the House Committee on Appropriations. In most cases this standardization has resulted in raising the pay of employees engaged on the different kinds of work.

Entrance salaries of $1,000 for clerks and typists and $1,100 for stenographers were fixed by officers of the Bureau of War Risk Insurance last spring. At about the same time the entrance salary for clerks and typists was raised by the War Department to $1,100 and for stenographers to $1,200, with a promise of an automatic promotion of $100 at the end of three months' service. This created dissatisfaction among the employees of the Bureau of War Risk Insurance and since the classification work required considerable time it was finally decided by the Bureau of Efficiency in the early part of August to recommend that an automatic increase be given to all employees of the Bureau of War Risk Insurance who had been in the bureau three months and who had not been promoted. This increase was made effective August 16. A little later great difficulty was experienced in securing satisfactory eligibles from the Civil Service register at the entrance salaries offered by the Bureau of War Risk Insurance and with a view to overcoming this difficulty, the Bureau of Efficiency recommended that the entrance salary of clerks and typists be raised from $1,000 to $1,100, and of stenographers from $1,100 to $1,200. This recommendation was also adopted. Shortly after this a third recommendation was made that any clerks and typists who had been appointed by the bureau at less than $1,100, and any stenographers who had been appointed at less than $1,200 and who were receiving less than those salaries should be promoted to those salaries. This recommendation was also adopted. These various recommendations were made because it was found that under the classification these blanket increases would in very few cases raise the pay of the employees above the standards that were being prepared. In the early part of September the Bureau of Efficiency began to submit to the Bureau of War Risk Insurance its standard salaries for the different kinds of work. These were generally adopted and promotions under them put into effect. These standards are shown in the tables appended to this memorandum. In many cases the promotions made under these standards did not bring the clerks up to the standards because it was felt that at the first rating no one should be promoted more than $240 a year, no one should be promoted to more than the standard salary for the work he was doing, and no one should be promoted who had not been in the bureau at least three months.

On July 1 the average salary of employees in the Bureau of War Risk Insurance was $1,017. The average salary on December 1 was $1,119, or an increase of $102. This increase was due to the blanket promotions, to the raising of entrance salaries, and to the increases under the standard salaries that had been adopted by the bureau. Since December 1 further standard salaries have been submitted to the bureau that, when adopted and promotions made under them, will bring the average salary up to $1,141, or an average increase of $124.

The question to be considered is whether or not the blanket increase of $240 or some other amount should be granted to the employees of the Bureau of War Risk Insurance. In fixing the standard salaries shown in the accompanying schedules, the Bureau of Efficiency endeavored to take into account the increased cost of living, the compensation paid in other offices of the Government and in commercial establishments, and these standards are intended to correspond to the pay in other offices of the Government where the bonus of $120 is paid. An examination of the standard salary schedules attached will aid in determining what bonus should be given the employees in the Bureau of War Risk Insurance.

It should be stated that because of the rule which was adopted that no promotion should be made until an employee had served at least three months, and that no promotion should be made of more than $240 at one time, there are still thousands of persons in the bureau who are receiving less than the standadr pay fixed for the kinds of work they are performing. Under the rules laid down for fixing the value of the services of employees a clerk performing a quantity and quality of work far above the standard might be paid more than the standard salary, but since the first ratings were made in great haste, and were therefore more or less imperfect, the rule was adopted that no promotion above the standard salary should be made at the first rating.

The salaries have been standardized and promotions made under them in the following divisions: Allotments and allowances, accounts, actuarial, and compensation and claims. The standard salaries, and recommendations for promotions under them, have been submitted in the following offices, but so far as we are informed the promotions have not yet been made: Administrative, insurance, legal, and receipts and disbursements.

The increases that have been made in the salaries paid to employees in the Bureau of War Risk Insurance since last July have amounted to more than a million dollars a year. The recommendations already made, but which have not yet been acted on by the bureau, will bring this amount up to $1,300,000 a year. With subsequent ratings under these standard salaries, this amount will be still further increased. The amount of this increase can not be stated at this time.

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JANUARY 24, 1919.

BUREAU OF WAR RISK INSURANCE, ACCOUNTING DIVISION.

DESCRIPTION OF WORK BY POSITIONS.

1. Adding-machine operator, $1,140: Lists amounts on adding machine and gets total. No discretion, no judgment.

2. Adjuster, first grade, $1,500: Adjusts the amount of an award in case of death, discontinuance, duplication, or changes in family relations. Has to understand the law and be good at figures.

3. Adjuster, second grade, $1,320: Makes adjustments in amounts allowed for insurance and compensation in case of changes. Cases simpler than amendment or death cases.

4. Adjuster of progress cards, $1,320: Really a third-grade bookkeeper. Located in disbursing office. Adjusts totals on progress cards if errors are discovered there. Sends information to bookkeeping division.

5. Bookkeeper, first grade, $1,620: Is responsible for helping the administrative accounts and for the register, payments on awards, and allotments and allowances. Checks these against the card of the disbursing office.

6. Bookkeeper, second grade, $1,440: Assists first-grade bookkeeper. Engaged in actually keeping the records of the bookkeeping department. Registers allotment and allowance, showing unit numbers, and gets grand total of amounts authorized.

7. Bookkeeper, third grade, $1,380: Work similar to that of grade 2, but with less responsibility.

8. Bookkeeping-machine operator, $1,380: Operates the Underwood and Burroughs machines. Requires headwork and a knowledge of bookkeeping.

9. Building superintendent and supply clerk, $1,500: Looks after buildings and has charge of supplies. About same grade of work as a secretary.

10. Cancellation clerk, $1,260: Makes out orders upon disbursing office to cancel payment of checks returned.

11. Computing-machine operator, $1,320: Operates comptometer and Burroughs machines. More difficult than adding machines. Requires headwork and special training.

12. Correspondent's assistant, $1,320: Reads over the letters written by dictators for errors of content and form.

13. Dictator or correspondence clerk, $1,500: Dictates letters relative to adjustments. Must understand the making of adjustments as well as the use of English. Rarely uses form paragraphs.
14. File clerk, $1,140: Arranges and lists returned checks and compares them with the application to see if there has been a change in address or name.
15. File clerk, $1,140: Files correspondence alphabetically.
16. Filer and searcher, $1,200: Files award cards serially; checks changes of address, amendments, stop payments, etc. Prepares and inserts flash cards. Posts numbers of checks actually certified for payment.
17. Mail clerk (mail sorter), $1,140: Receives incoming mail and distributes it.
18. Planning clerk, $1,320: Lists cases on a route sheet and forwards route sheet to certain sections and certain clerks. Receives the reports of these searchers. Keeps a record of just where a case is.
19. Poster, $1,140: Posts amounts on record cards in cases where addressograph plates have not yet been made.
20. Principal file clerk, $1,320: Instructs a group of 6 or 10 girls and oversees their work. Must have had considerable experience.
21. Progress-card clerk, $1,200: Keeps a record of units of work which are sent over to the disbursing office under a progress card. Really a record clerk.
22. Receiving and shipping clerk, $1,320: Is responsible for all award cards, etc., sent to and from the Accounting Division.
23. Record clerk, $1,200: Keeps a record of units of work which are sent over to the disbursing officer under a progress card. Same as progress-card clerk.
24. Reviewer, first grade, $1,620: Reviews the work of adjusters for errors in their decisions.
25. Reviewer, second grade, $1,380: Reviews the work of adjusters for errors in their decisions.
26. Searcher, $1,260: Especially good file clerk, who handles cases requiring immediate attention and careful and painstaking search.
27. Secretary, $1,500: Takes charge of correspondence, arranges interviews, and relieves officers of routine work.
28. Sorter, $1,140: Sorts work into units of 100.
29. Special adjusters, $1,620: Experienced adjusters, who handle the difficult cases.
30. Special searcher, trouble chaser, investigator, $1,320: Collect all available information on a certain case. Involves searching several sets of files in and out of the Accounting Division.
31. Stenographer, $1,320: Takes and transcribes dictation.
32. Timekeeper (division), $1,440: Is responsible for the time records of the entire Accounting Division.
33. Time clerk (section), $1,200: Keeps the time records for one section or unit. Is responsible to division timekeeper.
34. Transportation clerk, $1,440: Keeps the actual records of travel authorizations. Really a second-grade bookkeeper. Is responsible to transportation and travel expenses clerk.
35. Transportation and travel expenses clerk, $2,040: Is responsible for the issue and record of travel authorizations.
36. Typist, $1,140: Types material ready for transcribing or record.
37. Verifier, $1,200: Checks the work of typists or other recording clerks.

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NOVEMBER 29, 1918.

BUREAU OF WAR RISK INSURANCE, ACTUARIAL DIVISION.

DESCRIPTION OF WORK BY POSITIONS.

1. Supervisor, $1,800, $1,680: Has charge of all the clerks or operators and the direction of all the work in one section. Responsible for putting out the work of the section.
2. Subsupervisor, $1,320: Has charge of the clerks and the work of a smaller division than a section; i. e., a unit. Works under the direction of the supervisor.
3. Personnel clerk, $1,380. Keeps record of the employees of the division—time, absence, efficiency records, etc.
4. Record clerk (coding section), $1,200: Keeps record of work assigned and performed by the clerks in the section; makes up the daily report of work done by the section.
5. Clerk (graphic representation unit), $1,200: Under the direction of the chief, assembles and prepares data for presentation in charts or tables.
6. Change clerk (coding section), $1,200: Makes changes in code slips and cards when information respecting cases change.
7. Coder, $1,200: Prepares, from information received from other divisions of the bureau, the code slips to guide the card punchers in their work.
8. Tabulator, $1,140: Operates the tabulating machines.
9. Verifier (punching and tabulating section), $1,140: Reviews the work of the card punchers to see that it is correct.
10. Card puncher, $900: Operates the Hollerith card-punching machine. Punches cards according to directions on the code slips.

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JANUARY 21, 1919.

BUREAU OF WAR RISK INSURANCE, ADMINISTRATIVE DIVISION.

DESCRIPTION OF POSITIONS.

1. Assistant pay clerk, $1,800: Is in immediate charge of making up the pay roll for all sections; has charge of the distribution of checks as well as general supervisory duties.
2. Special supervisor (appointments), $1,500: Handles special work directly under the supervision of the chief of appointments; handles original correspondence and supervises routine work.
3. Supervisor personnel index (appointments), $1,500: Is responsible for the personnel register of employees. This must be absolutely accurate, as all pay rolls are checked by this index.
4. Statistical clerk (paymaster), $1,440: Is responsible for making up the pay rolls of the different sections. Checks the roll, enters all deductions, makes all calculations, and handles transfers and adjustments. Requires accounting training.
5. Supervisor of index and mails (appointments), $1,440: In charge of the personnel files and of the distribution of incoming and outgoing mail.
6. Assistant statistical clerk (paymaster), $1,320: Operates adding machine and comptometer and assists in making up the pay rolls.
7. Stenographer, $1,320: Takes and transcribes dictation and looks after routine work.
8. Supervisor of civil-service records (appointments), $1,320: In charge of the filing of civil-service certificates and the keeping of the card records pertaining thereto.
9. Adjuster (time), $1,260: Handles all complaints of employees dissatisfied with the amount of money deducted from their pay; makes proper adjustments of salaries when resignations occur. Requires thorough knowledge of all time regulations.
10. Applications examiner (time), $1,200: Examines applications for sick or annual leave to see that they are in proper form and that the time requested is not in excess of the amount due.
11. Change of address clerk (mail), $1,200: Receives letters indicating a change of address but not containing sufficient information. Sends out insufficient information forms to the writers to obtain more information.
12. Estimator (time), $1,200: Estimates the amount of sick and annual leave due an employee.
13. Mail distributor, $1,200: Arranges letters by sections and keeps a record of the number of letters going to each section.
14. Mail reader, $1,200: Reads letters to determine to what division they should be sent.
15. Miscellaneous clerk, $1,200: Assists in work of personnel or civil-service records. Requires more judgment than filing.
16. Record clerk, $1,200: Makes permanent records of time, mail, etc. Requires absolute accuracy.
17. Mail and file clerk, $1,140: Files applications alphabetically and sorts mail.
18. Mail opener, $1,140: Receives mail from cutting machine, extracts contents, pins them together, and stamps them.
19. Mail sorter, $1,140: Arranges mail by sections or by States.
20. Typist, $1,140: Types cards and other material ready for record.

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DESCRIPTION OF WORK IN THE ALLOTMENTS AND ALLOWANCE DIVISION, AWARDING SECTION.

1. Sorters, $1,140: Classify applications according to date and name, and then according to awards or "nones" and class of service. Sorters also write post cards.
2. Numberers, $1,140: Affix the award numbers on applications.
3. Distributors, $1,140: Sort outgoing material by name or designation for proper future disposition. Arrange award cards and applications nummerically.
4. Typists, $1,140: Write the award cards and index cards. Requires great accuracy and ability to read awards. Typists in duplicate section make special award index cards and lists for disbursing office.
5. Verifiers, $1,200. Checking work of typists. If they notice errors in awards they check those also, but their real work is correcting errors in typing.
6. Awarders, $1,500: Decide whether award should be made and make the award, determining the amount, the allottee, whether the person named is old enough to receive checks, etc., and if necessary institute correspondence as soon as possible in regard to it. Must know article 2 of the act and how to operate thereunder.
Awarders in the duplicate section are really reawarders. Standard salary, $1,620.
7. Reviewers, $1,620: Review awards to make sure that the case is handled properly and that award is correct.
8. Examiners, $1,200: Examine applications for wrong addresses and correct when necessary. May also check errors in awards.
9. Adjusters, duplicate section, $1,620: Adjust two awards where they have been made to the same person. Has to have a knowledge of the operations in the accounts section in addition to those in index and application files.
10. Duplicate section, duplicate workers, $1,320: Trace and match duplicate applications; must be experts in files and index.
11. Other positions are described in the memorandum accompanying the recommendations respecting the correspondence and index files sections. Some miscellaneous positions are only tentatively standardized; final classification is reserved until survey of whole bureau is completed.

SEPTEMBER 21, 1918.

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SEPTEMBER 5, 1918.

DESCRIPTIONS OF WORK IN THE ALLOTMENT AND ALLOWANCE DIVISION—SECTIONS OF CORRESPONDENCE, STOP PAYMENT, RED CROSS, SERIAL NUMBER, EMERGENCY, WIVES' APPLICATIONS, NO CARD, AND INDEX FILES.

1. Unit supervisor, $1,800: Has general duties of supervising and operating unit of an average of 30 persons. Assigns clerks, issues instructions, passes, and leaves of absence. Responsible to chief of section.
2. Examining board, $1,680: Special examiners of the work of reawarders and correspondents which have passed the reviewers and examiners. The chief purpose is to correct the mistakes, count the errors, and prevent an illegal application of the law.
3. Instructors of examiners, $1,620: Supervise the work of examiners and reviewers and instruct them in the proper use of material for correspondence and reawards.
4. Examiners of correspondence, $1,620; reviewers of reawards, $1,620: Examine and review all correspondence and reawards to make sure that the case is covered properly by form letter paragraphs and that the reaward is correct.
5. Assistant supervisor, $1,560 and $1,620: Relieves the supervisor in duties of the unit. Sometimes supervises a particular portion of work of the unit.
6. Reawarders, $1,500. Change the status of the original application upon notice of death, birth, becoming of age, or other change in the family of the applicant.
7. Special form letter writer, $1,500: Prepares the proper form paragraphs for use in the correspondence units.
8. Reviser, $1,500: Verifies filing of cards and drops them below the rod. Instructs the filers and maintains the accuracy of the files.
9. Adjuster, $1,300: Makes adjustment in a stop-payment case after search in correspondence. Changes the application and makes a proper report to the audit division.
10. Special dictator, $1,440: Dictates letters in cases in which prepared form paragraphs are insufficient to cover inquiry.
11. Trouble chaser, $1,380: Takes care of no-card cases, kills duplicate cards, distributes flash cards where no card is found, corrects all inaccuracies in the files.
12. Form letter writer or correspondent, $1,380: Uses prepared paragraph forms to answer correspondence by filling in proper material to cover case.
13. Stenographer, $1,320: One who is able to take and transcribe dictation.
14. Principal file clerk, $1,320: In immediate charge of a group of filers on application and correspondence files.

15. Recorder, $1,260: Makes a record of application number of all cases where stop payments have been forwarded to audit division.
16. Route clerk, $1,260: Assigns work to particular workers for proper attention.
17. Subsupervisor, $1,200: General duties of a supervisor of a smaller unit of work and responsible to assistant supervisor for carrying out instructions and producing maximum output.
18. Searcher, $1,200: Looks up cases needing immediate attention, accurate and painstaking search, or which require search through the records of several units or divisions of the bureau.
19. Readers, $1,200: Read mail and attach face sheet designating course to be taken and reply to be sent.
20. Verifiers, $1,200: Checking work of typists or other recording clerks.
21. Statistical clerk, $1,200: Keeps quantity and quality records and other information on work received and disposed of by the unit.
22. Stenographer-typist, $1,200: One who is usually acting as a typist, but may take dictation in a special emergency.
23. Filer, $1,140: Inserts applications and correspondence, index cards, etc., in proper place in file.
24. Typist, $1,140: One who types material already prepared for transcribing or record (no discretion required).
25. Sorters, incoming, $1,080; outgoing, $1,140: Sort incoming material by simple method of name or designation for proper attention of correspondents or index clerks and resort to proper sections after action has been taken.

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NOVEMBER 1, 1918.

BUREAU OF WAR RISK INSURANCE, COMPENSATION AND CLAIM DIVISION.

DESCRIPTION OF WORK.

1. Supervisor, $1,440 and $1,500: General duty of supervising the work of a section; e. g., files, typists, stenographers, assign clerks, issues instructions, etc.
2. Assistant supervisor, $1,320 and $1,380: Relieves the supervisor in his duties or supervises a particular portion of the work of the section or group.
3. Subsupervisor, $1,260: Responsible to the supervisor for the work of a small group.
4. Examiner, $1,800: Collects and examines evidence necessary to adjudicate a claim and make a recommendation for an award. Must have legal training. Persons with experience in handling compensation claims for insurance companies preferred.
5. Reviewer, $2,100: Reviews the evidence and approves or disapproves the recommendation of the examiners. Same training and experience as for examiners.
6. Statistical clerk, $1,440: Works up statistics of deaths, disabilities, etc., from the daily records. Furnishes the data for the actuarial division.
7. Record clerk, $1,320: Keeps records of all insurance cases, compensation cases, etc., and furnishes reports on same to various officers of the bureau weekly.
8. Stenographer, $1,320: Takes and transcribes dictation. In a few instances writes letters on own responsibility.
9. Secretary, $1,500: Acts as secretary to heads of division and sections and other executive officers; performs service to relieve supervisors of detail and routine work.
10. Mail examiner, $1,500: Reads and sorts mail for distribution to the appropriate sections; indicates the nature of the reply in many cases; in some cases makes the reply on own responsibility.
11. Card-index file clerk, $1,200: Keep the index to the cases. File and search.
12. Case file clerk, $1,200: Keep the case files themselves. File and search.
13. Typists, $1,140: Types material already prepared for transcribing or record (no discretion required).

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BUREAU OF WAR RISK INSURANCE, DISBURSING DIVISION.

DESCRIPTION OF POSITIONS.

1. Information clerk, $1,320: Meet the public, answer questions by telephone; have to understand the work of the division.
2. Mail sorter, $1,140: Sorting mail by State or for distribution within the Disbursing Division.
3. Division master, $1,500: Distributes the checks for the entire Disbursing Division.
4. Division timekeeper, $1,440: Keeps the records of time for all people in the division.
5. Stenographer-typist, $1,200: One who is employed mostly in typing, but who may take dictation in an emergency.
6. Record clerk, $1,200: Keeps records of incoming and outgoing units of work.
7. Instructor of verifiers, $1,260: Gives the verifiers verbal instructions and answers questions.
8. Verifier, $1,200: Check the work of typists and graphotype operators.
9. File clerk, $1,140: File material alphabetically or by number.
10. Adding-machine operator, $1,140: List amounts on the adding machine and get totals; requires accuracy.
11. Bookkeeper, $1,440: Keeps a record of the transactions of the Miscellaneous Disbursements Section.
12. Stenographer, $1,320: Takes and transcribes dictation.
13. Bookkeeping-machine operator, $1,320: Operates the automati; bookkeeping machines; requires a knowledge of bookkeeping and specia training.
14. Addressograph operator, $1,200: Manipulates the machine whicl addresses checks from the plates cut by graphotype operators.
15. Miscellaneous-mail clerks, $1,080: Stuff and seal envelopes.
16. Graphotype operators, $900: Operate the machines which cut the addressograph plates; takes no special training.
17. Correspondence clerk (dictator), $1,500: Answers correspondence on own responsibility.
18. Foreign-mail clerk, $1,200: Have charge of sorting, stamping, and recording all foreign mail.
19. Signagraph operator, $1,140: Operates the machines whereby checks are signed in groups; requires a good handwriting, a short name, and some experience.

JANUARY 24, 1919.

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JANUARY 17, 1919.

BUREAU OF WAR RISK INSURANCE, INSURANCE DIVISION.

DESCRIPTION OF POSITIONS.

1. Insurance, expert (civil relief), $1,800: Reviews the work of examiners, answers correspondence, decides technical questions. Must have had previous insurance training.
2. Executive clerk and supervisor of personnel, $1,800: Responsible for assigning clerks to a particular kind of work and for keeping a record of personnel. Also supervises the welfare work.
3. Correspondence clerk (dictator), $1,500: Composes and dictates letters or indicates form paragraphs to be used. Form paragraphs rarely used.
4. Secretary, $1,500: Acts as secretary to division heads, takes care of correspondence, etc., and relieves them of detail and routine work.
5. Division paymaster, $1,500: Responsible for distributing the pay checks for the entire Insurance Division.
6. Reviewers (Claims Division), $1,500: Make the final examination of a claim before it is certified for payment. Must be thoroughly familiar with the law.
7. Timekeeper (division), $1,500: Responsible for the time records of the entire division. Has assistants in the various sections.
8. Reviser (index-card file), $1,320: Verifies filing of cards, decides when errors have been made and how they should be corrected. Is responsible for the accuracy of the files.
9. Stenographer, $1,320: Takes and transcribes dictation.
10. Photostat operators, $1,320: Operate the machines used in making blue prints. Requires experience in exposures as well as in operating the machines.
11. Reviewers (premium accounting), $1,320: Review the work of examiners and decide that the amount of the premium is correct or incorrect.
12. Examiners (claims), $1,320: Examine applications for claims for insurance to see whether they should be paid.
13. Duplicate clerks, $1,260: When two cards are found for the same person duplicate workers decide which is correct, getting their information from the change section. Requires absolute accuracy.
14. Change clerks, $1,260: Decide what insurance numbers are to be used when two applications have been made by the same person. Furnish the information for the duplicate clerks.
15. Registrars, $1,260: Compare the certificate with the record card, register the numbers, and sign the certificates.
16. Time clerk, $1,200: Keeps the time records of people in one section.
17. Adding-machine operator (numbering section), $1,200: Takes averages as well as operating the adding machines.
18. Verifier, $1,200: Checks the work of typists for errors.
19. Filer and searcher, $1,200: Inserts material in the file and searches.
20. Mail distributor, $1,200: Arranges correspondence alphabetically for the index-card section and rearranges it for distribution back to the sections after it has been used there. Has to understand the work of the various sections.
21. Record clerk, $1,200: Makes a permanent record of applications or work sent in and out of a section or of the daily production of each clerk.
22. Telautograph operator, $1,140: Operates the machine upon which requests for information are written to and received from other divisions. Requires a good handwriting, ability to brief, and some experience.
23. Verifier (numbering), $1,140: Check the work of the automatic numbering machines.
24. Typist, $1,140: Writing record and index cards and copying miscellaneous material.
25. Mail sorter, $1,140: Sort material alphabetically or by States.
26. File clerk, $1,140: Arrange material alphabetically or by number and insert it in the files.
27. Numbering clerks, $1,080: Operate the automatic numbering machines.
28. Miscellaneous mail clerks, $1,080: Fold certificates and letters and insert them in the envelopes.
29. Dropping and stitching clerks, $1,080: Staple applications and correspondence into the folders.

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JANUARY 10, 1919.

BUREAU OF WAR RISK INSURANCE, LEGAL DIVISION.

DESCRIPTION OF WORK BY POSITIONS.

1. Supervisor, $1,620, $1,500, $1,440: Has charge of all clerks or operators doing a particular kind of work and is responsible for putting out that work. The number of people for whom the supervisors are responsible and the difficulty of the work performed determine the grade under which they are classed.
2. Assistant supervisor, $1,500, $1,380, $1,320: Assists the supervisor in the direction of the work of all clerks.
3. Subsupervisor, $1,320: Has charge of one group of clerks under the direction of the supervisor and assistant supervisor.
4. Statistical clerk, $1,320: Under the direction of the supervisor, compiling, checking, and tabulating economic and social statistics of individuals concerned in cases covered by the Legal Division.
5. Law clerk, $1,620: Assists counsels and attorneys in assembling and preparation of cases.
6. Secretary, $1,500: Acts as secretary to counsels, takes charge of correspondence, appointments, etc., and relieves them of detail and routine work.
7. Special searcher, $1,320: Searches files of all divisions for information on cases. Must be familiar with organization of entire bureau and an expert in files.
8. Stenographer, $1,320: Takes and transcribes dictation of the counsels and attorneys.
9. Calendar clerk, $1,260: Looks after cases going to and coming from the courts. Sees that evidence is properly assembled and arranged for use of the attorneys.
10. Instructor, $1,260: Prepares written instructions for typists and verifies all work of typists.
11. File clerk, $1,200: Inserts material in the file, indexes material, and searches.
12. Mail distributor, $1,200: Arranges mail for distribution to various offices. Has to be thoroughly familiar with the work and organization of the Legal Division.
13. Typist, $1,140: Types material prepared for transcribing or record.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kansas [Mr. CURTIS] to the amendment of the committee.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is upon the committee amendment as reported.

Mr. THOMAS. Mr. President, I should like to ask the Senator having charge of the bill what the aggregate amount

of this increase of salaries will be if the bill passes with the committee amendment?

Mr. UNDERWOOD. I suppose that this matter had better go into the RECORD officially. I send to the desk and ask to have read by the Secretary a letter from Mr. Herbert D. Brown, chief of the Bureau of Efficiency, stating the facts in answer to the Senator's question, as I have already asked Mr. Brown the question.

The PRESIDING OFFICER. Without objection, the letter will be read.

The Secretary read as follows:

UNITED STATES BUREAU OF EFFICIENCY,
Washington, February 4, 1919.

Hon. OSCAR W. UNDERWOOD,
United States Senate, Washington, D. C.

DEAR SENATOR UNDERWOOD: You asked me this morning over the telephone to make an estimate of the cost to the Government of granting an allowance of $240 or $360 a year in lieu of the $120 allowance which is now being paid to employees of the Government.

Attached to this letter is a statement which we prepared last year showing our estimate of the cost of the $120 provision now in force. This statement shows that we estimated at that time that the $120 provision would cover 263,300 people and that the total cost of the $120 provision would amount to $31,500,000, including the cost of the allowance to members of the Postal Service but not to employees of the arsenals, navy yards, Panama Canal, and Alaskan Railway. Excluding the Postal Service, we estimated that the provision would cover 123,200 employees and that the total cost would be $14,600,000. As the provision was finally adopted, the members of the Postal Service were excluded.

Attached to this letter is also a statement from the Treasury Department which shows that for the six months ending December 31, 1918, the actual expenditures on account of the $120 provision amounted to $7,284,007. At this rate the total expenditures for the year would be $14,568,000 or $32,000 less than our estimate.

It is impossible within the time available to make a very careful analysis of the probable cost of the proposed bonus of $240 a year but I believe that in most instances the number of employees included in our estimate of last year will not vary greatly during the ensuing year. On this assumption, the cost for the current year of $14,600,000 should be doubled. This would bring the cost up to $29,200,000. To this amount should be added the cost of whatever allowance is made to the employees of the Bureau of War Risk Insurance. As I understand it, the employees of that bureau are to receive $120 instead of $240 because the allowance of $120 for the current year is included in the standard salaries that have been adopted by the bureau. It is difficult to estimate the number of employees that will be required in the Bureau of War Risk Insurance during the fiscal year 1920, but if we assume the roll to include 13,000 people, then we should add $1,560,000 to the $29,200,000 mentioned above. This will bring the total cost of the $240 increase up to $30,760,000. I know of no other offices where large increases are likely to occur.

If increased compensation is granted employees at the rate of $360, the cost of $29,200,000 mentioned above would be increased by 50 per cent, or $14,600,000, making a total of $43,800,000. To this amount should be added $3,120,000 ($1,560,000×2) for the employees of the War Risk Bureau, or a grand total of $46,920,000.

I have made no allowance for any reduction in the civilian clerical force of the War Department. A large reduction will be made in the clerical force of that department through the discharge of drafted men engaged on clerical work. The large amount of salvage and accounting work yet to be done by the department will probably make it necessary to keep all of the civilian clerks they now have.

Very truly, yours,

HERBERT D. BROWN,
Chief, Bureau of Efficiency.

Mr. UNDERWOOD. I desire to ask that the document which accompanies that letter be printed in the RECORD. I shall not take the time to read it.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Estimated cost of proposed salary increases for the fiscal year 1919.[1]

FLAT INCREASE OF $120.

Service.	Limiting salary, $2,000.			Limiting salary, $2,500.		
	In service from July 1, 1917.	In service from July 1, 1918.	No service restriction.	In service from July 1, 1917.	In service from July 1, 1918.	No service restriction.
Postal:						
Persons	129,000	133,800	145,400	129,300	140,100	145,600
Cost	$15,600,000	$16,900,000	$17,500,000	$15,600,000	$16,900,000	$17,600,000
Per person	$120	$120	$120	$120	$120	$120
Other than Postal:						
Persons	189,000	233,700	252,900	195,700	238,900	261,900
Cost	$22,300,000	$27,200,000	$29,800,000	$23,100,000	$28,200,000	$30,900,000
Per person	$118	$118	$118	$118	$118	$118
Total:						
Persons	318,000	370,500	398,300	325,000	379,000	407,500
Cost	$37,900,000	$44,100,000	$47,300,000	$38,700,000	$45,100,000	$48,500,000
Per person	$119	$119	$119	$119	$119	$119
Arsenals, navy yards, Panama Canal, and Alaska Railway:						
Persons	83,400	111,700	126,900	86,300	115,700	131,400
Cost	$9,800,000	$13,100,000	$14,900,000	$10,200,000	$13,600,000	$15,500,000
Per person	$118	$118	$118	$118	$118	$118
Total, excluding arsenals, etc.:						
Persons	234,600	258,800	271,400	238,700	263,300	276,100
Cost	$28,100,000	$31,000,000	$32,400,000	$28,500,000	$31,500,000	$33,000,000
Per person	$119	$119	$119	$119	$119	$119

[1] At salaries below $400, $480, and $600, respectively, the increases are 30 per cent of the salaries Salaries between $2,000 and $2,120 (or $2,144 or $2,180. as the case may be to be increased to $2,120 (or $2,144 or $2,180).

FLAT INCREASE OF $144.

Postal:						
Persons	(1)	(1)	(1)	(1)	(1)	(1)
Cost	$18,700,000	$20,200,000	$21,000,000	$18,700,000	$20,300,000	$21,100,000
Per person	$144	$144	$144	$144	$144	$144
Other than postal:						
Persons	(1)	(1)	(1)	(1)	(1)	(1)
Cost	$26,400,000	$32,200,000	$35,300,000	$27,400,000	$33,400,000	$36,600,000
Per person	$140	$140	$140	$140	$140	$140
Total:						
Persons	(1)	(1)	(1)	(1)	(1)	(1)
Cost	$45,100,000	$52,400,000	$56,300,000	$46,100,000	$53,700,000	$57,700,000
Per person	$142	$142	$142	$142	$142	$142
Arsenals, navy yards, Panama Canal, and Alaska Railway:						
Persons	(1)	(1)	(1)	(1)	(1)	(1)
Cost	$11,600,000	$15,600,000	$17,300,000	$12,000,000	$16,100,000	$18,300,000
Per person	$140	$140	$140	$140	$140	$140
Total, excluding arsenals, etc.:						
Persons	(1)	(1)	(1)	(1)	(1)	(1)
Cost	$33,500,000	$36,800,000	$39,000,000	$34,100,000	$37,600,000	$39,400,000
Per person	$143	$143	$144	$143	$143	$143

[1] The number of persons in each group of this section is the same as in the corresponding proup of the $120 section.

FLAT INCREASES OF $180.

Postal:						
Persons	(1)	(1)	(1)	(1)	(1)	(1)
Cost	$23,400,000	$25,400,000	$26,400,000	$23,500,000	$25,400,000	$26,400,000
Per person	$180	$180	$180	$180	$180	$180

[1] The number of persons in each group of this section is the same as in the corresponding group of the $120 section.

Estimated cost of proposed salary increases for the fiscal year 1919—Continued.

FLAT INCREASE OF $180—Continued.

Service.	Limiting salary, $2,000.			Limiting salary, $2,500.		
	In service from July 1, 1917.	In service from July 1, 1918.	No service restriction.	In service from July 1, 1917.	In service from July 1, 1918.	No service restriction.
Other than postal:						
Persons	(1)	(1)	(1)	(1)	(1)	(1)
Cost	$32,500,000	$39,600,000	$43,400,000	$33,700,000	$41,100,000	$45,000,000
Per person	$172	$172	$172	$172	$172	$172
Total:						
Persons	(1)	(1)	(1)	(1)	(1)	(1)
Cost	$55,900,000	$65,000,000	$69,800,000	$57,200,000	$66,500,000	$71,400,000
Per person	$177	$176	$176	$177	$176	$176
Arsenals, navy yards, Panama Canal, and Alaska Railway:						
Persons	(1)	(1)	(1)	(1)	(1)	(1)
Cost	$14,300,000	$19,200,000	$21,800,000	$14,900,000	$19,900,000	$22,600,000
Per person	$172	$172	$172	$172	$172	$172
Total, excluding arsenals, etc.:						
Persons	(1)	(1)	(1)	(1)	(1)	(1)
Cost	$41,600,000	$45,800,000	$48,000,600	$42,300,000	$46,600,000	$48,800,000
Per person	$178	$178	$178	$178	$178	$178

[1] The number of persons in each group of this section is the same as in the corresponding group of the $120 section.

Disbursements to Nov. 30, 1918 (5 months), on account of increase of compensation, 1918.

	To Nov. 30	December (incomplete).
Senate	$35,000.00	
House of Representatives	28,900.00	$5,000.00
Government Printing Office	240,000.00	45,000.00
Library of Congress	25,500.00	4,500.00
Botanic Garden	1,950.00	450.00
Lincoln Memorial Commission	240.00	
Commission on Memorial to Women of the Civil War	30.00	
Executive Office	2,500.00	1,000.00
Bureau of Efficiency	850.00	145.00
Civil Service Commission	22,000.00	4,500.00
Commission of Fine Arts	120.00	
Tariff Commission		
State Department	17,424.67	
Treasury Department	1,648,437.66	606,324.34
District of Columbia	306,867.42	76,387.30
Advisory Committee for Aeronautics	500.00	
Arlington Memorial Amphitheater Commission	80.00	
Smithsonian Institution	18,980.41	3,000.00
Interstate Commerce Commission	99,597.87	17,000.00
Board of Mediation and Conciliation	120.00	
Federal Trade Commission	24,250.00	3,000.00
United States Employees Compensation Commission	4,000.00	
Rock Creek and Potomac Parkway Commission	200.00	
United States Shipping Board		
War Department—civil miscellaneous	1,264,778.10	365,711.51
Navy Department	69,529.26	2,500.00
Interior Department	482,435.48	85,103.63
Indian Service	264,509.89	66,304.13
Post Office Department	61,000.00	10,000.00
Department of Agriculture	496,161.34	65,780.28
Department of Commerce	265,631.92	59,764.99
Department of Labor	89,800.00	30,000.00
Department of Justice	141,955.27	19,187.20
Total	5,613,349.29	1,470,658.38

Total for six months	$7,084,007.67
Estimate for Navy for six months just received	200,000.00
	7,284,007.67

Mr. THOMAS. Mr. President, we are about to add approximately $31,00,000 to the compensation of the employees included within the section. I have too often attempted to obtain some consideration of the fact that the compensation which this increase represents only serves to increase the expenses of the employees receiving it to take up the time of the Senate in making the effort again. Of course, as long as the increase has received the approval of the committee it will in all probability pass by the usual majority.

But I want to offer an amendment after the word "countries," in line 17, page 155, by striking out the period and inserting a semicolon, and adding the following words:

Employees working less than eight hours per day.

Mr. UNDERWOOD. Under the agreement that the committee amendments should have consideration before other amendments that amendment is not in order.

Mr. THOMAS. I thought the vote was taken on the committee amendment.

The PRESIDING OFFICER. The committee amendments have not been entirely disposed of, and the amendment of the Senator from Colorado will be considered just a little later.

Mr. UNDERWOOD. There is just one committee amendment yet.

Mr. THOMAS. I assumed that the amendment to which the Senator from Kansas offered his amendment had been adopted.

The PRESIDING OFFICER. It has not been adopted.

Mr. THOMAS. Then, of course, I will wait.

Mr. SHEPPARD. I desire at the proper time to offer an amendment in lieu of the committee amendment on page 154. Will that be in order now?

Mr. UNDERWOOD. If it is an amendment in lieu of the committee amendment it is in order now.

The PRESIDING OFFICER. It is in order now.

Mr. SHEPPARD. I offer the following amendment.

The PRESIDING OFFICER. It will be read.

The SECRETARY. At the foot of page 154, in lieu of the committee amendment, insert:

And in which the salaries have been fixed upon a basis, inclusive of temporary salary increases granted by law, since that date, such employees to receive increased compensation under this act at one-half the rate allowed by this section.

Mr. SHEPPARD. Mr. President, the object of the amendment is to put all the bureaus and divisions that have been created since January 1, 1916, on the same basis the committee places the War Risk Insurance Bureau. The representatives of the Federal employees had the following to say about it:

Furthermore, the specific mention of the War Risk Bureau in the Appropriations Committee's report creates certain inequalities with respect to other war bureaus or divisions in older departments created by law since January 1, 1916, where the salaries have not been fixed upon the basis calculated for the War Risk Bureau—in fact, have been fixed on a prewar basis. In order to adjust this inconsistency and at the same time, we believe, to carry out the intent of the Appropriations Committee, we suggest the amendment above mentioned.

Mr. UNDERWOOD. Mr. President, I do not think that will do. We carefully investigated the proposals that came before the committee. Several other bureaus have been created since, and we investigated them like we did this bureau. We found they were getting the increased salary already, and that they were being paid under lump-sum appropriations. If you adopt this amendment, I will not say that every clerk in the Government, because I can not see that far, but if you adopt this amendment you are going to lift a lot of clerks who have already been getting higher salaries than the statutory clerks and pay above the basis. The Senate can not afford to do that. It is a question if you are going to equalize salaries to have a committee that will work it out. I will say to the Senator in reference to every one of these proposals of these other bureaus we gave them careful investigation.

Mr. SHEPPARD. Will not what the Senator says happen in the War Risk Insurance Bureau under the amendment you have presented?

Mr. UNDERWOOD. No; we investigated the War Risk Insurance Bureau, we had the Bureau of Efficiency investigate it, and on that report made this increase in the language we did, to equalize it with the statutory bureaus. You are playing in millions on this question. I think it would be most unwise to bet the game blind, and that is what it amounts to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas offered as a substitute.

Mr. LENROOT. Will the Senator from Alabama permit me to ask him a question?

Mr. UNDERWOOD. Certainly.

Mr. LENROOT. I would like to ask him in what respect the employees of the War Risk Bureau differ from the employees of these other bureaus?

Mr. UNDERWOOD. I will say to the Senator that we have an old statutory roll here that fixed the salaries before the

war of most clerks, not absolutely equal, but in the main they were carried in the same class of salary. There were certain lump-sum appropriations that were from time to time given to these bureaus and departments, and the salaries under the lump-sum appropriations were fixed at that basis. But then the war came along and a large number of new bureaus, some of them temporary bureaus for the war purposes, and some that are proving to be permanent bureaus, were established, with no limitation on the pay roll, but just a lump sum thrown out and the head of the bureau was told to employ people. On our investigation we found that the basis of salary which was fixed at that time was way above the statutory salary and the statutory pay as the basis for other clerks. Our effort here has been merely to equalize that. More than that, the clerks in the War Risk Bureau came here under a war basis and under a war salary. They got an increase that was so satisfactory that it has attracted them from other positions to come here and get this increased salary. That is not true of the old bureaus.

Mr. LENROOT. No; my inquiry was not as to the old bureaus, but as to the difference between the employees in the War Risk Bureau and the employees in other bureaus created since January 1, 1916.

Mr. UNDERWOOD. I will explain that the War Risk Bureau was established originally on the basis of a statutory bureau. Then there was the increase given to them to equalize or more than equalize the increased bonus we gave to statutory bureaus last year; but these other bureaus, as far as we investigated them, not only had more than that increase, but vastly more in salary. I am not speaking about individuals, but I am speaking about averages. We could not go into individuals. The salaries were vastly more and are more now than that of the clerks in statutory bureaus with the bonus added.

Mr. LENROOT. That may be true of the higher positions, but is that true of the ordinary grade clerk?

Mr. UNDERWOOD. It is more true of the low position than it is of the high position.

Mr. LENROOT. Mr. President, from such investigation as I have been able to make, which accorded with the investigation made by the committee so far as the Bureau of War Risk Insurance is concerned, I have not been able to find any distinction between the employees of the War Risk Bureau and the employees of these other bureaus. It does seem to me that they all ought to be put upon an equality.

When the Senator says that the employees of these other bureaus are now receiving the benefit of the $120 increase, that is true; but so are the employees of the Bureau of War Risk Insurance now receiving the benefit of the $120 increase. If we are to give a further increase of $120, as this bill does, to the regular employees that it gives to employees of the War Risk Bureau, I can not for the life of me see why the employees in these other bureaus should not be entitled to the same increase.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered as a substitute by the Senator from Texas [Mr. SHEPPARD] to the amendment of the committee on page 154 of the bill.

The amendment was rejected.

The PRESIDING OFFICER. The question recurs on the committee amendment.

Mr. CALDER. Mr. President——

Mr. THOMAS. Has the amendment been adopted?

The PRESIDING OFFICER. It has not yet been adopted. Has the Senator from New York an amendment to this amendment?

Mr. CALDER. I have not.

The PRESIDING OFFICER. The question is on the amendment of the committee on page 154 of the bill.

The amendment was agreed to.

Mr. THOMAS. Mr. President, I now offer the amendment to which I called attention a few moments ago. On page 155, line 17, in the House text, after the word "country," I move to strike out the period and insert a semicolon and the words "employees working less than eight hours per day."

Mr. President, just a word in regard to this amendment. A very substantial increase will be made to this bill for the compensation of employees, and the Senator having the bill in charge has told the Senate that an attempt has been made to equalize the compensation as far as the committee could do so. In connection with this increase, which in the aggregate is enormous, and in connection with the attempt to equalize the compensation, there should also be an effort to equalize the hours of employment.

It is the purpose of this amendment to place within the excepted classes those employees who do not at present serve the Government the usual number of hours generally prevailing—that is to say, eight hours.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Colorado [Mr. THOMAS].

On a division the amendment was rejected.

Mr. CALDER. I submit the following amendment.

The PRESIDING OFFICER. It will be read.

The SECRETARY. On page 10, line 5, after the semicolon and before the word "in" insert——

The PRESIDING OFFICER. The amendment offered by the Senator from New York is an amendment to the committee amendment which has already been agreed to. He will have to ask for a reconsideration. Without objection, a reconsideration is ordered, and now the Secretary will report the amendment to the amendment.

The SECRETARY. On page 10, line 5, in the committee amendment before the word "in" insert:

Ninety-four additional clerks at $1,200 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is the chairman.

Mr. UNDERWOOD. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Alabama?

Mr. UNDERWOOD. I merely wished to discuss the amendment.

Mr. CALDER. Mr. President, this amendment puts into the regular appropriation a provision for a continuance during the next fiscal year of the additional clerks authorized during the present session, which were paid out of the contingent fund.

I know everyone will agree that this additional clerk is needed. For my part not only do I need this clerk, but I pay out of my own pocket for two additional clerks, and I know many Senators pay out of their own pockets to take care of assistants in their offices.

I believe the Senate ought to supply sufficient clerical aid for Senators. If I could have my way about it, I would establish a fund here that would give every Senator all the assistants needed in his office. In my office we need at least eight. We have six, four paid for by the Government and two paid for by myself.

I hope this amendment will prevail. I think Senators generally understand what it means, and I do not believe it requires any further explanation.

Mr. UNDERWOOD. Mr. President, the effect of the amendment will be to make a charge on the Treasury of something over $115,000 a year for additional clerk hire for the Members of the Senate. I have not any doubt that there are certain Senators here who either because of the size of their States or the tremendous pressure of business on them at times for some reasons require more than the three clerks who are now provided by law for Senators, but a large number of Senators do not require an additional clerk. I have a reasonable amount of business to do, and I attend to my business with three clerks. I had the opportunity of appointing an additional clerk this year, but I have not found it necessary to do so. I know that is true of a good many other Senators.

I would be perfectly willing to take care of this situation in the future, for Senators who really needed it, out of the contingent fund of the Senate, but to create a statutory provision where an additional clerk, at $1,200, will be given to each Senator, when probably half of them do not require the service, at a cost of $115,000 to the Government of the United States I do not believe we are justified in doing, and I think the amendment ought to be defeated.

Mr. POMERENE. Mr. President, I can only speak in this matter out of the abundance of experience I have in my own office, and I want to say that no three clerks ought to be required to do the work in my office. If other Senators are situated as I am, they need four clerks, and those four clerks will be about as busy as any young people ought to be required to be. If this amendment is not adopted something ought to be done to relieve Senators from the larger States.

Mr. UNDERWOOD. I agree with the Senator.

Mr. POMERENE. I do not believe that any Senator is going to have in his office at Government expense more clerks than are required. I do know that I will require more than the Government furnishes me.

Mr. UNDERWOOD. I have just said that out of the contingent fund of the Senate at the next session I think any Senators who need more clerical force to attend to their business should have it, and it can be provided in that way. But if you adopt this amendment you make it a permanent part of the

organization of the Senate that each Senator shall have four clerks, whether he needs them or not.

Mr. POMERENE. Then, may I suggest this amendment to the one offered by the Senator from New York:

Provided, That the Senator seeking to employ this additional clerk will certify to the necessity of that employment.

Mr. UNDERWOOD. I do not think that covers the case. I think it ought to be taken up as it has in the past and paid out of the contingent fund of the Senate. I hope the Senate will not adopt the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York to the amendment.

On a division the amendment to the amendment was agreed to.

Mr. LODGE. Mr. President, I desire to offer an amendment on page 3.

Mr. WOLCOTT. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WOLCOTT. I understand that the amendment offered by the Senator from New York to the committee amendment was agreed to. Has the amendment as amended been agreed to?

The PRESIDING OFFICER. It has not. The Senator from Delaware is entirely correct about that. If the Senator from Massachusetts will withhold his amendment for a moment, the Chair will put the question. The question is on agreeing to the committee amendment on page 10, as amended.

The amendment as amended was agreed to.

Mr. LODGE. I desire to offer an amendment on page 3, line 6, to strike out "$3,000" and insert "$3,500"; and in the same line to strike out the words "assistants—two at $2,250 each" and to insert "first assistant, John W. Lambert, $2,500"; and then to insert "one assistant at $2,250."

Mr. President, I desire to say a word in explanation of the amendment. The document room is of great importance to the business and comfort of the Senate. Mr. Boyd, the head of the office, has been in the service of the Senate for 48 years. He has been for many years in his present place, named by the bill. His salary has not been advanced since 1888. As it is given to him by name, it is not permanent, but it only goes to him while he is the incumbent of the office.

The other amendments which I offer on behalf of the Senator from Tennessee [Mr. MCKELLAR] cover the case of Mr. Lambert, who is now the principal assistant in the document room. He is a singularly valuable man, and I should be very glad to see him also named in the bill, as is Mr. Boyd, with this slight increase of $250 in his salary, because of the importance of the document room to the service of the Senate. I think both men ought to have these trifling increases.

Mr. UNDERWOOD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Alabama?

Mr. LODGE. I yield.

Mr. UNDERWOOD. I do not like to raise a question against the faithful, deserving employees of the Senate. We have here an exceptionally fine set of men. There is, however, a limit to which we can go. There have been a number of increases already put on this bill for Senate employees and for clerks. Of course, it is for the Senate to determine as to how far it wants to go; but if we continue to put these increases into the bill whenever they are proposed I do not see how the Senate expects its conferees to accomplish what they desire. There is a limit to carrying this load; a limit that we can get the House to agree to. We are within a few days of the end of the session, and there are a great many things in the bill that we want. I think we have about reached the time when we should draw the line. I have nothing to say against the particular amendment which the Senator from Massachusetts offers. I have no doubt these men are deserving.

Mr. SHIELDS. Mr. President, I wish to say a word in favor of the entire amendment. Mr. Boyd has been in his present position for many years, and since 1888 there has been no increase in his salary. He has been a most efficient officer.

Mr. Lambert has been in his position for six years and he is also a most efficient officer. The salary he is now getting is $2,250. Everybody recognizes that it is almost impossible for him to live on it. This is an increase of only $250. He is the first assistant in the document room. Of course, the work of the position has grown largely and he is rendering very valuable service. I think every Senator will readily agree with me that not only is he an efficient and a courteous man, thoroughly familiar with the office, but that he is one who renders more service perhaps than any other man, except the principal, who has been there for many years.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. LODGE]. [Putting the question.] The ayes appear to have it.

Mr. UNDERWOOD. I ask for a division on the amendment.

The question being put, on a division the amendment was agreed to.

Mr. KIRBY, Mr. HENDERSON, and others addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. LODGE. I think I have the floor, Mr. President.

Mr. KIRBY. I desire to offer an amendment.

Mr. LODGE. I thought I had the floor; but I presume I lost it when the Senate took a division.

Mr. KIRBY. I will yield to the Senator, if he so desires.

Mr. LODGE. I have another amendment to offer.

Mr. KIRBY. I have an amendment to offer.

The PRESIDING OFFICER. The Chair will recognize the Senator from Massachusetts next.

Mr. LODGE. Very well.

Mr. KIRBY. I desire to offer an amendment, on page 30, line 2, to strike out the amount of the salary of the superintendent of the Botanic Garden, "$2,250," and to insert "$3,000."

The PRESIDING OFFICER. The amendment proposed by the Senator from Arkansas will be stated.

The SECRETARY. Under the head of Botanic Garden, on page 30, line 2, after the word "superintendent," it is proposed to strike out "$2,250" and to insert "$3,000," so as to read:

For superintendent, $3,000.

Mr. KIRBY. Mr. President, this amendment is to increase the salary of the superintendent of the Botanic Garden, a man who is altogether capable and efficient, and who has been getting a very small salary under existing conditions as compared with the salaries of the chiefs of other bureaus and divisions of this same department of the service. I think the man, because of what he is compelled to know in order to hold that sort of a position, to be efficient, and to be of advantage to the Government, is entitled to something like a reasonable salary. For that reason I have offered the amendment, and I hope it will be adopted.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arkansas.

The amendment was agreed to.

Mr. LODGE. Mr. President, I desire to offer the following amendment: On page 62, line 12, after the colon, I move to insert:

Provided, That of this amount $184,160 shall be available, to be expended by the Secretary of Labor, in accordance with the estimate submitted by him to the Secretary of the Treasury January 25, 1919.

That is to provide for the extension which will be necessary under the child-labor law. I hold the estimate in my hand, and it gives the purposes of the distribution. It is a regular estimate.

To enable the Secretary of Labor to make inspections and to fulfill such other duties as may be assigned to him for the purpose of carrying into effect, in cooperation with the Commissioner of Internal Revenue, the provisions of the bill H. R. 12863, sections 1200–1207, to provide revenue, and for other purposes, which relate to the tax on employment of child labor in the District of Columbia and elsewhere, including traveling expenses.

And so forth.

I do not know whether it is necessary to add that clause, as the amendment refers to it. It adds nothing, as I have said, to the appropriation, but it makes provision for the proper enforcement of the law, the Secretary of Labor now having these inspectors.

Mr. KING. Mr. President, if the Senator will permit an inquiry, does it subtract that amount from the appropriations given to some other department or agency of the Government?

Mr. LODGE. No; it is taken from the general appropriation which covers all these matters.

Mr. UNDERWOOD. I will say to the Senator that there was a child-labor law on the statute books, but the Supreme Court decided that it was unconstitutional. A provision of this kind was formerly carried in the bill to enforce the provisions of that child-labor law, but when this recommendation was made to the committee there was no child-labor law on the statute books, and therefore the committee did not insert the appropriation. Since that time the revenue bill has been passed carrying a child-labor provision, which, although not the law, will be the law when the President returns to the United States and signs it. I am not sure about the amount, but I am willing to concede that some amount is needed under the proposed new law.

Mr. LODGE. The item has been very carefully estimated.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. LODGE. I yield.

Mr. HARDWICK. I wish to state to the Senator from Massachusetts that no child-labor law is yet on the statute books. There is a child-labor tax that will have to be collected, but even that has not become a law——

Mr. LODGE. My amendment refers to no statute.

Mr. HARDWICK. And there is no justification whatever for the Senator's amendment.

Mr. LODGE. We are going to have such a law.

Mr. HARDWICK. No; a tax.

Mr. LODGE. It has passed both Houses.

Mr. HARDWICK. But it is in the form of a tax.

Mr. LODGE. We have already made provisions in this bill for items under the revenue bill; they have been made this afternoon.

Mr. UNDERWOOD. Mr. President, what I wish to say to the Senator is that the provision on this subject in the revenue bill is very different from the former law. The provision in the revenue bill provides for a tax, while the previous law provided for an inspection of personal service. I am perfectly willing, of course, to agree to an amendment that is proposed to enforce an existing law—and I regard the provision in its present shape as being practically an existing law, because it will be such within a few days; but I am not informed as to the amount that may be needed. I am willing for the amendment to go——

Mr. HARDWICK. I hope the Senator will not accept the amendment. I am going to make a point of order against it.

Mr. LODGE. It is not subject to a point of order; it is regularly estimated for.

Mr. HARDWICK. Oh, no. It is not authorized by existing law. I am not making that suggestion in any technical spirit, but we have not a child-labor law on the statute books; we have a tax which the Treasury Department will have to collect.

Mr. LODGE. The amendment I offer is to collect that tax.

Mr. HARDWICK. I do not think so. There is no authority of law for it, Mr. President, and I make the point of order against the amendment.

Mr. LODGE. It is in conformity with the estimate of the department.

Mr. KING. Mr. President, I should like to ask the Senator from Massachusetts if it would not be the duty of the Commissioner of Internal Revenue and the officials who come under him to proceed to collect the tax provided in the act to which the Senator refers and if in the collection of that tax they find infractions of the law it would be their duty doubtless to take such steps as would be proper?

Mr. LODGE. It is utterly impossible to collect this tax unless the officers know the articles in connection with the manufacture of which child labor is employed. The tax falls on articles in which child labor is used, and therefore they must have that information in order to impose the tax.

Mr. KING. What I have in mind is the fact that the duties resting upon the internal-revenue officers are manifold; they have to make inspection of the business of corporations to find out whether or not they have profits, and the bill carries a large appropriation to enable them to perform their functions.

Mr. LODGE. This is to give them the benefit of the work of the Children's Bureau, which now exists and is used to enforce the law which already is found on the statute books and which gathers statistics in regard to child labor. The bureau is there; it is provided for by statute, and has appropriations made for gathering statistics. They see to the enforcement of the law in the District of Columbia. This amendment is to extend the work of that bureau and to enable the Internal Revenue Bureau to have the benefit of the information collected by the Children's Bureau, so that it may collect the taxes.

Mr. KING. Mr. President, there would necessarily be a duplication. The Internal Revenue Commissioner has certain duties to perform, among them that of collecting taxes and in ascertaining the taxes to be collected——

Mr. LODGE. If the Senator will permit me, it is not a duplication, because the service does not exist in the Internal Revenue Bureau. They have no means of collecting the information. It is to prevent duplication; it is to prevent the establishment of another body of inspectors in the Internal Revenue Bureau to do what the Labor Department is doing now.

Mr. KING. As I conceive the situation, it is this: Those persons who are engaged in interstate commerce and employ children under a certain age shall be subject to a tax, and it will be the duty of the Internal Revenue Commissioner to collect that tax upon the persons engaged in such business.

Mr. LODGE. And you must give him additional inspectors.

Mr. KING. Well, the Internal Revenue Commissioner has assigned to him a very large sum—ten or eleven million dollars—with which to enforce the law.

Mr. LODGE. That is what this is taken from.

Mr. KING. He has the machinery with which to carry out the law.

Mr. LODGE. If the Senator will excuse me, I am a member of the Finance Committee, and I say to the Senator the commissioner has not the machinery. Here is the machinery made to his hand. What the Senator is desiring is to duplicate what already exists.

Mr. KING. Mr. President, I do not want any duplication; I want to prevent duplication.

Mr. LODGE. The Senator is going directly at a duplication.

Mr. KING. The Internal Revenue Commissioner is charged with the responsibility of collecting the tax, and, therefore, he should see to it that the law with respect to it is enforced.

Mr. HARDWICK. Mr. President, I should like to be heard briefly on the point of order I have made.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. HARDWICK. Mr. President, the point of order ought first to be settled before the merits of the question are argued. Rule XVI provides:

> And no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill or to add a new item of appropriation unless it be made to carry out the provisions of some existing law or treaty stipulation or act or resolution previously passed by the Senate during that session, or unless the same be moved by direction of a standing or select committee of the Senate or proposed in pursuance of an estimate of the head of some one of the departments.

There is no law that authorizes this proposed appropriation.

Mr. LODGE. Mr. President, I will ask the Secretary to give me the amendment. I have a right to modify my amendment.

Mr. HARDWICK. Of course; I am not making any technical point as to that. If the Senator wants to change his amendment, I should like to have him do so, so that I may know what the amendment is.

Mr. LODGE. I have a right to modify the amendment.

Mr. HARDWICK. Not in my time.

Mr. LODGE. Well, the Senator can go on. I will modify the amendment, so that it will not be subject to the point of order, but I do not wish to take the Senator's time if he desires to discuss his point of order.

Mr. HARDWICK. I will be glad to yield to the Senator to allow him to make the change now. I do not wish to be technical about it, but I do not think the Senator has a leg to stand on.

Mr. LODGE. I desire to change the amendment so that it will read:

> In accordance with the estimate submitted by him to the Secretary of the Treasury January 25, 1919, for the enforcement of any law relating to child labor hereafter enacted.

Mr. HARDWICK. Mr. President, there is no law now relating to child labor, and none is proposed.

Mr. LODGE. If the Senator will pardon me, there is a law relative to child labor, and there is an entire bureau to deal with it.

Mr. HARDWICK. That bureau has fallen to the ground by reason of the fact that the highest court in the land has decided that the law on which it was based is unconstitutional.

Mr. LODGE. The Senator surely can not be right. They have not decided that it is unconstitutional to gather statistics about child labor.

Mr. HARDWICK. Oh, no.

Mr. LODGE. Or that the law was unconstitutional as applied to the District of Columbia; and that bureau exists for that purpose.

Mr. HARDWICK. But the part of the machinery that the Senator wants to employ, and which he has in mind now, has no legal right to existence in this country. There is no existing law that either authorizes or proposes to cover the Senator's proposal. We have a pending revenue bill which has not become a law. I do not know what its legal status is; it is like Mahomet's coffin; it is not signed and it is not presented; I do not know where it is or what the status of it is; but I think there is a pending proposal that we shall levy a tax on certain kinds of products. That would be no justification whatever for this, nor do I understand it. There was a good deal of confusion here. I did not catch very clearly what the Senator said nor hear very plainly what the Secretary read; but, as I understand, the Senator has no estimate.

Mr. LODGE. I have an estimate—an official estimate.

Mr. HARDWICK. From whom?

Mr. LODGE. From the Secretary of Labor.

Mr. HARDWICK. From the Secretary of Labor, under the old law?

Mr. LODGE. Not under any old law at all. It refers to the new law hereafter to be enacted.

Mr. HARDWICK. The revenue law?

Mr. LODGE. The revenue law.

Mr. HARDWICK. The Secretary of Labor has asked it for the revenue law?

Mr. LODGE. He has a right to make an estimate for that purpose.

Mr. HARDWICK. He has no right, under the statutes of the United States, to make an estimate for the revenue law.

Mr. LODGE. It comes through the Secretary of the Treasury.

Mr. HARDWICK. Does the Secretary of the Treasury submit that regularly to Congress? Will the Senator let me see it? I have not had an opportunity to see it.

Mr. LODGE. It was sent to the Secretary of the Treasury by the Secretary of Labor on January 25.

Mr. HARDWICK. Sent to the Secretary of the Treasury? Well, it has not come here.

Mr. LODGE. That was too late for the revenue bill.

Mr. HARDWICK. Then, it is not here. If he has just sent a recommendation to the Secretary of the Treasury, the Senator would not claim that that was an estimate. Let us see what it is. It is just a memorandum, sent here by the Secretary of Labor, suggesting to the Secretary of the Treasury that he ought to do this thing, and the Senator calls that an estimate.

The PRESIDING OFFICER. May the Chair ask the Senator from Georgia a question?

Mr. HARDWICK. Certainly.

The PRESIDING OFFICER. The Chair has not seen the opinion of the Supreme Court. In declaring the child-labor law invalid did the Supreme Court declare the whole act invalid, or did it confine its opinion to declaring invalid that provision which imposed a restriction on interstate commerce?

Mr. HARDWICK. Oh, the whole act, if the Chair pleases.

The PRESIDING OFFICER. The act, as the Chair recalls it, provided for an elaborate system—either that act or the act to which this amendment refers.

Mr. HARDWICK. There is another law which provided for quite a system of inspectors, and so on; and the Chair evidently has that in mind. That has no relation whatever to the question pending before the Senate. The question pending before the Senate is this: The Senator from Massachusetts now moves to insert in this bill an amendment providing funds for enforcing the provision in the pending revenue bill that has not become the law; and he submits in support of that proposal, what? A memorandum from the Secretary of Labor.

Mr. LODGE. It is not a memorandum; it is an estimate from the head of that department. I suggest that the Senator from Georgia read the rule.

Mr. HARDWICK. Oh, the Senator from Georgia has read the rule, and is quite familiar with it.

Mr. LODGE. I am glad he has, because it is in pursuance of an estimate of the head of some one of the departments.

Mr. HARDWICK. Oh, I think the Senator from Massachusetts is begging the question.

Mr. LODGE. I am not begging the question.

Mr. HARDWICK. I am giving the Senator my opinion of his position.

Mr. LODGE. This is an estimate submitted by the head of one of the departments.

Mr. HARDWICK. Yes; but it is not an estimate submitted by the head of the department having the matter in charge, and the Senator knows it full well.

Mr. LODGE. It does not make any difference, under the rule, whether it is submitted by the head of that department or not, so long as it is submitted by the head of some one of the departments.

Mr. HARDWICK. Oh, no! If the Senator is right, then if the Secretary of Labor sent us an estimate recommending the construction of three battleships, that would be authority for such an amendment on this floor. [Laughter.]

Mr. LENROOT. Mr. President, will the Senator from Georgia yield to me?

Mr. HARDWICK. Yes; I yield to the Senator from Wisconsin.

Mr. LENROOT. I should like to ask the Senator whether he thinks this whole provision of $21,000,000, the whole paragraph which this amendment seeks to amend, is in order or out of order?

Mr. HARDWICK. Why, that question is not pending. I should say that I should think it is in order.

Mr. LENROOT. If the Senator thinks it is in order, I want to call his attention to the fact that this $21,000,000 appropriation is for the purpose of enforcing the revenue act of 1918, which has not yet been signed by the President, and in which is included this very provision.

Mr. HARDWICK. Yes; but I will call the attention of the Senator from Wisconsin to the Senate rule which makes that in order when it is reported by a standing committee of the Senate. Now the Senator from Massachusetts proposes this amendment from the floor, which is a very different proposition in the Senate of the United States. Now, let us see:

All annual estimates for the public service shall be submitted to Congress through the Secretary of the Treasury, and shall be included in the Book of Estimates prepared under his direction.

There is no estimate here that the Senator from Massachusetts can rely on unless he has an estimate submitted by the Secretary of the Treasury to Congress, and not a memorandum or something that he calls an estimate from the Secretary of Labor addressed to the Secretary of the Treasury. There is no law, there is no estimate, and the point of order is absolutely good, in my opinion.

The PRESIDING OFFICER. The Chair will hear from the Senator from Massachusetts on the point of order.

Mr. LODGE. Mr. President, I can only say that this is a general appropriation, made to carry out, among other things, the provisions—the appropriation is framed on that basis—of the revenue act which has not yet been signed by the President. I modified my amendment so as to make it "hereafter enacted," which, I think, avoids that point.

Mr. POMERENE. Mr. President——

Mr. LODGE. One word further. This is an estimate regularly sent in by the Secretary of Labor to the Treasury Department. It is in pursuance of an estimate of the head of some one of the departments, which meets the provision of our rule. It does not seem to me to be out of order.

The PRESIDING OFFICER. The Chair overrules the point of order; and the Senator from Georgia may appeal, if he desires.

Mr. HARDWICK. Why, Mr. President, just simply in the interest of something like an intelligent exposition of the rules, I think, I must take an appeal, although I do not want to take up the time of the Senate at this late hour. I believe I will address the Senate on it briefly, too. I hate very much to do it at this time of the evening. I suppose, though, we have plenty of time.

Every Member of the Senate, I suppose, is familiar with Rule XVI, which provides that when a Member from the floor proposes an amendment to a general appropriation bill he must have either authority of law or an estimate. Now, there is no authority of law for this appropriation, it is admitted. They have what the Chair rules to be an estimate, in that the Secretary of Labor sent to the Secretary of the Treasury a memorandum saying that something like this ought to be done. I call attention not only to the rule but to the thing to which I directed the attention of the Chair, the Revised Statutes of the United States, which provide that—

All annual estimates for the public service shall be submitted to Congress through the Secretary of the Treasury, and shall be included in the Book of Estimates prepared under his direction—

That is from section 3669 of the Revised Statutes—

and hereafter all estimates of appropriations and estimates of deficiencies in appropriations intended for consideration, and seeking the action of any committee of the Congress, shall be transmitted to Congress through the Secretary of the Treasury, and in no other manner.

Now, the Senator from Massachusetts, with the august sanction of the Chair, has announced the proposition to the Senate of the United States that if one Secretary sends to another a memorandum saying that an estimate ought to be sent to Congress for a thing like that, that amounts to an estimate under the standing rules of the Senate.

I am ready to vote on the matter.

Mr. LENROOT. Mr. President, in so far as this amendment is claimed to be out of order under the rule referred to by the Senator, I submit that the rule makes it expressly in order, as he will see in a moment.

No amendment shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law or treaty stipulation—

Now, that is not the case here—

or act, or resolution previously passed by the Senate during that session.

And this act has already passed the Senate at this session. Now, the other alternative:

Or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate—

That has nothing whatever to do with the question. This child-labor taxation law passed the Senate at this session; and the amendment, therefore, is in order.

Mr. HARDWICK. Oh, Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LENROOT. Certainly.

Mr. HARDWICK. The Senator, I think, is in utter error, if he will excuse me for putting it that strongly. I have a very high regard for him, and I know that he would not make an intentional error; but he is in error in his expression when he says that this is something that has passed the Senate during the present session. That means a measure that has passed the Senate in the form of an appropriation—a bill or resolution making an appropriation.

Mr. LENROOT. No; the language is:

Unless it be made to carry out the provisions of some existing law or treaty stipulation or act or resolution previously passed by the State during that session.

Now, what has been done with reference to the child-labor taxation law? It has imposed a tax. It has directed the Secretary of the Treasury to enforce that law. It has further provided in that act that upon application of the Commissioner of Internal Revenue or the Secretary of the Treasury he may call upon the Secretary of Labor to assist him in the enforcement of this law, and that is all that this amendment seeks to do. But, further than that, Mr. President, this amendment makes no appropriation. It increases no appropriation. It merely provides for making available a certain portion of an appropriation that is made in this bill. From every standpoint it is clearly in order.

The PRESIDING OFFICER. Does the Senator from Georgia appeal from the ruling of the Chair?

Mr. HARDWICK. I do appeal.

The PRESIDING OFFICER. The question is, Shall the ruling of the Chair be sustained?

Upon a division, the ruling of the Chair was sustained.

The PRESIDING OFFICER. The question now is upon the amendment offered by the Senator from Massachusetts.

Mr. LENROOT. Mr. President, I wish to ask the Senator from Massachusetts whether out of abundant caution he will not consent to further modifying the amendment by inserting the word "taxation" after the words "child-labor," so as to make it read "child-labor taxation"?

Mr. LODGE. Certainly. I will ask to have the amendment stated as modified.

The SECRETARY. As modified, the amendment reads:

Provided, That of this amount $184,160 shall be available to be expended by the Secretary of Labor in accordance with the estimate submitted by him to the Secretary of the Treasury January 25, 1919, for the enforcement of any law relating to child labor hereafter enacted.

Mr. LENROOT. The word "taxation" should be inserted there.

Mr. LODGE. "Any law relating to the taxation of child labor."

The PRESIDING OFFICER. Does the Senator accept that amendment?

Mr. SMITH of Georgia. No, Mr. President; we want to know what it is. We want to see whether we object.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

Mr. LODGE. Mr. President, I withdrew the last modification and will leave it as it stood before.

The PRESIDING OFFICER. The Secretary will state the amendment as it now stands.

The SECRETARY. On page 62, line 12, after the numerals and after the colon, it is proposed to insert the following:

Provided, That of this amount $184,160 shall be available to be expended by the Secretary of Labor in accordance with the estimate submitted by him to the Secretary of the Treasury January 25, 1919, for the enforcement of any law relating to child labor hereafter enacted.

The PRESIDING OFFICER. The question is upon agreeing to the amendment of the Senator from Massachusetts.

Mr. HARDWICK. Mr. President, just for the purpose of keeping the permanent RECORD of the Senate straight, to the present proposal of the Senator from Massachusetts I do make a point of order, which I should like to have the RECORD show.

The PRESIDING OFFICER. The point of order is overruled. The question is upon agreeing to the amendment offered by the Senator from Massachusetts.

On a division, the amendment was agreed to.

Mr. LODGE. Mr. President, I should like to have the estimate printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

CHILDREN'S BUREAU.

To enable the Secretary of Labor to make inspections and to fulfill such other duties as may be assigned to him for the purpose of carrying into effect, in cooperation with the Commissioner of Internal Revenue, the provisions of the bill (H. R. 12863, section 1200–1207) "An act to provide revenue, and for other purposes," which relates to the tax on employment of child labor in the District of Columbia and elsewhere, including traveling expenses, per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, rental of offices outside the District of Columbia, telegraph and telephone service, express and freight charges, purchase of law books, books of reference, and periodicals, contingent and miscellaneous expenses, printing and binding, and personal services in the District of Columbia and elsewhere (submitted), $184,160.

Employees.

	Rate.	Estimated, 1920.
Salaries (in District of Columbia):		
Director	$4,500	1
Assistant director	3,000	1
Law officer	3,000	1
Inspector in charge of State corporation	2,620	1
Administrative clerk	2,120	1
Supervisor of issuing certificates of age	2,120	1
Clerks	1,720	2
Do	1,520	4
Do	1,320	4
Messenger	840	1
Salaries (outside of District of Columbia):		
Supervising inspectors	2,120	6
Inspectors	1,920	6
Assistant inspectors	[1]1,520	19
Issuing officers	1,320	15
Clerks	1,520	7
Total		70

[1] Average.

Salaries	$116,560
Other objects of expenditure:	
Traveling expenses and per diem in lieu of subsistence	56,600
Office rentals outside of District of Columbia, including equipment and care of same	6,000
Telephone and telegraph, freight and express, books, contingent, and miscellaneous	3,000
Printing and binding	2,000
Total	184,160

Mr. MOSES. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 11, line 5, in the item relative to the press gallery of the Senate, in the salary of the superintendent, it is proposed to strike out "$1,800" and to insert in lieu thereof "$2,500."

Mr. MOSES. Mr. President, I think that in attainment, faithful service, character, and inadequacy of compensation, the superintendent of the press gallery is entitled to as many superlatives as any officer of the Senate who has been benefited by our action here this afternoon, and then some. Moreover, Mr. President, inasmuch as the popular view of our statesmanlike qualities is largely made up by the work of the press gallery, there may be a sentimental reason for our taking action here, which seems to be the only manner by which we can express our appreciation.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Hampshire [Mr. MOSES].

On a division the amendment was agreed to.

Mr. ROBINSON. I offer the following amendment.

The PRESIDING OFFICER. It will be read.

The SECRETARY. In line 16, page 10, strike out "$2,000" at the end of the line, and insert in lieu "$2,500," so as to read:

Acting Assistant Doorkeeper, $3,000, two floor assistants at $2,500 each.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arkansas [Mr. ROBINSON].

The amendment was agreed to.

Mr. HENDERSON. On page 68, line 10, I move to amend by striking out "$1,800" and inserting "$2,000."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 68, line 10, relative to the Carson, (Nev.) mint, the bill reads:

Assayer in charge, who shall also perform the duties of melter, $1,800.

It is now proposed to strike out "$1,800" and in lieu to insert "$2,000."

Mr. SMOOT. I know the Senate is running away on these matters. I suppose Senators do not care what they put in the bill, but I want to say to the Senator from Nevada that if we begin to raise salaries in the mints we are going to lose the whole mints. We have had a mighty hard time to keep them in the bill in the past.

Mr. HENDERSON. I have been informed that the salary was $2,000 some years ago, and it is hard now under present conditions to live on $1,800. I simply propose to make it $2,000.

Mr. SMOOT. The Senator knows that no one made a harder fight for the retention of the mints and assay offices than I did. In fact, we remained here one night all night long, at the close of a short session of Congress, in order to keep them in the bill. But the impression is and the feeling is in the House of Representatives that they should go out. I hope the Senator will not insist at this time on raising the salaries for these assay offices. I appeal to him because I know what is back of it, and I do not think it will do any good. It will go out in conference, and it will only tend to arouse a feeling that I do know exists.

Mr. HENDERSON. I feel, Mr. President, that this is the smallest amount that is asked as a raise, $200; and it is just as necessary as any other raise or any amount that is in the bill. One thousand eight hundred dollars is the salary of the assayer at the Carson Mint, and he can not live on it. He probably can not more than get through with $2,000. I think the amendment is just and fair. I do not see why the Members of the House should object to this slight raise.

Mr. SMOOT. All I say is I am not going to ask that the same thing be done for the assay offices in Utah, because I know what the result ultimately will be, and as a friend of the assay offices of the country I am not going to ask for an increase.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nevada [Mr. HENDERSON].

On a division, the amendment was agreed to.

Mr. FLETCHER. I desire to offer an amendment at page 106 of the bill. The purpose of the amendment is to change the item from $3,500 to $4,500, and to change the footing from $50,000 to $106,000. The object of it is to increase the limitation upon salaries in the Bureau of Education. It is very difficult now to get men of proper caliber and ability and training and education and skill to carry on this work at a salary of $3,500. That is absolutely the outside salary. I therefore offer the amendment, and I ask the Secretary to read it.

The SECRETARY. On page 106 the paragraph reads:

For investigation of rural education, industrial education, physical education, and school hygiene, including personal services in the District of Columbia and elsewhere, and no salary shall be paid hereunder in excess of $3,500 per annum, $50,000.

It is now proposed to strike out in line 13 "$3,500" and to insert in lieu "$4,500" and to change the figure in line 14 from "$50,000" to "$106,000."

Mr. UNDERWOOD. I will say to the Senator from Florida I do not think it is possible to accomplish any result in conference with these amendments carrying increases. I thought at first that the proposal is in line with the current law, but I understand it is not.

Mr. FLETCHER. The original act of 1867, establishing this bureau, provides its duties, for the collection of statistics and facts showing the condition and progress of education in the several States and Territories and to diffuse such information respecting the organization and management of schools and school systems and methods of teaching as shall aid the people of the United States in the establishment and maintenance of a national school system and otherwise promote the cause of education throughout the country.

The object of the amendment is to raise the limitation upon the salaries and to increase the personnel of the three important lines of work covered by the item, so that it may be carried on strongly and effectively. A comparatively small part of the increase, after all, goes to the increase in salaries—not more than 25 per cent. The balance of it provides for an increase in personnel.

I am not going to take the time of the Senate to press the matter. It is very important work. We can not fail to look after the educational interests, hygiene, health, and welfare of the people as contemplated by the act. Calls from all over the country come for advice and assistance from teachers and schools, and the information can not be furnished unless you provide the money by which men can be employed to get it.

Mr. SMOOT. It is not the calls so much for assistance as it is for dollars and cents. They would not care very much about the assistance unless it carried with it dollars and cents.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. FLETCHER].

On a division, the amendment was rejected.

Mr. FRANCE. Mr. President, I offer the following amendment.

The PRESIDING OFFICER. The Secretary will report the amendment submitted by the Senator from Maryland.

The SECRETARY. On page 153, line 8, strike out the figures "$240" and insert in lieu thereof "$360."

Mr. UNDERWOOD. Mr. President, if the Senator from Maryland will allow me, I desire to make a point of order against that amendment. I make the point of order that it increases the appropriation on this bill without being recommended by the committee, that it is not estimated for by the head of any department, and, third, that it is not moved by the direction of any standing or select committee of the Senate. It seems to me clearly that it is within Rule XVI. The Chair is familiar with the rule, as it has just been read. I therefore make the point of order, and I think that ought to be disposed of first.

The PRESIDING OFFICER. The Chair will hear the Senator from Maryland on the point of order.

Mr. FRANCE. Mr. President, I do not feel that I care to discuss the point of order at this time. I realize that this amendment is subject to a point of order. I hoped that the chairman of the subcommittee would not make the point of order; but since he has made it, I am willing to submit to the judgment of the Chair. I do not care to detain the Senate at this time with any argument on the point of order.

The PRESIDING OFFICER. The point of order is sustained. Does the Senator from Maryland desire to insist upon the other two amendments which he sent to the desk?

Mr. FRANCE. They form really one amendment.

Mr. POMERENE. I send to the desk the following amendment, to be inserted on page 147, after line 20.

The SECRETARY. On page 147, after line 20, insert:

District court for the District of Panama: District judge, $7,500 per annum, from March 1, 1919, to June 30, 1920, both dates inclusive.

Mr. POMERENE. Mr. President, I will state the reason for this amendment. Senators will recall that the salaries of all the district judges were increased. This bill especially provides for the increase of the salaries of the two district judges in the Territory of Hawaii and also in the Territory of Porto Rico, but the one lone judge in Panama was overlooked. It is to correct what I think is an oversight that I offer this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. POMERENE].

The question being put, a division was called for.

Mr. LA FOLLETTE rose.

The PRESIDING OFFICER. Does the Senator from Wisconsin desire to make some inquiry?

Mr. LA FOLLETTE. I thought I would make some observations on this proposed amendment, but I can wait.

The PRESIDING OFFICER. The Senator from Wisconsin has the right to make remarks. The Senator is recognized.

Mr. LA FOLLETTE. Mr. President, it seems to me there ought not to be any question about raising the salary of this judge. I do not suppose any point of order can be made against the amendment, and I doubt, Mr. President, if it were subject to a point of order whether any point of order would be made against it, because it has been the practice of Congress to raise the salaries of Senators and Representatives and Cabinet officers and their assistants, and judges, but when any suggestion is made to the Congress of the United States that there should be an increase in the salaries of the employees of the Government who are earning less than enough to sustain life, every technicality that can be suggested and every argument that can be made is interposed to stop it.

There have been some investigations conducted by people entirely competent to make them as to the lowest possible amount upon which a family in this country can be subsisted. Such investigations were made in New York City in 1914. They have been conducted by this Government under an authorization by the United States Senate here in the District of Columbia. In 1914 a body of economists in New York City, after a thoroughgoing investigation, determined at that time that with the cost of living as it then stood, not less than $880 could possibly carry a family of three children, a father, and mother through to the end of the year. Since that time the cost of living has advanced from 75 to 100 per cent.

I think that it was in 1916 that, under authority conferred by the Congress, an investigation as to the cost of living was

conducted by Government officials here in the city of Washington, and it was ascertained that the lowest possible sum upon which a family of five could be supported here in the District of Columbia in 1916 was $1,080. Since that time the cost of living has steadily mounted.

Mr. President, I am aware of the fact that it is not at all popular to discuss this side of the proposition here in the Senate, but I never have been guided by considerations of that sort in my course. I am not at all surprised that so many Senators retire to the cloakroom when the attention of the country is to be called to the fact that since 1905 we have made the following increases in the salaries higher up.

The President's salary has been increased 50 per cent; the salary of the Private Secretary to the President has been increased 50 per cent; the salary of the Vice President has been increased 50 per cent; the salary of the secretary to the Vice President has been increased 81 per cent; salaries of United States Senators have been increased 50 per cent; salaries of Representatives in Congress have been increased 50 per cent; the salary of the Secretary of the Senate has been increased 30 per cent; of the Sergeant at Arms 44 per cent; the salary of the Speaker of the House of Representatives has been increased 50 per cent; of the secretary to the Speaker 33 per cent; of the Clerk of the House 30 per cent; of the Chief Clerk 25 per cent; of the Sergeant at Arms 44 per cent; of the Doorkeeper 42 per cent; the Secretary of State, 50 per cent; the Secretary of the Treasury, 50 per cent; the Secretary of War, 50 per cent; the Attorney General, 50 per cent; the Postmaster General, 50 per cent; the Secretary of the Navy 50 per cent; the Secretary of the Interior, 50 per cent; and the Secretary of Agriculture, 50 per cent.

Mr. DILLINGHAM. Will the Senator state what period that covers?

Mr. LAFOLLETTE. From 1905 to 1915.

Senators find occasion for agitated inquiry here as to the subject of unrest in this country. The salary of the Chief Justice was increased 15 per cent, and the Associate Justices 16 per cent. The salary of the Chief Justice was raised from $13,500 to $15,000 a year; the Associate Justices from $12,000 to $14,000; the circuit judges from $7,000 to $8,500; the district judges from $6,000 to $7,500.

Two years ago on this floor I made an appeal to the Senate one night calling attention to some of these increases in the salaries of the higher-ups, and succeeded in getting the approval of the Senate for an increase for the employees in the Bureau of Indian Affairs, which was on a conference report, and the vote of the Senate at that time made that increase absolute as to those employees. In order to equalize the salaries of other employees, which was forced upon an unwilling Congress, an increase of $120 a year, as it finally worked out, was obtained in the salaries of Government employees receiving less than over $2,500 a year.

What did that increase of salary amount to in percentages? The increase for those receiving $2,500 was 4 per cent and a fraction; for those receiving $2,400, it was 5 per cent; for those receiving $2,220, it was 5 per cent and a fraction; for those receiving $2,000, it was 6 per cent; for those receiving $1,800, it was 6.6 per cent; for those receiving $1,600, it was 8 per cent; for those receiving $1,440, it was 8.40 per cent; for those receiving $1,400, it was 8.6 per cent; for those receiving $1,300, it was 9.2 per cent; for those receiving $1,200, it was 10 per cent; for those receiving $1,100, it was 10.9 per cent; and for those receiving $1,000, it was 12 per cent.

Now, mark you, when you get down to $1,000 you are down to the line below the level of where you could support away back in 1916 a family of five persons on that salary. Just think of it, Senators! It makes some Senators smile.

The percentage of increase in the salaries of those receiving a salary of $800 was 15; it was an increase in salaries of $720—and you are below the life line now—of 16⅔ per cent; on salaries of $600, it was an increase of 20 per cent; on salaries of $540, it was an increase of 22 per cent; on salaries of $500, it was an increase of 24 per cent; on salaries of $480, it was an increase of 25 per cent; and on salaries of $400, it was an increase of 30 per cent.

Just think of it, Mr. President! Employees of this Government receiving a salary of $400 a year and trying to take care of a family, with the cost of maintaining a family in New York figured at the lowest possible limit, where charity doles out the amount—in New York, away back of the war period, it was $880; in the city of Washington in 1916 it was $1,080.

How did they make up the balance? They found jobs at night. When sickness falls upon the family, when trouble comes, when death throws its shadow across the threshold, collections are taken up among those who are not so unfortunate, upon whom affliction has not yet been visited. That is the way they do it. If you want the testimony for it, it is to be found in the records of the committees of Congress. These Government employees have appeared before the committees of this Congress to plead their cause for higher wages under the conditions that exist to-day, and I have before me here ample evidence which they have furnished of the hard conditions under which they live; how they are compelled to take up collections whenever affliction comes upon a family.

Back of the time of high war prices, Senators will vote themselves an increase of salary of 50 per cent and deny to Government employees a percentage of increase that will sustain life, and yet they marvel and complain and threaten because there is dissatisfaction in this country; they organize investigations to find out why it is that meetings are held and voices are raised protesting against the condition of things that exists here to-day.

Mr. President, the Senate Chamber has been the scene of violent agitation and protest and declamation against complaints that have come from people representing the great protesting majority of this country as to conditions which exist here to-day. We have had the columns of the CONGRESSIONAL RECORD filled with maledictions against those who have raised their voices in complaint; but who has stood here in this presence assailing the Beef Trust, the United States Steel Corporation, the great organizations of greed and power that have been builded up in this country in the last 20 years, increasing, against all economic laws that should control prices, the cost of living steadily year by year? Scarcely a voice has been raised.

This serious condition of affairs is not the outgrowth, Mr. President, of the war. It has been on for a long period of time. The great masses of the people of this country are loyal to our system of government, sir. All they ask is justice and a fair chance. They are fairly intelligent; they know pretty well that something has been radically wrong with the economic system of this country. With the consent of the Government, for a score of years the cost of living had been slowly but steadily mounting upon the American people from 1898 down to August, 1914, when we began to feel the effects of the European war. Why was that so? I say to you, sir, that it should not have been so. The cost of living should have steadily decreased right along year by year instead of increasing year by year. Why do I say that? I say it because it is the law of civilization; I say it because the genius of the American people wrought out a system that should have resulted in a continual and steady decline in the cost of living. Throughout all these years the cost of production has steadily decreased, from the time this Government was established down to 1898. Why? Because there was the free play of all the economic forces in this country; because the most inventive country on the face of God's earth had been working out the problems of production and cutting down the cost of producing things by invention and by better organization; and the cost had steadily fallen down to that time.

Then we entered upon an era of the reorganization of business in this country. Up to that time the natural laws of trade and commerce had prevailed; competition had been free between all of the producing industries; but about that time one of the great business geniuses of this country devised a system of combination and control of market prices. It was wrought out in all its details; it took possession of every line of production. Behind the high tariff wall of the McKinley law that shut out foreign competition there was organized a combination between domestic producers; and, as a result of that combination, competition was suppressed, prices were controlled, and the American people began to pay more and more for everything they bought. Study Bradstreet's and Dun's reports and you will find a decline in the cost of production down to that time, and then you will find the cost of production beginning to mount year by year. There was no reason why that should be so, except for this unlawful, unjust, and uneconomic combination that controlled the market prices here among our own producers.

Why, Mr. President, if you will stop a moment to think about it, production cost, by invention, by better organization, by better methods of conducting sales, by better systems, from the raw material to the finished product, should furnish the finished product to the consumer year by year at a declining cost. Can there be any doubt about that? What else does civilization mean? What else does progress mean? The cost of living should have continued to fall year by year, just as it had through the years since the Republic was established, because inventions were more perfect, because methods were improved, because everything that related to the cost of production from the raw material until it reached the consumer as a finished product was being reduced. That is the law of our being; otherwise civilization is a lie.

It should have been easier in 1908 than in 1900 to support a family in this country; it should have been easier in 1910 than in 1908; it should have been easier in 1918 than in 1910, if the natural laws of trade had been given fair, free, and open play; but they were not; competition was suppressed; the amount produced was regulated and controlled and prices were fixed by combinations; and from that hour on the cost of living began to mount upon the people of this country. All the natural laws of trade and commerce, which for 5,000 years had prevailed in organized society, were reversed. Demand, supply, competition, should fix prices. Instead, we had the arbitrary will of a board of directors, operating with other boards of directors who were producing the same line of articles, fixing the prices, agreeing that there should be no competition, that so much of a product should be produced, that it should sell at so much, and able to enforce that upon the American people because of a high protective tariff shutting out foreign competition.

That is the answer and the solution of the increased cost of living from 1898 on. It mounted step by step, step by step. It has denied thousands, tens of thousands, and hundreds of thousands of children the education that their parents would have been able to give them except for that unlawful organization. It has violated every principle of right. It has undermined the principles of democracy. It has well-nigh destroyed, sir, a government of equality of rights. I say to you that instead of the cost of living mounting year by year the cost of living should have fallen year by year.

Oh, but I fancy that some Senator from some Eastern State is saying that "LA FOLLETTE ignores the fact that wages have been increased, and that that accounts for the increased cost to the consumer." Wages have not increased. It is a lie that wages have increased. I am speaking now of the period before the war. Wages fell. Counting the purchasing price of the dollar, wages fell steadily, year by year, under the power of this same controlling force. A competent and authoritative study of the trend of wages from 1900 down to 1914, 14 years, gives us the exact decline—an actual decline of 10 per cent in the wage of the laboring people of this country during that period of advancing prices and rise in the cost of living.

If you are looking for an answer to the question as to why there is unrest in this country, Mr. President, as to why people are striking, and as to why some of the more radical of them are saying extreme things, look for it in the United States Senate to-day. A dozen Senators here when the economic truths of the last 20 years are being recounted! If some Senator should rise here to denounce some meeting that is held where complaint is made, you would see the Senate thronged, and the seats filled; but when the real reason is stated that underlies the complaints that are in the hearts of the great body of the toilers of this country, only a few of whom have yet begun to express themselves, you see empty seats.

I say again, Mr. President, that every economic law that ought to rule society, that ought to regulate prices, that ought to determine wages, has been violated for the last score of years in the United States; and I say, look there if you are on the hunt for the motives that lie back of the surging that is sweeping across this country, that has not yet begun to break in waves, but that just shows in undulations upon the surface, but it represents a deep and a profound agitation below the surface.

Mr. President, the great mass of the American people have never been very far wrong. They have been pretty generally right; and it behooves those who nominally stand as their representatives to pay some heed to their voice when it is raised in protest. That protest has not been very violent. I pray God that it may be heeded in time.

Senators think they have been awfully generous to the Government employees because they have given them $240, an increase of $120 since a year ago. It was an increase of 10 per cent at that time, according to the figures of the Senator from Utah, who is always accurate. You did not flinch much when it came to giving yourselves 50 per cent. I did not see any points of order raised on it. I suppose probably it was not subject to a point of order, but it always lies with any Senator upon this floor to avail himself of a technicality or not, and I venture to suggest that perhaps it would be wise statesmanship not to invoke a technicality against a raise that is equitable and just. Think of an employee of this Government who is receiving $600 or $720, and trying to get along on it, and take care of a family or four or five children, and buy shoes at $3, $4, and $5 a pair!

Mr. President, I expect the salaries of the judges in Porto Rico to be increased. Of course that will just level them up with the other judges whose salaries we have increased, and I expect that the great mass of employees who work for the Government, who on the average earn only $918, or $980 apiece—I do not remember which—I expect that they will stand by you just the same. But mark you, Mr. President, the difference between the way in which they treat these employees and the way in which they treat themselves and the Cabinet officers and the judges. They give them, under the law, a permanent salary, fixed by statute. This is a bonus for the time being, and then you will drop back, you Government employees, to the old wage level of 1855. The wages of the employees of the Government have not been materially changed since 1855, but the salaries of Representatives, of Senators, of judges, of Cabinet officers, of Presidents, of ambassadors, have been raised enormously.

Mr. President, aside from all other questions, aside from the question of what is right and just between man and man, the course you are pursuing is not politic. I venture to say it is unwise statesmanship When the amendment was proposed increasing the amount that should be paid to those employed in the War Risk Bureau the Senator from Alabama [Mr. UNDERWOOD] warned the Senators that "they were talking in millions now." Mr. President, justice, equity, what is right between employees, does not take account of amounts. When it came to increasing the salaries of United States Senators and Representatives and Cabinet ministers and ambassadors and Supreme Court Judges and Federal judges, all down the list, it would have been well enough then for the Senator from Alabama and for every other Senator on this floor to think about these increases, regardless of the question of whether the amounts were large or small, but on the basis of whether they were just in comparison with what other Government employees were receiving. Those increases were not necessary to provide bread and shelter and clothing for the family. They added to the luxuries that those high officials could bestow upon their families.

I am not complaining, sir, that these increases were made in those salaries. I recognize the existence of this artificial and unjust increase in the cost of living because of the unlawful combinations that have been permitted and that have been never protested by any administration, or only feebly protested, although there was ample power to have stopped them. But since they were permitted to have their way, since combinations and trusts could lay upon the backs of the American people whatever burdens they chose in violation of law, every burden so laid being a criminal act, I do not blame Congress for recognizing that fact and increasing their own salaries and those of the judges and the Cabinet ministers and the ambassadors and others who have received these magnificent additions to their salaries, but what I do protest is your beginning to economize when you come down to make a little, meager addition to the salaries of the mass of the Government employees, who have to figure, oh, so closely, to live. There is the rent, the grocer's bill, the meat bill, the doctor's bill; if there is anyone sick in the family, it is a calamity that calls for a family council in order to know how to meet it. When you come to consider those people who are living so close to the margin of existence, who are struggling for enough to get along with, then, I say, Mr. President, that that is the wrong time to begin to cut and to pare and to be technical.

Mr. President, I do not want to assume the rôle of prophecy. No man knows what the future veils; but I say that we shall be wise if we will try to be just to all the people in this country.

I am not going to protest against this increase in the salary of the judge or judges down in Porto Rico. I rather think they ought to be leveled up with the other fortunate fellows who have floated in on the high tide of congressional generosity or fair dealing.

I am only sorry, Mr. President, that this proposed increase of $1 a day to Government employees to meet the increased cost of living was not agreed to. It was figured out in 1914 by competent tribunals that made investigations, not only in New York City, but elsewhere over this country, fixing about $880 as necessary for the support of a family of five. I regret beyond expression that the proposition here was not accepted to add to that amount a dollar a day to meet the increased cost that everybody agrees has come upon us, and there is plenty of evidence here, and I can read from the testimony of investigators who appeared before committees of Congress, that since 1916 the advance has been more than would be covered by this addition. If it were $240 instead of $120, it would not more than cover the added cost that has come by reason of the increase in the necessities of life.

Mr. President, I apprehend——

Mr. THOMAS. May I interrupt the Senator?

Mr. LA FOLLETTE. Yes.

Mr. THOMAS. I want to say, first, that I was downstairs at the restaurant trying to get a little sustenance when I heard the Senator was addressing the Senate, and I came right up.

I sympathize entirely with the Senator's attitude regarding the duty which the Congress owes to the employees of the Gov-

ernment on account of the rise in prices. Since I have been in the Senate, I have, as far as I can now recall, voted against every increase in salaries, regardless of the officials the salaries would benefit. My contention has been, and I think it is correct, that those who supply the necessities of life—the landlord, the grocer, the dry-goods man, the shoe man—regulate their prices so as to absorb whatever amount of increase is made in the salaries of the employees, so that instead of benefiting the employees we really benefit the class which caters to their needs.

I have felt, and I think I have stated, on more than one occasion, that the Government can and ought to remedy this condition by fixing a maximum rate of rental and also of supplies, and seeing that through the proper agencies the employees of the Government shall be required to pay no more, covering the difference between the existing rates and the amount so fixed by the Government as a charge against the Treasury. I believe that would give a very substantial measure of relief. I am not a prophet, but I could almost prophesy that this raise which is given now will be followed by a demand for another, because of the consequent need due to the absorption of this increase by the very conditions that make it necessary.

I am prepared to join in an effort to frame some legislation, and to support it to the best of my ability, that will meet this situation and do justice. I am very much afraid it is the only way in which it can be done. I should like to have the opinion of the Senator upon that suggestion.

Mr. LA FOLLETTE. Mr. President, it may be that we will come to recognize the necessity of putting a limitation upon the charges of various kinds, but I have always been a pretty profound believer in the free play and operation of economic laws. I believe that if we had all the laws against combinations properly enforced competition would regulate prices for people who have to buy, whether it is rent or groceries or dry goods or the supplies of the butcher.

I do not believe that any of the administrations since the time that the Sherman antitrust law was enacted have ever attempted in any way to make an honest enforcement of that law. Attorneys General have been selected under influences that made it impossible. The enactment of the Sherman antitrust law, I believe, was the wisest piece of statesmanship that has been seen in a period of 75 years in this country.

I believe John Sherman, standing upon an eminence of statesmanship such as no other man of his time attained, foresaw exactly what was going to happen in this country, the result in part of artificial regulation of economic forces. He and those associated with him wrote upon the statute books that great law.

But, Mr. President, you need but look at the record to know that it never has been honestly enforced or attempted to be enforced. Otherwise you would not have such an iniquity as this packers' organization that bestrides the country, corners the food products of the land, and contemplates cornering the food of the world.

Is any such combination as that, which everybody must admit, which they have admitted upon the record, is unlawful and violates the criminal statutes, stronger than the Government? It is not if the power of the Government were set in motion; but if you have forces within the Government which paralyze the hand of the Executive and stay the execution of the law through the Department of Justice, then, Mr. President, crime can thrive.

There was a day when we had but a handful of these trusts and combinations in this country, and you all know it. They were then not more powerful than the Government. I have before reminded the country and the Senate, as I recall the fact, that in 1901, when through the assassination of President McKinley a change of administration came, there were but 149 combinations in this country, and they were perfectly easy to deal with. Seven years later there were 10,020, and the cost of living had mounted 70 per cent.

There have been half a dozen prosecutions a year, Mr. President; just enough to make a pretense of enforcing the law. They have had their way; they have become strong, until a President of the United States took the chances of his political life in his hands if he attempted to enforce the Sherman Act against them. That is the fact about it.

Do you say that, with the development of combinations and trusts in this country, to reverse all of the economic laws of commerce that have prevailed in the history of the human race for 5,000 years was a logical development? I deny it. It was an artificial creation with J. Pierpont Morgan and the rest of those men who defied all laws practically. How could that have fastened upon this country if you had not had a subservient administration that winked at it and permitted it and handed the people of the United States over to a servitude to the trusts and combinations?

The history of it is as plain as the mountain peaks. Congress has its share of the responsibility as well. It is confirmed. Attorneys General have been proposed with these same influences back of them.

Will anybody tell me it was not possible for this mighty Government of 80,000,000 people that we had then, the Army and Navy, the courts, all the majesty of power, to curb Rockefeller and Morgan and that handful of miscreants? All it needed was a President in the White House who would call over there to his office the United States district attorneys from every State in the Union and the Attorney General and say to them, "These combinations are forming in this country. You let them go too long and they will be stronger than the Government, and they will impose burdens upon the people that will make of this Government not a democracy but a plutocracy, with the wealth in the hands of a few, and this power will become stronger than the Government. You are charged with the enforcement of a law that says these things are wrong; that they are wicked; that they are unlawful; that they are criminal." And that wise man stood where I now stand, not one day only but for many days, pleading for the enactment of this law. He was wise in his day. I, a boy in the House of Representatives at the time, remember so well that I heard that there was a great speech on here, and in 1890 I came over here and I saw standing here the tall, spare figure of John Sherman, of Ohio, his head crowned with silvery locks, fighting for the principle of that law, modified in the course of the debate.

The debate did not end in one day. It ran on for days and days. Finally it came about that the House of Representatives was deserted, and Members of Congress thronged over here to listen to that debate. It was the greatest debate that had taken place in the Senate in a quarter of a century. It went on and on until finally there was developed out of it the antitrust law. Do you know Sherman and those of his coadjutors who framed that law—for it was changed in many particulars as Sherman introduced it—had the wisdom and the foresight to have written into that law a provision that you can not find in any other criminal statute in the United States? What is it? Criminal statutes, as a rule, define the offense and prescribe the penalty. They leave the administration of the law to the prosecuting attorney and the courts to settle the matter. But somebody wrote into the Sherman antitrust law this wise provision:

> It shall be the duty of the Attorney General, through the United States district attorneys, to enforce this law.

Somebody wrote that into that law who realized that if the time ever came when this mighty power of combination clashed with the Government, it might be that they would have influence enough to put into the Department of Justice an Attorney General who would shrink from the performance of his duty, to say the least; and so they imposed upon him and upon his assistants, the United States district attorneys, the obligation pronounced affirmatively in the law of enforcing it.

Suppose during the time these combinations were organizing in the country and before they attained power that has made Senators tremble and Presidents bow we had had some President with the iron in him to summon his Attorney General and his United States district attorneys and to say to them: "You have so many of these unlawful combinations in this country; they are multiplying. This law makes it your duty to prosecute them and destroy them. Ninety days from to-day if there is one of them left in the United States I will take the head off of you, Mr. Attorney General, and of every district attorney in the country." Do you know what we would have had then? We would have had that law enforced; we would have had an end of this business; and we would have restored the natural laws of trade and commerce.

You have got now where Heney says this thing is so big you can not prosecute it criminally and get a conviction. It has got too much money. It has honeycombed society. It has undermined the Government. It has corrupted agencies everywhere. And now we are pottering along in an unsteady way, blindly, feebly, compromisingly, waiting for something to happen. A sort of paralysis seems to have taken hold of the Government, of the Executive, of the Congress.

Why, when President Wilson was elected six years ago there was a declaration in that platform that private monopoly should be abolished, that violations of the law would be prosecuted against criminal combinations; and all the years since that time the Packers' Trust has been multiplying its profits until they have mounted from something like fifteen or twenty million dollars to ninety million dollars or more; and so with all the other trusts and combinations; none of them have been put out of business.

Mr. President, I do not know what the end is to be, but I do believe that we must move with a degree of fairness and con-

sideration in dealing with the masses of the people of this country. When they complain of these conditions, do not come in here and propose a law that shall suppress their complaints. I tell you you are playing with mighty forces that may bring disaster upon us if you do that. If evils exist in this country, permit them to be talked about. That is the best way to correct it. If somebody indulges in wild and unreasoning and violent exhortation let him be answered. Permit, I would say, the widest discussion.

As I said to one of the Senators who came across the aisle to speak to me the other day about the terrible thing that had happened at Poli's Theater, and appealed to me to say something to avert a class war in this country, I would put an open stand on every open place in the city of Washington, and I would say to everybody, "Say what you please." Then I would say to everybody else, "Answer them." Error exposed can not long stand, unless it has a good foundation, and if we are guilty, if we have no defense for what we have done, it may be that we might incur some risk, Mr. President, upon the instant in permitting a full exposition of our shortcomings. However, I do not believe that. I believe that the wholesome cure for complaint is free discussion. The point where I would apply the power of the Government is where your discussion is translated into overt acts of violence, if we shall come to that. That will not come, Mr. President and Senators, I believe, if there be permitted the freest and fullest discussion in this country. If you are not going to permit it, I should like to have some one tell me who shall be arbiter as to what is proper to be said.

That is a branch of the discussion that I did not intend to trench upon. I purpose, possibly before the close of this session, if the trend of debate should invite me to it, to take up a discussion of the issues involved in free speech and democracy, fortified and supported by the fathers of the Constitution, by the men who wrote the resolutions of Kentucky and the Virginia resolutions, by all of the men who have stood for freedom from the foundation of this Government down to now.

Mr. President, I had greatly hoped that no point of order would be made against the amendment adding to the pay of these Government employees this little sum of $120 per annum. Of course, in the aggregate I know it runs into the millions. It is the cost of a battleship or two; that is what it is. I will not go into those comparisons, Mr. President. I could extend them somewhat.

I am not going to oppose the amendment of the Senator who has asked the increase of the salary of the judge. Let him go along with the rest of them. At some time or other you will have put enough of these increases in the scale on the side of the "higher-ups" so that possibly you will make some additions to the other side that will not balance—I do not expect you to balance the scale—but it will be a little approach to justice.

Mr. UNDERWOOD. Mr. President, I do not intend to detain the Senate long, but after listening to the Senator from Wisconsin [Mr. LA FOLLETTE] I think it is only fair that the RECORD should show some facts.

The Senator from Wisconsin says in his statement that he was "sore." I am glad he puts it that way. He at least had gotten a long way away from the facts that controlled the framing of this bill. The Senator bases his argument on an appeal to class legislation, an attack on the increases in salaries that are made in this bill for judges.

The increases in salaries for judges contained in this bill were established by law. They are not the creation of our committee. This is a legislative bill, that carries the salaries of the Government officials. It is the business of our committee—and the Senator knows it is the business of that committee—to write into this bill the appropriations to pay the officers of the Government the salaries which it has been designated by law that they shall receive.

I was in the Senate Chamber when the bill increasing the salaries of the judges was passed. I did not observe the Senator from Wisconsin arise in his seat and hear him protest against the increase of those salaries. I do not know how he voted; but if he did not vote for that increase, at least his voice was silent in opposition to it.

The Senator would have those who read the RECORD believe that this Congress—the men who sit here before me—had just been guilty of raising their own salaries and then of refusing to take care of the clerical force of this Government. I will say to the Senator that the last increase in the salaries of Congressmen in this country was more than a decade ago, and that there are comparatively few men under the dome of this Capitol to-day who had seats in the Congress of the United States when that increase was made.

The Senator from Wisconsin was a Member of Congress at that time, and so was I. When the provision for an increase of salary to Members of Congress came before the other House, of which I was then a Member, I voted against that increase. I am not informed as to how the Senator from Wisconsin cast his vote in this body under similar circumstances.

However, the provisions of this bill, whether for Congressmen or judges, have been fixed by law, and it was the duty of our committee to report the appropriation bill to pay these men their salaries, lest the Government should fail to perform the functions for which it is organized; and possibly some people in the United States would be glad to see it fail to perform its necessary functions.

Now, as to the salaries of the clerical force of the Government, while the Senator, like the Pharisee, would like to wrap his cloak about him and thank God that he is better than other men, I will say to the Senator from Wisconsin that he is not the only man in this Chamber who has a sincere desire to uplift humanity and assist those who struggle each day for their daily bread; but the men in whose hands is intrusted the real business of this Government, the men who must sustain the flag in times of peace as well as in times of war, must consider the business interests of this Government and not what they can gather unto themselves by abusing their colleagues.

The Senator states that it has been ascertained how much money is necessary to support a family, and because this bill carries on the pay roll certain employees who only receive $420 a year, then, forsooth, we are not paying these people enough to support their families. The Senator knows, as well as I do, that that statement is not sincere. The Senator has been a Member of this body longer than almost any man who sits in this Chamber, and he knows, as well as I do, that the people whose compensation is fixed in this bill at $420 a year are those who only render partial service to the Government or are paid for piecework. The Senator knows, as well as I do, that the most of the $420 class of employees carried in this bill are the charwomen—some of them getting as low as $240—who only spend a few hours in the Government service and then earn a compensation outside of the Government service. The Government employment is merely a matter of assistance to them, and not their daily vocation.

If the great committees in charge of the legislation of this Government were to allow their sentiments and their desires and their effort for popular acclaim to control their handling of the affairs of the Government in connection with these great supply bills we would have no Government before long, because it would put the burden of taxes upon the people so great that they could not carry it. It is not the John D. Rockefellers and the Pierpont Morgans who pay the great taxes in this country, and the Senator knows it. They may pay a large amount of money so far as they are individually concerned, but it is a mere drop in the bucket compared with the immense amount of taxes that rest on the masses of the people. The toiling people of this country pay the taxes and support this Government, and unless the Government is honestly and economically administered that burden can not be borne.

This provision was subject to a point of order and could have been stricken from the bill; but members of the Appropriations Committee, whom I happen to represent at this time, being in charge of this bill, do not occupy the position that the Senator from Wisconsin would place them in, that they are reckless in their desire to oppress humanity; that they are unwilling to listen to the appeals of those who need these salaries; but the committee sat down with deliberation and tried to work out a system of increases for the clerks of this Government that would be reasonable and just, that would take care of the increased cost of living, and at the same time have some due regard to the burden which the taxpayers of this country have to bear.

Last year we gave the clerks an increase of $120 a year, or $10 a month. This year, with a falling price of living—at least, there is every reason to believe the cost of living from July on will fall below war prices—the committee reports an increase of $240; and, although I am not a prophet nor the son of a prophet, I have not any doubt in my own mind, although I may be mistaken, that if the committee had reported in favor of an increase of $360 the Senator from Wisconsin would have been desirous of adding another $120 to it to enable him to make his speech.

So far as the Senator's economic argument is concerned, that has no part in this bill. The Senator brings a general indictment against a half dozen men who within the last two decades have been Presidents of the United States, men chosen by the American people, men of great ability and standing in the Nation. So far as I am concerned, I am not prepared to admit that part of his indictment.

As to the Government of this country, I want to say but one word. This is a free Government, and has been for 130 years. The people of the United States govern this country, not a

governing class or rulers. There never has been a government organized in this world of ours where the final sentiments of the people who were governed, in the last analysis, were more freely, thoroughly, and completely respected in the legislative bodies that made the laws of the country. Sometimes the Congress may be slow to act, but I have never seen the time yet when the crystallized sentiment of the American people was prepared to announce it self in favor of any question that Congress did not register the will of the people and did not write it into the law of the land.

We need no Bolsheviki sentiment in this country that our people may be free. We need no Soviet government to live under in order that we may better our condition. We need no bomb throwers or anarchists under the Stars and Stripes of this country in order that the will of the American people may be reflected in the law of this land; and no such sentiment exists in this country, no matter what the Senator from Wisconsin may dream.

The people of every country want changes as time goes by. There are changes which must affect the Nation, progressive changes of great magnitude; but they will not come from the reflected will of the Bolsheviki. They will come from the sober, deliberate judgment of the great American people, reflected in the laws that will be passed by the Congresses of the future.

When a government could produce 4,000,000 soldiers, not only the pride of our land but the admiration of the world, who could win the fight for the cause of democracy and for the right of self-determination under the Government that was founded by their fathers and their fathers' fathers, you can not tell me that those 4,000,000 men are coming back to America to allow a mob to make the laws and rule the land. The Senator is mistaken.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Ohio [Mr. POMERENE].

Mr. POMERENE. Mr. President, as there are a number of Senators present who were not in the Chamber when I presented this amendment, I want to say one word in explanation of it.

When the bill increasing the salaries of the judges was before the Senate, the salaries of all the district judges, amongst others, were increased, including the salaries of the district judges of Porto Rico and the Hawaiian Islands; but it seems that the district judge in Panama was overlooked. He was the only one in all the number of judges whose salary was not increased; and it is to correct that that I have presented this amendment.

Mr. SMOOT. Mr. President, just a word in answer to what the Senator from Wisconsin has so graphically depicted.

I say now that among the 100,000 employees in the city of Washington there are perhaps 90 per cent of them receiving more salaries than they ever received before in their lives, and many of them you could not drive away from the positions that they hold with a Gatling gun. [Laughter in the galleries.]

The PRESIDING OFFICER. Order must be preserved in the galleries.

Mr. SMOOT. I want to say that not only are they receiving the wages I have referred to, but they are allowed 30 days' leave of absence, and, in addition, a sick leave; they are working seven hours a day, and I can take you into a department where there are over 5,000 girls employed, drawing $1,100, $1,200, and $1,320 a year. Now, we have added $240 more, and I say now that I do not think that half of them ever worked for a salary before, and in case they did, many of them never received a salary of more than $30 a month. I am tired, Mr. President, of having it said that the Government of the United States is having people labor for a mere pittance.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. Just a moment. I want to say in this connection that there are other employees of this Government who are not receiving what they ought to receive. It is the system that is wrong. It ought to be corrected. But is it the fault of the Committee on Appropriations? How often have I stood upon this floor and called attention to this matter? How often have we asked for legislation, and how often have we been defeated in it? I say, Mr. President, that until there is a thorough investigation and reorganization from top to bottom there will be these inequalities and injustices that no one can defend.

Mr. VARDAMAN. Mr. President——

Mr. SMOOT. I yield to the Senator from Mississippi.

Mr. VARDAMAN. I do not think the Senator intended to make the reflection upon the young women who have come here to do this work which his remark would naturally mean, when he says that very few of these young women—the majority of them capable, educated, many of them I know from my own State being graduates of leading educational institutions—that very few of them received more than $30 a month before they came here. I think that is rather unwarranted, rather unjust, rather unkind. They are not of the cheap class of people. They are splendid young women; they are serving their country and rendering good service and they are entitled to fair compensation; and I know the Senator from Utah is in favor of giving it to them himself.

Mr. SMOOT. I want to say to the Senator from Mississippi that I stated that some of the 50 per cent of the employees I referred to I did not think had received more than $30 a month before coming here; and I want to ask the Senator from Mississippi if half of the young women who are employed in the bureau I referred to who came from Mississippi received more of a salary per month than I stated?

Mr. VARDAMAN. Oh, I think they received very much more, because a great many of them were school-teachers.

Mr. SMOOT. Yes; and a great many of them were not, I will say to the Senator. The Senator and I have the same feeling toward all of mankind and womankind. I would not do an injustice to anyone.

Mr. VARDAMAN. Oh, I know the Senator would not.

Mr. SMOOT. But I want to say to the Senator now that if he will go down to some of the departments when they leave their work and see the girls that could not have had very much experience in the work they are called upon to do, coming out of the departments dressed as they never dressed before, wearing apparel that they never wore before [laughter in the galleries]——

The PRESIDING OFFICER. The Chair will warn the occupants of the galleries that the Sergeant at Arms will be instructed to clear the galleries unless the occupants refrain from making demonstrations of any kind.

Mr. SMOOT. I will say to the Chair that the disorder is in the Chamber more than in the galleries.

Mr. VARDAMAN. I want to say to the Senator that I had no idea that these young women were living in such affluence. I have not seen any evidence of it; and I do not think a young woman can come here and pay forty or fifty or sixty dollars a month for board, and then dress so handsomely, and go about decked with diamonds and satin and fine linen, on $100 a month.

Mr. SMOOT. I have said nothing about diamonds, nor have I said anything about satin or fine linens in any way. I am in earnest in this matter. I do not want Members of Congress to be branded as a lot of ingrates and have it said that they are not doing justice to the employees of the Government. That is all that I have in view at this time, and I think I am well within bounds in what I have said. Do I object to seeing them dress in the best possible style? Why, no; but, Mr. President, when we consider a question we ought to consider it as it really exists; and I want to say to Senators that the committee is not asking any employees of the Government to work all the time for $400 a year. I know that the charwomen that work for that amount only work about three hours a day, and I know that many of them are also employed elsewhere, because I have employed them as washwomen for $2 a day, and they have been filling both positions, and are making more money to-day than they ever made before; so I would not want it to appear in any way, shape, or form that the Government of the United States was paying a salary of only $400 to regular employees.

The PRESIDING OFFICER. The question is upon agreeing to the amendment of the Senator from Ohio [Mr. POMERENE].

Mr. LA FOLLETTE. Mr. President, just a moment, if you please.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. LA FOLLETTE. First, Mr. President, I think I will just set the Senate at rest about the vote on the increase of the salaries of Senators and Members of Congress, concerning which the Senator from Alabama [Mr. UNDERWOOD] delivered himself. I happen to have the roll call here, and I think it may be gratifying to Senators to have it written down again in the CONGRESSIONAL RECORD.

When the vote to increase the salaries of Senators was taken in the Senate the roll call showed the following Senators voting in favor of increasing their salaries and the following Senators voting against it. I do not happen to have the vote in the House of Representatives; and I take the Senator's word, of course, for the fact that he is on record there against an increase of his salary. I understand from Senators about me that there was no roll call in the House.

Mr. CUMMINS. I have been told so.

Mr. UNDERWOOD. I will state to the Senator that I think he is mistaken.

Mr. LA FOLLETTE. But even if there was not a roll call, if the Senator from Alabama tells me that he voted against it, that is just as good as a roll call.

Mr. HARDWICK. Mr. President, if the Senator will pardon me, there was a roll call, and the Senator from Alabama voted against it.

Mr. LA FOLLETTE. I do not care whether there was or not.

Mr. UNDERWOOD. My recollection is very clear that there was a roll call.

Mr. LA FOLLETTE. The Senator does not need to be corroborated. His word is just as good with me as his bond could be.

Mr. OVERMAN. When was it?

Mr. LA FOLLETTE. I do not question the Senator or his motives.

Mr. HARDWICK. Mr. President, I was not trying to corroborate the Senator from Alabama. I was merely——

Mr. LA FOLLETTE. I have not gotten down to personalities in this debate, and I do not propose to.

Mr. SHEPPARD. My recollection is that there was no roll call.

Mr. HARDWICK. Oh, yes; there was, because I voted for it.

Mr. LA FOLLETTE. Well, let it go at that. The Senator has put himself on record, and I know he has put himself on record right. He is above any subterfuge and I think above any demagoguery. I am pretty liberal.

When the subject of increasing the pay of employees was before the Senate two years ago I took occasion at that time to review the fact that Senators who had voted against any increase in the salaries of employees of the Government who were on meager earnings here had voted to increase their own salaries, and I read into the RECORD at that time the roll call from the RECORD of the date when the roll call was taken.

Mark you, with all the defense, eloquence, and caustic comment which has been interwoven here by the Senator from Alabama regarding the readiness of Congress to respond to the demands upon it, there was voted down two years ago every increase that had been proposed to the salaries of employees. It had occurred upon bill after bill as it had come into the Senate of the United States. I can not recall now just how many times the Senate has gone on record against an increase in the salaries of the employees of the Government, but it has gone on record repeatedly in the face of all the testimony showing the justice of such increase at that time, a year ago, notwithstanding the Senator's approval of Congress as always being so responsive to the right thing.

Senators may recall that the Senate again and again voted down that increase of a certain percentage, 5 and 10 per cent, two years ago, on bill after bill, as it had been presented here, covering the employees of different departments. Finally there came before the Senate here one night the Indian appropriation bill in the form of a conference report, and it happened that I had gathered together a lot of data upon the subject, not only of increases that Senators had voted to themselves, but the increases they had voted to various other highly salaried public officials. Furthermore, I had prepared by the statistician of the Bureau of Labor a record of the past salaries of the employees of this Government.

I may state that too broadly, and I do not wish to be in error in any respect; but at least I am safe in saying that the employees of the Treasury Department were covered by the data that he furnished me. That data I read before the Senate that night. Do you remember what it showed? It showed that since 1855 there had not been an increase of the wages of the employees of the Treasury Department. It is not necessary for me to say, Senators, that the same thing prevails with regard to other departments of the Government, because you do not raise the salaries of the employees of one department without raising the salaries of employees of another department.

But, Mr. President, the matter which I presented in a 20 or 30 minute speech that night to the United States Senate was so appealing, taken together with the roll call of their own vote for increasing their own salaries, that I succeeded in getting a vote in favor of adopting on the conference report on the Indian appropriation bill an increase of 5 and 10 per cent to employees then in the office of the Bureau of Indian Affairs.

Do you see what followed that? The fact that that was voted that night put the salaries of the employees of that bureau on a higher level than the employees of other bureaus and other departments of the Government. So it led logically to raising the salaries of the employees of all the other departments. As it finally worked out in the various Congresses it gave a salary raise of $120 a year, which was called a bonus. It was not a salary raise; it is not something that will continue. It is just a sort of gift temporarily to tide over these times when prices are high and people are complaining about the cost of living. Do not let any employee of the Government fancy that he has gotten a permanent statutory increase in his salary, because he has not. The salaries, as I understand it, stand by law and statute just where they did first in 1855. You have not done anything more for these people who work for the Government. You have done something more for yourselves. My friend from Alabama, or the Senator from Alabama——

Mr. UNDERWOOD. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Will the Senator from Wisconsin yield to the Senator from Alabama?

Mr. LA FOLLETTE. Certainly; I yield.

Mr. UNDERWOOD. I will state to the Senator I do not want any doubt in the RECORD as to my statement. If the Senator will allow me, I should like to refer him to the CONGRESSIONAL RECORD, volume 1, part 1, of the Fifty-ninth Congress, second session, when the proposition was pending before the House to increase the salaries from $5,000 to $7,500. On page 383 he will find a statement in which I said, as it appears in the RECORD, that I opposed the resolution, and on page 389 he will find the record vote, where I voted against the resolution. I merely wanted to have the RECORD show that at this time.

Mr. LA FOLLETTE. All right; let the RECORD show it. It was not necessary at all, so far as that was concerned, or so far as any other Senator is concerned. Anybody will take the word of the Senator from Alabama as to any statement of fact.

I know Senators are weary of this discussion and anxious to dispose of this bill, but I am going to pursue this matter for a little time, and they have to be patient about it or take their impatience to the cloakroom.

And I do not claim any particular credit for it, but the brief appeal I made that night—I think, Senators, it was about as late as to-night—reminding them of how much they had increased their own salaries and the conditions that existed among these employees, led to the adoption, as I have stated before, of the conference report upon the Indian appropriation bill and established irrevocably an increase in the salaries of the employees in that bureau.

The other appropriation bills followed in due order, and there was an adjustment made so that $120 finally came to be added to the salaries of the employees of the Government.

I remember in the discussion that night, in appealing to Senators, I had turned to the old CONGRESSIONAL RECORD on the salary increase, and since the Senator from Alabama has raised the question as to how I might have voted at that time, I take the liberty of reading into the RECORD the vote on that occasion as I read it into the RECORD two years ago. The yeas were 53, the nays were 21. Those who voted in favor of the increase were the following Senators, then Members of this body: Aldrich, Alee, Ankeny, Benson, Beveridge, Brandegee, Bulkeley, Burnham, Burrows, Carter, Clark (Mont.), Clark (Wyo.), Clarke (Ark.), Crane, Cullom, Daniel, Dick, Dillingham, Dubois, du Pont, Flint, Foraker, Foster, Frye, Fulton, Gallinger, Hale, Heyburn, Hopkins, Kittredge, Knox, Latimer, Lodge, Long, McCumber, McEnery, Millard, Money, Newlands, Nixon, Overman, Penrose, Pettus, Piles, Scott, Simmons, Smoot, Spooner, Sutherland, Teller, Tillman, Warner, Warren.

Those who voted "nay" were as follows: Bacon, Berry, Blackburn, Burkett, Carmack, Clapp, Clay, Culberson, Frazier, Hansbrough, Hemenway, La Follette, McCreary, Mallory, Nelson, Patterson, Perkins, Rayner, Stone, Taliaferro, Whyte.

Not voting—16, as follows: Alger, Allison, Bailey, Depew, Dolliver, Dryden, Elkins, Gamble, Gearin, Kean, McLaurin, Martin, Morgan, Platt, Proctor, Wetmore.

The calling of that roll at this time is an admonition to all of us of the mutations of time. Not many of the Senators who were Members of this body in 1905 when that roll was called survive in this year 1919. Fourteen years have gone by.

Mr. President, I would not have recurred to that roll call except for the observations of the Senator from Alabama. I am not going to detain the Senate to-night.

Mr. UNDERWOOD. I merely stated to the Senator that I was not informed as to how he voted.

Mr. LA FOLLETTE. I understand; and I read the roll call in order that the Senator might be informed.

Mr. UNDERWOOD. I am glad to have the information.

Mr. LA FOLLETTE. I did not want to leave the Senator in any doubt upon that subject.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I yield, of course.

Mr. SMOOT. Two years ago when the vote was taken for the increase of salaries, I think the first time the amendment was agreed to it was on one of the appropriation bills—the legisla-

tive, as I remember—but in the conference they would not agree to it and sent it back here. The House would not agree to the amendment offered by the Senate. The Senator knows I did what little I could to secure that legislation and fought for the amendment at that time.

While it is true that I voted in 1905 for an increase of salaries for Senators and Congressmen, I take it for granted that anybody in the United States would feel that a Senator who did his duty was worth that amount of money.

Mr. LA FOLLETTE. I am not suggesting; I have not raised the question here; I have not intimated that the increase of salaries of judges was not proper; I have not intimated that the increase of the salaries of the Senators was not proper. I simply took the position, so far as I am concerned myself, that I would not vote for an increase of salary during the term for which I was elected. I felt that my services were worth more than $5,000 a year—the amount of salary at that time. I never have played that sort of a demagogic game with the public. You can not find anywhere a suggestion from me that the increases in salaries to which I have called attention here to-night are unjust or improper. I realize the fact that the very conditions to which I have called attention here to-night, the iniquitous conditions that have been permitted to grow up under a free democratic Government, increasing unjustly and unlawfully the cost of living upon the American people, made it necessary that if a man is going to live within his salary and be honest he has got to have an increase commensurate with the increases that these unlawful combinations are able to put upon him.

It is very far from me to offer such a suggestion, and the suggestion of the Senator from Alabama that my attitude has been one of hostility for the purpose of raising class prejudice here to these increases in salaries is very unjust upon his part. Never can you find a word in the RECORD on my part making an appeal of that sort.

I want to answer the Senator upon another question, and that is that the American Congress has been responsive to the will of the people of this country. I say it is not, and the record shows it is not. It is now a quarter past 9. I should like to spend three or four hours on the record of Congress, to demonstrate that Congress has defied public opinion, that Congress has responded to the public and the demands for just legislation in the United States by the public only when it has been driven into it. That is going pretty strong.

Mr. UNDERWOOD. I will state to the Senator, if he will allow me——

Mr. LA FOLLETTE. I will just recount some instances.

Mr. UNDERWOOD. If the Senator will allow me to say this——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Alabama?

Mr. LA FOLLETTE. I will yield, of course.

Mr. UNDERWOOD. Every man in this Congress holds his commission from a constituency.

Mr. LA FOLLETTE. Oh, yes; of course.

Mr. UNDERWOOD. Few of those constituencies are controlled by corrupt motives. When a sentiment in this country has crystallized in favor of any great constructive legislation I have never seen the time when the Congress of the United States did not respond. I do not say that Congress was always in advance of public opinion, but I say the time has never been when it has not followed.

Mr. LA FOLLETTE. Yes; I think that is true, but it has followed it a long way behind. It has not been within speaking distance of it.

Postmaster General Creswell, under the Grant administration, recommended to begin with the postal-savings banks, and it took 40 years of campaigning over this country, organized among the farmers and among the laboring men and various organizations of the country, to get them.

To trace that out in all its detail would take some time. I had the matter at one time well and thoroughly in mind. But, Mr. President, it took some 40 years to drive Congress into a response. Every Postmaster General for a number of years after Postmaster General Creswell argued and plead with Congress for that legislation. There were powerful interests opposed to it, and those powerful interests were more potential apparently, judged by the result, than were the appeals of the administration and the arguments of the Postmaster General and the petitions of millions of people that the files of the Congress will show were presented here in favor of that legislation—to get Congress to respond to the will of the people and enact that legislation. Of course, the national banks were opposed to the postal-savings banks. I suppose I will shock the Senator from Alabama. We have had a great many men holding seats behind these curved lines here who were the owners of national-bank stock. I do not suppose that had any influence on their votes, but they did not enact that legislation. It took a long time to get it. It is pretty discouraging when you have to make a campaign of 40 years to enact a piece of legislation. It was so just and wise and unobjectionable, there was never any argument to be made against it, and there never was any argument made against it. It simply stood still here. Congress was stolid and indifferent.

So, Mr. President, with the parcels post. Organized bodies all over this country plead with Congress through twenty-odd years of time for a parcels post. The express companies did not want it. At that time United States Senators had express franks in their pockets. Do you call that democracy? You tell me that the United States Congress has always been responsive to the will of the people as soon as that will was crystallized? Away with such an answer as that! It is trifling with the facts of history.

Talk about playing the demagogue to the people! There is such a thing as playing the demagogue to the interests.

Take your food legislation. It took 17 years of campaign to enact a law to prevent manufacturers of adulterated food from poisoning the people of this country. Every woman's club in America was enlisted in the campaign. Every grange organization in the United States was lined up for it. The farmers' unions throughout the country were asking for legislation to prevent the adulteration of food. Think of it! My God, think of it! People manufacturing food and using chemicals to impose upon the people rotten meats, decayed vegetables, poisoned foods of various sorts, and they were potential enough to cause delay here. Why, my God, the suggestion of such legislation ought to have seen its immediate enactment here. But committee of Congress after committee hung it up. You tell me that democracy has had expression in this country? I deny that here on the floor of the United States Senate in this year 1919, and I tell you you have got to give it expression; you have got to make democracy responsive to the will of the people. That is what this Government was made for; that is what it meant. The building up—the establishment—of this Government was that it should be responsive to the will of the people.

So long as your Government is that kind of a government you need not fear the proselytes of any government on earth coming in here to overturn it.

Do not intimate that I am here seeking to overthrow democracy. I have done as much as you or any other man living in this country to preserve democracy in the United States and to keep it clean and to make it responsive to the will of the people. I will no longer permit any man to asperse my loyalty to this country, to this Government. I have sacrificed as much surely as has the Senator from Alabama. I have fought on the side of the weak, not of the strong.

Look at it again. In 1870 the railroads of this country were running the Government as they pleased. They were building up towns here, destroying communities there, charging for freight what they would. They were controlling the iron highways of commerce as the banditti controlled the highways that led to London when Dick Turpin and his ilk were in the saddle. The railroad organizations of the country at that time said that they owned those roads and they had a right to do what they pleased with them; that it was their privilege to establish a toll-gate on every iron highway to market, and to charge the products of the country, as they went down over their lines seeking sale, whatever they pleased; that they had built the roads. Do you know that that theory was pretty generally accepted in the country?

However, up in the upper waters of the Mississippi Valley was an unusual type of people. We are just now scorning the people that come from the other side; we are preparing to build bulwarks against immigration; we are planning to formulate all manner of legislation against foreigners; but, Mr. President, the upper waters of the Mississippi Valley cradled the most progressive democracy of the world. The State of Wisconsin, the State of Minnesota, the State of Iowa, and the State of Illinois came into the Union about the same time.

Wisconsin came into the Union in 1848. Just at that time there was sweeping over all of Europe a wave of what we in this day would call Prussianism; a wave of the oppression of the iron hand of empire. I guess that is a mixed metaphor, but it will have to go in the hurry of the occasion. The revolution headed by Carl Schurz and others had occurred in Germany. Poland had been partitioned. The coup d'état had been executed in France. Everywhere, in Hungary and all the rest, they were under the oppressive hand of empire.

What was the result? The highest tide of immigration that this country has ever seen swept out of Europe at that time.

What was the class of people that came? People who wanted liberty such as they could not get under empire. They were democrats. They wanted freedom. They came over to the United States.

Just then the upper Mississippi Valley was opened to settlement. Wisconsin had been admitted to the Union in 1848. There was organized in New York City a society that flooded all Germany with literature appealing to the refugees of the revolution of 1848 to come to America, to go up into Wisconsin, and to establish a free democratic State.

That foundation stock that settled in Wisconsin and Minnesota and Illinois and Iowa, along the Lakes and the upper waters of the Mississippi, were in part made up of the emigrants from Europe who came at the time of that exodus; so that, Mr. President, mingling their blood with the pioneer stock that came from New England, there was built up in that section of our country the most progressive, advanced, and thoroughly democratic and liberty-loving people that I think—and you will pardon my provincialism—you can find in the United States.

So, Mr. President, right there was born the idea that you had a right to control the iron highways that lead to market; and that you could not have any free government if those highways were controlled by private enterprise; that the fact that they led to the markets of the country made them subject to public control. Old farmers following the plow worked out the principle based upon the idea of the public highway. They said, "You have a right to take a man's land to make a public highway; you have a right to take it against his will, paying him what it is worth, whether he will or no. That power is a public power that rises out of a public necessity, that public necessity being that you must have highways." Then, they said, "These railroads have been given by the States that chartered them the power to take our land and build railroads on that land; they have taken our land against our consent and at a price fixed by the public upon which to build those roads; therefore they can not be private property; they must be public property; the public must have an interest in them; and the railroads must be subject to some public control because of the public character of the property which is vested in them by this power of eminent domain which they have." That was the reasoning of the farmers in the progressive northwestern section of the country.

Did you know that that is where you got your interstate commerce law? Do you know that in those four States up there at the head of the Mississippi Valley they enacted the first law ever enacted in the history of the world asserting the rights of the public to control transportation charges upon railroads? It was resisted by the railroads. The great Milwaukee & St. Paul Railroad Co., with Alexander Mitchell, its wonderful president and founder and the most progressive railroad man of his time, defied the power of the State and threatened to arm his employees to resist. He said, "This is private property; you can not do this thing." That was the opinion of the time. Just see how far ahead were those people of Wisconsin, Minnesota, Iowa, and Illinois! It looked as if we were going to have a civil war in Wisconsin, but do you know what happened? The governor said to the attorney general: "Start a suit and get it into court." A suit was started to test the validity of the law that gave the State the right to regulate their transportation rates within the State. It was taken into court, and it went before the Supreme Court of Wisconsin when we had only three judges on the bench, but God was good to us and good to this country, for we happened to have at that time on the bench the greatest man who ever sat on the supreme bench of the State of Wisconsin and the peer of any man who ever sat on any bench in this country—Edward G. Ryan. He wrote the opinion in that case, and it was a wonderful opinion. Like a torch in the darkness it lighted the way. The Supreme Court of the United States followed it a little later. It settled forever the question of the right of the people, through their legislatures, to control and regulate the iron highways to market.

Mr. President, that was away back in 1871 or 1872. I am coming down now to the responsiveness of Congress to the crystallized sentiment of the country. I will make haste, Senators, for I do not wish to delay the consummation of the pending legislation; but the Senator from Alabama set some things going in my mind. The case decided by Ryan came to the Supreme Court of the United States; it was affirmed by the Supreme Court of the United States, and forever settled the right of the Government to control, through its legislative branches, the commerce of the country, the State governments to control intrastate commerce and to regulate the processes of intrastate commerce, and the Federal Government to control and regulate the processes of interstate commerce and the regulation of the operation of the roads. That power was given to the Federal Government at that time as the result of that progressive movement up in those Northwestern States.

Now, mark you. Do you know what was behind that? As the Senator from Oklahoma suggests to me—and I might have missed it—the grangers. Do you know that is the first time the granger organization ever was made potential? Why, it started up there; it was born up there; it has lived ever since; it has its organization in every State in the Union; but the grange movement of that time ripened into legislation in those four States. Do you know that in the State of Wisconsin we elected a granger for governor, who signed that law? So, to the farmers this country owes the inception of the idea, and the consummation of it in legislation, that the Government has a right to control the railroads.

Now, come down a little bit. This wonderful decision by the Supreme Court, based upon that wonderful decision by Chief Justice Edward G. Ryan—which covers, I think, three-fourths of an entire volume of the Wisconsin Reports—pointed the way to Congress like a guideboard on a highway. The decisions of the Supreme Court, based upon the Granger cases, pointed the way that Congress should go. The Supreme Court said:

> Congress has the power to regulate railway transportation and railway services. It has the right to determine three things: First, that it is the duty of the railroads to furnish adequate services; second, that it is the duty of the railroads to furnish equal services to all; third, that it is the duty of the railroads to furnish services at reasonable rates.

Those are the three great fundamental and underlying principles with regard to railroad regulation. That is what a common carrier assumes when it takes private property for public use. It assumes the responsibility of furnishing adequate services, equal services to all, no privileges to anybody, reasonable rates to everybody.

I say that decision, the last of those decisions in 1874, stood there like a guideboard on the highways, pointing the way for the Representatives of the people in the United States Senate and in the Congress to enact the legislation necessary to control interstate commerce. Why, we had our State commissions up there at that time in those Northwestern States suggesting what was necessary. Did the United States Senate and did the House of Representatives respond to the Supreme Court decision? If this had been a representative Government, if Congress had been always ready to respond to the public need and to the public desire, would we not have had that legislation pretty promptly? Why, Mr. President, volumes were written regarding the need of a Federal commission to regulate the railroads. There was no doubt about it. I do not know about the eastern and southern country; but from all that western country there was a perfect flood tide of petitions appealing to Congress to enact that legislation. That decision in 1874, and the other decision that followed it, informed the people that they could not regulate by State legislation; that they were stopped at the boundaries of the State; that they had to have this Federal legislation; and immediately delegations from State after State came marching down here. Petitions were circulated all over the United States, and appeals began to be made to Congress to enact legislation to stop the extortionate charges that were being made upon the people to get their goods to market.

What happened? Oh, Mr. President, talk about Congress being responsive! It took 13 long years of pleading and begging and appealing, people appearing here, delegations of farmers coming before the committees of Congress. One hundred and six different bills introduced by Members were defeated one after another or smothered to death in the committees. You could not get anything reported out. It took 13 long years, from 1874 to 1887, before you could get anything enacted. The railroads dominated the Congress of the United States; and any man who will read history with an impartial and open mind will admit it.

Are you going to organize an investigation of every meeting that makes a little complaint about something that is wrong in this country, and are you going to frame a statute to gag the people of this country who protest that everything has not been absolutely right? Oh, look at the history of your country; look at the records of Congress, and you will stay your hand before you do it.

Finally the railroad lobbies swarmed the Capitol. Why, the reports of the committees disclose that fact. Finally, Senator Cullom made a report to the Senate in favor of a bill, and the bill was enacted in 1887; but the same thing occurred that always occurs. When any great power in this country is pursued by public opinion because of its wrongdoing, it resists corrective legislation as long as possible; and when the clock strikes, and it sees that the hour can no longer be postponed, what does it do? It calls in its best attorneys, and it says to the committees,

"We are not opposed to this legislation any longer, but we want to suggest that you write in so-and-so, and so-and-so, and so-and-so, and so-and-so." [Laughter.] "We know you want to be fair about this thing"—about these oil-land leases, for instance, and this water-power business. "We know you want to be fair." That is just a bit of digression, having application to something that is coming up pretty soon.

And so do you know that they wrote into the law of 1887 such changes as pulled the teeth all out of it and made it of no value? They created a commission, but they created a commission which was a sore disappointment to the public and largely lessened public interest; and finally the commission said to Congress—and I want you to follow me here, because I am coming to something that tests the responsiveness of Congress to the will of the people in pretty good shape, in a pretty unanswerable way.

The Interstate Commerce Commission found out after a while how helpless it was. Of course, it tried to apply power, and it went to the Supreme Court, and the law was construed just as the adroit and clever railway attorneys knew that it would be when they wrote the suggestions of amendment into it; and the Supreme Court said: "You have not the power that you thought you had." So, finally, the Interstate Commerce Commission—now, I shall have to trust to my memory, and I may get a date wrong here, and if I do I am going to exercise the right to correct it—but, according to my recollection, it was about 1903 that the Interstate Commerce Commission got its eyes sufficiently open so that in its report to Congress it said: "Under the decisions of the Supreme Court we are utterly helpless to render the public any service." Now, I am not quoting the exact language, but I am giving you the import of what they said to you people who were then here. "There is no power in the Interstate Commerce Commission to make rates reasonable unless you give us the power to find out the value of railroad property, and we appeal to the Congress of the United States to give us that power."

That was in 1903. Now then, I am going to test the formula of the Senator from Alabama that Congress is responsive to the will of the people. There was laid upon your desk, if you were a Member of that Congress in 1903, and that of every other Member of the House, and every United States Senator, an appeal from the Interstate Commerce Commission to you to give them the power to get the valuation of railroad property, in order that they might make the interstate-commerce act effective for the purpose for which it was designed.

What did you do with it? Did you pass a law authorizing the Interstate Commerce Commission to ascertain the value of railroad property? Why, do you not see how essential it was? They could not be guided by the capitalization. The capitalization was a lie. Everybody knew it was a lie. And the Supreme Court, in the Ames case, had said that fictitious and fraudulent capitalization can not be made the basis of rates. Everybody knew that there was water in the railroad securities of the country. They said, "We can not be guided by the stocks that have been issued. What we have to do is to ascertain the true, fair value of the property, judged by what they have invested in it, judged by every element that will test what will constitute true, fair value."

That was in 1903. Did you do anything? You did not—not a single, solitary thing. You did not raise a hand. Mark you, it was back in 1874 that this thing started. It was in 1903 that you were appealed to by this Interstate Commerce Commission that you had set up and that you had authorized to report to Congress and tell Congress what legislation was needed, for right in the law under which they were created it was provided that this commission should annually tell Congress what legislation they needed in order to better fulfill their functions. Here they came in 1903 and appealed to the Congress of the United States to enact legislation giving them the power to ascertain the value of this railroad property, in order that they might use that as a basis for determining what rates the people ought to pay.

That was in 1903. Nineteen hundred and four came; and because you had ignored their appeals, because you had not been responsive, because the petitions that had been sent down here, stirred up by all of the commercial organizations that had read this report by the Interstate Commerce Commission, fell upon deaf ears—because of all that, the Interstate Commerce Commission in 1904 again, in more emphatic terms, appealed to Congress to give them this power.

I must not go so much into detail. Let me sum it up by telling you that in 1904, 1905, and 1906 that same appeal came at the beginning of every session. There was laid upon the desk of every Senator and every Member of Congress a bound volume from the Interstate Commerce Commission, asking you to give them the power to value railroads, as the only way of making effective this regulation of railroad rates.

At the risk of incurring the criticism of the Senator from Alabama, though he is using his powers of invective and sarcasm to designate me as a Pharisee, I venture to quote a little history. I came to the Senate on the 4th day of January, 1906. In April, 1906, I made a speech from my desk here in the Senate, in what was then called "the Cherokee strip." I spoke for a couple of hours on that day. I happen to remember it was the day of the earthquake in California, for I had hoped possibly with the facts I put into the RECORD that it would get some publicity over the country and would help to get the legislation I was trying to get the Senate to enact; but it did not; it was utterly wiped out by that important event.

That was not vanity—that is, I do not think it was. It may be that it was. I really wanted some results. I had been engaged in a contest regarding this same thing up in Wisconsin that had covered a period of 9 or 10 years, and I was very much interested in it. For two days in succession, two hours in each day, beginning with only one Senator sitting here when I commenced my talk, I had the attention of a pretty good body of the Senate before I concluded. My chief appeal was to give heed to this repeated request of the Interstate Commerce Commission to give them power to value the railroad property of the country. Then I presented an amendment and asked for a roll call on it. Mark you, I had called the attention of the Senate to every one of these recommendations one after another, and had read them here in the Senate. You would have thought that if the Senate of the United States was really responsive to the public demand, the great body of men they had approved and had clothed with power suggesting to them every change in the law that ought to be made, here was a change in the law so plain that a wayfaring man or a fool would know that it was necessary. The railroads did not want it because they wanted rates based on watered stock; but the Interstate Commerce Commission and the public wanted rates based on true value.

Do you know what response I got from the Senate of the United States on a roll call for my amendment? I have not the figures in mind; I only remember that there were but seven Republican Senators who voted for it. I got more Democratic Senators than I did Republican Senators, because the Republican Senators were in the majority and some of the Democrats knew it would do no harm to vote for it, but it would make a pretty good record anyway to take home to the folks.

That was in 1906. In 1907, 1908, 1909, 1910, 1911, 1912, every time a bill was presented to the Senate where I had an opportunity to offer that proposition I offered it and made an appeal and quoted not only that but succeeding appeals of the Interstate Commerce Commission for that legislation, because they kept on asking for it year after year; and it was not until the thing got so crystallized that the Senate thought they had better pass it. Do you know that then they passed it unanimously? The last vote before that it had been defeated overwhelmingly.

That is another instance of the responsiveness of Congress. It took from 1903 to 1913, only 10 years. You can get Congress to respond to something everybody is in favor of if you only try hard enough and live long enough.

Mr. President, I know that I am overtesting the patience of the Senators. The Senator caught me up on this $420 salary. I believe I did mention that $420 salary. I believe the Senator from Utah dwelt at some length upon that $420 salary.

I knew that the charwomen did not work 8 or 10 or 12 hours a day; but how about the $620 and the $720 salaries, that did not reach up to the cost of maintaining a family, or the $900 salaries, that are only $20 above the cost of maintaining a family in 1914, as established by a scientific investigation at New York, in which—and I have the table here before me—only $20 was allowed for medicine and doctor bills?

There is no use dwelling upon this thing. You have made your record. The committee was appealed to to make this $360 increase. It did not do it. It brought in the bill in a form in which no amendment could be proposed here which under our rules could be considered by the Senate, and therefore we could not have it tried out by the Senate. Therefore we have given to these people with these meager salaries an increase of $120 a year over the salaries which they have been drawing to meet the increased cost of living that has resulted in the last year.

The Senator from Alabama is very hopeful that prices are going to decline. Of course, he does not guarantee it and he will not be around to make up any losses to you if they do not happen to decline. I hope they may decline, but I have been glancing over the testimony given by the Armour-Swift combination before the Committee on Agriculture of the United States

Senate, and it does not hold out much hope to me that there will be a decline. I very much fear that you will find at the end of the year prices in some respects higher than they were at the beginning of the year.

I wish to apologize to Senators and to the Senate for taking time to-night to talk about matters upon which we can have no direct vote at this time, but that is a fault all of us have. There has been a good deal of discussion on this and other bills upon issues and problems that may be helpful to us as we pass along our legislative way. I do not want to be vain, but I hope that I may have made some appeal here to-night that will lead Senators perhaps to be patient, and, as I view it, wide-visioned in the problems that lie before us.

I will not promise, in order to win your forgiveness, that I will not have something more to say further on during the session. I think I may.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Ohio [Mr. POMERENE].

On a division, the amendment was rejected.

Mr. LA FOLLETTE. Mr. President, I just want to say that I neglected to state that I do not remember whether there was a roll call or not, but I voted against the increase of the salaries of the judges.

Mr. VARDAMAN. Mr. President, I am not going to take a moment of the time of the Senate. I move to amend the bill in line 21, page 10, by striking out "$2,400" and inserting "$2,800."

Mr. President, this is to increase the salary of the "clerk on Journal work for the CONGRESSIONAL RECORD, to be selected by the Official Reporters." The man who has done this work so efficiently, I understand, has been in the service for 38 years, and he has not lost a day. He is getting now only $2,400 a year. The fidelity and efficiency with which he performs his duties call for recognition at the hands of the Senate.

This is but a very small increase. I intended to make it $3,000, but after consultation with Senators it was thought to raise the salary $400 would be a substantial help to this efficient servant of the Senate. I sincerely hope the amendment will be adopted.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Mississippi [Mr. VARDAMAN].

On a division, the amendment was agreed to.

Mr. RANSDELL. Mr. President, I send to the desk an amendment. I propose to increase the salary of the chief clerk in the office of the Surgeon General of the Public Health Service, on page 56, line 14, by striking out "$2,250" and inserting "$2,500."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 56, on line 14, "Office of Surgeon General of Public Health Service, chief clerk," after the words "chief clerk" and the comma strike out "$2,250," and in lieu thereof insert "$2,500."

Mr. RANSDELL. Mr. President, this increase has been recommended by the Secretary of the Treasury on the recommendation of the Surgeon General of the Public Health Service. The work of this chief clerk has been very efficient and has increased very much in the last two or three years. The field force in the Public Health Service has grown from 1,500 to 4,000, while the clerical force in the bureau in Washington has trebled in number. In addition, a number of new offices of the service have been established in Washington, and the service now occupies space in five different parts of the city.

The chief clerk not only discharges the duties of chief clerk, including the care of buildings, but also is acting as Chief of the Miscellaneous Division of the bureau, which has charge of the printing and distribution to the public of health publications and posters. This work is one requiring energy and administrative ability, and is growing so successfully that already this fiscal year there have been sent to the public over 12,000,000 copies of publications and posters as compared with about 4,000,000 in the whole of last year. The previous year the number was about 2,500,000.

This division was formerly in charge of a junior officer of the service, whose salary is thus saved to the Government.

I merely wish to add one word more. The private secretary to the Surgeon General had his salary raised on this bill from $1,800 to $2,000. I certainly think the chief clerk ought to have his salary raised $250 when the Secretary of the Treasury advocated an increase of $500.

Mr. SMOOT. Mr. President, I want to say to the Senate, if they agree to this amendment we ought to begin at the beginning of the bill and go right through it and change the salaries of the chief clerks of many of the departments who have a great deal more work to do than the chief clerk of this office.

Senators ought to realize that there must be some little consistency in an appropriation bill which provides for the salaries of the employees of the Government. You can not have one chief clerk in one department drawing $250 or $500 more than another chief clerk perhaps doing more work and who is drawing $2,250.

In regard to the statement made by the Senator from Louisiana that the salary of the private secretary to the Surgeon General was increased from $1,800 to $2,000, and therefore the salary of the chief clerk ought to be increased, I am not going to take the time to tell the Senate why that increased salary was granted, but I will say that it was granted at the personal solicitation of the head of the department, who gave the reasons why. As far as I was concerned, I thought he ought to have just as much as the chief clerk, if the statements made to the committee were correct, but the committee decided to give $2,000. Now, if the Senate wants to give more, well and good, but I want to notify the Senate now that the whole bill will be unbalanced.

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from Louisiana [Mr. RANSDELL].

On a division, the amendment was rejected.

Mr. KENYON. At the request of the Senator from California [Mr. JOHNSON], who has been compelled to leave the Chamber, I offer in his behalf the following amendment.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. At the bottom of page 151, after section 3, insert:

That the heads of the several executive departments and other governmental establishments in the District of Columbia are hereby authorized and directed to furnish to such civilian employees receiving compensation, exclusive of the additional $120, at the rate of not more than $1,400 per annum or less than $100 per annum, under their respective jurisdiction as have come to the District of Columbia since April 6, 1917, whose services are no longer required and whose employment has been or may be terminated by the Government without delinquency or misconduct on their part, or who may resign from their positions, during the period from November 11, 1918, to March 31, 1919, inclusive, their actual railroad transportation, including sleeping-car accommodations, from the District of Columbia to the place from which they accepted employment or to their legal residence, or to such other place not a greater distance, as the employee may elect. Such transportation must be applied for within 10 days after the termination of service and shall be used within five days after issuance, unless an extension of time on account of illness be granted by the proper authority. As to the employees whose services have been terminated during the period between November 11, 1918, and the date of the passage of this act, inclusive, the time within which transportation shall be applied for shall be 20 days from the date of the passage of this act. Any person who shall sell, exchange, or transfer such transportation for the use of another shall be punished by a fine of not more than $100. The expenses authorized by this act shall be paid from the following appropriations for the fiscal year 1920, which hereby are made available therefor immediately upon approval of this act:

For the War Department, from "Temporary employees."

For the Navy Department, from "Temporary employees."

For all other executive departments and independent establishments, from the appropriations for the support of the services in which such persons are employed. Any employee who would be entitled to transportation, including sleeping-car accommodation under this act, and who has left the District of Columbia prior to the passage of this act, but not before December 10, 1918, upon application and presentation within 60 days after the passage of this act of proper proof, shall have refunded the cost of actual railroad transportation, including sleeping-car accommodation, from the District of Columbia to the place from which employment was accepted, or to their legal residence, or to such other place not a greater distance to which the employee may have gone. The provisions made for the transportation of employees shall not apply to those who enter such service after the passage of this act.

Mr. KENYON. Mr. President, the only difference between this amendment and the present law is that the words "or who may resign from their positions" are used at the top of page 2, which is the real purpose of the act if it is passed.

Mr. UNDERWOOD. Mr. President, I think this amendment is to carry out what Congress attempted to do a few weeks or a month ago, and the department construed it the other way. So I have no objection to letting the amendment go into the bill.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was agreed to.

Mr. THOMAS. Mr. President, I offer the amendment which I send to the desk, to be added to the bill as a new section.

The PRESIDING OFFICER. The amendment proposed by the Senator from Colorado will be stated.

The SECRETARY. It is proposed to add, as a new section, the following:

SEC. —. Any moneys remaining in the Treasury after the passage of this act shall be divided among the departments, to be divided as the heads thereof shall determine.

[Laughter.]

The PRESIDING OFFICER. The Chair supposes the amendment is not in order. Does the Senator insist on a vote? If so, the question is on the amendment.

The amendment was rejected.

Mr. OVERMAN. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from North Carolina will be stated.

The SECRETARY. On page 34, after line 18, it is proposed to insert:

That the period of time during which soldiers and sailors, both enlisted and drafted men, who, prior to entering the service of their country, had a civil-service status, and whose names appear upon the eligible list of the Civil Service Commission, shall not be counted against them in the determination of their eligibility for appointment under the law, rules, and regulations of the Civil Service Commission now in effect, and at the time of demobilization their civil-service status shall be the same as when they entered the service.

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from North Carolina.

Mr. SMOOT. Mr. President, I desire to say to the Senator from North Carolina that what he desires is, I think, already provided for in the pending bill.

Mr. OVERMAN. Oh, no, Mr. President.

Mr. SMOOT. Then I ask that the amendment be again stated. I did not catch the first part of it, but I think it is already covered.

Mr. OVERMAN. Oh, no.

Mr. JONES of Washington. Mr. President, I simply desire to say that I think there has been a provision inserted in the bill requiring the different departments to reinstate soldiers and sailors in the positions which they occupied at the time they entered the military service.

Mr. OVERMAN. Of course, that is the law; but this amendment provides that where a man is on the eligible list and was drafted or enlisted or volunteered and went to the front that time shall not be counted against him. Otherwise one year's absence would bar him from appointment after he is on the eligible list.

Mr. SMOOT. Let the amendment be again stated, Mr. President. If all it does is as stated by the Senator from North Carolina, then, of course, I have no objection to it.

Mr. OVERMAN. That is all it does.

The PRESIDING OFFICER. The amendment will be again stated.

The Secretary again stated the amendment.

Mr. SMOOT. That is all right.

The PRESIDING OFFICER. Without objection, the amendment is adopted.

Mr. HARDWICK. Mr. President, just a moment. I have some objection to the amendment unless it is modified. My objection merely is that I desire to insert the word "marines" in the amendment. Marines are not classified either as soldiers or sailors.

Mr. OVERMAN. I have no objection to that modification of the amendment. I had never thought of that.

Mr. HARDWICK. That is all I desire.

The PRESIDING OFFICER. If there be no objection, the modification of the amendment suggested by the Senator from Georgia and accepted by the Senator from North Carolina will be made. The question is on agreeing to the amendment as modified.

The amendment was agreed to.

Mr. DILLINGHAM. Mr. President, on page 32, line 14, I move to strike out "$3,500" and to insert "$4,000." This amendment relates to the Civil Service Commission. Down to this time the Chief of the Civil Service Commission has received a salary of $4,500 and each of the other commissioners has received a salary of $4,000, while the chief examiner has received a salary of $3,500. The chief examiner, as is well known to everyone, is Mr. George R. Wales. He has been with the commission ever since its organization. He is a walking encyclopedia of knowledge relating to the law and the operation of the law. Since the beginning of the war he has worked anywhere from 16 to 20 hours a day.

Mr. McKELLAR. How much does the Senator's proposed amendment increase his salary?

Mr. DILLINGHAM. By $500. The House has increased the salaries of the commissioners $1,000, and his salary has always been within $500 of the salaries of the commissioners. So I do not ask for a thousand-dollar increase for him, but I shall ask to have his salary made $4,000 instead of $3,500, for the reason I have stated.

Mr. UNDERWOOD. Mr. President, I do not desire to take up any time on this matter. I have no doubt that the gentleman to whom this amendment refers is a very capable and meritorious man, but I want again to call the attention of the Senate to the fact that there must be some place where we have got to stop. The salary was increased, my understanding is, last year. I am informed that the salary of this officer was then increased by $500. I repeat, I think the Senate must draw the line somewhere if it expects to get the amendments proposed by the Senate to this bill agreed to by the other House.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Vermont [Mr. DILLINGHAM].

The amendment was rejected.

Mr. OWEN. Mr. President, on page 134, after the comma, in line 8, I move to insert the words "for the issuance of certificates describing the quality of sample goods submitted for test to the bureau."

The section to which the amendment is proposed provides for the testing of materials, and I desire to have it cover certificates showing what the tests would justify. It does not add anything to the appropriation.

Mr. SMOOT. To whom would such certificates be issued?

Mr. OWEN. They would be issued to the party who submitted the sample of goods for test in the bureau. The bureau does make the tests now.

Mr. SMOOT. I know they make the tests now.

Mr. OWEN. But by giving the parties having the tests made a certificate that the goods were of a certain standard they would be enabled to sell the goods abroad, which they can not now do in a proper way. In the case of a sale of cement to Argentina, for instance, until the Bureau of Standards passed upon the quality of the cement and its value, the parties desiring to sell it would be unable to make disposition of the goods. So this will serve that purpose.

Mr. SMOOT. The object of the amendment, then, is that the Government shall pay the expense instead of the person who has the test made? Under existing conditions parties having had the test made can get a certificate from the bureau showing the test which has been made upon cement or any other commodity.

Mr. OWEN. The bureau does make such tests.

Mr. SMOOT. I desire to know whether the Senator from Oklahoma really intends that hereafter such certificates shall be issued without any cost whatever to the party requesting the test?

Mr. OWEN. Yes.

The PRESIDING OFFICER. The question is upon the amendment proposed by the Senator from Oklahoma [Mr. OWEN].

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I regret very much that it falls to me to propose an amendment, because I can expect very little. On page 26, line 12, the Senate has imposed a limitation upon itself which I should like to remove. The proviso in line 12 reads as follows:

Provided, That no person shall be employed hereunder at a rate of compensation exceeding $3,000 per annum.

That refers to the legislative reference library, or division, as it is more properly called, I think. That is a bureau organized to serve Congress. We want the best service we can get. It supplies us with the latest data as to legislation upon any subject by any State or country in the world, as, for example, the laws enacted, together with intelligent comment and criticisms thereon. The legislative reference library supplies us with the best current information on both sides of important questions as they press upon us for consideration.

We have added in this bill to the duties of the legislative reference library another very important function, namely, to make for the use of the Senate and the House of Representatives a digest of every bill that is introduced in Congress. That is work of the highest importance; and yet we put a limitation of $3,000 upon the pay of anybody employed in the legislative reference library. If you will turn to the page of this bill—I have not noted the page—where provision is made for the pay of the Efficiency Bureau, which is designed to promote the highest efficiency in the executive departments, it will be seen that under the bill 18 employees in that bureau may receive salaries above $3,000.

In all States where they have a legislative reference library higher salaries are being paid than the limitations which we propose to put upon our own legislative reference library. The State of California pays $4,000 to the head of its legislative reference library, the State of Illinois pays $5,000 to the head of its legislative reference division or library, the State of Pennsylvania pays $5,000 to the head of its legislative reference library and $5,000 to the assistant librarian, and the State of Wisconsin pays $4,500 to the official in charge of its legislative reference library.

We have now at the head of the legislative reference library, I believe, a very superior man. I am apprehensive that he will be drawn away from us with this limitation upon his salary; and I offer this amendment for the consideration of the Senate,

that, after the word "That," in line 12, page 26, there be stricken out the word "no" and there be inserted the words "not more than one" in lieu thereof, or so that it will read:

Provided, That not more than one person shall be employed hereunder at a rate of compensation exceeding $3,000.

That will leave it, I think, to the Librarian of Congress to determine as to any increase that may be found necessary in that position.

Mr. SMOOT. The Senator does not ask for an increase in the appropriation?

Mr. LA FOLLETTE. Oh, no.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Wisconsin.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, there is an amendment that I desire to explain for just a moment. Personally I should like to have seen the bonus of $360 added to the salary of Government employees receiving up to $2,500, but that went out on a point of order. I should like to offer an amendment to give the $360 bonus to those receiving salaries of $1,200 *or* less, but that would also be subject to a point of order, and therefore I shall not offer it.

Mr. President, we have increased a good many salaries in this bill; and I desire to propose an amendment to correct what I think is a very grave injustice and inequality. In the act for the fiscal year ending June 30, 1918, we provided for increases of 5 and 10 per cent in the salaries of certain employees of the Government. Then for the year ending June 30, 1919, we changed that, and gave those receiving up to $2,500 an increase of $120 a year, but provided that if they had received an increase at the rate of $200 per annum they should not get the benefit of the $120. The result of that was that employees and workmen in the navy yards and in the arsenals who had obtained an increase of wages at a rate which, if they had received it for the whole year, would amount to over $200, although they received this rate for only a part of that time, did not get the benefit of the increase.

In other words, to illustrate, here are the facts: On July 1, 1918, employees in the navy yard got a basic increase of 8 cents a day—I hope Senators will note these facts, because I think they will appeal to them—until November 8, and then they got an increase of 56 cents a day. The 56 cents and 8 cents made a total rate of 64 cents a day. That for 313 days in the year would give them a rate of increase of $200.32. Now, Mr. President, it was held that they were not entitled to the increase of $120 because of this 32 cents over $200 which they would have gotten if they had received the 64 cents increase every day in the year.

I do not think that is just; I do not believe that that was what was intended by Congress when we put this $200 limitation in. I think the idea of Congress was that if they got an increase of $200 in a year, then they should not get the $120. Therefore to correct that inequality I wish to propose the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 153, in line 23, after the word "salary," it is proposed to strike out the words "at the rate," and in line 24, after "$200," to strike out the words "per annum."

Mr. JONES of Washington. That will make it read:

Or shall receive during the fiscal year 1920 an increase of salary in excess of $200.

It seems to me that that is entirely fair.

The PRESIDING OFFICER. The question is on ageeing to the amendment proposed by the Senator from Washington. [Putting the question.] By the sound the "noes" seem to have it.

Mr. JONES of Washington. I ask for a division, Mr. President.

On a division, the amendment was agreed to.

Mr. JONES of New Mexico. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 101, it is proposed to strike out, after the words "class 2," in line 3, the words "89 of class 1, 77 at $1,000 each; 65 copyists; 26 copyists, at $720 each," and insert in lieu thereof the words, "100 of class 1, 120 at $1,000 each; 23 copyists."

Mr. JONES of New Mexico. Mr. President, I feel certain that the Senator in charge of the bill will make no objection to this amendment. It does not increase the appropriation; on the other hand, it has the effect of reducing the appropriation by a few thousand dollars. Under this bill, as it has already been framed, if this amendment is adopted there will be an actual reduction in the appropriation, amounting to $3,800 or $3,900.

The reason for this amendment is this: At the salaries which are provided in this section of the bill, the General Land Office has been unable to get people to fill the positions. There have been 30 or 40 vacancies in these positions for a number of months. Occasionally the General Land Office will get an employee who will fill the position for a time, and then resign because he can not live upon the amount of the salary. So there are at the present time about 40 vacancies in these positions. The salaries range from $900 to $1,200 per year.

It is proposed by the Commissioner of the General Land Office, instead of having the large number of positions authorized by the bill, that a lesser number be authorized and that the salaries may be slightly increased. That is what this amendment does; it lessens the number, but increases the compensation, and by lessening the number it reduces the amount of compensation under this bill by reason of the $240 per annum bonus. It is desired very much by the Commissioner of the General Land Office, and I am sure it will result in benefit to the public service.

Mr. UNDERWOOD. Mr. President, I will say to the Senator that I do not know what can be done in conference, but if he will allow it to go to conference with a free hand I am willing to accept the amendment.

Mr. JONES of New Mexico. I dislike to leave it just in that way. Of course, it will go with a free hand to conference.

Mr. UNDERWOOD. Well, I mean by that that I have not given the consideration to it that I desire. I do not care to oppose the amendment, but I do not wish to commit myself unequivocally until I have given it more study.

Mr. JONES of New Mexico. I realize that all that I can hope for is that the Senator in charge of the bill will give consideration to it; and, if the Senate adopts it, that he will insist upon it, unless some very cogent reason is given for its rejection.

Mr. UNDERWOOD. That will be the attitude undoubtedly.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, I wish to say to the Senator from Alabama that two or three Senators have expressed to me a very serious doubt as to whether or not the suggestion I made with reference to the commission could be covered in the conference without being subject to a point of order, if reported. So I wish to read a crude suggestion which I will ask the Senator to allow to be put in, to be considered in conference, if he has no objection. After the word "Speaker," in line 21, on page 158, I move to insert:

Provided, That if three Senators and three Representatives of the Sixty-fifth Congress who will not be Members of the Sixty-sixth Congress will serve on such commission they shall be appointed thereon as herein provided, and said commission shall submit its report and recommendations as early as possible, and, in any event, by the first Monday in December, 1919, and the members of such commission shall receive a compensation at the rate of $625 per month.

Mr. UNDERWOOD. As I said to the Senator this evening, I am very glad he has made that suggestion; I think it is a wise one; but I want some freedom of action concerning it.

Mr. JONES of Washington. Oh, certainly.

Mr. UNDERWOOD. I have no objection to the amendment.

Mr. ASHURST. What commission is that?

The PRESIDING OFFICER. The amendment is not in order unless the vote by which the committee amendment was adopted is reconsidered.

Mr. JONES of Washington. I ask that the vote by which the committee amendment was agreed to may be reconsidered.

The PRESIDING OFFICER. Is there objection to reconsidering the vote by which the committee amendment was agreed to?

Mr. JONES of Washington. I merely desire to offer the amendment, so that it may go to conference.

Mr. ASHURST. To what does the amendment relate? What does it mean?

Mr. JONES of Washington. It is an amendment in regard to the commission to be provided for the purpose of reclassifying and readjusting salaries.

The PRESIDING OFFICER. The amendment is proposed to the amendment reported by the committee establishing a commission to reclassify salaries. The amendment of the Senator from Washington proposes a different personnel from the one proposed by the committee amendment.

Mr. JONES of Washington. It is offered so that the suggestion may be considered in conference.

The PRESIDING OFFICER. Is there objection to reconsidering the vote whereby the committee amendment was agreed to? The Chair hears none.

Mr. JONES of Washington. Now the amendment I have proposed comes in after the word "Speaker," in line 21, on page 158.

The SECRETARY. In the amendment of the committee, on page 158, line 21, after the word "Speaker," it is proposed to insert the amendment read by Mr. JONES of Washington.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Washington to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SMOOT. Mr. President, I wish to offer one or two amendments that will, if adopted, save some money and not take money out of the Treasury of the United States. I offer the amendment I send to the desk to come in on page 161, after line 13.

Mr. THOMAS. Mr. President, do I understand the Senator from Utah is trying to save some money for the Treasury?

Mr. SMOOT. I will have to admit the charge.

The PRESIDING OFFICER. The amendment offered by the Senator from Utah will be stated.

The SECRETARY. On page 161, after line 13, it is proposed to insert the following as a new section:

SEC. 10. The Joint Committee on Printing shall have power to adopt and employ such measures as, in its discretion, may be deemed necessary to remedy any neglect, delay, duplication, or waste in the public printing and binding and the distribution of Government publications: *Provided*, That hereafter no journal, magazine, periodical, or other similar publication shall be printed and issued by any branch or officer of the Government service unless the same shall have been specifically authorized by Congress, but such publications as are now being printed without specific authority from Congress, may, in the discretion of the Joint Committee on Printing, be continued until the close of the next regular session of Congress, when, if authority for their continuance is not then granted by Congress, they shall not thereafter be printed: *Provided further*, That on and after July 1, 1919, all printing, binding, and blank-book work for Congress, the Executive office, the judiciary, and every executive department, independent office, and establishment of the Government shall be done at the Government Printing Office, except such classes of work as shall be deemed by the Joint Committee on Printing to be urgent or necessary to have done elsewhere than in the District of Columbia for the exclusive use of any field service outside of said District.

Mr. SMOOT. The exceptions, Mr. President, I wish to say, are the exceptions now in the existing law.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I desire to offer one more amendment, to be added at the end of the bill as a separate section.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the amendment just agreed to, it is proposed to insert the following:

SEC. 11. George Washington Memorial Building: The provisions and limitations respecting the George Washington Memorial Building in the sundry civil act for the fiscal year 1918 are hereby continued and extended to March 4, 1920.

Mr. SMOOT. I will state that that is only an extension of one year to the charitable people of the United States to collect the money for the erection of the George Washington Memorial Building.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

Mr. UNDERWOOD. I move that the Senate request a conference with the House of Representatives on the bill and amendments and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. MARTIN of Virginia, Mr. UNDERWOOD, and Mr. SMOOT conferees on the part of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMALL, Mr. SCULLY, and Mr. KENNEDY of Iowa managers at the conference on the part of the House.

The message also announced that the House insists upon its amendments to the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act, and section 5172, Revised Statutes of the United States, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PHELAN, Mr. EAGLE, and Mr. HAYES managers at the conference on the part of the House.

DISCHARGED SICK AND DISABLED SOLDIERS AND SAILORS.

Mr. HARDWICK. I move that the Senate proceed to the consideration of the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors.

Mr. THOMAS. I shall have to object——

Mr. HARDWICK. I am not going to ask the Senate to go on with it to-night.

The PRESIDING OFFICER. The question is on the motion of the Senator from Georgia to proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with an amendment.

Mr. CHAMBERLAIN. I give notice now that immediately after the bill which the Senator from Georgia has called up is disposed of I shall ask the Senate to take up the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes.

The PRESIDING OFFICER. House bill 13026 is before the Senate.

Mr. THOMAS. I shall ask to be heard upon some of the provisions of the bill. It is too important to be considered now.

Mr. SMOOT. Let us have time enough to read it, anyhow. We have been so engaged that we have not had an opportunity to give attention to it.

Mr. HARDWICK. Very well. I move that the Senate take a recess until 11 o'clock to-morrow.

Mr. SHAFROTH. Mr. President, it seems to me that we ought to have an opportunity to consider the conference report on the oil-leasing bill, and I move that the Senate adjourn.

The motion was agreed to; and (at 10 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 21, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 20, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, since we pass this way but once give us the grace to follow the star of hope which illumines the way and points the course to human progress.

May we not pause to mourn and agonize over past sins, but sincerely repent, turn to the right, keep to the right, that we may build for ourselves a character which shall enable us to do unto others as we would be done by.

We pray for a league of nations which shall stand for permanent peace, but more for a league of Christian churches which shall lift them above creeds and dogmas and place them upon the fundamental principles taught and illustrated in the sublime life and character of the Jesus of Nazareth. Amen.

The Journal of the proceedings of yesterday was read and approved.

GEORGES CLEMENCEAU.

Mr. HUSTED. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HUSTED. I ask unanimous consent to address the House for three minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The gentleman from New York is recognized for three minutes.

Mr. HUSTED. Mr. Speaker, we have all been deeply shocked by the announcement of the dastardly and murderous attack upon the life of the French premier. I made two trips to France during this war and was deeply impressed by many things, but by nothing more, I think, than the marvelous influence of that old tiger of France in sustaining and maintaining the morale of the French Army and of the French people under the most trying circumstances. He exposed his life at the front as freely as any French poilu. His presence there inspired the troops, and then he went back home and fired the civilian population with patriotic fervor. Georges Clemenceau is the great outstanding figure of this war, overtopping them all, even Marshal

Foch himself, and I know it is the deep, heartfelt wish of every patriotic American citizen to-day that his life be spared [applause]; that he be restored to health and strength and to his very great usefulness to the cause of civilization in the present emergency. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. MYERS, Mr. RANSDELL, and Mr. SMOOT as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 5038) extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act, approved June 27, 1918, and authorizing the Federal Board for Vocational Education to accept gifts and donations for specific purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 4246. An act to increase the salary of the United States district attorney for the district of Connecticut; and

H. R. 10225. An act striking from the pension roll the name of Jennie M. Heath.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 205. Joint resolution permitting the loan of aircraft motors and aircraft material to educational institutions under certain conditions.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 205. Joint resolution permitting the loan of aircraft motors and aircraft material to educational institutions under certain conditions; to the Committee on Military Affairs.

REFERENCE OF A BILL.

Mr. CLARK of Florida. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Florida rise?

Mr. CLARK of Florida. Mr. Speaker, to ask unanimous consent for reference of the bill H. R. 16024. The bill was referred to the Committee on the Library, and I ask unanimous consent that the reference be changed to the Committee on Public Buildings and Grounds; and I will state——

The SPEAKER. What is it about?

Mr. CLARK of Florida. It is for a commission to take into consideration the erection of a building which will constitute a library and a museum and also an arch. Mr. SLAYDEN, chairman of the Committee on the Library, has no objection to this change of reference.

The SPEAKER. Where is the building to be erected—what town?

Mr. CLARK of Florida. Somewhere in the District of Columbia.

The SPEAKER. Is there objection to taking this bill away from the Committee on the Library and referring it to the Committee on Public Buildings and Grounds? [After a pause.] The Chair hears none.

RIVERS AND HARBORS APPROPRIATION BILL.

Mr. FULLER of Illinois. Mr. Speaker, I wish to call up House resolution No. 570, a privileged resolution——

Mr. SMALL. May I ask the gentleman if he will withhold that for a moment, to enable me to ask unanimous consent to send a bill to conference?

Mr. FULLER of Illinois. Certainly.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the rivers and harbors bill, H. R. 13462, to disagree to all the Senate amendments, and agree to a conference.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to take from the Speaker's table the bill, H. R. 13462, to disagree to all the Senate amendments, and agree to the conference asked for by the Senate. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will announce the conferees.

The Clerk read as follows:

Mr. SMALL, Mr. SCULLY, and Mr. KENNEDY of Iowa.

AMENDING THE FEDERAL RESERVE ACT.

Mr. PHELAN. Mr. Speaker, will the gentleman yield for the same purpose?

Mr. FULLER of Illinois. Yes.

Mr. PHELAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 5236, to insist on the House amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to take from the Speaker's table the bill S. 5236, to disagree to the Senate amendments, and to agree to the conference asked for by the Senate.

Mr. WALSH. What bill is that?

Mr. PHELAN. It is the banking and currency bill, which passed a day or two ago.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act and section 5172 of the Revised Statutes of the United States.

The SPEAKER. Is there objection?

Mr. CANNON. What is the act; how long is it?

The SPEAKER. The Chair does not understand the gentleman from Illinois.

Mr. CANNON. I was told that it passed the other night by unanimous consent, but that does not mean a great deal. As I was not here I suppose I shall not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the conferees.

The Clerk read as follows:

Mr. PHELAN, Mr. EAGLE, and Mr. HAYES.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. WALTON withdrew from the files of the House, without leaving copies, the papers in the case of Lieut. Etienne de Bujac, H. R. 7329, Sixty-third Congress, no adverse report having been made thereon.

SELF-DETERMINATION FOR IRELAND.

Mr. McLAUGHLIN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein resolutions which were unanimously adopted by both houses of the Legislature of Pennsylvania, asking for self-determination for Ireland.

The SPEAKER. Is there objection?

There was no objection.

The resolutions are as follows:

Preamble and resolutions adopted by the Senate and House of Representatives of Pennsylvania in behalf of self-determination for Ireland, offered by Senator Daix in the senate and by Representative Heffernan in the house.

Whereas the sons and daughters of the Irish race are thrilled with the prospect of a free Ireland; they are earnestly asking that their cradle land be included among the small nations which President Wilson has so eloquently indicated will be recommended for the right of self-determination; and

Whereas in all our wars, on every page of our American annals, in the very texture of our American people, the blood of Ireland gleams in eager service in all that contributed to the power and glory of this greatest of Republics; in the great world conflict which recently closed so triumphantly the citizens and soldiers of Irish blood proved worthy of their proudest traditions, the latter having gladly struck and died for the land that holds their allegiance: Therefore be it

Resolved, That these bodies, the Senate and the House of Representatives of the State of Pennsylvania assembled in regular session, on this 10th day of February, 1919, call upon the Members of the United States Senate and the Members of the National House of Representatives of Pennsylvania to vote for the resolution now in Congress, having been reported favorably by the House Foreign Affairs Committee on February 6, 1919, and which reads:

"Resolved by the House of Representatives (the Senate concurring), That it is the earnest hope of the Congress of the United States of America that the peace congress now sitting in Paris, in passing upon the rights of various peoples, will favorably consider the claims of Ireland to the right of self-determination."

Resolved, That President Wilson be informed that it is the expressed desire of the Senate and House of Representatives of Pennsylvania that Ireland be included among those small nations which he has declared shall be given the right of self-determination.

LICENSE TO EXPORT GOODS TO CITIZENS OF NEUTRAL COUNTRIES.

Mr. FULLER of Illinois. Mr. Speaker, I ask to call up House resolution 570, a resolution of inquiry.

The SPEAKER. The gentleman calls up a resolution which he says is privileged. The Clerk will report it so we can find out.

The Clerk read as follows:

House resolution 570.

Resolved, That the President, if not incompatible with the public interest, be requested to communicate to the House what, if any, facts exist to justify the War Trade Board in refusing license to American

manufacturers to export manufactured goods to citizens of neutral countries with which we are not and have not been at war; and what, if any, facts exist to justify the refusal of the said War Trade Board to permit American manufacturers to communicate with their customers in such countries in regard to future business.

The amendments were read, as follows:

Page 1, line 4, strike out "American manufacturers" and insert "Americans."

Page 1, line 5, strike out the word "manufacturers"; page 1, line 8, strike out "American manufacturers" and insert "Americans."

Mr. GARNER. It appears from the resolution it was reported by the committee, and that takes away its privileged character.

Mr. SIMS. Mr. Speaker, I was on my feet to oppose this motion. Mr. Speaker, it is not privileged. The resolution has been reported by the committee and is now on the calendar of the House for action by the House.

Mr. FULLER of Illinois. That does not destroy the privileged character of the resolution.

Mr. FLOOD. Mr. Speaker, it is not privileged; it calls for an opinion.

Mr. MANN. Mr. Speaker, if the resolution is a resolution of inquiry, it is privileged to make a motion to discharge the committee. It does not lose its privileged status. Paragraph 836 of the Manual says:

The practice of the House gives to resolutions of inquiry a privileged status. Thus, they are privileged for report and consideration at any time after the reference to a committee.

The committee can not report a resolution and thereby destroy its privilege.

Mr. SIMS. The original, of which this is a copy, except changes in the words used, simply asked for "reasons," and a point of order was made and sustained that it was not a privileged resolution in that shape. So a new one was introduced. Instead of using the words in the first resolution it says, "What, if any, facts exist," and so forth, which leaves it still subject to the same point of order that was made to the first one. Besides, it is already reported and on the calendar, and in the opinion of some gentlemen is no longer a privileged resolution, for the reason that it does not call for anything in substance different from the first resolution. A point of order was made to the first resolution that it was not privileged. The same point of order is now made. I make that point of order as well as stating the fact that it is reported and on the calendar for action.

Mr. MANN. I understood the resolution calls for facts.

Mr. FULLER of Illinois. It does.

Mr. MANN. Then, as now reported it does not destroy its privileged status.

The SPEAKER. That is true. I will state to the gentleman from Tennessee [Mr. SIMS] when it was brought in here before it was knocked out on the ground that it called for reasons and did not call for facts. Now, this time it changes it to facts. It says:

That the President, if not incompatible with the public interest, be requested to communicate to the House what, if any, facts exist to justify the War Trade Board in refusing license to Americans to export goods to citizens of neutral countries—

And so forth.

Mr. SIMS. Suppose they report back that in their opinion there are no facts.

The SPEAKER. Whereabouts does it call for facts?

Mr. BARKLEY. It leaves it to the President to determine whether the facts justify the War Trade Board in refusing license or not.

Mr. SIMS. It really calls for a matter of opinion after all.

Mr. TOWNER. Mr. Speaker, let me make this suggestion. I think it can hardly be said the resolution asks for an opinion regarding those facts. It does not ask for the opinion of the Secretary regarding the facts. It asks only for a statement of facts upon which certain action was based. That certainly is within the rule and it is not an opinion.

The SPEAKER. The Chair will ask the gentleman a question. It calls for what, if any, facts existing that justify the War Trade Board in refusing license. Does that call for a reason or not?

Mr. TOWNER. I hardly think so, I will say to the Speaker. I think it was nothing more than this: Certain refusals have been made to the issuance of certain rights which are granted under the law. Now, this resolution asks of the department that makes the refusal for the facts upon which the refusal was made. It certainly seems to me that is not asking for an opinion and therefore can not be objected to on that ground.

Mr. BARKLEY. If the Speaker will allow a further suggestion, it calls for an argument on the part of the reporting executive as to the basis he might cite justifying the War Trade Board. He might submit a certain state of facts and supplement it with an argument that those facts justify it. It is giving an opinion and giving a reason for the action taken.

Mr. MADDEN. Mr. Speaker, if I may be allowed to suggest, I think the gentleman from Kentucky is wrong about that. I think it calls for a statement of facts that predicated the action. For example, the president of the War Trade Board might say an obligation existed between the United States and some other country in the form of a contract or agreement, and upon the basis of that contract or agreement he refused to issue a license.

Mr. BARKLEY. I will say to the gentleman it will be competent to call upon the President for a statement of facts on which that action was based by the War Trade Board, but to call for a statement of facts justifying their action justifies an argument why the action was taken.

Mr. TOWNER. Is not that merely equivalent to saying, "Upon what facts did you act when you made the refusal?"

Mr. BARKLEY. No; it is not.

Mr. TOWNER. The form does not make any difference. It only asks for a report of the facts upon which the action of the department was made. I think it can be interpreted in no other way.

Mr. BARKLEY. I can not agree with the gentleman about that.

The SPEAKER. It is a pretty close shave, but the Chair does not think it is privileged.

DEFICIENCY APPROPRIATION FOR TRANSPORTATION SYSTEMS.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16020.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16020.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16020, with Mr. GARNER in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 16020) to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918.

Be it enacted, etc., That to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, there is appropriated, out of any money in the Treasury not otherwise appropriated $750,000,000, which shall be in addition to the appropriation of $500,000,000 made in section 6 of said act, and shall be subject in all respects to the same authority for, and restriction of, expenditure as the said $500,000,000.

Mr. SHERLEY. Mr. Chairman, speaking for myself, I am unalterably opposed to Government ownership. [Applause.] I am in favor of turning back the roads at the earliest possible date that it can be done. [Applause.] In my judgment, this bill does not involve the question of Government ownership. I am so much opposed to Government ownership that if it did, I do not believe I could bring myself to the position of recommending the consideration of this bill at this time.

Mr. GARNER. Would it disturb the gentleman if I would interrupt him and ask him a question in that connection?

Mr. SHERLEY. I would prefer, if I may, to continue. Its passage, in my judgment, will not defer, but accelerate the return of the roads to their owners.

Now we are faced with an actual condition and not a theory, and in order that we may understand just what that situation is I desire briefly to review the conditions under which the railroads were taken over and the conditions which have arisen subsequent to that.

By virtue of a paragraph carried in an Army appropriation act approved August 29, 1916, the President was authorized to take possession of the roads and to operate them under Government control when a national emergency might so require. Accordingly, in pursuance of a proclamation of the President, dated December 26, 1917, the Government did take over the roads. At that time we were in the midst of the great war that has just closed. We were the only great nation directly involved in the war which was not then in control of its transportation systems. They had all found the absolute necessity for governmental reasons of the control of their railway systems and were exercising that control at the time we undertook it.

You will recall that there was at that time a very considerable railway congestion—a congestion so serious at the terminals that there were piled up for many miles back loaded

cars of freight destined for overseas that could not be unloaded because nobody could handle the freight at the terminals and because of the shipping situation.

There was great unrest in the labor world—an unrest that related not only to the railroads but to the entire industrial world. There were then under consideration many demands made by the railway employees of the various railroads for increases in their compensation. The credit of the railroads was perhaps at the lowest ebb that it had ever been since the panic of many years ago. The Government itself was in the market for large loans from the public. It had floated in 1917, on June 15, a loan of $2,000,000,000. It had floated on November 15, 1917, a loan of $3,809,000,000, and it was perfectly apparent that as the war continued the Government would be required to make very much larger loans than these in the near future, and in point of fact it did in May, 1918, float a loan of $4,176,516,000, and again in October of last year a loan of $6,989,047,000, and it is now looking forward to another loan in April of $5,000,000,000 or $6,000,000,000 additional.

Now, I desire that members of the committee should bear in mind this financial situation, because to my mind it is in many ways the crux of the whole proposition that is submitted to this committee at this time for consideration and determination.

It was under these conditions, then, that at the beginning of January, 1918, the Government took over the railroads. For five months those railroads were operated theoretically under Government control, but in all of the major particulars actually under the control of their owners, as they had previously been operated. It was not until the end of May that the Government undertook to put its own people directly in charge of the actual physical operation of the railroads and to separate entirely, financially and otherwise, the relationship of the former railroad owners from the Government.

During much of the more than four months that the railroads were in operation by their own owners, though technically under Government control, there was the severest winter that this country had experienced for many, many years. The severity of that winter served further to accentuate the conditions that confronted the transportation companies of America. It made difficult the movement of trains. It made very much less efficient the actual power of locomotives. It made less efficient the labor of men in the direct operation of the roads, and it served tremendously to accentuate the congestion which existed, and which became so great that it extended all the way from our eastern ports back in some instances nearly as far as if not to Chicago.

This situation had also been accentuated by virtue of the Government's necessary policy in connection with priority orders. In order to facilitate the manufacture and the movement of those things which were most essential for the Government in the prosecution of the war priority orders of shipment went forward, and that served to throw a new element of confusion into the railroad problem. It resulted that during the first four months of 1918 the railroads had fallen $105,000,000 behind what their net for the corresponding period in 1917 had been, and that is to be borne in mind in connection with the actual loss that has occurred over the whole year.

I say these things not as an attempt to justify Government control but I state them because it seems to me essential that men, now that the great emergency that existed and that prompted our action has passed, should keep in mind the condition that actually confronted those in charge and should give credit where credit is due for what was done because of its having to be done under such adverse conditions.

Immediately after we took over the railroads the Government agreed with the railroad employees that it would consider and act upon their claim of grievances and need of additional compensation. They were threatening to strike. It is quite possible that had the Government not taken over the railroads when it did there would have been a great strike in America. Certainly it was very imminent, and the demands of the employees were being urged with great vigor and determination. Of course, it is manifest that the country could not have permitted the tying up of its transportation systems during the prosecution of this great war, but it was also manifest that if you were to get the very best service possible under these many adverse conditions it must have the willing cooperation of the employees of the railroads, and not their sullen cooperation; and so it was agreed with them that the question of compensation would be considered, and inasmuch as it would necessarily take some time for a determination of that question that when rendered it should relate back as of the 1st day of January.

There was, accordingly, a determination had as to the compensation to be paid to the railway employees, and that compensation resulted in an increase over what would have been paid at the rates existing at the time the railroads were taken over for the entire year of $583,552,000. I will insert in my remarks the table submitted by the Railroad Administration showing the estimated increase in wages:

Statement showing estimated pay-roll charges, excluding increases due to increase in rates of pay for the year 1918, and showing estimated increases due to changes in rates of pay and collateral increases made necessary thereby.

Operating expense account.	Estimated pay roll charges, excluding increases.	Total estimated increase.	Per cent total increases over rates of December, 1917.
Maintenance of way and structure	$321,791,000	$96,290,000	29.9
Maintenance of equipment	433,594,000	201,898,000	46.6
Traffic expenses	24,508,000	3,620,000	14.8
Transportation	972,480,000	266,334,000	27.4
General expense	70,420,000	15,410,000	21.9
Total, all operating expenses	1,822,793,000	583,552,000	32.0

The statement does not include the effect of increases covered by supplements 12 and 13, which were promulgated in December, 1918, with regard to which reliable data are not available. The amount of such increases will be relatively small.

Elsewhere in the testimony it will be observed that the Director General gave a figure representing the estimated increases in operating expenses due to the changes in rates of pay of $642,000,000. The difference between that figure and the one shown in the statement above is accounted for by the fact that at the time of filing the above statement more complete data had come to hand than were available at the time the estimate of $642,000,000 was made.

Attention has been called in various places throughout the record to the fact that complete information as to the operations for 1918 can not be available earlier than March 1. It is important that this should be borne in mind in connection with the above statement. The figure of $642,000,000 represented the best estimate that could be made from the information then available. From time to time as additional data are received from the roads the estimates are revised, and the $583,000,000 represents the latest information on the subject.

It represented a 32 per cent increase. Now, I know that there is a popular impression that all of the troubles that confronted the Railway Administration, and which were responsible for a deficit in the operating of the roads, were due to and related to this question of increase of wages. But it seems to me that this conclusion is hardly warranted by the actual facts; certainly not to the extent to which it has been carried. It was not alone in the railroad world that men were getting increased compensation. In point of fact, in most lines they received increases of compensation in excess of 32 per cent over what they had received before.

There is another impression that seems to be pretty general, and yet which the facts, I am sure, do not warrant, and that is that the railroad employees as a body are paid very high wages. Now, that is not true, either. There are certain classes of highly skilled men who are in an organization of high efficiency who have been able in the past to have their wages increased so that some of these men receive large wages as compared with some other wage earners, but I believe that a careful examination of the wages paid to employees will show that in many instances they were very low-paid employees and that the general impression as to their being extravagantly paid is not warranted by the facts.

This increase of wages was made after consideration of a report of a commission appointed by the Director General of Railroads, and that commission was composed of Secretary Lane; Mr. McChord, of the Interstate Commerce Commission; Mr. Covington, a former Member of this House; and Mr. Willcox. In making their report they state this:

It has been a somewhat popular impression that railroad employees were among the most highly paid workers. But figures gathered from the railroads disposed of this belief. Fifty-one per cent of all employees during December, 1917, received $75 per month or less, and 80 per cent received $100 per month or less. Even among the locomotive engineers, commonly spoken of as highly paid, a preponderating number receives less than $170 per month, and this compensation they have attained by the most compact and complete organization, handled with a full appreciation of all strategic values. Between the grades receiving from $150 to $250 per month there is included less than 3 per cent of all the employees (excluding officials) and these aggregate less than 60,000 men out of a grand total of 2,000,000.

The greatest number of employees, on all the roads, fall into the class receiving between $60 and $65 per month—181,693; while within the range of the next $10 in monthly salary there is a total of 312,761 persons. In December, 1917, there were 111,477 clerks receiving annual pay of $900 or less. In 1917 the average pay of this class was but $56.77 per month. There were 270,855 section men whose average pay as a class was $50.31 per month; 121,000 other unskilled laborers whose average pay was $58.25 per month; 130,075 station service employees whose average pay was $58.57 per month; 75,325 road freight brakemen and flagmen whose average pay was $100.17 per month; and 16,465 road passenger brakemen and flagmen whose average pay was $91.10 per month.

Mr. Hines in his testimony makes this statement as to the wage increase:

That act was passed in September, 1916, effective January 1, 1917.

The way Director General McAdoo dealt with that was this: He said to the representatives of labor, who were clamoring for an immediate increase to meet an undoubted increase in the cost of living, that he would, as soon as possible, appoint a wage commission to study the whole matter and that he would, as soon as that commission made a report, make an award on the wage question and would make that award retroactive to January 1. Those people were demanding this as of January 1 before he did it. He then appointed this commission, consisting of Mr. Lane, Mr. McChord, Judge Covington, and Mr. Willcox. The commission made its report, outlining a general scheme of wages, and when that report was acted on and those wage rates were established they were made retroactive to January 1, because that was the arrangement under which labor had worked in the meantime, that whatever was allowed as the result of the report would be made retroactive. It was demanding that at January 1, and was on the point of striking as against the private owners in order to get it.

It was recognized that the situation was so complex and also that the competitive conditions of every sort of labor were so serious that that general treatment which the Lane commission made would not meet the whole situation, so a board of wages and working conditions was created which consisted of three representatives of the railroad management, railroad officials who had long been in the service dealing with labor, and dealing with it, of course, from the private corporation standpoint, and it consisted also of three representatives of labor. That was a bipartisan board of six, three railroad representatives and three labor representatives, and every claim for any adjustment of wages in addition to what was allowed on the basis of the report of the Lane commission was referred to that bipartisan board. That bipartisan board went into the matter and made recommendations, and those recommendations were what have constituted the basis for the allowance of increases in addition to the Lane report.

Mr. BLACK. Will the gentleman yield for a question?

Mr. SHERLEY. I will, but I should prefer to go forward.

Mr. BLACK. If the gentleman can do so during his statement, I should like to have him give us some figures showing what these different classes of employees now receive, because I have a table here that shows a very abnormal increase.

Mr. SHERLEY. I have not that table. If I had it I would be glad to put it into the RECORD.

Now, I did not make this statement as expressing an opinion in connection with the amounts of increase that were allowed these men, but I did it in order that the House might be in possession of the facts upon which the action was based. Whether the conclusions were warranted is a matter about which there will probably be disputes until the end of time.

There was not only this increase of expense of $583,500,000 in the wages of the employees, but there was an increase in regard to everything else. The railroads were in the same situation that other people were in. The markets that they had to go into for purchases were higher than ever known before. In addition to that they were confronted with a very serious labor shortage, and their labor shortage was more acute in one particular than that which pertained to other industries, because they had to deal not only with that shortage of labor which was general to the country because of the mobilization of men into the Army, but in addition to that the Government was operating a very extensive railway system in France, and in order to operate that it required a very large demand to be made directly upon the skilled class of labor that they looked to and had had in their employ in connection with the operation of the railroads here.

The result was that they had to employ a great deal of labor that was not skilled; that could not give the same amount of efficient work that regular employees had given, and there had to be a great deal of overtime; and overtime is not only expensive in the agreement as to the payment for it but it is also expensive as a character of work. Overtime work is never economical work, speaking by and large.

In order to meet this situation the Railroad Administration, under the authority to the President granted by Congress, undertook to increase the rates, both passenger and freight. The increased passenger rates went into effect on June 10, 1918, and in freight rates on June 25; so that, generally speaking, the Government got the benefit of the increased rates for a little over six months. It met the burden of increased cost for 12 months, and that is a factor that must be taken into consideration in connection with the whole problem.

United States Railroad Administration—Class 1 roads and large terminal companies.

Estimated increase in revenues in 1918 account increase in freight and passenger rates:

Total revenues 12 months ended Dec. 31, 1918	$4,883,970,652
Total revenues 6 months ended June 30, 1918	2,081,448,000
Total revenues 6 months ended Dec. 31, 1918	2,802,522,652
Estimated total revenues excluding increases of 25 per cent in rates	2,242,018,122
Estimated increase in revenue due to increased rates	560,504,530

This increase divides between freight and passenger revenues approximately as follows:

Freight revenue	$414,773,352
Passenger revenue	145,731,178
Total	560,504,530

The result of the first year's operation by the railroads was as the statement appears in this record, and which is used in connection with the figures, a deficit of $196,000,000. Later figures have shown that it is now about $205,000,000, covering practically the entire operation. Gentlemen will understand that it is a full month after any previous month before accurate figures can be had touching operations, and therefore the statement made by Mr. Hines, the Director General, of $196,000,000 was a statement approximately made. It is the figure that is carried in the financial statement here, having in mind, however, that it was not a final statement, because the Director General, in his oral testimony, constantly speaks of a deficit of $200,000,000. The actual deficit will be, as I have suggested, probably $205,000,000.

Mr. LONGWORTH. Will the gentleman pardon me in that connection? What do the figures "$381,000,000" mean, "amount to be provided to settle all accounts"?

Mr. SHERLEY. I would rather not answer that now, but I will come to the financial statement in a few moments and show you how those figures arose. So that of the $500,000,000 which Congress appropriated in order to enable the Government to operate the railroads there must be $205,000,000 charged up to profit and loss.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. GREEN of Iowa. Does that statement cover all the loss?

Mr. SHERLEY. It covers all the loss for the fiscal year 1918.

Mr. GREEN of Iowa. If the gentleman will pardon me, does it cover the expense of operating the railroad bureau here?

Mr. SHERLEY. It covers all those expenses. They are predicated on the idea of the net returns as against the operating expenses, together with the agreed standard returns to be made to the railroads.

Mr. GREEN of Iowa. I may be in error, but I understood that the appropriation to carry on the railroad bureau here was carried in another item entirely.

Mr. SHERLEY. The gentleman is mistaken.

So that of the $500,000,000 that we gave you can charge off $205,000,000, or, according to the figures I have been using here, $196,000,000. When we made provision in the railroad act for this $500,000,000 fund it apparently was not contemplated by anybody that the Government would have to supply any funds for working capital for the operation of the railroads. Either it was believed that the railroads could furnish that working capital with the turning over of the railroad properties or else the matter, like many other things, was not thought of in connection with the discussion and the legislation had.

But when it came to making agreements with the railroads themselves, they insisted that they were not able to supply to the Government the working capital necessary for the operation of the railroads. And if they were required to give up without getting any credit all the moneys they had out in the hands of conductors, agents, cash in the treasury, they would be unable to meet the heavy investments they had made in connection with betterments in anticipation of existing and greater needs that were to come, and with the idea that, perhaps, by buying then they could buy for less than they could later in a constantly rising market.

The consequence was that Mr. McAdoo, in making agreements with the railroads in the standard form of contract set out in the hearings, agreed that they should not be required to furnish working capital, and that whatever moneys were taken over by the Government along with the properties themselves the railroads should have the credit for.

Now, men may agree or disagree as to the wisdom of that act. It is, however, an accomplished fact, and the contracts made with many of the railroads, and to be made, so provide. The result is that the Government has of its cash tied up $247,000,000—that is, in cash it has on hand—and $154,000,000 of agents' and conductors' balances.

Manifestly, assuming that these amounts remain about constant, at the end of the Federal control these moneys will come back into the Federal Treasury; that it is what might be called working capital, and will become free the moment we cease to operate the railroads, and it will then come back as a credit on the appropriations that have been made and are now being asked for.

At present there is $247,100,000 tied up as cash and $154,000,000 as balances in the hands of agents and conductors. That

represents about the money necessary—being less than a month's outgo—about what is necessary to have either in the Treasury or in the hands of conductors and agents.

Mr. DEWALT. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. DEWALT. Does it not require $325,000,000 per month for the railroads now?

Mr. SHERLEY. At least that. Another situation arose. The railroads had, as I have stated, considerable quantities of material and supplies on hand at the time the Government took over the railroad property. It was insisted on the part of the railroads that the Government should pay them for such material and supplies, and in giving over the railroads for a standard return they were giving the railroads and not the material and supplies. The Government insisted, however, that they were part of the railroad property and came to the Government as such and it was so determined. But in connection with negotiations that came up in connection with the balances due by the Government and by the railroads to the Government, advances made by the Government, present payment would not be demanded when supplies and materials taken over gave the Government ample security. Gentlemen must recollect that during the first five months, as I have stated, the railroad owners operated their roads, although under Government control, practically as they had been operated before, there was a commingling—I do not mean that the records do not exist—of the receipts and expenditures that belong to the railroads and to the Government. There were bills coming over from the previous year, expenditures being made to be charged some to the Government and some to the railroads, and there was a general handling of the railroads as they had been handled before. When it came to the adjustment of balances on open accounts the railroads insisted that if they were required to pay all the moneys that might be shown to be due by them to the Government, they would not be able to do it; that they did not have the money and they did not have the credit and could not get the money. It was finally agreed in the contract that they should not be required to make these returns, but that they would be held as advances by the Government to them where the material and supplies that had been turned over were amply sufficient to secure the Government against any possible loss.

An estimate of $100,000,000 is made in connection with the financial statements as covering those advances that have been made to the railroad companies. That, therefore, is $100,000,000 that is tied up and that will be reimbursed and it is amply secured by material and supplies which the Government obtained when it took over the railroads, but it, together with the items of $247,100,000 of cash, $154,000,000 of agents' and conductors' balances, makes a total of $501,100,000. Against that are outstanding bills to be paid, accounts, etc., coming over from 1918, of $162,047,865, making a net amount of assets that the Government would have, if we were to settle now on the basis of the 1918 situation, of $339,052,135, but which, as long as we are continuing to operate the railroads, and in point of fact for some months after, until final adjustments can be made, will be tied up.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. SNYDER. It is stated that the current fund necessary to operate monthly is about $350,000,000. At the time the roads were taken over there must have been a current balance in the hands of the various railroad companies of about that amount. What became of that fund?

Mr. SHERLEY. I stated just a few moments ago that the railroad companies insisted, if they were required to give that fund to the Government for its use in connection with the operation of the railroads, that they would be in a position where they could not meet their outstanding obligations.

Mr. SNYDER. When the Government took the roads over it must have taken those current balances and then returned them.

Mr. SHERLEY. They took them, and they gave credit to the railroads for that amount of money.

Mr. SNYDER. There does not seem to be anything in this report showing that.

Mr. SHERLEY. If the gentleman will examine the hearings he will find an explanation, and particularly at the conclusion a financial statement which, I think, perhaps, is a little bit clearer and more easily understood than what is put in the report, which was the statement made by the Director General on the submission of the estimates; and may I say, in answer to the gentleman's inquiry, and his implied criticism—and I am not objecting to the criticism—that it is practically impossible for any man to undertake to set out in either a financial table or a speech anything except the result of balances back and forth in credits and debits as to open accounts, and various other matters involving all of the railroads of America. I have worked intermittently, with my other duties for some two or three weeks to try and reduce down to its simplest form this financial problem, and I think the gentleman will appreciate that there are many things that I can not give him in detail, and yet the books and the statements of the Director General amply warrant the conclusions which I have set out here as to details that need to be taken into consideration in connection with the financial statement.

Mr. SNYDER. I hope sincerely that the gentleman had no idea that I had any intention to criticize.

Mr. SHERLEY. Not in the slightest.

Mr. SNYDER. I appreciate quite fully how carefully the gentleman presents all of his statements to the House.

Mr. SHERLEY. I took occasion, because of the gentleman's question, to explain why it is that there are some processes in reaching a conclusion that I would not be able to state unless I was a very skilled actuary, and I am not.

Mr. LONGWORTH. Of course the gentleman concedes that these statements are confusing, particularly to those of us who have not had the advantage or the disadvantage the gentleman has had in going into these figures, but could the gentleman state, roughly, the main items of which the $750,000,000 is made up?

Mr. SHERLEY. I shall come to it, if the gentleman will permit, and then I shall make a summary of the whole in the most condensed form I am able to make it. If the gentleman will look on page 188 of the hearings, he will find a financial statement that undertakes to reduce that down, but I was trying in a narrative form to give some of the very processes that have just been requested in regard to how this money was tied up, and why it is that we need this additional amount of money. If I have made myself clear, I have undertaken to show that there is necessarily tied up $339,052,135, as what might be called a working fund of the Government in connection with the operation of the railroads.

I now come to the next item, which represents an investment upon the part of the Government concerning which the Government can not immediately or perhaps for some years expect a return for, and yet it represents that much actual cash necessarily tied up, and that is in connection with the matter of betterments—and I think this is the matter about which the gentleman from Ohio [Mr. LONGWORTH] inquired. One of the very purposes for taking over the railroads was by giving the Government's credit to the extent it might be necessary and having control over the matter to make sure that there should be those improvements made in the roads and in the rolling stock that were necessary in order to do the business of the Nation.

Gentlemen must bear in mind this very fundamental thing: You can not look upon the railroads simply as you would look upon ordinary commercial enterprises. The railroads of a country are the very vitals of a country. Destroy the transportation of a country and you have absolutely destroyed the progress of a country, and it was perfectly manifest to any man with the least sort of vision that you could not undertake to conduct a great war, making a tremendous demand upon America, unless you had your railroad facilities to some degree adequate to handle the tremendous volume of traffic that was the essential of the successful prosecution of the war.

Mr. HICKS. Mr. Chairman, will the gentleman yield for a moment?

Mr. SHERLEY. Yes.

Mr. HICKS. I have not had the opportunity of reading this report as fully as I would like, but could the gentleman give me in a very short way, if it is possible, the loss the Government has sustained in a year's time in the operation of the railroads?

Mr. SHERLEY. I have already stated it—$196,000,000, according to this financial statement, and I further stated that on a more complete return it would probably be $205,000,000. I wish again to suggest—and it is not out of any discourtesy—that I believe it will expedite the understanding of this problem if I am permitted in a broad way to state this intricate case, and then I shall come back to any questions anybody may desire to ask me. When the Government took over the railroads it immediately sent out an inquiry to all of the former owners of the roads, asking them to submit an estimate—a budget—of what they needed and believed ought to be expended in connection with betterments or capital investment, and in capital investment are included improvements to roads and rolling stock or equipment.

They made a report which was scrutinized and checked and very greatly reduced, and the Government then undertook what apparently would be a final investment of something like $1,300,-

000,000 in the way of additional equipment and betterment for the roads of the country. This necessarily went through various stages of modification and contraction, and after the armistice was very severely cut down in connection with future betterments. Gentlemen will find on page 109 of the hearings a statement by Mr. Hines touching this budget. For the year 1918 there was actually spent in the way of betterments for the railroads, either on roads or equipment, $573,334,119, and that figure it is well to bear in mind. Now, of that amount $283,945,575 was for road improvement, improvement on the roadbeds, terminals, sidings, and so forth, and $289,388,544 represented equipment. Some of that equipment had been ordered by the railroads in 1917, was delivered in 1918, and some of it was equipment which the Government ordered; but the total is in the amount which I have stated.

Expenditures from Jan. 1 to Dec. 31, 1918, in connection with work chargeable to capital account, by classes of work, for class 1 railroads.

Widening cuts and fills, filling trestles, etc	$4,478,500
Ballasting	4,745,625
Rails and other track material	16,120,490
Bridges, trestles, and culverts	23,977,592
Tunnel and subway improvements	1,033,780
Track elevations or depressions	3,604,875
Elimination of grade crossings	4,601,213
Grade crossings and crossing signals	1,026,615
Additional main tracks	31,738,070
Additional yard tracks, sidings, and industry tracks	61,614,230
Changes of grade or alignment	3,378,600
Signals and interlocking plants	6,775,725
Telegraph and telephone lines	2,962,473
Roadway machinery and tools	1,472,070
Section houses and other roadway buildings	2,436,680
Fences and snowsheds	1,054,629
Freight and passenger stations, office buildings	18,513,512
Hotels and restaurants	496,950
Fuel stations and appurtenances	4,653,293
Water stations and appurtenances	6,593,980
Shop buildings, engine houses, and appurtenances	32,612,789
Shop machinery and tools	8,485,074
Electric power plants, substations, etc	6,904,590
Wharves and docks	1,810,735
Coal and ore wharves	4,771,028
Grain elevators and storage warehouses	1,935,470
Real estate	410,620
Assessments for public improvements	1,532,604
All other improvements	6,225,319
Total (excluding equipment)	265,967,131
Locomotives, steam	64,125,500
Locomotives, steam, ordered by the United States Railroad Administration	40,329,902
Locomotives, other	985,320
Freight-train cars	73,423,032
Freight-train cars, ordered by United States Railroad Administration	77,186,507
Passenger-train cars	9,475,326
Work equipment	1,959,616
Motor car and trailers	55,327
Floating equipment	820,195
Miscellaneous equipment	425,300
Improvements to existing equipment	21,016,043
Total equipment	289,802,068
Construction of extensions, branches, and other lines	17,564,920
Total all work	573,334,119

NOTE.—Actual for 11 months to November 30, 1918, estimated for December.

Expenditures from Jan. 1, to Dec. 31, 1918, in connection with work chargeable to capital account for class 1 railroads.

Alabama & Vicksburg Ry	$137,956
Alabama Great Southern R. R	868,387
Ann Arbor R. R	147,661
Arizona Eastern R. R	180,836
Atchison, Topeka & Santa Fe Ry	22,385,203
Atlanta & West Point R. R	569,722
Atlanta, Birmingham & Atlantic R. R	489,733
Atlanta & St. Lawrence R. R	239,939
Atlantic City R. R	59,697
Atlantic Coast Line R. R	4,296,431
Baltimore & Ohio R. R. (including coal and coke)	18,239,930
Bangor & Aroostook R. R	425,784
Beaumont, Sour Lake & Western Ry	47,863
Bessemer & Lake Erie R. R	3,107,019
Boston & Maine R. R	3,757,532
Buffalo & Susquehanna R. R	8,696
Buffalo, Rochester & Pittsburgh Ry	7,243,590
Carolina, Clinchfield & Ohio Ry	2,181,454
Central of Georgia Ry	1,838,185
Central New England Ry	358,721
Central R. R. of New Jersey	6,332,690
Central Vermont Ry	110,103
Charleston & Western Carolina Ry	36,063
Chesapeake & Ohio Ry	6,219,031
Chicago & Alton R. R	1,804,309
Chicago & Eastern Illinois R. R	3,341,595
Chicago & Erie R. R	184,250
Chicago & North Western Ry	11,961,537
Chicago, Burlington & Quincy R. R	11,579,651
Chicago, Detroit & Canada Grand Trunk Junction R. R	127,345
Chicago Great Western R. R	1,057,947
Chicago, Indianapolis & Louisville Ry	521,008
Chicago, Milwaukee & St. Paul Ry	14,395,369
Chicago, Peoria & St. Louis R. R	55,828
Chicago, Rock Island & Pacific Ry. (including C., R. I. & G. Ry.)	$7,250,638
Chicago, St. Paul, Minneapolis & Omaha Ry	948,950
Chicago, Terre Haute & Southeastern Ry	162,265
Cincinnati, Indianapolis & Western R. R	372,404
Cincinnati, New Orleans & Texas Pacific Ry	1,806,890
Cincinnati Northern R. R	137,096
Cleveland, Cincinnati, Chicago & St. Louis Ry	9,982,111
Colorado & Southern Ry	372,910
Cumberland Valley R. R	547,838
Delaware & Hudson R. R	1,465,313
Delaware, Lackawanna & Western R. R	3,628,602
Denver & Rio Grande R. R	1,319,426
Denver & Salt Lake R. R	12,783
Detroit & Mackinac Ry	912
Detroit & Toledo Shore Line R. R	109,460
Detroit, Grand Haven & Milwaukee Ry	80,685
Detroit, Toledo & Ironton R. R	109,018
Duluth & Iron Range R. R	722,578
Duluth, Missabe & Northern Ry	1,366,593
Duluth, South Shore & Atlantic Ry	77,485
Elgin, Joliet & Eastern Ry	886,285
El Paso & Southwestern R. R	2,581,756
Erie R. R	4,942,667
Florida East Coast Ry	1,930,652
Fort Worth & Denver City Ry	162,811
Fort Worth & Rio Grande Ry	31,388
Galveston, Harrisburg & San Antonio Ry	2,786,589
Georgia R. R. Lessee Organization	475,520
Georgia Southern & Florida Ry	127,123
Grand Rapids & Indiana Ry	96,852
Grand Trunk Western Ry	1,324,309
Great Northern Ry	12,113,086
Gulf & Ship Island R. R	158,916
Gulf, Colorado & Santa Fe Ry	945,343
Gulf, Mobile & Northern R. R	945,115
Hocking Valley Ry	1,816,256
Houston & Texas Central R. R	157,835
Houston, East & West Texas Ry	29,352
Hudson & Manhattan R. R	193,084
Illinois Central R. R	24,830,199
International Great Northern Ry	516,102
Kanawha & Michigan Ry	2,048,973
Kansas City, Mexico & Orient R. R. (including Kansas City, Mexico & Orient Ry. Co. of Texas)	11,064
Kansas City Southern Ry	1,169,142
Lake Erie & Western R. R	1,152,908
Lehigh & Hudson River Ry	273,542
Lehigh & New England R. R	426,359
Lehigh Valley R. R	2,752,866
Long Island R. R	1,676,565
Los Angeles & Salt Lake R. R	1,360,793
Louisiana & Arkansas Ry	23,253
Louisiana Western R. R	29,175
Louisville & Nashville R. R	10,432,672
Louisville, Henderson & St. Louis Ry	126,170
Maine Central R. R	960,672
Michigan Central R. R	8,110,856
Midland Valley R. R	185,823
Mineral Range R. R	9,650
Minneapolis & St. Louis R. R	259,995
Minneapolis, St. Paul & Sault Ste. Marie R. R	789,088
Minnesota & International Ry	33,499
Missouri & North Arkansas R. R	19,490
Missouri, Kansas & Texas Ry	4,178,770
Missouri, Kansas & Texas Ry. of Texas	650,816
Missouri Pacific R. R	2,992,011
Mobile & Ohio R. R	388,834
Monongahela Ry	1,354,931
Morgan's Louisiana & Texas R. R. & S. S. Co	313,759
Nashville, Chattanooga & St. Louis Ry	2,680,980
New Orleans & Northeastern R. R	799,068
New Orleans Great Northern R. R	74,496
New Orleans, Texas & Mexico Ry	31,681
New York Central R. R. (including Boston & Albany)	38,421,801
New York, Chicago & St. Louis R. R	3,386,674
New York, New Haven & Hartford R. R	12,610,924
New York, Ontario & Western Ry	210,558
New York, Philadelphia & Norfolk R. R	274,377
New York, Susquehanna & Western R. R	239,848
Norfolk & Western Ry	13,465,869
Norfolk Southern R. R	265,412
Northern Pacific Ry	11,690,154
Northwestern Pacific R. R	251,077
Oregon Short Line R. R	1,995,416
Oregon-Washington R. R. & Navigation Co	1,225,512
Panhandle & Santa Fe Ry	673,582
Pennsylvania Co., lines west	11,765,994
Pittsburgh, Cincinnati, Chicago & St. Louis R. R	11,755,453
Pennsylvania R. R., lines east	54,037,259
Pere Marquette Ry	4,304,110
Philadelphia & Reading Co	11,666,751
Pittsburgh & Lake Erie R. R	2,650,404
Pittsburgh & Shawmut R. R	336,870
Pittsburgh & West Virginia Ry	589,799
Port Reading R. R	82,956
Richmond, Fredericksburg & Potomac R. R	1,055,429
Rutland R. R	888,790
St. Joseph & Grand Island Ry	138,969
St. Louis, Brownsville & Mexico Ry	41,598
St. Louis-San Francisco Ry	3,433,378
St. Louis, San Francisco & Texas Ry	20,080
St. Louis Southwestern Ry	1,265,466
St. Louis Southwestern Ry. of Texas	175,071
San Antonio & Aransas Pass Ry	97,027
Seaboard Air Line	3,378,728
Southern Pacific Co	13,418,591
Southern Ry	15,107,984
Southern Ry. in Mississippi	15,803
Spokane, Portland & Seattle Ry	527,752
Staten Island Rapid Transit Ry	665,084
Tennessee Central R. R	81,947

Texas & New Orleans R. R.	$147,030
Texas & New Orleans R. R.	147,030
Texas & Pacific Ry	2,860,293
Toledo & Ohio Central Ry	2,290,525
Toledo, Peoria & Western Ry	26,141
Toledo, St. Louis & Western R. R.	414,024
Ulster & Delaware R. R.	42,429
Union Pacific R. R.	14,775,798
Vicksburg, Shreveport & Pacific Ry	112,593
Virginian Ry	3,788,506
Wabash Ry	2,548,246
Washington-Southern Ry	263,931
Western Maryland Ry	1,945,064
Western Pacific R. R.	1,674,743
Western Ry. of Alabama	301,847
West Jersey & Seashore R. R.	976,439
Wheeling & Lake Erie Ry	2,122,740
Wichita Falls & Northwestern Ry	4,759
Wichita Valley R. R.	20,639
Yazoo & Mississippi Valley R. R.	1,721,583
Cash advanced on undelivered equipment	57,930,129
Grand total	573,334,119

NOTE.—Actual for 11 months to November 30, 1918, estimated for

Description of equipment ordered in 1918.

LOCOMOTIVES.

Type.	Average tractive power.	Number.	Total tractive power.
	Pounds.		*Pounds.*
Light Mikado	54,600	731	39,900,000
Heavy Mikado	60,000	290	17,400,000
Light mountain	53,900	35	1,890,000
Heavy mountain	58,000	15	870,000
Light Pacific	40,700	59	2,400 000
Heavy Pacific	43,800	20	877,000
Light Santa Fe	69,400	94	6,520,000
Heavy Santa Fe	74,000	175	12,950,000
Light Mallet	80,300	30	2,410,000
Heavy Mallet	106,000	121	12,850,000
6-wheel switch	39,100	255	10,000,000
8-wheel switch	51,200	175	8,950,000
eading consolidated	50,000	30	1,500,000
R			
Total	58,400	2,030	118,517,000

FREIGHT TRAIN CARS.

Type.	Number.	Total capacity.
		Tons.
50-ton single-sheathed box	25,000	1,250,000
40-ton double-sheathed box	25,000	1,000,000
50-ton gondola	20,000	1,000,000
55-ton nopper	25,000	1,375,000
70-ton gondola	5,000	350,000
Total	100,000	4,975,000

Now, of this total of five hundred and seventy-three million and odd dollars of capital investment, the railroads will be required to pay out of their assets and by deduction from the standard return which is to be made to the roads under the law as passed, with the contracts which are being entered into, $282,515,836, which we will leave as advancements made by the Government in the way of betterments or capital amounting to $290,918,283. And gentlemen will find that by the testimony and in the financial sheet that is presented that figure is carried in right along, $290,918,283, which represents the amount of investment that the Government has made in the year 1918 for the railroads of America. Of this amount probably—and the reason I say probably is because all of these matters of one hundred and seventy-odd roads are matters of adjustment as to how much shall be allocated here and there—$70,585,827 will be in improvement of roadbeds as such and $220,332,456 will be in equipment. Now that represents the debt of the railroad companies to the Government, and the question very naturally arises why should they not be required to pay it to the extent, at least, that they owe for moneys under the standard return. And that, gentlemen, brings you really to the crux of a very large part of this proposition as to how much money you shall vote to the administration at this time. The theory upon which we have proceeded the Railway Administration has been proceeding; the theory upon which the railway act was passed and the theory that the facts as they exist in the financial world at large would seem to compel is this: That the railroads, by virtue of their standard return, should be given such revenues as to enable them to meet their fixed charges, to take care of such dividends as have in the three-year period past been paid and are warranted in being paid by virtue of the previous financial condition of such roads. Now, gentlemen will realize that a railroad corporation, so to speak, never expects to pay its investment debts.

It never undertakes, except to a limited extent and a very limited extent, to take care of additions and betterments out of earnings, but what it does undertake to do is this: To make such a return from the use of its properties as will safely guarantee and meet at their maturity all of the interest charges and the payment of such a dividend in connection with stock as warrants the investing public to have invested either in their bonds or in their stock. I take it that, in a broad way, is what we will all agree is a necessary and proper policy in connection with a concern that never expects to have any end to its life. It will always be presumably a public utility performing a certain function and expects to continue to get investment in its capital by virtue of making earnings that warrant a return to the investors upon the money which they have invested. One of the reasons why the Government took over the railroads was not only in order to have a unified control which would enable them to move freight and handle the movement of troops and the war situation from an entirely governmental viewpoint, but it was also with the idea of making a certain and stable condition in connection with the roads of the country that there might not be created a condition by which their credits would go to pieces, where failure to meet interest charges would result in receivership, and their lack of credit deny any possibility of betterment and a serious impairment of the vital transportation systems of America. Now, that is not simply theory on my part. I think the hearings before the Committee on Interstate and Foreign Commerce of the House in connection with the railroad bill will bear out that general conclusion, and it is interesting to find that Commissioner Anderson, when interrogated to some extent by various Members, among others by my colleague, Mr. BARKLEY, of Kentucky, testified as to various sections of the law. In regard to section 5 he said:

> Section 5 is intended to prevent any manipulation of the stock market.
>
> It provides:
>
> "That no carrier while under Federal control shall, without the prior approval of the President, declare or pay any dividend in excess of its regular rate of dividends during the three years ending June 30, 1917: *Provided, however*, That such carriers as have paid no regular dividends or no dividends during said period may, with the prior approval of the President, pay dividends at such rate as the President may determine."
>
> It is contemplated that the standard return will be adequate to pay standard, regular dividends, and that it is desirable for the stabilization of the security market that those standard dividends or regular dividends should be paid. It is conceivable, if the purchasing power of money goes down, that it may be desirable that a regular dividend—for instance, the New York Central's 5 per cent—should be increased to 6 per cent; therefore we put in there the words "with the prior approval of the President."

Now, the very moment you deny to the railroads a sufficient payment to enable those standard roads whose past history and management have justified the dividends they were paying in the three-year prewar period to pay such dividends that moment you hurt as nothing else could hurt the credit of the railroads.

Now, the credit of the railroads is essential, if they are to pay for betterments at all, and betterments are necessary if the railroads are to be run. You can not stop putting additional capital in. The result is that you can not simply say, "Well, the railroads owe us for betterments; why should we pay them any money in order that they may pay dividends to their stockholders when they are owing us?" That would be true and is true if you were undertaking to give them of the standard return such an amount as would permit them to pay dividends where the character of the roads' earnings in the past did not warrant that.

Of course no railroad whose earnings and whose credit have been of such a character because of its earnings as to show that it is not able to take care of, not to-day, not to-morrow, not in three months, but to take care of over a normal period, the financing of its betterments ought to be permitted to pay dividends, and it is not permitted under any of these arrangements.

There has been paid in 1918 by the railroad companies as dividends that are recognized by the Government a total of $253,784,597. Part of those dividends were paid out of income aside from that which they got from the standard return. These railroads got from other income $183,674,292. So that of these dividends which have been paid, $97,901,372 represents what they have paid in 1918 out of standard returns. But I think the division is not material, because I do not agree with the suggestion that whether they should be permitted to pay dividends to that extent ought to be determined by how much comes from the standard return or from their other income. They ought to use all the income, whether it comes from the Government or comes otherwise, in meeting their fixed charges and as a basis for their financial credit in connection with betterments and capital invested.

Mr. DEWALT. Will the gentleman let me give him a thought there?

Mr. SHERLEY. Yes.

Mr. DEWALT. The facts exist, as shown by the testimony, that no dividends were paid by the Government or allowed in the standard return except those that have been actually earned as exhibited by the prewar period.

Mr SHERLEY. Unquestionably. I undertook to make that plain either impliedly or directly, and I am glad to have the gentleman emphasize it.

Somebody may contend, "Why should you not take this $290,000,000, which represents the Government investment in these railroads, and reduce it by holding out from the standard return enough money, at least, as represents what these railroads are paying out in dividends to the stockholders, and let the stockholders look to the railroads to get their dividends for them elsewhere?" Now, that has some force if you do not look into it. It is not the Government's business normally to undertake to guarantee returns to investors in railroad securities. I am the last man on earth to believe that the Government ought to, as a fixed policy, undertake to say to the investors, "We will guarantee you by paying other bills for you, that you shall always get your dividends." I think it is necessary and proper that the Government by its regulation of rates should see to it that railroads properly managed, with all that those words "properly managed" imply, should be permitted to make such earnings as will enable them to pay their operating expenses and fixed charges and pay a proper dividend upon the investment, because otherwise you will never be able to finance railroads.

But the proposition that confronts the House and the country is not what may be desirable as a broad proposition, but what is the fact growing out of the Government taking over the railroads. Men say the Government ought not to have taken them over. I do not agree with that. I think we had to do it in connection with the war, but whether we had to do it or not we have done it. And we can not, much as we would like to do it, dismiss the facts that exist. The tendency of all of us here is to try to think back to more than any three-year prewar period.

Our legislative minds flow back, and we think of the old days when anything such as is suggested now would have been looked on as folly, and therefore we jump to the conclusion that because it would have been folly then it is folly now, and in jumping to the conclusion we jump over the tremendous controlling, determining factors that grow out of the greatest cataclysm that the world ever saw. We have got to pay our war bills, and some of our war bills will consist in just these temporary advancements made to the railroads. Men who are not willing to bear those things in mind, it seems to me, are unable to cope with the situation, a situation that is trying in the last degree. It is not pleasant for me to stand here and recommend expenditures.

I realize, and I think I very soberly realize, the tremendous demands that are going to be made upon the credit of America, and I do not want to make the borrowing of the American Government more extensive than is absolutely necessary. But sometimes you have to go forward if you are to come out at all. And in my judgment—and it is only my judgment, and I quarrel with no man who differs with it—if you undertake at this particular time to force the railroads to finance all previous betterments and all of those that must be made in the year 1919, you will force them into a market where they can not do it, and if they did do it, it would be at a cost to the Government in the increase of rates in connection with its own borrowing that would more than offset any economy in retaining in the Treasury a limited amount of money.

Now, if I am wrong in that, much of this proposition here falls to the ground; but I do not believe, and the Secretary of the Treasury does not believe, as he testified, that we can at this moment say to the railroads, "You must go into the open market and from private financial sources borrow all the money necessary to repay the Government for all the advances it has made in 1918, and in addition to that you must meet the obligations that are going to mature in 1919 and take care of the additional betterments that must be made to keep the roads running."

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that the gentleman be granted an additional hour.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the gentleman from Kentucky be granted an additional hour. Is there objection?

There was no objection.

Mr. SHERLEY. Now, if gentlemen differ with me, if gentlemen think that you can repudiate what underlies this contract and say to the railroads, "You shall not pay these dividends until you have paid us," presumably you may reduce as to the $290,000,000 figure that is put in here as capital investment by the Government something like $175,000,000 or $200,000,000.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. BLACK. I would like to ask the gentleman this question: As I understand by the statement that the gentleman has made, if we should appropriate in this bill $381,000,000 it would take care of all of the commitments of the Government for 1918 and leave a working capital of $247,000,000 in the Treasury. Now, does the gentleman think it would be any repudiation of any obligation of the Government to eliminate $369,000,000 that contemplates advancing that much to the railroads in 1919? Would that in fact be a repudiation of any obligation?

Mr. SHERLEY. I am not prepared to say it would be a repudiation, but I am prepared to say—and I hope to reach 1919 in a few minutes—that it would be an unwise conclusion, and a conclusion fraught with more evil to the Government than the advance of the money it represents; and that, of course, is one of the factors for Congress to determine. But I do not believe that you can now, or within the next three or four or five or six months, expect the railroads to finance their needs to the extent of taking care of the equipment that we have ordered and of the equipment that must be ordered and of the road improvements; and this would result if they did not do it: That as to this equipment, which the Government has obligated itself to pay, there would be a repudiation, if the Government did not pay, for the $286,000,000 worth of equipment which the Government has already ordered and which is to be delivered in 1919. If we did not pay it, and the railroads were not able to pay it, you would simply have the result of having that amount of debt, owed to the various equipment companies which furnished the rolling stock, not paid. You would have men thrown out of employment. You would cut down overnight the entire amount of employment that would go to railroad extension, and you would involve, in my judgment, the financial stability of this country to as great an extent as you could possibly do it by any one single act.

Now, that is my opinion. I have had but little dealing in connection with finance except as it relates to appropriations and governmental matters. I am not an expert as to what a market can do. But I submit that, in view of what it is going to be required to do for the Government, of at least lending $6,000,000,000 to us very shortly, it is asking a good deal to place upon it the entire burden of financing betterments that ought to amount to $800,000,000 and odd this year for the railroads.

Mr. DEWALT. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. DEWALT. Right there, in support of the gentleman's statement, let me remind the gentleman of the fact that the additions and betterments for 1918 and the estimated amount for 1919 will amount to over $1,060,000,000, and of course they could not pay it.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. In a moment. In regard to what the gentleman has just said, the railroads under private ownership for the past 10 years prior to our taking them over made a capital investment annually, according to the Interstate Commerce Commission, of $566,000,000, and, according to the estimate of Judge Lovett, of $591,000,000. In 1918, as I have explained, our investment amounts to $573,334,000, and the contemplated expenditure for 1919 is $777,000,000, or a total of $1,350,334,119, or an average for the two years of $675,167,059.

Some one says that is nearly $100,000,000 in excess of the average of the railroads heretofore. Figured in cost of work and materials, it is less than the average of 10 years before.

Now, the Lord knows that there was a lot of need in the way of betterments in connection with the railroads in the past 10 years, and we found it out when we came into an acute situation. For more than 10 years past the country has never faced a high tide of industrial output without finding an inadequacy of rail transportation. So that I submit it is not unreasonable to expect an investment for the coming year of $777,000,000, and I do not believe that you can get that done simply by the railroads financing it. Much of it has to be met right away, because this equipment, this rolling stock, is coming in from day to day and the bills have to be paid, and if you do not pay them you will hurt the credit of the railroads.

You are very much in the situation of a banker that made advances to a manufacturer. He comes with a need for additional credit for a limited amount of time; if given to him, he can make out and make payment back. If not given to him, he must shut down and go into the hands of a receiver. The

very essence of sound banking consists at times—though it must be done with care and not with recklessness—in making additional advances in order to make secure what you have already done in order to enable the man to live.

Now, except to the individual manufacturer it is not very important whether he lives or not, but it is intensely important whether the railroads live or not; not simply from the standpoint of railroad investment or railroad ownership, but from the standpoint of the prosperity of this country.

Mr. DEWALT. I wish the gentleman would state right in that connection, too, that of this $771,000,000 which is estimated for 1919, $286,000,000 is already contracted for and to be delivered.

Mr. SHERLEY. That is true. I so stated. It represents equipment that we ordered and for which we are responsible.

Now, if I may digress—and I will hasten on, because one could talk for months on a problem so big as this, and I do not want to tire the House—of the $573,000,000 that we have advanced in the way of capital investment, we are going on the basis of making them pay out of their standard return $214,000,000, which we take from the standard return as a surplus over what they need for their fixed charges and those dividends which are recognizable as proper to be paid, and from other sources we reduce the total amount down to $290,000,000. Of that $290,000,000 that we have invested, what will be the situation? As to that part which represents rolling stock, probably there will be equipment trusts taken in the future. When those equipment trusts are given they are usually conditioned upon an initial payment of 25 per cent and an annual payment of 5 per cent for 15 years thereafter; and after there have been two annual payments, certainly after there have been three, which will represent 40 per cent of the loan, you will have a security that is of the highest marketable value, because the depreciation in value of rolling stock from year to year will be nothing like sufficient to eat up the 40 per cent of payment; and, having the leeway that you will have, you can in an ordinary market float the equipment trust without great difficulty. So that presumably the Government will be able to take, of this amount which it has put in for equipment, the equipment trusts of the railroads; and even if the railroads did not have the money to make the initial 25 per cent payment, and the Government advanced that and advanced the two-year 5 per cent payments, making 35 per cent, it could then take those equipment trusts and sell them in an ordinary market for their face value, and would thereby have reduced its indebtedness from the 100 per cent represented to 35 per cent of the loan.

Now, touching the investment made in road improvements, where they have bonds that they can issue under mortgages that have been created, we can take those bonds as security. Where they have not, and where they can issue additional mortgages on property not already covered by mortgages, we can take that security. In any event, with anything like normal conditions we ought to be able to have the railroads begin to pay back some of this money at the end of this calendar year or the early part of the next year, and in the course of a limited number of years they ought to be able to reimburse the Government entirely. Now, they will not only be able to do it, in my judgment, but they will be desirous of doing it, because they are being charged 6 per cent interest. The good roads, at least, will be able to refinance their capital investment in normal times at a rate of interest less than 6 per cent, and manifestly being able to do it they will be anxious to do it, and as early as they can they will refinance themselves and so pay the Government.

It is possible that as to some of this $290,000,000 there may be some bad debts. I am trying to tell the House every phase of this problem I see. I do not know enough about the credits and the management of railroads to take even the presumptive allocation of this amount in the various roads and say, "This is going to be a bad debt," "This is going to be a good debt," "This may be a doubtful debt." But I think it is fair to presume, and the Director General thinks it is fair to presume, that the very great part of this investment will be repaid to the Government.

In addition to that $290,000,000, which represents additions and betterments, we have advanced to inland waterways $4,361,486. I shall not take the time of the House to go into the details of that. It represents $500,000 of an operating loss. The rest of it represents an investment in boats and in barges, and relates practically to three waterways—the New York Barge Canal, the Warrior River, and the Mississippi River.

It is believed that a little longer period in operation will serve to demonstrate how much of truth or falsity there is in the general belief, so often expressed on this floor, that with a proper arrangement for receiving and delivering freight from rail to water and from water to rail many of these waterways can be made productive and profitable and serve to relieve the tremendous burden upon the railroads. But the investment has been made to that extent; the bills have been paid and represent that expenditure for boats and barges on these three streams, less $500,000, which is an operating loss.

Mr. HARDY. Is not that investment so infinitesimal that it gives really no test of the problem?

Mr. SHERLEY. It does not give a final test, but I think it might give a very good one as to these particular streams, and the Director General of Railroads rather hopes and believes that it will justify much that has been said in connection with waterway improvement and development.

Mr. FREAR. Will the gentleman yield?

Mr. SHERLEY. I yield to the gentleman from Wisconsin.

Mr. FREAR. The Director General has also stated, has he not, that unless the railroads are kept in public use it will be a waste of money?

Mr. SHERLEY. No; I have never heard that statement.

Mr. FREAR. Was not that the suggestion in his report?

Mr. SHERLEY. I do not know what Mr. McAdoo may have suggested.

Mr. FREAR. That is what I mean.

Mr. SHERLEY. I am speaking of the present Director General, Mr. Hines. I think this is true, and I think it ought to be true, that when we come to legislate instead of talking about the railroad problem we ought to provide for an interchange, compel an interchange of freight from rail to water and from water to rail.

I have long ago come to the conclusion that most of our investment in river improvements is wasted unless we are going to do away with antiquated methods in connection with water transportation. The negro and the mule on the levee as a means of interchange will have to be superseded if you are to have water transportation worth your while. If you expect the rivers to create and originate enough freight to warrant their being used in any large degree you are mistaken. It is possible that the Ohio might do it for down-river freight, on account of the tremendous tonnage that originates at Pittsburgh on that river, but speaking by and large it is hopeless.

Gentlemen, you have got to have a physical connection with the handling of freight back and forth between the rivers and the railroads, but that is another problem.

Mr. FREAR. If the gentleman will permit one question more. The direct relation of the Director General's suggestion is more in line in the controlling of the rates of the railroads, because if that is eliminated there is very little hope.

Mr. SHERLEY. You have got to control the rates, and you have to do more than that. In my judgment, you ought not to prohibit water and rail combinations, but you should compel it and control it. I have fought for that for 10 years, and for that reason I have not of late years been much enamored with the river and harbor bills passed by Congress.

In addition, there was an investment of $51,475,000 in the New York, New Haven & Hartford. The reason for that was this, and I shall not take time to go into the details of it—they had to refund a lot of their investments. They had two-year notes out that were maturing. They were not able to get a renewal of those loans. The Government undertook to investigate the situation, and came to the conclusion that they were not able to renew those loans. They could not.

Mr. DEWALT. Forty-three million?

Mr. SHERLEY. Yes; and the betterments ran the matter up to fifty-one million. It became perfectly apparent that if they did not meet the notes at maturity that would mean repudiation, with a receivership. The Government could not afford to have a receivership of the New York, New Haven & Hartford at that time. It either had to have it or make the loan, and it made the loan.

That is the fact, and I am not here to undertake to pass personal judgment on whether the loan could have been privately financed or not, but men who were charged with that high responsibility determined that it could not be, and they made the loan. It is there, and we have to meet it as an actual fact.

Mr. DICKINSON. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. DICKINSON. What is the gentleman's opinion as to whether that railroad corporation is not now about to go into the hands of a receiver after this loan has been made?

Mr. SHERLEY. I have no information as to that. I have information that the obligations they took were secured by a mortgage under which prior loans come in on a parity with

this, and the security is deemed sufficient to take care of the loan that the Government made.

Mr. DEWALT. The gentleman will remember that this was at the time of the third liberty loan.

Mr. SHERLEY. I understand it was, but, as I say, I am not sufficiently acquainted with the financial stability of the road to prophesy the future, and I think I am not required to in considering this proposition.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. LONGWORTH. Was all of this investment in the road made through the Railroad Administration? Was not a part made through the War Finance Corporation?

Mr. SHERLEY. The War Finance Corporation may have temporarily helped and have been reimbursed when the Railroad Administration made the loan, as it has done a number of times. But the fact is there is now an investment by the Government as a loan to the New York, New Haven & Hartford Railroad of $51,475,000.

Mr. LONGWORTH. Does that represent the total amount the Government has financed the road?

Mr. SHERLEY. It does, as I understand it.

Mr. LONGWORTH. My impression was that a substantial sum was loaned by the War Finance Corporation.

Mr. SHERLEY. I think not. I did not have occasion to go into that.

Now, coming to the matter the gentleman asked me about, how I arrived at the $381,000,000. I arrived at it this way: The $290,918,283 betterments that I have undertaken to explain; working capital, $339,521,350, I have explained as to how that was arrived at; financing inland waterways, $4,361,486; New York, New Haven & Hartford, $51,475,000; operating deficit, $196,000,000; total, $881,806,904. From which is to be subtracted the $500,000,000 furnished under the appropriations heretofore made, leaving $381,806,904 as the amount believed necessary in order to liquidate and clean up along the lines I have indicated the 1918 transactions.

Now we come to 1919, and I will try to be brief. This financial statement is predicated on the belief that there will be no operating deficit for 1919. Whether that belief is justified you can judge as well as I.

There has been a deficit in 1918, but it is to be remembered that in 1919 there will be a benefit over the whole year of increased yield from freight rates, whereas in 1918 there was only the benefit of five and a half months. Assuming as efficient an administration as you can expect under the circumstances, the whole question of whether we will have an operating deficit will depend very largely upon the general conditions of the country. And by efficient administration I mean as efficient as you can expect from a central Government agency—and the trouble there is not simply that it is governmental, it is also this: You can get efficiency by consolidation up to a certain point, but fortunately for mankind there is a limit to which you can make consolidation and keep efficiency.

I think some of the great trusts will find that out, if they have not already found it out, and certainly the operation from one central control of a railroad system for 110,000,000 people is too big a task, in my judgment, to be done efficiently, and if there was no other reason than that it would be a sufficient reason against Government ownership; it is not a practical thing to do.

There has been a falling off in railroad freight during the month of January. That will probably continue for four or five months. Indications are for a large harvest in the fall and to a large resumption of activity in the country. If these indications should turn out to be facts, we will have a volume of business in the fall that will more than take care of the slack business in the early part of the year, and we ought to come out without a loss. Whether we can, I do not know, and every gentleman is welcome to his own opinion. If we do not, there will be that much more in the way of loss to the Government; but at present this statement is predicated upon the belief that there will be none; and when I say "this statement" I mean the statement of the Railroad Administration in presenting the estimates to the Congress.

As to 1919, we have made commitments in connection with inland waterways for additional equipment of $12,840,000.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. GRAHAM of Illinois. I would like to be advised about these contracts that have been made for equipment for the present year. Are any of those contracts in such shape that they may with safety be canceled?

Mr. SHERLEY. I should say that of all the contracts that are figured in here none of them could be canceled, because most of them were made long ago—last year. Mr Hines so testified (see p. 118 of the hearings). The highest sort of pressure was placed upon the people to fulfill the contracts, and I believe no one is of the opinion that they ought not to be carried through. I am not speaking now of the water contracts, but of the rail contracts for equipment, because practically nobody questions the need of this amount of equipment. Here is what the railroads would like: I think some of them would be very glad to have us get this equipment, pay for it at the highest cost of the contract, they not to accept the allocation of it to them, and when the roads are turned back to them continue to use that equipment and then take it in upon the basis of what they would determine was its value as of that time, because that would reduce their capital investment that much; and it has been a habit for a good many years past for a good many railroads to manage their property by using other people's rolling stock; and I expect they would have no objection to using the Government's.

Mr. ESCH. The allocation of cars under the 1918 contracts was really made compulsory on the carriers. Is that policy to be continued in respect to the 1919 contracts?

Mr. SHERLEY. I would not say that the allocation was compulsory, but, when made, the price is accepted by the railroads.

Mr. ESCH. But they have refused in some instances to accept them because they were delivered to them at war prices.

Mr. SHERLEY. That is just the point. What they would have to prove would be not that the price was wrong, but that it was not right to allocate to them a given number of cars. Unless they could prove that, the price at which they were allocated is not disputable, as I understand it.

Mr. ESCH. Now, that peace has come, will there be that necessity in the current year?

Mr. SHERLEY. I think so. I think it will be wrong if the railroads were permitted to say, "We do not want these cars at the price you have paid for them, but we will take them provided you reduce the price." The only question that the railroads should be permitted in good faith to present is whether the allocation of a given number of locomotives or of cars to a particular railroad was fair, considering their need and the total equipment that was ordered, and so forth, but having once determined that that allocation was fair they ought to pay the price, because if they had been running the railroads they would have had to have those cars to have performed their duties as public carriers, and they would have had to pay the price the Government paid, and there can not be an equity in my judgment otherwise.

Mr. ESCH. That allocation was based on war conditions, and 100,000 cars were ordered.

Mr. SHERLEY. Yes; it was based on war conditions to a certain extent only. Where they can show that the doing of a particular thing was necessary because of a purely war need, they may have some claim against an allocation, but with the railroads themselves ordering additional equipment and wanting additional equipment, wanting any that the Government has ordered, with a lot of the 1918 equipment, equipment they themselves ordered, I take it that the only real question is whether in particular instances there have been as to a limited number of cars or locomotives proper allocations. But, then, I am not deciding that question. That would be a matter the railroads and the Government will probably litigate about for some years to come.

Mr. HARDY. For the efficient transportation of this year's fall crop, if it should be such as the gentleman just indicated, we would be likely to need even more equipment than is ordered.

Mr. SHERLEY. I have not the slightest doubt that the amount of equipment is less than what it ought to be, if you are efficiently to run the roads at their highest maximum efficiency.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MADDEN. The gentleman was starting to explain about water transportation equipment.

Mr. SHERLEY. Yes.

Mr. MADDEN. I was wondering whether any provision had been made for the interchange of equipment or freight rates between the railroads and the water transportation.

Mr. SHERLEY. I think that under the present Government control there is some adjustment of rates, but I did not go into that subject to any extent, and I have not any real information upon it.

Mr. MADDEN. The only question which occurred to me in connection with the development of the water transportation facilities was whether it would be worth while for the Government to invest a large amount of money in equipment for that purpose unless we could interchange with the railroads.

Mr. SHERLEY. Well, I agree with the gentleman, but I would be very much more concerned with the question that he raises if it were a question whether we should invest rather than a question of paying for an investment we have already made.

Mr. MADDEN. If the obligation is already made——

Mr. SHERLEY. That is the fact and the Committee on Appropriations was faced with that fact. It has brought that fact to the House.

Mr. MADDEN. I did not understand the gentleman to say the obligation was already made, otherwise I would not have asked.

Mr. SHERLEY. Now, if gentlemen will permit I would like to state the theory of the 1919 program. We have agreed—it is about to be consummated, is practically consummated—to finance to the extent of $20,000,000 the Boston & Maine reorganization.

There, again, was a railroad the history of which we are all more or less familiar with, and about which we have opinions more or less favorable, but the fact remains that the Boston & Maine is in a situation where the administration felt that it was necessary to undertake to the extent of $20,000,000 to finance its reorganization, and that matter has gone to the extent of a practical accomplishment. Now, we have, further, $286,000,000 worth of equipment which is to be delivered this year, and it is figured, after a very serious and marked curtailment of plans for betterments and equipments for 1919, that, in addition to that, there will be the need of $491,000,000 worth of betterment, including equipment. I shall insert at this point a portion of the testimony of the Director General relative to equipment to be delivered in 1919:

For example, apart from this $286,000,000, which represents equipment which the Railroad Administration ordered last year and which is to be delivered this year, it is estimated that the other capital expenditures during 1919, including the equipment, will be $491,000,000. Now, of that amount $109,000,000 represents equipment which the corporations themselves ordered prior to January 1, 1918, but which could not be delivered during 1918, on account of the delay in obtaining deliveries, and that will come along and be delivered in 1919.

The CHAIRMAN. And that is exclusive of the $286,000,000 of equipment?

Mr. HINES. Yes. That could be definitely allocated, as I understand it.

The CHAIRMAN. The importance of my inquiry lies in this: That the extent to which you may have good or bad debts will depend upon where this capital investment goes.

Mr. HINES. Yes. We estimate, roughly, that of this $491,000,000 about $201,000,000 will be for equipment, and that includes the $109,000,000 which the corporations have already ordered. That equipment, generally speaking, will represent a good security, because it can be made the basis of exclusive security for the debt that is created to pay for it; the remaining $92,000,000 for equipment would be, broadly speaking, in the same condition, although there may be a substantial part of that that would represent the rehabilitation of existing equipment. For example, where wooden cars would be given steel underframes in order to strengthen them and prolong their life; in that case the car was already covered by an equipment trust or by a mortgage, and it would not be any better security after this additional expenditure was made on it; but, broadly speaking, the $201,000,000 for equipment would represent in itself a good and exclusive security to protect the loan.

The other $290,000,000 would represent capital expenditures spread over the different companies, and so far we have not a reliable allocation of that, because the final authorities have not yet been passed upon, but in acting on that matter we are governed by the principle that we will not make expenditures now, under peace conditions, on a railroad company which can not give us good security, unless they are of an imperative character and in the public interest, but that represents on those roads that can not give good security a relatively small amount.

I received a letter the other day, a copy of a letter sent to the Director General, from one of these railway supplies associations in which they very seriously criticized what they seemed to think was the niggardly policy of the Government as to betterments for 1919. There are many people who believe that we ought at this time to go into a very large betterment program, having in mind the general industrial conditions of this country. Certainly there is more warrant, in my judgment, for undertaking to make expenditures in regard to betterments for the railroads now because of a broad governmental policy of giving employment generally to the people of America than for undertaking to build a lot of highways in remote sections of the country. Now, I am not undertaking to go into the question of how far the Government ought to undertake to stimulate business by making appropriations. My own opinion is that that is a pretty dangerous road to travel. I am not in favor of the Government, just for the sake of giving employment, undertaking to do various things unless those things have to be done. I think it is a time of economy for the Government and of individuals. I know of no way that the Government will pay its debt any more than an individual will pay his except by earning more than he spends. The people of America will get rid of high prices, they will get rid of bonded debts, they will get rid of heavy taxation when they practice thrift as a people. You can not beat that into the heads of most men, and yet it is as old as the world itself. If we could borrow of France half her thrift, our governmental indebtedness would disappear so fast as to be a marvel of the age, but a lot of people think you can lift yourselves by your bootstraps, that by continuing to spend money you can reduce what the Government owes. My opinion is that the only justification for expending money for these betterments is not to give employment over the country but because the betterments are essential in order to operate the railroads, and that without the operation of the railroads you get stagnation and paralysis of the business of the country.

Now, that makes a total of outlay for 1919 of $809,840,000. It is estimated that of that amount the sum of $368,193,096 must be for the present financed by the Government, the difference of four hundred and forty-odd million dollars being looked upon as the extent to which the railroads can finance through private sources, and most of that must be met shortly during this year.

I will place in the RECORD at this point the financial statement for 1918 and 1919:

Financial statement for the year 1918.

Requirements for 1918:			
Standard return			$928,314,372
Additions and betterments			573,334,119
Advances to inland waterways			4,361,486
Loan to New York, New Haven & Hartford			51,475,000
Total			1,557,484,977
Resources:			
Income from operation		$732,314,372	
Deduct working capital as follows—			
Cash	$247,100,000		
Agents' and conductors' balances	154,000,000		
Credit for material and supplies	100,000,000		
	501,100,000		
Less outstanding current liabilities	162,047,865		
		339,052,135	
			393,262,237
Income of companies applicable to additions and betterments			214,211,190
Open account due companies, applicable to additions and betterments			68,204,646
Revolving fund			500,000,000
Appropriation required			381,806,904
Total			1,557,484,977
Net requirements:			
Additions and betterments			290,918,283
Working capital			339,052,135
Advances to inland waterways			4,361,486
Loan to New York, New Haven & Hartford			51,475,000
Operating deficit			196,000,000
Total			881,806,904
Appropriations:			
Revolving fund			500,000,000
Additional appropriation requested			381,806,904
Total			881,806,904

Estimate of financial requirements for the year 1919.

Requirements.	Estimated expenditures.	Estimated amount which must be appropriated.
1. Expenditures contemplated on inland waterways	$12,840,000	$12,840,000
2. Financing Boston & Maine reorganization	20,000,000	20,000,000
3. Financing equipment ordered in 1918 and to be delivered in 1919	286,000,000	283,000,000
4. Financing other necessary capital expenditures for additions and betterments, including equipment	491,000,000	49,353,096
	809,840,000	368,193,096

SUMMARY FOR 1918 AND 1919.

Original appropriation	$500,000,000
Additional requirement for 1918	381,806,904
Requirement for 1919	368,193,096
Total	1,250,000,000

Now, the gentleman from Texas, by his question of a few minutes ago, rather implied, I take it, that we might vote only $381,000,000, hand the railroads back, and say, "We are done with a bad job of which we have made a bad mess." Well, I wish it were that simple, because I am just as anxious as the gentleman to get rid of the railroads and I will go as far during the few remaining days of my legislative life as he will

in that direction, but I do not believe that that is a possible thing now. I take it you can not turn the railroads back to their owners short of three or four months. It might be possible to do it by the 1st of July and most of these obligations will have to be met prior to that time.

I do not desire there shall be any more opposition against the return of the railroads than now exists. There are a whole lot of financial interests in America with investments that would be very glad to have the railroads never come back. To throw upon them immediately the burden of financing what they can not carry will be a very great argument against giving the railroads back, because they will say, "It is not possible to carry this load; it means absolute ruin." Now, another thing. We ought to press the railroads to do their financing through private interests, to make these betterments and to repay us as fast as possible. But do you believe you can serve notice on the railroads by failure to make this appropriation that they are expected to take care of the financing for 1919, when they have to go into a market at a time the Government is undertaking to float a liberty loan? That is the situation; that is what faces us, and that is the reason that the committee felt it was warranted in presenting the matter to the House with a favorable recommendation. Now, I may be all wrong in some of my conclusions. It may be that the railroads have a credit that I think they do not have and that they can immediately do the financing that would be involved if we did not make any part of this appropriation.

If gentlemen think that, I shall not quarrel with their judgment. I realize I am dealing with factors so huge, with matters about which I necessarily know so little, that my judgment is not to be taken as of any great weight. I was impressed, however, with the statement made by Mr. Hines and the statement made by the Secretary of the Treasury. Mr. Hines is one of the most intelligent witnesses that ever came before the Committee on Appropriations, and he showed a frankness and willingness to furnish us with information that was refreshing. If we did not get the information in these hearings that the Congress ought to have, it is because of the lack of grasp and knowledge of the great problem that the committee itself had and not because of any indisposition on the part of Mr. Hines and those associated with him to furnish that information. I shall incorporate at this point quotations from the testimony of the Secretary of the Treasury and the Director General upon this subject:

* * * * * * *

Secretary GLASS. Well, Mr. Chairman, there are two points of view as to the desirability of permitting the railroads to go in the open market right at this time to finance their necessities. One point of view is that the sooner we get back to the normal processes of effecting loans the better it will be for everybody concerned and for the Government. Ordinarily that would be the sound view; theoretically it is the sound view. But there are considerations which immediately relate themselves to the necessities of the Government, aside from the requirements of the railroads. While the railroads are doing their financing in the accustomed way, the operations of the Government may be badly disturbed. To begin with, there are a good many railroads that can not finance themselves under present conditions; those failing to finance themselves in the open market would go into the hands of receivers. That very fact would create a state of demoralization and of alarm that would reflect itself in the general business activities and would very seriously interfere with Government financing. It would be somewhat akin to the situation we frequently have in periods of depression when the mere failure of one or two large banking institutions precipitate a distressing situation throughout the country and affects communities and institutions that have no immediate connection with the business of the failed institutions.

Therefore, I say the failure of any number of these railroads to finance themselves—and that would be inevitable—would have an appreciably bad effect upon Government finances. It is true that to the extent the railroads are able to do their own financing through private sources, to that extent the Government would not be compelled to raise funds to help finance the railroads; but, as I have indicated, in the process of doing that they may cripple the Government's financial activities. Then, the question of the rate of interest at which the railroads may finance themselves enters into the question. If they have to pay a high rate of interest and commission, to that extent it demoralizes the market for the Government's financial activities and affects the rate at which the Government may finance itself; and while I appreciate that it is very desirable to get back into the normal ways of financing railroads, through private banking institutions, through private credits, it is not desirable to have the railroads at this particular time go into the open market for a loan aggregating nearly $1,000,000,000. We are making a point to discountenance a great many enterprises seeking private bank credits.

* * * * * * *

The CHAIRMAN. It has appeared, incidentally to other matters, that most of the money which you calculate the Government will have to pay out will need to be paid very shortly—$381,000,000 of it, representing the last calendar year's transactions, you need in order to fully meet the present program in connection with the payment of rentals?

Mr. HINES. Yes; and the settlements generally with the corporations for the calendar year 1918.

The CHAIRMAN. How rapidly do you expect to make those settlements?

Mr. HINES. My judgment is that within the next 60 days we will be confronted with demands from a large number of companies for settlements for the calendar year 1918. Under existing conditions I anticipate that contracts with the rest of the companies will be signed very rapidly, as all the details have been pretty well thrashed out, and as rapidly as these contracts are signed the companies with which the contracts are made will be seeking the earliest practicable settlement; so that my judgment is that not only a large number of the companies will be seeking settlements within the next 60 days, but that practically all the companies will be pressing for settlement within 90 days.

The CHAIRMAN. How do you pay these rentals—in quarterly payments?

Mr. HINES. The rentals are due quarterly according to the contract, but of course they do not become so due until the contract is signed; but under the contract they are due quarterly.

The CHAIRMAN. In point of fact, you have been making advances on account of rentals from time to time?

Mr. HINES. To a considerable extent; and that is all reflected in the figures which go to make up this net amount of $381,000,000 due for 1918.

The CHAIRMAN. Now, how rapidly will you have to meet payments for the betterments that you have undertaken, and which involve additional expenditures that you figure on making out of this appropriation?

Mr. HINES. As to the equipment, $286,000,000 for this year, that entire amount will probably be due and payable by the end of May, and it ought to be paid at the rate of about $50,000,000 per month. On account of the present shortage in our cash, we have been able to pay but about $25,000,000 in January, so that we are holding back bills that ought to be paid. The whole amount of $286,000,000 ought to be paid by the month of June. Aside from that, there is the Boston & Maine $20,000,000. I anticipate that that will be expected in order to close that reorganization within 30 days, or certainly within 60 days. The $12,000,000 for inland waterways, I believe, will all be due and payable by the 1st of May, as it is expected that all of those units of equipment are to be ready for use by spring. In addition to that we have the current program for additions and betterment work that would run on the average throughout the year at the rate of about $50,000,000 per month, although in the winter months it would probably be less than the average and in the summer months more. Of course, it is anticipated that to a considerable extent these expenditures will be taken care of out of surplus income and out of what the corporations can finance. Leaving aside that matter, I estimate that $700,000,000 for the items I have mentioned for settlement of 1918, for the equipment which the Government has ordered, the Boston & Maine reorganization and the inland waterways equipment will all have to be paid within the first six months of this calendar year, and a very large part of the total within the first four months of the calendar year.

I repeat, the committee believes this appropriation ought to be made; that by making it we will do much to stabilize the credits of the railroads in America; that we will enable them more surely and more certainly to finance to the extent of something under $500,000,000 that this program looks to, and at the end of the year and in the early part of next year to make such additional financing through private agencies as to enable them to pay back to the Government the money we have advanced.

Just one other word. One of the factors that makes necessary the doing of this is the failure of the Government to determine what it is going to do about the railroads. You are not going to get any stable credit in connection with railroads as long as nobody knows what on earth is going to happen to them. The Congress owes it to itself, it owes it to the Nation, to legislate definitely upon the railroad problem.

Mr. RAYBURN. Will the gentleman permit me to ask him a question?

Mr. SHERLEY. Certainly.

Mr. RAYBURN. I know it will be subject to a point of order, but what does the gentleman think of an amendment which I intend to offer, that says Government control shall terminate on January 1, 1920? I think, along with the gentleman, that one of the most important things that this Congress can do is, at the earliest moment possible, to set a definite time at which the railroads shall go back to private control, if they are going back. Then, with the legislation that is necessary to work to that point, they would be put on notice and everybody would be put on notice with reference to that matter.

Mr. SHERLEY. Of course, the gentleman will appreciate that the private view of an individual Member and his legislative view as a Member in charge of a bill may be two different things. So I am not prepared in any way to suggest that I will not undertake to protect this bill against any amendment that is contrary to the rules of the House.

And I desire to say another thing in this connection, and that is this: I think it is important to pass this bill. We have not many days left. I would not like to make the passage of the bill more difficult by making more easy those kinds of discussion that frequently do not result in celerity of action.

Mr. RAYBURN. One of the reasons why I made the statement that I did to the gentleman is this: I think that if the Government control runs for the 21 months after peace is formally proclaimed we probably by that time could save millions of dollars in railroad operation and control. I understand a Member of another body has a bill introduced to the effect that

the railroads shall not be turned back until the expiration of 21 months, and has served notice that unless that is adopted there will be no legislation.

Mr. SHERLEY. Of course, I am not responsible for that gentleman's action or for what Congress does. But I say this to the gentleman, that in my judgment Congress is bound to meet in extra session some months ahead of the 1st of July. Other men may not share that view, but I have never doubted it for many, many, many weeks, and I think when it does meet it ought to be able to legislate on this matter by the early summer. And it ought to fix the time for turning over the railroads, and it would be fortunate if coincident with that time there was had that legislation which may be thought necessary in order to properly provide for successful private ownership and management with due regard to the rights of the shipping public.

Now, if the committee please, I apologize for having spoken as long as I have. If there is any particular matter about which individual Members desire to ask me, I will be glad to answer. If not, I shall yield the floor, hoping to have the privilege, if necessary, to make a very short rejoinder at the close of the debate. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise.

Mr. GREEN of Iowa. I ask for recognition, unless some member of the Committee on Interstate and Foreign Commerce wishes to take the floor or unless the gentleman from Illinois [Mr. CANNON], whom we always like to hear, wishes to take the floor.

Mr. SIMS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing as a part of same an address of former Commissioner Prouty covering some of the subject which the gentleman from Kentucky [Mr. SHERLEY] has so ably discussed to-day.

The CHAIRMAN. The gentleman from Tennessee [Mr. SIMS] asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection.

Mr. DYER. Reserving the right to object, has that already been published by the Government?

Mr. SIMS. Oh, no; not that I am aware of. It is an address delivered by former Commissioner Prouty in Atlanta, Ga., some time since. He has had charge in part of the railway administration of the Government, and the address is very illuminating. That which he gives are facts and not simply conclusions, and which relate in part to the New England railroads—the Boston & Maine and others.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The gentleman from Illinois [Mr. CANNON] is recognized for one hour.

Mr. CANNON. Mr. Chairman, I do not propose to take much of that hour.

I listened with great interest to the presentation made by the gentleman from Kentucky [Mr. SHERLEY] of the proposed legislation. It was done more intelligently than I could cover the subject, and he has substantially covered all the ground upon which this appropriation is recommended. Of course, I might wander off in an hour, inasmuch as we are in general debate, and attempt to talk from the political standpoint, but I am not going to do it. I do not see that any good would come of it. I might throw a wedge into the machinery on the conduct of affairs from my standpoint. Somebody else might throw another one from another standpoint. But what good could come of it touching this matter in the closing days of the session? It is not so much what has been done, it is not so much the theory as to what ought to be done, but it is the condition that confronts us now touching this $750,000,000 recommended to be appropriated. It is not a theory.

Mr. JUUL. Mr. Chairman, will the gentleman yield for a question?

Mr. CANNON. Certainly.

Mr. JUUL. I want to ask the gentleman if this $750,000,000 which we are asked to appropriate in this bill, in addition to the $500,000,000 already appropriated under section 6 of the original act, making a total of $1,250,000,000—if that is the Nation's cost for its first experiment in railroad management, or is there any more that we do not know about?

Mr. CANNON. I do not know of anything more up to this time. I am not a prophet nor the son of a prophet, but if railroad ownership is to be in the Government, conducted by the Government, it will not remain under the control of the Government by my vote. [Applause.]

Mr. JUUL. Would the gentleman kindly tell me and other gentlemen on the floor here how this $1,250,000,000 compares with the total expenses of the entire cost of the Government during the years that the gentleman was Speaker of this House?

Mr. CANNON. Oh, well, I think there has been no year since I have been a Member of the House of Representatives, except perhaps for a year when we were at war with Spain, where the appropriations for one year have ever amounted to $1,250,000,000. I recollect very well in the Fifty-first Congress, when Thomas B. Reed was Speaker of the House, one of the principal protests that was made against the Republican Party being continued in power was that the appropriations had mounted up to $500,000,000 for the first session, making a billion-dollar Congress when it expired. Speaker Reed replied to it in a single sentence and said, "This is a billion-dollar country." Since that time in normal times the appropriations of a Congress have amounted to over $2,000,000,000. I am not criticizing, and I am not going to be switched off from the consideration of this bill to a discussion of that subject. It is not worth while for me to discuss it. The hearings on this bill are not very extensive. I trust gentlemen have read them. If I were to stand here for an hour or two hours, and had the ability, I could not improve on the able presentation made by the gentleman from Kentucky [Mr. SHERLEY], and I am not going to try.

Mr. DENISON. Mr. Chairman, will the gentleman yield for a question?

Mr. CANNON. Certainly.

Mr. DENISON. I would like to ask it in order to get a little information, so that I would know how to vote on the subject.

Mr. CANNON. Very well.

Mr. DENISON. I want to ask this question of my colleague: Is there anything in this appropriation which, if we vote for it and carry it out and make the appropriation, can afterwards be used in any way as a hammer or an argument in favor of our going ahead and continuing to operate the railroads?

Mr. CANNON. In favor of?

Mr. DENISON. The Government continuing the operation.

Mr. CANNON. I do not think there is anything in this bill that would constitute an argument in favor of Government ownership.

Mr. DENISON. Very well.

Mr. CANNON. On the contrary, I think the bill itself, connected with all that has been done, is a very strong argument against Government ownership. [Applause.]

Mr. DENISON. I have another question in mind, if my colleague will yield further.

Mr. CANNON. Yes.

Mr. DENISON. By voting for this appropriation we will not thereby be doing anything that will commit the Congress hereafter to Government ownership.

Mr. CANNON. That is, we will not be estopped from opposing Government ownership?

Mr. DENISON. Yes.

Mr. CANNON. In my judgment, no.

Mr. GORDON. Mr. Chairman, will the gentleman yield to me?

Mr. CANNON. Yes.

Mr. GORDON. Unfortunately, I was not able to hear the argument of the gentleman from Kentucky [Mr. SHERLEY], and I have not had a chance to read these hearings. Do I understand this $750,000,000 which the Government proposes to give to the railroads is supposed to represent the loss incurred by Government control?

Mr. CANNON. Oh, no.

Mr. GORDON. I understood that in the gentleman's answer to the question of the gentleman from Illinois [Mr. JUUL].

Mr. CANNON. The $500,000,000 was appropriated before, you know, as a revolving fund, and this makes $750,000,000 in addition to that.

Mr. GORDON. It is not intended to make up any deficiency or loss from Government ownership, then?

Mr. CANNON. Oh, well, that is as a man may think. I will state again that in my judgment Government ownership will beget great trouble, and therefore I am against it.

Mr. GORDON. I understand that; but I thought the gentleman was using this as an argument against Government ownership. I am not committed to Government ownership of railroads myself, but I would like to know whether or not it is correct to say that the $750,000,000, or any part of it, is for the purpose of paying for any deficiency arising from the Government's operation of railroads?

Mr. CANNON. You may have your opinion about it and I have mine. But I wanted to say that I am not going into that question, and with a single sentence I will proceed to talk about this bill for a few minutes from another standpoint. I think there has been a large expenditure made under stress in hiring

people to be good, an expenditure that was unnecessary, and that explains in large part this deficiency bill. But what is the use in talking about that now? I might talk all this afternoon with my limited knowledge about what has happened, and what has happened in connection with railroads, and what has happened in connection with shipbuilding, and happened in connection with strikes, and what has happened in connection with paying $10 to $14 a day of eight hours and time and half time for over eight hours in some of the Government activities. There is plenty of time to talk about that. One of my very sincere regrets is that the gentleman from Ohio is not to be in the next Congress to help us talk about these things when we post books a little later on. [Applause.]

I listened to the Director General, Mr. Hines, with great interest. I indorse what the gentleman from Kentucky [Mr. SHEELEY] has said about him. He is fair and able. And I listened to our late colleague, the Secretary of the Treasury, a quiet, modest man, who rarely lifts his voice as loud as I do when I forget myself and yell. He is a pretty level-headed man. At times I have thought that if he had lived up in Illinois or Wisconsin, he with his industry and good judgment would have been a very valuable asset to the Republican Party. But he lived down in Virginia. He is still Carter Glass, and now Secretary of the Treasury, and, in my judgment, his selection to that great office was a very happy one. [Applause.] Now, he came before the committee. I am not going to read what he said, but he thought it was absolutely vital that a few of the railroads that might be able to do their own financing and pay their regular dividends and fixed charges should not go onto the market in competition with the United States Government. When the Government of the United States would be placing on the market a 4¼ or a 4½ per cent Government bond, or whatever the rate might be, under legislation that I trust we will enact before this Congress adjourns, he did not want to be placed in contact with the demoralization that would come if we failed to keep the pledge that we gave in the Army act which authorized the President to take over the railroads and that the Government should pay for the use of the railroads, which, I believe, is called a rental, the average dividend for the three prewar years.

Mr. WELLING. The standard return.

Mr. CANNON. The standard return. Of course, if they can not pay their fixed charges, there will be receiverships; and if the strong roads should go into the hands of receivers, what would become of the smaller roads? I hold no brief for the railroads, or for their stockholders, although the savings banks and the trust estates and the many people who own the bonds of the railroads in small quantities or in larger quantities, as the case may be, have had the purchasing power of their securities reduced one-half since this war began. Why, your salaries have been reduced one-half since the war began, I mean in a purchasing capacity. There would be hell to pay and no pitch hot if we should make our salaries $15,000 a year, and yet $15,000 will not buy as much as $7,500 would have bought when this war began. And so it runs.

Mr. JUUL. Will my colleague yield? I understand my colleague was a member of the subcommittee?

Mr. CANNON. Yes.

Mr. JUUL. I want to know from my colleague whether the condition shown by this bill is to continue to be the normal condition? We took over the railroads in January, 1918. We have been running them 12 or 13 months, and it is necessary to come to the aid of the railroads with $1,250,000,000. Is that correct?

Mr. CANNON. When that legislation was first enacted we came to their aid $500,000,000.

Mr. JUUL. Now, if the gentleman will permit me, will it be necessary in the future to come to the aid of the railroads to the tune of $100,000,000 a month in order to manage the roads? Is this just during the stress of war, or will this continue?

Mr. CANNON. Well, the mother church says that when you die and stop in purgatory they can get you out, but that when you get into hell there is no escape. [Laughter.] Now, I believe that this bill should pass, with any legislation necessary to be enacted before this Congress expires on the 4th of March next, and so far as I am concerned I feel that I will not take the time of the House longer to speak on the bill.

I yield to my friend from Michigan [Mr. SMITH] five minutes.

Mr. SMITH of Michigan. Mr. Chairman, I expect to vote for this bill, because we must not repudiate our obligations under the law taking over the railroads. But that does not signify what I would do or how I would vote on Government ownership of railroads. I am sure we are all interested in knowing the sentiment of our neighboring cities, and we will all be pleased to know the sentiment of the chamber of commerce of the city so ably represented here by the gentleman from Philadelphia [Mr. MOORE of Pennsylvania]. I see he is not present in the room, and I do not know how this letter which I hold in my hand came to be sent to me. By special request, I am asked to present it to the House.

At the present time I would not vote for Government ownership of the railroads. My personal opinion has been that the Government ownership of railroads is not conducive to the best interests of the people of the United States. I think that under Government ownership we have had poorer service and higher rates, both freight and passenger, and I do not believe we would have had as poor service if the rates had been increased under private ownership as much as they have been increased under public control. Of course I am aware that there has been an emergency.

Mr. GORDON. Will the gentleman yield?

Mr. SMITH of Michigan. Yes.

Mr. GORDON. Do you think the increase of rates made the service worse?

Mr. SMITH of Michigan. Yes; just what happened after rates were increased.

Mr. GORDON. Then we ought to put them down.

Mr. SMITH of Michigan. That is what I am for. I think that helped to do it. Does not the gentleman think that the food in the dining cars has been poorer since the Government has been in control?

Mr. GORDON. The railroads were taken over because they had broken down and ceased to function.

Mr. SMITH of Michigan. Oh, no. More trains were functioning under private ownership than are now functioning under Federal control.

Mr. GORDON. That is a matter of history. It is only a year ago.

Mr. SMITH of Michigan. I would beg to differ with the gentleman in that respect.

Mr. GORDON. Now, if they stopped running under private ownership because their rates were not high enough——

Mr. SMITH of Michigan. Who said that?

Mr. GORDON. I understood you to say that just now.

Mr. SMITH of Michigan. Oh, no; do not misunderstand me. I said if we had increased the passenger and freight rates under private ownership as much as we have increased the rates under Federal control, there is no question in my mind that the skilled men who were trained and experienced in railroad affairs could have continued to manage those railroads and could have provided us with better service than we are receiving now. I will say further to the gentleman that the service by the railroads we have had under Federal control has not been such as to recommend Government ownership of railroads to the country.

Mr. GORDON. It has been worse than it was under private control, hasn't it?

Mr. SMITH of Michigan. I think it has.

Mr. GORDON. Of course, and we have raised the rates.

Mr. SMITH of Michigan. Why, certainly.

Mr. GORDON. And the raise of rates, therefore, made the service bad.

Mr. SMITH of Michigan. That is the way it has come out. We certainly raised the rates, and, as surely, we have not had better or as good service. Does anyone deny that? Now, Mr. Chairman, I voted to take over the railroads, as a war emergency, and I would have voted every dollar necessary. We voted the man power of our country, as well as all its resources, to whip Germany and to win this war. I did it willingly; but now that the emergency is over, unless a new emergency arises, I am for putting the roads back just as soon as we can, unless it can be proven to me that it is better to keep them under Federal control, and I do not think it can be. I am not so hidebound that I would not change my opinion if it was proven to me that Government ownership or Federal control was better than private ownership or private control.

The cost of the war has greatly increased our public debt. I would not vote now, and I do not think that we should purchase the railroads and increase our public debt by $20,000,000,000. The interest on which sum, at 5 per cent, would be another $1,000,000,000 annually. I say that the experience which we have gone through is not such as to recommend Government ownership of railroads. I ask that the letter be read.

The Clerk read as follows:

PHILADELPHIA CHAMBER OF COMMERCE,
Philadelphia, February 13, 1919.

Hon. J. M. C. SMITH,
House of Representatives, Washington, D. C.

DEAR SIR: I give you herewith copy of resolution adopted at the meeting of the executive committee of the Philadelphia Chamber of Commerce held on February 4:

"Whereas the Philadelphia Chamber of Commerce believes that the principle of Government ownership, control, or operation is not in accord with the principles of democracy; and

"Whereas during the war emergency the application of the theory of Government control was enforced for the general good; and

"Whereas the emergency created by the war having ceased with the signing of the armistice: Now, therefore, be it

"*Resolved*, That the Philadelphia Chamber of Commerce records its strong disapproval of the continued exercise of Government control or operation of public utilities, and particularly the continued control of the mediums of wire communication in this country."

Will you please be good enough to present our views to the House of Representatives?

Trusting that we may have your cooperation,

Yours, truly, N. B. KELLY,
General Secretary.

Mr. CANNON. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, as a member of the Appropriations Committee I voted for a favorable report of this measure. I will likewise vote for its passage, and very briefly I wish to give some of the reasons that actuates me in doing so.

If this money is not appropriated it might result very disastrously, not only to the railroads of this country but to every business interest in the country. If this money is not appropriated it must of necessity prevent the Government from paying to the railroad owners what it has agreed to pay under the contract entered into with them, when the railroads were taken over. If the Government should fail to keep its contract and fail to pay what it owes the railroad owners, the railroads in turn must of necessity make default in paying their interest charge. That, to my mind, will be a very disastrous thing to occur. It might precipitate a panic in this country. Panics have been precipitated with far less cause in times past, and the conditions of the business world to-day are such that, in my opinion, every safeguard should be taken to prevent the possible occurrence of a panic. While I expect to vote for this measure for the reasons I have assigned, solely, I wish at this time to emphasize the thought that was suggested by the chairman [Mr. SHERLEY] of the necessity of this Congress at the earliest possible moment enacting some law whereby the future of these railroads is to be determined. And, in my opinion, that law should be enacted at the earliest possible moment which will turn these properties back to their original owners. [Applause.]

To my mind this bill of itself is a living monument to the utter fallacy and futility of Government ownership and Government operation. Some one has asked how much of the seven hundred and fifty millions, or the total of one thousand two hundred and fifty millions, which will have been appropriated if this bill is passed, means a deficit resulting from Government operation of the railroads. No one can ever know. It is absolutely impossible to figure out the intricacies of the manipulation of all the railroads, the hodgepodge into which they have been placed, but I think it is safe to say that $300,000,000 of this sum is lost to the Government of the United States, as compared to what would have been had the railroads been continued under the operation of men who were trained in the conduct of that service.

The reports in this case disclose the fact that the war had progressed about four months before the operation of the roads was actually taken over by the Government. While that is literally true, during that four months of time the Government, while not physically operating the roads, was directing their operation, and in accord with that direction the congestion that occurred throughout this country resulted not only in much loss of time, much loss of transportation, but much loss of money, which is directly attributable and traceable to the direction that came from the administration here in Washington.

There was congestion on the railroad tracks in Philadelphia, there was congestion on the tracks at Jersey City, on all the tracks adjacent to New York City, with all kinds of freight, perishable and otherwise, all bound for exportation from the docks in the city of New York, while the docks in Philadelphia, whose tracks were congested with goods bound for New York, were practically idle. The docks at Baltimore were idle, the docks at Galveston were idle, the docks in South Carolina were idle. So, if you please, a great amount of this loss which was attributable to the administration of these roads never would have occurred if it had been left to the men who knew how to control railroads. That is but a sample of the operation of Government control.

Mr. DECKER. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. DECKER. Has the gentleman given time to the thought that the reason why the Government, after it took control of the railroads, after we entered the war, diverted so much traffic and concentrated it through the port of New York. I refer to the danger of submarines and of taking that route from the standpoint of safety.

Mr. WOOD of Indiana. There has never been any explanation given to me of that kind.

Mr. DECKER. There was before our committee.

Mr. WOOD of Indiana. I do know that when the Philadelphia papers and the papers of the South began to point out that the docks in their respective cities were idle and that transportation there could be had more expeditiously, they began to divert it, and that was what relieved the congestion.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. GREEN of Iowa. The Government sent transports to Newport News and transported men, and certainly live freight was as valuable as dead freight.

Mr. WOOD of Indiana. Yes; exactly so.

Mr. DECKER. I would like to call attention to the fact that I think it hardly fair to say that that is what relieved the congestion. The evidence before our committee, when the subject was considered, was that the congestion was due to the lack of storage facilities in the terminals at New York, and that after we built the terminals it relieved the congestion and the traffic was greater than it was before.

Mr. WOOD of Indiana. There was no attempt at storing these goods. They were left stored, if you please, in the freight cars. They were left stored on the sidetracks, thousands and thousands of them, when the sidetracks adjacent to these other places were idle.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. SNYDER. I think the gentleman has also overlooked the further fact in the control of the railroads by the Railroad Director of Mr. Garfield's order, which shut down the entire country for various days during that period. That ought not to be lost sight of.

Mr. WOOD of Indiana. That is true.

Mr. CLEARY. Mr. Chairman, if the gentleman will permit, I think the reason the stuff was all sent to New York—that is, too much of it—was because nearly all of these great lines run to New York, and there are so many steamship lines running out of New York. The expectation was that they would get better transportation, because there is where the ships nearly all left. I think that is the reason.

Mr. WOOD of Indiana. That may be true, but good management would have directed that they be diverted to these other places, and they were afterwards diverted, and the congestion was thus relieved.

There is another thing that I think points a moral in this business, and it is well to advert to it at this time. The railroads of the country for years have been appearing before the Interstate Commerce Commission trying to get a raise in freight rates. They were telling the authorities that it was impossible for them to conduct their railroads and keep up their overhead charges and pay the constantly increasing wages and pay the constantly increasing price of building material and live, and yet they were turned down repeatedly and were never given the raise that they asked. They said to the public that if the Interstate Commerce Commission would give them an additional 15 per cent freight rate they would run the business of the country and conduct the railroads without asking a single cent or raise in the passenger traffic or any other additional pay. That was denied them, but immediately when these railroads were taken over by the Government the freight rates were not only raised 15 per cent, but they were raised 25, 75, and as high as 125 per cent, and in addition to that the passenger rates were raised almost 100 per cent.

Mr. SMITH of Michigan. And they were given $500,000,000 besides.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. WOOD of Indina. Mr. Chairman, I would like to have a couple of minutes more, at least.

Mr. CANNON. I have apportioned all of my time, but I yield the gentleman two minutes more.

Mr. SWITZER. Mr. Chairman, if the gentleman will permit, I desire to cite the case of a reputable manufacturer of pig iron in my district who had to store $70,000 worth of iron ore at Toledo through the winter. He had been paying 10 cents a ton for the transfer of ore from the ship to the car and the storage. The Interstate Commerce Commission cut it to 8 cents, and now he pays 40 cents for the same service.

Mr. WOOD of Indiana. These examples might be multiplied without limitation, all going to show that the practical operation of railroads under Government control demonstrates but

one fact, as to which there can be no dispute, and that is that the Government's operation of railroads in this country, like its operation of anything else it undertakes, is a most expensive luxury. The Government can not operate anything within 25 to 50 per cent as efficiently both as to cost and conduct as a private individual can do it. If you wish additional illustrations of that, then I advise gentlemen to go about this town, where Government ownership is operating to-day in the construction of public buildings and otherwise. It would simply astound those who have not already seen it to discover not only the waste of time but the waste of money and the waste of energy. They are timeservers, from the boss to the lowest mechanic, and that same degree of indifference has already taken possession of those who are operating the railroads, from the section man up to the highest official. When the Government undertakes to operate anything it seems those in its employ think they are simply appointed to draw their salaries and do as little service as it is possible for them to do, and the sooner we get rid of the whole business the better for the country and all concerned. [Applause.]

By unanimous consent, Mr. WOOD of Indiana was granted leave to extend his remarks in the RECORD.

Mr. CANNON. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GREEN.]

Mr. GREEN of Iowa. Mr. Chairman, I do not propose at this time to discuss the much vexed question of Government ownership. I do wish, however, to say a few words with reference to the management of the railroads since they have come under Government control, regardless of the merits of that particular question. The management of Mr. McAdoo has been heralded as a great success and proclaimed as such in all of the Government's advertising periodicals, and, as gentlemen well know, they are very numerous. There are some of us who have our doubts about this matter, to put it mildly. Mr. McAdoo raised the rates from 25 to 200 per cent. He delayed freight to an extent that never would have been endured for a moment under private management. He took off trains and jammed passengers into cars as though they had been live stock and he wound up with a deficit of over $200,000,000. After having given this remarkable display of efficiency, Mr. McAdoo, as we all know, resigned his position, saying that the salary was too small. Possibly it was, as salaries go, taking into consideration all the Government positions which he held, and yet I am inclined to think we could have gotten this kind of a result even cheaper. [Laughter and applause.]

Let us for a few moments consider what this management has been and how it originated. Gentlemen have intimated that the Government ownership came about because the railroads ceased to function. I am inclined to think that there is a grain of truth in that remark. They ceased to function, however, largely because of the persistent interference by the Government, not merely in regard to rates, but in respect to the movements of freight.

Whenever a little petty Government agent could put a tag on a car so that it would be specially routed to whatever point he wanted it to go, the directions had to be followed to the exclusion of all other freight, and the result was that the cars were jammed into New York, regardless of whether there was any way of getting them out of there, until the tracks were in such condition that freight could not be expedited over the country at large. It was the same everywhere, and as a result, something had to be done, and something was done, as I have related. Was it any improvement upon private management? I shall not discuss that. I shall only say that we know what happened. The Government took over the railroads, and now we are paying the fiddler to the tune of over a billion of dollars, some of which we may get back, but much of which, I fear, we will never see again.

We know about these advances in rates, we know about the delays in freight, we know how trains were taken off, we know there is a deficit of $200,000,000, and now the gentleman from Kentucky comes and says—and I wish I had his optimism—that probably we will not lose anything the next year. Yet, the expenses in last December, and that is the latest month, I think, we have any account of, were $136,000,000 over what they were in December, 1917. We have to go back there to make a comparison.

Mr. DECKER. Will the gentleman yield?

Mr. GREEN of Iowa. I have only five minutes; if I could get more time I would yield to the gentleman.

Mr. DECKER. What does the gentleman estimate is the increase in the cost of material and labor in those respective months?

Mr. GREEN of Iowa. Well, the cost was very much larger, and I intended to make a more complete statement for the reason that some back wages were paid in the month of December, and that is one thing which made the increase very large. There was a large increase in the price of material and cost of labor, but what I wanted to call to the attention of the committee was that the gentleman from Kentucky seems to think that all matters were going to be better next year. On the contrary, we have every indication that they will be worse. Railroad traffic has been falling off right along. For that matter there never was a time when the railroads could be operated so profitably as they could during the war.

Mr. SHERLEY. If the gentleman will permit, I made no personal prophecy. I stated the testimony that in the next five and a half months there would probably be a falling off, and in the balance of the year, which is always a heavy freight-moving time, the traffic as great as they now contemplate it will be, that we would probably break even, but I personally made no prophecy touching the matter.

Mr. GREEN of Iowa. The gentleman certainly does not get any encouragement from the result in December, which he says is one of the heavy——

Mr. SHERLEY. No; but it is only fair to say this: That December was too close to the war conditions to bring about these economies in the reduction of operation, but in January they will show a great falling off in cost, and it is expected that February will show a further reduction in operating expense.

Mr. GREEN of Iowa. There again my friend is much more sanguine than I am. I see no reason why the cost should fall off except in this way, that the freight traffic has fallen off and the passenger traffic is falling off, and probably will continue. Then, of course, there will be a lessening of expenses, but let us be fair——

Mr. SHERLEY rose.

Mr. GREEN of Iowa. I hope my friend will pardon me. If he can get me more time, I will gladly yield, but with the few minutes I have I can not. I want to state right here what I started to say before my time expires. The gentleman from Kentucky gives as a reason why we should appropriate this enormous sum, which totals over $1,000,000,000 for the two years that the railroads expended heretofore, something like $1,000,000,000 for maintenance of way and equipment each year. As I remember, he spoke of last year, 1918. Now, it is a fact that for 1916 and 1917 they expended each year about $1,000,000,000 for maintenance of way and equipment, a little over $1,000,000,000 for 1917 and a little less for 1916.

Mr. MANN. Maintenance or improvement?

Mr. GREEN of Iowa. Maintenance of way and equipment. I am not speaking now solely of permanent benefits. As a result, they showed for the years 1916 and 1917 as a net operating income, after all of those expenses have been taken out, except, of course, interest on debt and such matters as that, $971,707,800 for 1917 and something over $1,102,383,000 for 1916.

Mr. SHERLEY. I made no statement in connection with maintenance. I was speaking of capital investment.

Mr. GREEN of Iowa. Let me correct my friend, then, because his figures are altogether too large. There is no such amount of capital investment as he stated.

Mr. SHERLEY. If the gentleman will turn to the hearings, I can show the tables of the Interstate Commerce Commission as to the annual amount for the past 10 years that has been made in the way of capital investment by the railroads of America.

Mr. GREEN of Iowa. I have the figures right before me, in my hand. It is impossible in 10 minutes to go into a discussion of these matters. What I want to come to when I really got beside the point was this: They now want $750,000,000 at this time in order to carry on the railroads in the condition they are in, and they state it is to be used in a large amount for equipment and permanent investment; $286,000,000 equipment which was bought in 1918 to be delivered in 1919, and other capital expenditures—$491,000,000—but in 1916 and 1917 the railroads paid for those things and paid their dividends besides. It is true that the amounts to be expended now are somewhat larger, but no very great amount larger, and I can not see the reason why such an enormous sum should be provided in this bill, and I do not believe that the Government will ever get a large portion of this money back.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Could the gentleman possibly let me have five minutes?

Mr. CANNON. My time is entirely exhausted.

Mr. SHERLEY. Mr. Chairman, I would ask unanimous consent that the gentleman from Illinois have whatever additional time he wishes.

Mr. CANNON. I do not desire any further time except time to yield to gentlemen.

Mr. SHERLEY. I suggest the gentleman from Illinois take an hour's additional time and then he can distribute it.

Mr. GREEN of Iowa. I would like to have at least five minutes more.

Mr. SHERLEY. I would suggest the gentleman from Illinois be recognized for an additional hour.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the time of the gentleman from Illinois be extended for one hour. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. I yield five minutes' additional to the gentleman from Iowa.

Mr. LONGWORTH. Will the gentleman yield for a question?

Mr. GREEN of Iowa. Yes.

Mr. LONGWORTH. The gentleman has referred to the net losses alone, not of operating expenses, of some $200,000,000. Can the gentleman state how that was effected, on the one hand, by additional revenues from increased cost and, on the other, by additional expense by reason of increased wages?

Mr. GREEN of Iowa. I have not those figures at hand, so I can give the exact amount.

Mr. LONGWORTH. The reason I asked the gentleman was that if he did not have that I would be glad if the gentleman from Kentucky would state it.

Mr. SHERLEY. The amount of increase as the result of wage was $583,552,000. The increase in receipts as the result of increase of rate was $560,504,530.

Mr. LONGWORTH. So that the two about balance each other?

Mr. GREEN of Iowa. Yes; if that is what the gentleman was coming to.

Mr. LONGWORTH. So it can not be said that the increase in wages was responsible in any degree for the loss in the operation of the roads?

Mr. DECKER. That depends on whether you take into consideration that the increase in rates was for 6 months and wages for 12 months.

Mr. LONGWORTH. And you can not lay the loss in operation either to the wages, on one hand, or increased expenditures, on the other?

Mr. DECKER. It is not fair to compare increase of rates for 6 months with the increase of wages for 12 months.

Mr. GREEN of Iowa. I wish to show some of these figures, and I wish we had more details.

Consider the figures for equipment. Do the railroads want all this equipment? Was it ordered at the request of the railroads? No. A considerable portion of it was ordered over the protest of the railroads. They did not want it contracted for. That was notably the case in reference to locomotives, where an unsuitable kind was in many cases ordered, and also with freight cars for the Southern Pacific Railway, which the railway was building about 50 per cent cheaper than the Government administration was paying for them. The large railroads would have preferred in many cases to do their own buying and pay for the equipment themselves. But the Railroad Administration would not let them do it. That is the way you get these figures mounting up in this kind of style. It seems as though there has been a perfect craze to expend money here in Washington, and as soon as anybody gets down here he is bitten by that "bug" as to expending the money.

Mr. SHERLEY. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SHERLEY. Does the gentleman think an investment in capital account for the two years at a rate averaging about $675,000,000 in view of the present costs is high?

Mr. GREEN of Iowa. Well, it is hard to say.

Mr. SHERLEY. Well, the gentleman needs to say if he is going to draw a conclusion.

Mr. GREEN of Iowa. I am drawing the conclusion that we ought to use our money in the best manner possible and not make expenditures that are not necessary.

Mr. SHERLEY. But the gentleman was leading the House to believe that there had been a perfect saturnalia of expenditures in regard to equipment. I submitted figures that showed for the 10 years previous the annual investment in regard to capital account was something over $560,000,000 annually, and for the two years 1918 and 1919 it will be $675,000,000. It was $566,000,000 annually for the 10 years previous. Now, compare $675,000,000 with $566,000,000, having in mind what a dollar will purchase, and I submit to him as a practical fact that the investment in capital outlay is less than the average of the 10 years before.

Mr. GREEN of Iowa. Well, I submit to the gentleman in turn that no conclusion whatever can be derived from his figures, because he does not take into consideration what the railroads themselves spent in making the total amount that is expended for capital purposes.

Mr. SHERLEY. The gentleman is simply mistaken in his facts. The figures I gave him as to expenditures of last year and this year include everything that was expended in connection with the railroads in capital account.

Mr. GREEN of Iowa. Does the gentleman tell me he has the figures complete for last year for capital expenditure? I would like to know where he got them.

Mr. SHERLEY. I do not mean to say that I have them to the penny, but I mean to say that the testimony before the committee, and it was available to the gentleman, shows there was an expenditure last year in capital account of $573,000,000, in round numbers. That is what I mean to tell the gentleman. I have no objection to any conclusion, but I am trying to keep the House straight on the facts.

Mr. GREEN of Iowa. I think the gentleman undoubtedly is making that endeavor, but I do not think he is succeeding very well.

Mr. SHERLEY. That may be.

Mr. GREEN of Iowa. The gentleman is quoting, as I understand, from round figures given by somebody in the hearings.

Mr. SHERLEY. I submit that in the absence of better evidence we are warranted in taking the statements of Mr. Hines as to what the records show as to expenditure. If the gentleman means either to imply that Mr. Hines does not know or willfully misrepresented, all right. I found him well informed.

Mr. GREEN of Iowa. I doubt whether anybody was in position at the time the gentleman had his hearing to give those figures very accurately.

Mr. SHERLEY. As to the figures for the past 10 years, they are from the Interstate Commerce Commission, and he will find the statement in the RECORD for each year.

Mr. GREEN of Iowa. Yes. I have the estimate, but we do not get anywhere from that at all.

Now, Mr. Chairman, as I have stated, the railroads spent in 1916 and 1917 for each year about $1,000,000 for maintenance of way, including structures, and for equipment. After making this expenditure they still had left as net operating revenue about $1,000,000,000 for each year. Now, we find that the Government is expending over half a billion each year (1918 and 1919) on the railroads and only a little more is being put into maintenance and equipment than before, so far as I can ascertain. I know of no place where the correct figures for 1918 can be obtained.

I do not care what the figures for capital expenses are, concerning which the gentleman from Kentucky has said so much. They are only estimates anyway, and for that reason are not included in any railway reports. The Interstate Commerce Commission, of course, can make a better estimate than I can, but it has nothing to do with the question before us, which is not whether too much was spent last year in keeping up the railroads, for no one claims that, although many claim it was not spent in the right way, but whether too much of the people's money has been spent for that purpose and whether too much is likely to be spent under this bill. I claim that this bill carries at least $200,000,000 too much, and if I had time would undertake to prove it; but as usual, when hundreds of millions are to be appropriated to be spent by this administration, the bill must be jammed through with no real opportunity for debate. We will try to amend it, but I assume the amendments will be voted down. Then we will have to take our choice between letting the railroads break down while in the hands of the Government or voting for the bill. As between the devil and the deep sea, I shall take to the sea and vote for the bill.

Mr. SHERLEY. Mr. Chairman, I ask that the gentleman from Illinois yield to the gentleman from Iowa five minutes additional time.

Mr. CANNON. The gentleman himself can yield to the gentleman from Iowa, as my additional time is taken up.

I yield five minutes to the gentleman from Pennsylvania [Mr. KREIDER].

Mr. KREIDER. Mr. Chairman and members of the committee, it seems to me that the discussion on this bill has taken rather a wide scope, and I think statements have been made that can hardly be borne out by the facts.

In the first place, it has frequently been stated that the railroads prior to their being taken over by the Government practically ceased to function. That is not a correct or a true statement. The Government took over the railroads for good

and sufficient reasons. The railroads, it is true, were not equipped as they should have been equipped. The railroads in times past had undoubtedly sinned, and they have had to suffer the consequences of their sins. The pendulum has been swinging back for some time, and unfortunately it seems to have swung back too far, especially in the years just preceding the war. The railroads found themselves between the upper and the nether millstones.

The truth of the matter is that legislation by the States and the Federal Government, executed through various agencies, has fixed the rates for both the passenger traffic and the carrying of freight, and in turn legislation was passed compelling the railroads to adopt certain equipment and appliances and passed full-crew laws in many States, fixed the hours and conditions under which the employees worked, and fixed the wages of the employees, and in so doing did not let a sufficient margin so the railroads could maintain their properties and equipment as they should.

We must remember that railroad freight and passenger traffic increases under normal conditions at the rate of about 8 per cent per annum. That is to say, extending over a period of eight years your freight and passenger traffic will increase about 50 per cent, and the railroad that has sufficient rolling stock on a certain date will find that it needs 50 per cent more eight years later. If it has sufficient terminal facilities, they should be increased by 50 per cent eight years later.

Now, the railroads, because of the poor earnings and bad showing, unfortunately found themselves in a position where they could neither borrow the money nor make it fast enough to keep up their equipment, and when the war came on they were taxed to their utmost capacity. Then, on top of this, priority orders were issued, many with conflicting authority, and they were compelled to handle the traffic to a great disadvantage and in a very unsatisfactory manner; in fact, in many cases more than doubling and tripling the work in the yards, which had already become congested, as well as at the terminals. In some cases more time and energy were devoted to shifting and making up the trains than would have been required to move the trains over the entire division of the road.

Now, when those conditions were imposed upon the railroads and the congestion at the ports began to pile up it was impossible for the railroads to handle the traffic, and the cars were utilized as storage warehouses instead of being used to move the freight. That was the condition. The Government stepped in and did what the private owners could not do. It refused freight. It compelled the loading of cars to their maximum capacity. In many commodities it refused less-than-carload lots and allowed the freight to accumulate until they had full carload lots from and to certain points; they used all the facilities of all the roads in routing, and so forth. Now, had that been permitted under private ownership of railroads the question, of course, remains, Would they have given better service? I am not going to say whether they would or would not. But, in my judgment, Congress ought to pass legislation in the near future providing for the turning back of the railroads to the private owners, but they should be kept under Government control and supervision. Freight rates and passenger rates should be fixed as heretofore by the Interstate Commerce Commission or some similar body, but this same body should also control the hours and conditions under which the men are employed and fix the wage of the employees.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. KREIDER. May I have two minutes more?

Mr. CANNON. I yield to the gentleman two minutes more.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for two minutes more.

Mr. KREIDER. I was just about to say that in my judgment the railroads should be controlled by the Government through the Interstate Commerce Commission or some similar body, but the wages of the employees and the conditions under which the employees labor and the hours of labor should also be controlled by the same body; for, after all, the railroads must be operated for the benefit of the public and should render the best possible service at as low a rate as is consistent with the payment of satisfactory wages to employees and give a reasonable return on the investment. Of course, we must have the most economical management consistent with satisfactory service to the public.

We can not say to the railroads, "You have got to give us the service" and not let the railroads charge a sufficient amount for doing so; in other words, we have got to pay for what we get.

Again, for political reasons I should hate to see Government ownership and control of the railroads. I should hate to see the railroads of the country made a political football, the control of which should be fought for at each election. I should hate to see omnibus bills passed by Congress providing for the construction of railroad depots, bridges, and extensions, as is now done for the building of post offices and for the improvement of our rivers and harbors.

I am sure that if the people of the country will fully understand what Government ownership of railroads may bring to us they will not want it. I have not spoken of the financial end, because the facts and figures available are so incomplete and so many factors enter into the proposition relating not only to operation but upkeep of the property that conclusions reached differ so widely, ranging from a loss of three hundred millions to one billion two hundred and fifty millions of dollars for the first year's experiment. Perhaps about midway between the extremes will be found the correct amount, namely, about $750,000,000 to $800,000,000 loss I believe, from information available and in the light of past experience, that the people want and will approve Government control and private ownership. [Applause.]

Mr. CANNON. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. CURRIE].

The CHAIRMAN. The gentleman from Michigan is recognized for five minutes.

Mr. CURRIE of Michigan. Mr. Chairman and gentlemen of the committee, the matter that we are all anxious to learn about to-day, as nearly as possible, is just what the Government control and operation of railroads is costing the country.

It has been pointed out by the distinguished chairman of the Committee on Appropriations, and it also appears in the report of the hearings before his committee in the testimony of Mr. Hines, that while the Government was obliged to bear the burden of increased operating expenses of the railroad systems for the entire year of 1918, yet it received the benefit from the increased freight and passenger rates for approximately only one-half of that year. It occurs to me that these distinguished gentlemen are somewhat in error. It is true that the order of the Director General of Railroads increasing the freight rates by 25 per cent became effective June 25, 1918, and the increase in the passenger rates by order of the Director General became effective June 10, 1918. The fact remains, however, that the railroad systems of this country had been operating under war conditions for some three or four years; and, appreciating this fact, they had applied not only to the Interstate Commerce Commission for the right to increase interstate rates but had applied to the respective State railroad commissions for permission to increase their intrastate rates. The Interstate Commerce Commission did, on the 12th day of March, 1918, grant an increase of 15 per cent upon so-called commodity rates, and the Interstate Commerce Commission had theretofore, on the 27th day of June, 1917, issued an order, effective August 1, 1917, increasing what is known as the classification rates by 15 per cent. So that instead of the Director General or the Railroad Administration of the United States having the benefit of only a 25 per cent increase for approximately one-half of the year 1918, they actually had that 25 per cent increase on top of a 15 per cent increase, which makes a total, at least for the last half of 1918, not of 25 per cent but of approximately 44 per cent increase over the original rate.

In addition to that—I know it was true in the State of Michigan—prior to the increase of 25 per cent ordered by the Director General of Railroads vast increases had been granted by the State railroad commission so far as the intrastate rates were concerned. My attention has been directed to an instance of this in the district which it is my honor to represent. A lumber company had a rate of $2.50 per thousand on logs. In April, 1918, the railroad company increased that rate to $3.75 per thousand. Then came the order from the Director General of Railroads, and which automatically applied, further increasing the rate by 94 cents per thousand, making a total increase of over 82 per cent.

I dare say that similar conditions prevailed throughout the various other States of the Union. So it is not fair to the people of this country for us to refer to this 25 per cent increase alone when we are judging as to what it has cost this country to permit the railroad systems to be operated by the Director General of Railroads. In addition to the $200,000,000 which the Director General of Railroads admits has been a net loss to the Government by reason of its operation of the railroads, there must be added what it has cost the customers of these railroads in increased freight rates and in increased passenger rates, which will approximate $800,000,000, or make a grand total cost for one year approximating a round billion of dollars. In the original act we appropriated $500,000,000. This bill proposes an additional appropriation of $750,000,000 more. How much will be recovered by the Government eventually no one can tell,

I believe that the President of the United States should reconvene Congress at an early date, so that not only those upon the Republican side but those upon the Democratic side as well who do not want this expensive proposition to be continued longer than necessary may unite and pass the necessary legislation to return the railroads of this country to their owners under proper safeguards, in order that they may be operated in an economical way. [Applause.]

Mr. CANNON. I yield five minutes to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Chairman, I listened with a great deal of interest to the very able statement of the gentleman from Kentucky [Mr. SHERLEY], and I agree with him that we must vote this large sum of money for the railroads, most of which will be returned to the Government after we have restored these properties to their owners. It seems to me, however, that it is well to say again, as I have said before, that it was a mistake for the Government to take over the railroads even as a war measure. It did not have to be done. There was an unparalleled situation due to the extraordinarily cold winter, with everything frozen up, with coal cars unable to be unloaded because the coal was frozen into a solid mass, and with the sidings near New York tied up with freight cars, which the Government was not unloading and shipping the contents across the ocean, as it had agreed to do and should have done. The railroads had been starved by the Interstate Commerce Commission, which for years had not allowed them the rates that they were entitled to. Rates had been reduced and reduced, and when expenses increased, instead of giving the railroads the increased rates to which they were entitled and which they had to have in order to meet the increased expenses of wages and cost of equipment, the Interstate Commerce Commission refused to give the increases necessary, and when they did allow something took so long to do it, extending their inquiries over a year or two, that the increases were of very little benefit. If they had been given promptly, they might have averted a great deal of trouble.

The Federal Government took over the railroads largely because Congress did not have the courage to do what most of us, probably the majority of us, in our hearts thought ought to be done, which was to suspend the operations of the antitrust laws and allow the railroads to do themselves what the President has since been doing with them. We had to have somebody break the laws of the country or else suspend the operations of those laws, which were hampering the railroads in time of war. Instead of suspending the operation of those laws or repealing such of them as should have been repealed, and will have to be repealed or modified later on, we decided that the easiest way was to hand them over to the President and let him break the laws, which is what he has been doing. If we had allowed the railroads to pool their earnings and pool their freight and operate as they wanted to, routing their freight over short lines, and so forth, and had given them only part of the increases of rates which have been given under Government operation, a great deal of this difficulty could have been avoided; and if the Interstate Commerce Commission had treated the railroads fairly, we would not have been confronted by this situation to-day. We are confronted by a situation, however, and not by a theory, and therefore I see nothing to do except to vote this large sum of money for the Railroad Administration, in order that the railroads may be put in some kind of a sound condition before we give them back; and I hope we shall give them back to their owners as soon as matters can be so straightened out that it can be done safely.

Mr. TILSON. Will the gentleman yield?

Mr. PLATT. I yield to the gentleman from Connecticut.

Mr. TILSON. The gentleman was speaking of the difficulties which caused the railroads to break down, as has been said. Was not one of the great difficulties the fact that the Government interfered in the matter of priority, indicating what freight should be taken over the railroads first, and in that way causing a great deal of unnecessary expense and trouble in making the necessary shifting and switching of trains? At any rate, it was very expensive, whether it was necessary or not.

Mr. PLATT. I think that is absolutely true, and a good many contributory details like that might be mentioned. Priorities were given very recklessly at first, and they made it necessary to tear trains apart to take cars out and put them in other trains so as to go on sooner, which threw the whole operation of railroads into confusion.

That, combined with the cold weather and the tremendous amount of snow and the failure of the Government to unload and ship promptly war material consigned to it, caused the trouble. The abuse of priorities had a great deal to do with the confusion into which the railroads were thrown before the Government took them over.

Mr. RAYBURN. Does not the gentleman think that the priorities were absolutely necessary?

Mr. PLATT. Not as they were granted at that time.

Mr. RAYBURN. It became necessary to pass the priority shipment bill, which we did pass.

Mr. PLATT. We had to give priorities, but Army and other officials were giving priorities recklessly for things that were piling up in New York, that the Government could not at once use. There was no coordination about the matter.

Mr. TILSON. Was it not the abuse of priorities that caused the trouble?

Mr. PLATT. The abuse of priorities before the War Department was overhauled and before there was even an attempt at coordination had a great deal to do with it. The Fuel Administration, I may add, was also somewhat to blame for the tangle, and there were other factors which time will not permit me to mention.

Mr. CANNON. I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman and gentlemen of the committee, I have expressed in another place and at another time my position on Government ownership and the operation of the railroads, and I do not intend to repeat it here. I think all will agree that what the public wants is service efficiently and economically rendered. I believe also that everybody will agree that we are now paying a higher rate of service, both for passenger and freight, than we have ever paid since the railroads were properly organized. All will agree that we see the largest traffic, both in passenger and freight, that we have ever had. All will agree that we have the largest gross income that the railroad system has ever had, and yet we have such a lack of economy and such a lack of efficiency that we are running a deficit that must be made up, due to conditions that everyone here recognizes, and that at the same time we have less efficient service rendered to the public than we ever had before.

Whether that is absolutely inevitable or not, it is perhaps fair to say it is in time of war. I admit that. But I think we have seen enough of Government operation so that none of us is inclined to favor it as either an economic proposition or as an efficient proposition. Enough on that particular point.

One of the things that I think is very serious was referred to by my colleague from Michigan awhile ago, and that is the possibility of political influence in the railway system. With probably 2,000,000 employees closely organized they can pretty nearly speak as one person, and consequently have reached the point where certain people think the railways are run in the interest of those who serve them as employees. That is the Soviet system; that is precisely what Russia now is building upon. I think it is seriously out of order. I do not mean that all of the employees of the railways take that position, but I mean that some of the leaders of the employees seem to think that the major thing in running the roads is the payment of wages. On the other hand, we can see the owners of the roads operating on the basis that the major thing is more profit. We have reached the point where we must recognize that the major thing is the public and service to the public. It is not run for profit only, nor is it run for wages alone; there must be a cooperation between profit sharing and wage earning in the interest of the public service, and, as far as Congress is concerned, we must look at the third party, to the service of the public, rather than to either one of the others specifically.

Mr. GARNER. Will the gentleman yield?

Mr. FESS. Yes.

Mr. GARNER. The gentleman says he is opposed to the Government ownership of railroads. In what degree will the present bill encourage public ownership? I intended to ask the gentleman from Kentucky [Mr. SHERLEY] that question, but I was not here when he closed. I want to know whether the passage of this bill will tend to increase the demand for Government ownership. I direct the gentleman's attention to this point. We have already let them have $500,000,000. We are going to let them have $750,000,000 more. In my judgment not one dollar of that will the Treasury ever see again. What are the people going to say when they have $1,250,000,000 invested in railroads—nearly one-fifteenth of their value—when the time comes to turn them back?

Mr. FESS. I will agree to the inference my friend is drawing without making the positive statement—that as we invest public money in industries the public might say that we want to be guaranteed the return of that in some form. But my friend will not ask me to vote against this particular measure, which seems to be absolutely necessary, simply because it is

going to give additional argument on the part of the public, because I want to say to my friend that we have got to have courage enough in this House to resent this tendency that is growing up in the development of public opinion.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. Can I have five minutes more?

Mr. CANNON. I yield five minutes more to the gentleman.

Mr. FESS. I am grateful to my friend.

Mr. SHERLEY. Will the gentleman permit a question?

Mr. FESS. I yield.

Mr. SHERLEY. What does the gentleman say about the probability of increasing the demand for Government ownership as the result of prolongation of Government control now, and in that connection what does he say as to making it more difficult to turn the roads back, if we throw upon them now a heavier burden of financing than they can possibly carry?

Mr. FESS. I sympathize with the position of my friend from Kentucky. I do not know whether I catch fully his inference or not. I am not in favor of making an indefinite extension of Government control.

Mr. SHERLEY. The point is this: If you do not at this time help as this bill provides, but force the railroads to do their own financing to such a huge extent, do you not create a condition in which they can justly say we can not take the roads back?

Mr. FESS. That condition is already reached, I will say, when it was suggested that we would have to turn the roads back soon unless we got remedial legislation. I have been disturbed about that, because we simply can not turn the roads back to the owners and have them operate upon a profit basis with the limitations in respect to them that we have now on the statute books. I agree with my friend the chairman of the committee that because we vote an additional sum it might give an argument in favor of continued Government ownership, yet that is no reason why we should refuse this when it seems absolutely necessary to do it, and I am going to join with him in voting this additional amount.

The thing that disturbs my mind is the possibility of political influence in the railway organization. That absolutely bewilders me. It staggers me when I think that here are 2,000,000 men, voters, who, affiliated with their families, make 5,000,000 people, and if you affiliate those families with the various affiliated industries of the railroads you have 20,000,000, or one-fifth of the population of our country. I think an alarming situation confronts us if we come to vote openly for a policy that will give voice politically to any such tremendous voting power, which would operate upon the basis simply to the interest of the individual voter. That is a thing that I have been afraid of, and from everywhere are coming to us petitions from railway employees asking us to continue Government operation. This Congress has got to be courageous enough to speak out and say whether because there is a great group of voters, because they ask for it, we are going to give it, when there is no other reason as far as I can see for doing so than that they would rather be the employees of the Government than the employees of the owners of the railroads.

There is another thing that I think attention should be directed to. While we are afraid of political influence, yet is there any Member here who will say that in a town largely made up of employees of railroads those men can not be active politically because of their affiliation with the railroads? There is a town near me, a junction point, though not in my district, where the major portion of the population is made up of railroad employees. If you are going to say that none of them can have anything to do in the holding of office or in participation on committees with political organizations, in a way you are going to disfranchise the major portion of the whole town, and it seems to me that is unwise. Let me read a letter to Mr. Pugh, of Toledo, Ohio, who is a member of the Ohio State Legislature:

[United States Railroad Administration. Walker D. Hines, Director General of Railroads. Toledo Terminal Railroad. A. B. Newell, general manager. Terminal Station, Toledo, Ohio.]

FEBRUARY 3, 1919.

Mr. R. B. PUGH,
1721 Lagrange Street, Toledo, Ohio.

DEAR SIR: I understand that you asked for leave of absence on January 6 for a few days and that since then you have not reported for work, but during this period you have attended to your duties as a member of the Ohio State Legislature at Columbus.

Article 8 of General Order 48 reads as follows:

"In all cases where railroad officers, attorneys, and employees were nominated for political offices and had become candidates therefor prior to the issuance of General Order 42, August 31, 1918, they will be permitted to hold and complete the terms of office to which they may be elected at the general election to be held November, 1918, to the extent that the holding of such offices shall not interfere with the performance of their railroad duties. After the completion of such terms of office they shall be governed by the provisions of this order."

Inasmuch as your attention to legislative duties has interfered with your railroad work, your connection with the Toledo Terminal has automatically ceased.

Yours, very truly,

(Signed) A. E. NEWELL.

Mr. COOPER of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. COOPER of Ohio. I believe that order has been set aside by the Railroad Administration.

Mr. FESS. The letter was dated February 3, 1919, and is from Walker D. Hines or his representative.

Mr. COOPER of Ohio. I understand that the order has been set aside.

Mr. FESS. It ought to be set aside.

Mr. COOPER of Ohio. Yes.

Mr. FESS. That is what I wanted to call to your attention. There is danger both ways—danger in allowing political participation and danger in the un-American attitude that because a man is doing this he can not be politically active. The thing to do is to take the railroads out of the hands of the Government. [Applause.]

Mr. CANNON. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman, if I knew any way that I could find it possible to vote against this bill, I should do so on general principles. I am so opposed in principle to anything smacking of Government ownership of our public utilities that I am inclined on first impression to be against the bill; but I can not see any reason why I should vote against it, in view of the particular situation that confronts us at this time.

In the military appropriation act of August 29, 1916, we said that the President in time of war is empowered to take over these railroads. Following that, on March 21, 1918, we passed an act for the payment of compensation to the owners, and provided in section 14 as follows:

That the Federal control of railroads and transportation systems herein and heretofore provided for shall continue for and during the period of the war, and for a reasonable time thereafter.

And we then proceeded and said that the time should not exceed 21 months after the time the President proclaimed peace. No action has been taken by this body, nor has there been any measure proposed, that would terminate that control of railroads sooner than the time fixed in this act, and therefore at this time we have control of these public utilities, and like the man who had a bear by the tail, we do not know how to let go. That is the way I feel about the thing. Here we have incurred these large expenditures we have entered into these contracts for this equipment that shall be used on these railroads, and unless we repudiate those contracts, unless we repudiate the pledges we have made by our legislation, we must have some appropriation measure of this kind. I hope that the time will speedily come when we can put an end to this management and conduct of railroads by the Government. I have no use for it. It has been inefficient, it has been costly, and it will be more costly as time goes on. I do not believe the Government can run these railroads as efficiently and economically as they can be run by private ownership.

It has been extremely interesting to look over the hearings on this bill and to get some kind of idea of what animated the President of the United States and those who had charge of the executive departments of the Government when they took control of the railroads. When we passed the act authorizing the President to take over the railroads we said to him, "If you find it necessary, Mr. President, to do this to carry on this war, do so." I did not believe then, nor do I believe now, that it was the intention of Congress that we were then authorizing the President or the executive officers of this Government to embark upon a great program of governmental control. The President said he might need this power, and we trusted him with the execution of the power, trusting that he would not misuse it or use it unnecessarily. But they took over the whole railroad system, and the principal reasons are given in these hearings by Mr. Hines. They are three in number, and I wish to refer to them. I want to call your attention briefly to the hearings. I have no doubt that many of you have read this, though some of you may not have. The first reason I find is the reason given by Mr. Hines on page 6 of the hearings, where we find him saying:

At the end of December, 1917, the extent of congestion was extraordinary. That was due to a considerable extent to the fact that in handling war material all sorts of priorities had been established by different departments of the Government, and this car had to be moved in priority to that car, and all sorts of Government stuff had to be moved in priority to private shipments.

But Mr. Hines says that the congestion was due to the overlapping activities of a lot of boards here that did not know what they were doing and were not coordinated, which so confused the railroad situation that the Government had to take them over to relieve that condition. The gentleman from Indiana [Mr. WOOD] spoke about that. Mr. Hines says, in substance, that one of the controlling, moving reasons that the Government took over these railroads was inefficiency in some place, stupidity at some other place, overlapping activities of a lot of boards that, as I said, did not know what they were about most of the time. The second reason that Mr. Hines gives is on page 18 of the hearings. In this Mr. Hines is speaking about the matter of compensation of the roads, and he says this:

The interest rates were very high; the companies were claiming that their rates were not sufficient to give them the necessary credit, even in normal times—they had appealed to the commission for increased rates, and the commission had suggested that instead of allowing those rates the situation seemed so complicated that the Government had better take the railroads over.

This reason, under which the President is supposed to have acted, is, in substance, that because the railroad companies had not been granted increased rates their credit was gone and they could not finance themselves. What was the remedy? Let the Government take over the railroads and then raise the rates. In other words, it would not be right for the companies to raise the rates, but would be entirely proper for the Government to do so. This was not a good reason for taking over the railroads; it was merely an excuse.

The third reason, as given by Mr. Hines, is found in his testimony on page 19 of the hearings:

The Government itself was in the market for large amounts of money, and it was distinctly against the Government's policy for private enterprises to go out and bid up the interest rate in order to get money. So that was how it came about that the Railroad Administration started in financing a large part of these additions and betterments. It was a part of the general plan and to aid the general financial scheme of the Government.

It appears, therefore, that the administration thought it necessary to invest $1,250,000,000 in the railroads to protect the market for the liberty bonds. The Railroad Administration has financed the New York, New Haven & Hartford Railroad Co. at an expense of $51,400,000 and the Boston & Maine Railroad Co. at a cost of $20,000,000, and has loaned other roads perhaps $100,000,000 outright. If the Government had taken the bonds of these two railroad companies and had loaned to the other companies the moneys they needed from time to time and taken their securities therefor, it would have been much cheaper and better than to have embarked on this costly and ill-advised experiment. If these are the reasons for taking over the railroads, then they ought never to have been taken from their private ownership.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. CANNON. Mr. Chairman, I yield two minutes to the gentleman from New York [Mr. CLEARY].

Mr. CLEARY. Mr. Chairman, of course I am for this bill. I think it is generally understood why the Government had to take over the railroads. In and around New York, for instance, there is the Lackawanna & Western, the Ontario & Western, the Susquehanna & Western, the Erie, the Lehigh Valley, the Philadelphia & Reading, the Pennsylvania, and all these other roads entering New Jersey right along in a line; all have their terminals, and they are all selfish. I had business with a lot of them. A little part of the haul will not do, they want all the receipts, and so it became necessary for the Government to utilize all of these terminals. The Pennsylvania had to be diverted into the Reading and the Lehigh Valley, and so forth, wherever the docks were, naturally, because you can secure docks in that way, and of course all the other roads run their trains on the docks. It was absolutely necessary for the country to take over those roads to their maximum capacity when there was a congestion of freight. There is no gentleman in the House who is more opposed to continued Government ownership of railroads than I am. I have been in the transportation business for a good many years, and I know something about it. There is just one item particularly that brought me to my feet in this connection. The railroad management has gone on largely in the building of barges and boats. It never has been necessary. There was a time during the severe winter last year that some boats were blocked by ice in and around New York, and they were not able to get them just when they wanted them. They had a lot blocked. So they went into the business of building boats to operate on the Erie Canal, or rather not operating them. I talked with Mr. McAdoo here, some gentlemen here were present, and they told me they were running some of them light. Now, it is absolutely impossible to run a canal boat light and make it profitable. You never can do it by running them that way. I think it is absurd, and I think one of the things that can be done to economize is for the Government to drop all water connections. They do not want to take over and operate any canals or waterways; they do not want to build any boats, and there is no necessity for them. They can not operate them with economy; they can not build barges economically; they do not know how to manage it, so the quicker the better the Government drop all connection with canals and waterways. [Applause.]

Mr. SHERLEY. Mr. Chairman, with the permission of the committee I would like to make some inquiry as to what additional debate is desired touching the matter which is under consideration. If it meets with the approval of the committee I would suggest that by 5 o'clock we start the reading of the bill and then if possible pass it, and if the gentleman will indicate his desire about the matter we perhaps can arrange it.

Mr. CANNON. I have requests for 10 minutes more time. I think that is all the requests I have.

Mr. BLACK. If the gentleman from Kentucky will yield, I would like to have 15 minutes.

Mr. SHERLEY. If the committee is willing, while we can not strictly, under the rules, limit general debate without the committee rising, yet if it is the understanding of the committee I might ask recognition for an hour, and then I will be glad to divide up the time among the gentlemen who desire additional time.

Mr. SMITH of Michigan. Why not divide the time?

Mr. SHERLEY. There is no attempt to use it on any one side. Let the gentleman from Illinois be recognized for half an hour and myself for half an hour and it be understood that at the end of that time we will go to the reading of the bill.

Mr. MANN. How much time is asked for of my colleague?

Mr. CANNON. I have requests for 25 minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that he be recognized for 30 minutes and the gentleman from Illinois [Mr. CANNON] for 30 minutes. Is there objection?

Mr. MANN. I thought the gentleman desired to make his request that general debate shall be limited.

Mr. SHERLEY. The trouble is, I do not think the Committee of the Whole can do it.

Mr. MANN. Oh, yes; by unanimous consent they can.

Mr. HULL of Tennessee. May I inquire of the gentleman from Kentucky as to the probable time he expects to get a vote on the bill?

Mr. SHERLEY. Well, I assume, at the conclusion of general debate, we would probably go to a vote right away. The bill is but one paragraph, but there may be some five-minute debate.

Mr. MANN. There may be some amendments offered.

Mr. HULL of Tennessee. I wanted to procure 20 or 30 minutes, not exactly on the subject of the bill.

Mr. SHERLEY. Oh, I hope the gentleman will not ask for time unless it pertains to the bill. I have asked a number of gentlemen to refrain unless the discussion was in regard to the bill. It is very desirable that we should finish this bill this evening.

Mr. HULL of Tennessee. I am entirely willing to defer the matter.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that general debate be limited to one hour, the gentleman from Kentucky to control 30 minutes and the gentleman from Illinois [Mr. CANNON] 30 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. MCFADDEN].

Mr. McFADDEN. As I understand this bill, it provides $750,000,000 additional to apply to the revolving fund of the Railroad Administration of $500,000,000, and in view of this I think some explanation is due Congress.

There are one or two questions I want to propound to some one on this committee, if they can answer them. If not, I want some one from the Railroad Administration to answer the questions.

The other day I put in a resolution, which is now resting before the Rules Committee, asking for an investigation of some things pertaining to the finances and purchases of the Railroad Administration. Up to this time the Rules Committee has taken no action. I want to get this matter in the RECORD, and I would like some explanation from some one as to this situation.

The following news item appeared in the Federal Trade Information Service of January 3, 1919:

GEORGIA & FLORIDA RAILROAD RENTAL.

The Railroad Administration yesterday signed a contract with the Georgia & Florida Railroad whereby an annual rental of $88,000 will be paid the road. The road is in the hands of W. P. Sullivan, L. M. Williams, and John F. Lewis, receivers. For the test period the road's annual deficit averaged $562. A contract also was signed with the Augusta Southern, a subsidiary of the above, for a rental of $28,000.

It would be interesting to know why the Georgia & Florida receives such favorable consideration and whether it presages similar treatment of other special compensation cases. John Skelton Williams was at one time president of this road and chairman of the board.

Now, in some of the charges which I made the other day on that bill I asked for an investigation of the relations existing between the Comptroller of the Currency as director of the finances and purchases of the Railroad Administration. The Rules Committee has failed to act, and I hope there is some one here in the House that can give me light on this subject.

Mr. MONTAGUE. Will the gentleman permit me to interrupt him?

Mr. McFADDEN. I will.

Mr. MONTAGUE. In respect to the reference to Mr. Williams. The gentleman has made charges against the Comptroller of the Currency, Mr. Williams, and I am authorized by him to say that he courts the fullest investigation of all the charges made by the gentleman from Pennsylvania. He would welcome them.

Mr. McFADDEN. I am glad to hear that. But that is not an answer to the question that I am asking.

Mr. MONTAGUE. I do not reply to that. It is obvious that the gentleman is concerning himself about Mr. Williams more than he is concerned about the rental of the railroads, and that is the reason I made the answer I did.

Mr. DECKER. How much does the gentleman say the railroads paid in rentals.

Mr. McFADDEN. Eighty-eight thousand dollars in the case of the Georgia & Florida Railroad, and $28,000 in the case of the Augusta Southern, a subsidiary of the former, and I am quoting from an article that appeared in the Federal Trade Information Service.

Mr. DECKER. Eighty-eight thousand dollars a year?

Mr. McFADDEN. Yes.

Mr. DECKER. How long a road is it?

Mr. McFADDEN. I can not tell you as to that. I have before me here, however——

Mr. DECKER. What is your objection to its being paid a rental?

Mr. McFADDEN. The test period on which compensation is based shows a deficit of $562 annually.

Mr. DECKER. In giving the information you seek I can best do it by asking you a question. Suppose you owned a railroad on which you have spent a million dollars, and suppose that that railroad had not reached the point where it would make a profit on the investment, do you think that I or anybody else would have the right to take your railroad and use it for a year and not pay you anything for it, simply because it was not paying a profit?

Mr. McFADDEN. If it was a railroad in which myself or my family was interested and I had charge of the financial part of the Railroad Administration, I should think it ought to be investigated.

Mr. DECKER. Do you think that Mr. Williams has anything to do with the settling of the contracts between the railroads and the Governments?

Mr. McFADDEN. I did not say that.

Mr. DECKER. I say he has not, and it is an unjustifiable insinuation. I never saw him in my life, and I am a member of the Committee on Interstate and Foreign Commerce and helped to write the bill under which this is settled. I do not know him, but I do say it is an unjust insinuation. Mr. McAdoo and the President of the United States are responsible for those contracts, and if you can not give further facts than that I wish to say to the gentleman from Pennsylvania that his insinuation is unjustified and uncalled for, because that rule we fought in our committee——

Mr. GARLAND. Mr. Chairman, the gentleman from Missouri is taking up the time of the gentleman from Pennsylvania.

Mr. DECKER. Well, he wants information and I have given it to him.

Mr. McFADDEN. I think not and I refuse to yield further.

I have here before me a hearing before the subcommittee of the House Committee on Appropriations covering the deficiency appropriations for the fiscal year 1919, Sixty-fifth Congress, third session, and I am reading from page 39. It says:

The CHAIRMAN. You were permitted under the law, certain facts appearing, to grant compensation in excess of the maximum that might be stated by the Interstate Commerce Commission to be the return earned on the three-year prewar basis. That was section 6 of the act, was it not?

Mr. HINES. It was paragraph 6 of section 1.

The CHAIRMAN. In point of fact, have you made any such contracts?

Mr. HINES. As a matter of fact we have not yet executed any contracts which include any allowance for compensation in addition to the standard return, with one exception so far, and that is the Missouri & North Arkansas Railroad, where the compensation which we fixed was $161,230 per year, in excess of the standard return.

The CHAIRMAN. To what extent?

Mr. HINES. That was the excess, $161,230.

The CHAIRMAN. Do you recall what the total amount of the standard return was?

Mr. EDDY. About $13,770. The standard return was the difference between $161,230 and $175,000; the total compensation paid was $175,000.

I think that shows that there is some misunderstanding in regard to this matter, and I hope some Member of the House or some one connected with the Railroad Administration will answer this inquiry.

Mr. SHERLEY. If the gentleman will permit, he will find there a list of the claims that have been made for extra compensation under paragraph 6 of section 1, and he will find the number that have been rejected and the number that have been allowed and the number that are pending. The gentleman, of course, will realize that it was an impossibility for the committee to undertake to go into the question as to each of these various roads and the compensation that was allowed or should be allowed to them. We could not have done that under weeks of discussion.

Mr. McFADDEN. Yes; I understand.

Mr. SHERLEY. And I knew nothing of any need for an inquiry as to the special road of which the gentleman speaks.

Mr. McFADDEN. Will the gentleman answer this question, as to who passes on these advances to railroads finally? Does the director of finance do that?

Mr. SHERLEY. There is a committee, as the hearing discloses, that has up with the railroads the question of additional compensation, and then I take it that the matter has to be finally approved by the Director General of the Railroads. He is unquestionably responsible for any contracts that are made as to compensation over and above the standard returns.

Mr. McFADDEN. Does the director of finance have anything to do with that?

Mr. SHERLEY. I do not know. I can not advise the gentleman. I do not recall whether there was any testimony in that regard or not.

Mr. McFADDEN. I think it is reasonable to suppose that the director of finance of the Railroad Administration passes on these matters and that his report is probably finally accepted by the Director General of Railroads. If I am wrong in that impression, I would be very glad to be corrected.

A MEMBER. Who is the financial director?

Mr. McFADDEN. The financial director is John Skelton Williams. The Director General of Railroads is Walker D. Hines.

Mr. SHERLEY. Mr. Chairman, I yield five minutes to the gentleman from Maryland [Mr. LINTHICUM].

The CHAIRMAN. The gentleman from Maryland is recognized for five minutes.

Mr. LINTHICUM. Mr. Chairman, the gentleman speaking upon the railroad bill, H. R. 16020, and discussing the question of Government ownership, the economical management of railroads, and such other questions, reminds me very much of the man who was very ill, and the doctor asked him how often he would like for him to come. He told the doctor to come just as often as he chose, and to spare no expense, just so he got him well. When he recovered and received the doctor's bill he felt quite differently and was very critical as to the charges.

Last year, when the Government was operating the railroads during war times, we did not discuss the question of Government ownership, economical management, and parsimony, but it was merely a question of win the war; no matter what expense, "win the war." It is unfair to try to judge the expenses of the railroads by the past year, during war times, when the sole and paramount question before the American people and American Congress was to win the war for civilization.

Last evening Gen. Carl R. Gray, former director of divisional operations of railroads under Director General McAdoo, in his address at the Baltimore Bar Association gave an instance of the service which the railroads performed for the country. The same men, said he, who had always run the railroads ran them during the war, with the difference that they had the United States back of them.

Every restriction and operation—in fact, everything which tended to impede—was pushed overboard. For instance, let me call to your attention that on February 8 Gen. Gray, along with others, was called in conference with Mr. McAdoo and

shown cablegrams from the premiers of England, France, and Italy, each almost identically alike, in which the statement was made that if the food program of 1,160,000 tons a month was not lived up to the war would end by April 1, and in favor of Germany. Gen. Gray told them that the railroads went into the factories and wherever they could get all kinds of cars, loaded them with food for the seaboard, and from then until March 15 scarcely a car except food cars ran in the United States. The result was that on that date every ship the United States and her allies could produce was filled, as well as all the elevators, and there were 62,000 loaded cars up against the wharves waiting to be unloaded.

You gentlemen must realize that this great undertaking was not accomplished upon the economical basis which prevails in peace times. It was not a question as to what it would cost to do this; it was a question of doing it; of feeding our allies and of carrying on the war to a successful termination. Then you have the large increase in wages to the employees, which became inevitable by reason of the high cost of food and other living expenses, so that the American railroad employees could live and clothe their families as suited their station in life.

You gave to our boys of the Army transportation at 1 cent per mile. It was just what we ought to have done, but nobody ever raised the question as to whether it was profitable or not. It was for the boys who were to win the war for us, and that was all that was necessary.

We had one of the worst winters in the history of our country. I doubt whether there is a man on the floor of this House who remembers such a winter. This made railroad operation very much more expensive. The railroads were not run in the manner of peaceful days, but upon a war basis, giving priority to all those articles which were necessary to win the war, to the exclusion of other traffic, no matter how unprofitable. Vast expenditure had to be made in equipment and numerous other matters which entered into the question of winning the war. I say, therefore, gentlemen, that you are not fair to the men who operated the railroads when you say they were not economically managed.

The truth is that the railroad management absolutely broke down and had to be taken over. Just why it broke down is a matter of great difference of opinion. Suffice it to say that when they did reach that period and it was necessary for the Government to take them over, it was done, and the railroads were managed and the war has been won.

I was talking to a large transportation man some months ago, and he advanced the idea that the railroad congestion first originated when a fruit vendor refused to pay 25 cents for the hauling of a bunch of bananas to his shop by one of the store-door delivery wagons of the company. Other merchants took up the question and refused to accept the goods and pay the hauling. Thus the state of congestion originated.

The Interstate Commerce Commission disapproved of the store-door delivery, and ordered it to be discontinued. Hence the hauling of the freight from the stations by hundreds of consignees instead of by the prompt system of store-door delivery soon congested the freight yards and freight stations along the Atlantic seaboard. This prevented the prompt unloading of cars, which gradually extended from the seaboard to Pittsburgh and other western centers, and thus, said my informant, the congestion of the railroads first began.

This is one theory, and there are many others. What I am proud of is the fact that with the railroads operating in conjunction with the Government, and with all the other branches functioning, we have won the war, and now comes the question of appropriating money to finance the railroads under this bill. It is one of the things which must be done. The railroads must be looked after. They are the business arteries of the country; without them we can not become prosperous, nor even conduct our affairs. The better they are financed and the better they are operated the sooner we can again reach the prosperity of peace times.

I am, therefore, in favor of doing everything possible for the railroads.

As to the question of Government or private ownership, I am very much of the opinion Gen. Gray was when some one asked him what was his opinion about Government ownership. He replied, "Government ownership and private ownership can wait until we have settled this question of German ownership."

Let us settle this war question, establish peace throughout the world again, agree upon some proper form of a league of nations, and avoid the great devastation wrought by war, both upon humanity and property. Perhaps when we get farther away from the effects of the war, and more established in our business enterprises, we may be better able to judge as to whether the people want public or private ownership. [Applause.]

Mr. SHERLEY. Mr. Chairman, did the gentleman use all of his time?

Mr. LINTHICUM. I yield back the balance of my time.

The CHAIRMAN. The gentleman from Maryland yields back one minute.

Mr. LINTHICUM. I ask unanimous consent, Mr. Chairman, to extend my remarks.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLACK].

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. BLACK. Mr. Chairman, before I begin, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

By unanimous consent, leave to extend their remarks in the RECORD was given to Mr. KREIDER, Mr. FESS, Mr. SHERLEY, and Mr. GREEN of Iowa.

Mr. BLACK. Mr. Chairman, necessarily in voting upon the various bills that press upon us during the closing days of a session of Congress we do not have opportunity to read carefully all the hearings on them, and we can only do the best we can and make up our minds from the information which we have obtained from a hurried study of the printed hearings before the committee which has charge of the particular bill, and such other reading and study as we may have opportunity to give.

Members of Congress would often wish that we might have more time to look into the details of these appropriation bills which carry such enormous sums of money. That we do not have such time and can not possibly have it under any system that mortal man might devise is one of the strongest reasons why I am opposed to the socialistic formula of putting the Government into all kinds of business ventures. As long as we can keep our Government within the sphere of operation which properly belongs to a republican form of government and as ordained by the fathers when they wrote the Constitution, to wit: To really govern and control and not to own the means of production and transportation and livelihood of its citizens, then we have every reason to believe that we shall have a government of law and order and representative of all classes of people and not dominated by any group or special interest. In fact, that is the only kind of a government which can and will guarantee safety and protection to all classes and groups of citizens. And now with these general observations I will undertake to discuss some of the features of the bill which we now have under consideration..

I have hurriedly read the hearings on this bill and have listened with a great deal of interest to the able speech of the gentleman from Kentucky [Mr. SHERLEY] in explanation of his reasons for advocating its passage. On this reading of the hearings, and my study of the bill itself, and the able speech of the gentleman from Kentucky [Mr. SHERLEY] I expect to base my decision on final vote on the bill.

On December 14, 1918, during the general debate on the Post Office appropriation bill, I expressed clearly my opposition to the Government ownership of telegraphs, telephones, and railroad systems, and I do not wish to repeat to-day anything I said then, except that I want the people whom I have the honor to represent in this body to know that I am emphatically opposed to a policy of Government ownership of these utilities, and I favor their return to their owners just as soon as it can be properly effected.

It is my belief that it is no time for men who are in responsible public positions to undertake to dodge or evade this important question, or make it the football of politics, but it is time for every man to stand up and be counted on it. And I hope that the people will demand that their Representatives in Congress declare themselves. It is too important a question to be sidestepped or evaded. The consequences which it involves to the people are too tremendous to be treated lightly or indifferently.

In discussing this bill that we have before us now to increase by $750,000,000 the revolving fund which we provided in the bill of March 21, 1918, naturally one of the first propositions that arises in our minds: How has the Government operated these railroads? What, if any, deficit has there been in the operation? What items are covered by this enormous appropriation of $750,000,000? To these questions I will now undertake to devote some brief attention.

If I recall correctly, some years prior to the war and to the Government taking over the railroads, Hon. Louis D. Brandeis, who is now one of the Associate Justices of the Supreme Court of the United States, appeared before the Interstate Commerce Commission in a hearing where the railroads were seeking to secure increases in freight rates, and stated that they needed no increases, and that a very large sum, running into the millions, could be saved each year by certain economies that the railroad companies could easily put into effect. According to his opinion, the matter of saving millions in each year on operating expenses would be a perfectly easy thing to accomplish. I think Mr. Clifford Thorne, who was at that time a railroad commissioner of the State of Iowa, made that statement also, and argued it with considerable emphasis to the Interstate Commerce Commission. And it is interesting also to note that when the Senate Commerce Committee was holding hearings on the act of March 21, 1918, Hon. William G. McAdoo, Director General, appeared before that committee and gave his opinion as to the wonder work and the magic and the economies that could be brought about under unified Government control. I wish to read some of the things that Mr. McAdoo said before the Senate committee in that hearing. Here is what he said:

So I hope that very large economies may be practiced. How far they will be offset by increased cost of material and increased cost of labor I do not know, but perhaps one hand will wash the other.

But how has it actually turned out? The truth of the matter is that the right hand has failed to wash the left hand by more than $1,000,000,000.

Again, he says:

I hope that the deficiency will be inconsiderable, and I hope as well that we may have a surplus. (Senate committee hearings, p. 823.) * * * I hope there will be no deficiency. I hope that such economies can be effected as will prevent deficiencies, and I even hope that a surplus may result from Government operation.

But he was cautious enough to add:

Of course, that is a hope. I do not know.

Mr. McAdoo is an optimistic and hopeful statesman, but he surely stretched his optimism and credulity if he really ever brought himself to even hope that there would be a surplus under Government operation and control.

Mr. SMITH of Michigan. Can the gentleman tell us where he said that?

Mr. BLACK. Yes; that was before the Senate Commerce Committee when they were considering the act of March 21, 1918, which provided for the compensation agreements, and so forth, to the railroads.

Mr. COOPER of Ohio. May I ask the gentleman a question?

Mr. BLACK. Yes.

Mr. COOPER of Ohio. How much does the gentleman think we would have been in the hole if Mr. McAdoo had not increased the freight and passenger rates?

Mr. BLACK. I will discuss that feature directly; but I will make a short answer at the present, and say without any fear of contradiction that there would have been a loss to the Government in 1918 of at least $750,000,000 if the freight and passenger rates had not been increased. Now, let us see how these optimistic predictions by such men as Hon. Louis D. Brandeis and Mr. Clifford Thorne and Mr. McAdoo as to the wonders that would be worked under Government control have actually turned out, because I believe that in the consideration of a great fundamental question like this the American people are entitled to the facts. I read now from the Railway Age of January 31, 1919. If these facts are not correct, I invite correction from any Member of the House:

The increases in expenses came so fast that, contrary to his obvious expectations, Mr. McAdoo was obliged to make large advances in both freight and passenger rates. These advances in rates yielded increased earnings of about $600,000,000 in the six months, July to December, inclusive, during which they were in effect. The increases in expenses wiped out the $100,000,000 margin with which, as Mr. McAdoo told the Senate committee, he began; wiped out the $600,000,000 increase in earnings due to advances in rates; and left the Government with a deficit of $200,000,000 from the year's operations. Taking into account the increased earnings derived from the advances in rates and the deficit incurred, it will be seen that Mr. McAdoo missed his guess as to the final outcome of the year by at least $800,000,000.

Mr. MADDEN. Will the gentleman yield for a word?

Mr. BLACK. Yes, I yield.

Mr. MADDEN. I understand that the class rates were increased 25 per cent and the commodity rates were increased all the way from 100 to 1,000 per cent, and the passenger rates were increased 50 per cent.

Mr. BLACK. I will state to the gentleman from Illinois that I really think it is true that the increase in freight rates was larger than 25 per cent when you look at the matter in the aggregate. My understanding is that the average increase on most articles was 25 per cent but on many commodities it was very much more.

The statement is frequently made by those who favor Government ownership of railroads and therefore Mr. McAdoo's plan for a five-year extension of the time of Government control, that the deficit which was incurred in time of actual hostilities, is not a fair test of Government management and that peace-time operation and management will make a much better record.

I wonder on what they base so hopeful a prediction.

The signing of the armistice took place November 11, 1918, and certainly operations during the month of December, 1918, would reflect light on what we may expect from Government operation of the railroads during peace times.

The Interstate Commerce Commission's report for December is now available, and let us see what it shows.

The force and logic of figures are much more convincing in a matter of this kind than flamboyant and sophomoric oratory.

Let us see: In December, 1917, the weather and other operating conditions were as bad as ever known, and yet the operating expenses of the railroads under their own private managements were only $238,582,000. In December, 1918, the weather conditions were as favorable to economical operation as were ever known, and yet the expenses, including a certain amount of back pay to railway employees, under Government operation were over $375,282,000, making an increase over December, 1917, when the roads were being operated under their own private management of $136,700,000. Enormous, is it not? And yet it is true and I stand up here and boldly challenge any one to dispute the accuracy of the figures.

The statistics for December are accompanied by statistics showing the results of the same roads for the 12 months of 1918. The 175 large roads included, having a mileage of 214,000 miles, had an increase in earnings during the entire year of $824,000,000, due in large part to freight and passenger increases in rates, or 21.6 per cent. The increase in operating expenses was $1,090,000,000, or 40 per cent.

One readily sees from an examination of these figures that there was a reduction in the net operating income for these 175 large roads for the 12 months of 1918 of $265,000,000, or almost 30 per cent. And it must be remembered that this enormous deficit was in the face of the high increase in freight and passenger rates which went into effect in the month of June, 1918.

If it be true, as La Fontaine said, "in everything one must consider the end," then it is high time that Congress should begin to consider the end to which some of the policies we are now following would commit us, and we should steer back into the path of a wise and prudent statesmanship.

Mr. CANNON. I yield to the gentleman from Missouri [Mr. DYER] five minutes.

Mr. DYER. Mr. Chairman and gentlemen of the committee, the legislation which Congress enacted a year or so ago, taking over the railroads, makes necessary, of course, the additional appropriation, as shown from the report of the Committee on Appropriations and from the speech of its distinguished chairman [Mr. SHERLEY]. We are bound and compelled in justice and in right to appropriate this money that is now and will be needed. In the few minutes I have I want to call the attention of the committee to the question of Government ownership of railroads as a permanent policy.

I have received a great many requests and letters from people of my city and State and from other places touching this question. From what I have been able to learn I judge that there has been organized and that there is now going on a vigorous propaganda trying to influence the Members of Congress upon this question. I believe that when this question comes up in the next Congress we ought all to be free and to have open minds to do that which seems to be best for the country and the people generally.

I am vigorously opposed to propaganda that is organized and has its headquarters generally here in Washington trying to influence us on matters of this kind without furnishing any facts. I hold in my hand a letter, similar to others I have received, to which I want to call the attention of the House. It is dated St. Louis, February 14, 1919, addressed to Senator SPENCER, of my State, Representative IGOE, one of my colleagues from St. Louis, and myself. The letter is as follows:

ST. LOUIS, *February 14, 1919.*

Hon. Senator SPENCER,
Hon. Representative IGOE,
Hon. Representative DYER,
Washington, D. C.:

By my vote and the vote of my fellow workmen you were enabled to fill the position you now hold, and if you wish to retain the support of the many thousands of railway employees and their friends who are not directly connected with the railroads in future elections we are asking that you favor us by giving your support and influence favoring the extension of Government control of railroads for another five years, as per the recommendations outlined by former Director General W. G. McAdoo.

The evidence is very clear that should the railroads be returned to private management and control it would be most disastrous to business and the country at large.

I am asking each of you to put forth your best efforts to the end that the railroads of the country remain under Government control.

Trusting that you will see your way clear to take your stand as outlined above and that I may be permitted to have a favorable reply, I am,

Yours, truly,

ALPHONSE G'SELL.
FERDINAND G'SELL.

Neither of the two men whose names have been signed to that letter reside in my district. The important part of this letter to which I wish to call attention to is that it says, "Carbon copy to John Scott, room 505-507, A. F. of L. Building, Washington, D. C."

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I yield to the gentleman five minutes more.

Mr. DYER. I want to call the attention of the committee to the fact that there has been organized, apparently, this propaganda and that its headquarters are in Washington, in the A. F. of L. Building, under the management of some man that I do not know by the name of John Scott. The A. F. of L. Building I take it to be the American Federation of Labor Building.

This letter gives no facts or information to me or any Member of Congress as to why I should vote for a five-year extension of the railroads under Government control nor for permanent ownership. It is a systematic effort, as I view it, and from letters I have received from my city, indicating that from now on until Congress does act you and I will be bombarded with these letters from people at home and elsewhere. This letter says, "By my vote and the vote of my fellow workmen you are enabled to fill the position you now hold." In other words, telling me and others in effect that we have elected you to Congress and we expect you to do what we want you to do on the railroad question.

I have in my city, St. Louis, a great railroad center, and there thousands of men who are employed in railroad work, in the operation of trains, in the offices of railroads, and so forth.

St. Louis is the general headquarters for several of the railroads of the great Middle West. We have thousands and thousands of men who are engaged in this work. I have found these employees fair, honorable, and good citizens. I have found the same as regards the owners, operators, and managers of these railroads. I know they want and expect their Representatives in Congress to consider all the facts with reference to these questions, and to do whatever is for the best interest of all concerned.

I want to protest and call attention of the Members of Congress to what I believe is a most unjust method of trying to influence them in the discharge of their public duty. I wish to say that these people themselves are not trying to use undue influence on Members of Congress so far as my city is concerned. It is those persons who have political axes to grind or other selfish interests. I do not receive letters from men whom I know personally are engaged in the operation of trains of this threatening kind, and yet many of them are railroad men and citizens of my district. Such letters as I have here are sent out from Washington propaganda headquarters, all prepared to obtain signatures of men, many of whom probably do not work on the railroads at all.

These men whose signatures are to this letter I do not know. I know they do not live within my district and I doubt if they are in effect working for the railroads. But it is a sinister method of influencing legislation. We want, Mr. Chairman, when the time comes to vote upon this question, to vote as the best interests of the country demand, from the best information we can get. I want to so vote and speak upon this question as my judgment directs after mature and serious investigation of all the facts. I also want to follow the judgment of men who are giving time and attention to this great problem—Government officials, railroad operators, and employees. I would give heed to the judgment of men like the gentleman from Kentucky [Mr. SHERLEY], the able and distinguished chairman of the Committee on Appropriations; men like the great legislator, the gentleman from Illinois [Mr. CANNON], the former able Speaker of the House, a member of the Appropriations Committee; men who have given great study to these questions, who have considered them from the standpoint of doing justice to the whole country. I could mention others who will in Congress aid in the solution of what is best to do with the railroads. There is the gentleman from Wisconsin [Mr. ESCH], who will be chairman of the Interstate Commerce Committee in the next House. This committee will consider this question primarily. Then there is another Member, the gentleman from Ohio [Mr. COOPER], a trained railroad man. I value his judgment on this serious proposition. We will do what is right at the proper time. [Applause.]

Mr. CANNON. Mr. Chairman, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, on the taking over by the Government of the railroad systems of this country we appropriated $500,000,000 to be used to buy equipment, make improvements, and pay operating expenses. We are now called upon to appropriate $750,000,000 more for those purposes—a billion and one-quarter of the people's money raised by taxation to keep the railway systems of the country going.

During the period of Government operation the rates have been increased over 25 per cent, so that the people of the country have paid between five and six hundred million dollars more in freight and passenger charges in six months than they would have paid for the same service under the rates which prevailed when the railroads were in private control. Notwithstanding this increased charge on the people, of more than a billion dollars a year in freight and passenger rates, the revenues of the roads fell short in 1918 of paying operating expenses and meeting the standard return due the companies under their contracts with the Government by nearly $200,000,000.

I think there is no one who will claim that the service on the railroads of the country has been improved under public control. I think it is the judgment of a great majority of those who utilize the railroads that the service has been much less satisfactory than under private control.

This is the situation, then: A billion and a quarter dollars out of the public pocket to equip, improve, and operate the roads; another billion and a quarter dollars of levy on the people of the country in the way of increased passenger and freight rates and a less satisfactory service, and yet there are folks who want Government ownership and operation of railroads. It may be argued, it has been argued, and it will be argued that the operation of the railways by the Government in time of war does not afford a fair condition on which to judge what the results of Government operation might be in time of peace. That is very true, but at least some of the benefits that it was claimed would follow before we took the railways should have been apparent even under the trying conditions of war. This war has cost a great deal of money and many precious lives, and it will lay a very heavy burden on the people of the country for many years to come. Possibly we may secure some good out of all these losses if we take to heart the experience we have had relative to the inefficiency or ineffectiveness of Government in the operation of great private enterprises. I am not prepared to say that it would have been better to have allowed the business of the country to continue during the war under proper and reasonable regulations, but without Government management, operation, regulation, price fixing, and licensing—amounting to the control of business. I am not prepared to say that, but I am of the opinion that he who attempts to prove that we secured substantial temporary or lasting benefits or that we aided greatly in winning the war by the efforts that we made in many lines of management, operation, regulation, control, and price fixing has a very hard task on his hands. Coal would have gone higher at one period than it did if we had not regulated the price, but it would have got down to normal more quickly.

The farmers did not ask for a guaranteed price on wheat, but in order to justify the artificial and arbitrary fixing of a price during the war below the price the law of supply and demand would have fixed, a minimum guaranty was agreed upon, and the Lord only knows what the final reckoning will be or how much it will ultimately cost. We know what it has cost us to run the railroads, and we know we have not gotten good service. The fact is that war has again emphasized what has been known to all reasonable and reasoning men since civilization dawned—that you must have individual initiative and enthusiasm, intelligent self-interest, the spur of ambition, to carry on the great enterprises of civilization; and that while public regulation is necessary and essential to check greed and compel respect for the rights of the people, taking over and operation of great enterprises and industries by the Government is certain to be costly and unsatisfactory. I have tried to keep an open mind on this railroad business and on various Government activities in the field of private enterprises during the war, because they were deemed necessary, but as I have observed the effect and counted the cost I am more and more convinced these enterprises and activities were of questionable value in war and indefensible in peace.

Mr. SHERLEY. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania [Mr. DEWALT].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 16 minutes.

Mr. DEWALT. Mr. Chairman, the chairman of the Committee on Appropriations has been kind enough to yield the balance of his time to me in closing this argument on this bill.

Of course, I would preface my remarks by saying that ability to close this matter with the clearness, the exactness, and the emphasis that would be obtained from the learned discussion of the gentleman from Kentucky can not in any wise be given by myself. I have during the time of this debate carefully noted what was said, and it seems to me that we have sometimes gone far afield from the exact matter which we are about to decide. Laws are passed either to prevent crime or to punish those who have committed crime or they are passed as remedial legislation to better conditions under existing law. This is certainly not a law which is intended to punish crime, and yet during the discussion this afternoon I have heard charges made against the administration of railroad affairs, charges against the Government, and charges of lack of interest and lack of capacity, and perhaps charges even worse than that, but the pith of this matter is this: What is the law intended for and what does it mean? The law means an appropriation of $750,000,000, and it is to be expended to remedy an existing condition. That condition is a deficit, and that deficit must be met, and while it may be very pleasant and perhaps instructive and entertaining at some other time to talk about railroad administration, Government ownership, and the results of the last administration of the railroads by the Railroad Administration officials and the consequent effects of Government ownership or private ownership, to my mind they have absolutely nothing to do with the matter we now have in hand.

Mr. DENISON. Will the gentleman yield in that connection?

Mr. DEWALT. I will.

Mr. DENISON. The gentleman has stated very properly this law is to remedy existing conditions.

Mr. DEWALT. Yes, sir.

Mr. DENISON. Does not the gentleman think in the discussion of that question that it is pertinent to discuss the causes of this condition?

Mr. DEWALT. Hardly so. You are not facing a theory; you are facing a condition, and that existing condition is a deficit. It does not make very much difference if you do not have any money in your pocket what the reason is you do not have it; the fact still remains you have not got it; and the best thing you can do under the circumstances is to find how you can get the money into your pocket.

Mr. DENISON. If you have not got the money and you are discussing the reason for getting it, does not the gentleman think you might discuss how you happened not to have any in your pocket? It seems to me——

Mr. DEWALT. I believe a little discussion might help it, but the extraneous discussion in reference to the causes that brought about this deficit, in my judgment, went too far afield. Now, what is this deficit? Let us get down to that. The revolving fund was $500,000,000. That absolutely and actually was exhausted by the control of the railroads and by the Government. They are now asking for $750,000,000 in addition to what they have already had. Now, that is a plain proposition. Now, the actual deficit that was incurred during the administration is not the enormous sum that these gentlemen have been propounding to you. It was not $1,000,000,000. It is actually $196,000,000. Caused by what? Well, it does not make very much difference what it was that caused it unless it was theft. It may have been extravagance; it may have been mismanagement; it may have been, in some instances, a mistake, and very frequently, no doubt, was; but that is not the question. The question is, How are you going to meet the deficit, and what are the reasons for raising the money? That is the clear, succinct proposition, and nothing else. Now, is the deficit $196,000,000? Now, let us look at that for a moment. You see, gentlemen, in my humble opinion the trouble in this House is just here, that a great many gentlemen, while well meaning in their intentions and no doubt fairer and more honest than a great many other people are or propose to be, have gone into this subject without examining the figures.

Mr. BLACK. Will the gentleman yield for a question there?

Mr. DEWALT. I will.

Mr. BLACK. Does the gentleman understand me to have said there was a billion dollar deficit?

Mr. DEWALT. I was not referring to the gentleman at all.

Mr. BLACK. He misunderstood me, then, because I made no such statement.

Mr. DEWALT. I was not referring to the gentleman at all; I was referring to some one else. The trouble is that a great many have approached this subject without really knowing what the deficit means and how much it is and how it is made up. Now, if gentlemen of the committee will take the report and turn to page 188 they will see that under the requirements for 1918 there was a standard return which must be paid to the railroads under the provisions of the railroad act. That sum was $928,314,000 in round numbers. There was also an expenditure for additions and betterments of $573,334,000. Now, that is not a deficit or a loss, because under the original provisions of the act itself taking over the railroads the railroads, when they are returned to their private control, must pay for these betterments and improvements. That is the law. How must they pay for them? They must not pay for them at the actual cost thereof, but the act provides that they shall pay for them at the appraisal value; and the act further provides that during the time that these betterments are acquired and taken into the railroads themselves they shall, if possible, pay for them out of their earnings, so that this matter is not considered, or should not be considered, a portion of the deficit. In addition to that, you have advances to inland waterways of $4,361,480; and yet in the calculation of this deficit, amounting up to a billion dollars, according to the figures of these gentlemen, they say that is a deficit. Why, it is not a deficit at all. The inland waterways of the country were taken over provisionally, just exactly as the railroads were taken over, and they were taken over under the same terms.

And these betterments and improvements which are put into those inland waterways are under the provisions of that act and they must be paid and returned to the Government ultimately.

Now, take your next item, $51,475,000. That is rather an astounding item. But what is that? It is the money loaned to the New York, New Haven & Hartford road. The reasons for such a loan were quite apparent at the time, and I will merely refer to them to say that every man on this committee thought there was absolutely nothing else to do under the circumstances. They had $43,500,000 already outstanding, notes which were due just about the time this railroad legislation was being enforced. At that time also there was the third liberty loan pending. It became actually and absolutely necessary that there must be a financing of this road's finances at that time, and the Government advanced $43,500,000, taking ample security for the same, and at the same time gave $8,000,000 in addition thereto for the necessities of the railroad at that time. Suppose they had not done that. It is easy to say that the New York, New Haven & Hartford would go into bankruptcy. It is easy to say, "Let a receiver be appointed." But there would have been a financial panic at that time, and the bankers that were carrying these large loans were obliged in some way to find a remedy, and the only remedy that could be found at that time was the loan from the Government. And yet I hear gentlemen on this floor to-day calculating that as a part of the figure that must make up this deficit. It is amply secured and will be returned to the Government in due time.

Well, now, take that figure, and you find you have $1,557,484,000, in round numbers. From those you can exclude the items I have already given you, and then if you take the net requirements as found on page 188 you will find that the additions and betterments for the year 1919 are $290,918,283, which is the balance between the amount as specified, of $573,334,119, and the amount appropriated by the railroads themselves for the payment of betterments, and you have the item of $290,918,000.

Mr. BUTLER. Will my good friend answer me a question?

Mr. DEWALT. I will if I can. Quakers ask questions, you know, that other people can not answer.

Mr. BUTLER. This is an easy one.

Mr. DEWALT. All right.

Mr. BUTLER. We have taken from the Treasury $500,000,000 for railroad purposes.

Mr. DEWALT. Yes, sir.

Mr. BUTLER. And we are asking now to take $750,000,000.

Mr. DEWALT. Yes, sir.

Mr. BUTLER. When we get through, how much is it going to cost the Government?

Mr. DEWALT. I have been trying to show to you that a greater proportion of this is going to come back into the Treasury of the United States.

Mr. BUTLER. Does my friend have it figured out? I want those two figures.

Mr. DEWALT. It is going to cost $381,806,904 in order to make up this deficit for 1918.

Mr. BUTLER. I got that from the gentleman from Kentucky [Mr. SHERLEY]. But when we are through with it all, settle it all up, and wipe it off the slate, how much is it going to cost the Government?

Mr. DEWALT. That is something that nobody, not even a Quaker, can tell.

Mr. BUTLER. Then, I will say to my friend, it is a hard one.

Mr. DEWALT. And for this reason: I say that when you make up the estimates for 1919 they are simply estimates. When you make them up for 1918 you have the actual figures.

Mr. BUTLER. I agree with the gentleman. Excuse me for the interruption.

Mr. DEWALT. It was not an interruption. It was a proper inquiry.

If you take $881,000,000 as tabulated, by taking the additions and betterments, the working capital, the advance to the inland waterways, the loan to the New York, New Haven & Hartford, and then the deficit of $196,000,000, as already said, and you have your revolving fund of $500,000,000, an additional appropriation of $381,000,000 is requested to make up that difference.

Mr. MAYS. Will the gentleman yield?

Mr. DEWALT. Yes.

Mr. MAYS. The railroads have rendered a great deal of service to the Government in carrying troops and the like. Has that all been computed and proper credit given to the Railroad Administration?

Mr. DEWALT. It is taken in the aggregate receipts of the railroads for the year 1918, and the gentleman will find them on the same page as $732,314,372, and in that item is included the amount received for the transportation of troops.

Mr. MAYS. Is the gentleman informed whether or not those charges correspond to charges made by private owners? For instance, we carry the boys back for 1 cent a mile to any part of the country. How much are the railroads credited for that service?

Mr. DEWALT. I can not say. I have no definite information on that.

Mr. MAYS. The gentleman can not tell how much they are credited for the service in carrying the troops in any instance?

Mr. DEWALT. I can not. Does not the gentleman recognize that that is a collateral issue? After all, let us come down to the finite proposition of how much money do you have, how much do you need, what is the difference between what you have and what you need, and where are you going to get it?

Mr. MAYS. You have been referring a good deal to this deficit of $196,000,000, and I am trying to ascertain the credits that might be due the Railroad Administration, if the gentleman is informed, for services rendered to the Government.

Mr. DEWALT. There is nothing in this report, so far as I can ascertain, which gives any detailed statement as to the charge for carrying troops and the amount of credit.

Mr. MAYS. Does not the gentleman realize that that would be a pertinent inquiry?

Mr. DEWALT. I think it would be.

Mr. TILSON. As a matter of fact, were not the usual charges made to troops as would be the case with other large numbers of people traveling?

Mr. DEWALT. Except that the troops traveled at 1 cent a mile.

Mr. MAYS. Other people paid 3 cents.

Mr. CANNON. Mr. Chairman, I will ask the gentleman from Kentucky to yield 10 minutes to my colleague from Illinois [Mr. DENISON].

Mr. SHERLEY. I have used all the time I had.

The CHAIRMAN. All time has expired.

Mr. CANNON. I ask unanimous consent, Mr. Chairman, that my colleague may have 10 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that his colleague [Mr. DENISON] may proceed for 10 minutes. Is there objection?

There was no objection.

Mr. DENISON. Mr. Chairman and gentlemen of the committee, the gentleman from Missouri [Mr. DYER] spoke a little while ago about certain propaganda that was going over the country to try to influence Members of Congress in reference to the proposed legislation extending the Government control of railroads for a period of five years. In that connection I want to ask the Clerk to read in my time a short press report that I clipped from the Washington Post of January 28.

The CHAIRMAN. Without objection, the Clerk will read.

Mr. LARSEN. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Georgia objects.

Mr. LARSEN. I have no objection to the gentleman's incorporating it in the RECORD.

Mr. DENISON. I will read it myself, to satisfy my friend.

Mr. LARSEN. I object.

The CHAIRMAN. Does the gentleman from Georgia mean to object to his reading it himself under the rule?

Mr. LARSEN. Yes.

The CHAIRMAN. The objection is sustained. The present occupant of the Chair was of the opinion that the gentleman from Illinois had the right to read it in his own time, but the parliamentary clerk suggested that the rule was the other way, and he is more familiar with it than the Chair.

Mr. MANN. In the old days that was true. But now you might just as well say a man can not read a bill on the floor of the House. That has not been the practice since I have been a Member of the House. That used to be the old, old practice, but it never was a rule.

The CHAIRMAN. Has the gentleman any precedent to show that? It is very plain here in the rule as cited by the parliamentary clerk. Rule XXX is very clear on that.

Mr. WALSH. Mr. Chairman, is there not also a rule that if objection is made the question can be submitted to the committee?

The CHAIRMAN. There is.

Mr. WALSH. I move that the gentleman from Illinois be permitted to read the article as requested.

The CHAIRMAN. The question is on the motion of the gentleman from Massachusetts [Mr. WALSH] that the gentleman from Illinois [Mr. DENISON] shall be permitted to read the article.

The motion was agreed to.

The CHAIRMAN. The gentleman from Illinois will proceed.

Mr. DENISON. It is a quotation from Mr. McAdoo. I can not understand why there should be an objection to it by the gentleman from Georgia. I read:

ASKS RAIL CONTROL TO AID WATERWAYS—M'ADOO URGES NECESSITY OF COORDINATING TWO TRAFFIC SYSTEMS.

SANTA BARBARA, CAL., *January 27.*

W. G. McAdoo, former Director General of Railroads and former Secretary of the Treasury, made public to-day a telegram in which he urged five-year Government control of the railroads as a necessity for the development of inland waterways and for the coordination of the railroads and waterways with the new American merchant marine.

The telegram was sent in response to an invitation to attend an inland-waterways meeting to-day at Defiance, Ohio.

The message said, in part:

"It seems to me futile to expend great sums of money on the development of our inland waterways unless our Government adopts an intelligent policy about railroad control. The future of waterways development is absolutely dependent upon a government control which will enforce the operation of the waterways and the railroads as a coordinated and articulated system which will give the people the benefits of an efficient combination of water and rail facilities.

"Upon the return of the railroads to private ownership, which must be made within the 21-months period, as the present law provides, the cut-throat competition of the railroads under private control with the partially developed waterways will effectively destroy water transportation as heretofore and the people's investment in these facilities will continue to be of little if any value.

"I have urged the Congress to extend the period of Federal control of the railroads for five years because that will give us time to develop some of the most important existing water routes, coordinate them with the railroads, and prove their worth as a part of a great American transportation system.

"The powerful and sleepless forces of reaction are solidly arrayed against this plan. They will defeat it unless the American people are aroused to the situation. My suggestion to you and your associates is that you press upon the attention of the Congress the importance of the five-year control."

Now, I have read this telegram of Mr. McAdoo, which the paper states he himself gave to the press, as pertinent to this question of propaganda that is going on over the country to try to influence Members of Congress to vote for this proposed five-year extension of Government control of railroads. Of course we all know——

Mr. MAYS. Mr. Chairman, will the gentleman yield?

Mr. DENISON. No; I have not the time to yield. We all know that there are a great many people in this country who are interested in the development of inland waterways all through the Mississippi Valley and the West, and Mr. McAdoo is evidently trying to enlist the support of all those who are interested in inland waterways in using their influence with the Members of Congress to get us to grant this five-year extension of Government control, in order to get what they want done on the waterways.

I mention this and insert it in the RECORD here also for another purpose. When Mr. McAdoo resigned from his dual position with the Government he gave as one of his reasons for doing so that he was war weary and worn out and needed a rest. He wanted to get "far from the madding crowd's ignoble strife" and recuperate; and so he wrapped his mantle about him and silently stole away to sunny southern California, where the flowers bloom perpetually and the turmoil of politics disturbs not one's rest and reflections.

Mr. WELTY. Mr. Chairman, will the gentleman yield?

Mr. DENISON. I supposed, and most of us supposed, that he was going out there to get away from this perplexing railroad question. But we see every day or two Mr. McAdoo sending a telegram or making a statement, which he invariably gives to the press, in which he urges some interest here, or some interest

there, or some interest in some other part of the country, to get busy with Members of Congress and urge us to allow his five-year extension of Government control.

All of which shows that while Mr. McAdoo has resigned from the offices he held, he has not resigned from his interest in the continued control of the railroads by the Government. And while he allowed the President to appoint his successor as Secretary of the Treasury—a good appointment, too—he himself selected his successor as Director General of Railroads; and the new Director General of Railroads was careful to make a public statement on the day of his appointment to the effect that he was going to carry out Mr. McAdoo's policies. I think that Mr. McAdoo, while he is resting in southern California, still has his fingers on the wires that lead to the different agencies of the agitation that is going on over the country.

Mr. WELTY. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. WELTY. Do you know why that telegram was sent?

Mr. DENISON. I think it is very evident on its face why it was sent.

Mr. WELTY. Does not the gentleman know that it was sent in response to an invitation to attend that meeting?

Mr. DENISON. The paper so states; but they did not invite him to go to the newspaper reporters and give his telegram to the newspapers before it was sent. [Applause.]

Now, as to this bill now under consideration: I will vote for it, because it seems to be necessary under the obligations we assumed when we took over the railroads. I will never vote to repudiate any obligation of the Government, however expensive it may be. But this experiment in Government operation of the railroads is going to prove a terribly expensive one to the taxpayers of the country. What we should do is not to pass any more merely temporary legislation on the railroad question, but to get busy as soon as possible and pass such necessary permanent legislation as will properly protect the interests of the railroad employees and the public and enable the railroads to operate their own properties under wise Government regulation.

The CHAIRMAN. The time of the gentleman from Illinois has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, there is appropriated, out of any money in the Treasury not otherwise appropriated, $750,000,000, which shall be in addition to the appropriation of $500,000,000 made in section 6 of said act, and shall be subject in all respects to the same authority for, and restriction of, expenditure as the said $500,000,000.

Mr. RAYBURN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. RAYBURN offers the following amendment: Page 2, line 3, after the figures "$500,000,000," insert: "*Provided*, That that part of section 14 of the Federal control act, approved March 21, 1918, before the first proviso, shall be amended to read as follows: 'That the period of Federal control of railroad and transportation systems herein and heretofore provided for shall continue until December 31, 1919.'"

Mr. SHERLEY. I make a point of order against that amendment, Mr. Chairman.

Mr. MANN. What is the point of order?

Mr. SHERLEY. That it is legislation on an appropriation bill.

Mr. MANN. It will not take a minute to dispose of that. This is not an appropriation bill.

Mr. SHERLEY. I insist that it is an appropriation bill.

Mr. MANN. It is true that it appropriates money.

Mr. SHERLEY. It is a deficiency appropriation bill, and not a bill that legislates in the slightest degree.

Mr. MANN. In the first place, the gentleman is mistaken about what the bill is, although he ought to know.

Paragraph 2 of Rule XXI says:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto—

And so forth—

nor shall any provision in any such bill or amendment changing existing law be in order.

Now, what is this bill? Is it a general appropriation bill? Why, the gentleman from Kentucky admitted that it was not. He came before the House and asked unanimous consent to call it up. This bill was introduced through the basket. It is not a general appropriation bill, and I do not think the gentleman from Kentucky will contend that it is one of the general appropriation bills. Not only that. The bill itself provides legislation. The bill first makes an appropriation of $750,000,000. Then it says—

which shall be in addition to the appropriation of $500,000,000 made in section 6 of said act, and shall be subject in all respects to the same authority for, and restriction of, expenditure as the said $500,000,000.

That is not an appropriation. That part of this bill is legislation. Of course, the whole bill was subject to a point of order. There is no authority of law for this appropriation. No one will contend that there is any authority of law for the appropriation. And being itself subject to a point of order, not being a general appropriation bill, and containing legislation as it does, any amendment which is germane to the subject matter of this bill is in order.

The CHAIRMAN. Does the gentlemen from Kentucky desire to be heard on the question?

Mr. SHERLEY. Mr. Chairman, I agree with part of what the gentleman from Illinois has said. I do not think this is a general appropriation bill, and in introducing the bill through the basket and in asking unanimous consent for its consideration, I did so not believing it was a general appropriation bill. I was under the impression—perhaps I should have known better—that the rule against legislation was a rule against legislation upon an appropriation bill rather than a general appropriation bill. In these closing weeks of the session I have not had much time to keep in mind particular rules of the House. Looking at the rule I find it relates to general appropriation bills. Inasmuch as this does not seem to be a general appropriation bill, the point of order that the amendment is legislation would seem not to be well taken. With the permission of the Chair, before waiving the point of order, I should like to have the amendment read again.

The CHAIRMAN. Without objection, the amendment will be again reported.

The Clerk read as follows:

Amendment by Mr. RAYBURN: Page 2, line 3, after the figures "$500,000,000" insert "*Provided*, That that part of section 14 of the Federal control act approved March 21, 1918, before the first proviso, shall be amended to read as follows: 'That the period of Federal control of railroads and transportation systems herein and heretofore provided for shall continue until December 31, 1919.'"

Mr. SHERLEY. Mr. Chairman, I make the point of order that the amendment is not germane to the bill.

Mr. MANN. Here is an appropriation to appropriate $750,000,000 for the year ending June 30, 1918, practically. It appropriates $750,000,000 in addition to the $500,000,000 already appropriated. Now, to say that as a proposition germane to that we can not provide as to the time when these roads shall be returned, or how long they shall be kept by the Railroad Administration, seems to me preposterous. That is what the money is for. When we appropriate money we have the right to say how long they shall keep the roads.

Mr. SHERLEY. With due deference to what the gentleman from Illinois says, I submit that the bill before the House is not a bill undertaking to deal with the policy of the Government in connection with railroads. It is not a bill that undertakes to legislate on the general subject of railroads. It is a bill making an additional appropriation.

Mr. MANN. Which is not authorized by existing law.

Mr. SHERLEY. That may be, but even if the matter be subject to a point of order, the rule is that an amendment must be germane to the matter that is pending, and the fact that the matter pending might be subject to a point of order does not throw it open to any sort of an amendment without germaneness.

Mr. MANN. I fully agree with the gentleman, but what I mean is that there being no authority of law for this appropriation, no law having provided for it, we then propose to appropriate $750,000,000 for the support of railroads, and an amendment is in order saying how long that money may be used, which is in effect saying how long the railroads shall be controlled by the railroad administration.

Mr. SHERLEY. I do not think the situation is as the gentleman states. This is not simply a bill proposing to appropriate without regard to law for railroads. It is a proposition to appropriate $750,000,000 for the same purpose that the $500,000,000 was appropriated. I submit that if the original bill had been pending by which the $500,000,000 was appropriated it would not have been in order to amend that particular paragraph and put in a provision as to the time; that would be properly related to the part of the railroad act which fixed the time. If the entire matter were pending here it would be in order at some place to offer an amendment, but to hold that it is germane to offer an amendment as to the time of control and the return of the railroads would simply mean that this

appropriation provision carried here throws open the entire subject matter and that every matter is germane to the provision. For instance, under such construction you might offer a provision that certain rates should be in existence for a given period simply because we are appropriating money; that would be to throw the matter wide open without any limit.

Mr. MANN. It would be in order to add a provision that no part of the money—not as a limitation—should be expended to a certain date; and in the original bill, where the $500,000,000 was appropriated, it was quite in order to offer an amendment providing that the railroads should not be under the control of the Government beyond a certain period. No such amendment was offered, because there was another place in the bill where that provision was carried. But to say that we have not authority to say how long this money shall be available, how long the power that uses it shall be in control, I must say is beyond my comprehension.

Mr. SHERLEY. The gentleman must realize and distinguish between what is desirable and what the rules provide.

Mr. MANN. I mean as a germane proposition.

Mr. SHERLEY. It may be in a general appropriation bill that it is altogether beyond the comprehension that a man would vote for certain moneys without putting legislation with it, and yet we constantly do it. Now, I submit, there is presented to this House the question of appropriation in accord with the appropriation that is made in the original act, and that that does not open up the entire field of legislation in connection with railroad control.

Mr. MANN. The gentleman still has in his mind that this is a part of the regular appropriation. This is legislation.

Mr. SHERLEY. I conceded that it is not a general appropriation bill to which that particular rule applied, but I make the point of germaneness.

Mr. BARKLEY. Mr. Chairman, may I make this suggestion in regard to the point of order? It is well settled under the rules of the House that if a bill is before the House amending a certain act of Congress it is not germane to offer an amendment affecting another act of Congress. Likewise, if a bill is before the House amending a particular section of any act of Congress, it is not germane to offer an amendment affecting another section of the same act of Congress.

The bill under consideration in effect amends section 6 of the railroad-control act by increasing the appropriation made available in the section appropriating $500,000,000 by increasing it to $1,250,000,000. Therefore the amendment offered by the gentleman from Texas is in effect to repeal another section of the act known as the railroad-control act.

Therefore, supplementing the argument of my colleague from Kentucky [Mr. SHERLEY], who made a point of order upon the subject of germaneness, the amendment is not in order, because in effect it repeals another section of the same act, which is not touched in the bill under consideration, and therefore is not germane under that rule of the House.

The CHAIRMAN. What does the gentleman say on the proposition that this is a limitation on the length of time within which this money can be used?

Mr. BARKLEY. I say that it is not a limitation. The amendment simply seeks to force the railroads back upon the private owners upon the 1st of next January, which is not a limitation upon the appropriation. The entire $750,000,000 might be expended if that amendment were agreed to, and therefore it could not be a limitation, provided it was expended this year and the railroads were turned back the 1st of January next. It is not, strictly speaking, a limitation upon the appropriation. It is substantive legislation changing existing law touching the period of Government control.

Mr. SHERLEY. Mr. Chairman, if the Chair will permit, touching the suggestion contained in his inquiry there is no effort made by the language of the amendment of the gentleman from Texas [Mr. RAYBURN] to put a limitation upon the time of expenditure. It would not follow because the railroads were turned back that the money could not be expended. The expenditure of money bears no direct relationship, either of general law or parliamentary law, to the time when the roads shall be turned back.

Mr. BLACK. Is it not true that if the roads are turned back on December 31, 1919, and any of this money remains unexpended that it would then be turned into the Treasury?

Mr. SHERLEY. It is not true as a legal proposition in any sense. It would probably be true as a practical proposition, but it is not true as a legal proposition. The gentleman from Texas [Mr. RAYBURN] made no effort to put it in the form of a limitation upon the expenditure. He put it in the form of a direct amendment of a provision of existing law contained in the railroad-control act.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. If I had the time, I think I could find the Chair repeated precedents where the fact that a particular section of law is before Congress does not make it in order as an amendment to that section to amend other sections of the law.

Mr. MANN. Mr. Chairman, both of the gentlemen from Kentucky seem to me to labor under a misapprehension as to what this bill is. This is not a bill amending a particular section of the railroad-administration act. The gentleman says in effect that it does something. Very well. That is not within the rule; it is not a question of effect at all. The effect may be a great many different things from what legislation is. Where you have a bill directed toward the amendment of a particular section of a law it does not open the door to amend the law generally; but this is not directed to the amendment of any section of the law.

Mr. SHERLEY. In that connection, if he will read the bill——

Mr. MANN. Oh, do not say "if he will read the bill," for I have read it a dozen times.

Mr. SHERLEY. The gentleman is unduly sensitive. I did not say that in any offensive sense. I suggest that if the gentleman will read the bill he will find on line 7 and following a direct reference to section 6 of said act. It is an amendment of that act by increasing the appropriation from $500,000,000 to $750,000,000.

Mr. MANN. The only direct reference to section 6 of the act is on the top of page 2, not where the gentleman refers to it at all, and there it is part of legislation stating that this appropriation shall be expended in the same way that the appropriation carried in section 6 was to be expended. That is not an amendment of the act and it does not purport to be. The gentleman has stated this is an appropriation and he has repeated now that this is an appropriation, and in the same minute says it is pure legislation; that it is an amendment to a legislative act.

Mr. SHERLEY. Of course, I do not think I said any of those things the gentleman says I have.

Mr. MANN. I understood the gentleman to say them.

Mr. SHERLEY. If the gentleman will permit, the reason I referred to line 7 on the first page is that, starting there, the bill states:

> There is appropriated, out of any money in the Treasury not otherwise appropriated, $750,000,000, which shall be in addition to the appropriation of $500,000,000 made in section 6 of said act.

Now, that would be just the same as if you had said that you amended section 6 of such act by increasing the amount therein appropriated from $500,000,000 to $1,250,000,000.

Mr. MANN. Certainly the gentleman might have brought a bill to the House——

Mr. SHERLEY. I think I have.

Mr. MANN. Might have reported a bill to the House to amend section 6 of the original act and no one would pretend that it was an appropriation bill. It would be a legislative bill and clearly open to amendment. Now, the gentleman seeks to claim it is an appropriation bill in one minute and a legislative bill in another minute, and hides behind a technical defense which does not lie, because this is not an amendment to the original act. It is to supplement the original act.

The CHAIRMAN. The Chair is ready to rule. The Chair believes it is agreed by all that this does not come under the head of a general appropriation bill, and therefore the question of new legislation does not apply. The only question, then, is as to the germaneness of this particular amendment to the bill. Let us just see what this bill proposes to do. It says:

> That to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, there is appropriated, out of any money in the Treasury not otherwise appropriated, $750,000,000, which shall be in addition to the appropriation of $500,000,000 made in section 6 of said act, and shall be subject in all respects to the same authority for, and restriction of, expenditure as the said $500,000,000.

Now, what is this "restriction of expenditure" in the original act to which the "said $500,000,000" is to be "subject in all respects"? By referring to the original act the Chair observes that in section 14 of the act the limitation on the period of control of the railroads is to be one year and nine months after the duration of the war. And if this bill becomes a law in its present form the $750,000,000 appropriated will be subject to that limitation of time.

Now, the gentleman from Texas proposes by his amendment to change this limit and terminate control on December 31, 1919. It seems to the Chair that such an amendment is entirely ger-

mane to the bill, and the Chair overrules the point of order. The question is on the amendment.

Mr. ESCH. Mr. Chairman, I desire to offer a substitute to the amendment offered by the gentleman from Texas.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on his amendment?

Mr. SHERLEY. I did not know the gentleman wanted to be heard.

The CHAIRMAN. The gentleman is on his feet.

Mr. RAYBURN. I am willing for the gentleman's substitute to be read.

The CHAIRMAN. The Clerk will read the substitute.

The Clerk read as follows:

Substitute offered by Mr. ESCH: Add to the bill the following proviso: "*Provided*, That the President shall not relinquish such control to their owners prior to July 1, 1920, without further legislation by Congress."

Mr. RAYBURN. Mr. Chairman——

Mr. GARRETT of Tennessee. Mr. Chairman, I reserve the point of order on that.

Mr. MANN. Let us dispose of the point of order.

Mr. RAYBURN I would like to have the point of order disposed of before I begin my remarks.

Mr. GARRETT of Tennessee. That, of course, is legislation and not a limitation upon an appropriation bill.

Mr. MANN. This is not an appropriation bill.

The CHAIRMAN. The gentleman from Tennessee has not been in the Chamber. This is a legislative bill and comes under the legislative rules. Everybody, even the chairman of the committee, admits it is not a regular appropriation bill, so the rules applying to an appropriation bill don ot apply.

Mr. GARRETT of Tennessee. Does the Chair overrule the point of order?

The CHAIRMAN. If the gentleman desires to make the point of order, the Chair will overrule it.

Mr. GARRETT of Tennessee. I make it.

Mr. BARKLEY. Does the gentleman say that it will be in order on the ground it is a limitation of the appropriation, on the ground that he held the amendment of the gentleman of Texas——

The CHAIRMAN. That this is no general appropriation bill. The Chair overrules the point of order.

Mr. RAYBURN. Mr. Chairman, as far as I am individually concerned, I would like to see the railroads go back to private control to-morrow.

But I know, as everybody else does who is acquainted with the situation, that that is entirely impracticable. I believe that 12 more months will give us sufficient time to enact whatever needed legislation, that we may turn the railroads back to private control. I have heard a good deal said here about an extra session of Congress. I say to you that it would be very convenient indeed to me, and it would be a source of great gratification to spend nine months away from Washington, and if I consulted my personal wishes in the matter that is what I would want to do. But with as much reconstruction legislation before us as there is, entirely untouched by this Congress, I believe it would approach a crime for the Congress to remain away from Washington until December 1, 1919.

There should, indeed, be legislation passed before the railroads are turned back to private control. I believe the Congress will be called in extraordinary session some time between now and the 1st of July of this year. I think, therefore, gentlemen, that with Congress meeting there should be a milepost to which it should work. It would make us definite as to the time at which we must pass any legislation, if any is to be passed; it would give the railroads themselves and everybody connected with them to understand when they were to get their property back, and they could get their house in order in that way. Therefore I think that at the end of this calendar year should be the time and not the middle of a calendar year, as suggested in the substitute of the gentleman from Wisconsin [Mr. ESCH]. It appears to me that as we are dealing with the railroad question, and as we have been treating with the railroad question based upon the calendar year, it would be much more fortunate if we would turn the railroads back to private control at the end or at the beginning of a calendar year.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. RAYBURN. Yes; I will.

Mr. GARRETT of Tennessee. I want to see if I get clearly in mind the situation that is now before the committee. The amendment proposed by the gentleman from Texas is that the appropriation that is made herein shall not be made available beyond December 31 of this year?

Mr. RAYBURN. No. My amendment is that the Government control of railroads shall terminate December 31, 1919.

Mr. GARRETT of Tennessee. Oh, well; then perhaps I have misunderstood. I thought the amendment was that the appropriation should not be available beyond that time.

Mr. RAYBURN. It has that effect also, but I was quoting the language of the amendment.

Now, Mr. Chairman, this lesson in Government operation of railroads has, indeed, been a costly and a bitter one. It is going to cost us millions upon millions of dollars to ever get out of this thing. I believe that we will at least be partially compensated, if not more than compensated, for all the money we have put into this thing and all the money that we will lose, by an actual demonstration to the American people of the heresy of the whole idea of Government ownership of railroads. [Applause.] If growing out of this war can come two things that I believe will come, we will, to some extent, be compensated; not for the blood, of course, that has been shed, but for the treasure that we have put into it.

I believe, as I have just said, that it is the death knell, at least for a generation, of the Government ownership of railroads. And I believe along with that will also be sounded the death knell of another thing that I believe would destroy this Republic in the end, and that is another heresy, another companion of autocracy—universal military service. I believe that if this great and costly lesson, this experience, that we have had, can kill these two things, then we will indeed be to a great extent compensated for this bitter lesson. I hope, therefore, this amendment may be adopted.

Mr. ESCH. Mr. Chairman, section 14 of the Federal control act gives the President the power to relinquish the railroads or systems of transportation prior to the 1st day of July, 1918, or gives him the power in agreement with the owners to relinquish them, or he can relinquish them on his own motion. The purpose of the pending amendment offered by myself is that the President shall not relinquish such control to the owners prior to July 1, 1920, without the Congress having first legislated with reference to them. I am persuaded to offer this amendment because of this paragraph in the President's annual message delivered at the opening of this Congress. He was talking about the railroad situation:

Let me say at once that I have no answer ready in the solution of the problem.

He said he had no confident judgment of his own.

The only thing that is perfectly clear to me is that it is not fair either to the public or to the owners of the railroads to leave the question unanswered, and that it will presently become my duty to relinquish control of the roads, even before the expiration of the statutory period, unless there should appear some clear prospect in the meantime of a legislative solution.

I believe that with the amendment I have offered Congress will be given the opportunity of determining upon a legislative solution. The amendment offered by my colleague [Mr. RAYBURN] asks for a relinquishment of the roads by the 1st of January next, irrespective of whether or not Congress shall have enacted the necessary legislation so that they can go back into private ownership without destruction, without the fear of bankruptcy, and without the disturbance of business.

I do not know whether there will be an extra session or not. Nobody here seems to know. If there is no extra session, then there will be only one month, the month of December, in which Congress could pass legislation to turn the roads over by the 1st of January. That is a contingency which we ought to avoid. Under the amendment I have suggested we will have the extra session, if an extra session is called, to consider this legislation, and we will have the long session beginning next December to consider the problem, and I am confident that Congress will find a solution of it before the 1st day of July, 1920. [Applause.]

Mr. SIMS. Mr. Chairman, whenever you mention Government ownership you make some people very happy and you make some other people almost froth at the mouth with anger.

Let me say to you, gentlemen, if you will look into history, you will find that Government ownership of railroads has rarely ever come about by reason of anybody's favoring it as an academic question, nor has it been prevented by opposing it in the same way. It comes by reason of circumstances and conditions in spite of the opinions of men. It is but a little while since Mr. Ackworth, of England, one of the most celebrated private-ownership advocates in the world, came before our joint subcommittee in opposition to Government ownership of railroads in this country, and while he was here denouncing it England determined to go to Government ownership, not as a matter of argument or choice, but as a matter of compulsion growing out of the war conditions.

Mr. ESCH. The nationalization of the railroads in England has not been done yet by any act of Parliament. It is only a declaration of Mr. Winston Churchill the other day——

Mr. SIMS. No bill has passed, but the English Government have come to the conclusion that it will have to be done, Mr. Ackworth to the contrary notwithstanding.

Mr. ESCH. That is quite different.

Mr. SIMS. I am not unalterably opposed to Government ownership, as is the gentleman from Kentucky [Mr. SHERLEY]. I am not unalterably opposed to private ownership. I am not unalterably in favor of either the one or the other, but I am unalterably in favor of doing whatever is necessary for the good of the whole country, regardless of the prejudice and ignorance of some individuals. Those countries that have government ownership do not have exclusive government ownership. They have government ownership in part and private ownership in part, and both systems are operated in the same countries, and neither has destroyed the other. When we had the bill up for consideration for operation of the railroads for war purposes some gentlemen came to me and said, "I am for this bill because it means Government ownership." I said, "You do not know what will be the result. If it is a great success, it may be used as an argument in favor of continuing it permanently. But if it is not a success in the opinion of the people it will be used as the greatest argument against Government ownership that has ever been presented." The railroads were not taken over to bring about Government ownership nor to prevent it. The gentleman from Kentucky [Mr. SHERLEY] stated succinctly and clearly and with sufficient elaborateness why it was necessary to take over the operation of the railroads in order to win the war. It furnishes no conclusive argument either in favor of or against permanent Government ownership as a policy of the country in time of peace.

Mr. BLACK. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. BLACK. How long does the gentleman think the Government ought to keep the railroads?

Mr. SIMS. I am opposed to both the proposed amendments. I gave this question the most deliberate consideration when the law was passed which required the roads to be returned in not more than 21 months after the proclamation of peace. Nineteen hundred and twenty will be no time for legislation on the whole railroad problem, and we all know it, for each one of you will advocate the theory most popular in your district, and no one can tell what will happen during the period of reconstruction, when we will have to legislate on what will be absolutely necessary on account of return of peace conditions and railroad legislation will figure only indirectly in the reconstruction program.

I have read and studied carefully the position of Mr. Walker D. Hines regarding this question. He has been a railroad man all his life and is one of the ablest railroad lawyers in the United States. He makes what I regard as an unanswerable argument in favor of the proposition that it will be best for the railroads and best for the country that Government control should be continued beyond the election in 1920, so as not to make it a Democratic or Republican issue or any other kind of political issue. I placed in the RECORD to-day, with the consent of the House, an address by Judge Prouty, director general of railway valuation, who was on the Interstate Commerce Commission for many years, and nobody has a doubt as to his honesty, ability, and sincerity, and he says that Government control ought to continue for at least three years, and gives reasons ample, able, and practical why the Government should continue its control. I am opposed to both amendments and ask that both be voted down. [Applause.]

As an extension of my remarks, for which I have consent, I beg to say that the practical solution of rail and waterway transportation problems can not be reached in a day, nor in a month, nor in a year, nor in two years, if the solution is to be a wise and a practicable one. The present system, or rather lack of system, is the haphazard growth of three-quarters of a century in the experiment of attempting to perform Government functions and the discharging of Government duties to the whole people through private profit-seeking corporate agencies. It has not been a complete failure nor has it proved to be a complete success. But no country can develop to its capacity without the highest and most successful development of its transportation facilities.

In the very nature of things the public interest requires the greatest amount of service for the least possible expenditure. On the other hand, private interest and private investment seek to secure the largest possible profits in its investments in proportion to service rendered. There always has been and there always will be irrepressible conflicts between public and private interests in all attempts on the part of governments to discharge their proper and legitimate functions through private agencies, which agencies are to receive their reward by permitted exploitation of the people served by them. Such relations are unnatural and never have been and never will be satisfactory to the public so exploited.

The people have a right to demand, and are demanding, that transportation be furnished at its actual cost; and if this can not be done without Government ownership they are ready to pay the price. The people are getting tired of having their burdens increased simply to further increase the incomes of idle capitalists on their idle capital. We hear much of what ought to be done to attract the idle capital of the idle capitalists, but the sum and substance of what should be done, from the railroad viewpoint and all those who agree with them, is simply to increase rates; and if in this way you do not at first succeed, then "try, try again." Every increase of rates means that the carrier gets more money than he has been getting for doing exactly the same thing. The increase thus given the carrier, without increased or additional service rendered, is in its very nature an unearned increment, except to the extent of increased costs of operation, if any. But interest on bonds and dividends on stocks are in no sense costs of operation justifying increased rates to meet same, and should never be considered in rate making further than to avoid a confiscatory rate. If I loan money on a farm and take a mortgage to secure it, I have no right to have any voice in the rent a tenant should pay the owner of the farm, nor has the owner any right, legal or moral, to increase the rental rate on the farm simply because he has for his own benefit placed a mortgage on the farm. So far as the tenants of a mortgaged farm are concerned, the interest on the mortgage is in no sense a fixed charge as against the tenant that in law or morals can justify an increased rental charge. The tenant is the patron or user of the farm just as the freight payer or passenger is the patron and user of the railroad; and the fact that the road is or is not mortgaged cuts no figure as to the amount the road is to receive for its services.

The mortgage debt and accumulated interest constitute a fixed charge on the farm only as to the owner who made the mortgage. But if the farm owner can not pay the interest, taxes, and other charges on the farm he has no right to increase his rent charge simply in order to enable him to do so. The loaner of the money has his remedy by foreclosure and sale of the farm, and the only remedy the owner of the farm has is to sell the farm and in this way end his unwise investment. If the produce grown on the farm should so advance in price as to materially reduce the quantity of such produce necessary to pay the rental charge, it would be but justice to the owner of the farm to increase his rent proportionately, regardless of whether or not the farm was mortgaged.

In so far as applicable the same relation exists as between the bondholder and the patrons of the railroad. The rates, fares, and charges have no relation to the bonds or interest on bonds. The rates and charges have relation only to the service rendered and received. But on account of stocks being issued with a par money value expressed in the face of the stock certificate, the public mind has come to regard it as a certificate of financial investment instead of a certificate of title or ownership in the particular corporation issuing it. It is in effect similar to a deed to an undivided interest in a tract of land, but instead of saying "one-twentieth undivided interest," it says in effect "one hundred dollars" in the total value of the whole corporate property of the issuing corporation. When these shares of stock are dealt in on the stock markets they are quoted at so many dollars per share, but the share being measured in terms of money instead of in terms of corporate ownership, the stock is in this way regarded by the public as indicating whether or not the issuing road is in good or bad financial condition. Nearly all stock shares are issued in the par value of $100 per share, and the unsophisticated public read it and understand it to mean that the issuing corporation has received $100 in money for the one share of its capital stock, and that this $100 is in the treasury of the corporation or has been invested in permanent tangible property devoted to corporate uses.

From this conception of stock issues, when a share of stock in a railroad company is quoted at less than $100 the public mind automatically jumps to the conclusion that the particular railroad company is a losing proposition and the stock in it is a bad investment. If, on the other hand, the $100 share of stock is quoted in the stock market at above par, the public jumps to the conclusion that that particular railroad is prosperous and that its stock is a good investment. This condition of the public mind has been used in stock manipulation in such a way as to boom or depress a particular stock on the stock exchange, with no regard whatever to the real financial condition of the issuing corporation. These stock manipulations

have so adversely affected the market value of railroad stocks as to greatly impair the credit of railroads, in so far as the daily stock sales quotations are concerned.

If anyone will take the trouble to look at the daily quotations of railroad stocks on the New York Stock Exchange, he will see that a very small per cent of the stocks of railroads are quoted at or above par. This situation leads to the belief on the part of the public that railroad property is actually declining in value, when, in fact, such is not the case. In nine cases out of ten the railroad corporate property is not worth in excess of its bonded indebtedness and the unmanipulated market value of its stocks.

The organized security holders, or those claiming to represent $17,000,000,000 of bonds and stocks in railroads, have the hardihood and the boldness to ask Congress to pass a law requiring the Interstate Commerce Commission to allow the railroads to put in schedules of rates and fares that will, in effect, guarantee such a return on railroad property as will, in the minds of investors, make their securities more desirable than any other competing forms of security investments in the money markets of the world. Such a proposition, in practical effect, means to take from those who have but little and give those who have much in order that they may have more abundantly.

All increases in rates must be borne by either the producer or the consumer, or by both. If the rates on wheat from the Mississippi River section to the Atlantic seaboard section are increased by 10 cents per bushel, the farmer producing the wheat must sell it at 10 cents lower per bushel if the price of flour on the Atlantic seaboard is not to be increased. But if the wheat grower does not sell his wheat any lower, then the consumer of flour on the Atlantic seaboard has got to pay 10 cents higher for the flour from a bushel of wheat than he did before the freight rate was increased. But what will more probably happen will be that the farmer will sell wheat 5 cents lower and the consumer will pay 5 cents higher for his flour.

If we look into the history of railroad construction in its pioneer stages in this country, it will be found that as a general rule the initial stock issues were equal to or exceeded the investment values of the railroads. In other words, the corporate property values were not more than, but more often were much less than, the stock issues of the companies. On this account new or additional issues of stocks did not find ready sale. When such was the case resort was had to issues of bonds secured by mortgage on the corporate property, and quite often a bonus issue of stock was made and the purchaser of a bond received a certain amount of this stock as a bonus. The corporation thus increased its indebtedness and also increased its stock issue without increasing its corporate property by the sum of its stock and bond issue. Such a course of financing could not result otherwise than to reduce the market value of all the outstanding stock, unless in the meantime the unearned increment in the value of the corporate property had increased equal to the bonus stock issue. This was rarely the case. Often the bonds so issued were sold to a construction company for below par, or else a contract was made with the construction company so much above what the construction was really worth and paid for in the bonds of the railroad company at par. Often, after the pioneer stages of stock and bond issues had passed, the credit of the particular company had been so impaired that a receivership followed and refunding operations were resorted to, by which the outstanding bond issues were reduced in order to reduce fixed charges, but often the stock issues were really increased to such an extent that even after receivership and refunding operations were resorted to there remained an outstanding stock and bond issue far in excess of the then actual value of the corporate property.

The history of private corporation ownership, construction, and operation of railroads in the United States shows that the failures, the receiverships, the refunding operations, the foreclosure proceedings, watered-stock issues, and other high-finance schemes that have been resorted to exceed those of all the rest of the world combined, exclusive of England, where private ownership has heretofore universally prevailed, but where private ownership is soon to end and forever.

As late as 1916, in a hearing held by the Joint Subcommittee of the Senate and House, commonly referred to as the Newlands committee, it was authoritatively stated that more than 40,000 miles of railroads in the United States were then in the hands of receivers. A mileage exceeding the total mileage of all roads in England, Wales, Scotland, and Ireland combined, exceeding the total mileage of all of the Republic of France, exceeding by two or three times the total mileage of Italy, and equal to or nearly equal to the total mileage of all railroads in the German Empire. I defy any man to point out a single case where a receiver was appointed that the condition of the railroad for which the receivership was sought was alleged and proven to be due to and caused by any act or order of the Interstate Commerce Commission, or any act or order of any State commission, or to any law passed by Congress or by any State legislature.

There were many receiverships prior to the passage of the act by Congress creating the Interstate Commerce Commission and prior to the creation of any State commission.

Mr. Chairman, there has existed for many years a general belief that the railroads in this country are vastly overcapitalized. The existence of this belief started the movement that finally resulted in the enactment of the law by Congress for the physical valuation of the railroads. That work has been carried on now for several years and is now approaching completion. If this physical valuation when finished convinces the public that the railroads are not overcapitalized, and thus removes from the minds of the people their firm conviction to the contrary, the result will justify the vast expense incurred in connection with the valuation work. It will do more to bring about that state of good feeling and cooperation that ought to exist between the railroad corporations and the public than anything else that I can imagine. But, on the contrary, if it does show what the public generally believes, that the railroads are vastly overcapitalized and that the people for all these many years have been paying rates on a vast volume of watered stocks and bonds, nothing can prevent or stay the public demand for the immediate condemnation and taking over of the railroads in this country by the Government.

In that way the water can all be squeezed out, and even if the Government should immediately sell or lease the roads to private corporations for operation it could do it on such terms and conditions as would thereafter forever prevent any future capitalization of any unearned increment or any rate making based on increased value of rights of way and tangible terminal property, and as proprietor could and would require such terms and conditions of operation and service as would tend to develop the country as a whole, and would regard all the railroads in the United States as a single national instrument of transportation in cooperation with all inland river and lake waterway transportation facilities, and require the railroads to also cooperate with all coastwise ocean transportation companies, and also all American chartered and owned overseas ship transportation companies in such a way as to make for the building up and maintaining of the greatest possible domestic and foreign commerce of the United States.

As the Government-controlled railroads are now receiving the largest net return upon an average that they have ever received, I can not see how it can be against their interest or that of their owners to continue the status quo for several years longer. If not for five years, then for three years after the proclamation of peace. By that time the valuation work will be completed, reconstruction and readjustment will have been completed, and we will all know better what ought to be done in the way of comprehensive legislation than we can possibly know in the short time limit provided for in the present Government-control act, approved March 21, 1918. Therefore, I think it will be to the best interest of the public and also to the best interest of the great body of the security holders of the railroads to continue Federal control of the railroads for five years, but if not for so long a time as that, it certainly ought to continue until January 1, 1922.

Mr. SHERLEY. Mr. Chairman, may I get some agreement in regard to debate on these two amendments. I do not desire, considering the immense importance of the subject, to unduly curtail debate, but I do want to make progress.

Mr. FORDNEY. Mr. Chairman, I realize that the hour is late, and I am as anxious to get away as others, but I would like five minutes.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that all debate on these two amendments and amendments thereto close in 30 minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that all debate on the two amendments and amendments thereto close in 30 minutes. Is there objection?

Mr. SUMNERS. Reserving the right to object, may I ask the chairman of the committee, the gentleman from Kentucky, if I can have five minutes.

Mr. SHERLEY. I shall not undertake to parcel out the time.

Mr. SUMNERS. I want to suggest to the chairman of the committee that this is one of the most important matters that the Congress has been called upon to consider, and now it comes up here under the five-minute rule——

Mr. SHERLEY. That is a good reason for defeating both amendments.

Mr. SUMNERS. Will the gentleman yield for a further suggestion? The Members of the House want full information. I

have not had any information here which convinces me that I ought now to vote on this question.

Mr. SHERLEY. The plea that the gentleman makes in regard to debate relates to the wisdom of offering amendments to this bill. Mr. Chairman, I renew my request.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that all debate on these two amendments and amendments thereto close in 30 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FORDNEY. Mr. Chairman and gentlemen, I feel that I ought not to take five minutes of your time at this hour of the day, but this is one of the most important matters that has come before Congress in many weeks and many months.

These amendments provide that the railroads of the country shall not be turned back to their owners until further legislation by Congress, with a limit of time. The President has power to call Congress together at any time if he wants legislation on that subject. If he wants to turn back the railroads to the owners within the next 90 days or 6 months, he has the power to call Congress together for that purpose and get that legislation. Neither the President nor Members of Congress can run a bluff on one or the other. He has certain rights, and he can not say that Congress has not given him the power that he asked for, because he can get it if he asks for it. Let me tell you, my good friends, what the retention of the railroads by the Government means to the taxpayer, and it is pretty near time that the Congress of the United States should be giving some consideration to the taxpayer, who has had none for the past two years in this body. [Applause.]

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MADDEN. There is not anything in the amendment offered by the gentleman from Wisconsin [Mr. ESCH] that would prevent the Congress from enacting legislation for 30 days, if it was able to do it.

Mr. FORDNEY. I am not really speaking against the gentleman's amendment, but I am calling the attention of the House to the fact that the President has the right to get the power he needs, if he will ask for it at any time. He has been doing this in the past, and has been asking for more power than he was really entitled to, and getting it at that. The folly of the United States Government taking over the railroads during this war is costing the taxpayers of this country how much? Two million dollars a day right now.

Mr. JUUL. Three.

Mr. FORDNEY. The gentleman says three, but $750,000,000 for 365 days is not very far from $2,000,000 a day. That is what it has cost for 1918.

Mr. JUUL. But there is $500,000,000 in addition to that.

Mr. FORDNEY. In addition to the $750,000,000 loss which I speak of, we are called upon to collect from the taxpayers the 50 per cent passenger fare increase, and the 25 per cent increase on freight rates for six months, which amounts to $500,000,000. The money collected by the railroads of this country for 1916 in passenger fares, in round numbers, amounted to $800,000,000. Fifty per cent of that is $400,000,000 and for one-half of the year it is $200,000,000. The money collected in freight by the railroads for the year 1916, in round figures, was $2,400,000,000. Twenty-five per cent of that is $600,000,000 and six months would be $300,000,000. The $300,000,000 in freight and the $200,000,000 in passenger fares for six months amounts to $500,000,000 in 1918 that the Government has had with which to meet their expenses in their tomfoolery in handling the railroads of the country, in addition to the $750,000,000 loss, and that is the debt that the taxpayers of this country are called upon to make good for the mistake of the Federal Government in taking over the railroads during the year of 1918.

The Government is handling not only the railroads but the telegraph lines. I received a letter to-day from a business man in my home town, who states that he sent a telegram to a business firm in Chicago that had been in business there many years, whose address was in the city directory and in the telephone directory, and word came back 24 hours after he had sent the telegram that the firm could not be found in the city of Chicago. Three days later the telegram reached the firm by mail. That is Government ownership of telegraph and telephone lines for you.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BARKLEY. Mr. Chairman, I hope both of these amendments will be defeated. I am frank to say that I am more against the amendment of the gentleman from Texas [Mr. RAYBURN] than I am against the amendment of the gentleman from Wisconsin [Mr. ESCH]. With all of the reconstruction legislation that is referred to in a nebulous sort of way by the newspapers and by the Members of Congress I believe there is no question which approaches in importance the railroad question, which must be solved by the next incoming Congress. Is there a Member of the House or of the Senate who is able to rise in his place to-day on the floor of either body and offer the solution that must finally be adopted by Congress in dealing with the railroad question? With all due respect to the intelligence of Members of both Houses, I believe I am well within the truth when I say that no Member yet has in his mind the entire and complete solution of the railroad question; but we are all agreed on this proposition, that we can not afford to turn the railroads back to private ownership in the same situation, under the same economic conditions, and with the same laws in force as existed prior to the time when they were taken over. This amendment of the gentleman from Texas [Mr. RAYBURN] is hurled at us within 10 days of the time when this Congress must adjourn. There is not the slightest possibility of enacting any legislation at this session of Congress to deal with the railroad question. Are we able to predict when the President may call Congress into extra session?

I agree with the gentleman from Texas that our personal convenience or inconvenience ought not to be consulted in determining whether there shall be an extra session either in the spring, the summer, or the coming autumn, but we know if the Senate adopts the policy that the House has agreed to and passes these appropriation bills that it is safe to predict that the extra session will not be called until well on in the summer, and possibly in the autumn. Even if there is an extra session of Congress called in the summer or autumn months, with the reorganization of the House under the incoming Republican majority, with the appointments of the committees, with the necessary delays incident to the hearings in the various committees of the House and Senate on the railroad question, delay will be inevitable. It will take considerable hearings before the House committee will be able to report a comprehensive bill, for we have in the last two months been having hearings on the packing industry with no bill reported yet. We held hearings for a month in framing the railroad-control act and the Senate Committee on Interstate Commerce has been engaged for two months holding hearings and to-day announce that they can not even report a bill at this session of Congress dealing with the railroad question. In view of this situation, it seems to me we ought not to consult our prejudices either for or against any bill in reference to Government ownership, but we ought to deal with this question in a business, hard-headed, sensible manner, and it is sensible to conclude that we can not legislate in all reasonable probability by the 1st of next December or the 1st of next January to take care of the railroad situation.

Mr. DOWELL rose.

Mr. BARKLEY. I am against the amendment offered by the gentleman from Wisconsin because no man now knows whether it is possible to turn the railroads back to their owners prior to July 1, 1920, and if his amendment is adopted we can not turn them back unless Congress directs the President to do so. If in the meantime Congress is able to enact legislation or if the economic situation develops so it might be wise to turn back the control by July 1, 1920, certainly the President ought not to be restricted in his authority to do so, and I think we can assume that the President will not do so if the economic situation is such as to make it unwise, and for that reason I hope both amendments will be defeated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Mr. Chairman, I crave the attention of the committee for five minutes. I believe this bill ought to pass without amendment just as it is reported from the committee. [Applause.] I believe it will pass the Senate—I hope it will—and I believe it would be signed by the President. Now, then, the 1st of January next you are on the eve of the presidential election.

Mr. MADDEN. No.

Mr. CANNON. What is this?

Mr. MADDEN. Nineteen hundred and nineteen.

Mr. CANNON. When do we elect the President?

Mr. RAMSEYER. The gentleman is right.

Mr. CANNON. On the eve of a presidential election. You will be looking about to hold your convention on the 1st of July and nominations will have to be made. We have got a Republican House; we have not two-thirds and we could not pass it over the President's veto, and you could not pass anything over his veto in the Senate. God knows whether it is Republican or Democratic. [Laughter.] There you are. Now, then, when you begin to undertake to enact legislation to regulate railroads, when they are to be turned back, it is impractical to do it, in my judgment, between this and the next presidential election, because up to that time Woodrow Wilson will remain President. Now, let us cut off these two little bombs

that are thrown in here—one for the 1st of January arbitrarily to quit, as we can not enact legislation between this and that time, and the other for the 1st of July, that we shall not turn back before the 1st of July. We have got to have this money if we float these bonds, and God knows we owe the money and without it we are on the eve of a panic, and if we refuse the railroads this money and drive the strong roads to compete with the Government at 7 and 8 per cent interest, there will be nothing doing with the liberty drive.

I say let us do what it is practicable to do. And then when it becomes proper to legislate, and the time is right, we can legislate. We have got the votes. [Applause.]

Mr. FERRIS. Mr. Chairman——

The CHAIRMAN. The gentleman from Oklahoma is recognized for five minutes.

Mr. FERRIS. Mr. Chairman, on March 21, 1918, while we were under the stress and emergency of war, Congress passed an act taking over the railroads and authorizing the Government to keep them until the war was concluded and for a year and nine months thereafter, providing that the President might turn them over in the meantime if he elected so to do.

The one controlling reason with me is that the question is too large to vote on without having any chance to consider it. It does not involve a man's views as to whether he is in favor of Government ownership or against it. Each Member can with perfect propriety be for or against Government ownership and stand side by side and vote these two undigested amendments down. No committee has considered them. They are too wide in scope to adopt them without either committee or other consideration. The debate is already limited to 30 minutes. I submit it is preposterous to try to settle the whole railroad situation in 30 minutes. We should not do a foolish thing by voting for either one of these undigested amendments. I do not want to be disrespectful at all in that, but we have not had the time to study them. If I were forced to cast a vote right now on either one of these amendments, it would be a vote under compulsion and without information enough to cast an intelligent vote. I submit we should not be forced to vote on a proposition so important without any information. The gentleman from Texas [Mr. RAYBURN] may have sufficient information to cast an intelligent vote on it. I have no doubt he has, or he would not have offered the amendment. The gentleman from Wisconsin [Mr. ESCH] may have sufficient information to vote on his amendment. I do not controvert the fact that he has it. But what I do say is that while the power reposes in the President to turn them back or hold them, and while the law says they may be held for one year and nine months after the declaration of peace, I can not see any grave necessity for coming in here and forcing the House to vote on a proposition until we have had some information on it. [Applause.]

I do not profess to have all the information on this. The only way I know how to do and the only course I know how to follow is, that when I do not know what to do, do nothing. Now I am not going to do anything on either of these two amendments except to vote squarely against them, until such time as these matters can be brought in here in an orderly way. This is not too much for the membership to ask. This is not too much to expect. We can at least preserve our self-respect by voting them down. Men may say it is proper to turn the railroads over to-morrow, and these large appropriations tug strongly at all of us to do that. Others may want to have Government ownership forever. The railroad employees think they want that. But I repeat that there is no emergency here to do either one of these things. The President under the law can hold them or can turn them over to-morrow, if he wants to do so.

Mr. CAMPBELL of Kansas. May I ask the gentleman a question?

Mr. FERRIS. I yield.

Mr. CAMPBELL of Kansas. Is there a probability that the President will do that?

Mr. FERRIS. I have not the slightest idea. The gentleman's opinion on it is better than mine, if he has any opinion.

Mr. BARKLEY. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. BARKLEY. In the testimony of the Director General before the Appropriations Committee he stated that there was hardly any probability, in his opinion, that they would be turned over before next fall, if then. He ought to be in position to know something about it.

Mr. FERRIS. Mr. Chairman, I am through, other than to say that I hope the House will do the sensible thing and vote down both of these amendments, and not do the revolutionary thing of adopting some plan here that no one knows whether it is the right or wrong plan.

Mr. SUMNERS rose.

The CHAIRMAN. The gentleman from Texas is recognized for five minutes.

Mr. SUMNERS. Mr. Chairman, I am opposed to attaching to the bill under consideration either of the amendments offered. Let us see how these amendments present themselves to the average Member of the House now called upon to act with regard to them under the amendment offered by the gentleman from Texas [Mr. RAYBURN]. If there is no extra session, the railroads go back under private control without any further legislation, which no one seems to favor. If there is an extra session of Congress it can deal deliberately and understandingly with the conditions under which the railroads may go back under private control, and at the same time with at least some knowledge of what it is doing, can fix the time when private control shall begin.

In so far as the position of the gentleman from Wisconsin [Mr. ESCH] is concerned, if I understood its provisions, he would now commit the House to the proposition that, notwithstanding the fact that we may later determine that the railroads should go back under private control prior to July 1, 1920, what is done to-day by adopting his amendment would have to be undone in order that that thing could happen. I have no doubt that my distinguished colleague from Texas, a member of the Interstate and Foreign Commerce Committee, and who has given a great deal of thought to the various phases of the railroad question, is now prepared to act upon a judgment made up from facts known to himself; but the Members of the House not members of that committee this minute do not even have the advantage of following a committee that has investigated the question and reported upon its investigation. Ordinarily, when a committee—one of the great committees, like the Committee on Interstate and Foreign Commerce—that has had these particular matters under consideration comes in and makes its recommendation to the House in the form of proposed legislation, those of us who have not had the same opportunities for exhaustive investigation that the members of these committees have had yield largely to the judgment of the committee. That is done every day.

But we have here no proposition presented with the indorsement of a committee. On the contrary, we have before us two distinct amendments offered by two members of the same committee, and with regard to both of which the only other member of the committee whom I have heard speak is in opposition. And this is no ordinary amendment either which is submitted to us under five-minute discussions. Without explanation as to the benefit of what the proponents of these amendments may know, without any advance knowledge that the amendments would be offered, with no two members of the Interstate and Foreign Commerce Committee in expressed agreement, we are asked this minute to say when the railroads shall go back under private control. I submit that there are not a dozen Members sitting here to-day who could face their constituencies and say that when they cast their votes on that question, if they voted for either amendment, they had an independent judgment upon the subject voted upon.

I regret very much to oppose these amendments, but I can not see any common sense in fixing the date now. As I said before——

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS. In a minute. If we do not have an extra session everybody knows that the railroads under the amendment of my colleague from Texas go back under private control without any legislation, and nobody wants that, and if we have an extra session, the extra session, dealing with the question of the conditions under which the railroads go back under private control, can deal with the questions now submitted to us, and we can do it with deliberation and more understandingly than is now possible. This is too important a matter and the responsibility is too great to be dealt with in this sort of a way. Think of a Congress disposing of this far-reaching, stupendous question within less than an hour's deliberation, divided into five-minute discussions, and that, too, when the date fixed for the going into effect of what it is proposed to have us do is almost a year in the future.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS. In a moment. Now, in regard to the amendment offered by the other distinguished member of the committee, Mr. ESCH, we know that if in the judgment of the Members of Congress later on, based upon facts, we conclude that these railroads ought to go back under private control in July, 1920, we can say so between now and that time by proper legislation, based upon a knowledge of the facts. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SHERLEY rose.

The CHAIRMAN. The gentleman from Kentucky is recognized.

Mr. SHERLEY. Mr. Chairman and gentlemen of the House, I appeal to the sober judgment of the House and not to its predilections. I insist that on a matter that is fraught with such consequences to the people of America as this matter is we owe it to ourselves in our responsible positions to vote judgment and not predilections, and there is not a man here who is prepared to say that we have that information as a body, as a whole body, that would warrant us in now voting for either of the proposals that have been offered by the gentleman from Texas or the gentleman from Wisconsin.

Now, there is one thing that this House is practically agreed upon, judging by the speeches made here to-day. They are practically agreed upon the necessity of appropriating additional money for the purposes indicated. They are not agreed as to when we shall give the roads back, if we give them back, or as to the terms under which we give them back, if we give them back, or how long we will make the experiment to see if we shall ever give them back or not.

It seems to me to stamp all of us as men who trifle with matters of great moment to ask us, without any report of a committee, without consideration of the merits, to vote upon these two propositions. I have my own opinion as to what ought to be done in connection with the railroads, but it is an opinion that I hope is subject to change upon greater information. I assume that my position is pretty nearly that of every man here. You may have a predilection one way or the other, but you do not accomplish anything voting it now. About the only effect I can see of adopting either amendment here is to make impossible this legislation that all of us agree ought to be passed in regard to the appropriation. [Applause.] If you want to deny any relief in the way of an appropriation, and do not want to be bold enough to oppose the appropriation as such, a good way to do it is to put on matters in these closing hours of the session that are sure to prevent the final action of Congress upon the bill that is presented. I have been fair and frank with the House. I brought the bill here without undertaking by special rules to tie it up, believing that the judgment of the House would be sufficient to hold it to a consideration of a matter that was pressing and not to have it go off on other matters. I beg of the House that they may realize the seriousness of the amendments that are proposed, and that we do not let our predilections rather than our mature judgments determine us. There are conditions that are always stronger than the views of men. Those conditions control sensible, thinking men. The gentleman from Wisconsin [Mr. ESCH] proposes a negative, back-handed arrangement that the railroads shall not be turned back before July of next year unless there is remedial legislation in the meantime. I am not prepared to say that conditions may not arise under which they ought not to be turned back whether there is legislation or not.

Mr. MANN. Will the gentleman yield?

Mr. SHERLEY. I yield to the gentleman from Illinois.

Mr. MANN. In view of the President's frank statement to the House about the uncertainty and the desire for legislation, does the gentleman think it would do any harm to postpone the return of the railroads, within the 21 months, until Congress has an opportunity to legislate?

Mr. SHERLEY. By that you simply invite the postponement of such legislation to a very much later period than possibly would otherwise happen. Now, I think it is perfectly manifest—I have no right to speak on behalf of the administration or the President, but I have a right to look facts in the face—that it is absolutely necessary for many reasons that Congress shall be in session long before next December. There are many conditions that will require it. Why we should attempt now to put legislation upon a bill that will have no other effect than to kill it passes my understanding. I can only repeat in conclusion that I appeal to the judgment of men and not to their predilections and their prejudices. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the substitute offered by the gentleman from Wisconsin [Mr. ESCH].

The question was taken; and on a division (demanded by Mr. ESCH) there were—ayes 73, noes 91.

Accordingly the substitute was rejected.

The CHAIRMAN. The question is on the original amendment offered by the gentleman from Texas [Mr. RAYBURN].

The question was taken; and on a division (demanded by Mr. RAYBURN) there were—ayes 51, noes 103.

Accordingly the amendment was rejected.

Mr. BLACK. I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 1, line 9, at the beginning of line 9 strike out the figures "$750,000,000" and insert the figures "$381,000,000."

Mr. BLACK. Mr. Chairman, I want to state briefly the reasons why I think the amendment which I have offered should be adopted. The gentleman from Kentucky [Mr. SHERLEY] said we ought not to vote in matters of this kind because of our predilections. I want to assure the gentleman from Kentucky that, speaking for myself, I approach these matters not from the standpoint of a predilection merely but from a definite conviction. In a study of the hearings we find that $381,000,000 added to the revolving fund of $500,000,000 provided in the act of March 21, 1918, will take care of all the Government contracts and obligations for the year 1918, and will leave a working capital of $247,000,000 in the hands of the United States Railroad Administration for use in 1919. The several items from which we arrive at the above result are $247,000,000 as a working capital; $290,900,000 that has been advanced in the way of loans for additions and betterments, including equipment; $51,400,000 loaned to the New York, New Haven & Hartford Railroad; $92,000,000 net current assets; $196,000,000 deficit for operation in 1918; and $4,361,000 expended in connection with inland waterways. These items make a total of $881,000,000, and therefore, after deducting all of the present revolving fund of $500,000,000, we will have to appropriate $381,000,000 if we take care of the obligations of 1918 and leave a working capital of $247,000,000 in the hands of the United States Railroad Administration for use during the current year. Mr. Walker D. Hines, Director General of the Railroads, stated in the hearings—and in this connection I invite you to read page 11 of them—that the working capital of 1918 was $247,000,000, and that he desired to continue that much for 1919. It is after a careful reading of Mr. Hines's testimony before the committee that I have offered my amendment to reduce the amount of the appropriation carried in the pending bill from $750,000,000 to $381,000,000. That amount, as I have shown, will be sufficient to take care of everything except contemplated loans to railroad companies for 1919.

That leads me to say that $369,000,000 of the $750,000,000 is for loans to be made in 1919 to the railroad companies. Now, if the House had adopted either the Esch amendment or the Rayburn amendment, upon which we have just voted, and had made the time of the termination of Government control definite and certain, so that we could know what demands are to be made, I would feel very much more disposed to vote for the full amount carried in this bill, but I am not going to record myself in favor of a policy of continuing to expend these enormous sums of money in taking care of deficits and in the way of making loans to these railroad companies, and especially so unless a definite time is fixed. There must be an end to it some time, and so far as I am concerned I will begin now. [Applause.]

Mr. SHERLEY. Mr. Chairman, the gentleman by his own statement puts himself out of court. The gentleman ignores the fact that, out of the money intended for 1919, $268,000,000 represents what the Government owes on equipment, that the Government has already ordered, and stands to-day obligated to pay for, and must pay for or repudiate its obligations. This answers that statement. There is the further fact that there is $20,000,000 involved in a loan to the Boston & Maine, that is already and practically a closed incident. I repeat that the gentleman by his own statement puts himself out of court. Practically all the moneys that are intended for 1919 are moneys that the Government stands committed for and must be provided for if we are to keep the obligations we have made.

Mr. BLACK. Is it not true that in the hearings Mr. Hines stated that the total estimates of expenditures of this item was $809,000,000, but the Government thought that they could get the railroads to take care of this $809,000,000 in the way of financing their own and that $369,000,000 would be sufficient for the Government?

Mr. SHERLEY. I do not so understand the testimony. I think the gentleman is mistaken. I repeat that there are standing obligations for equipment ordered in 1918, to be delivered in 1919, to the extent of $286,000,000; and, aside from that, unless we are to hamper the roads unduly, we must give the necessary aid that I have mentioned. I hope the amendment will be voted down.

Mr. Chairman, I move that all debate on this paragraph and amendments thereto be now closed.

The CHAIRMAN. The gentleman from Kentucky moves that all debate on this paragraph and amendments thereto be now closed. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 16020, and had directed him to report the same back with the recommendation that it do pass.

Mr. SHERLEY. Mr. Speaker, I move the previous question on the bill to its final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. SHERLEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

ADJOURNMENT.

Mr. MANN. Mr. Speaker, I move that the House do now adjourn. That will carry the roll call over until morning.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion to adjourn.

The question was taken; and on a division (demanded by Mr. SHERLEY) there were—ayes 102, noes 61.

So the motion was agreed to; and accordingly (at 6 o'clock and 46 minutes p. m.) the House adjourned until to-morrow, Friday, February 21, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting estimate of appropriation, with the recommendation that it be given favorable consideration for inclusion in the general deficiency appropriation bill (H. Doc. No. 1821); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting a second supplemental report of the claims determined during the period January 25 to February 19, 1919, inclusive, for damages and loss to private property occasioned by the explosion at the plant of the T. A. Gillespie Loading Co., at Morgan, N. J. (H. Doc. No. 1735, pt. 2); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Board of Commissioners of the District of Columbia, submitting a deficiency estimate of appropriation required for expenses of the police court and for payment of a judgment against the District of Columbia, fiscal year 1919 (H. Doc. No. 1822); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Attorney General, submitting a supplemental estimate of appropriation required by the Department of Justice for the fiscal years 1919 and 1920 (H. Doc. No. 1823); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GEORGE W. FAIRCHILD, from the Committee on Ways and Means, to which was referred the bill (H. R. 15457) for the relief of certain officers and members of the crew of the U. S. S. *San Diego*, reported the same without amendment, accompanied by a report (No. 1114), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CONNELLY of Kansas: A bill (H. R. 16048) authorizing the Secretary of War to donate to Oberlin, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16049) authorizing the Secretary of War to donate to Colby, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: A bill (H. R. 16050) authorizing the Secretary of War to donate to city of Earlville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CRAMTON: A bill (H. R. 16051) authorizing the Secretary of War to donate to the town of Sandusky, Mich., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. TOWNER: A bill (H. R. 16052) authorizing the Secretary of War to donate to each of the cities and towns of Creston, Mount Ayr, Corning, Lenox, Lorimor, Lamoni, Afton, Corydon, Seymour, and Osceola, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FOSS: A bill (H. R. 16053) authorizing the Secretary of War to donate to the city of Winnetka, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16054) authorizing the Secretary of War to donate to the city of Waukegan, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16055) authorizing the Secretary of War to donate to the city of Evanston, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16056) authorizing the Secretary of War to donate to the city of Kenilworth, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16057) authorizing the Secretary of War to donate to the city of Highland Park, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16058) authorizing the Secretary of War to donate to the city of Lake Forest, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16059) authorizing the Secretary of War to donate to the city of Highwood, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CALDWELL: A bill (H. R. 16060) authorizing the Secretary of War to donate to the Jamaica Welcome and Memorial Committee of Jamaica, Long Island, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 16061) authorizing the Secretary of War to donate to the city of Owenton, Ky., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 16062) to repeal the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Illinois: A bill (H. R. 16063) to authorize the Secretary of War to furnish a German cannon to the city of Rock Island, Ill.; to the Committee on Military Affairs.

By Mr. BYRNES of South Carolina: A bill (H. R. 16064) authorizing the Secretary of War to donate to certain cities in South Carolina one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WOOD of Indiana: A bill (H. R. 16065) donating a captured German cannon or field gun and carriage to the city of West Lebanon, Ind.; to the Committee on Military Affairs.

By Mr. WATKINS. A bill (H. R. 16066) to amend an act entitled "An act to authorize exploration for and disposition of coal, phosphate, oil, oil shales, or gas"; to the Committee on the Public Lands.

By Mr. PARK: Resolution (H. Res. 596) assigning a clerk to the Committee on Railways and Canals; to the Committee on Accounts.

By Mr. HICKS: Resolution (H. Res. 597) to appoint a committee from the Members of the House of Representatives to investigate the demobilization of the Army; to the Committee on Military Affairs.

Also, resolution (H. Res. 598) authorizing the Committee on Military Affairs to make a thorough investigation of the Judge Advocate General's office; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Resolution (H. Res. 599) requesting the President to communicate to the House certain information concerning the War Trade Board; to the Committee on Interstate and Foreign Commerce.

By Mr. KING: Resolution (H. Res. 600) for the consideration of House bill 16038; to the Committee on Rules.

By Mr. WALSH: Joint resolution (H. J. Res. 432) appointing a joint commission to confer with officials of the Commonwealth of Massachusetts and others relative to celebrating the landing of the Pilgrims at Plymouth, Mass.; to the Committee on Rules.

By Mr. FERRIS: Joint resolution (H. J. Res. 433) giving to discharged soldiers, sailors, and marines a preferred right of homestead entry; to the Committee on the Public Lands.

By Mr. EVANS: Memorial from the Legislature of the State of Montana, urging Congress to enact such legislation as may be necessary to permit the honorably discharged soldiers, sailors, and marines to retain in his possession such clothing as under the provisions of paragraph 1165, Army Regulations, he is permitted to take to his home; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAWLEY: A bill (H. R. 16067) granting an increase of pension to George W. Doney; to the Committee on Pensions.

By Mr. HOOD: A bill (H. R. 16068) for the relief of John Boone, of Sampson County, N. C.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of District of Columbia Commandery of the Military Order of the Loyal Legion of the United States, urging against Bolshevistic and I. W. W. propaganda and asking for immediate passage of bill now pending declaring unlawful the display of red flags within the jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. BURROUGHS: Protest of Local No. 66-A, International Brotherhood of Electrical Workers, of Telephone Operators' Department, of Manchester, N. H. (Gertrude Cahill, recording secretary), against the evasive methods in which their wage scale and grievances have been handled by both the telephone companies and Postmaster General Burleson; to the Committee on the Post Office and Post Roads.

Also, resolution of the Portsmouth (N. H.) Central Labor Union, W. B. Clarke, secretary, indorsing the United States Employment Service; to the Committee on Labor.

By Mr. CARY: Petition of Luedke Schaffer Shoe Co., Milwaukee Glove Co., John Obenberger Forge Co., F. Mayer Boot & Shoe Co., Milwaukee Patent Leather Co., the Stowell Manufacturing Co., O. C. Hansen Manufacturing Co., and Bradley & Metcalf Co., urging passage of House bill 13274, relating to legalizing war contracts; to the Committee on Military Affairs.

Also, petition of L. Frank & Son, Milwaukee, Wis., requesting active support on House bill 13274, relating to legalization of informal war contracts; to the Committee on Military Affairs.

Also, petition of the Wallace & Smith Co., Milwaukee, Wis., asking support for House bill 13274, relating to legalization of war contracts; to the Committee on Military Affairs.

By Mr. COPLEY: Petition of Joliet Association of Commerce, Joliet, Ill., urging enactment of the Smith-Bankhead bill; to the Committee on Education.

By Mr. DAVIS: Petition of citizens of Nicollet County, Minn., requesting that the Government guarantee the price for 1919 crop of wheat; to the Committee on Agriculture.

By Mr. ELSTON: Memorial of Adjt. Gen. J. J. Barree, of California, submitting proposed amendment to Senate bill 5022; to the Committee on Military Affairs.

Also, memorial of J. J. Barree, adjutant general of California, submitting proposed modifications of demobilization regulations; to the Committee on Military Affairs.

By Mr. BENJAMIN L. FAIRCHILD: Petition of common council of the city of Mount Vernon, N. Y., in re change of name from Panama Canal to Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of banks of Belvidere, Ill., opposing the issuing of long-time certificates of indebtedness in lieu of bonds; to the Committee on Ways and Means.

Also, petition of sundry citizens of La Salle County, Ill., protesting against the importation, duty free, of corn from Argentina; to the Committee on Ways and Means.

By Mr. GRAHAM of Illinois: Petition of L. H. Woodworth and sundry other citizens of Rock Island, Ill., that all equipment used in the War, Navy, and Post Office Departments and the merchant marine and all other equipment used by the Government be manufactured in the Government shops to their full capacity; to the Committee on Military Affairs.

By Mr. GREENE of Vermont: Petition of sundry citizens of Rutland, Vt., for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLINGSWORTH: Memorial of Ray E. Layton, Adjutant General of Ohio, favoring Senate bill 5500 amending National Guard defense act; to the Committee on Military Affairs.

Also, petition of Lisbon Community Chamber of Commerce favoring continuance of control by the Government of the wire systems now under its management until needed legislation can be enacted for their safe return to their owners; to the Committee on Interstate and Foreign Commerce.

Also, petition of Local No. 22, Moldmakers' National Brotherhood of Operative Potters, East Liverpool, Ohio, favoring completion of public improvements authorized during the war; forbidding all immigration to this country until soldiers, sailors, and war workers secure employment; to provide extra pay for soldiers and sailors equal to amount of pay for 12 months if not sooner employed, and purchase and drain waste lands and develop same, to be sold on easy terms to soldiers, and so forth; to the Committee on Military Affairs.

By Mr. KAHN: Memorial of California Real Estate Association, urging passage of legislation providing funds to complete the Iron Canyon reclamation project; to the Committee on Irrigation of Arid Lands.

By Mr. KREIDER: Petition of Harrisburg Chamber of Commerce, relating to operation and control of telephone and telegraph lines; to the Committee on Interstate and Foreign Commerce.

Also, petition of Dauphin County Farm Bureau, opposing the appropriation of $100,000,000 to furnish land to returning soldiers and sailors; to the Committee on Appropriations.

Also, petition of Pennsylvania State Board of Agriculture, favoring universal military training; to the Committee on Military Affairs.

By Mr. MAPES: Petition of several citizens of the city of Adrain, Mich., against the passage of the Hoke Smith educational bill; to the Committee on Education.

By Mr. MOORE of Pennsylvania: Memorial of Philadelphia Association of Retail Druggists, urging continued control of telegraph and telephone systems under certain conditions; to the Committee on Interstate and Foreign Commerce.

By Mr. PRICE: Petition of 218 citizens of Delmar, Del., in favor of national education bill; to the Committee on Education.

By Mr. RAKER: Petition of grand jury of San Joaquin County, Cal., urging the passage of the bill granting to discharged soldiers the right to retain their uniforms; to the Committee on Military Affairs.

Also, memorial of California Real Estate Association, indorsing the passage of the bill for the appropriation of $100,000,000 for reclamation work in connection with the returning soldiers; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Friday Morning Club, of Los Angeles, Cal., indorsing the league of nations; to the Committee on Foreign Affairs.

Also, petition of Roseville (Cal.) Lodge, No. 937, Brotherhood of Railway Carmen of America, urging the continued operation and control of the railroads by the Government for a period of five years; to the Committee on Interstate and Foreign Commerce.

Also, petition of Chamber of Commerce of Corning, Cal., indorsing the Iron Canyon project; to the Committee on Irrigation of Arid Lands.

Also, petition of Los Angeles Chamber of Commerce, relative to the punishment of aliens who declared their intention of becoming citizens of the United States, but who left this country for the purpose of entering the armies of the enemy against the United States; to the Committee on Immigration and Naturalization.

Also, petition of People's Council of America, Northern California Branch, for the withdrawal of the troops from Russia; to the Committee on Military Affairs.

Also, petition of Cook, McFarland Co., Los Angeles, Cal., protesting against increased rate of taxation of wholesale grocery brokers; to the Committee on Ways and Means.

Also, petition of W. L. McClune, of Roseville, Cal., protesting against the 5 per cent film tax; to the Committee on Ways and Means.

Also, petition of Ed. B. Jensen, Westwood, Cal., protesting against the tax of 5 per cent on film rentals; to the Committee on Ways and Means.

Also, petition of State Board of Education of California, expressing approval of pending legislation relating to the vocational rehabilitation of persons disabled in industry or otherwise; to the Committee on Education.

Also, petition of Vallejo Metal Trades' Council, of Vallejo, Cal., protesting against the awarding of shipbuilding contracts to shipyards in China and Japan, etc.; to the Committee on the Merchant Marine and Fisheries.

Also, petition of executive committee of the Philadelphia Chamber of Commerce, expressing disapproval of the continued Government control of public utilities; to the Committee on Interstate and Foreign Commerce.

Also, petition of Alameda County (Cal.) Nurses' Association, urging the conferring of rank on Army nurses; to the Committee on Military Affairs.

By Mr. ROGERS: Petition of Local Union No. 563, International Brotherhood of Electrical Workers, Lowell, Mass., protesting against the attitude of Postmaster General Burleson relative to wages and other questions pertaining to workers in telephone business; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: Petition of Rotary Club of Boise, Idaho, urging the appropriation of $100,000,000 for the reclamation of arid, swamp, and cut-over lands; to the Committee on Appropriations.

Also, petition of Commercial Club, Burley, Idaho, urging the enactment of House joint resolution 368, providing for extension of the period of Government control of the telegraph and telephone system; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER: Petition of Liscum-Wheeler Camp No. 33, Spanish War Veterans, indorsing House bill 15143, giving preference to soldiers in Government positions and appointments; to the Committee on Military Affairs.

By Mr. YOUNG of North Dakota: Petition of Larsan and Haare, in North Dakota Legislature, protesting against any reduction in appropriation for agricultural extension work; to the Committee on Agriculture.

Also, petition of 87 citizens of Dagden, N. Dak., urging legislation to fulfill the President's proclamation of wheat guaranty; to the Committee on Agriculture.

SENATE.

FRIDAY, *February 21, 1919.*

Chaplain Daniel Couve, Fifty-ninth Division Infantry, French Army, offered the following prayer:

O God, our heavenly Father, we thank Thee for all the mercies Thou hast bestowed upon us. We thank Thee for the victory Thou hast given to our allied armies, and we pray Thee that Thou makest us worthy of Thy mercies. O God, our Father, do guide all of us on the way of justice, and give us to be as faithful and obedient in the works of peace as our soldiers have been brave in the days of war. Do guide all those who have charge of the establishment of a permanent peace. Do inspire the President of the United States; do protect the premier of France; and do help all of us to play faithfully our part in the coming of Thy kingdom of righteousness. Through Jesus Christ our Lord. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PITTMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM OREGON.

Mr. CHAMBERLAIN. I present the credentials of my colleague [Mr. MCNARY] and ask that they be read:

The credentials were read and ordered to be filed, as follows:

Certificate of election.

STATE OF OREGON,
EXECUTIVE DEPARTMENT.

To all to whom these presents shall come, greeting:

Know ye, that it appearing from the official canvass of the vote cast at the general election held within and for the State of Oregon on Tuesday, the 5th day of November, A. D. 1918, that CHARLES L. MCNARY, of Marion County, State of Oregon, received the highest number of votes cast for the office of United States Senator in Congress at said general election:

Now, therefore, I, James Withycombe, governor of the State of Oregon, by virtue of the authority vested in me under the laws of the State of Oregon, do hereby grant this certificate of election and declare said CHARLES L. MCNARY, of Marion County, State of Oregon, to be duly elected to the office of United States Senator in Congress from the State of Oregon for the term of six years beginning March 4, 1919.

In testimony whereof I have hereunto set my hand and caused the seal of the State of Oregon to be hereunto affixed. Done at the capitol, at Salem, Oreg., this 30th day of November, A. D. 1918.

[SEAL.] JAMES WITHYCOMBE,
Governor.

By the governor:

BEN W. OLCOTT,
Secretary of State.

COST OF THE WAR (S. DOC. NO. 408).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Labor, transmitting, in response to a resolution of December 15, 1918, a report relative to the cost of the war with Germany and her allies, which was ordered to lie on the table and be printed.

GOVERNMENT EMPLOYEES (S. DOC. NO. 409).

The VICE PRESIDENT laid before the Senate communications from the Secretary of State, the Secretary of Commerce, and the United States Fuel Administrator, transmitting in response to a resolution of December 15, 1918, lists showing the number of civilian employees in their respective departments on February 15, and the number discharged during the previous two weeks, which were ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13366) permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditons, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DENT, Mr. FIELDS, and Mr. KAHN managers at the conference on the part of the House.

The message also announced that the House insists upon its amendments to the bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DENT, Mr. FIELDS, and Mr. KAHN managers at the conference on the part of the House.

The message further announced that the House insists upon its amendments to the bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FERRIS, Mr. TAYLOR of Colorado, and Mr. LA FOLLETTE managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 16020) to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

The message further announced that the Speaker of the House had signed the following bills and joint resolutions, and they were thereupon signed by the Vice President:

S. 68. An act to amend section 269 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary";

S. 932. An act to provide for the stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont.;

S. 935. An act for the relief of settlers on certain railroad lands in Montana;

S. 2088. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto;

S. 3079. An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes;

S. 3571. An act granting lands for school purposes in lots No. 111 in each of the town sites of Fort Shaw and Simms, Sun River reclamation project, Mont.;

S. 3646. An act granting to the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes;

S. 4103. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto;

S. 4244. An act for the relief of entrymen within the Castle Peak irrigation project in Utah;

S. 4957. An act to establish the Lafayette National Park in the State of Maine;

S. 5058. An act to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak.;

S. 5192. An act for the construction of a bridge across Rock River at or near South Jackson Street, in the city of Janesville, Wis.;

S. 5316. An act granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington;

S. 5342. An act providing for the appointment of an additional district judge for the northern judicial district of the State of Texas;

S. 5534. An act granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, F. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge

across Niagara River within or near the city limits of Buffalo, and for other purposes;

S. J. Res. 107. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., a memorial to Francis Asbury;

S. J. Res. 198. Joint resolution to suspend the legal requirements of assessment work on mining claims in Alaska for the years 1917, 1918, and 1919, and extending to that Territory the provisions of public resolution No. 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution No. 12, Sixty-fifth Congress, approved October 5, 1917, as amended, and for other purposes;

S. J. Res. 208. Joint resolution providing that one term of the United States district court for the eastern judicial district of Oklahoma shall be held annually at Hugo, Okla.; and

S. J. Res. 214. Joint resolution authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate resolutions adopted by the District of Columbia Commandery of the Military Order of the Loyal Legion of the United States, which will be inserted in the RECORD and referred to the Committee on Military Affairs.

The resolutions are as follows:

MILITARY ORDER OF THE LOYAL LEGION OF THE UNITED STATES,
COMMANDERY OF THE DISTRICT OF COLUMBIA.

At the annual banquet of February 12, 1919, the following preamble and resolutions were presented by Col. Archibald Hopkins, United States Volunteers, unanimously adopted and approved by Senator GEORGE E. CHAMBERLAIN, of Oregon, and Senator HARRY S. NEW, of Indiana, in their speeches delivered by them on that occasion:

"Whereas the red flag is everywhere recognized as the emblem of anarchy and is an incitement to riot and bloodshed wherever displayed, and is loathsome and abhorrent to every patriotic American: Therefore be it

"*Resolved by the District of Columbia Commandery of the Military Order of the Loyal Legion of the United States, assembled to do honor to the memory of Abraham Lincoln*, That we earnestly request Congress as an effective antidote to the epidemic of Bolshevistic and I. W. W. propaganda, sweeping over the country, to pass immediately the bill now pending to declare unlawful and to punish the display of the red flag within the jurisdiction of the United States.

"*Resolved*, That a copy of this resolution be sent to the Vice President of the United States and the Speaker of the House with the request that it be laid before their respective bodies.

"Lieut. Gen. NELSON A. MILES, U. S. Army,
"*Commander.*

"Official:

"THOMAS H. MCKEE, *Recorder.*"

Mr. STERLING. Mr. President, yesterday I presented a statement signed by several farmers in one of our South Dakota counties relative to the guaranteed price of wheat for the year 1919. I have now several other papers of the same nature and in the same language. The statement yesterday was printed in the RECORD. I simply send these to the desk and move that they be referred to the Committee on Agriculture and Forestry without being printed in the RECORD.

The motion was agreed to.

Mr. SHERMAN. I present a joint resolution from the General Assembly of the State of Illinois in relation to the reconstruction program. I ask that it be printed in the RECORD and referred to the Committee on Interstate Commerce.

The memorial is as follows:

Certificate No. 3462.

STATE OF ILLINOIS,
OFFICE OF THE SECRETARY OF STATE.

To all to whom these presents shall come, greeting:

I, Louis L. Emmerson, secretary of state of the State of Illinois, do hereby certify that the following and hereto attached is a true copy of senate joint resolution 14 of the Fifty-first General Assembly of the State of Illinois, the original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed the great seal of the State of Illinois. Done at the city of Springfield this 18th day of February, A. D. 1919.

[SEAL.]

LOUIS L. EMMERSON,
Secretary of State.

Senate joint resolution 14.

Whereas many public improvements for which there is an imperative need have been postponed on account of the existence of a state of war between the United States of America and the Imperial German Government; and

Whereas the necessity for the resumption of the construction of public works is fully recognized and is being urged upon all people in authority representing the various political units and subdivisions of the United States; and

Whereas one of the greatest problems confronting the State and the Nation at the present time is the furnishing of immediate employment to a large amount of idle labor released from other activities by the victorious termination of the war; and

Whereas the embarking upon the construction of the much-needed public improvements will furnish immediate and profitable employment to idle labor; and

Whereas the increase in freight rates on the heavy materials, entering largely into the construction of public works, which went into effect on June 25, 1918, was approximately 100 per cent greater than the increase on other commodities; and

Whereas, in the judgment of the General Assembly of the State of Illinois, freight rates on materials designed for use in the construction of public works are excessive and tend unmistakably to discourage the resumption of the construction of such enterprises, thus defeating the effort to give employment to idle labor: Therefore be it

Resolved by the Senate of the State of Illinois (the House of Representatives concurring therein), That the President of the United States, the Congress of the United States, and the United States Railroad Administration be, and they hereby are, memorialized and respectfully but most urgently requested to take such action as will bring about a reduction in the freight tariffs governing the shipment of the materials entering largely into the construction of public works, said reduction to be not less than the advance which went into effect June 25, 1918, and to be effective at an early date; and

That upon the passage of this resolution certified copies thereof be forthwith forwarded by the secretary of state of Illinois to the President of the United States, the presiding officers of both Houses of Congress and Members from Illinois of both branches of the Congress of the United States, and the Director General of Railroads.

Adopted by the senate February 12, 1919.

ADAM C. CLIFFE,
President pro tempore of the Senate.

J. H. PADDOCK,
Secretary of the Senate.

Concurred in by the house of representatives February 13, 1919.

DAVID E. SHANAHAN,
Speaker of the House of Representatives.

B. H. MCCANN,
Clerk of the House of Representatives.

Filed February 18, 1919.

LOUIS L. EMMERSON,
Secretary of State.

Mr. POMERENE. I have a communication here in the nature of a petition signed by Mr. Fred Brocker, recording secretary of Lodge No. 584, International Association of Machinists, of Cleveland, Ohio. It contains a large number of signatures. It prays for national ownership and Government operation of all the railroads within the territory of the United States and its possessions necessary for furnishing transportation to the people of the United States, including all lands, terminals, and equipment required or desirable for successful operation. I move that the petition be referred to the Committee on Interstate Commerce.

The motion was agreed to.

Mr. TOWNSEND. I desire to introduce and have read a communication from the Selective Service Local Board for the County of Saginaw, Mich., and to have it referred to the Committee on Military Affairs.

The communication was read and referred to the Committee on Military Affairs, as follows:

SELECTIVE SERVICE LOCAL BOARD FOR COUNTY OF SAGINAW.
Saginaw, Mich., February 13, 1919.

Hon. CHARLES E. TOWNSEND,
Washington, D. C.

MY DEAR SIR: It is the feeling of this board that a law be enacted deporting such registrants who claimed exemption from serving in the United States Army on the ground that they were not citizens of the United States, who answered "yes" to question No. 6 of series No. 7 of the questionnaire, which made them enemy aliens in Class 5–E.

We would respectfully ask this, since we have known registrants to laugh and say they would not have to go, but would get good jobs in places where boys had left for service, offering their lives to their country.

Respectfully,

C. C. SPEER, *Chairman.*
W. H. MCEWEN, *Physician.*
H. L. BAUER, *Secretary.*

Mr. LODGE presented a petition of the congregation of the Central Congregational Church, of Chelsea, Mass., and a petition of the Woman's Club of Lawrence, Mass., praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

Mr. HARDING. I present a communication from the delegates of the Hocking Valley Railroad System of Ohio, relative to the operation of the railroads of the country, which I ask to have printed in the RECORD and referred to the Committee on Interstate Commerce.

The communication is as follows:

RAILWAY EMPLOYEES' DEPARTMENT OF THE
AMERICAN FEDERATION OF LABOR,
HOCKING VALLEY RAILROAD FEDERATED
TRADES ASSOCIATION, SYSTEM NO. 51,
Columbus, Ohio, February 17, 1919.

Hon. WARREN G. HARDING,
United States Senate, Washington, D. C.

DEAR SIR: We, the undersigned delegates assembled, representing machinists, boilermakers, blacksmiths, sheet-metal workers, electrical workers, carmen, apprentices, and helpers of the Hocking Valley Railroad System, respectfully urge upon you, and through you to the Congress of the United States, to have enacted into law a bill identical with Mr. McAdoo's theory, providing for five years of Uncle Sam's operation of all railroads within the territory of the United States and its possessions, necessary for the furnishing of transportation to the people of the United States, including all lands, terminals, and equipment required or desirable for successful operation; and that you will cause this petition to be noted in the CONGRESSIONAL RECORD and referred to an appropriate committee.

Respectfully submitted.

[SEAL.]

G. A. STEPHENSON
(And others).

Mr. HARDING presented a memorial of the City Council of Canton, Ohio, remonstrating against the reenactment of the daylight-saving law, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Local Union No. 98, International Ladies' Garment Workers' Union, of Cincinnati, Ohio, remonstrating against the proposed restriction on immigration, which was referred to the Committee on Immigration.

Mr. MOSES presented a petition of the Board of Trade of East Jaffrey, N. H., praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the New Hampshire State Federation of Labor, favoring the continuance of the United States Employment Service, which were referred to the Committee on Education and Labor.

Mr. MYERS presented a petition of sundry citizens of Sioux Pass, Mont., praying for the enactment of legislation guaranteeing the minimum price of $2.20 for the 1919 wheat crop, which was referred to the Committee on Agriculture and Forestry.

Mr. CURTIS presented a petition of sundry citizens of Russell, Kans., praying for the deportation of those aliens who, in order to escape military service, dropped their first citizenship papers, which was referred to the Committee on Immigration.

Mr. HALE presented a petition of sundry citizens of Fairfield, Me., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Auburn, Me., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. KNOX presented petitions of the Boards of Trade of Williamsport, Waynesboro, New Kensington, Perkasie, and Langhorne; of the Rotary Clubs of Philadelphia, Greensburg, and Washington; of the Business Men's Associations of Millheim, Johnsonburg, Germantown, Royersford, and Pottstown; of the Chambers of Commerce of Wellsboro and Huntingdon; of the Association of Retail Druggists of Philadelphia; of the Merchants' Association of Williamsport; of the Commercial Club of Grove City; and of the Elk County Manufacturers' Association of Ridgway, all in the State of Pennsylvania, praying that the return to private ownership of telephone and telegraph lines be deferred until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Chamber of Commerce of Philadelphia, Pa., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented a petition of Keystone Lodge, No. 590, Brotherhood of Railway Clerks, of Pittsburgh, Pa., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented petitions of Mountain City Lodge, No. 545, International Brotherhood of Boiler Makers; Iron Ship Builders and Helpers of America, of Renovo; and of sundry citizens of Philadelphia, Tamaqua, and Easton, all in the State of Pennsylvania, praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of Washington Camp, No. 797, Patriotic Order Sons of America, of Oxford, Pa., praying for the proposed restriction of immigration, which was referred to the Committee on Immigration.

He also presented a resolution adopted by the Congregation of the Reform Congregation Anshe Chesed, of Erie, Pa., favoring the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

Mr. LEWIS presented a resolution adopted by the Legislature of the State of Illinois, favoring a reduction in freight rates on shipments of material entering largely into the construction of public works, which was referred to the Committee on Interstate Commerce.

EDUCATION OF ILLITERATES.

Mr. SMITH of Georgia. Mr. President, there is pending a bill, Senate 5464, known as the Americanization bill. I have received several letters from and resolutions passed by organizations in different parts of the country that I wanted to present during the morning hour, but I was unable to be present, and I ask leave to have them printed in the RECORD. They will take the place of a speech on the subject. Of course, I could read them. They are brief arguments in favor of the measure. I expect to call up the measure in a day or two for consideration.

Mr. SMOOT. What is the measure?

Mr. SMITH of Georgia. The Americanization bill, the bill prepared in connection with the Interior Department for the purpose of teaching English to all who can not speak English.

Mr. SMOOT. The illiteracy bill?

Mr. SMITH of Georgia. The illiteracy bill. It is called the Americanization bill now by its friends. I ask leave to have these resolutions and letters printed in the RECORD instead of reading them.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

BOSTON, *February 17, 1919.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

DEAR SIR: On behalf of the Massachusetts Bureau of Immigration, I desire to ask your favorable consideration of Senate bill 5464, the Smith-Bankhead Americanization bill.

The necessity for Federal cooperation in removing the menace of illiteracy on the one hand and, on the other, lack of knowledge of our common language by foreign-born non-English-speaking persons was never greater than at present. The line of cleavage between the literate English speaking and the illiterate and non-English speaking in our great industrial centers was never so clearly defined as now.

It is by no means a mere question of industrial security or of industrial prosperity; it is one of political and social security, which is seriously menaced by the existing conditions. The sum called for in this bill is of little consequence as compared with the results which will follow an organized nation-wide attack upon this problem. The removal of the menace of illiteracy will pay what it costs an almost infinite number of times.

Should there be any hearings in connection with this bill the bureau would be very glad, if desired, to appear before the Committee on Education and Labor in advocacy of it.

Trusting that you will do everything possible to further the progress of this bill, I remain,

Very truly, yours,

BERNARD J. ROTHWELL,
Chairman Massachusetts Bureau of Immigration.

NEW YORK CITY, *February 13, 1919.*

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I desire to express to you my conviction that passage of Senate bill 5464, the Smith Americanization bill, would be a constructive action of the first importance.

My deep interest in our great non-English-speaking groups, both as members of the community and as members of the Army, has led me to the certainty that the absence of such educational provision as that contemplated in the bill has led to results deplorable, from the point of view of human well-being, of social stability, and of citizenship, and that the initiation of the Smith-Bankhead plan would do much to avert threatening dangers and to build a more worthy and more loyal body of American citizens.

Very sincerely, yours,

ERNEST H. WILKINS,
Vice President of the Modern Language Association of America.

LOCKPORT, N. Y., *February 17, 1919.*

Mr. HOKE SMITH,
Senate Chamber, Washington, D. C.

DEAR SENATOR SMITH: The directors of the Lockport Board of Commerce indorse the Smith-Bankhead Americanization bill. We believe that now is the time to push vigorously the Americanization movement.

Very truly, yours,

DIRECTORS OF LOCKPORT BOARD OF COMMERCE,
By RAYMOND B. GIBBS, *Secretary.*

SECTION ON ALIENS,
COUNCIL OF ORGANIZATIONS FOR WAR SERVICE,
New York City, February 15, 1919.

Senator HOKE SMITH,
Senate Chamber, Washington, D. C.

MY DEAR MR. SMITH: Inclosed is a copy of a resolution concerning the Smith-Bankhead bill (S. 5464; H. R. 15402) unanimously passed at a meeting of the Section on Aliens, which represents several hundred men's and women's organizations in New York City actively interested in Americanization.

Very truly, yours, ESTHER E. LAPE.

"Whereas the lack of a definite national policy for educating the adult foreign born in the English language and in understanding American institutions and ideals, and the lack of funds for this purpose in the various States and communities have been among the greatest obstacles to Americanization; and

"Whereas the Smith-Bankhead bill now before Congress (S. 5464; H. R. 15402) recognizes the need of a national policy for Americanization and definitely establishes that policy, first, by fixing responsibility in the Department of the Interior; and, secondly, by providing Federal aid to the States for the education of the foreign born: Therefore be it

"*Resolved*, That this meeting, constituted of the representatives of organizations named below, comprising the Section on Aliens, Council of Organizations of New York City, hereby indorses the Smith-Bankhead bill and urges its immediate passage; and

"*Resolved*, That a copy of this resolution be sent to each member of the Education Committee of both Houses of Congress."

PENNSYLVANIA COUNCIL OF NATIONAL DEFENSE,
AND COMMITTEE OF PUBLIC SAFETY,
Pittsburgh, Pa., February 13, 1919.

Hon. HOKE SMITH,
United States Senate, Washington.

MY DEAR SIR: I respectfully request your influence and support for Senate bill 5464, which provides for the education of native illiterates. From what I know of the situation of Pennsylvania, and especially of Allegheny County, the people are in accord with the provisions of this bill.

In Allegheny County alone we have over 50,000 persons who can not speak the English language. The Council of National Defense for Allegheny County organized an Americanization committee, had started

classes in English in many of the mills, factories, and mines, as well as among the fraternity societies of the foreigners.

A class for teachers for these illiterates was organized at the University of Pittsburgh, and as result of the stimulus of the war, a great deal of progress was made along the lines of Americanization in this county. Since the war closed, however, and the Council of National Defense of Pennsylvania has been practically disbanded, no further progress has been made along this line of work in this county.

I believe I can speak for the Council of National Defense for Allegheny County, which was one of the most representative and active councils in the State, comprising a membership of over 15,000 men and women connected with the various community councils, and voice their opinion that Senate bill 5464 provides the solution to this great problem, and I trust the bill will speedily pass both branches of Congress.

We are vitally interested in this question in this great industrial center, where we have 26 nationalities and all the complex problems connected with the employment and education of our foreign-born citizens. We can not urge too forcibly the passage of this bill.

Very truly, yours,

WM. H. STEVENSON,
Chairman Allegheny County Division.

—

ELIZABETH, N. J., *February 17, 1919.*

Whereas the board of trustees of the chamber of commerce believe that extraordinary efforts should be made at this time for the education of illiterates and the Americanization of our foreign-born residents; and

Whereas it is believed that the Smith-Bankhead bills recently introduced in Congress will enable the States to start this important work, assisted by the Federal Government: Therefore be it

Resolved, That the board of trustees of the chamber of commerce communicate with its representatives in the Senate and House and with the members of the Senate and House Educational Committees, urging an early consideration and passage of this bill.

—

MINNESOTA COMMISSION OF PUBLIC SAFETY,
Slayton, Minn., February 15, 1919.

Hon. HOKE SMITH,
Washington, D. C.

DEAR SIR: Permit me to write you concerning Senate file No. 5464, I believe this to be an excellent bill, and should become a law. I have talked with several concerning this bill, and all have agreed that it is a most meritorious one, and I trust you will feel that the country is backing you up, and that you will use every effort to see that it becomes a law.

Sincerely, yours,

BURT I. WELD,
Murray County Director.

—

HARLAN, KY., *February 15, 1919.*

Hon. HOKE SMITH,
Washington, D. C.

DEAR SIR: I have just read S. 5464, which you introduced in the Senate. I most heartily approve the bill and am writing to express the hope that it may become a law.

I have worked in the mountains of Kentucky for many years and have come to the conclusion that the only satisfactory and sure way to cope with the problem of adult illiteracy is by definite appropriation of funds for that specific purpose. The problem will never be solved by voluntary, unremunerated service. There must be definite, purposeful organization, backed by an adequate financial support.

Yours, truly,

F. D. PERKINS.

—

AMERICAN MISSIONARY ASSOCIATION,
San Francisco, Cal., February 15, 1919.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

DEAR SIR: The Smith-Bankhead Americanization bill (S. 5464; H. R. 15402) appears to provide a long-needed help and stimulus to States which have been unable or unwilling to provide adequate educational opportunities for native illiterate residents and foreigners living within the bounds of the States, alien both in speech and spirit.

The serious situation created by such alien and illiterate groups is becoming increasingly apparent to all. A homogenous American civilization is impossible as long as such segregated groups exists, and without a homogenous civilization, "100 per cent American," we shall be unable to meet our great responsibilities in the New World now before us since the war.

I feel that the bill should be urgently pressed to speedy passage, and that action under section 10 should be undertaken promptly to awaken interest and secure in the various State legislatures the necessary action by which the appropriation may be made available in each State. States where this help from the Federal Government is most needed may fail to qualify for a share in the fund unless their legislators are stirred to action by a vigorous publicity campaign under the Bureau of Education.

You will, I believe, greatly aid the cause of Americanism, now being tested before the world, in giving this bill your earnest and enthusiastic support.

Faithfully, yours,

GEO. W. HINMAN.

—

NASHVILLE, TENN., *February 15, 1919.*

Senator HOKE SMITH,
Committee on Education and Labor, Washington, D. C.

DEAR SIR: I have read the article on the illiterates and non-English-speaking people of the United States, and I know how much such a bill is needed.

I taught English to Italians last year and have become well acquainted with Mexicans, Porto Ricans, and New Mexican Indians since October, as I interpreted Spanish at the Du Pont plant here.

I am so much interested in the work that I have talked to other people about it, and I feel sure that the Nashville people and every other good American will be for that bill when they realize what it means.

I want to do my share to get the bill through, so if I can be of service in any way, please let me know.

Sincerely,

TRILLIS E. WESSELER.

NEWTON, MASS., *February 19, 1919.*

Senator HOKE SMITH,
Chairman of the Committee on Education and Labor,
Washington, D. C.

MY DEAR SIR: I am profoundly interested in the bill now before your committee providing for teaching illiterates and persons unable to speak, read, or write the English language—Senate bill No. 5464 and House bill No. 15402.

The fact that you yourself introduced this bill into the Senate is proof that you are convinced of its great importance. I doubt if anything of more vital import has been, or will be, considered by your honorable body. We have had occasion within the past few years to realize the importance of becoming a unified Nation, and nothing will so hasten that end as a common language, both spoken and read by the masses of our citizens.

The bill seems to me to be especially wise in its provisions for cooperation with the educational forces of the several States, and also in its division of financial help from the fund appropriated among the States in proportion to the number of their illiterates. I represent the department of Americanization in the National Woman's Christian Temperance Union and can pledge to you the hearty support and cooperation of the entire society should any occasion arise in which we can be of help.

I am writing to you as chairman of the committee, but my appeal is to the entire committee through you that it will honor itself and help to safeguard our Nation through the recommendation of this beneficent measure.

Thanking you for your interest in this matter, I am, with profound respect,

Very sincerely, yours,

KATHERINE LENT STEVENSON,
Superintendent of Americanization
in National Woman's Christian Temperance Union.

[Bulletin No. 31, National Woman's Christian Temperance Union.]

SUGGESTED OUTLINE PLAN FOR AMERICANIZATION WORK.

(Katherine Lent Stevenson, advisory member of the committee on patriotic service and superintendent of the department of Americanization.)

The purpose and scope of Americanization work for 1919 are set forth in Bulletin No. 25, issued by the National Woman's Christian Temperance Union committee on patriotic service, and all plans of National, State, or local superintendents should be in harmony with and subsidiary to the general plans of this joint committee.

It is with the thought of enlarging and elucidating plans already given that this suggested outline is presented.

I. EDUCATE.

Who? The foreigner? Yes; as a later step in the development of the work, but first of all we need to educate ourselves as to the imperative need of national unification.

Do we know (a) that 32,000,000, or 35 per cent of our entire population are of foreign-born parentage; (b) that 13,000,000 of these are foreign born and that of this number 3,000,000 adults do not speak the English language or understand it in even its most rudimentary form?

Do we know the menace this alien illiterate population affords to its own safety and well being, to the welfare and development of its children, and to the efficiency and perpetuity of American institutions? It was from the illiterate foreigners, or from those who could not speak the English language, that Germany in the main selected its tools for the wrecking of munition plants and other acts of violence during the war. It is the future vote of these men and women, not trained to our ideals and ignorant of the real purpose of our laws, which will endanger prohibition and other moral measures which, at infinite toil and sacrifice have been won by the American people.

Do you know how much of real grievance many of these people have who come to us from other shores? Have we studied the housing conditions surrounding many of our great factories? Have we pictured ourselves in a strange land, surrounded by strange faces and strange customs, expecting to find fabulous wealth and find oftentimes instead direst poverty?

On the other hand, ignorance of the English language no more presupposes necessary ignorance on their part than ignorance of Italian or Russian would on our part if we found ourselves set down in Italy or in Russia. Do we know that many of these people represent a culture older than our own and do we know anything of the many contributions which they have brought and are capable now, if wisely directed, of bringing to our American life? Unquestionably the first step in the solving of the Americanization problem is to

EDUCATE OURSELVES.

How are we to do this? In the only possible way education can be secured on any subject—by study and by experience: Experience at first hand with the foreign man or woman; study of the writings of those who have had this experience. Any one of the following books suggested by the joint committee on foreign-born women, women in industry, and by the Council of National Defense will prove a great help: "The Immigrant and the Community," Grace Abbott; "Our Slavic Neighbors, Emily Balch; "From Alien to Citizen," "On the Trail of the Immigrant," "The Immigrant Tide," Edward Steiner; "The Promised Land," Mary Antin; "Democracy and Social Ethics," "Twenty Years at Hull House," Jane Addams; "The Making of an American," Jacob Riis; "The House on Henry Street," Lillian Wald; the Czecho-Slovak publications of the Bohemian National Alliance of America, 3639 West Twenty-sixth Street, Chicago; and the publications of the department of foreign-born women, National Young Woman's Christian Association, 600 Lexington Avenue, New York. It is hoped that later extracts from these and other publications may be formed into a brief study course in this service.

II. COOPERATE.

The Woman's Christian Temperance Union is only one of many agencies undertaking this work to-day. A realization of its importance came to us earlier than to most others, since our work among foreign-speaking people was one of our first departments, but other societies, with more money and with larger opportunities for service have seen its imperative necessity and are now in the field. These are chiefly the great Government committees organized since America entered the war, the State boards of education, the Young Men's and Young Women's Christian Associations, the general and State federations of women's clubs, the suffrage associations, and others too numerous to mention. The chief thought of all these centers upon a united Amer-

ica and work to secure the naturalization and education in the English language of these alien citizens is being done by all.

The local Woman's Christian Temperance Unions should find what is being done by any of these or other agencies in their own communities and then to the utmost possible degree endeavor to cooperate. It would be a sheer waste of time and effort, for example, to start a night school for the teaching of English if one had already been started. In that case we should offer our services and take hold to teach or to bring pupils to the school. The same rule applies to any form of work among foreign-speaking people. It is the united effort of all, rather than the scattered efforts of many, which must bring results.

III. COORDINATE.

We cooperate with agencies outside our own organization. We coordinate when we bring to bear upon a common end the several agencies already within our grasp. The Woman's Christian Temperance Union has many methods and departments which may be brought to bear upon the work of Americanization.

First, there is our work among children in (a) the L. T. L.; (b) the Sunday school; (c) the public school, though our work here must necessarily be limited and done with great tact and care. To the white-ribbon woman who is a teacher the opportunities are without limit.

Second, the mothers' meeting is capable of being used to immense advantage in the Americanization problem. If each local union would hold one mothers' meeting in the home of some foreign-born woman, asking her to invite in her neighbors and making sure that there be a competent interpreter when English is not spoken, we would make a great stride in advance in the work of bringing into sympathetic unity with ourselves these women of other lands. The simplest subjects should be discussed, as (a) food and care of the child; (b) our favorite recipes; (c) fresh air; (d) schools in America and other lands; (e) why we do not give our children wine or beer; (f) why we believe the cigarette is bad for children. Countless subjects will open up, and the laws concerning prohibition will easily come in for their share of discussion. Then invite these same women to one of the American homes. Social meetings and red-letters days could be made use of in much the same way, while flower mission and relief, soldiers and sailors, child welfare, women in industry, moral education, and medical temperance all have immense possibilities for coordinate work in this department. At a later stage the medal contest could be used to great advantage.

IV. INITIATE.

It is not enough to help work already established. If the Woman's Christian Temperance Union has not a distinct contribution of its own for this great work, then its past has been in vain. What is its distinct contribution? To make those who come to our shores not only Americans, but Americans with highest ideals, Americans who shall understand that righteousness alone can exalt a nation and that "sin is a reproach to any people." We shall have failed in our distinctive work if we do not create a strong sentiment for total abstinence and for prohibition in the minds and hearts of those with whom we work. This can not be done by preaching to them; preaching to them will too often prevent that end. The "Be a neighbor" campaign must underlie all other work.

Suggestive plan for local unions:

(a) Canvass your town or district to learn how many foreign homes and foreign women are at your doors.

(b) Establish friendly relations by personal calls and little acts of neighborly kindness.

(c) Teach them English and any other thing concerning our common life which they will consent to be taught.

(d) Ask them to teach you something of their language and of the customs of their country. If possible, learn from them some cooking recipe or other household benefit. Show yourself appreciative of what they bring to us, even as we expect them to be appreciative of what we give to them.

(e) If they are themselves educated, learn something from them of the art, literature, and life of their several lands. Music should be an open sesame to Italian hearts. Just watch for once the men and women apparently of the poorer classes who at opera or symphony concert follow the most intricate score of classical music, if you would know how much they may teach us here.

(f) Having thus shown ourselves in sympathy with their past, we may go on to teach them of America's past and present and of the future, which they with us are to make. Here we may teach them of total abstinence, prohibition, the ballot for women, personal and civic purity. Individual neighborliness will become the basis for lessons in civic neighborliness and helpfulness, till they shall come to understand that our laws are not imposed upon them for the purpose of curtailing freedom, but that they are really means to the great end of larger, truer freedom for all.

(g) We must realize in our own hearts the great truth that "God did indeed make of one flesh all nations that dwell upon the earth; that each has its own individual contribution to the truest welfare of all; that in this 'melting pot of the world,' which God Himself called into being, all are needed by each and each by all; that 'the glory of the Lord,' which is always and only the highest good of man, can never be fully 'revealed' until 'all flesh shall see it together.'"

"Together" is our Americanization watchword, and its supreme aim is nothing less than to "establish * * * in every city of these States, inland and seaboard, and in the field and woods, the institution of the dear love of comrades, the attraction of friend to friend, of city for city, and land for land."

ANNA A. GORDON,
ELLA A. BOOLE,
FRANCES P. PARKS,
MARGARET C. MUNNS,
ELIZABETH P. ANDERSON,
SARA H. HOGE,
KATHERINE LENT STEVENSON,
National W. C. T. U. Subcommittee on Americanization.

COMMERCIAL CLUB,
Ottumwa, Iowa, February 18, 1919.

Hon. HOKE SMITH,
Washington, D. C.

DEAR SIR: Upon the unanimous vote of the board of directors, I am writing to urge you to use your influence in the passage of the Smith-Bankhead Americanization bill. We have gone into the matter thoroughly and are in hearty accord with the purposes of the proposed legislation.

Very truly, yours, M. L. TOULME, *Secretary.*

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., February 17, 1919.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am pleased to inclose herewith a letter I have received from the superintendent of public instruction of the State of Oklahoma, which relates to a bill you have introduced.

I am very glad that the public instructors throughout the country are indorsing the legislation prepared by you, and if I can be of any service to you in this connection it will be a pleasure to be called on.

With great respect, I am,
Sincerely, yours,
JIM MCCLINTIC.

STATE OF OKLAHOMA,
DEPARTMENT OF PUBLIC INSTRUCTION,
Oklahoma City, February 12, 1919.

Hon. JIM MCCLINTIC, M. C.,
Washington, D. C.

MY DEAR SIR AND FRIEND: I have just read a copy of Senate bill No. 5464, by SMITH of Georgia. I most heartily indorse this bill.

In Oklahoma we have more than 65,000 illiterates; 28,000 adult illiterate voters.

It is very hard to interest the children of parents who are not educated, but it is harder to interest the uneducated parents in sending their children to school.

I believe that we can take the money appropriated under this bill and wipe out the illiteracy of this State within the next 10 years.

I hope that you can and will see your way clear to give this measure your hearty support; and I ask that you see that this work is directed through the State department of education in order to avoid duplication, confusion, and, most of all, in order to use the organization now in effect.

Yours, sincerely, R. H. WILSON.

LINDEN, N. J., *February 15, 1919.*

Hon. Senator HOKE SMITH,
United States Senate, Washington, D. C.

HONORABLE SIR: The mayor and council of the Borough of Linden, N. J., at its regular meeting held Friday evening, February 14, 1919, passed unanimously the following resolution:

"*Resolved*, That we heartily approve and urge the immediate passage of the Smith-Bankhead Americanization bill—Senate bill 5464, House bill 15402—to promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth, etc.; and be it further

"*Resolved*, That a copy of this resolution be mailed, under the seal of the borough council, signed by the mayor and attested by the borough clerk, to each member of the Committee on Education and Labor of the United States Senate and each member of the Committee on Education of the House of Representatives at Washington, D. C."

H. B. HARDENBURG,
Mayor.
[SEAL.]
J. M. CAPRAUN,
Borough Clerk.

NEWBURGH, N. Y., *February 15, 1919.*

Hon. HOKE SMITH,
Senate Building, Washington, D. C.

HONORABLE SIR: The Smith-Bankhead Americanization bill, Senate bill 5464, House bill 15402, has been very carefully considered by our board of directors, and it was the consensus of opinion that the passing of such a bill would result in exceptional benefit to our country.

We are therefore respectfully requesting that in your consideration of this bill you also consider that the thinking business men throughout the country believe it will be to the country's advantage that the passage of this bill be assured.

Now is the time for making constructive rulings which will insure the future of our country from social unrest. May we not therefore urge upon you that you use your influence and assistance in securing the passage of this bill?

Respectfully, yours,
NEWBURGH CHAMBER OF COMMERCE,
FRANK H. YOUNG, *Managing Secretary.*

ALLEN COUNTY COUNCIL OF DEFENSE,
Fort Wayne, Ind., February 14, 1919.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

DEAR SIR: The Allen County Council of Defense adopted a resolution February 13 indorsing Senate bill 5464, Mr. SMITH of Georgia, providing Government aid to States in the work of Americanizing Americans.

The council instructed the undersigned to advise you as a member of the Senate Committee on Education of that fact.

We are most sincerely in favor of giving Uncle Sam all the treatment needed for national dyspepsia, so that all who will may be assimilated and all who will not may be evacuated.

Very respectfully,
C. R. LANE, *Secretary.*

PITTSBORO, MISS., *February 13, 1919.*

Senator HOKE SMITH,
Senate, Washington, D. C.

DEAR SIR: To you as chairman of the Senate Committee on Education and Labor.

I wish to indorse Senate bill 5464, to promote the education of illiterates and people in the country not able to speak English, provided it is passed as introduced: Money to be used on salaries or training teachers, and no money to be used in the support of religious or private schools.

Respectfully, THOS. L. HAMAN.

NIAGARA FALLS CHAMBER OF COMMERCE,
Niagara Falls, N. Y., February 12, 1919.

Mr. HOKE SMITH,
Senate, Washington, D. C.

DEAR MR. SMITH: The Smith-Bankhead Americanization bill (S. 5464; H. R. 15902), which has come to our attention, represents to us the progressive interest which Congress is taking on one of the most vital problems of the Nation.

That this is a question for national action seems obvious. In the first place, it is the National Government which admits aliens to America. It is beyond the practical power of a city to exclude these aliens once they have been admitted to the country. Surely this national control of immigration implies a national responsibility for the conditions of life of the immigrant and for his relation to the communities to which he comes.

In other words, it is not enough that the Federal Government should control the character of immigration; the Nation should also assist in the assimilation of the immigrant in American life.

The bill to which we refer will evidently do more to fulfill the obligation than any other step we can suggest.

Very truly, yours,

FRED MASON, *President.*

—

OWENSBORO, KY., *February 13, 1919.*

Hon. HOKE SMITH, Senator,
Washington, D. C.

DEAR SIR: The Owensboro-Daviess County Industrial Club, by its board of directors, has gone on record as indorsing the Smith-Bankhead Americanization bill, S. 5464, and urgently requests the support of the Committee on Education and Labor to this highly important measure.

Very truly, yours,

OWENSBORO-DAVIESS COUNTY INDUSTRIAL CLUB,
C. J. KELLEM, *Secretary.*

—

THE CITY CLUB OF NEW YORK,
February 13, 1919.

Hon. HOKE SMITH,
Chairman Committee on Education and Labor,
United States Senate, Washington, D. C.

MY DEAR SIR: The City Club is interested in Senate bill 5464 (Smith), and we shall greatly appreciate your kindness if you will send us two copies.

Thanking you in advance,

Yours, very truly, WM. F. HOWES,
Executive Secretary.

—

NORTH CAROLINA GEOLOGICAL AND ECONOMIC SURVEY,
Chapel Hill, N. C., February 12, 1919.

Senator HOKE SMITH,
Washington, D. C.

MY DEAR SENATOR: I understand that there is now up for consideration by the Congress a bill (S. 5464) to promote the education of illiterates, etc. I believe the necessity to prepare illiterates and foreign-born citizens for more successful living and a more intelligent American citizenship is a very vital one. In fact, the carrying out of some such process of education may avert a crisis in this country which we should strive in every way possible to forestall.

I sincerely hope that you will do whatever is necessary to have this bill given favorable consideration by this Congress.

With best wishes.

Yours, sincerely,

JOSEPH HYDE PRATT,
State Geologist.

—

WASHINGTON CHAMBER OF COMMERCE,
Washington, D. C., February 12, 1919.

Hon. HOKE SMITH,
Chairman Committee on Education and Labor,
United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: The Washington Chamber of Commerce, in its regular monthly meeting February 11, having under consideration Senate bill 5464 and House bill 15402, known as the Smith-Bankhead Americanization bill, unanimously indorsed the measure, and I am directed to forward this information to you.

Respectfully,

T. GRANT, *Secretary.*

—

LEBANON CHAMBER OF COMMERCE,
Lebanon, Pa., February 11, 1919.

Hon. HOKE SMITH,
Senator from Georgia, Washington, D. C.

MY DEAR SENATOR: Referring to Senate bill 5464, introduced in the Senate by yourself, under date of January 28, 1919, which bill is for the promotion of the education of native illiterates and other persons unable to understand and use the English language; also to provide for the cooperation of States in the education of such persons in the English language, the fundamental principles of government, the elements of knowledge for self-support and home making, and as well other such work, and making an appropriation for the carrying on of the same, would state that this organization desires to go on record as heartily indorsing such a movement on the part of Congress, believing that it is the only safe way in which we can build up a solid foundation for the future government of our Nation, and, as well, stabilize labor conditions.

The class of people to which this bill refers are at the present time more or less of a menace, in that they are unable to understand our governmental policies and as well the laws of supply and demand.

We believe that the passage of a bill of this kind by Congress will very materially stimulate the efforts of those who are at the present time concerned in the problems of Americanization, and we, therefore, urge the early passage of this bill.

Very truly, yours,

LEBANON CHAMBER OF COMMERCE,
By E. J. FELLOW, *Manager.*

—

CHAMBER OF COMMERCE,
Adrian, Mich., February 10, 1919.

Senator HOKE SMITH,
Washington, D. C.

HONORABLE SIR: This organization desires to be placed on record as indorsing the Smith-Bankhead Americanization bill, Senate bill 5464, and ask that you give it careful consideration.

Very truly, yours,

CARYL SPILLER, *Secretary.*

MASSACHUSETTS BOARD OF EDUCATION,
Boston, February 8, 1919.

Senator HOKE SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMITH: I have read with care Senate bill No. 5464, and wish to record my hearty indorsement of the measure.

I am writing Senators LODGE and WEEKS, asking their support.

Very truly, yours,

PAYSON SMITH,
Commissioner of Education.

—

HOUSE OF REPRESENTATIVES,
Columbus, S. C., February 8, 1919.

Senator HOKE SMITH,
Washington, D. C.

MY DEAR SIR: I request that you have mailed me a half dozen copies of your bill (S. 5464) relating to aid to States for education of illiterates, introduced the 28th ultimo. I desire to use them in an endeavor to get our State at its present meeting of the general assembly to put itself in a position to take advantage of the terms of the act proposed.

I would be glad to have a personal letter, if you please, stating your opinion as to the probability (and at what time) of the passage of your bill referred to and as to the expediency of an expression in its favor from this legislative body.

Yours, truly, R. A. MEARES.

—

[Resolutions adopted by Woman's Club of Redondo Beach, petitioning Congress to pass Senate bill 4987.]

Whereas it has been brought to the attention of the Woman's Club of Redondo Beach that Senate bill 4987 is now being considered by Congress, concerning the creation of a department of education, the appropriation of money for the conduct of said department, and for Federal cooperation with the States in the encouragement and support of education; and

Whereas said bill purposes Federal aid along certain most necessary lines, including immigrant education, the education of illiterates, the improvement of public, and particularly of rural, schools, and also for public-health education, the supplying and recompense of competent teachers, it seems important that this club should lend its support to secure the passage of this measure: Therefore be it

Resolved, That we, the Woman's Club of Redondo Beach, do hereby express approval of said bill and that we urge upon the Representatives and Senators of California to support this measure; and be it

Resolved further, That copies of this action of the club be forwarded to Senator HOKE SMITH, who introduced this measure in the Senate, and to each of the Senators and Representatives from California.

(Signed) Mrs. GEO. H. ANDERSON,
President.

Mrs. MARGARET J. FRICK,
Legislation Secretary.

COURT AT AMARILLO, TEX.

Mr. CULBERSON. From the Committee on the Judiciary I report back favorably without amendment the bill (S. 5627) to fix the time of holding court in the Amarillo division of the northern district of Texas, and I ask for its present consideration.

Mr. SMOOT. Let it be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That hereafter the terms of the district court of the United States in the Amarillo division of the northern district of Texas shall be held at Amarillo, Tex., on the third Monday in April and the second Monday in September of each year.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SMOOT. I wish to ask the Senator from Texas if it is a unanimous report of the committee?

Mr. CULBERSON. It is.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT STEUBENVILLE, OHIO.

Mr. BECKHAM. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (H. R. 3217) providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio. I call the attention of the Senator from Ohio [Mr. POMERENE] to the bill.

Mr. POMERENE. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase or otherwise, such additional lands or rights contiguous to the building site now owned by the United States in Steubenville, in the State of Ohio, as may be necessary for the erection and completion on the lands thus owned and acquired of a suitable building, with fireproof vaults therein, for the use and accommodation of the United States court and post office, at an additional cost not to exceed $150,000, in addition to amounts heretofore authorized.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GIG HARBOR MILITARY RESERVATION, WASH.

Mr. JONES of Washington. The bill (H. R. 11219) providing for the appraisal and sale of the Gig Harbor abandoned military reservation in the State of Washington, and for other purposes, was inadvertently referred to the Committee on Military Affairs. I ask that that committee be discharged from the further consideration of the bill and that it be referred to the Committee on Public Lands.

The VICE PRESIDENT. That action will be taken.

BILL INTRODUCED.

By Mr. NELSON:

A bill (S. 5647) authorizing the county of Beltrami, Minn., to construct a bridge across the Mississippi River, was read twice by its title and referred to the Committee on Commerce.

LANDING OF THE PILGRIMS.

Mr. LODGE. I introduce a joint resolution and ask that it be printed in the RECORD and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The joint resolution (S. J. Res. 227) creating a commission to consider and arrange for the celebration of the three hundredth anniversary of the landing of the pilgrims at Plymouth, Mass., in conjunction with the Commonwealth of Massachusetts, any political division thereof, or other organizations or individuals, was read twice by its title and referred to the Committee to Audit and Control the Contingent Expenses of the Senate and ordered to be printed in the RECORD, as follows:

Resolved, etc., That a joint commission, consisting of two Senators, Members of the Sixty-sixth Congress, to be appointed by the President of the Senate, and four Members elect to the House of Representatives of the Sixty-sixth Congress, to be appointed by the Speaker of the House of Representatives of the Sixty-fifth Congress, is hereby created, whose duty it shall be to confer with officials of the Commonwealth of Massachusetts, or any political subdivision thereof, and with officers of any organizations or societies, and with individuals, relative to any contemplated observance of the three hundredth anniversary of the landing of the pilgrims at Plymouth, Mass. Said commission shall report within 60 days after the Sixty-sixth Congress convenes, with its recommendation as to appropriate legislation for participation by the Government of the United States in the celebration of this historic event.

The expenses of said commission shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives.

AMENDMENTS TO THE ARMY APPROPRIATION BILL.

Mr. FLETCHER submitted an amendment proposing to increase the appropriation to be used for the payment of transportation, meals, etc., of teams authorized by the Secretary of War to participate in the national matches, etc., from $10,000 to $110,000, intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the rifle ranges for civilian instruction from $100,000 to $300,000, intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

LEAGUE OF NATIONS.

Mr. SHERMAN. I submit a resolution and ask that it be read and go over under the rule.

The VICE PRESIDENT. The resolution submitted by the Senator from Illinois will be read.

The Secretary read the resolution (S. Res. 460), as follows:

Whereas under the Constitution of the United States the President has power to make treaties only by and with the advice and consent of the Senate, provided two-thirds of the Senators present concur, and by virtue hereof the President may negotiate, confer, discuss, and by the usual diplomatic communication with the sovereign powers concerned may prepare and submit to the Senate a tentative draft of a proposed treaty or treaties embodying the views of such powers and of the President proper to be considered by this Senate. Such tentative treaty, however, possesses no binding force until it shall have been ratified by the Senate of the United States, which is an indispensable treaty-making power of equal rank and dignity with the President, and is entitled to all necessary and proper information attending and leading up to the preparation and submission of such proposed treaty, in order that it may with understanding and usefulness advise with the President and give its consent in joining with him in perfecting and maturing such treaty, or taking such other action as may to the Senate seem proper; what seems to be authentic press reports announce that the President intends to discuss the proposed treaty known as the league of nations at Boston immediately upon his return to the United States and before communicating with the Foreign Relations Committee of the Senate or the Senate itself: Now, therefore, be it

Resolved, That the Senate hereby expresses its belief that the public discussion by the President of such proposed tentative draft of the league of nations as a proposed treaty before consultation with said Foreign Relations Committee, the members thereof, or the Senate, and before communicating to them or any of them all such material matters which may be of use in arriving at a joint understanding of the Senate and the President as the constitutional treaty-making powers of the Government in ratifying, modifying, or rejecting the same, is unwise, undiplomatic, and calculated to promote discord and misunderstanding between such two treaty-making powers whose joint act is indispensable in making such treaty; be it therefore

Resolved further, That it is the sense of this Senate, and it hereby respectfully requests, that the President do not discuss such treaty until he shall have communicated, either to the Foreign Relations Committee or the Senate, or both, such information as may properly bear upon such proposed treaty, and that he preserve an unbiased and impartial mind until he shall have advised with the coordinate power, the United States Senate, under the mandates of the Constitution, so that each of said joint treaty-making authorities may have the benefit of each other's advice and information as contemplated in the established and orderly preparation and ratification of treaties.

The VICE PRESIDENT. The resolution goes over under the rule and will be printed.

MORALE OF THE AMERICAN SOLDIER.

Mr. MCKELLAR. Mr. President, I desire to read a letter I received this morning. It is not very long. It expresses a view that I think the Senate ought to have. It expresses a truly patriotic and an American view of a question that is of prime interest to all our people:

MEMPHIS, TENN., *February 18, 1919.*

Hon. K. MCKELLAR,
United States Senate, Washington, D. C.

DEAR SIR: An old Confederate soldier would like to interest you a few minutes in regard to what is being said in the Senate and elsewhere in regard to the welfare of our boys who were and are in France.

Gov. Allen complains that some of our men were killed by our own batteries in a movement through the Argonne Forest. I went through the same experience in sixty-one and sixty-five, and such a thing is liable to happen when troops are moving forward in advance of the artillery. When this thing happened to us we made no complaint.

Senator OWEN also has a complaint to make in regard to our troops having to stand in the mud. It looks as though all the beautiful sentiment and all that encouraged us to sacrifice for the war is being dissipated for political profit.

I have met none of the returning soldiers who were engaged in the battles in France who have any complaint to make, having known in advance that what Gen. Sherman said of war was true. Our boys were the best taken care of of any troops who ever entered a war.

The Confederate soldiers went year after year without proper clothing or food, and ofttimes without shoes, and yet registered no complaint regarding their suffering.

The Battle of the Argonne was but a repetition of the Battle of the Wilderness between the forces led by Lee and Grant. Minus the machine guns the conditions were identical. We struggled day after day through the tangled underwood in Spotsylvania under the same conditions as the Argonne and made no complaint, and I do not believe that our returning soldiers will.

We are all aware that we entered this great war without adequate preparations, but there was not time to look up the Marquis of Queensbury rules, and, of course, we made mistakes financially—some of them costly.

I have no respect for anyone who raises these questions now; we had to fight and fight quick, merely using such weapons as were at hand.

I hope you will spare no effort in keeping down these miserable complaints which can have but one effect—that of leaving our people dissatisfied with the results of the war, when, on the contrary, we should congratulate each other as to our wonderful success and what the result means to the people of the world.

Thanking you in advance, I am,

Respectfully, yours,

J. P. JORDAN.

Mr. President, I desire to say that in my judgment this is a perfectly splendid letter, containing the best of advice for all of us. I am informed that, so far as newspaper reports regarding Senator OWEN'S statement are concerned, the newspaper reports are incorrect. Or at any rate they exaggerate largely what Senator OWEN said. However that may be, I wish to commend the sentiment expressed in this letter to the Senate and to the country from one of the best Confederate soldiers and one of the best American citizens who ever lived, Mr. J. P. Jordan, of Memphis, Tenn.

When we send our soldiers to war we do not expect them to go to a pink-tea party. Nor do these soldiers expect to find war a picnic. They expect hardships and privations, and the true soldier is always willing to stand them. They have gone to France and, by their courage, energy, and valor, they have won the greatest war in all history. They were not trained to arms as a profession. They were not armed and equipped as they should have been. Their training had been meager. They knew nothing of the land or of the language of a great number of their allies with whom they fought. They knew nothing of the land or the language of their foes. They were more than 3,000 miles from home. They had had a tempestuous and dangerous trip across the great Atlantic. They may not have had enough artillery or of aircraft; their camps may not have been as well arranged for their comfort as they should have been; the embarkation camps may be muddier than they should be, and they have no doubt suffered many discomforts and privations; but they have made, in spite of all drawbacks, the greatest soldiers in history, and have saved the civilization of the world by their enduring courage. Let us help them to forget their discomforts and sufferings and be of service to them in aiding them in becoming as good and as prosperous citizens as they have shown themselves valiant and successful soldiers. Mr. Jordan is right. Let us not rake up dissatisfaction. Let us think only of our and their wonderful success.

OIL AND GAS LANDS—CONFERENCE REPORT.

The VICE PRESIDENT. The morning business is closed.

Mr. PITTMAN. I move that the Senate proceed to the consideration of the conference report on Senate bill 2812.

The motion was agreed to; and the Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. GRONNA. Mr. President, I am not in a physical condition to occupy the time of the Senate in opposing this measure. I simply wish to state briefly that I am very much opposed to the adoption of the conference report, and I shall also have read in my time a letter from Mr. Gifford Pinchot.

Mr. President, ever since I came to Congress I have had bills pending before various committees with reference to the disposition of the minerals of our country. I am not one of those who want to lock up the minerals of the country and make it impossible for the people either to get coal or phosphate or oil or any of the necessary minerals; but I do believe that when we enact legislation which will forever dispose of these valuable minerals we ought to do it with more care than has been done or is being done in this particular bill.

Mr. President, we are now near the end of this session. We have before us more appropriation bills than we probably can hope to pass at this session. Why should we be compelled to consider legislation which is of so much importance to the entire country at a time when we can not possibly attend the session, because most of us are devoting nearly all of our time in committees?

Mr. President, I believe it is a mistake to pass this legislation at this time. I know it will be said, and truthfully so, that these bills have been pending before Congress for a long time. But, Mr. President, I can remember that some 14 years ago, when I first came to Congress, the same objections were made to bills that were pending at that time which can be made now against this bill. The gentlemen on the other side, who were at that time criticizing the administration then in power, are now trying to force the very same kind of legislation upon the country which at that time they condemned.

Mr. President, I do not wish to take up the time of the Senate to discuss the conference report. As I said, I am not able to do so, but I want to warn you that the people of the country are not asleep. There are millions of people in the country who know to-day what this proposed legislation is, and they are condemning it.

I simply rose, Mr. President, to state as briefly as I could that I am opposed to this bill, and I sincerely hope that the Senate will not at this late hour adopt the conference report.

I ask for the reading of the letter.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

PHILADELPHIA, PA., *February 16, 1919.*

Hon. A. J. GRONNA,
United States Senate.

MY DEAR SENATOR: I would like to direct your attention to certain specific defects in the so-called mineral leasing bill lately reported from conference, which are so serious as to demand its radical amendment or defeat.

As to coal, this bill pretends to put the selling and the leasing system to the test of practical experience by giving the developer his choice. In coal mining on private land the developer really has such an option and seldom fails to choose leasing, because he would rather pay a royalty when his coal is marketed than pay the supposed fair value of the deposits before he begins to sink his mine.

Before 1906 public coal lands were sold at nominal prices—substantially given away. President Roosevelt withdrew them from sale and submitted to Congress a bill to authorize the leasing of them. Congress refused to pass the bill. Thereupon Roosevelt caused the lands to be classified by the Geological Survey and offered for sale at their fair value, which was generally very much higher than $10 or $20 per acre, the old selling price.

The bill under discussion abolishes this system of classification by value and returns to sale at the old nominal prices, with competitive bidding above the minimum, a device easily workable by bidders to depress the price to the minimum. Nominally it gives the developer the option to lease or buy. But by requiring the Government to fix the royalty before putting any area up for bidding, it forces the bid into the form of a bonus.

Now a bonus, so far as it goes, is as objectionable to a small operator as is the system of purchase, and for the same reason—that it requires a large initial investment, involving heavy tribute to the money lender and a large initial risk. If the operator must make a large payment in either case, he will, of course, choose to purchase rather than to lease. The bill deprives him of the advantages of a leasing system and gives him the opportunity to deprive the public of those advantages. It is in fact, therefore, as to coal a patenting and not a leasing bill.

As to oil and gas discovered in the future, it compels the Government to give absolute patents to the discoverer, leaving a small area adjacent to the lands so patented to be leased to others. The existence of these numerous alienated tracts in an oil field will go very far toward destroying that unified public control which is the main purpose of the leasing system as applied to oil, and which is essential for the prevention of waste and for proper compensation to the public.

Most of the discoveries of oil and gas deposits on public lands not yet patented to the discoverers were made by trespassers in violation of Taft's withdrawal order of September 27, 1909, issued to give Congress opportunity to pass a real leasing bill, and many of them are now within the naval oil reserves. The known oil deposits in the United States will not last more than 23 years at the present rate of consumption. The only way to make sure of an adequate supply of oil for our future naval defense is to keep it in these naval reserves and in the ground.

Trespassers have attempted to seize these naval oil reserves. They are being prosecuted in the courts by the Department of Justice and are there facing defeat. The Navy Department has asked authority to buy out all honest private claims at their fair value. This bill denies the Navy's request. It relieves the trespassers on the naval reserves by granting to each of them who has a flowing well a right, in effect, to lease the 31 acres surrounding it, upon which he may be authorized to drill additional wells. The Government may lease the rest of his illegal claim, but the trespasser is given preference right to such lease. The Government is forbidden to inquire into the fraudulent character of any claim unless it can be shown that the corporation which has bought it and applied for a lease had actual notice of the fraud.

These provisions apply also to fraudulent claims on withdrawn oil lands outside the naval reserves, which means all unpatented public oil lands of proved value within the United States and Alaska. As to these the bill expressly allows any single claimant to monopolize one-half the oil and gas producing area of any field greater than 640 acres, and the whole of such area of any field smaller than that acreage. The Attorney General says that this means the Standard Oil Co. and other great corporations. Not content with this, the bill also gives blanket authority to the President, which means the Secretary of the Interior, to compromise any of these trespasses on the naval reserves or other withdrawn lands, by division of land or division of proceeds at his discretion.

Under the recent special act giving authority to make arrangements for continuing the operation of the wells of the trespassers during the suits against them the Interior Department abused its discretion by giving to every trespasser seven-eighths of the oil wrongfully taken by him. It should not be trusted again.

Still another section of the bill gives these trespassers another method of getting what belongs to the public. This section is obscure, but seems to be for the benefit of some claimant who for some occult reason is not satisfied with the prodigality of the general relief provisions.

As to oil shale (rock from which, after crushing, oil can be distilled by an expensive process) the bill gives the Secretary of the Interior authority to establish a genuine leasing system, perhaps because no plunderer of the public at present thinks it worth his while to grab any lands of this character.

As to phosphate and sodium, the bill gives the Secretary of the Interior authority to make a fair trial of the leasing and selling system on equal terms. With a vigorous administration earnestly and courageously bent upon securing the value of these deposits to the public, it is probable that a leasing system would result. With a weak administration it is likely that the lands would be patented to exploiters without fair compensation to the public or safeguards against monopoly.

As to national forests, the Secretary of Agriculture should have authority to impose conditions on mining operators and on pipe-line rights of way to safeguard forest interests, and especially to exact payment for all timber taken, damaged, or destroyed. The granting and administration of leases in national forests (there should be no patents for these purposes) should be wholly in his hands, and not in the hands of the Secretary of the Interior, where this bill places it.

I have taken the liberty of setting these matters before you, because I believe that incalculable injury will be done to the public by the passage of this bill.

Sincerely, yours, GIFFORD PINCHOT.

Postscript.—The statement of the House conference report that "Presidents Taft and Wilson and the Secretaries of the Interior under them have felt the necessity of passing this legislation" is certainly not true as to Taft and Secretary of the Interior Walter L. Fisher, with respect to the matters above criticized. And if the committee has any evidence that it is true with respect to President Wilson they should produce it. The statement that "the bill in substance, as agreed upon, has passed the House during three Congresses" is not true with respect to several matters referred to in the foregoing letter.

The statement that the committee "have had the benefit of the assistance and counsel of the Departments of the Navy, Justice, * * * and * * * has had written reports * * * from the several department heads," together with a statement that the House managers feel that every interest of the Departments of the Navy and Justice have been carefully conserved and protected is grossly misleading. The relief this bill gives to trespassers in the naval reserves has been scathingly denounced by the written reports of the Navy Department and the Department of Justice. The latter department has included the relief provisions as to trespassers on other lands in its denunciation.

The final statement that "the House has unanimously passed this bill three times and its provisions have not been criticized by the public" is astounding. It has not been passed three times by the House as to the matters herein criticized. The public has criticized it severely, I myself have criticized its relief provisions as to trespassers on the naval oil reserves by statements given to the press, and by pamphlets distributed to every Member of the House and Senate, wherein I reproduced some essential parts of the severe criticism by the Attorney General and the Secretary of the Navy of this inexcusable permission for public plunder.

HOUSE BILL REFERRED.

H. R. 16020. An act to supply a deficiency in the appropriation for carrying out the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, was read twice by its title and referred to the Committee on Appropriations.

Mr. SMOOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Henderson	Nelson	Spencer
Beckham	Hitchcock	New	Sterling
Borah	Johnson, Cal.	Norris	Sutherland
Brandegee	Jones, N. Mex.	Nugent	Swanson
Calder	Jones, Wash.	Page	Thomas
Chamberlain	Kellogg	Pittman	Thompson
Colt	Kendrick	Poindexter	Townsend
Culberson	Kenyon	Pollock	Trammell
Cummins	King	Pomerene	Underwood
Curtis	Knox	Ransdell	Vardaman
Dillingham	La Follette	Reed	Wadsworth
Fernald	Lenroot	Saulsbury	Walsh
France	Lewis	Shafroth	Warren
Frelinghuysen	Lodge	Sheppard	Watson
Gay	McCumber	Sherman	Weeks
Gore	McKellar	Shields	Williams
Gronna	McLean	Smith, Ariz.	Wolcott
Hale	McNary	Smith, Ga.	
Harding	Martin, Ky.	Smith, S. C.	
Hardwick	Moses	Smoot	

Mr. TOWNSEND. I desire to announce the unavoidable absence of my colleague [Mr. SMITH of Michigan] and to state that he is paired with the senior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. LEWIS. I wish to announce that the Senator from North Carolina [Mr. OVERMAN], the senior Senator from Arkansas [Mr. ROBINSON], the Senator from Rhode Island [Mr. GERRY], and the junior Senator from Arkansas [Mr. KIRBY] are detained on official business.

The VICE PRESIDENT. Seventy-seven Senators have answered to the roll call. There is a quorum present.

LEAGUE OF NATIONS.

Mr. BORAH. Mr. President, the people of the United States have the undoubted right to change their form of government and to renounce established customs or long-standing policies whenever in their wisdom they see fit to do so. As a believer in democratic government, I readily acknowledge the right of the people to make in an orderly fashion such changes as may be approved by their judgment at any time. I contend, moreover, that when radical and important departures from established national policies are proposed, the people ought to be consulted.

We are now proposing what to my mind is the most radical departure from our policies hitherto obtaining that has ever been proposed at any time since our Government was established. I think the advocates of the league will agree with me that it is a pronounced departure from all the policies which we have heretofore obtained.

It may be wise, as they contend; nevertheless, it involves a different course of conduct upon the part of the Government and of our people for the future, and the people are entitled to pass judgment upon the advisability of such a course.

It seems clear, also, that this proposed program, if it is to be made effective and operative under the proposed constitution of the league, involves a change in our Constitution. Certainly, questions of that kind ought to be submitted to a plebiscite or to a vote of the people, and the Constitution amended in the manner provided for amending that instrument. We are merely agents of the people; and it will not be contended that we have received any authority from the principal, the people, to proceed along this line. It is a greater responsibility than an agent ought to assume without express authority or approval from his principal to say nothing of the want of authority. Preliminary to a discussion of this question, therefore, I want to declare my belief that we should arrange the machinery for taking a vote of the people of the United States upon this stupendous program. I am aware that the processes by which that may be accomplished involve some difficulties; but they are not insurmountable, and they are by no means to be compared in their difficulty with the importance of being right and in harmony with the judgment of the people before we proceed to a final approval. We should have the specific indorsement of those whose agents we are, and we should have the changes in our Constitution that we may have sanction under the Constitution for the fearful responsibility we propose to assume. If we can effectuate this change now proposed without direct authority from the people I can not think of a question of sufficient moment to call for their indorsement.

It must be conceded that this program can never be a success unless there is behind it the intelligent and sustained public opinion of the United States. If the voters do not have their voice before the program is initiated, they will certainly have an opportunity to give expression to their views in the future. They are still the source of power, and through their votes they effectuate the policies under which we must live. From the standpoint, therefore, of expediency and from the standpoint of fairness to those who are most concerned, to wit, the people, those who must carry the burdens, if there be burdens, and suffer the consequences, if there should be ill consequences to suffer, as well as from the standpoint of insuring success, if possible, the mass of the people ought to be consulted and their approval had before we proceed. I, therefore, in the very beginning of this procedure, declare in favor of that program.

Mr. President, I think I should have deferred any remarks I had to make upon this subject until a later day had it not been for an interview which was put out by Mr. Taft some two or three days ago upon this question. I felt, in view of that statement, that those who were opposed to the program were justified in proceeding at once to the debate, because it is a statement which in my judgment is not founded upon fact. In saying that I do not charge a conscious purpose upon the part of Mr. Taft to mislead, but I am sure it can not be sustained by the historic facts at the command of anyone who desires to examine the subject; and as it can not be sustained, it is to the utmost degree misleading.

Mr. Taft informs the American people, from the pedestal of an ex-President, that this program does not destroy the policy announced by Washington in his Farewell Address and does not renounce the doctrine known as the Monroe doctrine—two fundamental principles underlying our foreign policy for more than 100 years in one instance and nearly 100 years in the other; two policies to which the American people have long been committed, and which, in my judgment, they still believe to be indispensable to their happiness and future tranquillity. If, indeed, this program does dispose of these policies, it presents an entirely different question to the American people than if the reverse were true. This is one of the first things to be settled in this controversy. It meets us at the very threshold of all discussion and all consideration. It is of such moment as to call for clear statement and candid presentation. What is the effect of this proposed program upon these ancient and most vital policies?

Mr. Taft says:

> Article 10 covers the Monroe doctrine and extends it to the world. * * * The league is to be regarded as in conflict with the advice of Washington only with a narrow and reactionary viewpoint.

"Reactionary" is not a familiar term in the ex-President's vocabulary. I think he has unintentionally misused it.

Mr. President, prior to the administration of Washington, America had been involved in every European war since colonization began. When a difficulty arose in Europe, whatever might be the subject of the difficulty, whether dynastic quarrels or territorial aggrandizement, it spread at once to the American Continent. Although we might be wholly unconcerned in the controversy upon its merits, nevertheless the evil effects of the conflict in Europe enveloped the people of this country in its consequences. As you recall, Macaulay, in his graphic way in the essay upon Frederick the Great, said:

> In order that he might rob a neighbor whom he had promised to defend, black men fought on the coast of Coromandel and red men scalped each other by the Great Lakes of North America.

When Washington assumed the responsibilities as administrator of this Government, he immediately set about to change that condition of affairs; to wit, to separate the European system from the American system, to withdraw our people from her broils, to individualize the American Nation, and to divorce us from the quarrels and turmoils of European life. This was peculiarly and distinctly a policy originating with the Father of our Country. If there is any one thing in his entire career, marvelous as it was, which can be said to be distinctly his, it is the foreign policy which characterized his administration. His idea almost alone in the first instance was that we never could become a nation with a national mind, a national purpose, and national ideals until we divorce ourselves from the European system. He entertained this view before he became President. I venture to recall to your minds a letter which he wrote, prior to the Presidency, to Sir Edward Newenham, in which he says:

> I hope the United States of America will be able to keep disengaged from the labyrinth of European politics and wars. * * * It should be the policy of the United States to administer to their wants without being engaged in their quarrels.

In 1791 he addressed a letter to Mr. Morris, in which he said:

> I trust we shall never so far lose sight of our own interest and happiness as to become unnecessarily a party to these political disputes. Our local situation enables us to maintain that state with respect to them which otherwise could not, perhaps, be preserved by human wisdom.

The author from whom I quote, Senator LODGE, commenting upon this, says:

> The world was told that a new power had come into being, which meant to hold aloof from Europe, and which took no interest in the balance of power or the fate of dynasties, but looked only to the welfare of its own people and to the conquest and mastery of a continent as its allotted tasks. The policy declared by the proclamation was purely American in its conception, and severed the colonial tradition at a stroke.

I digress to say I wish every boy and girl over the age of 15 years could be induced to read the brilliant story of Washington as it is found in those two volumes. If they were not better Americans, with higher ideals, after they had read it, nothing could make them so.

Again, Mr. President, in a letter to Patrick Henry, dated later, he says:

I can most religiously aver that I have no wish that is incompatible with the dignity, happiness, and true interest of the people of this country. My ardent desire is, and my aim has been, so far as dependent on the executive department, to comply strictly with all our engagements, foreign and domestic, but to keep the United States free from any political connections with every other country, to see it independent of all, and under the influence of none. In a word, I want an American character, that the powers of Europe may be convinced that we act for ourselves.

Pursuing this thought and this great principle throughout his administration until he had fairly established it as a part of our foreign policy—the initiatory step of the same—he referred particularly to it in his Farewell Address. I shall detain the Senate by reading a single paragraph only. This was the conclusion of Washington after years of observation, after the most pointed experience, after eight years of administration of public affairs, and with as wide a vision and with as far-seeing a vision as ever accompanied a human mind upon this mundane sphere:

Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

Are there people in this day who believe that Europe now and in the future shall be free of selfishness, of rivalship, of humor, of ambition, of caprice? If not, are we not undertaking the task against which the Father of our Country warned when he bade farewell to public service? "Why quit our own to stand upon foreign ground?" And yet in this proposed league of nations, in the very beginning, we are advised of an executive council which shall dominate and control its action, three members of which are Europeans, one member Asiatic, and one American.

If a controversy ever arises in which there is a conflict between the European system and the American system, or if a conflict ever arises in which their interests, their humor, their caprice, and their selfishness shall attempt to dominate the situation, shall we not have indeed quit our own to stand upon foreign ground?

Why should we interweave our destiny with the European destiny? Are we not interweaving our future and our destiny with European powers when we join a league of nations the constitution of which gives a majority vote in every single instance in which the league can ever be called into action to European powers?

Does the ex-President mean to say to an intelligent and thinking people that this league which thus grants this power to European governments is not interweaving our destiny with European destiny? Does he assume to say that that is not a departure from the plain terms of Washington's Farewell Address?

I repeat what I said upon the floor of the Senate a few weeks ago. It may be that the people of America want to do this; it may be that they think their future happiness and tranquillity necessitate their doing it, but I inveigh against the misleading statement that we do not propose to do it by this league of nations. Let us be candid with those upon whom must rest the future burdens and obligations and not undertake to advise them that that is not going to happen which must necessarily and inevitably happen.

Mr. President, Washington succeeded in establishing the policy that we should not interfere in European affairs. It would have served no good purpose and would not have been beneficial to the American people in the least had we simply remained aloof from European affairs but had permitted Europe to transfer her system to the American Continent. Therefore, the Monroe doctrine. It was designed to support the policy of Washington. He had warned against the danger of entering Europe—the Monroe doctrine declared that Europe should not enter America. Permit me to say that one of these can not stand, in my judgment, without the support of the other. It is an inevitable result of Washington's teaching that the Monroe doctrine should exist. Indeed, such men as Mr. Coudert, the great lawyer, say that Washington's policy incorporated and included the Monroe doctrine; that Monroe's statement was simply an exemplification and application of the principle.

So, sir, in order that we might become a nation free from European broils and cease forever to have to do with European affairs, the Washington policy and the Monroe doctrine were announced and have ever since been maintained. The great question now is, Are they policies which we should still maintain; are they in all essential particulars still indispensable to our well-being as a people and to our strength and permanency as a nation? The present war has drawn us to Europe, but only temporarily. The question is, Shall we enter European affairs permanently, and shall we invite Europe, with her systems of government, some more pernicious than in the days of Washington, to America? We had a temporary alliance with France when Washington became President, but he fought against the making of these alliances permanent. That is the question here.

What is the Monroe doctrine? I apologize to the Senate for going into that question. I do so more for others than my colleagues, but I will be brief. Before the exigencies arising out of the conditions connected with a defense of this league it would not have been necessary to discuss it. All understood it alike. The Monroe doctrine is simply the principle of self-defense applied to a people, and the principle of self-defense can not be the subject of arbitration or of enforcement by any one other than that one who is to claim and enforce the principle of self-defense.

The ex-President said the Monroe doctrine is covered and extended to the world. That was the condition before Monroe announced it. The world was one. Monroe determined to separate it and divide it, and that was the very object of it. It was a distinct announcement that the European system could not be transferred to America. The rest was simply detail. It was the division of two systems; it was the political partition of two continents. Monroe or Jefferson never would have contemplated for a moment sharing the enforcement of the Monroe doctrine with any nation of Europe. We would not even join with England in announcing it.

May I read here in connection with my remarks a statement by ex-Senator Root upon this particular feature? Before I do that, however, I desire to call attention to the language of Thomas Jefferson. It precedes the remark which I was about to make. This letter of Jefferson states as clearly as can be stated the prime object of the announcement of this doctrine:

The question presented by the letters you have sent me is the most momentous which has ever been offered to my contemplation since that of independence.

Why does the Sage of Monticello rank the Monroe doctrine next to the Declaration of Independence? Because he believed as that genius of constructive government, Hamilton, believed, and Washington believed, that we could not maintain our independence without the Monroe doctrine. He believed that it was an indispensable pillar to our national independence, and second only to it in the catalogue of responsibilities and duties and obligations which rested upon us:

That made us a nation.

This sets our compass and points the course which we are to steer through the ocean of time opening on us. And never could we embark upon it under circumstances more auspicious. Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe;

The Washington policy—

our second, never to suffer Europe to intermeddle with cis-Atlantic affairs.

Yet the ex-President says notwithstanding this we carry out this discrimination and distinction between European affairs and American affairs when we permit the two systems to be united, to be organized and administered by a common authority. He declares that although we do entangle ourselves in the broils of Europe, although we do suffer Europe to intermeddle with cis-Atlantic affairs, it is not in conflict with the Monroe doctrine.

I now call your attention to the statement of Senator Root upon the proposition advanced by the ex-President—of sharing with other nations responsibility in enforcing this doctrine. Mr. Root says:

Since the Monroe doctrine is a declaration based upon this Nation's right of self-protection, it can not be transmuted into a joint or common declaration by American States or any number of them.

We could not even share the responsibility and the execution of the Monroe doctrine with our Commonwealths here upon the Western Continent. It is personal; it is individual; it is the law of self-defense. It belongs to us, and we alone must determine when it shall be enforced or when it shall not apply. It is the same rule and principle which Australia invokes, and correctly invokes, with reference to the German islands near Australia. It is the same principle which Japan sought to have established in the Orient. It is the principle of self-defense and not of common defense, or defense by common authority invoked and sustained by the joint act of many nations.

Yet we are solemnly advised that although we should share it with all the Governments of Europe and Asia and all the tribes of the different races which may in the future be organized into some form of government, it is still the doctrine of self-

defense which Jefferson and Monroe announced and which Mr. Root so clearly explained.

I read another paragraph from Mr. Root's speech, which leaves nothing further to be said both as to the meaning and the worth of this policy:

The familiar paragraphs of Washington's Farewell Address upon this subject were not rhetoric. They were intensely practical rules of conduct for the future guidance of the country:

"Europe has a set of primary interests which to us have none, or a very remote, relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities. Our detached and distant situation invites and enables us to pursue a different course."

It was the same instinct which led Jefferson, in the letter to Monroe already quoted, to say:

"Our first and fundamental maxim should be, never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to intermeddle with cis-Atlantic affairs."

The concurrence of Washington and Hamilton and Jefferson in the declaration of this principle of action entitles it to great respect. * * * Separation of influences as absolute and complete as possible was the remedy which the wisest of Americans agreed upon. It was one of the primary purposes of Monroe's declaration to insist upon this separation, and to accomplish it he drew the line at the water's edge. The problem of national protection in the distant future is one not to be solved by the first impressions of the casual observer, but only by profound study of the forces which, in the long life of nations, work out results. In this case the results of such a study by the best men of the formative period of the United States are supported by the instincts of the American democracy holding steadily in one direction for almost a century. The problem has not changed essentially. If the declaration of Monroe was right when the message was sent, it is right now.

We come now to the constitution of the proposed league of nations, which has been submitted to us. I shall not undertake to go into details; indeed, time would not permit to take up the many different phases which this constitution presents for consideraion. I want only to call attention to some features of it bearing upon this particular subject matter—that is, the effect it has upon these two great policies.

The mere reading of the constitution of the league will convince any reasonable mind, any unprejudiced mind, that if put into effect the policy of Washington and the policy of Monroe must depart. The propositions are irreconcilable and can not exist together. In the first place, the league provides for an organization composed principally of five great nations, three of them European, one Asiatic, and one American. Every policy determined upon by the league and every movement made by it could be, and might be, controlled solely by European powers, whether the matter dealt with had reference to America or Europe. The league nowhere distinguishes or discriminates between European and American affairs. It functions in one continent the same as another. It compounds all three continents into a single unit, so far as the operations of the league are concerned. The league interferes in European affairs and in American affairs upon the same grounds and for the same reasons. If the territorial integrity of any member of the league is threatened or involved, whether that territory be in America or Europe, the league deals with the subject. If it becomes necessary for the league to act through economic pressure, or finally through military power, although the procedure may be voted by European powers alone, it may exert that pressure in America the same as in Europe. The very object and purpose of the league is to eliminate all differences between Europe and America and place all in a common liability to be governed and controlled by a common authority. If the United States, for instance, should disregard its covenants, as provided in the league, it would be deemed to have committed an act of war against all other members of the league; and under our solemn obligation and agreement we would have authorized the European powers to wage war against us and upon the American Continent. And yet men deliberately and blandly state to the American people that this league constitution preserves the Monroe doctrine and the doctrine given us by Washington.

I read from article 10 as an illustration:

The high contracting parties shall undertake to respect and preserve as against external aggression the territorial existence and existing political independence of all States members of the league.

Take for illustration one of our own associates and allies. England has possessions in three continents. As has been said, the sun never sets upon her possessions. They dot every sea and are found in every land. She to-day holds possession of one-fifth of the habitable globe, and we in article 10 guarantee the integrity of her possessions in the three continents of the earth.

Mr. HITCHCOCK. Will the Senator state what he is reading from?

Mr. BORAH. I am reading from article 10 of the constitution of the league.

Mr. HITCHCOCK. That is not the language of article 10 as printed in the Senate document at the request of the Senator from Massachusetts [Mr. LODGE]. There is nothing said about possessions there at all.

Mr. BORAH. Did I read possessions?

Mr. HITCHCOCK. I understood the Senator to say possessions.

Mr. BORAH. No; I think the Senator is mistaken. I will read it again:

The high contracting parties shall undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league.

Mr. HITCHCOCK. That is correct.

Mr. BORAH. I presume that her territorial integrity necessarily involves her territorial possessions.

So, Mr. President, the first obligation which we assume is to protect the territorial integrity of the British Empire. That takes us into every part of the civilized world. That is the most radical departure from the Washington policy. I will come to the Monroe policy in a minute. Now, how are we to determine that?

In case of any such aggression or in case of any threat or danger of such aggression the executive council shall advise upon the means by which the obligation shall be fulfilled.

Does that mean what it says, and is it to be executed in accordance with its plain terms? If the territorial integrity of any part of the British Empire shall be threatened, not the Congress of the United States, not the people of the United States, not the Government of the United States determines what shall be done, but the executive council, of which the American people have one member. We, if we mean what we say in this constitution, are pledging ourselves, our honor, our sacred lives, to the preservation of the territorial possessions the world over and not leaving it to the judgment and sense of the American people but to the diplomats of Europe.

Mr. HITCHCOCK. The Senator again uses the words "territorial possessions." That is what I am objecting to.

Mr. BORAH. Mr. President, I will leave it to an intelligent audience to determine whether or not "territorial integrity" does not include "territorial possessions."

Mr. HITCHCOCK. If the Senator will refer to article 7, the indications are there that the dominions of the British Empire are to be regarded as separate and independent self-governing countries.

Mr. BORAH. Mr. President, I am coming to that in a few moments. I admire the careful use of language by the Senator from Nebraska when he says there are "indications." This constitution is prolific indeed of "indications."

That is the duty devolving upon us by virtue of the league, to enter European affairs. What would be the duty and the obligation of England, of France, of Italy, and of Japan to the other member should a disturbance arise upon the Western Continent? Suppose some threat of danger to the Republic should come from Mexico or from Mexico and its allies. We are not even consulted as to whether we shall call in help, but the duty devolves upon the council, in its initiative capacity, to at once assume jurisdiction of it and to proceed to the American continent to determine what its duties shall be with reference to American affairs. This league operates upon the Western Continent with the same jurisdiction and power and the same utter disregard of which continent it is upon as it does in the European Continent. Does anybody deny that proposition?

Let us take a homely illustration; perhaps it may better illustrate the argument. A great many years ago a man by the name of Europe opened a farm. He begins the tillage of his great farm, but turmoil, strife, and dissension arise among his tenants. Finally a dissatisfied European by the name of, we will call him, America, determines to leave these turmoils on the European farm to go into the forest, open a clearing, and establish a new farm. He says, "I shall go where I can worship God according to the dictates of my own conscience. I shall go where I can set up a new system of farming." He goes into the wilderness and sacrifices and finally establishes a farm of his own. After he has established it he declares, after reflection, "I am afraid those Europeans will come here and cause me the same disturbance and trouble and establish the same kind of a system which we had in Europe; so I will establish a partition fence." He does establish a partition fence. When he has finished the fence he says, "I will neither go to your farm nor shall you come to mine; I have had some experience with you, and I do not want to try it again." So he builds an insurmountable wall or fence between his neighbor Europe and himself. It stands for a hundred years. People sit about and discuss it, and pass many eulogies, declaring over and over again

that it was one of the wisest things that a farmer ever did. But suddenly a new inspiration dawns, and it is thought that it would be a good idea to tear down the wall or fence and to commingle and intermingle the systems; to join one farm to another and have one superintendent. It is said to the farmer America, "Let us tear down this fence." He replies in surprise and consternation, "I built it for a purpose." "Well," it is contended by the idealist, "we think it is better to tear it down." At this time there rises up a man by the name of William Howard. He says to farmer America, "Let us tear down that wall fence of yours. It must be done right away. Anyone who opposes can not be trusted overnight." The farmer says, "I do not think it would be well." "But," William Howard replies, "it is just the same after it is torn down as it is when it is standing up. We are going to put a fence around both farms, and that will be the same as a fence between the farms." William Howard further says, "Let us go into partnership with your neighbor Europe." America says, "I do not want any partnership. I came here to get away from that very thing." William Howard urges, with a spirit of unselfishness and good naturedly, "It is just the same without a partnership as it is with it. Let us transmute or combine these two systems and make them one." "But," farmer America says, "I came to this country to get away from that system. I do not want one system; I want two systems. I do not like their system of farming." William Howard replies, "One system is just the same as two systems." He declares, furthermore, "I know something about this; I ran this farm for four years myself [laughter]; I know how to run it; and I declare to you that the best thing for you to do is to tear down your wall fence, to unite your two systems, and make one farm out of it and one common overseer." He further, by way of a profound argument, casually remarks, "I had such remarkable success while I was running this farm and received such universal commendation upon my work after it was over, having received the approval of 2 tenants out of 48, that I am sure that I can run both farms; at least, I am anxious to try." [Laughter.]

The VICE PRESIDENT. The galleries must preserve order.

Mr. BORAH. Mr. President, some of us declare that this proposition tears down the farmer's fence. We say furthermore that we do not want two farms made into one. If you want to do so, all right, go ahead; but let us make no mistake about what we are doing. Let us not try to fool ourselves or anyone else.

What do other countries think about it, Mr. President? I should like to call in outside witnesses, notwithstanding the very profound respect that I have for the ex-President. The English press, we are informed in so far as it has commented upon this subject at all, has regarded it as an abrogation of the Monroe doctrine. Mr. Lloyd George said in the very beginning of these conferences that Great Britain could concede much to the United States if, as the result, they were to draw the United States out of her isolation and away from her traditional foreign policies. Japan has practically announced semiofficially that it is the abolishment of the Monroe doctrine. The Brazilian Minister at The Hague has announced that it is the end of the Monroe doctrine. Why leave it in doubt? Do you Senators, or those who are in favor of the league of nations, want to destroy the Monroe doctrine? If you do not, why leave it in doubt? Why leave it to the construction of European diplomats sitting behind closed doors? By the insertion of three lines in this constitution you can place it beyond peradventure, beyond contention or cavil. The question which I submit now is, if you are unwilling to do this, is it not proof conclusive that you intend to destroy the policy and wipe out this long-standing doctrine?

Let us go to another feature of this league. I am not here to-day to criticize in any way, either directly or by inference, the great English nation or the great English people. They are among, not excepting our own, the most powerful and admirable people upon the globe. Every man must pay his profound respect to their genius and to their capacity for Government and for mastery of great problems. But when we come to deal with England, we must deal with her intelligently and with a due regard for our own interests and our own rights, for one of the distinguishing characteristics of that proud nation is that England always looks after England's interests. I admire her for doing so.

Her national spirit never fails her. The talents and genius of her statesmen never betray her. She has signed many treaties which have been worthless in the hour of peril. She has entered into many leagues and combinations which have dissolved, but her proud national spirit never forsakes her. Ultimately she relies upon this instead of treaties and leagues. She has passed through many a crisis, she has seen dark hours; but in every crisis, however severe, and in the darkest hour every Englishman is expected to do his duty and does it. I admire her for her national spirit, for her vigilance in guarding the interests of the Empire.

Mr. President, this constitution of the league of nations is the greatest triumph for English diplomacy in three centuries of English diplomatic life. This constitution, in the first place, is lifted almost bodily, as you will see if you will compare the two, from the constitution proposed in January by Gen. Smuts. There is not an organic, a vital principle incorporated in this constitution that is not found in Gen. Smuts's constitution. As is known to all, Gen. Smuts, a South African, is one of the most remarkable men under the English rule to-day. That you may not think I am stating it strongly, let me read a word from the London Times on the second day after this constitution was adopted:

> The project, if not the same as that outlined by Gen. Smuts, is like it as its brother. * * * It is a cause for legitimate pride to recognize in the covenant so much of the work of Englishmen. * * * It is again a source of legitimate pride to Englishmen that article 19 in the covenant might almost be taken as an exposition of the principles animating the relations of Great Britain with India and the dominions.

Listen to this language—

> That the dominions are in this document recognized as nations before the world is also a fact of profound significance in the history of these relations.

The gentleman who wrote that editorial had not acquired the capacity of using language to conceal his thoughts; he labored under the disadvantage of having to use language to convey his thoughts. The fact that the dominions of Great Britain and her colonies are recognized as nations is a matter of "profound significance." Yes; when they finally settle down to business England will have one vote, Canada one vote, New Zealand one vote, Australia one vote, and South Africa one vote, whilst the American Nation, brought into being by our fathers at so much cost of blood and treasure and preserved through the century by the vigilance and sacrifice of our forbears, this Nation with all her wealth and resources will have one vote. In both the executive council and the delegate body the same proportion obtains, and those two bodies direct, dominate, and mark out the policy of this entire program, whatever it is to be, under the league. A matter of "profound significance!"

I ask you who are in favor of this league, Are you willing to give to any nation five votes against our one? Do you presume that the questions of interest, of ambition, of selfishness, of caprice, of humor will not arise in the future? Have they not already, in a proper way, but none the less in an unmistakable way, made their appearance since the armistice was signed? Are we not already advised that we must use the same intelligence, the same foresight, the same prevision, and the same patriotism that our fathers used against the inherent, the inevitable selfishness of all nations? Yet we are seriously proposing that we shall join a league whose constitutional powers shall determine—what? Shall determine policies, politic and economic, upon the two continents and shall give to our greatest commercial rival five votes to our one.

Mr. President, I have called attention to some of the obligations which we assume. Let me repeat a single statement. You have now observed the number of votes in the executive council, but that is not all. There are Italy and Japan associated with England, and more nearly like her in their systems and in their policies than they are like the United States. There are already treaties between those nations and England, which Mr. Balfour frankly says are not to be abrogated; in other words, we are in the very beginning put up not only against this extraordinary vote by one nation but we have the disadvantage of contending against a system, which system covers other nations as well as that of Great Britain.

We all want the friendship and the respect of and future amicable relations between Great Britain and this country. That also was Washington's wish; that was Jefferson's wish; that was also Lincoln's wish; but never for a moment did they surrender any power or any authority or compromise their capacity in any way to take care of the situation in case there should not be an agreement between the two powers.

What has England given up in this league of nations? What has she surrendered? Will some one advise me? Did she surrender the freedom of the seas? That was pushed aside at the first meetings of the conference as not subject to its jurisdiction. Has she surrendered her claim for the largest navy? What has she surrendered?

On the other hand, we have surrendered the traditional foreign policy of this country, which has been established for 100 years; and we have gone behind these powers and placed at their disposal our finances, our man power, and our full capacity

to guarantee the integrity of their possessions all over the globe. Is it an even balance? Is it an equitable, is it an honest, arrangement between these great powers and the United States?

I come now to another feature, which to me is even more interesting, more menacing, than those over which we have passed. Conceal it as you may, disguise it as some will attempt to do, this is the first step in internationalism and the first distinct effort to sterilize nationalism. This is a recognized fact, tacitly admitted by all who support it and expressly admitted by many, that the national state has broken down and that we must now depend upon the international state and international power in order to preserve our interests and our civilization. The national state can no longer serve the cause of civilization, and therefore we must resort to the international state. That is disclosed in every line and paragraph of this instrument. It begins with the preamble and ends with the last article—a recognition that internationalism must take the place of nationalism.

May I call attention to a statement from perhaps the most famous international now living? I read from a book entitled "The Bolsheviki and World Peace," by Trotzky. He says:

> The present war is at bottom a revolt of the forces of production against the political form of nation and State. It means the collapse of the national state as an independent economic unit.

In another paragraph:

> The war proclaims the downfall of the national state. * * * We Russian Socialists stand firmly on the ground of internationalism. * * * The German social democracy was to us not only *a* party of the international—it was *the* party par excellence.

Again, he declares:

> The present war signalizes the collapse of the national states.

He proceeds to argue that the only thing which can take the place of the national state is internationalism, to internationalize our governments, internationalize our power, internationalize production, internationalize our economic capacity, and become an international state the world over. That is at the bottom of this entire procedure, whether consciously or unconsciously, upon the part of those who are advocating it. It will be the fruit of this effort if it succeeds—the dead-sea fruit for the common people everywhere. It is a distinct announcement that the intense nationalism of Washington, the intense nationalism of Lincoln, can no longer serve the cause of the American people, and that we must internationalize and place the sovereign powers of this Government to make war and control our economic forces in an international tribunal.

A few days ago one of the boldest and most brilliant internationalists of this country—a man, no doubt, who believes in it as firmly as I believe in nationalism—wrote this paragraph:

> The death of Col. Roosevelt was a shock, I think, to everybody who loves life. No man ever lived who had more fun in 61 years; and yet his death, with that last frantic reiteration of Americanism and nothing but Americanism, fresh from his pen, was like a symbol of the progress of life. The boyish magnetism is all gone out of those words. They die in the dawn of revolutionary internationalism.

I sometimes wonder, Can it be true? Are we, indeed, yielding our Americanism before the onrushing tide of revolutionary internationalism? Did the death of this undaunted advocate of American nationalism mark an epoch in the fearful, damnable, downward trend?

Yes, Mr. President, this many-sided man touched life at every point, and sometimes seemed inconsistent; but there was one supreme passion which gave simplicity and singleness of purpose to all he said or did—his abounding Americanism. In this era of national infidelity let us be deeply grateful for this. Though he had erred a thousand times, and grievously erred, we would still pay sincere tribute to his memory for holding aloft at all times, and especially in the world's greatest turmoil, the banner of the true faith. Huntsman, plainsman, author, political leader, governor, Vice President, President, and ex-President, this was always the directing and dominating theme. Even in his full, rich life, replete with noble deeds and brilliant achievements, it runs like a golden thread through all of the bewildering activities of his wide-ranging genius. It gave consistency to every change of view and justified what sometimes seemed his merciless intolerance. When the final estimate is placed upon his career, and all his services to his fellows are weighed and judged, his embodiment of the national spirit, his vigilant defense of our national integrity, his exemplification of our national ideals will distinguish him, as says in effect this internationalist, from all the men of his day and generation.

Mr. President, I am not a pessimist. I find neither solace nor guidance in the doleful doctrine. But who will gainsay that we have reached a supreme hour in the history of the Republic he loved? There is not a Government in existence to-day but feels the strain of those inscrutable forces which are working their willful way through all the established institutions of men. Church and creed, ancient governments and new, despotic and liberal, order and law, at this time stand under challenge. Hunger and disease, business anxiety, and industrial unrest threaten to demobilize the moral forces of organized society. In all of this turmoil and strife, in all this chaos of despair and hope, there is much that is good if it can be brought under direction and subordinated to the sway of reason. At the bottom of it all there is the infinite longing of oppressed humanity seeking in madness to be rid of oppression and to escape from these centuries of injustice. How shall we help to bring order out of chaos? Shall we do so by becoming less or more American? Shall we entangle and embarrass the efforts of a powerful and independent people, or shall we leave them in every emergency and in every crisis to do in that particular hour and in that supreme moment what the conscience and wisdom of an untrammeled and liberty-loving people shall decide is wise and just? Or shall we yoke our deliberations to forces we can not control and leave our people to the mercy of powers which may be wholly at variance with our conception of duty? I may be willing to help my neighbor, though he be improvident or unfortunate, but I do not necessarily want him for a business partner. I may be willing to give liberally of my means, of my council and advice, even of my strength or blood, to protect his family from attack or injustice, but I do not want him placed in a position where he may decide for me when and how I shall act or to what extent I shall make sacrifice. I do not want this Republic, its intelligence and its patriotism, its free people and its institutions, to go into partnership with and to give control of the partnershp to those many of whom have no conception of our civilization and no true insight into our destiny. What we want is what Roosevelt taught and urged—a free, untrammeled Nation, imbued anew and inspired again with the national spirit; not isolation but freedom to do as our own people think wise and just; not isolation but simply the unembarrassed and unentangled freedom of a great Nation to determine for itself and in its own way where duty lies and where wisdom calls. There is not a supreme council possible of creation or conceivable equal in wisdom, in conscience, and humanitarianism to the wisdom and conscience and humanitarianism of the hundred million free and independent liberty-loving souls to whom the living God has intrusted the keeping of this Nation. The moment this Republic comes to any other conclusion it has forfeited its right to live as an independent and self-respecting Republic.

It was not, one likes to believe, a mere incident, but a significant though strangely arranged fact that the last message to the American people from the illustrious dead who, the internationalists tell us, was the last of the great Americans should have been upon this particular subject. I believe it was the night of his death that this message which I shall now read to you was read at a public meeting to which he had been invited but was unable to attend:

> Any man who says he is an American but something else also isn't an American at all. We have room for but one flag, the American flag. * * * We have room for but one language, and that is the English language; for we intend to see that the crucible turns our people out as Americans, of American nationality, and not as dwellers in a polyglot boarding house; and we have room for but one soul loyalty to the American people.

Let us inscribe this upon our banner and hang it upon the outer wall. In all the vicissitudes of our national life, in all the duties which may come to us as a people, in all the future, filled, as it will be, with profound and perplexing problems, let us cling uncompromisingly to this holy creed. In these times, when ancient faiths are disappearing and governments are crumbling, when institutions are yielding to the tread of the mad hosts of disorder, let us take our stand on the side of orderly liberty, on the side of constitutional government. Let us range ourselves along with Washington and Jefferson and Jackson and Lincoln and Roosevelt. Let us be true to ourselves; and, whatever the obligations of the future, we can not then be false to others.

OIL AND GAS LANDS—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. SMOOT. Mr. President, we have just listened to one of the most remarkable speeches that I have ever listened to in this body. I would that it could go in every home in this country,

to be considered in connection with the greatest question affecting the future of our country since the adoption of our Constitution.

I have no intention whatever of speaking upon the league of nations at this time, nor to express any views upon it. When I was speaking yesterday upon the pending measure I had reached the point of what happened in the conference committee touching many of the questions between the House and the Senate, and questions that I thought myself the conferees were appointed to settle; but it soon developed that the conferees were not the ones to settle the question as to what should be in this bill. That was to be settled outside of the conferees and outside of Congress itself, and nothing must go into the report unless it had been submitted to outside parties.

Mr. President, yesterday the Senator from Nevada had read into the RECORD a letter signed by the Secretary of the Interior, addressed to Hon. SCOTT FERRIS, of the House of Representatives, relative to the coal provision of the report. That was not the only letter which was written in relation to the subject, and the Secretary of the Interior was not the only Cabinet member who addressed a letter to Hon. SCOTT FERRIS, chairman of the Public Lands Committee, House of Representatives, upon the pending conference report. I hold in my hand a letter from Secretary Lane, dated February 1, 1919, and that was the time when the conferees were meeting upon this oil-leasing bill, which I shall read, and then, if I have time, I will read one from the Secretary of Agriculture. Secretary Lane in the letter states:

THE SECRETARY OF THE INTERIOR,
Washington, February 1, 1919.

MY DEAR MR. FERRIS: On December 10, 1917, you transmitted a copy of resolutions passed by the Cordova (Alaska) Chamber of Commerce, with reference to the pending general leasing bill and particularly with reference to deposits of coal and oil. One of the matters urged was that the pending bill be modified so as to make its provisions relating to the sale of coal lands applicable to Alaska. In my reply of January 4, 1918, I advised you, in effect, that the reason this provision was not included was that there is now a special leasing law applicable to that Territory enacted October 20, 1914 (38 Stat., 741), and that this law had not been in operation long enough for the department to determine whether it will be successful and adapted to the development of Alaska's coal resources.

Since the above letter was written there has been further opportunity to learn whether the Alaska coal-leasing bill is suitable to conditions in the Territory, and I have concluded that it is not entirely so——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator from Utah will suspend for a moment. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 13026.

DISCHARGED SICK AND DISABLED SOLDIERS AND SAILORS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines, which had been reported from the Committee on Public Buildings and Grounds with an amendment in the nature of a substitute.

Mr. HARDWICK. I ask that the amendment of the committee may be read.

The Secretary read the amendment of the committee, which was to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized to provide immediate additional hospital and sanatorium facilities for the care and treatment of discharged sick and disabled soldiers, sailors, and marines, Army and Navy nurses (male and female), patients of the War Risk Insurance Bureau, and for others entitled to treatment by the Public Health Service, by the construction of new hospitals and sanatoria, to include the necessary buildings with their appropriate mechanical and other equipment and approach work, including roads leading thereto, for the accommodation of patients, officers, nurses, attendants, storage, laundries, vehicles, and live stock on sites now owned by the Government, or on new sites to be acquired by purchase or otherwise, at the following places: At Cook County, Ill., by taking over the land and executing the contract for the construction thereon of hospital buildings specified therein of a certain proposed contract executed by the Shank Co., August 31, 1918, and in accordance with such contract and the plans and specifications, identified in connection therewith August 31, 1918, by the signature and initials of Brig. Gen. R. C. Marshall, jr., Construction Division, Quartermaster Department, United States Army, by Lieut. Col. C. C. Wright, and the Shank Co., by George H. Shank, president, at the cost stated therein, namely, $2,500,000, with such changes in said plans and specifications as may be required by the Secretary of the Treasury to adapt said specified buildings to the needs and purposes of the Public Health Service, at a limit of cost not to exceed $3,000,000.

At Dawson Springs, Ky., on land to be acquired by gift, the necessary buildings for a sanatorium having a capacity of not less than 500 beds. The sum of $1,500,000 is hereby authorized for the construction of such sanatorium.

The sum of $900,000 is hereby authorized for the construction, including site, of a hospital plant complete at Norfolk, Va.

The sum of $550,000 is hereby authorized for the construction, on land owned or to be acquired by the Government, of a hospital plant complete in the District of Columbia or vicinity.

The sum of $190,000 is hereby authorized for additional hospital accommodations, including such minor alteration in and remodeling of existing and authorized buildings as may be necessary to economically adapt them to the additional accommodations herein authorized for the Marine Hospital at Stapleton, Staten Island, N. Y., and the sum appropriated for additions to the said hospital by the act approved March 28, 1918, is authorized to be expended in full without the construction of psychiatric units.

There are hereby permanently transferred to the Treasury Department for the use of the Public Health Service for hospital or sanatoria or other uses the following properties, with their present equipment, including sites and leases, or so much thereof as may be required by the Public Health Service, including mechanical equipment in connection therewith, and approaches thereto, with authority to lease or purchase sites not owned by the Government, as follows: Hospitals, with such other buildings as may be required, at Edgewood Arsenal (Md.), Camp Hancock (Ga.), Camp Joseph E. Johnston (Fla.), Camp Beauregard (La.), Camp MacArthur (Tex.), Camp Fremont (Cal.), and nitrate plant, Perryville (Md.), and such hospitals, with other necessary buildings, hereafter vacated by the War Department, as may be required and found suitable for the needs of the Public Health Service for hospital or sanatoria purposes.

For the purpose of such remodeling of or additions to the above-named plants as may be required to adapt them to the needs and uses of the Public Health Service, the sum of $750,000 is hereby authorized.

The National Soldiers' Home at Hot Springs, S. Dak., with its present equipment complete, is hereby made available for the use of the Public Health Service, in whole or as much thereof as is not required for the purposes for which these facilities were provided, for a period of five years from the approval of this act, unless sooner released by the Surgeon General of the Public Health Service.

The Secretary of War is hereby authorized and directed to transfer without charge to the Secretary of the Treasury for the use of the Public Health Service such hospital furniture and equipment, including hospital and medical supplies, motor trucks, and other motor-driven vehicles, in good condition, not required by the War Department, as may be required by the Public Health Service for its hospitals.

In carrying the foregoing authorization into effect, the Secretary of the Treasury is authorized to execute the contract with the Shank Co. hereinbefore specified with such verbal changes as are made necessary by a change in the contracting officers, and to assume all obligations in said contract contained, and to purchase materials and labor in the open market, or otherwise, and to employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of cost herein authorized.

For the purpose of carrying the foregoing authorizations into effect, there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be immediately available and remain available until expended, the sum of $6,890,000, and for furniture and equipment not otherwise provided for, the sum of $210,000, in all, $7,100,000.

And the Secretary of the Treasury is hereby authorized, in his discretion, to employ, for service within or without the District of Columbia, without regard to civil-service laws, rules, and regulations, and to pay from the sums hereby authorized and appropriated for construction purposes, at customary rates of compensation, such additional technical and clerical services as may be necessary, exclusively to aid in the preparation of the drawings and specifications for the above-named objects and supervision of the execution thereof, for traveling expenses, and printing incident thereto at a total limit of cost for such additional technical and clerical services and traveling expenses, etc., of not exceeding $210,000 of the above-named limit of cost. All of the above-mentioned work shall be under the direction and supervision of the Surgeon General of the Public Health Service, subject to the approval of the Secretary of the Treasury.

There is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for necessary personnel, including regular and reserve commissioned officers of the Public Health Service and clerical help in the District of Columbia and elsewhere, and maintenance, hospital supplies and equipment, leases, fuel, lights, and water, and freight, transportation, and travel and reasonable burial expenses (not exceeding $100 for any patient dying in hospital), $785,333 for the fiscal year ending June 30, 1919.

As far as feasible the new construction herein authorized shall be of fire-resisting character.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Henderson	Nugent	Smoot
Borah	Jones, N. Mex.	Overman	Spencer
Brandegee	Jones, Wash.	Page	Sterling
Chamberlain	Kellogg	Pittman	Sutherland
Colt	Kenyon	Poindexter	Swanson
Culberson	King	Pollock	Thomas
Curtis	La Follette	Robinson	Thompson
Dillingham	Lenroot	Saulsbury	Townsend
Fletcher	Lewis	Shafroth	Trammell
France	McCumber	Sheppard	Underwood
Frelinghuysen	McKellar	Sherman	Warren
Gay	McLean	Shields	Watson
Hale	McNary	Simmons	Wolcott
Harding	Myers	Smith, Ariz.	
Hardwick	New	Smith, S. C.	

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. There is a quorum present.

Mr. HARDWICK. Mr. President, on the 27th day of January the House passed a bill authorizing the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged and disabled soldiers, sailors, and marines. That bill came to the Senate on the following day and was referred to the Committee on Appropriations. It was subsequently referred by the Senate, at the request of that committee, to the Committee on Public Buildings and Grounds.

On the 5th day of December last the House passed an act providing for the establishment of sanatoriums for the treatment of persons discharged from the military and naval forces of the United States, and for other purposes. That bill came to

the Senate, and on the 11th day of December it was referred to the Committee on Public Health and National Quarantine. By request of that committee the bill was subsequently referred by the Senate to the Committee on Public Buildings and Grounds.

In the meantime the Committee on Public Buildings and Grounds, under the resolution introduced by the Senator from Arkansas, who is now presiding over the Senate [Mr. ROBINSON in the chair], had gone into an exhaustive examination and investigation of the hospital facilities, with a view to discovering exactly how these hospital facilities ought to be provided over the country. Upon the conclusion of the investigation by the subcommittee the Public Buildings and Grounds Committee of the Senate unanimously reported the committee amendment that I have just had read as a substitute for House bill 13026, that substitute embracing, however, the subject matter of both bills passed by the House.

Mr. President, it is a matter of vital interest, one, in my opinion, that engages and involves the honor of Congress, that this legislation should be passed at an early date.

On that subject let me quote from a letter written by former Secretary McAdoo to the Speaker of the House of Representatives under date of November 18, 1918. After referring to the two House bills to which I have invited the attention of the Senate, the Secretary said:

> Since these estimates were transmitted to Congress an armistice has been declared and hostilities ceased, but while these are happy conditions it has, as a matter of fact, foreshortened the day and hour when hospital accommodations must be made available and has pressed home to me the tremendous responsibility of supplying accommodations for the sick and disabled discharged soldiers and sailors who will soon return from overseas in overwhelming numbers, and I can not too strongly urge upon you to exercise all your influence to translate the proposed legislation into law as one of utmost importance, in order that the Government may carry out this part of its contract with the soldiers and sailors who have so magnificently carried out their entire contract with the Government, and to this end request that this legislation be made a special rule in the House in order that funds may be made immediately available for the purpose above stated.
>
> Respectfully,
>
> W. G. MCADOO, *Secretary.*

On January 20, 1919, in a communication addressed to the Senator from Louisiana [Mr. RANSDELL], chairman of the Committee on Public Health and National Quarantine, Secretary Glass used this language:

> I particularly desire to enlist your most active cooperation in considering these bills, both of which I understand have been introduced in the Senate, in order that the utmost expeditious consideration be given by both branches of Congress, so that this department may be in position to know what action it can take to supply hospital treatment for the very largely increased beneficiaries of the Public Health Service and the War Risk Insurance Bureau, for the latter of which alone the department has the names and addresses of upward of 50,000 cases who are entitled to receive treatment and for which there are absolutely no hospital accommodations available.
>
> Respectfully,
>
> CARTER GLASS, *Secretary.*

Again, under date of January 22, addressing Hon. JAMES A. REED, chairman of the Committee on Public Buildings and Grounds, Secretary Glass used this language in impressing upon Congress the urgency of action in respect to this matter:

> It is my understanding that similar bills have been introduced in the Senate, and hearings are being held by appropriate committees, and in which I assumed you are especially interested; and I wish particularly to express to the Senate through you my intense interest in this legislation to provide hospital accommodations for a portion of the beneficiaries of the War Risk Insurance Bureau.
>
> I wish also to invite your attention to the fact that this department has collaborated with the War and Navy Departments in regard to the need of hospitalization, and to state that a conference was held on September 11 with representatives of these departments. While as a result of this conference it was recommended that 13,000 beds be immediately supplied at an estimated cost of $26,000,000, I have, however, recommended that approximately only one-third of this number be authorized at this time, anticipating that with the coming of peace other hospitals of the Government might become available for the use of this department; but from reports showing constant increases in the number of beneficiaries of the war risk insurance, I am more than ever impressed with the need of having this legislation enacted into law at the earliest possible moment, in order to enable this department to at once establish such hospitals as will undoubtedly be required for many years, letting future developments in the way of releasing other hospitals determine whether it will be necessary to ask for additional legislation, or if hospitals already owned by the Government can be turned over for the care and treatment of these patients.
>
> Respectfully,
>
> CARTER GLASS, *Secretary.*

Now, Mr. President, I want to invite the attention of the Senate for just one moment to the difference between the House bills referred to and the committee amendment which is in the nature of a substitute. The House bills, H. R. 12917 and H. R. 13026, passed by the House of Representatives and referred to the Senate committee, carried authorizations for hospital construction and buildings required in connection therewith which provided only 5,500 beds for patients, at a cost of $12,000,000, in round figures.

The committee's substitute, on the other hand, provides beds for more than 9,000 patients—to be accurate, I think the number is 9,341—at a cost for buildings, including furniture and equipment, of only $7,100,000. It does this by making available certain Army hospitals and equipment not now required by the War Department, and provides for increasing the number of patient accommodations by later transfers, under general legislation, which is contained in the bill, from Army hospitals. New construction is necessary and is essential to an economical admission of patients of the War Risk Insurance and Public Health Service to provide accommodations at points where such patients will go for treatment, and thereby decrease the amount otherwise payable under the War Risk Bureau to beneficiaries under that legislation.

The Senate committee included in its amendment in the nature of a substitute a provision for maintenance for these hospitals up to July 1 next, because it is perfectly apparent that they could not get this appropriation in any one of the ordinary ways in which Congress makes appropriations of this character. It is not without precedent that this should be done. When the leprosy hospital was constructed, the same procedure was had for a limited period of time until another fiscal year began. The reason for that is that, unless this is done, some of these hospitals will be provided before the end of this fiscal year without a single dollar with which to operate them, while thousands of patients are demanding admittance into them, and are entitled to it under the law.

The estimates for operation and maintenance of hospitals for four months of the fiscal year ending June 30, 1919, on the basis of 3,000 beds, are as follows:

Doctors, 100 at $2,500 per annum, for four months, $83,333.

Nurses, 250 at $720 per annum, for four months, $60,000.

Attendants, 600 at $600 per annum, for four months, $120,000.

Maintenance at $1.25 per day per person for four months, $450,000.

Fuel, light, and water, $62 per annum, for four months, $62,000.

Freight, transportation, and travel, $10,000.

These amounts make a total of $785,333, which is the amount carried in the bill for this purpose.

Annual appropriations of this character are usually secured through the Appropriations Committee, but are included in this bill, as cited just now, because of the fact that certain of these hospitals will be almost immediately available, but will be without any funds provided for their operation and to provide only the usual salaries of doctors, nurses, attendants, and for the expense of maintenance regularly carried in annual appropriation estimates for existing hospitals in the public service. Such estimates could not be submitted to the Appropriations Committee for the reason that estimates can not be made until the buildings have been authorized by law; and there will probably not be sufficient time after this authorization is granted—that is, after this bill shall have been passed—to obtain the necessary appropriations for the operation and maintenance of the hospitals herein provided.

Mr. President, let me say to the Senate that there is the utmost need for urgent action of some character with respect to this matter. Three thousand discharged soldiers, sailors, and marines, who, under the provisions of the wark-risk legislation, are entitled to hospital accommodations, are already being treated by these agencies of the Public Health Service, and it must be borne in mind by the Senate that, while the Army, the Navy, and the Marine Corps in like manner look after these people so long as they remain in the service and until they are discharged, the very moment these men are discharged from the military service, whether they are soldiers or sailors or marines, they can no longer enter the Army and Navy hospitals. However, under the provisions of the legislation which we enacted creating the War Risk Insurance Bureau, they are entitled to certain benefits from the Government, including hospital treatment within a limited period of time—I think, 12 months—if their troubles can in any way be traced to anything which was caused by the war or connected in any way with their service in the war.

The officers of this service, the chief medical adviser of the War Risk Insurance Bureau, and the Assistant Surgeon General of the Public Health Service informed me that they already have 3,000 patients of this kind that they are caring for without any extra hospital accommodations being provided; that they are renting space sometimes from other hospitals and sometimes from private concerns; that, in addition to that, they have 15,000 pending applications, and that they are receiving them at the rate of 100 a day or more.

It seems to me, Mr. President, that there can be no question in the Senate or anywhere in the American Congress that we owe a

moral obligation in this matter, just as the former Secretary of the Treasury, Mr. McAdoo, said; when these men were put in our Army under the drastic conscription laws that we passed we promised them that we would give them hospital treatment and its benefits when we passed the war-risk legislation. Now the time has come to redeem that obligation. I think there ought not to be, and I do not believe there will be, the slightest disposition on the part of Congress not to carry out its contract and measure up to its responsibility in this regard.

It developed during the very voluminous hearings that the Subcommittee on Public Buildings and Grounds held—I hold in my hand the first volume of the printed testimony, comprising 900 pages, and there is still another volume to come—that the Army had a good many thousand hospital beds in excess of its requirements. It also developed, as different Secretaries of the Treasury have pointed out, that the War Risk Insurance Bureau and the Public Health Service, on whose shoulders are loaded the discharge of the obligations to which I have just referred, require immediately at least 13,000 beds. It seemed to your committee investigating this subject that it was a serious proposition to be met with the statement that one branch of the public service had an excess of hospital accommodations above its requirements and that another branch needed hospital facilities, and yet that we could not utilize those we had already bought and paid for.

Mr. SMOOT. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. HARDWICK. I do; yes, sir.

Mr. SMOOT. Mr. President, I was told the other evening that the hospital accommodations here in the District of Columbia are more than ample, that there are many beds that are being paid for every day, and that there is no use whatever for them. I want to ask the Senator if there is any truth in that report?

Mr. HARDWICK. I will say to the Senator that I was about to refer to what I think the Senator has in his mind. I presume the Senator has reference to the Walter Reed Hospital?

Mr. SMOOT. No; not to the Walter Reed Hospital. I will say to the Senator very frankly that the young man from whom I gathered this information did not make the statement to me, but he was making it to another person and I overheard it. I will say that he was the brother of one of the doctors in this District.

Mr. HARDWICK. Residing in the District?

Mr. SMOOT. He was in the District. I forget the number of beds he stated that were being paid for and the amount which was paid for each bed. The statement seemed to me to be extravagant. There are only, as I remember, some 28 of those beds that are being utilized here in the District.

Mr. HARDWICK. To what hospital did this young man refer, does the Senator know? If he can name the hospital, perhaps I can give him the information he desires.

Mr. SMOOT. It did not sufficiently impress me at the time to pay very much attention to it.

Mr. HARDWICK. Then I shall have to answer the Senator in a general way.

Mr. SMOOT. Yes; I want the Senator to refer to the matter, if he will.

Mr. HARDWICK. I can give an answer in a general way.

We insisted during all the weary weeks of this investigation that that was the policy that this Government ought to adopt. I know there is not a Senator in this Chamber on either side of this aisle who will contend otherwise. It was utter folly, looking at the matter from the standpoint of the taxpayer, to say that, if we had reasonably suitable accommodations that belonged to one branch of the Government service and they did not need them, that they could not be utilized by another branch of the public service that did need them.

I admit that I was somewhat driven—not entirely, but partially—from that position by the contention—and it is a strong one—that the Army hospitals were of temporary construction, that they were not in every case, or were not in many cases, reasonably suited for reconstruction hospitals; but the fact remains—and the committee has demonstrated it, and the committee that investigated it was unanimously of that opinion—that there was a part of these Army hospitals that by the expenditure of a little money, might be reasonably adapted to reconstruction hospital work.

So, when the two bills of the House came to us for action we evolved this plan: First, we sent for the Secretary of War and we stated to him, "This is the policy that ought to be adopted in the interest of the taxpayers; no little bureau jealousies between the War Department and any of these bureaus and the War Department or any of its bureaus must be allowed to interfere with the interests of the taxpayers of the country on this question. So far as the Army has hospitals that are suitable for this purpose, where they can possibly be surrendered, they must be surrendered for the use of the people who need them."

The Secretary of War, I will say to his credit, agreed heartily and readily to that proposition, and he proceeded to instruct the officials of his department that they must carry out that policy. As a result of that, we have framed legislation here that provides 9,340 beds for the use of the War Risk Insurance Bureau and the Public Health Service at a cost of $7,000,000, as against 5,500 beds provided for by the House at a cost of $12,000,000. We did that by getting several thousand beds—6,000, at least, I think—from the Army by the cooperation of the Secretary of War and by turning over certain Army hospitals, which were designated by the Secretary of War, and were expressly included in this bill.

Objection is made that we particularize and name the Army camps. Let me submit the question to the good sense of every Senator here. The House bill provided that no dollar of this $12,000,000 that they appropriated should be available until the Secretary of War had turned over to the Secretary of the Treasury all such hospitals as were suitable and that he could spare. Senators know what that meant in administration. They started out in the hearings before us by saying that there were practically none that they could spare. The other people started out by saying that there were practically none that they would have. So, when we got the actual meaning of it, it meant that they were going to say to us, "Give us $12,000,000 and let us build new hospitals to suit ourselves."

The Army was not prepared to give up anything. So we thought that, instead of generalizing, we had better require the Army to submit to the Public Health and the War Risk Insurance people an exact list and specifications of what they could furnish them and see whether the Public Health people and the War Risk Insurance Bureau would not agree that they were suitable or could be made suitable for the uses for which they were desired.

Mr. SMOOT. Is it the intention to maintain the hospitals that are now located at the different cantonments?

Mr. HARDWICK. Temporarily during the demobilization of the Army, as the Army needs them, as demobilization proceeds. That is one reason why we could not get them all at this time.

Mr. SMOOT. What is the plan of utilizing the hospitals at the cantonments after the demobilization shall have been concluded?

Mr. HARDWICK. The plan is that, so far as they can be adapted to the service of the reconstruction hospitals, they are to be used by them, for we have already bought them and paid for them; and it would be foolish to buy others if we can possibly utilize them, even if they are not quite so well suited for the purpose as some experts would like to have them.

Mr. SMOOT. Are not the hospital instruments at the cantonments and the necessary equipment in fair condition, as compared with the hospitals of the United States elsewhere?

Mr. HARDWICK. Well, I must admit that there is some conflict in the testimony which we took on that subject. The Army people contend that they are and the other people say they are not. They say that many of the hospitals at the cantonments are temporary structures; that they are inflammable; that they are not fireproof; and that, not having the same organization as has a military hospital, it would not be safe to put their civilian patients in them, even when they are discharged soldiers, sailors, and marines.

Mr. SMOOT. I was referring to the hospital instruments and equipment.

Mr. HARDWICK. Oh, I think they must be all right.

Mr. SMOOT. They are up to date.

Mr. HARDWICK. And we provide on that subject that they shall be transferred from the Army, which does not need them, to the Public Health Service, which does need them, instead of buying them over again.

If we had relied on the general proposition laid down by the House on this subject, that the Army must give what it could and these other people must take what they need, if those offered were suitable, the Senator from Utah and other Senators must understand that it would have amounted to nothing. So we said to them, "Specify; give us a list of what you can give that is suitable to this work and let us submit it to these other people and see if they do not admit that they can be used." In accordance with that plan your committee succeeded in getting quite a number of these hospitals.

There is outlined in the bill—and I leave for a moment the building projects provision and take the hospitals that we are acquiring from the Army—this provision:

There are hereby permanently transferred to the Treasury Department for the use of the Public Health Service for hospital or sanatoria or other uses the following properties, with their present equipment, including sites and leases, or so much thereof as may be required by the Public Health Service, including mechanical equipment in connection therewith, and approaches thereto, with authority to lease or purchase sites not owned by the Government, as follows: Hospitals, with such other buildings as may be required, at Edgewood Arsenal (Md.), Camp Hancock (Ga.), Camp Joseph E. Johnston (Fla.), Camp Beauregard (La.), Camp MacArthur (Tex.), Camp Fremont (Cal.), and nitrate plant, Perryville (Md.), and such hospitals, with other necessary buildings, hereafter vacated by the War Department, as may be required and found suitable for the needs of the Public Health Service for hospital or sanatoria purposes.

Of course, the last clause is general, to cover any hospital that they may hereafter be able to turn over without additional legislation; and we thought it was best to specify the hospitals they said they were willing to turn over and which the other people said were reasonably suited for their uses and put it in the law that they should be turned over.

Now, just a word as to the location of these hospitals. I have heard some quiet suggestion—I will not say criticism—that we ought not to specify locations in this bill. The committee did not select a single project in this bill. We asked the War Department to give to these people a list of what they could furnish. We did not care whether the buildings were located in Maine, in California, in Florida, in Maryland, or anywhere else; it was merely a question of getting what we could that was suited for the use we had for it. There is not a member of the committee who knew or even inquired where any one of these hospitals were located that would be given; and I do not think there is a member of the committee, although it happens that some of the military hospitals that are to be turned over are located in States represented by Senators on this committee, would have cared a rap if he did know. For instance, I will take my own case to illustrate, because it is more or less a personal matter. Camp Hancock, Ga., was put on this list, but I had no more idea than the man in the moon that they were going to do so; I did not request it and did not care one rap whether it was put on or not, so that if anybody says that these were southern camps, or anything like that, it is merely because they were located there, the facilities were there, and, if they are used at all, they will have to be used where they are located.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. THOMAS. The Senator has made a very clear and satisfactory statement regarding the action of the committee up to this time. I should like to have some information regarding the other building projects.

Mr. HARDWICK. I am coming to that right now. I put this other matter first because I knew there could be no possible doubt in any Senator's mind that we were right to specify in regard to these things; otherwise it would amount absolutely to nothing.

Now, I come to the building projects, the construction projects that we authorized. I have heard in a perfectly friendly way the suggestion made that we had better have followed the plan laid down by the House, namely, to have left to some commission, to be selected either by the President, as was provided in one bill, or by the Secretary of the Treasury, as was provided in the other bill, the location of the hospitals that were to be constructed for this new reconstruction work. I wish to answer that suggestion, and I think I can answer it to the satisfaction of every disinterested mind. In the first place, let me say that I have never thought that, in appropriating money, Congress ought to shift its responsibility to anybody else. I have never thought that, when we were making these appropriations out of the Public Treasury, we ought so far to abdicate our own functions as to say that we will not specify where anything is to be done or where any money is to be spent, even when we are providing it. I have always realized the potency of the suggestion that the administrative officers of the Government, possessing information on these questions and being, or supposed to be, experts about them, ought to have opinions and that those opinions ought to weigh very strongly with whatever committees of Congress are acting in the premises.

But I say to you that it so happens in this case that no member of the committee named or suggested a single building project that went into this plan. What we did was to coordinate all these officials and get them to come together and say, "What is the very least you can get along with for the present to discharge these obligations that have come upon you and are coming by the thousands, besides what the Army can give you? Tell us what you need and why you need it and where you need it."

And now I want to invite attention, particularly that of the Senator from Colorado, to exactly what that means. The difference between the position of the Senate and that of the House, so far as locating these projects is concerned, is the difference between tweedledum and tweedledee. Why? The House said, "We will let the sites be named by a commission, in one bill providing that the commission shall be named by the President of the United States and in the other by the Secretary of the Treasury. Whether the President of the United States or the Secretary of the Treasury named the commission, under the House bill, as it passed, he would name the very men who acted on this question, in conjunction with your Senate committee. The heads of these great hospital services made the recommendations. We did not ask them to do anything except to tell us where they were obliged to have these hospitals located and which were the most advantageous and suitable places for them. If we had followed the plan laid down by the House, what would we have had to do? We would have had to appropriate millions of dollars in a lump-sum appropriation, letting these people shift the fund around—and it would have been a considerable one—from one project to another and from one location to another, to spend as much here as they wanted and as much there as they wanted.

That was the House plan, and it provided neither itemization nor specification for it. We thought that it was in the interest of real economy and of correct legislation to require these men to say where they were going to spend this money before we appropriated it, and not afterwards; to let them say how much of this money they wanted to spend on each project before we appropriated it, and not afterwards. Under the House bill they could have done the day after the President signed the bill exactly what we asked them to do the day before this committee acted on this matter; that is all.

I thought myself that we ought to give these people, in view of our moral obligations to the soldiers who have fought for us, in view of our obligations to these great services of the Government, and in view of the situation that confronts us, such hospital accommodations as they absolutely required, and I did not want to put my judgment against their judgment as to location and as to these specific projects which they thought were best for the public good. Not only that, but they are pressing for time.

The biggest project in this bill in the way of construction is what is known as the Speedway Hospital in Chicago—a hospital planned for the Army, a hospital with a capacity of 2,500 beds, according to the plans submitted to the Army, and which the Public Health Service say will have at least 2,000 beds under their hospital plan. It was one of the hospitals that was offered to the Government under a contract with a large indemnity, to be furnished at a cost of $1,300 a bed—to be exact, at a cost of $1,304. The hospitals of temporary construction erected at the cantonments during the war cost just about that same figure; and it is a fact which I am glad to call to the attention of the Senate that our investigation shows, according to the unanimous judgment of the committee, that this hospital project was the cheapest permanent fireproof hospital project that had even been offered to the Government of the United States.

The bill passed by the House provided these hospital accommodations at a cost of more than $2,000 a bed. The lowest figure made by the gentlemen who represent this service as to the cost per bed was $1,700, and this proposition was $1,300 per bed. Furthermore, it must be remembered that 15,000 discharged soldiers are already clamoring for these facilities; it must be remembered that the applications are coming in many hundreds every week and many thousands every month, and they will increase as the Army comes home from Europe and is demobilized. This hospital was about two-thirds constructed when the Public Health Service begged us to let them take over the contract, which the War Department had finally turned down just before the armistice was signed, my own opinion being largely because the War Department was already overstocked with hospitals, and we thought it was a good proposition to agree to.

Mr. SMOOT. In the hearing was anything developed to show, as reported in the public press, that there was fraud connected with the Speedway Hospital?

Mr. HARDWICK. I am very glad the Senator has asked that question. The charge was made that an employee of the Government solicited a bribe in connection with securing the approval of this contract. It was made by the projectors of the enterprise and was sworn to. It was stoutly denied, and much evidence for and against it was given the committee that

investigated the subject. While the committee has not made its report yet on account of the delay in furnishing the testimony from the Government Printing Office, it is confronted by the fact that the Department of Justice has the matter in hand on reference of the Attorney General, and the case concerning which the Senator has asked is to be tried in the courts of law. Therefore as one member of the committee I hesitate now or later to express any opinion I might have as to the guilt or innocence of this man.

Mr. SMOOT. I think that is a very proper attitude.

Mr. HARDWICK. But let me say this, that so far as the Speedway proposition is concerned, three commissions appointed, two of them by the Assistant Secretary of War and one by the Secretary, commissions that went into the investigation with a hostile atmosphere about them, reported this was a splendid business project, and one of them said, almost, I think, in these words, that it was the best that had ever been offered to the Government, and in no quarter, I will say, with its rejection by the War Department, in the manner I have indicated and for the reasons to which I have referred staring us in the face, has any man raised his voice to deny that it was a clean proposition, and not only a clean proposition but the best business proposition that was ever offered this Government anywhere as a hospital proposition, fireproof, and of a permanent character.

Personally, I am glad to have a chance to say, because when a man gets under the ban of public displeasure it is mighty easy to stay there, that I think Mr. Edward Hines, who was the principal owner of this hospital, acted with generosity to the Government, inspired, I suppose, largely by the fact that he had lost a son in France in this war, and gave to the Government a splendid project. I am corroborated in that opinion by Maj. Stotesbury as to the facts in the case, who has given them in his report, and who states as a matter of absolute knowledge that the cost of this hospital is at least $400 a bed under the very lowest that can ever be put against it for a permanent fireproof hospital.

The Secretary of War, the Surgeon General, the Assistant Surgeon General of the Public Health Service, the chief medical officer of the War Risk Insurance Bureau, the chief of construction in the War Department; in fact, every official who has ever examined this project, including three separate commissions, have reported it the very best hospital project that could be offered. Under those circumstances, with that hospital two-thirds completed and with the demand for hospital facilities—and although there is no legal obligation upon the part of the Government, there is at least a moral obligation, in the opinion of the committee, that the Government should meet, and which it will not meet unless something is done—we thought it was the better economy to adopt their recommendation as to this hospital, because the Public Health Service wanted something they could get quick and use at once. They intend to use it, I will say to the Senator, as their principal distributing hospital. It is a very large hospital, located in Chicago, which is probably somewhere near the center of population considering transportation in the United States, and they think it splendidly situated so that they can send out their supplies from there, and make it their general headquarters. Only this morning these gentlemen urged me, no matter what else happened to this bill, to insist upon the Speedway project in the interest of the public service and of giving them some speedy means of meeting the demands made on them by these soldiers and to retain this project in this bill, no matter what else is done.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. HARDWICK. I yield.

Mr. KING. I have not had the pleasure of hearing all of the Senator's statement, and what I am asking now may have been covered by him. If so, I will not ask him to repeat it.

Mr. HARDWICK. I will be very glad to give the Senator the information again, if it has already been given.

Mr. KING. Did the committee reach the conclusion that it was within the province of the War Department to operate hospitals of the character provided for in this bill?

Mr. HARDWICK. No; the committee has not yet made a formal report. I can tell the Senator what my own opinion is. No; I will not do that; I will tell him what the Secretary of War says about it. The Secretary of War said that that was one reason why he doubted whether or not he could take over the Speedway Hospital at all—that the law officers had given him the opinion that the funds given to the War Department for hospital purposes were for temporary hospitals, and not for permanent fireproof hospitals; and while he was not conceding that, he said that that was the contention that had been advanced. I do not remember that he said that his law advisors told him that; but, at any rate, without conceding the correctness of it, he was so doubtful in regard to it that he thought it was better for the Public Health Service to have it. He frankly conceded to me that there might be a moral obligation there, and he said that if so he should favor the appropriation of whatever amount of money was necessary to make the projectors of this enterprise whole again. So, I say, in providing this hospital we will do it $400 a bed cheaper than anything else in this bill in the way of construction and avoid a row over a moral obligation amounting to at least a million dollars that will vex Congress in the future unless we handle it now.

Mr. KING. Mr. President, if the Senator will pardon me a moment further——

Mr. HARDWICK. Certainly.

Mr. KING. What I had in mind was the administration of all of these hospitals. It occurred to me—and it is merely a first-blush opinion and is not entitled to very much weight—that the War Department, because it has so many surgeons now at its command and has so many hospitals growing out of the war, those at the cantonments and at other places, could much more cheaply and perhaps more efficiently operate these hospitals that are needed to take care of men who come out of the military service and who may need medical attention.

Mr. HARDWICK. No; I am very glad to give the Senator the War Department's view on that subject, and I must say that I share Mr. Secretary Baker's opinion. The Secretary thinks not. He thinks the hospital accommodations under the War Department ought to be very much and very sharply decreased with the demobilization of the Army and brought to a permanent peace status, whatever that is, and that all this other work ought to be done by the civilian branches of the Government, and for this reason: A military hospital is a very different thing from a civilian hospital; and once men are discharged from the military service, after their experience with military hospitals, they are not anxious to enter military hospitals again, but prefer to go to civilian hospitals, where different measures and different methods are employed.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. HARDWICK. I yield to the Senator from Wisconsin with pleasure.

Mr. KING. Mr. President, if the Senator will pardon me a moment further, I suppose there might be some modification of the military discipline, or the modus operandi.

Mr. HARDWICK. Oh, you will never get that from a military administration, Mr. President.

Mr. KING. One other question and then I shall have concluded.

Mr. HARDWICK. I am glad to yield to the Senator.

Mr. KING. With the demobilization of the Army, are there not a large number of hospitals, at the cantonments and elsewhere, under the control of the military authorities now, that would be suitable for the purposes for which these hospitals are desired?

Mr. HARDWICK. Undoubtedly; and we have taken care of that in the general provision carried in the bill already; and as the Army is demobilized, and the more rapidly it is demobilized, still more will that be true. There will undoubtedly be a certain amount of space in fireproof hospitals of a different character from what the Army can furnish.

Mr. LENROOT. Mr. President——

Mr. HARDWICK. I yield to the Senator from Wisconsin.

Mr. LENROOT. I merely wanted to suggest, in response to the first question of the Senator from Utah [Mr. KING], as to the Army being better equipped to take care of this work than the Public Health Service, that the Public Health Service now is operating something like 22 hospitals, and it has an organization that is quite as well equipped to operate these hospitals as is the Army.

Mr. HARDWICK. And much larger than that of the Army in normal times, I will add.

Mr. LENROOT. Yes.

Mr. HARDWICK. I will say, in reference to the proposed hospital at Dawson Springs, Ky., that there is the same sort of a showing. It is not as strong on the financial end of it and not as large as the Chicago project, but there are reasons for it, which the Senator from Kentucky will explain. That is intended as a tuberculosis hospital. The Senator from Kentucky corrects me and says it is only partially. There a gift of 5,000 acres of ground has been proffered to the Government, absolutely without any charge of any sort, by the people who own the ground. The gentlemen at the head of this hospital service insist that a large number of cases that they handle are such as require large grounds, where people can exercise and do light

physical work out in the open air and in the grounds, and they say that this hospital is absolutely essential to their service.

We knew that if the proposition passed in the form provided by the House they would as a matter of fact select these places anyhow; but we thought it was better, when we knew that these were the exact selections they were going to make, to itemize and specify and hold them down, instead of giving them a lump-sum appropriation to shift around and shift about.

So with the hospital at Norfolk. They asked for $900,000 for a complete hospital plant at Norfolk, Va. They handle the marines that are discharged there, and they handle the seamen of the merchant marine there. They insist that Norfolk, the second largest port on the Atlantic seaboard, is one of the places where it is absolutely necessary, if we are to maintain an American merchant marine in the future, that they shall be able to supply these accommodations.

Mr. THOMAS. Mr. President, may I ask the Senator a question right there?

Mr. HARDWICK. Yes.

Mr. THOMAS. The Senator says Norfolk is the second largest port on the Atlantic.

Mr. HARDWICK. That is my understanding.

Mr. THOMAS. I am not questioning it. Are there not hospital facilities at Newport News and at Norfolk which have been either constructed in connection with the present war or were there theretofore?

Mr. HARDWICK. I will say, if the Senator pleases, that I made that specific inquiry, and I directed that it be made by these officers of the War Department and the Public Health Service and the War Risk Insurance Bureau, and they say "no." I thought so, too, until I had the matter investigated, and they reported that it was not the case.

The only other building provision that they have put in besides the three I have mentioned was a proposition to provide a small hospital in the District of Columbia for this city for this reconstruction war work. I did not undertake to control or influence their selection of these sites. They insisted that this city was the head of their organization, that the Surgeon General was here and his chief medical advisers, and that they ought to have one hospital here at the seat of the Government; and the committee yielded, as it did in all these cases, to their judgment about these matters.

I will say to the Senator from Colorado that if we were to adopt the plan that is embodied in the House bill the only difference on earth would be that these same men, after the bill was signed, would in all probability select these same sites, because that is the judgment they gave to the committee. I will say to the Senator, too, that they tell me, and tell me only this morning, that if that is done, and if they have to have commissions to settle these things, there will be still more delay, with 15,000 soldiers and sailors begging for this sort of service, and thousands of them coming in every month. I think the figure they gave me—I want to be substantially accurate—was 100 a day, at least, and they stated that that number was liable to grow larger as demobilization proceeded somewhat more speedily than it is proceeding at the present time; and I know we all want to see that done.

Mr. President, I have undertaken to give to the Senate, with all the fullness of detail that I could, and at the cost of using much more time than I liked to take, the reasons for the passage of this bill. The committee that framed it is proud of it. It represents a month of as hard work as I ever did in my life. I want to say that the Senators who served on that committee—the Senator from Kentucky [Mr. BECKHAM], the Senator from Florida [Mr. TRAMMELL], the Senator from Maryland [Mr. FRANCE], the Senator from Wisconsin [Mr. LENROOT], and who helped do this work, together with the Senator from Georgia—worked faithfully and hard. We gave to the Senate and to the country the very best service of which we were capable. We endeavored to solve this problem in what we think is a wise and prudent and economical way for the Government of the United States. As against 5,500 beds carried in the two House bills, at a cost of $12,000,000, we have given you 9,340 beds, at a cost of $7,000,000. We have established, we hope, forever a policy of coordination between these hospital branches of our Government that we believe means a great deal for the future.

We insist that this legislation ought to be passed, and it ought to be passed without delay, so that we may go to conference with the House of Representatives, and so that we may carry out the contract that we made with these boys when we sent them to Europe. We insist that delay now, when thousands of them are clamoring to have this accommodation given to them, and to have these hospital facilities furnished, is dangerous and unfair.

Mr. LEWIS. Mr. President, before the Senator from Georgia takes his seat, if he will allow me to ask a question for the benefit of the record as well as for the information of myself touching particularly the project in my own county described in this report on the Speedway, I will ask the Senator if the committee or the subcommittee, in making investigations of costs and the amount of money to be paid, disclosed by the comparison of one with the other any particular profit that would inure to those who constructed the building, or was there any evidence in the whole investigation that would lead the committee to conclude that it was either constructed or is now being turned over to the Government for the purpose of private profit to those who constructed it?

Mr. HARDWICK. I have already answered the question of the Senator from Utah [Mr. SMOOT] on that point, but I am glad to repeat the statement that I then made.

Mr. LEWIS. I must have been out of the Chamber at that time; I have been called out so frequently.

Mr. HARDWICK. The Senator from Utah asked that question; but I am glad to repeat my answer to it, because the question was not in the exact form in which the Senator from Illinois now puts it. I am glad to give him the information.

The committee has not yet made its report, because the printing of the evidence by the Public Printer has been delayed; but I think I am violating no confidence and misstating no fact when I tell him that the committee is unanimously of the opinion that this is the best hospital project for the construction of a permanent fireproof hospital that was ever submitted to the Government of the United States, from a business standpoint; and I believe personally, and I believe that all the members of the subcommittee believe, that a substantial donation was involved upon the part of the projectors of this enterprise. Any suggestion that it was not an advantageous contract for the Government and one that gave full value and more than full value has never been made by anybody, although it has been investigated by three separate commissions appointed by the War Department.

Mr. LEWIS. I appreciate the viewpoint of the Senator. I particularly desired his expression of opinion, as the report clearly indicates an ultimate demand on the Government, of course, for a certain amount of compensation; and if that compensation merely represents benefits to the people and to the country and not private profits to constructors, I want the State of Illinois to know it, I want the city of Chicago to know it, and, of course, the Senators themselves desire to know it.

Mr. HARDWICK. I am glad to give the Senator that information, and I am also glad to say that if we follow the recommendations of the War Risk Bureau and the Public Health Service, in which the Secretary of War thoroughly concurs, we will eliminate that question by buying this hospital for the branch of the service that needs it, and thereby save a threatened row over a million dollars which I do not hesitate to say that I believe the Government morally owes them, so far as I am concerned, so far as my personal opinion goes.

Mr. OVERMAN. Mr. President, is an amendment in order at this time?

The PRESIDING OFFICER. It is.

Mr. OVERMAN. It is well known, Mr. President, that the mountains of North Carolina have been considered to have the best climate for tuberculosis patients anywhere in the United States east of the Rocky Mountains, and the War Department, recognizing that fact, have established three or four tuberculosis hospitals in western North Carolina—one at Biltmore, one near Asheville, one at Wadesboro, and one at Hot Springs. We have a thousand or more tuberculosis patients at this time. The Government has leased what is known as Kenilworth Inn. It is a fireproof hotel which was just completed about two years ago; and I am going to offer an amendment for the Government to take over that hospital. It was not purchased. It is under lease.

I understand that this bill is for the purpose of taking care of soldiers who have been dismissed or discharged. With 10,000 or more tuberculosis patients, with 1,500 in Asheville, N. C., to-day, unless you take over one of these hospitals, what are you going to do with these poor boys that are now breathing the air up there that really keeps them alive? They are there now.

You have one hospital, you say, at Dawson Springs, Ky., for tuberculosis patients that will accommodate only 500. There is no other hospital provided for tuberculosis patients. What are you going to do with them?

The Government officials have said that the place that we have there now is the best place, or one of the best places, in the United States. They have located that hospital and another hospital there. Why not take one of these hospitals and use it for this purpose, because there is no other place that I can see

in this bill where you can take care of these 10,000 or more tuberculosis patients?

Mr. HARDWICK. Mr. President, if the Senator will let me suggest an answer to some of his questions, at least, if the War Department had been willing to surrender this hospital to the Public Health Service it would have been included in this bill. They will maintain and operate it as long as they need it; and under the general legislation, if they should cease to need it, then it could be turned over to the Public Health Service.

Mr. OVERMAN. Mr. President, I have been through this hospital, and I know that the War Department have equipped it with the best equipment that was ever furnished anywhere in the world. I have seen the great radio plant by means of which they examine the lungs, and so forth, of patients. It is there to-day under lease to the Government. It has not been purchased. What are you going to do with these patients when you turn them loose? You can not send them to Kentucky, because there are only 500 beds provided for there. Where are you going to send them? Are you going to send them to Chicago? That is not the place to send tuberculosis patients. Where are you going to send them? Here they are, the Government say, in the best place in the United States for them. They are there to-day, being treated and being cured. All over the United States that is recognized as a splendid place for tuberculosis patients.

I want to ask the Senator if he will not let this amendment go to conference and have the matter investigated, and see if what I am saying about it here is not absolutely true?

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Minnesota?

Mr. OVERMAN. Yes, sir; I yield.

Mr. KELLOGG. I understood the Senator from Georgia to say that the War Department is operating that hospital, and will continue to operate it?

Mr. HARDWICK. Yes; that is the answer.

Mr. KELLOGG. And when the War Department ceases to operate it the Bureau of the Public Health Service may take it over?

Mr. OVERMAN. Yes; I understand that; but we are going to demobilize all of our troops, and what are we going to do with them? They have hospitals now taking care of these patients. What is this bill for? I understand that this bill is to take care of the soldiers when they are discharged.

Mr. HARDWICK. That is it.

Mr. KELLOGG. The Senator evidently did not understand me.

Mr. OVERMAN. Perhaps not.

Mr. KELLOGG. The Senator from Georgia said that the War Department is going to operate that particular hospital. If it is operated by the War Department, why turn it over to somebody else?

Mr. OVERMAN. Why, Mr. President, those soldiers will not be under the War Department when they are discharged.

Mr. THOMAS. If they still operate the hospital, what difference does it make?

Mr. HARDWICK. It does not make any difference. They will operate it, and if they want to turn it over they can do it.

Mr. BECKHAM. Mr. President, let me call the Senator's attention to the part of the bill where there is given the list of hospitals to be turned over by the War Department to the Bureau of the Public Health Service. At the close of the paragraph it says that the War Department shall turn over to the Bureau of the Public Health Service—

such hospitals, with other necessary buildings, hereafter vacated by the War Department, as may be required and found suitable for the needs of the Public Health Service for hospital or sanatoria purposes.

Our committee had some difficulty in getting together these two branches of the service and to get the War Department to turn over such hospitals as would be suitable for the Public Health Service. We finally got them into cooperation about it, and the War Department has turned over such hospitals now available for this use as that department can spare; and I have no doubt that if the hospital which the Senator speaks of in Asheville—an excellent place for the treatment of tuberculosis—should be abandoned by the War Department for its owns purposes it could turn it over to the Public Health Service.

Mr. OVERMAN. Could the department do that? Where is the appropriation?

Mr. BECKHAM. But you would not take it away from the War Department now if that department still wants the use of it.

Mr. OVERMAN. No; but that is the reason why I want the matter to go to conference, to let the conferees see what the War Department have to say about it. They will tell you that they are willing to turn it over to the Public Health Service, because they have all these men there. They are there to-day, and many of them will soon be discharged. Now, where are you going to send them? Of course, they can continue to operate this place if you will give them the money to operate it; but if you are going to turn over these hospitals for the purpose of putting them under the charge of the Bureau of the Public Health Service, why should you not do this? What is the objection to it? It is recognized as the place for a tuberculosis hospital, because they have three or four hospitals there now, and thousands of men there with tuberculosis; and this is a fireproof building, just completed, and equipped by the War Department as the result of the expenditure of a great amount of money.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Wisconsin?

Mr. OVERMAN. I do.

Mr. LENROOT. I merely wish to ask the Senator if he is aware that the policy of the War Department is not to discharge soldiers having tuberculosis so rapidly as other soldiers, so long as they believe they can help the soldiers? And so these hospitals will continue to be utilized. They will be the very last to be abandoned by the War Department.

Mr. OVERMAN. I did not know what the policy was. I thank the Senator for informing me of that fact. But while that is true, some of them are going to be discharged; and since this is the place of all places in the United States that they have selected as a place for tuberculosis patients, some of them ought to be kept there; and why not?

All I want is to have this matter go to conference. If the Senators, after examining it, do not say that it is the place of all places to take care of these tuberculosis patients, and if it has not been so recommended by the War Department and by the Navy Department, why, let it go out. That is all I ask.

Mr. BECKHAM. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Kentucky?

Mr. OVERMAN. I do.

Mr. BECKHAM. If we should require the War Department to turn over that hospital now to the Public Health Service it would not be available for the treatment of those soldiers who have not yet been discharged from the service. The War Department are treating them now.

Mr. OVERMAN. Why, Mr. President, they have so many tuberculosis patients up there that they can not get another one in there, and they ought to take care of those boys. Many of them are being discharged. They want to be discharged, Mr. President. As was said here by the Senator from Wisconsin, I believe, they think they would fare better under the Bureau of the Public Health Service than they would under the Army.

Mr. BECKHAM. The Senator understands that the hospitals provided for in this bill are only for soldiers who have been discharged from the service.

Mr. OVERMAN. Well, that is what this is for.

Mr. BECKHAM. The War Department are giving the Public Health Service such hospitals as they can spare, and we have a right to assume that they can not spare this hospital at the present time.

Mr. OVERMAN. I can tell you, Mr. President, that they will spare it. They are willing to spare it and anxious to have you take it over. All I want you to do is to carry the matter to conference, and if it is not so, I am willing to let it go out.

Mr. HARDWICK. Mr. President, if the Senator will pardon me, I can tell him the only difficulty about doing that. The Senator knows the very high regard I have for him.

Mr. OVERMAN. Oh, everybody knows that the Senator from Georgia and I are great friends.

Mr. HARDWICK. But the trouble about the Senator's request is this: We have not put in any proposition here for any Senator.

Mr. OVERMAN. I do not ask the Senate to put it in for me. The Senator knows that I would not ask that.

Mr. HARDWICK. Oh, no; I mean we have not put in any proposition here upon the floor, or without making a careful investigation and calculating the expense, or without the recommendation, which has been controlling, of all these cooperating bureaus. We would have to treat the Senator's proposition differently from the way in which we have treated everything else in the bill.

Mr. OVERMAN. Every case that has merit you ought to consider and put in.

Mr. HARDWICK. The Senator is accustomed to handling appropriation bills. He knows that we only put in the things that have been very carefully estimated for, the things that are recommended by the administrative officers who are charged

with the administration of the bill. To take from the floor a proposition of this sort gives it a sort of flavor that people want to put their hospitals in the bill. I am always afraid of amendments offered from the floor, and so is the Senator.

Mr. OVERMAN. I generally fight them; but I have found many times that we have put in amendments in that way that we ought to put in.

Mr. HARDWICK. Let me say this to the Senator about this Asheville project, because I think it ought to go into the RECORD: I know that the Public Health Service intend to have a tuberculosis sanitarium at Asheville if they can. They want it at this time; but the War Department were not willing to give up the Senator's hospital.

Mr. OVERMAN. If they are not willing to give it up, I say, knock it out.

Mr. BECKHAM. Then, what would you do with the tuberculous soldiers who have not been discharged? You have got to take care of them.

Mr. OVERMAN. You have got to take care of the men who are discharged and you have got to take care of those that are in there now.

Mr. HARDWICK. There are thousands of them in there now, as the Senator knows. They are still in the Army. They have not been discharged.

Mr. OVERMAN. I do not know whether they have or not.

Mr. HARDWICK. I can tell the Senator that they are still in the Army. They would not be there if they were not. They have not been discharged from the Army. They have to be provided for somewhere. If the War Department had included this in the list of properties that they could turn over it would be in this bill.

Mr. OVERMAN. But the Senator from Wisconsin said something that impressed me very much. You have 10,000 hospital beds for these poor boys who are there under military discipline. You ought to treat them as you are going to treat the patients you take in there and let civilians treat them. That is the point. They all prefer to have civilians treat them.

Mr. HARDWICK. I know it; but the trouble about it is this: This demobilization, as Senators have found out, and as I have found out, it is a very gradual process, and we can not take over this hospital that is being used by the Army for military purposes until the Army's reduction in sizes makes it possible to do it. It would not be right to do it. I could not support the proposition for that reason.

Mr. OVERMAN. The Senator has said that they recognize that there must be a hospital at Asheville.

Mr. HARDWICK. I said they ought to have one there.

Mr. OVERMAN. That is admitted—that they ought to have one at Asheville. The Army has three large ones there now.

Mr. HARDWICK. Yes.

Mr. OVERMAN. And it has been said here by the Senator that these soldiers prefer to be treated by civilians.

Mr. HARDWICK. They do.

Mr. OVERMAN. Let us take one of these hospitals and put the boys in there that are discharged and have some of the boys discharged that are up there now, under military rule, and let them go into this magnificent building, already appraised by the Government, the price already agreed upon and fixed.

I do hope the Senator will let the amendment go in. I think when he examines it he will find that it is all right. If not, I should not ask to have it retained in the bill. This is not a special matter for North Carolina, because we have four or five hospitals up there now. It is the ideal place for this purpose.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New Jersey?

Mr. OVERMAN. I yield to the Senator.

Mr. FRELINGHUYSEN. May I ask the Senator a question?

Mr. OVERMAN. Yes.

Mr. FRELINGHUYSEN. Is the Senator proposing an amendment to this bill at the present time?

Mr. OVERMAN. It is an amendment to take over one of these hospitals that the Government now has.

Mr. FRELINGHUYSEN. Is the amendment before the Senate?

Mr. OVERMAN. Yes.

Mr. FRELINGHUYSEN. Has it been read?

Mr. OVERMAN. No; it has not been read.

Mr. FRELINGHUYSEN. I ask that it may be stated, and then I should like to ask the Senator a question in regard to it.

The PRESIDING OFFICER. The Senator from North Carolina proposes an amendment, which the Secretary will state.

The SECRETARY. On page 6, line 12, it is proposed to insert as a separate paragraph the following:

The sum of $1,250,000 is hereby appropriated for the purchase of General Hospital No. 12, and eight adjoining buildings, with 40 additional acres of land adjoining said hospital, known as Kenilworth Inn and Kenilworth Park, at Biltmore, N. C., now leased by the Government.

And on page 8, line 12, it is proposed to strike out "$6,890,000" and to insert in lieu thereof "$8,140,000"; and in line 14 of the same page it is proposed to strike out "$7,100,000" and to insert in lieu thereof "$8,350,000."

Mr. OVERMAN. That is only the total.

Mr. FRELINGHUYSEN. Mr. President, I should like to ask the Senator from North Carolina whether that hotel is now occupied and used by the War Department as a hospital?

Mr. OVERMAN. Yes; that is just what I said.

Mr. FRELINGHUYSEN. And it is now under lease by the Government?

Mr. OVERMAN. Yes.

Mr. FRELINGHUYSEN. And it is utilized by the Government for the soldiers in the Army, is it not?

Mr. OVERMAN. Yes.

Mr. FRELINGHUYSEN. And the Senator's proposal now is to sell it to the Government as a permanent tuberculosis hospital for civilians?

Mr. OVERMAN. Yes.

Mr. FRELINGHUYSEN. Civilians who become charges on the United States Government?

Mr. OVERMAN. Civilians who have been soldiers, just like these others.

Mr. FRELINGHUYSEN. Is it not at the present time utilized by the War Department for a proper purpose? Is there any necessity of changing it at the present time?

Mr. OVERMAN. So it is with every hospital provided for in this bill.

Mr. FRELINGHUYSEN. No; as I understand the bill, it simply proposes to utilize those hospitals which at the present time can be transferred to the Public Health Service from the War Department.

Mr. BECKHAM. Not needed by the War Department.

Mr. FRELINGHUYSEN. Not needed by the War Department.

Mr. OVERMAN. I have had a note handed to me from the Secretary of War stating that these are for tuberculosis patients. This note was handed to me on the floor. I want to find out the truth about it. If the bill goes to conference and they need more tuberculosis hospitals, when they have only one provided for in the bill, and that is only a 500-bed hospital, and we are going to have, I understand, 25,000 tuberculosis patients, why should we not provide additional hospital facilities for those poor people?

Mr. FRELINGHUYSEN. If the Senator will suffer a further interruption, I want to say that when the Army is demobilized we will have one hundred times more hospital facilities than we can utilize. There are cantonments all over the South, all the way from Texas to the Virginia line, where there are the finest equipped hospitals that have ever been built. They can be utilized when the Army is demobilized, and it is being demobilized very quickly. Those conveniences and facilities can be utilized without going to the expense of buying the Kenilworth Hotel for $1,200,000.

Mr. OVERMAN. Then you are against any hospital?

Mr. FRELINGHUYSEN. No; I am not against any hospital, but I think——

Mr. OVERMAN. That would apply to the whole bill.

Mr. FRELINGHUYSEN. I am a member of the Committee on Public Buildings and Grounds, and I know the problems the Treasury Department have to deal with. They have come with this proposal in order that they might be afforded facilities for these tuberculosis sanatoriums. Now the Senator from North Carolina comes forward with a proposition to load the Government down with $1,200,000 worth of property which at the present time is under a lease, and the lease is as far as we ought to go.

Mr. OVERMAN. Would the Senator from New Jersey send our tuberculosis patients to cantonments down in Texas and South Carolina and other places to die on account of not having good air to breathe?

Mr. ROBINSON. Will the Senator from North Carolina yield to me for a question?

Mr. OVERMAN. Certainly.

Mr. ROBINSON. The hospital facilities to which the Senator refers are now required for the use of men who are in the Army. Is not that true?

Mr. OVERMAN. That is true.

Mr. ROBINSON. Then if you divert those facilities for the use of civilians, you will deprive the soldiers of the country of the facilities which they require.

Mr. OVERMAN. I do not think we will have soldiers long. We are going to demobilize the Army and get rid of soldiers.

Mr. ROBINSON. Of course, if the Army is demobilized——

Mr. OVERMAN. If the tuberculous soldiers are allowed to remain in the Army, I have no more to say; but they are not going to be allowed to remain in the Army. I want to take care of these sick people, but I do not want to take care of them as soldiers.

Mr. ROBINSON. As far as I know, the Army is not knowingly discharging soldiers who are seriously afflicted without first doing everything possible to cure them, and it is quite probable that the facilities at Asheville will be required for a long period for the urgent demands of soldiers. In my judgment it would not be in the public interest to divert these facilities from the use to which they are now applied to that contemplated by the Senator from North Carolina.

Mr. OVERMAN. They have several hospitals at Asheville. They have one called the Azalea, in which there are 1,000 or more patients. As those people begin to recuperate and build up they ought to be separated from those who are incurable and transferred half a mile away to this hospital where they can absolutely be cured. That is the point I make. I hope the Senate will agree to the amendment.

Mr. THOMAS. Mr. President, if the amendment offered by the Senator from North Carolina is to be seriously considered, I want to offer two or three amendments of a similar character applicable in a part of the country which does not figure very extensively in the recitals of the bill but which has some reputation for its beneficial atmosphere and sanitary conditions with regard to tuberculosis. I think the explanation made of the bill by the Senator from Georgia is one of the most satisfactory and lucid statements of the reasons which actuated the committee in making its report which it has been my pleasure to hear for a long time. I am not disposed to quarrel with it in the slightest degree; I am satisfied that the committee has done the best it could under the circumstances, due regard being had to the complications of the subject and the necessity for immediate action.

I deplore the fact, nevertheless, Mr. President, that there is nothing in the bill which is designed to furnish facilities for former soldiers who have become afflicted either by wounds or by disease to such an extent that it is the duty of the Nation to care for them and exert its great powers in restoring them to health. The bill appropriates a very considerable sum of money——

Mr. BECKHAM. If the Senator will yield to me, it may be true that the bill does not specifically provide for the care of those men, but they are taken care of in the war-risk insurance act. It becomes the duty of that bureau to take care of the disabled men. We are only providing for hospital accommodations under the War Risk Bureau.

Mr. THOMAS. The War Risk Bureau is a branch of the Government and it is the agency of the Government which administers this trust. The bill provides hospitals for the purposes for which they are to be acquired, which with one remote exception, or possibly two, lie east of a line drawn north and south through the city of Chicago. Beyond that line lies the bulk of the continent, and the Rocky Mountain region is a section of country which nature seems to have designed as a cure for the consumptive. While there are regions in the East which are regarded as beneficial or favorable to the treatment of that disease, the general geographical conditions, the climatic conditions, the atmospheric conditions from the boundaries of the British possessions to those of the Republic of Mexico form a common ground for the consumptive to practically reacquire his health if the disease has not assumed a secondary character.

I happen to know that the Bureau of Health has under consideration and has had for some time a number of propositions from different sections of my State having regard to buildings already constructed and ready for immediate occupation, some of which have been examined, others of which are to be inspected or were to be inspected if this bill should pass as it passed the House. I do not believe that money of the Government could be spent for a better purpose than is designed by this bill. I think this is one of the objects regarding which the Government can not be too liberal unless it reaches the point of extravagance and needless expenditure.

I do not know who formed the commission which conferred with the Senate committee regarding the selection of these places, but I do know that if the Government determines, and I have no doubt it has, to treat these unfortunates as they should be treated, it is its duty and the duty of Congress, instead of concentrating these hospitals upon the Atlantic shore, instead of confining these expenditures to Virginia, North Carolina, Kentucky, and Illinois, to pay due heed to the unquestionable fact that the true home of the man or woman who is suffering from tuberculosis is in the Rocky Mountains, and that in the expenditures for hospital purposes men and women suffering from that terrible malady should be located, as far as possible, in that section of the country.

Yet there is $8,000,000 and more to be expended entirely east of the Missouri River, with the single exception of Camp Fremont, in California.

With due regard, Mr. President, to the committee which conferred from these departments with the Senate committee, that tremendous fact seems to have been strangely overlooked, and this expenditure, like 95 per cent of the expenditures made during the war, is to be made either in the Mississippi Valley or on the Atlantic seacoast. Perhaps I am extravagant. I will say 75 per cent.

Mr. President, while not questioning the good work of the committee, I think the bill should make some provision for the location of a tuberculosis hospital, if additional beds are required, somewhere in the Rocky Mountain region.

Of course, I speak for the people of my own State, and at the suggestion of my colleague [Mr. SHAFROTH] I want to offer an amendment, at the end of line 19, page 5, reading as follows:

> At a place in the State of Colorado, to be selected by the Surgeon General of the Public Health Service, on land to be acquired by gift, the necessary buildings for a sanatorium having a capacity of not less than 500 beds. The sum of $750,000 is hereby authorized for the construction of such sanatorium.

Mr. President, let me address myself for a moment to the amendment of the Senator from North Carolina [Mr. OVERMAN]. If I properly understood the Senator, the War Department now has three hospitals at the city of Asheville. One of them is Kenilworth Hotel, which it has leased, but which it is utilizing. The Senator from North Carolina, not satisfied with the Government's operation of three hospitals in that section of his State, now proposes to appropriate something like one and a quarter million dollars for the purpose of converting a lease into a freehold, and thereby permanently taking away from the War Department a hospital which it needs and which it refused to give up to this committee, and I suppose it is urged because North Carolina, having this excellent and attractive place, feels that the Government in the exercise of its benevolence and its bounty should make this expenditure there. I do not think so.

Perhaps I am just as selfish as the Senator. I am willing to admit it. At the same time I can say that there is only one hospital operated by the Government in my State, and consequently I am a little more modest than the Senator from North Carolina in that I am merely asking for another, if needed, that the constantly increasing number of consumptives from the Army may be cared for in a congenial atmosphere and under the sunny skies of a land which seems to have been created by nature for the treatment of that disease.

That is all I care to say on the subject.

Mr. HARDWICK. Mr. President, I merely wish to say, in answer to the Senator from Colorado, that I appreciate his kindly reference to the work of the committee and myself. We have not been unmindful of the very argument he has suggested on this floor. To my certain knowledge these officers wanted to get something from the military people out in Colorado, or in that section of the country, but could not do it, because the Army did not have anything there that it could give up.

I am sorry to say that this is only the beginning of what must be done on this question. A great many of these hospitals have got to be built, no matter how much we may use the Army hospitals, because, in the majority of cases at least, they must be fireproof construction and permanent in character. I have no doubt whatever personally that a hospital of the character desired by the Senator will be located in the Rocky Mountain region, probably in Colorado or some adjoining State, but we were not willing to go into the subject now on an ambitious scale, because we want to see exactly when demobilization takes place and is completed how much we have actually got on our shoulders, instead of estimating for it and guessing at it.

Then, besides that, I want to see to what extent we can use the Army hospitals, which we have already paid for, before we go into this work on a very large scale. Therefore we have held this thing down to a mere pittance compared to what we must eventually expend.

Mr. THOMAS. I will say to the Senator that in my judgment it is the beginning of a policy by the Government that in a few years will result in the taking over of every cantonment hospital in the United States.

Mr. HARDWICK. I hope not.

Mr. THOMAS. I hope not, too.

Mr. HARDWICK. I agree with the Senator there is danger of that.

Mr. THOMAS. That is the logical development of the assumption by the Government of a new activity.

Mr. HARDWICK. The Government, of course, owes a duty to the soldier.

Mr. THOMAS. I am not questioning that.

Mr. HARDWICK. And even if the movement does not assume the alarming proportions stated by the Senator from Colorado, the splendid advantages of the State represented by the Senator can not be overlooked. I think if they could have gotten anything in that State from the Army it would have been in this bill, but there is nothing they could get.

Mr. THOMAS. I think that is true.

Mr. HARDWICK. I think there are two or three of these projects that ought to be carried out.

Mr. THOMAS. There are institutions out there owned by private interests that can be leased.

Mr. HARDWICK. I think that that may have to be done before we fully discharge our obligations in respect to this matter. I am afraid that eventually it will cost the country a great deal of money.

Mr. SHAFROTH. Mr. President, I wish to say a word in relation to the amendment offered by my colleague [Mr. THOMAS]. I saw in the papers the other day that there are 25,000 soldiers afflicted with tuberculosis. If that is the case the number of hospitals or sanatoriums that must be constructed by the United States Government will be very large.

I wish to call the attention of the Senator in charge of the bill also to the fact that in the amendment that has been offered by the senior Senator from Colorado it is provided that it is to be at a place to be selected by the Surgeon General in Colorado, on land to be acquired by gift, that the necessary buildings are to be constructed for a sanatorium, having a capacity of not less than 500 beds, and the expenditure of $750,000 is authorized for the construction of such a sanatorium. I call attention to the fact that as to these others the cost is a great deal more. In fact, the item that is just above it, at Dawson Springs, Ky., where a sanatorium with a capacity of 500 beds is to be constructed, the sum of $1,500,000 is authorized.

Mr. President, I wish to call attention to the fact that you can construct buildings in the State of Colorado at a lower rate, in my judgment, than in any other State in the Union. It can be seen why that is the case. I refer to buildings of a permanent nature. It is because we have eternal sunshine and the molding of brick is not spoiled by rain. In places in the United States when brick after being molded are laid out to dry they are spoiled, which makes the cost of brick a great deal more. That is one of the great elements that enters into the construction of permanent buildings there.

Again, we find that there is the Western States timber that is near, and it can be utilized. By reason of that there is another element of cheapness. So also in the use of iron. It was Mr. Carnegie who said that he could compete with his ironworks anywhere in the world except in Colorado. We have a plant called the Bessemer Steel Plant at Pueblo, Colo., that can for a distance of about 400 miles keep even the Pittsburgh steel out of that market. These are matters that go into construction, and, consequently, make the construction of permanent buildings very cheap in Colorado. It is on that account that in the city of Denver you can not find a frame house. All of them are brick or stone. That is illustrative of the fact that it is all comparatively cheap construction. I think that Utah also is similarly situated.

I wish to call attention also to another fact. So far as food supplies are concerned, the State of Colorado furnishes, together with Utah, the cheapest food in the world. Why? Because we have to ship our wheat, corn, and other products to Chicago, and to sell on the Chicago market. We have to pay the freight there, and consequently the products sell for much less in the State of Colorado.

Mr. OVERMAN. What about sugar?

Mr. SHAFROTH. It is a fact that for a while the sugar people did make it cost identically the same. They never did attempt to make it higher, though; but it is reprehensible, it seems to me, that they ever attempted by an arbitrary price to make the people in Colorado pay the same price for sugar, when it was manufactured there, that is paid in Kansas City. But the price is now less, because they have ignored the former policy and have gone back to the policy of allowing the home market a reduction on account of freight.

Mr. President, nearly everything that is grown of an edible nature can be shipped out, and we all raise more than our home needs. That brings down the price of everything in Colorado if we sell on the eastern market. That is an element which ought to be taken into consideration in regard to the place where a sanatorium should be erected.

Mr. President, with relation to the cost of construction, there was a hospital constructed at Denver which cost $1,285 a bed. It was a construction that first started on a scale of 500 beds and was extended.

Here is a proposition to donate the land. The friends of the city are willing to donate it, but it seems to me that it ought to be left to the Surgeon General as to where it ought to go. I understand also that Glenwood Springs offers a site. We are not attempting to determine where the site shall be, but we find that we have actually constructed fireproof sanatoriums at a cost of $1,285 a bed. The amount of $750,000 is a little more than that, but if the committee want to put it down to exactly that amount it would be satisfactory to me, instead of $3,000 a bed, which is appropriated for the very item in the bill preceding the point where the amendment which was offered by my colleague is to come in.

There is no question but that the Rocky Mountain region is regarded as the best region for the care of tuberculosis patients in the world, and when you are locating a tuberculosis hospital or sanatorium to skip that great country from the Mississippi River clear to San Francisco without any hospital seems to me to be wrong.

For these reasons, Mr. President, the proposition that is presented in the amendment offered by the senior Senator from Colorado is, in my judgment, the best proposition that has been presented on this measure.

Mr. SIMMONS. I should like to ask the Senator from Georgia with reference to the amendment which my colleague [Mr. OVERMAN] has presented. My understanding is, and I would like to have the Senator from Georgia correct me if I am mistaken, that as long as the soldiers are still in the service of the United States they are taken care of by the War Department in case of sickness?

Mr. HARDWICK. They are, in military hospitals.

Mr. SIMMONS. They are sent to Army hospitals; but after they are discharged the Bureau of War Risk Insurance will have to take charge of and provide for such of them as are entitled to treatment on account of diseases contracted in the war as a result of military service.

Mr. HARDWICK. Yes; with the exception that it is proposed to have the bureau do the actual administration, or help in the actual administration, of this work through the Public Health Service.

Mr. SIMMONS. I understand; they render service through the Public Health Department of the Government.

Mr. HARDWICK. That is the idea.

Mr. SIMMONS. Among the patients who after demobilization will have to be taken care of at the expense of the Government through the Public Health Department are those who are afflicted with tuberculosis.

Mr. HARDWICK. A very large percentage.

Mr. SIMMONS. A very large percentage of them.

Now, I should like to ask the Senator from Georgia: Of the hospitals that are included in the bill how many are equipped for taking care of this class of patients?

Mr. HARDWICK. There is one proposal, according to the department officers, and that is all I know about, at Dawson Springs, Ky., largely for that purpose.

Mr. SIMMONS. What is the bed size of that hospital?

Mr. HARDWICK. Five hundred beds.

Mr. SIMMONS. That will take care of about one-fifth of the estimated number?

Mr. HARDWICK. Yes; but there are certain hospitals in the South that are supposed to be more or less adapted to that purpose.

Mr. SIMMONS. Let me ask the Senator if the cantonment hospitals he speaks of now are located in a portion of the South where the climate is supposed to be favorable for recuperation and for the treatment of this class of patients?

Mr. HARDWICK. I understand what the Senator alludes to, and I am quite willing to admit that a climate like that at Asheville, N. C., and that in Colorado is generally considered to be more favorable for the treatment of patients of this character.

Mr. SIMMONS. Does the Senator think that the Government would be just to this class of afflicted humanity if it should send men to a climate unsuited for tuberculosis?

Mr. HARDWICK. Certainly not; and the Government does not intend to do that.

Mr. SIMMONS. The Government does not intend to do that, and I approve of it. Therefore the cantonment hospitals that are not situated in a climate——

Mr. HARDWICK. Some of them are. You can take the cantonment hospital at Fort Hancock, Ga., although I have no personal predilection for that proposition and did not know it was going to be in the list. I happen to know that on the sand hills about Augusta there are a great many people afflicted with tuberculosis who get relief there. I think without having very accurate information that the same thing is true about California, but I am quite willing to concede and to state just what the Senator has in mind, that eventually there will be one or more hospitals located in that region of North Carolina around Asheville, and in Colorado, or somewhere in that part of the country.

But, if the Senator will permit me, the statement I made to his colleague, the junior Senator, was that this is making a very limited and a very temporary provision to meet the more immediate and pressing demands of the moment, because as the Army demobilizes and releases these hospital accommodations we can survey them more carefully and find out how many of the plants which they have already bought and paid for can be utilized. Some of them are established in North Carolina—one at Asheville.

Mr. SIMMONS. I think the Senator will agree with me that there is certainly, in the opinion of the medical profession, no place on the Atlantic seaboard that is more suitable for the purpose than Asheville.

Mr. HARDWICK. I have always heard that, and I agree to that; but let me state to the Senator the trouble about his colleague's amendment. I think, as to the people who were instructed to go out and see the War Department officials and find out the Army hospitals that could be obtained for the pressing needs of the Public Health Service and the War Risk Bureau, if they could get, for instance, a hospital at Asheville, nothing would have pleased them better; but for the present the hospital at Asheville—and I am speaking now only of the present and for the next 12 months, we shall say—is required by the Army for the treatment of soldiers in a tubercular condition, who must be cured to some extent, or as much as they can be cured, before they are discharged; and I am afraid, if the amendment proposed by the junior Senator from North Carolina were adopted, that we would absolutely disfurnish the Army and absolutely take away accommodations needed for soldiers who are not yet discharged.

Mr. SIMMONS. The Senator will understand that I do not desire to do that.

Mr. HARDWICK. No——

Mr. SIMMONS. But——

Mr. HARDWICK. If the Senator will let me finish, then I will not bother him any more.

When we get to the point of demobilization—when we would not need that hospital any longer—it would still be available and could be employed for discharged soldiers who developed this tendency and who are entitled to this benefit under the War Risk Insurance legislation.

Then the Senator's proposition will be impregnable, in my judgment, but, until then, I do not think it amounts to anything.

Mr. SIMMONS. Then, let me ask the Senator if the Kenilworth Inn is now controlled by the War Department and is being used as a hospital?

Mr. HARDWICK. Yes.

Mr. SIMMONS. Then, whenever the War Department shall vacate that or discontinue its use for that purpose, I understand, under the language of this bill, it may be taken over at once by the Public Health Service.

Mr. HARDWICK. Yes, sir; that can be done.

Mr. SIMMONS. That can be done under the bill without further legislation?

Mr. HARDWICK. Without any further legislation.

Mr. SIMMONS. And without any further appropriation?

Mr. HARDWICK. Exactly; if it could be done within the limits of the appropriation it might be accomplished, but if not it might be provided for by a deficiency appropriation. If it could not be taken care of under the appropriation in the bill, of course, another appropriation would be required; but it could be taken over in the same status that it is now in the War Department by this other bureau by this legislation so long as the money lasted.

Mr. SIMMONS. If the Senator is correct about that, of course, that guarantees the continuous use of the building so long as the Government may need this property for hospital purposes.

Mr. HARDWICK. I believe that is so.

Mr. SIMMONS. Now, let me ask the Senator this question: The Senator concedes that Asheville is a very desirable point for a hospital of this character?

Mr. HARDWICK. I can not say that from my personal information, but I will say to the Senator that I think it is and that all the hospital officials also think it is.

Mr. SIMMONS. Then, the Senator concedes that we have not now probably more than——

Mr. HARDWICK. A fraction of what we will ultimately need.

Mr. SIMMONS. A fraction of what we will ultimately need?

Mr. HARDWICK. That is true about every class of patients.

Mr. SIMMONS. And especially with reference to tubercular patients?

Mr. HARDWICK. I think that it is true, not only in connection with patients afflicted with tuberculosis, but also, and perhaps in as great degree, of patients afflicted with mental diseases as a result of the war.

Mr. SIMMONS. The result of that is that we will need this hospital.

Mr. HARDWICK. I think so.

Mr. SIMMONS. It is eligibly situated, and if the Government does not acquire this property for a hospital, it will probably have to build some other hospital.

Now I will ask the Senator, in that condition, if the Government can acquire this property now, which it is certain to need or to need some other hospital, which it will have to construct at perhaps a greater cost than this building can be acquired for at the present time, does not the Senator think it would be very good policy for the Government to buy this property?

Mr. HARDWICK. Not now, because it is being used by the War Department under a lease, and it is needed for soldiers.

Mr. SIMMONS. That is no reason why the Government should not buy it, but it may be a reason why it should not be included in this particular bill.

Mr. HARDWICK. The reason for that is that nobody knows anything about its price or what it is worth—I mean in so far as the committee is concerned.

Mr. OVERMAN. I will say to the Senator that the Army has appraised it, and they are paying $100,000 for the lease.

Mr. HARDWICK. That question, however, has not been considered in connection with this bill.

Mr. OVERMAN. That is the reason I want the matter to go to conference.

Mr. HARDWICK. If it were thrown into conference in the closing hours of this session, we could not in the short time we have obtain the necessary information upon which to base intelligent action.

Mr. SIMMONS. I do not mean to say that my suggestion is at all possible, but my inquiry now is whether, if it is thought desirable to buy this property—and the Government will almost certainly need it—whether it would be proper to make an appropriation to that effect in this bill?

Mr. HARDWICK. Not now; because when you came to a determination of that question you would have to consider what you would have to pay for this building and how much it would cost to construct a similar building or a building of equal capacity. You would have to consider those figures and be in possession of all the facts and plans before a legislator could give an intelligent opinion or vote on the question. I would not desire to foreclose these questions now, and I think the Senator ought to wait until it may be determined whether the proposition is a feasible one, and it is one which may be considered in the near future.

Mr. SIMMONS. Mr. President, I want it distinctly understood that, so far as North Carolina is concerned, I do not know now of any insistence upon the part of the people of that State for the location of hospitals of any kind there. I did not know that there had been at any time any insistence for the location of hospitals there. It is true that there are three or four hospitals in and around Asheville, within the zone that is supposed to be so favorable for the treatment of tubercular patients. I do not speak with authority about it. Nobody, so far as I now remember, has solicited me to assist in any way in securing the location of these hospitals in that zone. My impression, therefore, is that the department itself has selected this point for the location of these four hospitals, because it thought that climate was especially suited for the treatment of this class of diseases. I shall not myself insist upon the purchase of property there for this purpose unless it is in the interest of the Government. The inquiries I have made have been solely and exclusively for the purpose of ascertaining the views of the Senator having this bill in charge as to the requirements of the Government and whether the proposition presented by

my colleague ought not, as a reasonable proposition, to be accepted by the Government.

Mr. KING. May I ask the Senator from Kentucky [Mr. BECKHAM], who, in the absence of the Senator from Georgia [Mr. HARDWICK], as I understand, has charge of the bill, if it is not a fact that the persons having charge of this matter, after careful investigation, made selections of points for these hospitals where they deemed the best interest of the public could be and would be subserved?

Mr. BECKHAM. That is my understanding.

Mr. KING. And that the interest of any particular section has not been considered, but that the welfare of the soldier primarily and the good of the country generally were involved in the selections which have been made?

Mr. BECKHAM. Mr. President, I am confident, I will say in answer to the Senator's question, that no member of the subcommittee or any member of the committee at any time considered the question of the location from the standpoint of any desire to get a hospital located in a particular State. Our effort from the start was to avail of all of the military hospitals which had been constructed during the war and have them turned over to the use of the Public Health Service. From the beginning of our investigation, which lasted at least four weeks, our efforts were to get officials of the Bureau of Public Health and the officials of the War Department in cooperation, and to get the War Department to turn over to the Public Health Service any hospitals suitable for the purpose not needed by the War Department. I think the committee in the end secured a very desirable result in that respect.

As was explained, before the Senator came in, by the chairman of the committee, the Senator from Georgia [Mr. HARDWICK], the two House bills that came to us for consideration appropriated $12,000,000, and they would have provided for 5,500 beds. We, as a result of our investigations and consultations with the officials of the Government, reported a bill appropriating $7,000,000 as a substitute for the two House bills. Under that bill there are provided nine thousand three hundred and forty-odd beds. Of course, we get that increase by reason of the fact that we have taken over the Speedway Hospital in Chicago and by arranging with the War Department to turn over to us all such hospitals as they were abandoning or that could be spared by the Army.

Mr. KING. If the Senator will pardon me, I think that in the establishment of these hospitals the policy indicated ought to be pursued. I can realize that, if it is left to the suggestions of the Senators and Representatives or other influences, perhaps a scientific plan, a broad and comprehensive and suitable plan, might not in all respects be realized.

Mr. OVERMAN. Mr. President——

Mr. KING. If the Senator will pardon me, speaking for myself, I have the opinion that the State from which I come has the best climate in the world, and that it is the most suitable place in the world for the establishment of the hospitals provided for in this bill, yet it seems to me that it would be improper for me to urge my views in the face of a fair and dispassionate investigation of the subject conducted by men charged with this important responsibility, trained men, scientific men, men who have the welfare and interest of the public at heart. In view of what the Senator has said, that this investigation has been made fairly and impartially by scientific men, and a conclusion reached, I would not feel that it would be the part of wisdom for me to suggest my State or any other State as a location for one of these hospitals.

Mr. OVERMAN. I do not know whether the Senator wishes to reflect on me because I submitted an amendment, but the Senator did not hear probably——

Mr. KING. I did not know the Senator from North Carolina had offered an amendment, so I disclaim any such purpose.

Mr. OVERMAN. I said that this hospital in North Carolina had been selected by scientific men; it has been indorsed; it is a hospital which already cares for 500 men, and the Government is now paying more money—8 per cent on about $1,500,000—than the sum for which the property could probably be purchased. It could be bought, I think, at a lower price than that.

It is admitted by both Senators that this hospital at some time will be taken by the Government. It is admitted that there is but one tubercular hospital provided for now, although there are in this city over 1,000 men afflicted with tuberculosis, and the one hospital provided only takes care of 500 men. What are we going to do with these men? The hospital is there; it has been selected; its price has been assessed; everything has been agreed on except to make it the property of the Health Department instead of the War Department.

Mr. KING. Mr. President, I did not know the Senator had made this proposition; and let me say——

Mr. ROBINSON. Will the Senator yield to me for a suggestion?

Mr. KING. Yes.

Mr. ROBINSON. The reason that provision is not made in this bill for using, under the Public Health Service, the hospital at Asheville, as reported by the chairman of the committee and confirmed by other members of the committee, is found in the fact that the War Department is now using that hospital; that it can not spare it, and has refused to do so.

Mr. KING. I was going to say the same condition exists in my State. We have a hospital there now which is caring for I do not know how many, but for a large number of soldiers. That hospital has 1,200 or 1,500 beds. I could with as much propriety, I think, suggest that that hospital be taken over under the provisions of this bill as the hospital referred to by my distinguished friend from North Carolina; but, as I said a moment ago, I think that the method adopted here is the best method, and, so far as I am concerned, I shall stand by the committee.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. SMOOT. My colleague suggested that he could present an amendment providing that the hospital in Salt Lake City be incorporated in this bill with as great propriety as attends the amendment relating to the North Carolina hospital submitted by the Senator from that State. I wish to say that such an amendment could be offered with a great deal more propriety, because there is not a hospital between Chicago and California provided for in this bill.

Mr. KING. I agree with my colleague as to that; and yet, having a proper appreciation—at least I hope I have—of the disinterested course which I understand has been pursued in the selection of these hospitals, I feel like following the plan which has been adopted and supporting the program of the committee.

Mr. ROBINSON. Mr. President, as the author of the resolution referred to by the Senator from Georgia [Mr. HARDWICK] and the Senator from Kentucky [Mr. BECKHAM], providing for an investigation of the subject of hospitals for military and kindred purposes, which investigation has resulted in this proposed legislation, I feel it my duty to say that I am highly gratified at the work the committee has done. It has presented, through its chairman, a plan which will give us the benefit of nine thousand three hundred and some odd beds at a cost of approximately $7,000,000, whereas under the legislation originally proposed 5,500 beds would have cost $12,000,000. The bare statement of those figures constitutes a convincing argument as to the importance of the work done by the committee and of the legislation proposed.

The Speedway project is, in my judgment—and I will say that I investigated that project prior to introducing the resolution—the best that has ever been presented to the Government of the United States. It furnishes hospital accommodations at less cost than is contemplated in any other project, and it gives a modern up-to-date fireproof hospital, the very best that American architects can design and American contractors can construct. No one can justify a failure on the part of the Government to avail itself of this opportunity, due to the generosity and patriotic spirit of a private citizen.

The committee in providing for the use of military hospitals to the extent that they can be spared by the War Department has done the sensible and the practical thing. It is not my purpose to discredit Asheville or sites in Colorado available for hospital purposes. I know that everything that has been said by the Senator from North Carolina and everything that has been said by the Senator from Colorado touching the merits of proposed sites in those States is true, but it is not expected that this legislation shall constitute the entire program of the Government concerning hospitals and the construction of hospitals. There are many localities not specified in the pending bill where additional hospitals may be established if needed. This is in the nature of an emergency proposition, designed in large part to meet urgent and immediate demands. The committee, in my judgment, have shown diligence and prudence and ought to be commended by the Senate for displaying appreciation of the Government's obligation to provide for our wounded and afflicted soldiers now rapidly being discharged. The committee has shown sound judgment in reporting a plan that may be speedily consummated.

Mr. LENROOT. Mr. President, with reference to the pending amendment proposed by the Senator from North Carolina [Mr. OVERMAN], I think when the Senate realizes just what that proposition would cost the Government, even admitting that the Government ought to secure a tuberculosis hospital there, the amendment will not be very largely supported. At the present

time the War Department is leasing this hotel building, which has a bed capacity of 451. Up to January 31 of this year we had been paying a rent of approximately $100,000 per year; beginning the 1st of February the rent was reduced to approximately $75,000 per year. The pending amendment proposes that the Government shall purchase this old hotel building, which has been reconstructed——

Mr. OVERMAN. No; I absolutely know that this is a new building.

Mr. LENROOT. It is a hotel building.

Mr. OVERMAN. Yes; it was erected as a fireproof hotel; but it is not an old building.

Mr. LENROOT. I did not mean "old" in that sense; I meant having been erected as a hotel building. The Senator asks the Government to purchase that property, which has a capacity of 451 beds, at a cost of $1,250,000, or, in round numbers, $2,800 per bed.

Mr. OVERMAN. Mr. President, the Senator's statement is misleading, although I am satisfied he is not intending it to be misleading. The amendment provides for buying the building and 40 acres surrounding it and four residences.

Mr. LENROOT. That does not change the statement I made in the slightest degree, because the accommodations that would be secured, if this amendment is adopted, will cost the Government $2,800 a bed.

Mr. OVERMAN. That may be so.

Mr. LENROOT. Under this bill we are securing the Speedway Hospital, one of the finest hospitals in the world, for a maximum cost of $1,200 per bed and a contract price of $1,000 per bed, a building erected for hospital purposes, a complete hospital, while the building referred to in the amendment now pending is a renovated or reconstructed hotel. No department of the Government has suggested for a single moment that the Government ought permanently to secure that building.

Mr. TRAMMELL. Mr. President, will the Senator yield?

Mr. LENROOT. I yield.

Mr. TRAMMELL. In connection with the Speedway Hospital proposition the Senator omitted to say that there is surrounding it a large tract of land, which is also to be acquired and which is ample for recreation purposes.

Mr. LENROOT. Yes; over 300 acres of land go with the Speedway project. If it is desired to secure another permanent hospital at Asheville, neither the Public Health Service nor the War Department would recommend the taking over of this hotel at a cost of $2,800 a bed, when they can build a new hospital there, according to their own plans and specifications, with all hospital conveniences, for a less sum than this hotel building would cost.

Mr. OVERMAN. Mr. President, I merely submitted the amendment in order that it might go to conference; I wanted to have it determined what a fair price would be. I know what the lease is, and the lease is based upon the sum which is proposed to be appropriated in my amendment. I understand the building cost that much, although I do not know.

Mr. LENROOT. That may be, but I am very sure the Senator can not find that either the War Department or the Public Health Service advocates the acquirement by the Government for permanent hospitals of reconstructed buildings. As has already been made perfectly plain, this hospital is now being utilized by the War Department under a lease, and when the War Department gets through with it under the provisions of this bill it can be turned over to the Public Health Service under lease so long as may be necessary, but certainly the Government is not going to purchase this building under these circumstances. The amendment ought not to go to conference; the Senate ought not to express itself as in favor of paying any such sum for a building not adapted to hospital purposes.

Mr. OVERMAN. Mr. President, if the Senator will allow me, I should like to give him the facts about the reconstruction of this building as I understand them. It was erected as a fireproof hotel and was about completed when the Government took it over and changed it into a hospital. That is the fact of the matter.

Mr. LENROOT. That may be, but neither the Public Health Service nor the War Department would ever for a moment think of constructing a hospital that might be turned into a hotel, and no more would they think of taking over permanently a building constructed according to plans and specifications for hotel purposes and utilize it for a hospital. The reason is very plain. When such a building is used for hospital purposes there is absolutely of necessity a waste of space and a lack of conveniences. In the case of a hospital erected according to plans and specifications prepared by the Surgeon General's office of the War Department or by the Surgeon General's office of the Public Health Service those officials have in mind the convenience of the wards, the operating rooms, exits, entrances, and everything of that kind—a very different proposition from plans for the exterior and interior of a hotel building.

Now, with reference to the amendment that is intended to be proposed by the Senator from Colorado, I wish to repeat what the chairman of the committee has said, that the subcommittee, in making the recommendations they did as to the specific hospitals, were guided wholly and solely by the recommendations of the Public Health Service itself after consultation with the Secretary of War. No member of that committee suggested the location of a single hospital included in this bill, although it does so happen, I think, that there are three in the States of members of the committee—there is none in my State—but I am very sure that that had not the slightest influence in the decision as to the location of these hospitals. The chairman and members of the committee, the Secretary of War, and the Surgeon General of the Public Health Service had but one thing in mind, namely, to secure the greatest accommodations possible for the least amount of money under the present conditions of the Treasury. It is true that the Public Health Service came to our committee and said they would not utilize any of the hospitals under the control of the War Department because the War Department refused to give them anything that they wanted; and it is true, I think, without any question, that the War Department only offered to the Public Health Service such hospitals as the Public Health Service could not be expected to want. The committee finally instructed the Public Health Service to find out which of the Army hospitals they would like to have, not what the War Department was willing to give them, and when they had ascertained that the committee would then undertake to see that the War Department would give them some of their desirable hospitals as well as their undesirable ones. The chairman of the committee [Mr. HARDWICK], in consultation with the Secretary of War, did work that out, and the result is found in this bill. The Army hospitals which it is proposed to turn over to the Public Health Service are entirely satisfactory to that service.

Now, with reference to the hospitals in the Rocky Mountain States and the far West, I have always been of the opinion which has been expressed two or three times this afternoon that climate had a great deal to do with the recovery of persons suffering from tuberculosis; and I am frank to say that I am still of the opinion that climate is a factor; but that question was asked of some of the physicians of the Public Health Service who appeared before us, and of some of the greatest specialists in tuberculosis in America, and every one of them stated to us that climate had practically nothing to do with the cure of tuberculosis. The most that was said with reference to climate was that if the locality was so far south and the elevation was so low as to be enervating to any individual, it did retard recovery from tuberculosis; but, aside from that, they said that climate had absolutely nothing to do with the case.

Mr. SHAFROTH. Mr. President, does not the Senator recognize that it is universally considered that if the climate is such that the weather is clear and sunshiny, and the atmosphere rare, those are qualities that aid very much in the recovery of persons suffering from tuberculosis?

Mr. LENROOT. I indicated that the medical men who appeared before the committee did not wholly convince me that climate had nothing to do with it; but I will say, from some observations that I have had of these cases, that I am satisfied that the principal benefit of the mountain climate is in the more bracing atmosphere, and the better appetite that the patient has in that atmosphere, rather than anything else that might be considered in the way of climate.

Mr. POMERENE. Mr. President——

Mr. LENROOT. I yield.

Mr. POMERENE. Without meaning to reflect in any wise on the very good State from which the Senator from Colorado hails, I know that in Ohio a good many years ago tubercular patients were advised by their physicians to go to Colorado; but now we have tubercular hospitals in Ohio, and the patients are going to those hospitals. [Laughter.]

Mr. LENROOT. That is true. One member of this subcommittee is a resident of Florida; and I think I am violating no confidence in saying that one of the medical men who appeared before us said that Florida, in his opinion, was not a very desirable place for a hospital, because of the enervating climate of the southern part of that State, when the Senator from Florida undertook to prove, and did seem to prove conclusively, that where tuberculosis patients had failed of recovery in Rocky Mountain States, they came to Florida and were cured. [Laughter.]

Mr. OVERMAN. The doctors do not know everything.

Mr. LENROOT. Mr. President, with reference to the Rocky Mountain States, the Public Health Service now has a hospital at Fort Stanton, N. Mex., with a capacity of 250 beds. The Public Health Service is proposing to increase that capacity to 1,000 beds; and I think it is conceded that the climate of Fort Stanton is about the same as the climate of Colorado.

Mr. JONES of New Mexico. Mr. President——

Mr. LENROOT. If the Senator from New Mexico wishes to deny that, or to state that it is not as good as that of Colorado, I will yield. [Laughter.]

Mr. JONES of New Mexico. Mr. President, I am sure that, owing to its being farther south and having a very suitable altitude, it is much better than anything in Colorado; but I wanted to make this inquiry of the Senator:

I notice in the bill as it came from the House, on page 2, that specific provision was made there for adapting the facilities at Fort Stanton, N. Mex., to this particular service, and for enlarging them. I notice no specific reference to Fort Stanton in the bill as it comes from the Senate committee. Can the Senator explain why that fails to appear in the bill as it comes from the Senate committee?

Mr. LENROOT. I can not specifically. I should have to refer the Senator to the chairman of the subcommittee for detailed information, except to say that the committee, in making the provision it did make, provided more beds than were asked for by the department in the bill passed by the House, and the committee has followed the recommendations of the department as to where these additional facilities should be located. I think the chairman of the subcommittee can give the Senator the information he desires.

Mr. HARDWICK. I think there is language in the bill—and I pointed it out to the Senator—which will cover that. If not, we will certainly see that it is amended, because we did not intend to change that.

Mr. JONES of New Mexico. I supposed in reading this general language that it was intended to cover the Fort Stanton situation, inasmuch as the bill as it comes from the Senate committee does provide generally for enlarging buildings already owned and the construction of buildings on sites now owned by the Government.

Mr. HARDWICK. Yes. That is my construction; and I know that that is what the draftsman meant who prepared this bill under my direction. If that does not develop to be undoubtedly true, we will take care of it.

Mr. JONES of New Mexico. That will be entirely satisfactory.

Mr. LENROOT. I think it is included in the general language of the bill.

Mr. JONES of New Mexico. I did not see how there could possibly be any reason for overlooking the Fort Stanton situation. There is a hospital owned by the Government there now; and I think, from the reports of the Army physicians, that that is recognized as one of the ideal places in all the country for the treatment of tuberculosis.

Mr. LENROOT. And I will say that the recommendations of the Public Health Service are that the 250 beds at Fort Stanton shall be increased to 1,000 beds.

With reference to Colorado and Wyoming, the committee went into that question at some length; and I want to take just a moment to read some of the testimony, notably the testimony of Gen. Marshall, before the committee. It occurred to the committee that there were in these States some abandoned Army posts that might be utilized for hospital purposes, and Gen. Marshall testified as follows:

I have taken some five Army posts not now occupied—Fort William Henry Harrison, Mont.; Fort McKenzie, Wyo.; Fort Meade, S. Dak. or N. Dak.; Fort Missoula, Mont.; Fort Lincoln, Nebr.; and Fort Logan, Colo. I have taken these places on the basis of 80 square feet per bed and 1,000 cubic feet per bed, allowing 30 per cent of the space for the utilities in connection with the hospitals, such as operating rooms and other things, and the hospitals that I have worked out in this table on that basis at these posts are all of substantial construction, brick or concrete or similar material, and well laid out, and, generally speaking, in beautiful localities, so far as their surroundings are concerned. They are in the country, but they are amid beautiful surroundings. For instance, Fort Missoula is on a plain, backed up by mountains on two sides of it, and it is out 5 or 6 miles from the town of Missoula. Street cars run out there, and the buildings are substantial, though old. That is probably the least desirable of these that I have here.

He was asked as to the state of repair of these buildings. He replied:

The buildings are excellent. In Fort William Henry Harrison the barracks will need considerable repairs. The officers' quarters are good.

The Senator from Georgia [Mr. HARDWICK] asked him this question:

Has any estimate been made of the cost of repairs?

Gen. MARSHALL. Yes; $65,000. I think it would be double that amount, because it has not been occupied for a year or more.

Senator HARDWICK. To make available those beds to the Government, have you figured what it would cost—what the cost of the repairs would be in the aggregate?

Gen. MARSHALL. One hundred and thirty thousand dollars or $140,000.

Senator HARDWICK. For the five?

Gen. MARSHALL. No; one.

Senator HARDWICK. What is the aggregate for the five?

Gen. MARSHALL. Probably $800,000 to $1,000,000.

Senator HARDWICK. To get those five hospitals?

Gen. MARSHALL. Yes; all of them.

Senator HARDWICK. One thousand eight hundred beds, or something like that?

Gen. MARSHALL. Approximately.

He then goes on to show that if it is desirable to secure additional hospital facilities, we might utilize these old Army posts in the Rocky Mountain States, and that we could secure them at an outside cost of $500 per bed. He says that at Fort Logan, Colo., this would provide for 384 beds.

Mr. SHAFROTH. What would?

Mr. LENROOT. A reconstruction of Fort Logan—384 beds, at a cost of $500 a bed, very much less cost than is proposed in the amendment of the Senator from Colorado; and that is a matter that the committee will further consider when it receives further information as to the needs and necessities of the service. But having in mind the condition of the Treasury, Mr. President, the committee believes it has gone as far as it should go at the present time, and that if this bill is passed as reported by the committee present emergencies will be taken care of, understanding, of course, that in all probability in the very near future we shall have to make further provision for additional facilities.

Mr. SHAFROTH. Mr. President, I will state to the Senator that the reason why I put in the measure at the rate of $1,500 a bed was because just preceding that there was a proposition to build one at Dawson Springs at $3,000 a bed, and I thought surely we could do it for that.

Mr. BECKHAM. Mr. President, I wish to put in the RECORD a letter from the Surgeon General of the Public Health Service with regard to the relative cost per bed of the hospital proposed at the Speedway and that proposed at Dawson Springs.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
PUBLIC HEALTH SERVICE,
Washington, February 20, 1919.

Hon. J. C. W. BECKHAM,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In reply to your inquiry as to the apparent difference in cost per bed of the sanatorium referred to in the amended H. R. 13026, at Dawson Springs, Ky., as compared with the Chicago, Ill., project, I beg to advise you that the Chicago project is one large compact general hospital building requiring very few detached buildings in a location where, of necessity, all subsistence supplies must be purchased and where city water supply and sewerage are already available, whereas for a sanatorium such as proposed for Dawson Springs, the plant will be composed of a very considerable number of buildings owing to the different types and stages of diseases treated requiring buildings especially adapted for their purposes, and on a new site where water supply, fire protection, and sewerage system must be installed for the use and protection of the plant. It is also necessary and very essential to carry on certain dairy and agricultural pursuits for the supply of milk and other dairy products which must be absolutely pure and produced in large quantities. It is also proposed to raise a certain amount of poultry, poultry products, beef, pork, and mutton for subsistence of patients. In fact, these activities will be practically a duplicate of those at the present sanatorium at Fort Stanton, which have proved eminently satisfactory and economical. The cost of installing these activities is in this case, of necessity, charged up against the bed capacity of the plant, for the reason that they are associated activities necessary in connection with such a sanatorium as is required by the service.

As a matter of fact, if consideration is given only to the construction of the buildings required for patients the actual cost per bed will figure in the neighborhood of $1,500 to $1,800, and a plant once installed could be extended in patient capacity approximately that rate per bed increase, as the additional cost of extending water and sewerage accommodations would then be in proportion to the ordinary hospital construction where such facilities already exist.

It has been found that at Fort Stanton the agricultural activities carried on in connection with the sanatorium, aside from producing economical subsistence, also provide a most satisfactory opportunity for the proper exercise of patients by giving them light outdoor employment during such periods as the medical requirements of the case may require, and is a very important factor in expediting recovery and keeping patients contented, and thoroughly justifies the investment for the establishment of such activities in connection with the sanatorium.

Respecfully,

RUPERT BLUE,
Surgeon General.

Mr. FRELINGHUYSEN. Mr. President, I believe the amendment of the Senator from North Carolina [Mr. OVERMAN] is before the Senate at the present time. It provides for the purchase of the Kenilworth Hotel, which is now used temporarily as a hospital. It seems to me that we should know first what the problem is that is facing us as far as our responsibility is concerned toward the soldiers who are maimed and those who have become diseased, before we appropriate any additional sums of money for increased hospital facilities.

We have 32 hospitals at the cantonments and National Guard camps throughout the country. While many of these hospitals

are frame, they are equipped up to the best standards of modern sanitary and hospital arrangements. They have their laboratories; they have their operating rooms; they have their X-ray rooms; they are fully equipped with the most advanced equipment that science can produce in the way of research equipment and surgical apparatus.

That is what the Government has—32 fully equipped hospitals at these various cantonments. In addition to that, we have scattered throughout the country 40 general hospitals under the Surgeon General's Department. Taking the accommodations afforded by these 32 hospitals, with 1,800 beds in each, we have a total of 50,000 beds, at least, available. When our Army of 4,000,000 men is demobilized all of those facilities will be available.

What is our problem? Say that we have 300,000 casualties. In that number there are probably 25,000 tuberculosis patients. As long as they are in the Army, the Army—the Surgeon General's Department—is responsible for them; but the minute they are discharged, if they have any insurance under the war-risk insurance act, they become a public charge, and the Treasury Department must take care of them. So let us assume that outside of private care—for many of these patients will go back to their homes and be taken care of by their families—the problem will be the care of 15,000 of these patients.

The Secretary of War has offered to the Secretary of the Treasury 15 of these cantonment hospitals, with facilities of some 20,000 or 22,000 beds. Now, where are they? He has offered two in Texas, one at Camp MacArthur and the other at Camp Logan; Camp Hancock in Georgia; Camp Greene in North Carolina; Camp Fremont in California; Camp McClellan in Alabama; Camp Sevier in South Carolina; Camp Beauregard in Louisiana; and Camp Cody in New Mexico. Of those cantonment hospitals five have been accepted by the Treasury Department, but more are availble, I am told. Therefore there is no need of spending $1,200,000 for the purchase of an additional hotel under permanent title by the Government.

The Dawsonsprings (Ky.) Sanitarium proposition is not completed yet, as I understand, and therefore it will probably be nine months or a year before the Government can utilize those facilities; but I want to point out to the Senator from North Carolina that there are available at the present time nearly 20,000 beds in the cantonment and National Guard hospitals in this country for these tuberculous patients.

Now, what are we going to do with the question of the maimed? That is another proposition. There are probably 50,000 of those; and when they are discharged from the Army they become public charges, under the war-risk insurance act. We have these general hospitals. We have the rehabilitation hospitals, where they are taking these men who have lost their arms and their legs, and they are equipping them with artificial limbs, and they are teaching them some vocational pursuit, some trade, so that they can go out in the world and earn their own living. But I want to point out to the Senator that we have at the present time all the facilities that are needed, and we will have more than enough when the Army is demobilized; so, when we get a perspective of what the Government already has in hand, purchased, built, equipped, I think we will realize that it is unnecessary to buy a hotel in North Carolina for this purpose.

Mr. JONES of New Mexico. Mr. President, I do not know the capacity of the hospital at Camp Cody, in New Mexico, but my understanding is that that hospital is very permanent in character, and that it has all of the equipment of any modern hospital. It is being abandoned by the War Department at the present time, and it is a question of whether that hospital will not be immediately dismantled and torn down simply for the material that may be saved from it. The citizens of Deming are very anxious, if the Government is not going to use that hospital, to acquire it in some way, in order that it may be conducted as a private hospital for tubercular patients.

Mr. FRELINGHUYSEN. Mr. President, will the Senator yield?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. FRELINGHUYSEN. Does the Senator know that this hospital has been offered by the Secretary of War to the Secretary of the Treasury for the purposes of the Public Health Service?

Mr. JONES of New Mexico. I did not know that until the Senator mentioned it just a few moments ago. I have had the matter up with the War Department, and the only information I have been able to obtain from the War Department is that they have determined to abandon the hospital.

Mr. LENROOT. What is the name of it?

Mr. JONES of New Mexico. It is the hospital at Camp Cody, N. Mex.

Mr. LENROOT. I do not find it in the list. Is that the name of the hospital?

Mr. JONES of New Mexico. That is the name of the hospital.

Mr. HARDWICK. It was not included, because it was determined by the experts that it was not reasonably suited for this purpose; so, of course, it would have to be sold.

Mr. JONES of New Mexico. Mr. President, I agree with the Senator from New Jersey [Mr. FRELINGHUYSEN] in regard to some of the features, at least, which he has presented here. As I have understood the chairman of the committee to express himself, these buildings are to be used as structures until they can find out the necessities of the situation. If that is the purpose, why not use these hospitals, wherever they are, now?

Mr. HARDWICK. Mr. President, will the Senator let me interrupt him for just a minute?

Mr. JONES of New Mexico. With pleasure; I yield.

Mr. HARDWICK. While that hospital is not included by name, we put in a blanket or basket clause at the top of page 7, reading as follows:

> And such hospitals, with other necessary buildings, hereafter vacated by the War Department, as may be required and found suitable for the needs of the Public Health Service for hospital or sanatoria purposes.

So that under this general language even that hospital—although it was not thought at this time, in the first investigation, that it would do at all—could be turned over and they could use it.

Mr. JONES of New Mexico. Then the language of the bill would authorize that to be done?

Mr. HARDWICK. Even that; and every other one they have.

Mr. LENROOT. Mr. President, I can now give the Senator the present capacity of Camp Cody, if he desires it.

Mr. JONES of New Mexico. I shall be very glad to have it stated.

Mr. LENROOT. One thousand one hundred and sixty beds.

Mr. HARDWICK. They can take it under this bill if they want to.

Mr. JONES of New Mexico. I can not conceive why a hospital already provided with 1,160 beds should be abandoned and await the construction of a hospital at some of these other points, where even the sites are yet to be purchased.

Mr. FRELINGHUYSEN. Mr. President, may I ask the Senator a question?

Mr. JONES of New Mexico. I shall be glad to have the Senator do so.

Mr. FRELINGHUYSEN. Are the climatic conditions in New Mexico such that they can take care of tuberculosis patients?

Mr. JONES of New Mexico. Why, Mr. President, that site is located in one of the most favorable spots on this entire continent. It is so recognized by everybody. Within 50 miles of this site, at Fort Bayard, N. Mex., the Army already has a hospital; and Fort Bayard and Fort Stanton, referred to elsewhere in this bill, are considered two at least of the ideal spots in the world for the treatment of tuberculosis. The climate there is dry; the sun shines, as they claim, about 360 days in the year; the rainfall is light, and when it does come it comes nearly all at one time; and the conditions have been considered ideal.

Now, another question. At one other point in New Mexico the Government already owns the land. It has not been selected as a hospital site or a sanatorium site, but it is a section of country where there are hot springs of the most desirable quality. The Government owns the land now, and petitions have been presented to the War Department to have a sanatorium erected at that place. At other points in New Mexico favorable sites exist which can be purchased or obtained as a gift; and it seems to me that as long as this bill is to provide temporary means to enable the department to get a survey of the necessities of the situation, they might very well be authorized now at least to look into some of these other things.

Mr. HARDWICK. They are looking into them.

Mr. JONES of New Mexico. I have no doubt they are; and if that be the case, why would it not be advisable?

Now, the word "sites" is used in line 21, page 4. It says, "on sites now owned by the Government." That may be construed, and probably will be construed, to be only a sanatorium site already selected. I would suggest that the words "or lands" be inserted after the word "sites," and then, after the words "now owned by," that the words "or which may be donated to" be inserted.

Mr. HARDWICK. Oh, well, the sites may be acquired "by purchase or otherwise."

Mr. JONES of New Mexico. But the words "acquired by purchase or otherwise" are limited to specific places.

Mr. HARDWICK. But we are not intending and do not propose if we can help it, to give to this committee a roving commission to go around and do that sort of thing. We are confining them to specified projects on purpose, because this is

merely a temporary measure to relieve an immediate, pressing necessity. If we should do what the Senator suggests, we would open up a flood of possible expenditures and appropriations.

Mr. JONES of New Mexico. I am inclined to think that it will be necessary to open up that floodgate at some time.

Mr. HARDWICK. Well, possibly; but not now.

Mr. JONES of New Mexico. Why not now?

Mr. HARDWICK. I will tell you why not now. The Senator has not been here during the debate. Because we have not got the Army demobilized yet; because we do not know, and can not tell now, how much of this Army stuff we can use, and therefore we can not tell how much we shall have to purchase; because we do not know, except by way of estimate, how many of these discharged soldiers are going to demand this hospital treatment that they are entitled to under the law, and that we promised them; because we want knowledge, in the place of estimates, before we spend untold millions on these things.

Mr. JONES of New Mexico. Mr. President, it does seem to me that it is admitted by practically everyone—I have not heard all of the debate here, but I have heard a good deal of it—that the tubercular patients will be several thousand in number, at least; and under this bill there is no provision for more than a very small number of tubercular patients.

Mr. HARDWICK. I have already explained to the Senator why—and we had the concurrence of all the departments in that view—that it was not wise to provide at present, or attempt to provide at present, anything like what we know will be eventually required.

Mr. JONES of New Mexico. Then it is expected that there will be further legislation on the subject?

Mr. HARDWICK. Oh, yes. This is a temporary project to meet an immediate, pressing, urgent demand. It is a moral obligation on our shoulders, and we do not profess that this is even the beginning of it. It is merely to do what we must do at once, unless we are to let men lie suffering without hospital accommodations.

Mr. JONES of New Mexico. It does seem to me, under all the circumstances, that after the admissions which have been frequently made here such hospitals as those referred to by the Senator from New Jersey [Mr. FRELINGHUYSEN], including Camp Cody, N. Mex., ought not to be dismantled so long as these urgent necessities exist.

Mr. HARDWICK. I think the Senator is right. I do not think they ought to tear them down unless they know they can not possibly be used.

Mr. OVERMAN. Mr. President, one word. I do not agree with the Senator from New Jersey at all, and I hope, whether this amendment is adopted or not, it will not be the policy of the United States Government to send our tuberculous boys down to old, frame, dismantled hospitals in a hot climate. I hope they will take care of these people like human beings and send them to some good place.

This amendment provides for a hospital that has already been equipped and is used, and whether you use those at Asheville or not, do not let us send the boys from New Jersey to those frame hospitals, whether in the South or in other sections of the country.

Mr. FRELINGHUYSEN. Mr. President, I want to correct the statement of the Senator from North Carolina that these are old frame, tumble-down hospitals and are insanitary. They are all up-to-date modern hospitals. The Army are now taking care of many tuberculosis patients there and they are working a wonderful cure in many cases.

Mr. OVERMAN. In these frame buildings?

Mr. FRELINGHUYSEN. In these frame buildings. It has been recognized, I will say to the Senator from North Carolina, for many years that the pavilion cottage system in the care of tuberculosis is much better than the fireproof modern building that can not be destroyed.

Mr. OVERMAN. I agree to that, Mr. President, in the proper climate, but you would not agree to send tuberculosis patients down to Florida or where the climate would be enervating to them.

Mr. HARDWICK. Mr. President, just a word. I want to ask the Senate to vote on the bill, independent of the amendments. Applications are coming in by hundreds and thousands and we wish to get the bill into conference.

The VICE PRESIDENT. The question is on the amendment of the Senator from North Carolina to the amendment of the committee.

Mr. SMOOT. Mr. President, I wish to call the attention of the Senate to the fact that there is now on the calendar a bill for taking care not only of tubercular soldiers, but tubercular sufferers from all over the country whether they are soldiers or not.

Mr. HARDWICK. The Senator knows I do not believe in any such thing as that and it will not be done unless some future Congress authorizes it. I can not help it if they do it. I would not vote for it if I were here.

Mr. SMOOT. The Senator says it will not be done. That may be true or it may not.

Mr. HARDWICK. I said it would not be done if I could help it, but I will not be here to vote against it.

Mr. SMOOT. I am only calling attention to the fact that a bill is now on the calendar; and there is quite a propaganda back of it, I will say. As far as that is concerned, I think myself if the Government of the United States is going to expend money to take care of patients, whether they be in the Army or not, it could be expended to take care of tuberculosis cases perhaps to better advantage than for the cure of any other dread disease that humanity suffers from. I do not believe that bill will become a law at this session of Congress, but I do believe that it is going to become a law before very long. It is true that the Senator making the report on the bill and asking immediate consideration for it remarked that it did not carry any appropriation, and therefore it ought to go through. Mr. President, everyone knows that if that bill becomes a law it will not be long before the expenses will run into millions of dollars, and necessarily so if it is to do any good.

This bill, however, is simply to take the first step and change the law so as to create a bureau in the Public Health Service specifically named. It is the beginning of the authorization of future appropriations the limit of which nobody can tell.

I feel, Mr. President, that the Government is under obligations to take care of the returned soldier who finds himself in a physical condition unfit and impossible to carry on an avocation of life to make for the future a living, if you please. I believe it has been tacitly understood by the passage of laws that are now on the statute books that these unfortunate soldiers should be taken care of. I do believe, however, that the hospitals provided for in the doing of that work ought to be located in all parts of the country.

I am not going to offer an amendment to the bill, and I expect to vote against all the amendments that will be offered to it, but I do know that the great intermountain country is left entirely out of the bill. No hospital is to be built under the provisions of the bill, no hospital is to be taken over under the provisions of the bill, between the city of Chicago and California. That ought to be rectified. Perhaps in the near future it will be done. I recognize that under the provisions of the bill the authority is given, and it can be utilized in the future.

Mr. HARDWICK. I merely wish to suggest to the Senator, so the RECORD will show it, that the reason for that is because it was the policy of the Government to locate these cantonments in the South, and the hospitals are in connection with them. For climatic and other reasons the cantonments were put down there, and we find the hospitals there.

Mr. SMOOT. I do not want the Senator to think I am referring to the fact that they were located in the South. I do not care anything about that. I want them located——

Mr. HARDWICK. We had to take them where we found them.

Mr. SMOOT. I want them operated wherever the need is most urgent and at places that will cost the least to the Government of the United States. That is the position I take.

I know that we have many, many applications from my State and surrounding States, and it is very expensive, I will say to the Senator, for the Government to send patients so many thousands of miles to locate them in a hospital when they could be located near at home, where they could have their friends visit them and see how they were progressing; and I say that means a great deal in helping to restore a sick person to health.

Mr. HARDWICK. If the Senator will pardon me, the Public Health Service and the War-Risk Insurance Bureau say they intend to adopt that as a permanent policy.

Mr. SMOOT. I am very glad to hear the statement made by the Senator. I do not want the bill to be plastered up with amendments. I think the mere offering of these amendments will be heralded throughout the country, and every man or every company that has a defunct hospital, or is losing money on it, will be notified, "For Heaven's sake, hurry to Washington and have the Government buy it."

I wish distinctly to refer to the last paragraph of the bill where the appropriation is made of $785,333 for the fiscal year ending June 30, 1919. I heard what the Senator from Georgia said in relation to the reasons why this was put in the bill and not carried in an appropriation bill. I want to disabuse the Senator's mind that there were not going to be any more deficiency appro-

priation bills. I assure him now that there will be at least one deficiency appropriation bill and more than likely two before the end of this session.

Mr. HARDWICK. If the Senator will pardon me, the trouble is that we can not estimate for these hospitals until this measure becomes a law. We have got to wait until that happens and then get an estimate.

Mr. SMOOT. I will say to the Senator, as far as the Committee on Appropriations are concerned, if this bill became a law without this last paragraph in it, the very first thing they would do would be to report an appropriation to pay the expenses.

Mr. HARDWICK. It might not become a law in time to do it. That is the real reason.

Mr. SMOOT. There may be something in that, I will say to the Senator; only I did not want it to go out that it was feared the Committee on Appropriations would not make the appropriation to carry out the law.

Mr. HARDWICK. No; not at all. We were afraid we might not have a chance; that is all.

Mr. THOMAS. We may not have any money.

Mr. SMOOT. The Senator from Colorado suggests that perhaps we may not have any money to make the appropriation with. I will say to the Senator that we have never thought of that in the past. We simply appropriated the money.

Mr. THOMAS. I do not see any prospect of it in the future.

Mr. SMOOT. We simply appropriate the money necessary to carry out the laws that have been passed by Congress, and we can not do otherwise. The question of raising money comes, of course, from another committee.

I want the Senator from Colorado to know, and I know he does know, that, as far as I am concerned, I should like to cut every appropriation to the bone, particularly now after the war. While we were engaged in the conflict I paid no attention to whether the demands were really based upon actual needs and wants or not. I would not have cared whether the Secretary of War had asked for $5,000,000 or $10,000,000 or $1,000,000,000, if the department should have said through its representative that it was absolutely necessary to have the money to win the war or to carry it on successfully, I never would have hesitated, nor did I hesitate when all the billions was going out to give my support to the amount that was asked for.

But now, Mr. President, we ought to begin to study the appropriations. We ought to make the closest investigations possible, and every dollar that can be cut out of any estimate made by any department of the Government ought to be done. We know if it is not done at this session of Congress it will be before long, because our financial condition will be such that the American people are going to ask when will the end come. Instead of listening to the appeals of the people here in Washington interested in getting every dollar out of the Treasury that it is possible to get, we are going to listen to the American people before long, and the quicker the day comes the better it will be for the American people, and I am going to say for the world itself.

Mr. President, I do not know that I have anything more to say upon this bill, but I am going to vote against every amendment offered to the substitute of the committee, and I am going to vote for the bill as reported to the Senate.

Mr. HARDWICK. Mr. President, I hope now we can have a vote.

The VICE PRESIDENT. The question is on the amendment of the Senator from North Carolina [Mr. OVERMAN] to the amendment of the committee.

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question is on the amendment of the Senator from Colorado [Mr. THOMAS] to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. HARDWICK. On page 5, line 13, I offer a committee amendment. I move to insert before the word "limit" the word "total," so as to read "at a total limit of cost." That is an error in typing.

The amendment to the amendment was agreed to.

Mr. STERLING. I offer the following amendment.

The VICE PRESIDENT. It will be stated.

The SECRETARY. Strike out lines 9 to 15, inclusive, on page 7, and in lieu insert—

So much of the Battle Mountain Sanatorium at Hot Springs, S. Dak., of the National Home for Disabled Volunteer Soldiers with its present equipment as is not required for the purposes for which these facilities were provided is hereby made available for the use of the Public Health Service for the period of five years from the approval of this act unless sooner released by the Surgeon General of the Public Health Service.

Mr. HARDWICK. What is the difference between that and the language the Senator moves to strike out?

Mr. STERLING. I wish to make plain the reason for this amendment in a word or two. This as is indicated by the amendment is a home for disabled volunteer soldiers of the war. It is a branch or an auxiliary of the National Soldiers' Home for that purpose. The old soldiers there are very much attached to this home, and when the proposition was first made that the Battle Mountain Sanatorium be given over to the Public Health Service entirely there was very vigorous opposition to it and protests against it. I received many letters of protest.

Mr. HARDWICK. If the Senator will pardon me, I think I can shorten this. I think the Senator's amendment is right, and the committee will accept it.

Mr. STERLING. Very well.

The VICE PRESIDENT. The question is on the amendment of the Senator from South Dakota to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. HARDWICK. I move that the Senate request a conference with the House of Representatives on the bill and amendment, and that the Vice President appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. HARDWICK, Mr. BECKHAM, and Mr. FRANCE conferees on the part of the Senate.

UNIFORMS OF SOLDIERS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 13366) permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditions, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CHAMBERLAIN. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. CHAMBERLAIN, Mr. HITCHCOCK, and Mr. WARREN conferees on the part of the Senate.

INDIAN BUREAU APPROPRIATIONS.

Mr. ASHURST. I move that the Senate proceed to the consideration of House bill 14746, the Indian appropriation bill.

Mr. CHAMBERLAIN. I hope the Senator——

Mr. ASHURST. If the Senator will yield to me for just a moment, I desire to say that if this bill shall be made the unfinished business, I shall be glad to have it laid aside not only this evening, but to-morrow as well.

Mr. CHAMBERLAIN. I shall be very glad to have that done.

Mr. ASHURST. I will ask that the bill be temporarily laid aside as soon as the Chair puts the motion upon proceeding to its consideration.

The VICE PRESIDENT. The question is on the motion of the Senator from Arizona, to proceed to the consideration of the Indian appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, which had been reported by the Committee on Indian Affairs with amendments.

Mr. ASHURST. I now ask unanimous consent that the bill be temporarily laid aside.

Mr. OVERMAN. I have a bill, which has been reported for some time, which I should like to bring up for consideration, if the Senator from Arizona will yield to me for that purpose.

Mr. ASHURST. I will yield as soon as the bill which has been taken up for consideration is temporarily laid aside. I ask unanimous consent that that may be done.

The VICE PRESIDENT. For what purpose does the Senator desire the bill laid aside?

Mr. ASHURST. For the consideration of conference reports and such other business as Senators may wish to have considered this evening.

Mr. SMOOT. If that is the case, I object.

Mr. ASHURST. Very well; then we shall have to proceed with the consideration of the bill.

Mr. CHAMBERLAIN. Mr. President——

The VICE PRESIDENT. The Senator from Oregon.

Mr. CHAMBERLAIN. I gave notice last evening—I presume I am not quite so insistent as I ought to be—that immediately after the bill which the Senator from Georgia [Mr. HARDWICK] had charge of was disposed of, I should ask consideration for the Military Academy bill. If the Indian appropriation bill has been laid aside, I now ask that the Senate proceed to the consideration of the Military Academy appropriation bill.

Mr. SMOOT. The Senator from Arizona has not yet had his bill laid aside.

The VICE PRESIDENT. Is there objection to taking up the Military Academy bill?

Mr. ASHURST. I am obliged to object to that.

Mr. SMOOT. I have no objection to taking up the Military Academy bill or to laying aside the Indian appropriation bill for that purpose, but I do object to having the Indian appropriation bill laid aside temporarily for every other purpose that any Senator may desire considered at any time.

Mr. ASHURST. I can not parcel out the time.

The VICE PRESIDENT. Is there objection to laying aside the Indian appropriation bill——

Mr. ASHURST. I object.

The VICE PRESIDENT. For the purpose of——

Mr. BANKHEAD. Considering the conference report on the Post Office appropriation bill.

The VICE PRESIDENT. No; for the consideration of the Military Academy bill.

Mr. ASHURST. I have no objection to that, Mr. President.

The VICE PRESIDENT. Has any other Senator any objection? The Chair hears none.

MILITARY ACADEMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, which had been reported from the Committee on Military Affairs with amendments.

The first amendment of the Committee on Military Affairs was, on page 2, line 1, after the word "cadets," to strike out "$600,000" and insert "$800,000: *Provided*, That the pay of cadets for the fiscal year ending June 30, 1920, shall be fixed at $800 per annum and one ration per day or commutation therefor, such commutation to be 69 per cent over and above the cost of the Army ration, to be paid from the appropriation for the subsistence of the Army," so as to make the clause read:

For pay of cadets, $800,000: *Provided*, That the pay of cadets for the fiscal year ending June 30, 1920, shall be fixed at $800 per annum and one ration per day or commutation therefor, such commutation to be 69 per cent over and above the cost of the Army ration, to be paid from the appropriation for the subsistence of the Army.

The VICE PRESIDENT. The question is on the amendment.

Mr. WEEKS. Mr. President, I should like to ask the chairman of the Military Affairs Committee if similar action to that involved in this amendment is to be taken, or is it proposed to take similar action in the case of cadets at the Naval Academy, or if he has had any consultation with the chairman of the Naval Committee on that subject?

Mr. CHAMBERLAIN. I have not had any consultations with the chairman of the Naval Committee on this matter, for I find that whenever we have tried to arrange the two bills together we almost always get into trouble.

Mr. WEEKS. My only suggestion is that, of course, if the pay of the cadets at the Military Academy is to be increased, the same provision should be made in the naval appropriation bill; and I thought, possibly, that some concerted action had been suggested. I call to the attention of the Senator from Virginia [Mr. SWANSON] the amendment which has just been read.

Mr. SWANSON. To what amendment does the Senator from Massachusetts refer?

Mr. WEEKS. The one in connection with the pay and emoluments of the cadets at the Military Academy.

Mr. SWANSON. We have the same provision included in the naval bill as to the naval cadets.

Mr. WEEKS. Is it exactly the same?

Mr. SWANSON. It is exactly the same, except regarding the system of subsistence. In some of the bills which have passed the House there is a little different method as to the subsistence in the Navy and in the Army. This bill, I think, provides for 60 per cent more than the Army ration.

Mr. WEEKS. Mr. President, I wish to suggest to the chairmen of the Military and Naval Committees that my experience is that we are all the time jacking up the service of one branch or the other, for when we pass legislation relating to one which is a little more favorable than legislation relating to the other, then there is a demand that the other be brought up to the same level. It does seem as if it would be practicable, in a matter of this kind, where cadets are performing similar service and receiving the same kind of education, that they should be made exactly equal. It would be in the interests of harmony in the future, and trouble will come if it is not done.

Mr. SWANSON. There was no request for any increase of the pay of the cadets at the Naval Academy until this provision in the House bill for cadets at the Military Academy was inserted. I think that the cadets at the Naval Academy ought to be treated similarly to those at the Military Academy. The department suggested that we should give them the same compensation as is provided in the Military Academy bill.

Mr. WEEKS. I think they ought to be treated in exactly the same way.

Mr. SWANSON. I concur with the Senator. The Army has generally taken the lead in this matter of increase. I have simply followed them, so that the cadets at the Naval Academy are treated with equal consideration.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was on page 12, line 14, after the word "apparatus," to strike out "$2,700," and insert "$2,400," so as to make the clause read:

For pay of one chief engineer of power plant, whose duties will include those of engineer of heating and ventilating apparatus, $2,400.

The amendment was agreed to.

The next amendment was, on page 29, after line 4, to strike out:

For repairs and alterations to the hospital so as to increase its capacity, $15,000.

The amendment was agreed to.

The next amendment was on page 29, after line 6, to insert:

For cadet hospital and nurses' quarters, $400,000.

The amendment was agreed to.

The next amendment was, on page 34, after line 6, to strike out:

The Secretary of War is hereby authorized to allow any corporation, company, or individual to erect on the United States Military Academy reservation at West Point, N. Y., a hotel, in accordance with plans and specifications to be approved by the Superintendent of the United States Military Academy, and to enjoy the revenue therefrom for a period of 50 years, after which time said hotel shall become the property of the United States: *Provided*, That the title and ownership of said hotel may be accepted by the Secretary of War on the behalf of the United States at any time. That said hotel shall be conducted under such regulations, including the rates and the charges for accommodations thereat, as may be promulgated by the Superintendent of the United States Military Academy under the direction of the Secretary of War.

The amendment was agreed to.

Mr. JOHNSON of California. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER (Mr. MARTIN of Kentucky in the chair). The amendment will be stated.

The SECRETARY. On page 34, after line 6, it is proposed to insert:

That the President of the United States is hereby authorized, by and with the advice and consent of the Senate, to appoint George R. Rogers, late cadet lieutenant and quartermaster at the Military Academy at West Point, to the position of second lieutenant of Cavalry in the Army, and to place him upon the retired list with the pay of a retired second lieutenant of Cavalry.

Mr. JOHNSON of California. Mr. President, the particular case was one where a young man, in the very last part of his senior term at West Point, following orders, was injured and paralyzed. He remained a year or more in the hospital. The action that is asked is one for which there are many precedents, and I have the precedents here, and I will ask that the Senator in charge of the bill accept the amendment.

Mr. CHAMBERLAIN. Mr. President, I am perfectly willing to accept it, because I know of the precedent that has been established for the same kind of cases; but I will ask the Senator to put the record of the young man in the CONGRESSIONAL RECORD as a part of what he has to say. So far as I can, I am willing to accept the amendment.

Mr. JOHNSON of California. With the consent of the Senate, then, I will hand in the record of the young man, a very brief epitome of his injuries, or read it, as the Senator may desire.

Mr. CHAMBERLAIN. I suggest that the Senator insert it in the RECORD.

Mr. JOHNSON of California. I will insert it in the RECORD, then, with the permission of the Senate.

The PRESIDING OFFICER. Without objection, the matter will be inserted in the RECORD.

The matter referred to is as follows:

CASE OF GEORGE R. ROGERS.

George R. Rogers was disabled at West Point during his first-class (senior) year and had practically completed his course of study. He stood about 20 in a class of 115 members and held the rank of cadet lieutenant and quartermaster and was injured while in service. He was a member of the class of 1905. He was injured while riding under orders.

After over a year's treatment at the Army and Navy General Hospital at Hot Springs, Ark., it was determined that the partial paralysis of his limbs was permanent, and he was honorably discharged for physical disability.

A precedent has been established in the case of J. Randolph Peyton, who was disabled at the Military Academy and was retired (see act of Mar. 4, 1909).

Also, the case of Clyde R. Altman, in the act of May 29, 1917.

We can refer you to Col. Charles G. Treat, who was his commandant of cadets, and to Charles W. Exton, then captain, who was company commander.

George Rogers is a brother of William Rogers, cashier of the Merchants' National Bank of San Diego, who is employing him at the present time. He is refused under the Government the right to take the civil-service examination and qualify for a civil-service appointment, which is a double handicap.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California.

The amendment was agreed to.

Mr. CALDER. Mr. President, after the amendment just adopted, I offer the following:

That the President is hereby authorized, in his discretion, to promote Col. S. E. Tillman, retired, superintendent of the Military Academy, to the rank of brigadier general on the retired list of the Army.

The PRESIDING OFFICER. The Senator from New York offers an amendment, which will be stated.

The SECRETARY. It is proposed to add, at the end of the bill, the following:

That the President is hereby authorized, in his discretion, to promote Col. S. E. Tillman, retired, Superintendent of the Military Academy, to the rank of brigadier general on the retired list of the Army.

Mr. CALDER. Mr. President, this officer has had a long service in the Army. He was retired several years ago, but returned to active duty and served during the war. He is now the superintendent at West Point, and has a record there second to that of no man who has ever served in that capacity.

I feel certain that the chairman of the committee, when he understands the facts of the case, will agree to accept the amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New York.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I had an amendment here that I desired to offer, but it has been misplaced, and I shall not detain the Senate while I look it up. I can offer it on another bill just as well.

The PRESIDING OFFICER. If there are no further amendments to be offered as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. SMOOT. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will state the amendment offered by the Senator from Utah.

The SECRETARY. It is proposed to insert at the end of the bill the following:

That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, Col. L. Mervin Maus to the grade of brigadier general in the United States Army and place him on the retired list.

Mr. SMOOT. Mr. President, I want to say just one word. This bill passed the Senate. It was introduced by the late Senator Ollie James. Some of the Senator's friends asked me to offer it to this bill, and I therefore offer it as an amendment to the bill.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. CHAMBERLAIN. Mr. President, I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHAMBERLAIN, Mr. HITCHCOCK, and Mr. WARREN conferees on the part of the Senate.

ADDITIONAL CLERKS FOR SENATORS.

Mr. ASHURST rose.

Mr. McKELLAR. Will the Senator from Arizona yield to me to report a resolution from the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. ASHURST. Just for a moment. Will the Senator tell me in a few words what it is?

Mr. McKELLAR. It will take only a moment to state it and, I think, only a moment to pass it. The Senator and all Senators will remember that last night an amendment was added to the legislative appropriation bill providing additional clerks for Senators. Of course, that will be operative July 1, 1919. This resolution which I report favorably from the committee simply provides that the clerks shall be paid as at present until July 1, 1919, when that bill becomes operative. As it is now, the law provides only for a continuance of the clerks until the 4th of March. If the Senator from Arizona will yield to me, I will report the resolution and ask for its consideration.

Mr. ASHURST. So far as I have any power, and with the understanding that it does not displace the Indian appropriation bill, I yield to the Senator.

Mr. McKELLAR. I thank you very much.

I report Senate resolution 432 from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was, at the end of the resolution, to strike out the words "otherwise provided by law" and insert "July 1, 1919," so as to make the resolution read:

Resolved, That Senate resolution No. 75, agreed to on April 3, 1918, being a resolution authorizing the employment of an additional clerk by each Senator having no more than one clerk, one assistant clerk, and one messenger for himself or for the committee of which he is chairman, for the remainder of the second session of the Sixty-fifth Congress, at the rate of $100 per month, said compensation to be paid out of the miscellaneous items of the contingent fund of the Senate, and which said resolution was extended and continued under authority of Senate resolution No. 328, agreed to on November 15, 1918, until the end of the Sixty-fifth Congress, be, and the same is hereby, further extended and continued in full force and effect until July 1, 1919.

The amendment was agreed to.

Mr. KING. I wish to ask the Senator from Tennessee if there is any necessity for the resolution in view of the fact that we shall have an adjournment on the 4th of March. If Congress should be reconvened in an extra session, then the matter would be before the Senate, and if the appointment of these additional clerks were deemed necessary steps could be taken then to pass such a resolution.

Mr. McKELLAR. Would he know where he could get his clerk at that time? As far as I am concerned I am paying for extra help in my office now, and I imagine a great many other Senators are doing the same. I heard the Senator from New York [Mr. CALDER] say that he had two extra clerks whom he is paying out of his own pocket. Our work has been very heavy, as every Senator knows, during the war period, and the war period has not closed yet. I hope the Senator from Utah will not object.

Mr. KING. I do not object to the consideration of the resolution, but I oppose it.

Mr. POMERENE. Mr. President, I wish to say a word. I have one of these extra clerks in my office and there is more work now there than I ought to ask any four clerks to do. Though Congress will adjourn, whether there is an extra session or not, I am satisfied, knowing the work of the office as I do, that I will need this extra clerk until July 1 at least.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

INDIAN APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920.

Mr. ASHURST. I ask unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for committee amendments, and that until the committee amendments are disposed of no other amendments shall be considered.

Mr. SMOOT. Mr. President——

Mr. ASHURST. It is the usual request.

Mr. SMOOT. I understand the Senator simply means to get the bill before the Senate at this time and then adjourn until to-morrow at 11 o'clock.

Mr. ASHURST. Mr. President, I am willing at all times to yield my personal inclination to whatever any particular Senator wishes. A number of Senators have told me that they want to go ahead. I am not controlled in the matter by my own feelings. A large number of Senators—I do not want to mention names—have urged that we should go ahead with the bill,

that they would call up another bill and displace the Indian appropriation bill if I did not show a disposition to go ahead. I leave that to Senators to determine. It is now the unfinished business, and if there are any little matters that are pressing I am willing that the appropriation bill shall be laid aside, but let me say I am going to talk very little on this bill. The 4th of March is approaching. This is not the most important bill, but it is a very important bill. It deals with $2,000,000,000 worth of property in trust and 8,000 employees. If any Senator on either side has a bill that he could have passed to-night without protracted discussion, I am willing that this bill shall be laid aside temporarily.

Mr. SMOOT. I thought we had a kind of a gentlemen's agreement that when we passed the bills that have been under consideration to-day we would adjourn.

Mr. ASHURST. I do not know that I am a party to it.

Mr. SMOOT. I have not any desire to defeat or try to defeat or delay the Indian appropriation bill.

Mr. ASHURST. I believe that.

Mr. SMOOT. But I want to say to the Senator he will make no time whatever by trying to keep the Senate here and pass the bill to-night. It will not be done.

Mr. ASHURST. I know the Senator does not mean that as a threat, but he states a fact, and I believe he is stating what is true. I do not construe it in the light of a threat.

Mr. SMOOT. I do not want the Senator to so construe it.

Mr. ASHURST. Sitting in this Chamber are many Senators who have urged that this bill shall be considered to-night and that such progress be made as could be made, but, of course, there is no use to stay here if we can not consider the bill.

Mr. JONES of New Mexico. Mr. President, I wish to say that I am one of those who believe that we ought to stay here to-night and consider this bill, or some other bill. This session of Congress is drawing to a close. For my part, I think it is our duty to our country to stay here and pass these bills. I am willing to stay here not only to-night, but every other night until we can do these things.

I do not understand that any good reason has been offered why we should not go ahead at least until 10 or 11 o'clock every night. I have heard nobody present any reason why we can not do it. With all deference to the views of other Senators, and especially the older Senators, I insist that we should go ahead with the work before us.

Mr. SMOOT. But it is a question as to whether we want to go on to-night or not. I have a very important appointment at 6 o'clock, but I realize that does not make a particle of difference to the Senate. I am willing to remain here if the Senator insists on going on to-night, but I state to the Senator now that there will not be any time gained.

Mr. ASHURST. I reiterate that I do not construe the Senator's remark as offensive or as a threat. I think he is stating a fact. If that be true, I take it we would make better time by adjourning; but before we adjourn I want to yield to one or two Senators who have formal matters to present.

Mr. HENDERSON. Mr. President——

Mr. ASHURST. I yield to the Senator from Nevada.

W. B. GRAHAM.

Mr. HENDERSON. I should like to call up the bill (S. 29) to reimburse W. B. Graham, late postmaster at Ely, Nev., for money expended for clerical assistance. This is a bill which was introduced some years ago by the late Senator Nixon, of Nevada. It provides for the payment to the postmaster of Ely, who had charge of the office there from September, 1905, until March, 1908, during the boom days of that copper camp, and he had to employ additional help at his own expense. A letter has been received from the Postmaster General in favor of the passage of the bill.

Mr. SMOOT. I remember the case very well. I have no objection at all to the passage of the bill.

Mr. HENDERSON. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to W. B. Graham, late postmaster at Ely, Nev., out of any money in the Treasury not otherwise appropriated, the sum of $3,335, to reimburse him for money expended for necessary clerical assistance.

The bill was reported to the Senate without amendment.

Mr. KENYON. Was the bill reported from a committee?

Mr. HENDERSON. From the Committee on Post Offices and Post Roads. It is accompanied by a report which is with the bill at the Secretary's desk.

Mr. SMOOT. I will say to the Senator from Iowa that a similar bill was passed here a number of years ago and I remember very well the statement made here at that time. After a thorough examination into it I decided at that time that it is an absolutely just claim.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ORDER OF BUSINESS.

Mr. JONES of New Mexico. Mr. President, I wish to say a few words about the progress of the business of the Senate. There may be some good reason why we should not go ahead with the business to-night, but I have not heard any advanced before the Senate or even in the cloakroom. I certainly feel that unless we are going to do what I conceive to be an abandonment of the public business some good reason should appear. Such a reason may exist. If it does, I do not see why we should not at least have some information as to what it is. Of course, I understand perfectly that if Senators do not want the business to go ahead they can prevent it from going ahead.

Mr. KENYON. I should like to ask the Senator if the Democratic conference decided to go ahead?

Mr. JONES of New Mexico. It did.

Mr. KENYON. Then, why do we not go ahead?

Mr. JONES of New Mexico. That is what I want to know. I do not see any Democrats on the floor of the Senate objecting to going ahead.

Mr. KENYON. There are not very many on the floor.

Mr. JONES of New Mexico. There are more Democrats here than Republicans by a considerable number.

Mr. SMOOT. No matter how many there are in the Chamber, I want to say to the Senator that beginning at least with next Monday nobody could object to holding night sessions, but there were certain appointments made, not thinking that a session would be desired to-night, and they are very important appointments.

Mr. JONES of New Mexico. The Senator from Utah certainly knows that the result of the Democratic conference was published in the newspapers on the morning after it was held, which was last Friday morning, a week ago to-day. I think that is quite a sufficient reason, and for one I have canceled engagements in the evening so as to be here. I should like to see the public business go ahead.

Mr. ASHURST. I am ready to proceed with the bill that is the unfinished business.

Mr. SHAFROTH. I ask unanimous consent to call up House bill 171. It is in relation to the Rocky Mountain National Park.

Mr. SMOOT. I will say to the Senator if we are going to remain here for the consideration of the appropriation bill I think more likely we had better have a quorum, and I think more than likely we had better confine ourselves to that measure.

Mr. SHAFROTH. I will state to the Senator that this bill was passed——

Mr. SMOOT. I know all about the bill, and I told the Senator just a little while ago that I was not going to object to it when it was brought up.

Mr. SHAFROTH. I do not think it will take long.

Mr. ASHURST. I do not object, provided there is a distinct understanding that under no circumstances will it displace the Indian appropriation bill.

Mr. SHAFROTH. Oh, no; it will not.

Mr. ASHURST. Let that be understood by all Senators.

Mr. SHAFROTH. I move that the Senate proceed to the consideration of House bill 171. It is identical with the bill that passed the Senate in January, 1917. It went over to the House, and instead of taking up that bill a Representative there called up a bill which was a copy of the bill. It is identically the same word for word, comma for comma, period for period. A similar bill has already passed the Senate, and I ask that it be put upon its passage.

Mr. ASHURST. Does the Senator ask unanimous consent for that purpose.

Mr. SHAFROTH. Yes; I ask unanimous consent.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. I think there is a sentiment here that we have done about all the business we ought to do to-day. It is pretty hard for some Senators to have to remain here from the time the Senate meets until this late hour.

Mr. ASHURST. I move that when we adjourn it be until 11 o'clock to-morrow.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arizona.

The motion was agreed to.

Mr. CURTIS. I move that the Senate adjourn.

Mr. SMOOT. Will the Senator withhold the motion? I suggest that he allow the consideration of the bill the Senator from Colorado desires to call up.

Mr. CURTIS. Very well.

ROCKY MOUNTAIN NATIONAL PARK.

Mr. SHAFROTH. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 171) to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the last proviso of section 4 of an act entitled "An act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes," approved January 26, 1915, which is in the words and figures following: "*Provided*, That no appropriation for the maintenance, supervision, or improvement of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law," be, and the same is hereby, repealed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. CURTIS. I move that the Senate adjourn.

Mr. SWANSON. I should like to ask for the consideration of——

Mr. CURTIS. I insist on my motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kansas that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Saturday, February 22, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

Friday, February 21, 1919.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Great Spirit, never far from us, we would draw near to Thee in the spirit of devotion.

Help us by the contact to acquire that spiritual momentum which shall enable us to overcome evil and satisfy the longings, hopes, and aspirations of our better self. In Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO EXTEND REMARKS.

Mr. JONES. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. JONES. Mr. Speaker, I desire to ask unanimous consent for leave to revise and extend my remarks in the RECORD on the military appropriation bill.

The SPEAKER. The gentleman from Texas asks unanimous consent to revise and extend his remarks on the military appropriation bill. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

Mr. DONOVAN. Mr. Speaker, I desire to ask unanimous consent for excuse for to-day from attendance on the House of my colleague, Mr. DRANE, of Florida, owing to illness.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

CONTESTED-ELECTION CASE—BRITT AGAINST WEAVER.

Mr. WATSON of Virginia. Mr. Speaker, I desire to submit a report (No. 1115) from the Committee on Elections No. 3 on the contested-election case of Britt against Weaver, tenth North Carolina district. I ask that the report be filed and printed and lie over until I can find a suitable opportunity to call it up for consideration.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

Contested-election case of James J. Britt *v.* Zebulon Weaver, tenth North Carolina district, report of Elections Committee No. 3, by Mr. WATSON of Virginia, chairman.

The SPEAKER. Ordered printed and to lie over.

Mr. DOWELL. Mr. Speaker, may I inquire of the chairman when he desires to put the case down for hearing before the House?

Mr. WATSON of Virginia. After consultation with Mr. KITCHIN, majority leader, I think we can not call the case up for consideration until the pending appropriation bills are disposed of, probably the 25th or 26th instant.

The SPEAKER. Is this a unanimous report?

Mr. DOWELL. It is not, Mr. Speaker; and I desire consent to file a minority report later. I have not been able to examine the report as yet and I want a little time to do so.

The SPEAKER. How long does the gentleman want?

Mr. DOWELL. Oh, I suppose five days, if the case is not to be heard before that time.

The SPEAKER. The gentleman from Iowa asks leave to file the minority report within five days. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. WISE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD on the bill in reference to voluntary enlistments in the Regular Army.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. We could not hear what the request was.

The SPEAKER. It was to extend his remarks on enlistments in the Army.

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the railroad bill now before the House by incorporating a resolution passed by the House of Representatives of Alabama on that question.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 14555 An act granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barrs Ferry in said county;

H. R. 5999. An act for the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise;

H. R. 12995. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River in the State of Ohio;

H. R. 13369. An act to extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield in Hampden County, Mass.;

H. R. 13393. An act to revive and reenact the act entitled "An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa," approved April 22, 1912;

H. R. 13427. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13647. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13648. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13649. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania.

The message also announced that the Senate had disagreed to the amendments of the House to the bill (S. 5279) to authorize the resumption of voluntary enlistments to the Regular Army, and for other purposes, had requested a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CHAMBERLAIN, Mr. HITCHCOCK, and Mr. WARREN as conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the joint resolution (S. J. Res. 195) providing for the filling of a proximate vacancy in the Board of Regents in the Smithsonian Institution of the class other than Members of Congress.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

The SPEAKER announced his signature to enrolled joint resolutions and bills of the following titles:

S. J. R. 107. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury;

S. J. R. 208. Joint resolution providing that one term of the United States District Court for the Eastern Judicial District of Oklahoma shall be held annually at Hugo, Okla.;

S. 3646. An act granting to the city of San Diego certain lands in the Cleveland National Forest and the Capitan Grande Indian Reservation for dam and reservoir purposes for the conservation of water, and for other purposes;

S. J. R. 198. Joint resolution to suspend the legal requirements of assessment work on mining claims in Alaska for the years 1917, 1918, and 1919, and extending to that Territory the provisions of public resolution 10, Sixty-fifth Congress, approved July 17, 1917, and public resolution 12, Sixty-fifth Congress, approved October 5, 1917, as amended, and for other purposes;

S. 932. An act to provide for stock-watering privileges on certain unallotted lands on the Flathead Indian Reservation, Mont.;

S. 4957. An act to establish the Lafayette National Park in the State of Maine;

S. 3079. An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes;

S. 935. An act for the relief of settlers on certain railroad lands in Montana;

S. 5316. An act granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington;

S. 5534. An act granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes;

S. J. R. 214. Joint resolution authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases;

S. 2088. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto;

S. 4103. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto;

S. 68. An act to amend section 269 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary";

S. 3571. An act granting lands for school purposes in lots No. 111 in each of the town sites of Fort Shaw and Simms, Sun River reclamation project, Montana;

S. 5058. An act to authorize the counties of Morton and Burleigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak.;

S. 5342. An act providing for the appointment of an additional district judge for the northern judicial district of the State of Texas;

S. 5192. An act for the construction of a bridge across Rock River at or near South Jackson Street, in the city of Janesville, Wis.; and

S. 4244. An act for the relief of entrymen within the Castle Peak irrigation project in Utah.

LEAVE OF ABSENCE.

By unanimous consent, Mr. CALDWELL was granted indefinite leave of absence on account of illness.

VOLUNTARY ENLISTMENTS IN THE ARMY.

Mr. DENT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. DENT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 5279—the bill just reported—to further insist upon the amendments of the House and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Alabama asks unanimous consent to take from the Speaker's table the bill S. 5279, to further insist on the House disagreements, and to agree to the conference asked for by the Senate. The Clerk will report the bill by title.

The Clerk read as follows:

An act (S. 5279) to authorize the resumption of voluntary enlistments in the Regular Army, and for other purposes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the conferees.

The Clerk read as follows:

Mr. DENT, Mr. FIELDS, and Mr. KAHN.

The SPEAKER. When the House adjourned yesterday the unfinished business coming up was to take a vote on the railroad money bill.

Mr. MANN. Mr. Speaker, the gentleman from Kentucky is not here, and I would be very glad to have the order for a roll call vacated, but the House had ordered the yeas and nays when we adjourned.

The SPEAKER. Who is insisting on the order?

Mr. MANN. The gentleman from Kentucky asked for the yeas and nays, and the Speaker counted and declared there was a sufficient number. I do not know whether the Journal showed that or not, but that is what took place.

The SPEAKER. Does the gentleman from Kentucky still want the yeas and nays?

Mr. SHERLEY. Yes; it is my understanding they were ordered yesterday.

The SPEAKER. They were ordered, but the order could be vacated.

Mr. SHERLEY. I still desire a roll call.

SPEAKER PRO TEMPORE FOR SUNDAY.

The SPEAKER. Before beginning that the Chair designates the gentleman from Kentucky [Mr. SHERLEY] to preside next Sunday, and when they come to eulogies on the Senator from Wisconsin the Chair will ask the gentleman from Kentucky to invite Mr. COOPER of Wisconsin to preside, and when they come to the Senator from New Jersey to invite Mr. EAGAN to preside.

Mr. MANN. Is next Sunday set aside for eulogies?

The SPEAKER. Next Sunday is set aside for eulogies upon three.

DEFICIENCY APPROPRIATIONS FOR TRANSPORTATION SYSTEMS.

The SPEAKER. The question is on the passage of the bill. The yeas and nays were ordered, and the Clerk will call the roll.

The question was taken; and there were—yeas 311, nays 14, answered "present" 3, not voting 101, as follows:

YEAS—311.

Alexander	Elliott	Juul	Parker, N. Y.
Anderson	Ellsworth	Kearns	Peters
Anthony	Elston	Keating	Phelan
Ashbrook	Esch	Kehoe	Polk
Aswell	Evans	Kelly, Pa.	Porter
Austin	Fairchild, G. W.	Kennedy, Iowa	Pou
Ayres	Fairfield	Kettner	Powers
Baer	Ferris	Key, Ohio	Purnell
Bankhead	Fields	Kincheloe	Quin
Barkley	Fisher	King	Ragsdale
Barnhart	Flood	Kinkaid	Rainey, H. T.
Beakes	Focht	Kitchin	Raker
Beshlin	Foss	Knutson	Randall
Bland, Ind.	Foster	Kraus	Rayburn
Bland, Va.	Frear	Kreider	Reavis
Blanton	Freeman	La Follette	Reed
Brand	French	Lampert	Riordan
Britten	Fuller, Ill.	Lazaro	Roberts
Brodbeck	Fuller, Mass.	Lea, Cal.	Robinson
Browne	Gallagher	Lee, Ga.	Rodenberg
Browning	Gallivan	Lehlbach	Rogers
Buchanan	Gandy	Lesher	Romjue
Burnett	Gard	Lever	Rose
Burroughs	Garland	Linthicum	Rouse
Butler	Garrett, Tenn.	Little	Rowe
Byrnes, S. C.	Garrett, Tex.	Lobeck	Rubey
Campbell, Kans.	Gillett	London	Rucker
Campbell, Pa.	Glynn	Lonergan	Sanders, Ind.
Candler, Miss.	Good	Longworth	Sanders, La.
Canron	Goodall	Lunn	Sanford
Cantrill	Goodwin, Ark.	McArthur	Saunders, Va.
Caraway	Gordon	McClintic	Schall
Carlin	Gould	McCormick	Scott, Iowa
Carter, Okla.	Graham, Ill.	McCulloch	Scott, Mich.
Cary	Gray, Ala.	McFadden	Scully
Clark, Pa.	Green, Iowa	McKenzie	Sells
Classon	Greene, Mass.	McKeown	Sherley
Claypool	Greene, Vt.	McKinley	Sherwood
Cleary	Griest	McLaughlin, Mich.	Shouse
Collier	Griffin	McLaughlin, Pa.	Sims
Connelly, Kans.	Hadley	McLemore	Sinnott
Cooper, Wis.	Hamilton, Mich.	Madden	Slemp
Copley	Hamlin	Magee	Sloan
Crago	Hardy	Mann	Small
Cramton	Harrison, Miss.	Mapes	Smith, Idaho
Crosser	Harrison, Va.	Martin	Smith, Mich.
Currie, Mich.	Hastings	Mason	Smith, C. B.
Curry, Cal.	Haugen	Mays	Snell
Dale	Hawley	Merritt	Snook
Dallinger	Hayden	Miller, Minn.	Snyder
Darrow	Hayes	Miller, Wash.	Steele
Decker	Heaton	Mondell	Steenerson
Dempsey	Heflin	Montague	Stephens, Nebr.
Denison	Hersey	Moore, Pa.	Sterling
Dent	Hicks	Moores, Ind.	Stiness
Denton	Hilliard	Morgan	Strong
Dewalt	Holland	Mott	Sumners
Dickinson	Hollingsworth	Neely	Sweet
Dillon	Hood	Nelson, A. P.	Switzer
Dixon	Houston	Nelson, J. M.	Taylor, Colo.
Dominick	Howard	Nicholls, S. C.	Temple
Donovan	Huddleston	Oldfield	Tillman
Dooling	Hull, Iowa	Oliver, Ala.	Tilson
Doolittle	Hull, Tenn.	Oliver, N. Y.	Timberlake
Doremus	Humphreys	Olney	Tinkham
Doughton	Husted	Osborne	Towner
Dowell	Hutchinson	O'Shaunessy	Treadway
Drukker	Igoe	Overmyer	Van Dyke
Dupré	Ireland	Overstreet	Venable
Dyer	Jacoway	Padgett	Vestal
Eagan	James	Paige	Vinson
Edmonds	Johnson, Ky.	Parker, N. J.	Volstead

Walsh	Weaver	White, Me.	Wood, Ind.
Walton	Webb	Williams	Woodyard
Wason	Welling	Wilson, La.	Wright
Watkins	Welty	Wilson, Tex.	Young, N. Dak.
Watson, Pa.	Whaley	Wingo	Young, Tex.
Watson, Va.	Wheeler	Winslow	

NAYS—14.

Bell	Dies	Ramseyer	Walker
Black	Jones	Steagall	Wise
Chandler, Okla.	Larsen	Stephens, Miss.	
Connally, Tex.	Mansfield	Thomas	

ANSWERED "PRESENT"—3

Clark, Fla.	Moon	Slayden

NOT VOTING—101.

Almon	Dunn	Kelley, Mich.	Sears
Bacharach	Eagle	Kennedy, R. I.	Shackleford
Benson	Emerson	Kiess, Pa.	Shallenberger
Birch	Essen	LaGuardia	Siegel
Blackmon	Estopinal	Langley	Sisson
Booher	Fairchild, B. L.	Littlepage	Smith, T. F.
Borland	Farr	Lufkin	Stafford
Bowers	Fess	Lundeen	Stedman
Brumbaugh	Flynn	McAndrews	Stevenson
Byrns, Tenn.	Fordney	Maher	Sullivan
Caldwell	Francis	Morin	Swift
Carew	Garner	Mudd	Tague
Carter, Mass.	Godwin, N. C.	Nichols, Mich.	Taylor, Ark.
Chandler, N. Y.	Graham, Pa.	Nolan	Templeton
Church	Gray, N. J.	Norton	Thompson
Coady	Gregg	Park	Vare
Cooper, Ohio	Hamill	Platt	Voigt
Cooper, W. Va.	Hamilton, N. Y.	Pratt	Waldow
Costello	Haskell	Price	Ward
Cox	Heintz	Rainey, J. W.	White, Ohio
Crisp	Helm	Ramsey	Wilson, Ill.
Davey	Helvering	Rankin	Woods, Iowa
Davis	Hensley	Rowland	Zihlman
Delaney	Johnson, S. Dak.	Russell	
Dill	Johnson, Wash.	Sabath	
Drane	Kahn	Sanders, N. Y.	

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. HELM with Mr. KENNEDY of Rhode Island.

Mr. COADY with Mr. BOWERS.

Mr. SHALLENBERGER with Mr. JOHNSON of Washington.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. LITTLEPAGE with Mr. COOPER of West Virginia.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. SLAYDEN with Mr. LUFKIN.

Mr. HAMILL with Mr. BACHARACH.

Mr. BENSON with Mr. COOPER of Ohio.

Mr. BLACKMON with Mr. DAVIS.

Mr. BOOHER with Mr. DUNN.

Mr. BYRNS of Tennessee with Mr. FORDNEY.

Mr. CALDWELL with Mr. GRAHAM of Pennsylvania.

Mr. CAREW with Mr. HAMILTON of New York.

Mr. CRISP with Mr. HASKELL.

Mr. DRANE with Mr. JOHNSON of South Dakota.

Mr. EAGLE with Mr. KAHN.

Mr. GODWIN of North Carolina with Mr. KIESS of Pennsylvania.

Mr. HENSLEY with Mr. LAGUARDIA.

Mr. MCANDREWS with Mr. LANGLEY.

Mr. PARK with Mr. MORIN.

Mr. JOHN W. RAINEY with Mr. MUDD.

Mr. SABATH with Mr. NICHOLS of Michigan.

Mr. SEARS with Mr. NOLAN.

Mr. SHACKLEFORD with Mr. PLATT.

Mr. SISSON with Mr. ROWLAND.

Mr. THOMAS F. SMITH with Mr. RAMSEY.

Mr. STEDMAN with Mr. SANDERS of New York.

Mr. STEVENSON with Mr. SIEGEL.

Mr. SULLIVAN with Mr. VARE.

Mr. TAGUE with Mr. VOIGT.

Mr. TAYLOR of Arkansas with Mr. WILSON of Illinois.

Mr. MAHER with Mr. ZIHLMAN.

Mr. PRICE with Mr. WARD.

Mr. SLAYDEN. Mr. Speaker, I am paired with the gentleman from Massachusetts, Mr. LUFKIN, and I discovered when the pairs were read that he was not present. Therefore I wish to withdraw my vote of "nay" and answer "present."

Mr. BURROUGHS. Mr. Speaker, I came into the Hall after my name was called. Had I been present I would have voted "yea."

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that the Members who did not get here in time for this roll call be allowed to vote now.

The SPEAKER pro tempore (Mr. LUNN). The gentleman from Virginia asks unanimous consent that the gentlemen who were not here at the time of the roll call be given the privilege of answering to their names.

Mr. WALSH. Mr. Speaker, I can not hear the request.

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent that the gentlemen who were not present be allowed to vote on this bill. Is there objection?

Mr. MANN. Mr. Speaker, I do not believe the Speaker should submit such a request. I have no objection to the gentlemen who are here now voting, but that request will always be made in violation of the rules.

The SPEAKER pro tempore. Is there objection?

Mr. MANN. I ask that those who did not answer be called again.

Mr. FLOOD. That is the request.

Mr. MANN. No; that is not the request.

The SPEAKER pro tempore. Does the gentleman from Illinois [Mr. MANN] object?

Mr. MANN. I object to the request that is made. I have no objection, so far as I am concerned, to having the roll of the absentees called again.

Mr. FLOOD. Mr. Speaker, I modify my request to conform to the request of the gentleman from Illinois [Mr. MANN].

The SPEAKER pro tempore. The gentleman from Virginia [Mr. FLOOD] modifies his request——

Mr. HUMPHREYS. What is the request?

The SPEAKER pro tempore. The request is that the gentlemen who were not here when their names were called——

Mr. FLOOD. The request is that the names of those gentlemen who did not vote on these two roll calls be called again.

Mr. MADDEN. That instead of two roll calls there will be three. That is the request.

The SPEAKER pro tempore. Is there any objection to a roll call again?

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WINGO. Does that proposition mean three roll calls?

The SPEAKER pro tempore. Yes.

Mr. FLOOD. Three roll calls on this vote.

Mr. SNELL. Mr. Speaker, I object.

Mr. FOCHT. Mr. Speaker, how am I recorded?

The SPEAKER pro tempore. The gentleman is not recorded. Was the gentleman in the Hall listening when his name was called?

Mr. FOCHT. I always tell the truth, and there was so much confusion I could not tell whether my name was called or not.

The SPEAKER pro tempore. The gentleman votes "present."

Mr. BAER. Mr. Speaker, I renew the request and ask unanimous consent that the names of the absentees be called again.

Mr. WALSH. Mr. Speaker, we can not hear anything here.

The SPEAKER. The gentleman from North Dakota [Mr. BAER] asks unanimous consent that the names of those who were not here when the roll was called be called again, notwithstanding they were not in the Hall. Is there objection?

There was no objection.

The SPEAKER. The Clerk will call the names of those who did not answer.

The roll was called the third time.

The result of the vote was announced as above recorded.

The SPEAKER. The bill is passed.

On motion of Mr. SHERLEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. GARLAND rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. GARLAND. To ask unanimous consent to extend my remarks on the bill just passed.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. PARKER of New Jersey. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from New Jersey makes the same request. Is there objection?

There was no objection.

WITHDRAWAL OF PAPERS.

Mr. DICKINSON rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. DICKINSON. I rise to ask unanimous consent to withdraw from the files of the House the papers in connection with the bill (H. R. 4404) for the relief of James W. Master.

The SPEAKER. Has any adverse report been filed?

Mr. DICKINSON. No report at all has been filed.

The SPEAKER. The gentleman from Missouri asks unanimous consent to withdraw from the files the papers in connection with the bill (H. R. 4404) for the relief of James W. Master, no adverse report having been filed thereon. Is there objection?

There was no objection.

STATEMENT BY THE SPEAKER.

The SPEAKER. The Chair wants to make one remark to the House in the interest of order. That was a very dangerous precedent that was set down here a little while ago about calling these names. All the effect that that will have will be to induce Members to stay in their rooms two or three minutes longer when the signals are sounded on a roll call. The most important days of the session have come, and Members ought to be here until late in the evening. Last night when the question of adjournment was raised 75 Members went out of here like a house afire. If they had stayed long enough, they would have known that the House met at 11 o'clock to-day.

Mr. MANN. Mr. Speaker, in that connection will the Speaker permit me to say that I should not have been willing to grant the request that was made except that various Members stated that there was something the matter with the bells making the call.

The SPEAKER. That was excusable; but to attempt to get down here and force a third roll call is dangerous.

VALIDATING ENTRIES OF CERTAIN PUBLIC LANDS.

Mr. FERRIS. Mr. Speaker, I call up the bill S. 3797 for the purpose of having conferees appointed.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (S. 3797) validating certain applications for and entries of public lands, and for other purposes.

Mr. FERRIS. I ask unanimous consent that the House insist on its amendments to the Senate bill and grant the conference asked by the Senate.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that the House insist upon its amendments and grant the conference asked for by the Senate.

Mr. MANN. Did the Senate add any more amendments?

Mr. FERRIS. I do not think so. I have not examined it critically, but I think they simply disagreed to all the House amendments and asked for a conference.

The SPEAKER. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. FERRIS, Mr. TAYLOR of Colorado, and Mr. LA FOLLETTE.

GUARANTY PRICE OF WHEAT TO PRODUCERS.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12596) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder.

The SPEAKER. The gentleman from South Carolina moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15796, the wheat bill.

Mr. LEVER. And pending that motion, Mr. Speaker, let us see if we can not agree upon some time for general debate. What requests has the gentleman from Iowa [Mr. HAUGEN] had?

Mr. HAUGEN. I have had more requests for time on this bill than on any bill that has ever been brought up for consideration. I realize that the time is short, but it seems to me we ought at least to have three hours on this side to accommodate to any extent whatever the gentlemen who have asked for time.

Mr. LEVER. I fully sympathize with the gentleman's position. I think I have had as many requests for time on this bill as I have ever had when in charge of a bill from a committee; but that makes six hours; that would carry us to 6 o'clock.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. LEVER. Yes.

Mr. MANN. I hope the gentleman will say now that he is going to try to keep the House in session until he passes the bill.

Mr. LEVER. I want to try to pass it to-night. It is a short bill.

Mr. MANN. We have got to the point in the session now where we have to wind up some things. Let the gentleman say that the House will stay in session until the bill is passed.

Mr. LEVER. I will try to have the House stay until the bill is passed to-night. I suggest to the gentleman from Iowa [Mr. HAUGEN] that we make it two hours on a side.

Mr. MANN. Let it be six hours in all.

Mr. LEVER. Very well. I ask unanimous consent, Mr. Speaker, that the general debate close at 6 o'clock to-night, the time to be equally divided between the gentleman from Iowa [Mr. HAUGEN] and myself.

Mr. RUBEY. Mr. Speaker, reserving the right to object, I should like to ask the chairman of the Committee on Agriculture would it not be possible and proper to confine the debate to this bill which we have under consideration?

Mr. LEVER. I am perfectly willing that that should be done.

Mr. RUBEY. I think that ought to be done.

Mr. HAUGEN. I should be glad to have that done. I concur in the statement of the gentleman from South Carolina. I want to expedite the passage of this bill as much as anybody does; but, after all, we have these requests for time and I believe we ought to accommodate them as far as possible. If it can not be done, of course gentlemen who have asked for time will yield. If it is possible to give six hours, very well.

Mr. LEVER. Then I change my request. I ask unanimous consent that general debate on this bill, which shall be confined to the bill, shall close in six hours.

Mr. MADDEN. I object to that.

The SPEAKER. What is it that the gentleman objects to?

Mr. MADDEN. To confining the general debate to the bill.

Mr. LEVER. Then I withdraw that part of it, and ask that general debate be limited to six hours, three hours to be controlled by the gentleman from Iowa [Mr. HAUGEN] and three by myself.

Mr. GARRETT of Texas. I object.

The SPEAKER. The gentleman from Texas objects.

Mr. LEVER. I hope the gentleman from Texas will not object.

Mr. GARRETT of Texas. I object, unless we can find out how long a time we are going to spend on this bill under the five-minute rule.

Mr. LEVER. I am going to stay here until this bill is passed, if it takes until next week.

Mr. GARRETT of Texas. That is all right, but the calendar is filled with private bills for which we can not get consideration, and some time ought to be granted before the end of the session for the consideration of those bills.

Mr. HAUGEN. I suggest to the gentleman from South Carolina that he modify his request, to make the general debate five hours.

Mr. LEVER. Then, Mr. Speaker, I modify my request, and ask unanimous consent that the general debate close in five hours.

The SPEAKER. The gentleman asks unanimous consent that the general debate be limited to not exceeding five hours, one half the time to be controlled by himself and the other half by the gentleman from Iowa [Mr. HAUGEN]. Is there objection?

There was no objection.

The SPEAKER. The question is on going into the Committee of the Whole.

On motion of Mr. LEVER, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder, with Mr. HAMLIN in the chair.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. LEVER. I ask to be notified when I have consumed 30 minutes.

Mr. Chairman, on August 10, 1917, the food-control bill became a law. That act was passed primarily to meet two situations. We were advised, by those who should be in a position to know the facts, that the world at that time was facing a world shortage of food. This was especially true with reference to bread. It was urged upon the committee, and they were impressed with the idea that bread was as necessary to win the war as was war material of every description. I believe it can be said truthfully that except for the action of Congress at that time our allies might have broken down because of a lack of bread before we had time to send across any of our man power.

The second purpose in passing this act was to stimulate the production of wheat during the continuance of the emergency, and at the same time to protect the farmer from any unusual drop in the price due to any sudden change in the world situa-

tion. The act has justified itself many times over. The wheat farmers of this country, responding to patriotic appeals, and with a guaranty given by the Government against any great loss, produced in the year 1918 one of the largest wheat crops in the history of this country—917,000,000 bushels in round numbers; so that when the armistice was signed we had a reserve of wheat that made it absolutely sure that our domestic consumers, our Army, and our Navy, and the armies and domestic consumers of our allies would have bread.

The urgency of this legislation is indicated by the fact that although it was a bill conferring vast powers that had never before been conferred upon any President of the United States, notwithstanding that fact there were only five negative votes cast. When the bill was finally agreed upon in conference and brought back to the House for its action, upon a yea-and-nay vote on the bill in its final form there was not a single negative vote cast. So Congress at that time was impressed with the urgency of the situation and responded to the appeal of the world for more wheat and more flour.

Section 14 of that act grants the authority to the President to guarantee the price of wheat, in the following language:

> That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guaranty provided for in this section, he is authorized from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what under specified conditions is a reasonable guaranteed price for wheat in order to assure such producers a reasonable profit.

Acting under that authority, on September 2, 1918, the President issued his proclamation in this language:

> The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned to every producer of wheat of any grade so established under the United States grain standards act, upon the condition that said wheat is harvested in the United States during the year 1918 and offered for sale before the 1st day of June, 1919, to such agent or employee of the United States or other person as may be hereafter designated.

That is the guaranty of the President of the United States, acting under authority of law. The purpose of the bill now under consideration is to make good this guaranty.

The committee was confronted with two fundamental theories as to the character of this legislation. The first was to protect the Treasury at the expense of the consumer. The second was to protect the consumer against carrying the entire burden of loss. The bill follows the latter theory. The committee felt that it was unwise, unjust, certainly in these days of unrest, to shift this burden, which some one must bear, upon the shoulders of the consuming public, thereby protecting the Treasury from loss. It might be entirely possible that this surplus of wheat be handled without any loss at all to the Government, but in doing so the burden of loss would be shifted to the people of the United States, to the consumers of wheat bread. And it so happens in this country that the largest consumers of wheat bread are people with large families. Nature is always trying to equalize things. It happens that the poor have plenty of children, who are more valuable and more precious than rubies and diamonds, and to have adopted the first theory would have had the effect of placing the burden on those least able to bear it. So the committee thought it wise to adopt the policy to allow the wheat to be handled, as sane business men would, with the thought in mind of making no artificial price to the consumers of this country. The committee thought it would be unwise for England, France, or Italy to be buying their loaf of bread at one price and our consumers in this country paying at a higher price. We felt that we could not afford in this period of reconstruction, when men are thinking abnormally, when the world itself is in an unsettled state, to take any chance on that kind of a proposition. I feel that the committee was wise in coming to the conclusion it did.

When we had decided on the theory as fundamental to this legislation we were confronted with various methods of carrying it into practical effect. Some who appeared before the committee suggested and earnestly urged that forthwith we should resume prewar conditions in the grain business, open up the exchanges, take off all restrictions as to exports and imports, revoke the licenses issued—in other words, let the trade go back to its normal condition.

Another suggestion advanced was that we might partially resume prewar conditions in the grain business by controlling speculative transactions in the grain exchanges, by enabling the Government itself, whenever there is any indication of manipulation of the market, to be in a position to stabilize the market.

Finally, it was suggested that something like the present machinery should be kept in force until the time fixed in the bill, when the grain trade might safely resume its prewar operations.

The committee did not agree to the first proposition, for the reason that the grain trade thought it economically unsafe to do so. The leading members of the Chicago Board of Trade thought it might be unwise to do this so long as there is foreign control over wheat and wheat flour.

We did not adopt the second proposition of partially controlling the situation through Government agencies and allowing the trade to get back to prewar conditions as far as possible, for the reason just stated. So the committee has brought in a bill that in its practical effect retains the machinery now existing, known as the Food Administration Grain Corporation, which in its effect has complete monopoly of the wheat business in this country.

There are many difficulties in handling this matter. First of all, we have the proposition of the carry over from the 1918 crop. Mr. Barnes in his testimony said that up to the time of the signing of the armistice the Grain Corporation was bending its efforts to build up a reserve of 150,000,000 to 200,000,000 bushels of wheat, so that if any calamity happened anywhere we would be in a position to meet the situation. Immediately, however, after signing the armistice Mr. Barnes, who headed the Grain Corporation, began to look about for purchasers of the surplus crop of 1918, and I am very glad to be able to say to the committee that in his testimony he encourages us to believe by figures that we need not have any fear of the carry over from the 1918 crop. His figures are as follows:

> Of the 348,000,000 bushels, we have exported to February 1, 1919, practically 180,000,000 bushels. We have then for export disposition between February 1 and the end of the 1918 crop year approximately 170,000,000 bushels. Against this we have the following commitments, definite and estimated, to be supplied as wheat or wheat flour: European allies, 100,000,000 bushels; commission for relief in Belgium, 20,000,000 bushels; neutrals, 15,000,000 bushels; and European relief, 30,000,000 bushels. Total, 165,000,000 bushels.
>
> These exclude any contribution to enemy countries, such as may be approved by the supreme council on supply and relief or the armistice authorities later, but also these enemy country necessities may be satisfied with rye and other grains, instead of wheat, should we be short available wheat.

So that, as a matter of fact, we have in sight a surplus with the grain corporation of only about 5,000,000 bushels of wheat from the 1918 crop.

Now, then, another difficulty faced the committee. We produce in this country about 325,000,000 bushels of spring wheat.

Mr. WELLING. Would it interrupt the gentleman if I asked him a question?

Mr. LEVER. I will yield to the gentleman.

Mr. WELLING. Is the 1918 carry-over crop being disposed of to foreign Governments, so that there will be no loss to the Government of the United States?

Mr. LEVER. Yes.

Mr. JUUL. Will the gentleman pardon me for a question? I like to follow the gentleman, who is making a very interesting statement. Is the gentleman making the statement now that out of the money set aside by the United States Government to take care of any shortage between the price that we have guaranteed the farmer and the price at which we have sold in the world's market, and that we are not making any use of the reserve money when wheat is sold at the guaranteed price and that it represents no loss?

Mr. LEVER. The money to which the gentleman refers is a revolving fund and goes back into the Treasury.

Mr. JUUL. The gentleman states that the 1918 crop is practically disposed of.

Mr. LEVER. That is true.

Mr. JUUL. Does the gentleman mean to state to the House that it is disposed of without any loss to the country, and that we are practically maintaining the price we are guaranteeing?

Mr. LEVER. That is true.

Mr. ROBINSON. Mr. Chairman, is there any good reason why the Government guaranty should not be limited to the crops now seeded?

Mr. LEVER. I am coming to that.

Mr. ROBINSON. To the crops now seeded, up to the 1st of March, 1919?

Mr. LEVER. That is a problem with which the committee wrestled quite a while. The spring wheat production of this country normally is about 325,000,000 bushels.

It is about one-third of the total crop. It is true that not very much of the spring-wheat area has been seeded, if any. We asked Mr. Barnes about that proposition, and in that connection I want to say that he is one of the fairest men who ever appeared before the House committee.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield to me for a moment?

Mr. LEVER. Yes.

Mr. McLAUGHLIN of Michigan. Does the gentleman wish his answer to the gentleman from North Carolina [Mr. ROBIN-

SON] to stand just as he made it, that the committee "wrestled" with that question for a long time; that is, the question of whether or not the Government should make good its guaranty on the spring wheat? Is it not true that the committee dismissed that promptly and determined without any difference of opinion that we ought to make good the spring-wheat guaranty?

Mr. LEVER. The gentleman is correct. I was misleading in my statement. I should have said that it was discussed at various times during the hearings, but the committee felt from the outset that the farmers should get the guaranteed price.

Mr. Barnes, before the committee, said:

As to excluding the spring-sown wheat from the guaranteed price as the termination of a war contract, I should point out the practical difficulties even while I say in advance that the proposal appears to me to border too closely on bad faith. If an attempt is made to reimburse producers' actual loss for expenditures made in preparation for growing under that guaranty, the practical difficulties in arriving at fair conclusions as to those damages in several hundred thousand cases, and the scandal sure to follow in a storm of charges of preference and prejudice in determining those claims, would alone condemn it. In the marketing of wheat it would be impossible to segregate spring-sown wheat from fall-sown. Some areas grow both in the same counties. The flow of grain interchanges from one territory to the other, and in any attempt to apply one method of price to fall-sown and another method of price to spring-sown the door is wide open to fraud on a stupendous scale.

More than that, if I may have the attention of my friend from North Carolina [Mr. ROBINSON], I would like to read again in this connection the proclamation of the President of the United States making this guarantee:

* * * that said wheat is harvested in the United States during 1919 and offered for sale before the 1st day of June, 1920, to such agent or employee of the United States or other persons as may be hereafter designated at one of the above-mentioned cities.

That is the proclamation of the President. The President has given his solemn word, "I will pay you $2.26 per bushel on the basis of No. 1, northern spring wheat, Chicago, if you present it to my agent before June 1, 1920." I fully agree with Mr. Barnes in the statement that for us to undertake to segregate spring wheat from fall wheat at this time would be to border dangerously close on bad faith. The committee, without hesitation—and I am glad my friend corrected that—came unanimously to the conclusion that the spring wheat farmer was included in the proclamation. The Government is in a contract with the farmer, and if the producer fulfills his contract by the delivery of wheat, as provided for in the proclamation, there is nothing left for the Government to do but to live up to the agreement.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. LEVER. For a question.

Mr. ALEXANDER. Is it not true that the President's guarantee is based upon No. 1 northern spring wheat?

Mr. LEVER. That is true.

Mr. ALEXANDER. Then clearly spring wheat was in contemplation at the time of the guarantee.

Mr. LEVER. Yes.

Mr. BAER. And is it not true that Congress authorized the President to fix the price?

Mr. LEVER. Absolutely.

Mr. SNYDER. Mr. Chairman, if what the gentleman says is true, and I think it is conceded by everybody, that this agreement was regularly and honorably made and authorized by the Congress, what is the use of our having five hours of debate on the question?

Mr. LEVER. I agree with the gentleman.

Mr. ROBINSON. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. ROBINSON. Could wheat sown in the fall of 1919 be harvested and offered for sale by June 1, 1920?

Mr. LEVER. No.

Mr. ROBINSON. If that is true, you are working a great injustice to the public by giving these wheat farmers a bonus of $1 a bushel, at the present prices.

Mr. LEVER. The guaranty goes to June 1, 1920, for the 1919 crop; that is, for wheat planted in the fall of 1918 and for wheat sown in the spring of 1919.

Mr. ROBINSON. That is, it goes to wheat offered to the Government agents by June 1, 1920?

Mr. LEVER. Yes; if grown at the times I have stated.

Mr. ROBINSON. The question I asked was whether wheat sown this fall could mature and be offered for sale by June 1, 1920?

Mr. LEVER. No.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. LEVER. I wonder if the gentleman will permit me to proceed——

Mr. LAZARO. Just one question.

Mr. LEVER. Yes.

Mr. LAZARO. The gentleman stated awhile ago that the purpose of the law was, first, to have bread in order to win the war, and, second, to increase the production of wheat. I fully agree with the gentleman on that. I want to ask this question for information: Is there anything that this Government could have done to get the allies pledged to help us bear this burden in the event an armistice was signed suddenly?

Mr. LEVER. Well, that question was asked Mr. Barnes, and he informed us nothing had been done.

Mr. KREIDER. If the gentleman will permit me in order to correct a statement, in reply to the question asked by the gentleman from North Dakota as to the possibility of selling this year's crop of wheat, selling, for instance, at $2.20 and buying at $1.25, the chairman said it would be possible in reference to seed wheat. That is not possible because the wheat price is guaranteed until June 1, and there is no spring wheat sold in June and the price will be guaranteed while the seeding is being done. You could not sell one and buy the other. I simply say that to show, if it were true, it would have in it the element of speculation which the bill does not possess.

Mr. LEVER. I am obliged to the gentleman. Now, Mr. Chairman and gentlemen, I think the committee will be interested in what the prospects of this country are for the crop of wheat in 1919. In a memorandum prepared by the Food Department and Department of Agriculture I find this:

The number of acres of wheat planted for the 1918 crop was as follows: Winter wheat, 42,301,000 acres; spring wheat, 22,406,000 acres. However, of the winter wheat planted about 5,000 acres were abandoned. From this planting there was harvested 917,100,000 bushels. For the harvest of 1919 it is estimated there have been planted 49,261,000 acres of winter wheat, an increase of 16.5 per cent over the winter wheat planted in the fall of 1917 for the crop of 1918. The spring wheat has not yet been planted, but if there is the same increase in the planting of spring wheat in 1919 as there is as to winter wheat, the total acreage of spring wheat may be about 26,000,000 acres, or a total estimated acreage of about 75,000,000 acres.

The CHAIRMAN. The time the gentleman allotted to himself has expired.

Mr. LEVER. I yield myself 10 additional minutes. This would indicate, Mr. Chairman, if the conditions in the wheat area continue throughout the season, that we will have a production of 1,250,000,000 bushels of wheat. I think no one before the committee, and the entire grain trade was represented, had any idea unless some calamity overtook the crop that we would produce less than a billion bushels of wheat. The world production of wheat ranges from 3,500,000,000 bushels to 4,000,000,000 bushels a year. Now, I would like to take up with the committee briefly the foreign situation as it touches wheat. First, as to the consumption of wheat by foreign peoples.

Mr. SUMNERS. If the gentleman will permit, I do not know whether the gentleman cares to be interrupted——

Mr. LEVER. I would like to submit to interruptions, but I have only 10 more minutes. The estimated available stocks from surplus wheat countries other than the United States in January, 1919, were: Canada, 100,000,000 bushels; Argentina, 185,000,000 bushels; Australia, 210,000,000 bushels; or a total for the three countries of 495,000,000 bushels. The estimated surplus of the United States of the harvesting of last summer was 277,000,000 bushels, making a grand total of the four countries of 772,000,000 bushels. Our allies and the neutral countries in Europe will need to import this year about 649,000,000 bushels to meet their normal prewar requirement. If Germany and Austria-Hungary also are supplied on a prewar basis they will need to import about 79,000,000 bushels. This will make the total requirement for Europe 728,000,000 bushels in excess of their home production. These estimates do not include Russia or any of the Balkan States. It is probable that India, which produces something like 350,000,000 bushels of wheat per year, will be an importer of wheat this year. Mr. Barnes said in his testimony he had seen a cablegram, while in London a few weeks ago, to the effect that stocks of wheat in India had run practically out and that India instead of being an exporter of wheat, as she usually is, would be an importer.

Now, then, the probable demand for wheat, without going through all the figures, will be 728,000,000 bushels. It would seem from the figures that we will have a left-over exportable surplus of 167,000,000 bushels of wheat, and my figures are these: Canada, 100,000,000 bushels for export; Argentina, 185,000,000 bushels; Australia, 210,000,000 bushels; and America, 400,000,000 bushels, making a total export of 895,000,000 bushels, as against the European demand on the prewar calculation. I am convinced that more wheat will be consumed than there was before the war. As food prices go down consumption of wheat, not only in Europe but in this country, will increase.

Mr. YOUNG of North Dakota. Is it clear all are going to have a surplus?

Mr. LEVER. That is true; they may not have a surplus. So while this bill carries $1,000,000,000 on its face and has shocked the sensibilities of some, I am not so sure that the Government is going to stand a loss of a very great sum of money on this proposition. [Applause.]

Mr. LONDON. Will the gentleman yield for a question?

Mr. LEVER. For a short question.

Mr. LONDON. In what manner does the measure protect itself against loss? Is the Government a selling agent?

Mr. LEVER. The Government in this case has a complete monopoly; it buys and sells it.

Mr. McCULLOCH. Will the gentleman yield?

Mr. LEVER. For a question.

Mr. McCULLOCH. The gentleman has stated this bill will protect the poor, the consumer, and I have listened with interest, but have heard no explanation whatever of this statement. I would like to know wherein this bill will protect the consumer.

Mr. LEVER. The theory of this bill, I will say to the gentleman from Ohio, is that the wheat shall be bought from the producer at the guaranteed price.

It was the intention of the committee, as we felt it to be the will of this House, that there should be no possibility of a fall-down with respect to the guaranty to the farmer. He should get for his wheat the fixed price. The grain corporation, or whatever agency the President sets up, will sell this wheat at what may be a reasonable price, taking into consideration prices that may be existing in the great centers of foreign nations, I was about to say, sell it on the basis of a world price; but it was very distinctly set forth and made plain to the committee that under these abnormal conditions there can not be any world price. The lack of international credit, the tie-up in transportation, and various and sundry things entering into the economics of the situation make that impossible.

Mr. McCULLOCH. Will the gentleman permit? Is the price determined by the law of supply and demand?

Mr. LEVER. As much as possible.

Mr. McCULLOCH. Does the gentleman take care of the difference by paying the farmer, or will the Government keep the price up to the guaranteed price?

Mr. LEVER. I will say to my friend that the committee took this view of it: We are legislating on prospects. The gentleman from Kentucky [Mr. SHERLEY] yesterday said it was dangerous to legislate on predictions. It is more dangerous to go into the details of legislation when you are legislating on a prospect. No one knows what the wheat situation is going to be two weeks from now or two months from now. Some great calamity may sweep over the country, like a hard frost, and instead of having an extra large crop we may have a subnormal crop. It may be possible that on account of this abnormal weather that we have had throughout the wheat belt wheat is going to be attacked by insects, flies, or bugs, and thereby greatly reduce the prospects of a large crop. No one can tell, and for that reason we have put as little detail in this bill as possible.

Mr. McCULLOCH. I want to develop one point. Will the consumer get his flour and his wheat by the law of supply and demand, or is he going to pay the guaranteed price?

Mr. LEVER. I have tried to answer the gentleman.

Mr. McCULLOCH. What does the bill provide?

Mr. LEVER. The bill provides that it may be sold at that price or any other price.

Mr. McCULLOCH. As determined by the President?

Mr. LEVER. Not determined by the President, but by the law of supply and demand.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, I will take 10 minutes more.

Mr. HARDY. I would like to ask the gentleman whether or not it was intended that this provision would enable the Government to bear the market on the price of wheat?

Mr. LEVER. The committee did not think the Government ought to put itself in position of bearing the market. The committee thought the Government ought to act in this matter as a sane business man transacting his own business would. That is the theory of this bill.

Mr. SUMNERS. I want to ask the chairman if he has explained the theory on which the country is considered to be obligated to take care of the price of spring wheat that is not yet planted? If the gentleman stated it, I did not hear him.

Mr. LEVER. I referred to that.

Mr. OLNEY. Literally the object of this bill is to subsidize the wheat grower at the rate of a dollar a bushel.

Mr. LEVER. It is not a subsidy. It is carrying out the faith of the Government with the farmer.

Mr. OLNEY. You spoke of the amount of seed on hand as 90,000,000 to 100,000,000 bushels.

Mr. LEVER. That is the amount.

Mr. OLNEY. Would not we be carrying out our moral obligations by paying the farmer for the seed on hand?

Mr. LEVER. He has the right to sell his wheat on hand.

The powers conferred in this bill are broad, and we have tried to make them elastic, so that the agencies created by the President might meet any situation that may develop as the crop progresses. We necessarily had to make the provision broad. The appropriation is large, a billion dollars, and it is a revolving fund. We do not know whether that will be necessary or not. I am inclined to think that the Government will get out of this with very much less than a billion dollars. But the Government must pay it to keep its faith. That is all there is to it. What we did in the passage of the food-control act was to suspend a law of economics. We undertook to repeal the law of supply and demand. You can not do it, as a witness before our committee said, and avoid paying a penalty. Congress did not make the law of supply and demand, and we are paying in this bill the penalty for having done violence to that economic law. But, gentlemen of the committee, it was necessary to do it. Congrsss felt it necessary in order to win this war. We have won the war, and this is a part of war expenses.

That is what it is. This bill is confined to wheat and wheat flour. It was suggested in some of the testimony before the committee that we ought to include cereals of all kinds, and some went so far as to say that we should make the language of the bill broad enough to cover meat and various and sundry things. The committee thought, after listening to the testimony, that it was the will of Congress and the judgment of the American people that as quickly as possible we should get back to the normal prewar condition. Therefore we confined it to wheat and wheat flour.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LEVER. I am sorry, but I can not yield. Will not the gentleman take time under the five-minute rule? I am limited in time.

Now, gentlemen, I am about through. The Government has entered into a solemn pledge with the wheat farmers of this country.

Mr. WELTY. Will the gentleman yield?

Mr. LEVER. I can not yield. The Government has given its word to the producers of wheat. They have responded nobly. They are producing the greatest wheat crop that this country ever produced, and the Government should comply fully and freely with its agreement.

If this war had continued, the probability is that we would have needed every bushel of wheat that the farmers are going to produce. It is the solemn duty of this Congress to make good that guaranty. The Government of the United States is as binding in this matter as it is to pay liberty bonds or its circulating notes. I can not conceive that there is a single, solitary Member of this House, who is honest in his own transactions and his own personal dealings, who would have the hardihood to vote against it. [Applause.]

If such should be the case, I shall be greatly disappointed in that individual. I believe that the honest people whom he represents would likewise be sadly disappointed in him. Our faith is given. Our word is pledged. We must keep it.

They do not grow enough wheat in my district or in my State to make biscuits for breakfast every day in the year. I have no personal interest in this matter at all. If the Government had given its guaranty as to the prices on steel, copper, oats, meat, pork, beef, cotton, sheep, mutton, or anything else, I would be standing here pleading that the contract be kept with the producers of those commodities and all others that might have had a guaranty. I am standing here pleading that the Government keep its pledge with the wheat farmers of this country who have kept faith with it. Gentlemen, I thank you. [Applause.]

Mr. MANN. Mr. Chairman, has the gentleman time to yield to a question?

Mr. LEVER. How much time have I, Mr. Chairman?

The CHAIRMAN. The gentleman has one minute and a half.

Mr. LEVER. Yes.

Mr. MANN. Somebody at one time said that when we guaranteed the price of wheat we did so in order to produce a large crop of wheat, so that we would be able in part to feed the countries allied with us in the war. Now, we expect to carry out the guaranty and produce an extra large crop of wheat, part of which is already planted, much of which is not yet sold, much of which will go to the allies. Is there any way by which they are going to contribute to the loss which may be incurred or are we to be the only ones to hold the sack?

Mr. LEVER. I am sorry I can not tell the gentleman that. When Mr. Barnes was before the committee the question was asked if he had any arrangements with the allied Governments as to the 1919 crop, and his answer was that there was no such arrangement. It seems to me we shall have to bear the burden alone.

Mr. MANN. We undertake to raise a large crop of wheat for the benefit of our allies. We are expecting to pay the high price guaranteed for that and let them get off without any expense?

Mr. LEVER. I will say to my friend from Illinois—and I think it will be interesting to him—that Great Britain is now buying a large quantity of wheat from Argentina.

Mr. MANN. Can the gentleman say at what price they bought it?

Mr. ANDERSON. One dollar and thirty-five cents.

Mr. MANN. It was not a matter of credit, then. If they can buy it at a dollar a bushel less than from this country, that is the reason they bought it.

The CHAIRMAN. The time of the gentleman from South Carolina has expired. The gentleman from Iowa [Mr. HAUGEN] is recognized.

Mr. HAUGEN. Mr. Chairman, I yield five minutes to the gentleman from Illinois [Mr. MCKINLEY].

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. MCKINLEY. Mr. Chairman, the gentleman from South Carolina [Mr. LEVER] has so clearly set out the provisions of this bill that it seems hardly necessary for one who is in favor of it to attempt to talk further on it.

I will vote for this billion-dollar appropriation because the President has pledged the good faith of the Government, and the promise must be kept.

The farmers in 1917 and 1918 asked Mr. Hoover and the President not to control prices. Nevertheless, the President did spread his fatherly hand over the farmers of the North, and now we should and must pay for his mistake. It was not many years ago the country was startled by the statement that Congress had appropriated a billion dollars to run the Government for one year. This year it is stated the expense will be eighteeen billions. Let me suggest a few items totaling five billions that are hardly noticed. For instance, in 1918 under Mr. McAdoo it cost twelve hundred and fifty millions more to run the railroads than it did in 1917 under private ownership. We are dropping a billion dollars of revenue in the passage of the prohibition measure. The insurance policies on dead soldiers will cost seven hundred and fifty millions—a very proper expenditure, by the way, and one the country will willingly pay. In our little frenzy to build worthless wooden ships and Hog Island shipyards we have expended so much money that Mr. Hurley, the President's ship manager, advises us to charge off $1,000,000,000 loss and forget it. So here we are:

Wheat experiment, one billion.
Railroad experiment, one and one-fourth billions.
Ship experiment, one billion.
Prohibition, one billion.
Insurance, three-fourths of a billion.
Total, $5,000,000,000.

There is a saying in the West that "in the end the farmer pays it all." In this instance he will get a chance to pay back this wheat billion on account of the other four billions, and particularly in increased freight rates, to make up the one and one-fourth billions, through the President's experiment in running railroads.

In closing let me touch again on the President's shipbuilding hobby. You will remember before the war he endeavored to put this over but was defeated in the Senate. Under the stress of war and the plea of patriotism he brought it forward again and was granted unlimited funds. From figures before me which, I think, are authentic, the total value of all the ships in the world in prewar time was three billions. When we get through with our shipbuilding policy we will have expended about six billions and will own about one-fourth of the tonnage of the ships in the world.

In other words, our ships will have cost us eight times as much per ton as privately owned ships of other nations. The farmers and other heavy-freight shippers are expected to pay additional freight in order that we may operate American ships costing eight times as much as foreign-owned ships.

I yield back the balance of my time. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CARTER of Oklahoma having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. MARTIN of Virginia, Mr. UNDERWOOD, and Mr. SMOOT as the conferees on the part of the Senate.

GUARANTY PRICE OF WHEAT TO PRODUCER.

The committee resumed its session.

Mr. HAUGEN. Mr. Chairman, as stated by the chairman of the committee [Mr. LEVER], under the terms of the proclamation of the President on November 2, by virtue of an act of Congress of August 10, 1918, the wheat growers of this country were guaranteed a certain price for their wheat at 22 principal primary markets. The lowest price per bushel for No. 1 northern spring, No. 1 hard winter, No. 1 red winter, No. 1 durum, No. 1 hard white was $2 at Salt Lake City; the highest, $2.29½, at New York City; $2.21½ at Minneapolis; $2.26 at Chicago. As has been stated, the object of the proposed bill, among other things, is to enable the President to make that guaranty good; so far, very well. I take it that all are agreed that every legitimate and proper contract, great or small, should be redeemed unconditionally—certainly a contract made by the Government. I can not imagine that anyone with any sense of honor would ever suggest the repudiation of a legitimate obligation. If so, it is not necessary to discuss that phase of the bill; so if that were all there is to it, we would have no controverted question before us.

But, gentlemen, that is not all that is in this bill. If you will turn to section 3, you will find that it guarantees the millers, the bakers, the wholesale jobbers, and the merchants buying in carload lots against loss.

Mr. SUMNERS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Texas?

Mr. HAUGEN. I will yield in a moment.

The CHAIRMAN. The gentleman declines to yield.

Mr. HAUGEN. So in order to honorably discharge one obligation made in time of war, made to aid in bringing the war to a triumphant conclusion, it is proposed now in time of peace, with taxes high and Government bonds selling below par, to take on an additional burden. The question then is, Why go into this insurance business and thus extract additional millions from the Public Treasury at a time when the American people are staggering under the burdens of taxation and bond issues already imposed? Why single out certain classes—the miller, the baker, and the dealer purchasing in carload lots—all most excellent people, but there are others? The dealers who do not buy in carload lots are entitled to consideration also.

One contention is that it is necessary in order to insure a steady flow of wheat and flour. That is, of course, absurd. If necessary to insure the miller, the baker, and dealers in wheat and flour, it is just as necessary to insure the groceryman, the dealers in food and in hardware. Prices are high all along the line. The prices of groceries and hardware are just as certain to go down as is wheat or flour. Why the discrimination? They are all worthy and deserving people, all entitled to the same consideration. What will be the result? In the proclamation the guaranty expires June 1, 1920. Therefore it is fair to assume that the buying of wheat and flour should cease before that day. In this bill, instead of its closing up its business on that day, it will find that it is obligated to buy wheat and flour held by millers, bakers, and merchants. So instead of having sold its wheat and closed its business it has simply loaned it to the millers, bakers, and merchants.

Who is back of this proposition? No merchant asked for it. Certainly not the millers! Here is what their representative, Mr. Bell, had to say about it. See page 145 of the hearings before the Committee on Agriculture:

Mr. HAUGEN. Your contention is that the miller should get a guaranteed profit?
Mr. BELL. No, sir.
Mr. HAUGEN. I understood you to say so.
Mr. BELL. No, sir.
Mr. HAUGEN. Did you say something about safeguarding men against loss?
Mr. BELL. No, sir.

On page 155 the chairman asked this question:

Have you any other gentlemen who represent the millers who desire to be heard?
Mr. BELL. No; Mr. Chairman, our committee was content to allow me to be their spokesman.

That, I believe, makes it clear as to the millers' position in the matter and disposes of the guaranty to millers and merchants.

So then, gentlemen, that proposition does not come at the suggestion of the millers or the dealers in flour. Oh, no; according

to the Federal Trade Commission's report the millers were permitted to increase their profit of 175 per cent on operating; 100 per cent on their capital. They did not have the gall to ask for it.

Mr. SUMNERS. Will the gentleman yield?

Mr. HAUGEN. I would prefer not to at present. I will yield in a moment. Now, what is the other proposition? Mr. Barnes, who represents the Government at the head of the Grain Corporation, who probably knows more about the handling of wheat than any other man in the United States, ought to know what is necessary to carry out this contract in good faith. What did he suggest? If you will turn to page 162, you will find that Mr. Barnes asked for authority to license carriers and elevators in order to reflect fairly the terminal price back to the producer at country stations, to prevent breaking down the country price, and so any fair reflection of the natural guaranteed price; in other words, to protect the producer and the Government. No such provision in the bill. He asked for preferential rail service on American railroads and steamships. No such provision in the bill. What about the exchanges? He asked for authority to control exchange trading. He said that this would be necessary. He stated: "To recognize exchange trading in those same commodities and the speculatively influenced possible prices thereby would embarrass price maintenance."

On page 172 the chairman asked: "What do you say as to the partial coming back to prewar conditions in all exchanges, with the Government a partial buyer and seller, as occasion might demand?" His answer was: "Practically, I am inclined to think it would not operate fairly without great abuse."

The bill closes the exchanges as far as wheat and flour are concerned, but it permits speculation and manipulation of other cereals, and we all know that as the price of oats and corn is hammered down, down goes the price of wheat. Mr. Barnes appeared before the committee as a representative of the Government and asked for—

> authority to buy and sell wheat and other cereals and their products and other foodstuffs, at home or abroad, for cash or for credit. This is purposely recommended wide enough so that a national policy of combined sales of wheat and other imperatively needed foodstuffs may facilitate the marketing of wheat; also, wide enough to permit the encouragement of wheat sales abroad by the credit inducement, which may offset price comparison altogether. New legislation should allow the purchase of 1918 balance as well, and there should be no limitation on those with whom either purchases or sales should be made.
>
> Import and export embargo power. This is necessary as a basis for any national policy of combined foodstuffs sales, and should include authority over all foodstuffs.
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> * * * * * * *
>
> Mr. BARNES. The reason I think other foodstuffs than cereals, if you please, wheat or wheat flour and other cereals, should be controlled is with the idea it might be a necessary defensive public policy to make combination sales of our products. I think I commented in my statement that the European needs for a meat supply are at least 50 per cent of their requirements. Our idea is to be in a position to say, "If you want to purchase our meat products, you should make purchases of a certain percentage of our wheat products also."
>
> The CHAIRMAN. Is there a larger shortage of meat products in the world than there is of wheat?
>
> Mr. BARNES. Yes; they are more dependent upon the United States for meats.
>
> The CHAIRMAN. They are more dependent upon us for meats?
>
> Mr. BARNES. Yes.

He says it is necessary to control foodstuffs outside of cereals. Gentlemen, that is not in the bill. Why is it necessary? He says that the world is short on fats. We are long on fats. He proposes that we put ourselves in the position that when these people come to us to buy our fats we shall say to them, "If we let you have the fats, we also expect you to take some of the wheat, that we may unload some of our surplus of wheat."

Another thing, a most stupendous proposition—I can not imagine that any business man would ever suggest such a thing. If you will turn to page 161 of the hearings, you will find that Mr. Barnes asked for authority to borrow money, to pledge the credit of the agencies and the property of the agencies. What does the bill provide for? It provides for pledging the credit of not the agencies but the United States without limit. Have you ever heard of such a thing? Has anybody thought of such a thing? Can it be possible that Congress could ever suggest such a thing? Yet it is in the bill. It is true that it provides that the property of the agencies shall be pledged, but who cares for the collateral securities? Government bonds have been sold without any collateral security.

Why, gentlemen, the integrity of 110,000,000 people and our $250,000,000,000 of resources have been considered adequate, and we have never been called upon to put up collateral security. What does the banker or investor care about the collateral security? What does he care about the name? This agency can buy 100,000,000 bushels of wheat and pay $250,000,000, and sell it to John Jones, it matters not who he is, and his note can be offered as collateral security. What does the banker care about John Jones? He looks to Uncle Sam. That is all that is necessary. The money is obtained on the note. The Government agency turns around and buys another 100,000,000 bushels, and probably buys back the very 100,000,000 bushels that it sold to John Jones. Thus you have an endless chain and credit after credit without limit.

Much has been said about the bargain we made. Let me call your attention to the kind of a bargain we made. We guaranteed the price of $2.26; Italy guaranteed $4.44 for the 1919 crop; France guaranteed $3.84; Holland guaranteed $3.30; Switzerland guaranteed $3.18; Norway guaranteed $4.09, and so all along the line. Yet people are scared to death that we are going to create a loss of a billion dollars. Yet the price is only half what is guaranteed in other countries.

But you speak of a surplus. Everybody agrees we have not got a bushel of surplus of the 1918 crop. It is true that a few speculators have been trying to make out that we have a surplus, but evidently they have sold short and they are now trying to hammer down the price by sending out these reports.

Now, my friends, it is well to review the history of this legislation. As you know, Mr. Hoover came here. Whether he was sent here or sent for, it matters not; but we were told by Mr. Hoover that the price of wheat was likely to go to $7 a bushel. He told us that his task was to furnish flour at $6.60 per barrel. That would net the farmer about $1 per bushel. Later he said the price might be fixed at $1.50 a bushel. Congress fixed it at $2 a bushel. We provided for a commission, and that commission fixed the price at $2.20.

Wheat was then selling at $3.45. Neutral nations offered $1 premium, or $4.45. The railroads were taken over and the rates were increased, and the price was increased to make up for the increased rates, and the price was fixed at $2.26. The farmer said, "I am not so much concerned about the price of wheat as I am about winning the war." He said, "Fix the price at any price." It was fixed at less than half what the wheat would have brought under the natural law of supply and demand. So any farmer who sold a thousand bushels sacrificed at least $2,000. Now you propose that he shall go down in his pocket and pay his share of the taxes and purchase his share of bonds to make good this insurance that we are granting to these other people. Are we dealing fairly with him, gentlemen? Have we dealt fairly with the farmer? We told him to plant and harvest and sell, and he planted and produced, as has been stated here, 917,000,000 bushels of wheat, which is about one-third of the total production of wheat in the world. They produced over 5,600,000,000 bushels of cereals, or about one-third of the total production of cereals in the world, 19,500,000,000 pounds of beef, mutton, and pork. If you will take the Secretary's report, you will find that the 1918 production of live stock on hand January 1 aggregated in value $24,700,000,000. It amounts to about three times the total stock of money in the United States, even after our printing presses have been running night and day to the full capacity.

Mr. GORDON. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. GORDON. Did the committee estimate how much more spring wheat would be planted this spring as the result of this guaranty than would have been planted if this guaranty and not been made?

Mr. HAUGEN. Yes; we have had all kinds of estimates. Unfortunately there seems to be a tendency in this country to overestimate the surplus and thus depress the prices and cause a loss to the Government; I do not know for what reason.

That seemed to be the tendency all along the line and that seems to be the aim of the representatives of the exchanges. We have no way to estimate the crop. The 1918 crop is reported to be 917,000,000 bushels, and it is possible that the 1919 crop may be a billion bushels, but all may be needed. It is simply an estimate. We may have an increase of acreage, but we must take into consideration the climate and a number of other things.

Mr. GORDON. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. GORDON. I agree with what the gentleman says about the Government guaranteeing the price to the farmers, but I do not catch his reasoning nor that of the chairman of the committee in reference to wheat to be sown this next spring.

Mr. HAUGEN. It is to be sown this spring and offered for sale before June 1, 1920. We have a provision in the law providing drastic penalties for anyone who may violate the law by making false statements, and so forth.

Mr. MILLER of Washington. Will the gentleman yield?

Mr. HAUGEN. I will.

Mr. MILLER of Washington. If I understand the statement, the guaranteed price by European countries is higher than ours.

Mr. HAUGEN. Many of them.

Mr. MILLER of Washington. It is safe to say that the world's market will not get below $2.26.

Mr. HAUGEN. Wheat is selling 10, 20, and 30 per cent above the guaranteed price. Everybody is talking about a loss. We are making money now and the corporation has millions of dollars to its credit and probably will have at the end of the year. We have made this contract and we propose that it shall be carried out. The duty of Congress is to give the authority asked by the representatives of the Government, and it is for the interest of the Government and for the protection of the Government for us to give authority to carry out this contract in good faith. We are not complying with the Government's recommendation.

Mr. SUMNERS. Will the gentleman yield?

Mr. HAUGEN. I will in a minute. Let me make this clear. My friends, the proposition is this: To vote against the bill is to repudiate the contract made by the President, and a vote for the bill is to turn down the recommendation of the Federal Government and a failure to give to the Government proper aid or protection to carry out the contract in good faith. I for my part do not want the contract repudiated, so there is nothing to do but to vote for the bill.

Mr. SUMNERS. I just want to ask the gentleman one question. We have got the spring wheat to plant in the future?

Mr. HAUGEN. Yes; certainly.

Mr. SUMNERS. I gather from the statement of the gentleman here that we have a large surplus for exportation. We do not need the spring wheat; and as the matter seems to me, the Government might do justice to the people who have not planted their wheat, and which planting will increase the difficulties, and at the same time not submit too heavy a planting of the spring wheat. I do not know whether it is possible or not.

Mr. HAUGEN. What leads the gentleman to that conclusion? Corn is selling on a parity with wheat. People in the corn belt are not likely to plant wheat. We planted wheat in the corn belt last year because the Government appealed to us to do so, but we know that wheat planted in the corn belt is too often a loss. Until we dispose of the black rust the wheat proposition in our country is an uncertainty.

Mr. SUMNERS. If the guaranty of the price of spring wheat to planters will not stimulate production, the refusal to guarantee will not do him an injustice.

Mr. HAUGEN. I did not catch the gentleman's question.

Mr. SUMNERS. If the guaranty of the price of spring wheat will not stimulate production, the refusal to guarantee will not do the farmer any injustice.

Mr. HAUGEN. But it will. The question involved here is to make the Government contract good. It is always an injustice to repudiate a contract. I have no sympathy with a man who will repudiate a contract, great or small. I believe the contract should be redeemed. Why, my friend, the pirates of old had a sense of honor that led them to sacrifice life rather than their word. Can it be possible that any Member of Congress suggests repudiation? I know the gentleman would be the last to suggest such a thing.

Mr. SUMNERS. I do not; I was asking the gentleman a question.

Mr. HAUGEN. I know the gentleman is in sympathy with what I said, and I am not charging him with suggesting repudiation.

Mr. KEARNS. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. KEARNS. The spring-wheat planter has not performed any part of the contract.

Mr. HAUGEN. He has a contract with the Federal Government. Are you going to make it good or repudiate it? Now, I do not want to take up any more time of the House.

Mr. SUMNERS. I will not interrupt the gentleman any more. I presumed that the gentleman would give information to those who are not fortunate enough to have it.

Mr. HAUGEN. I am willing to give all the information I can.

Mr. McCULLOCH. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. McCULLOCH. Has the gentleman heard of any Member of Congress who wanted to repudiate these contracts?

Mr. HAUGEN. No. I stated at the outset that I could not conceive of a man in or out of Congress suggesting repudiation.

Mr. McCULLOCH. The price of wheat ordinarily will be determined by the law of supply and demand.

Mr. HAUGEN. Yes; and if we had not interfered the price to the farmer would have been twice as much. We deprived the farmer of 50 per cent of the value of his wheat in a free and open market, which for a billion bushels would be $2,000,000,000. He brought it to town and sold it cheerfully at the price fixed. His representatives came to Congress and said, "We are not interested in this proposition; fix the price yourselves."

Mr. McCULLOCH. The law of supply and demand determines the price to the consumer and would determine the price of flour.

Mr. HAUGEN. Yes.

Mr. McCULLOCH. It would determine the price of wheat.

Mr. HAUGEN. Speculation has something to do with that.

Mr. McCULLOCH. Under this bill you authorize the President or the Government to pay the guaranteed price of $2.26, do you not?

Mr. HAUGEN. Yes.

Mr. McCULLOCH. How is the price of wheat and flour to the consumer going to be determined, or what is going to be the result of this bill to the consumer?

Mr. HAUGEN. The consumer will have to pay the going price. If you leave it open to speculation, you would have to leave it to the judgment of the speculators.

Mr. McCULLOCH. Is it not true that under this bill it is left to the President?

Mr. HAUGEN. If you permit the practice going on here in Washington, there will be no way of estimating the greed of these people.

Mr. McCULLOCH. Under the bill, the law of supply and demand will not determine the price to the consumer and neither will the guaranteed price be the price to the consumer, but the price to the consumer will be the amount that the President decides it should be.

Mr. HAUGEN. Is the gentleman not willing to leave it to the President?

Mr. McCULLOCH. I do not think I am, if you are asking me a question. I think Congress should determine that.

Mr. HAUGEN. We have given the agency the authority to buy and sell. It may sell at any price, but it must pay the guaranteed price.

Mr. McCULLOCH. What the Government ought to do is to accept the loss and pay whatever it is, and let the consumer get the material at the price fixed by the law of supply and demand.

Mr. HAUGEN. Oh, there is nothing in the bill to prevent that. We hear a great deal about the consumer. The consumer got the benefit of the low-price wheat. The wheat growers' loss was his gain, except what the miller, baker, manipulator, and jobber took in excess of a reasonable profit. If Congress is concerned about the consumer let it turn its attention to what is going on in this city. We do not hear a word about that. No complaint made as to profits made by others. The Steel Trust alone increased its profits from $47,000,000 in 1914 to $478,000,000, an increase of $431,000,000, 1,000 per cent. Has anybody suggested that we should interfere with the Steel Trust? Four packers increased their profits $121,000,000 over their prewar profits. Morris & Co. are reported to have made a profit of 263.7 per cent on its three million capital outstanding. Has anybody any concern about the price of meat? The millers increased their profits 175 per cent. No one suggests depriving them of their profits. To the contrary, we take them under the protecting wing of the Government; we bring them under this bill, and guarantee them against a loss.

The railroads were on the verge of bankruptcy; they were about to go into the hands of the receiver. The stocks had been watered to the limit. They were unable to borrow money. The Government took them over and guaranteed $175,000,000 to $200,000,000 compensation in excess of the amount estimated by the Interstate Commerce Commission, which nets the railroads from 10 per cent to more than 600 per cent. We are paying for some of the roads many times over each year. Rates were increased. A $900,000,000 burden was pinned on the producers and consumers by way of increased rates, notwithstanding that the Director General of Railroads reports a loss to the Government of $196,000,000. Only an hour ago we passed a bill carrying $750,000,000 in addition to the $500,000,000 previously appropriated on account of taking over the railroads. Yet no one has suggested a reduction in rates in the interest of the consumer. No; we are most generous with some people.

I believe that we should have just laws and we should have the honest administration of just laws. I do not believe that anybody can be contented with anything else—not legislation to meet the views of the demagogues, or those who have no respect for property rights or law and order, not legislation to deprive an individual or a corporation of a single dollar or interest honestly acquired, but legislation to meet the views of those who would proceed in an orderly way; legislation dealing with all questions in a broad and comprehensive manner, with a spirit of fairness and justice to all concerned; legislation that will bring progress, prosperity, and happiness to all of the

people in all communities. Unfortunately this bill and the price fixing under the food-control act does not come under this rule. What unpardonable sin have the farmers committed? There are 6,000,000 of them, and there are 6,000,000 farm laborers who are tilling 6,000,000 farms. Have they not done their part in bringing this war to a triumphant conclusion?

Did they not clear the forest? Did they not develop the prairies and the wilderness into these productive fields, producing bread in sufficient quantity not only to feed our 110,000,000 people, but, as they have demonstrated recently, in sufficient quantity to feed the people of the world? Have they not also contributed to the building of roads and bridges? Have they not contributed to the building of the factories and the mills in the towns and villages, our farms and homes, our charitable institutions, and the construction of this vast system of public schools? In common with others, they have advanced step by step along the lines of accumulation of wealth and refinement, until to-day we boast of the fact that we rank amongst the most successful, practical, and intelligent people on earth. These achievements, the morality and industry of our people, are not the achievements of any one class or the people favored under this bill. To the contrary, they bear upon them the impress of the most enlightened views and policies of all the people, executed with the greatest prudence, firmness, and wisdom. They are the trophies of freedom and the grandest monument of our national glory. Though they are the results of the activities of all our people, nevertheless we should not lose sight of the fact that all wealth springs from the earth. The farm is the base of it all. So with business lagging on the farm, we have dull times in the cities and crumbling banks, factories, and mills. Hence, whenever the farmer and farm laborer are denied a living profit, necessarily they buy and produce less. As a result, labor in the factory and mills is out of employment. What a mistaken idea it is on the part of those contending for low prices on farm products to reduce the high cost of living and at the same time hope to maintain high wages. No; low prices on farm products do not always reflect the price to the consumer as long as the speculator and manipulator of prices has a free hand. The wheat grower gets less than $10 for the wheat necessary to make a barrel of flour. The consumer pays the baker more than $30 for the bread made from it. On the other hand, high wages result in high cost of production; hence high cost of production and high cost of living go hand in hand. Unfortunately one can not both eat the pudding and save it. In the Government price fixing the wheat grower was discriminated against by denying him the benefit of the law of supply and demand, possibly to the extent of $1,000,000,000. This bill provides for paying him the contract price. The millers were permitted to increase their operating profits 175 per cent. It is true that the price of the miller's bran was fixed, but he took his $24 bran and mixed it with water and sand and corncobs and peanut hulls and other substitutes, and sold it to the farmer for $52 a ton. And now it is proposed to guarantee the miller against loss, and compel Mr. Farmer to walk up and pay his share of that loss.

Mr. BAER. The gentleman left out sawdust.

Mr. HAUGEN. And sawdust and a number of other inferior substitutes. But, Mr. Chairman, I have used entirely too much time as it is. I yield 25 minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, problems connected with the Government's obligation under the guaranteed price for wheat are, I think, the most difficult that have ever confronted an agency of the Government. These problems are essentially economic problems. They affect the largest single industry in the country, and I refer in that statement to the farming industry, and they also affect the third largest manufacturing industry in the country, the milling industry. The operations of the grain trade and the flour trade in the United States and throughout the world are exceedingly technical. The machinery of that industry is exceedingly delicate, and interference on the part of the Government with the ordinary operations of that machinery results in phenomena which are both expensive and difficult to remedy. Fortunately these problems need not be solved in the legislation we are now considering. The pending bill is designed to provide the machinery for making good the Government guaranty of the price of wheat for 1918 and 1919. Before I discuss the details of the bill I want to make some general observations leading up to the necessity for this bill.

Mr. GORDON. Mr. Chairman, would it interrupt the gentleman to propound an inquiry there?

Mr. ANDERSON. I want to say that of course I would like to make the speech I have prepared, but I recognize the fact that many gentlemen have questions in their minds to which they would like to have answers, and I am perfectly willing to lay aside entirely the speech that I have prepared and answer any question that may be propounded.

Mr. GORDON. The gentleman can answer it now or later, as he prefers. I would like a little explanation of the reasons why this crop to be planted this spring is to be included in this guaranty?

I have asked that question of the chairman and the ranking member of the committee, and their answers are not clear.

Mr. ANDERSON. I will get to that question specifically later on. Of course, at the time the guaranty was made nobody could predict the circumstances which now exist, but I will get to that in a moment.

The food-control act of August 10, 1917, contained a provision which guaranteed to the producers a price of not less than $2 per bushel for wheat of the 1918 crop at the principal primary markets. Subsequently, in February, 1918, the President, under a further authority of that act, by proclamation established the price guaranteed for the 1918 crop at certain primary markets designated in the proclamation on the basis of a price of $2.20 per bushel at Chicago. This price was subsequently increased to a basis of $2.26 at Chicago, in order that the increased freight rates should not wholly implement themselves against the price agreed to be paid to the farmer. The President by proclamation subsequently guaranteed the 1919 crop on the same basis.

The policy of guaranteeing a minimum price was adopted by Congress. The proclamations of the President were authorized by an act of Congress and in accordance with the policy which it laid down. These guaranties were each and all of them without condition except that the grain should be delivered before the times designated in the proclamations—in the case of the 1919 crop before June 1, 1920—at the markets designated in the proclamation.

The proclamation constitutes an obligation which is as definite and as certain and as obligatory on the United States as a United States bond. I do not think the question of whether this guaranty should be made good or not is open to argument, but if it is open to argument it is clear that it should be considered from the standpoint of the conditions existing at the time it was made and not from the standpoint of the conditions which exist now.

There was in 1917 an actual world's shortage of wheat. This shortage was equal to approximately 375,000,000 bushels, or about one-half of the normal world's exportable surplus. Part of this shortage was due to failure of crops, part of it to unavailability of certain crops owing to lack of shipping. Russia, which ordinarily has an export surplus of wheat and wheat flour amounting to 175,000,000 bushels had no surplus at all; the Argentine crop dropped from a normal of about 170,000,000 bushels to about 70,000,000 bushels; the Australian export crop, normally about 60,000,000 bushels, was wholly unavailable.

There were in this country on January 1, 1918, out of a total crop amounting to 638,000,000 bushels, 250,363,000 bushels. Out of this must come requirements as follows: Twenty-three million two hundred and seventy-three thousand bushels for seed; 250,760,000 bushels for domestic consumption on a normal basis; and 135,000,000 bushels on account of commitments to allied countries; making a total of 409,033,000 bushels. The shortage of wheat in this country, taking into account our obligations to the allies, represented a requirement for a net reduction in consumption throughout the entire year from July 1, 1917, to July 1, 1918, of 20 per cent. This voluntary reduction of 20 per cent grew to a compulsory reduction of approximately 50 per cent in February, 1918, for the balance of the year.

I mention this simply because I want, if I can, to have you understand the situation under which we made this guarantee for our own protection and for the protection of our allies and the supply of our Army and the armies of our allies across the water.

In the 60 days prior to the passage of the food-control act the price of wheat ranged from $2.24 to $3.45 per bushel, and it is said that a premium of $1 a bushel in excess of the higher price was offered on future contracts for delivery abroad. In the light of the shortages which I have endeavored briefly to present, it was to be expected that the price would reach a very much higher level before the end of the crop year, when the necessities of our own population and of the civilian populations of our allies and of the armies abroad could be fully exploited under unrestricted commercial conditions.

The Government, however, not only guaranteed the price of the 1918 crop on the basis of $2.20 per bushel at Chicago, but said to the American farmer, "You shall not receive for your 1917 crop a price in excess of $2.20 per bushel," and we proceeded to provide the machinery whereby that maximum price could be maintained. In doing so we took away from the

wheat farmer the best market and the highest market he has ever had or is likely ever to have. We took away from the farmer the free market; we took away from him an advantage which we took away from nobody else. The farmer has not complained. I think I have never received a single letter objecting to the maximum price fixed by the Food Administration. The farmer never asked to be permitted to exploit the necessities of a world fighting for liberty and democracy, and he only asks now that the conditions which he himself has created at the solicitation of the Government and under its expressed guaranty should not be permitted to exploit him.

Mr. MORGAN. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. MORGAN. In view of what the gentleman said, is it not a fact that the price of wheat was fixed in 1917 really for the benefit of the consumers?

Mr. ANDERSON. Unquestionably; I am coming to that.

Mr. MORGAN. Because at the time the price was fixed that crop was already produced, and therefore you could not say that you stimulated production for the wheat of that year.

Mr. ANDERSON. Absolutely. In other words, as the gentleman suggests, the Government not only guaranteed the price for 1918 on the basis of $2.20 a bushel, but it said to the farmer, "You shall not get more than $2.20 a bushel for your 1917 crop which you have already raised."

Mr. HARDY. Will the gentleman answer me one question for information?

Mr. ANDERSON. Yes.

Mr. HARDY. Was it a fact or not that the wheat-growing Representatives, acting for their constituents and as their constituents desired, all agreed to vote for this price-fixing bill?

Mr. ANDERSON. I think every Member of Congress voted for the food-control act that gave power to fix the minimum price.

Mr. HARDY. It has been stated here that a great deal of controversy has arisen as to the Government fixing this price. Was not that at the instance of the wheat men? I think we ought to have a full statement in reference to that matter.

Mr. ANDERSON. No.

Mr. HARDY. How many wheat men, either by voice on the floor of the House or by vote, opposed this bill—men from a wheat district?

Mr. ANDERSON. I do not think anybody voted against the bill.

Mr. CANDLER of Mississippi. The food-control bill passed unanimously. The vote the first time was only five against——

Mr. HARDY. The gentleman remembers that other things were spoken of as being included, and when those other things were spoken of representatives of the other interests opposed including them in the minimum price-fixing measure; but was it or not practically upon the solicitation of the wheat men that the minimum price of wheat was guaranteed?

Mr. ANDERSON. No; the proposition originally came from the Agricultural Department and the Food Administration.

Mr. WELLING. If the gentleman will permit an interruption right there, at the time the price was fixed wheat was selling on the open market at something like 40 or 50 cents more than the guaranteed price.

Mr. ANDERSON. I have already said that.

Mr. LAZARO. Will the gentleman yield?

Mr. ANDERSON. I have only a few minutes, but I yield.

Mr. LAZARO. Is it not a fact that if Congress had not passed this law in reference to preventing hoarding and fixing the price of wheat that there would have been not only a shortage of bread among the armies of the allies and our own, but a shortage and suffering among the civil population, and a higher price for bread would have been necessary?

Mr. ANDERSON. Unquestionably so.

Mr. HARDY. Will the gentleman yield for one more question?

Mr. ANDERSON. I can not yield further on this proposition.

The CHAIRMAN. The gentleman declines to yield.

Mr. ANDERSON. It is claimed that the spring wheat farmer is not entitled to the benefits of the guaranty, and that it would now be proper to so amend the terms of the guaranty as to make them applicable only to wheat already sown. I point out again that the terms of the guaranty were absolute; that the offer made in the guaranty was made alike to producers of spring wheat and winter wheat without distinction. We did not say to the spring-wheat farmer that the guaranty would be made good to him providing the war did not end before he had put in his crop; we did not say to the spring-wheat farmer that we would make good our guaranty to him providing the war did not end sooner than we expected it would. We made the guaranty, on the contrary, in contemplation of the very circumstances which now exist. We knew at the time we made it that if the farmer raised a large crop in response to our appeals for increased production and the war ended before that crop was marketed that the price would probably go down, and we made the guaranty in order to protect the farmer in his patriotic efforts to increase production against that very condition. It would be a travesty upon justice if, having made this guaranty in contemplation of the end of the war, we should now say to the spring-wheat farmer, "You are not entitled to the benefits of the guaranty because the war ended before we thought it would."

The full force of the Government's policy of fixing a maximum price did not become effective until September, 1917. As a result a large proportion of the winter wheat crop was marketed at a price above the maximum, and the spring-wheat farmer was the principal loser from that policy. Having taken away his market and reduced his price far below the price justified by the then existing world conditions, having squeezed him at one end of the transaction, it is difficult to see any justification in now undertaking to squeeze him at the other end.

The policy of the Government as a whole must be considered in determining this question. It will not do to say in contemplation of the entire contract that, having taken advantage of that contract as a whole when it was favorable to the Government, to our own consumers, and to our allies, we now propose to repudiate it when its terms seem unfavorable.

We have appropriated something more than $3,000,000,000 for the construction of ships, more than one billion of this amount has already been charged off, and I am told that eight hundred million more will have to be charged off in order that these ships may meet the competition of the ships of other countries. It has never been proposed that these amounts should be charged up either against the people who built the ships or the people who will operate the ships.

We are obligated upon contracts which require us to make good the losses between the construction and installation of buildings and facilities for the manufacture of war materials and the value of those buildings and equipment at the end of the war period, and we shall be obliged to make good those contracts. It has not been suggested that these contracts should be repudiated because the war ended before we anticipated that it would end, and our liability was therefore greater than we had hoped it would be.

If the repudiation of this contract as it applies to the spring-wheat farmer can be justified upon any ground at all—and I do not think it can—the political, social, and economic consequences incident to such a repudiation far outweigh and will outlast the purely temporary and monetary gains which would result from it. Again, entirely aside from the justice or equity of repudiating our contract with the spring-wheat farmer, the physical and mechanical difficulties of administering this act and of handling the wheat crop of 1919 on a basis of $2.26 a bushel for winter wheat and a lesser or different price for spring wheat are absolutely insurmountable. I venture the assertion that if such a policy is written into this bill no man with sufficient ability and judgment and knowledge of grain marketing to administer it can be found who will undertake to administer it under such conditions.

I turn now to the discussion of the details of the bill itself and the policy which underlies it.

The committee intentionally refrained from writing into the bill any specific method of dealing with the 1919 crop. The committee was constrained to adopt this policy because the indeterminate factors which will largely determine the possible methods of dealing with that crop can not now be determined with sufficient certainty to make it either reasonable or possible to write into the bill a specific method of dealing with the situation. These indeterminate factors are: First, the size of our own crop, which on the basis of the present winter-wheat acreage and the expected spring-wheat acreage may be anywhere from 800,000,000 to 1,275,000,000 bushels; nor is it possible now to anticipate the extent or availability of the crops of other exporting countries. We do not know whether the existing allied buying pool will be continued, or whether the Governments of England, France, and Italy will continue to buy on Government account as distinguished from commercial buying during the 1919 crop year. We do not know when and under what conditions the blockade against enemy ports will be lifted, or to what extent existing embargoes will be removed or modified. We do not know the amount of shipping that will be available for the transportation of our own export surplus and that of foreign countries, or the rates at which shipping can be secured. If these artificial conditions should be lifted and the normal processes of trade reestablished; if private finance, both here and abroad, should be sufficiently rehabilitated to permit the operations of the grain and flour trades; and if in addition our own

exports and those of other exporting countries should not be larger than the world consumption could take care of, one method of dealing with the situation might be adopted; if, on the other hand, the artificial conditions continue, it may be necessary to adopt an either partially or wholly different plan of dealing with the situation.

I have heretofore discussed the plans which have been proposed, and I do not intend to go into them in detail now, but I should say that any plan adopted should accomplish the following results: First, it should insure both the winter-wheat and the spring-wheat farmer the guaranteed price upon every bushel of wheat offered by him in accordance with the terms of the guaranty; second, it should give to the American consumer the principal product of wheat in the form of flour or bread at a price substantially equivalent to its intrinsic value on the basis of the world's supply and demand; third, it should restore the grain and flour business to a normal basis of commercial trading before the 1st day of June, 1920. The first one of these propositions I have already discussed.

As to the second proposition, the American consumer, competing in his labor and production with foreign labor and foreign production, should receive under existing conditions of reconstruction the principal products of wheat in the form of flour and bread on a basis substantially approximating the price at which these products are consumed abroad.

The whole question involved in the administration of the legislation under consideration is an economic one. It is not primarily a question of saving the Government against a temporary financial loss, but a question of getting for the money expended the largest possible economic benefits. The most economic method of using up any surplus which we may have is to get the people of the world to eat it up. One dollar expended for wheat flour or wheat bread is equivalent in nutritive value to two or three dollars spent for any other foodstuff, and every dollar spent for wheat products therefore represents an economic gain.

I have in another speech shown that the consumption of wheat in this country runs from 3.5 bushels to as high as 7.5 bushels per annum per capita. The principal factors in dealing with consumption of wheat flour are: First, the existence of industrial conditions of employment and wages which permit the American consumer to buy; and second, the question of price. It is apparent, therefore, that if we create artificial conditions which prevent the free flow of these products in commerce, if industrial conditions of unemployment exist which make it impossible for people to buy, or if the price be higher than is justified by existing wage or inductrial conditions, there must be a reduction in domestic consumption which implements itself against the accomplishment of the purpose which we seek to accomplish, and that is the disposition to the best advantage of whatever surplus we may have.

What I have said with respect to the second result to be accomplished by any plan adopted applies with equal force to the third, namely, that such a plan should restore the grain and flour business to a normal basis of commercial trading before the 1st day of July, 1920.

A consideration of the results in their entirety of the policy of a fixed price upon wheat demonstrates what history has heretofore demonstrated in practically every Government, ancient and modern, namely, that the theory of governmental price fixing is an economic fallacy. In the case of wheat, the fixed price policy resulted immediately in the destruction of the historical relativity between prices of wheat and coarse grains. It demonstrates that when you once begin a policy of price fixing there is no stopping place; that when you destroy or interfere with the law of supply and demand as the principal factor in the natural and normal distribution of a product, that you must set up in its place a wholly artificial and arbitrary method of distribution, and that to maintain this arbitrary and artificial method of distribution you must guarantee the commercial operator against loss and prohibit him from making gains which the normal operations of trade under normal supply and demand would themselves regulate. It demonstrates that when by legislative action, by the setting up of artificial and arbitrary means of distribution, you violate the economic law of supply and demand, you eventually and inevitably are required to pay the penalty for that violation. It is economically desirable that this penalty should be liquidated within the limits of the term fixed by the guaranty.

In other words, if the 1919 crop is not on a basis in price substantially equivalent to the world's level on June 1, 1920, and if at that time there is in the hands of commercial operators considerable quantities of wheat or of wheat flour purchased on the basis of the guaranteed price, we must either continue the artificial means and methods which this bill provides for or we must take a further and perhaps greater loss upon the surplus still moving in the channels of trade on the basis of the guaranteed price. No one can afford to buy wheat on the basis of the guaranteed price and sell it on the basis of the lower price, either as wheat or as flour. Therefore, when the wheat crop of 1920 begins to come on the market the price of that crop must be artificially maintained on the basis of the present guaranteed price, or the wheat in the channels of trade of the 1919 crop must be on the same basis, or substantially the same basis, as the new crop, and the channels of normal trade must be opened in such a way that the ordinary commercial risks can be insured against in the ordinary commercial way.

To put the proposition in still another form, there is no halfway step in dealing with this question. We must either come absolutely to a world's basis or we must continue to maintain the artificial machinery and restraints necessary to continue upon an abnormal fixed-price basis. All of these considerations emphasize the necessity of reducing the present abnormal and artificial conditions to normal before the 1st of June, 1920.

It is by no means certain, however, that the turnout of our own crop and that of other wheat-exporting countries during the crop year 1919–20 will justify a price for consumption much below the price represented by the guaranteed price. This matter is one entirely of speculation, but it is just as possible that we will have an 800,000,000-bushel crop as that we will have a 1,250,000,000-bushel crop. Russia, which ordinarily exports 175,000,000 bushels in wheat and wheat flour, will probably export none at all. Bulgaria and Roumania and Austria-Hungary, which ordinarily have considerble export, will probably export but very little if any. The crop in France will, in all probability, be at least one-fourth smaller than normal. India has no export this year and may have none next year. If present industrial and political conditions in Argentina continue, the export of that country may be a more or less negligible quantity. Shipping conditions may or may not give us a considerable advantage over whatever export Australia may have. Indeed, a short world's crop of wheat is, on the basis of factors now known, altogether possible.

In my opinion, probably not to exceed one-half of the amount appropriated by this bill will be required. It is nevertheless essential that a sum amply sufficient to meet any condition should be provided in order that the necessary natural losses incident to the situation shall not be increased by reason of a lack of confidence on the part of either the farmer or the trade or an inability to finance the crop to the best advantage.

The committee confined the powers conferred upon the agency which the bill authorizes the President to create to the control of wheat and wheat flour. I believe the committee acted wisely in adopting this policy. It is admitted by everyone that a return to normal conditions at the earliest possible moment is desirable, and that the present artificial conditions should not under any circumstances be continued beyond the limitation fixed by the guaranty for the delivery of this year's crop. The exercise of powers similar to those granted as to wheat and wheat flour with reference to other grains and foodstuffs would simply mean the creation of new, artificial conditions with incident and consequent losses or profits to those dealing in those products and added difficulty in returning to normal conditions. We desire, rather, to accelerate the return to normal than to invite the creation of new artificial conditions which will of necessity retard the return to normal. The sooner we understand that our present difficulties are largely the result of interference with natural economic laws, and the sooner we remove the artificial conditions of control and restrictions which the war has made necessary, the sooner these difficulties will disappear.

In writing this bill the committee has followed the same policy which it followed in the original food-control act. That policy contemplates that if control is to be exercised over any product at all that that control must be complete and absolute at every point in the distribution of the product from the time it leaves the hands of the producer until it comes into the hands of the consumer. Failure to make the control absolute and complete at every point simply means that that point becomes the point of attack for the speculator and the profiteer. The result is a complete failure of your plan of control and distribution.

And this particular situation suggests another reason for the adoption of the policy of not extending the powers of this bill to other products than wheat and wheat flour. If the power were permitted to be exercised as against any other product, it would have to be exercised at every point. Besides this, the exercise of the power as to another product might require the exercise of the power as against a competing product. For instance, if my memory serves me correctly, we fixed the price of

lard. Having fixed the price of lard we were obliged to fix the price of a competing product—cottonseed oil. This led us to fix the price upon cottonseed meal and the price of a variety of other articles and products connected with the food and feed products of cotton. Fortunately, no other cereal product competes or can compete directly with wheat and wheat flour. Singularly enough, the only product which in reality competes with wheat flour is potatoes, and potatoes must be very cheap indeed to reflect any reduction whatever in the consumption of wheat upon anything like a normal basis.

These considerations justify the confining of the terms of this legislation to wheat and wheat flour.

I want now to discuss very briefly the legal theory upon which the bill is based. The food-control act of August 10, 1917, rested upon the power of Congress "to declare war, to raise and support armies, to provide and maintain a navy, and to make all laws which should be necessary and proper to carry into execution the foregoing power." In order to make certain the support of our Army and the armies of the allies the Government of the United States has entered into an obligation with the producers of wheat to pay for wheat produced during the crop year 1919 a specific price under fixed conditions. That obligation was a valid obligation when it was incurred under the war power. The present bill seeks to carry out that obligation on the one hand, and on the other hand to protect the United States against an undue enhancement of its liability under it. The bill goes no further than is reasonably necessary to carry out those two purposes, both of which it seems to me the Congress has the power to carry out under the Constitution. It can not be that having incurred this obligation under the war power the Congress is now without authority either before or after the declaration of the termination of war to make good its obligation or to protect itself against the undue enhancement of that liability even though the exercise of these powers and the accomplishment of these purposes necessitates a regulation of the conduct of individuals, which might not otherwise be within the powers of Congress under normal peace conditions.

It has been frequently held that the powers of Congress touching conditions growing out of war do not cease either with the cessation of hostilities or with the formal proclamation of the signing of a peace treaty. On the contrary, it has been held that the power of Congress extends to the doing of those things incident to the performance of the obligations incurred under the war power and to the creation and regulation of conditions growing out of the war. For instance, in the case of Santiago *v.* Nogeras (214 U. S., 260), it was held that the military power continued after the end of the war with Spain until Congress had established a civil government in Cuba, and included the power to establish civil or military courts. It was held in the case of Rutledge *v.* Fogg (3 Calder (Tenn.), 554), that taxes assessed under military occupation might be collected after the close of the war. In the case of New Orleans *v.* The Steamship Co. (20 Wall., 387), it was held that a contract made during military occupancy might extend beyond the end of the war.

Mr. ANDERSON was given leave to revise and extend his remarks in the RECORD.

Mr. LEVER. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, while the committee is considering the carrying out of the guaranteed price to the wheat growers of the country I want to call the attention of the committee briefly to the cotton situation of the country. The cotton-growing States have not asked the Government to come to their rescue with money; they simply ask that the Government take its hands off the exportation of cotton to the allied and neutral countries and to let them buy cotton in the quantities that they want to buy cotton and not in dribblings, as some official of the Government shall say how much cotton they may have. I contend now that since the war is over and this Government and the allies permit grain and other foodstuffs to go to Germany that the cotton producers are entitled, at least, to permit Germany and Austria to buy 2,000,000 bales of cotton—and that is the amount that they want—and store that cotton in the United States until the allied countries say it can move. [Applause.]

Gentlemen, that seems fair to me. If the Congress is called upon now to make a guaranty to the wheat growers, with some of the wheat not yet planted, it does seem to me that Congress can take this embargo off of this great American product. To-day the foreign countries need and want 8,000,000 bales of American cotton. They have already consumed two and one-half million bales of this crop. Our own mills have already consumed 3,000,000 bales of this crop, and there are less than 6,000,000 bales in the United States, with a demand for 6,000,000 bales more than we have. Now, gentlemen, is it fair to hold this cotton back and to permit foreign spinners and foreign cotton merchants to form a conspiracy, such as I charge they have, and as cotton producers and factors all through the cotton belt charge that they have, to beat down the price of this cotton, 4,000,000 bales of which are still in the hands of the producers, and they hold it hard and fast because the price has been beaten down far below the cost of production? Is it right, I say, to permit an American institution to stand here, like the New York Cotton Exchange, to be used by foreign cotton spinners and merchants to hammer down the price of this produce held for a living profit in the hands of the American farmer?

Gentlemen, as I said here before, the sons of these men fought through this war and many of them fell on the fields of France, and I think that they are entitled to have this Government take its hands off of the cotton produced in the United States and permit it to go freely to these countries. [Applause.] I think they are entitled to ask this Congress, when it is voting money to keep up a guaranteed price on wheat, that it shall investigate the New York and the New Orleans cotton exchanges and see just what is going on in those exchanges.

Let me show you. Look at this stuff I hold in my hand, and which is being tendered on contracts, it is charged, on the New York Cotton Exchange. Look at these bolls I have in this bottle [exhibiting]. That is a boll before it is open. In that shape frost strikes it, kills the boll, kills the fiber, and now they dry those things out and run it through a thrashing machine and gin that stuff and tender the lint made out of it, it is said, on the New York Cotton Exchange. Now, gentlemen, is that fair to producer or spinner?

This is cotton [exhibiting]. It is good cotton—middling cotton. You can see the great difference between these grades. I ask you if it is fair to permit these people on the exchange to make a contract on the basis of middling and then when the contract matures, tender stuff like this in settlement? You refuse to take it and they settle the difference with you in money between the various grades they make. And you say the difference between the middling grade and that of strict low middling is $4 on the bale, and they will tell you, "Oh, no; it is 75 or it is 85 cents." They not only fail to tender you spinable cotton, but they will rob you in the money settlement of the contract. Are we going to permit that practice to continue?

Mr. HARDY. The gentleman means that they arbitrarily fix the differentials between the stuff like that and real cotton?

Mr. HEFLIN. The money difference in the value of the grades, yes. Thousands of contracts are bought and sold where delivery is never intended on the part of either party, and the buyer is at their mercy and there is no remedy for him at all. So they rob you going and coming. They do not fulfill contracts with real cotton on the exchange. I reassert on this floor that the New York Cotton Exchange has not delivered to spinners in 12 months 100,000 bales of actual cotton out of a crop of 11,300,000 bales, the last crop. What legitimate purpose does it serve? Are we going to permit that exchange to continue its existence when, through processes of pure gambling, it is beating down the price of the produce that the farmer is holding for a living profit?

The producer is not selling cotton. He is going to continue to hold it hard and fast. We are going to hold 4,000,000 bales of it. The bankers, merchants, and farmers of the cotton-growing States are united as never before, and they are holding about 4,000,000 bales of cotton. Why? Because they say they planted it and worked and advanced money on cotton on the basis of 30 cents and above a pound, and that it cost 25 cents a pound to produce the crop of 1918. It has cost more by far than any crop that they ever produced. If it had not been for that they would have sold it long ago, but they can not afford to sell it under 30 cents. It would bankrupt the South. While we are holding it hard and fast we ask the Government that we love to to take its hands off of cotton, and let Spain have all the cotton she wants, and let Japan have all the cotton she wants, and let France have all that she wants, and not hold it back and dribble it out while foreign spinners and speculators in a combination with some of our spinners both North and South are using the exchange to rob the farmer who is holding his cotton for a living profit. [Applause.]

Gentlemen, is it fair? Is it right? Is it just? Now, they are driving us to this. Let me say to my western friends, we have bought from you $800,000,000 worth of mules and horses. We buy from you millions and millions of dollars' worth of meat and wheat and corn every year. Now, we have got to plant spring wheat and come in under the guaranteed price, because we could not afford, if we could, to make a big crop of cotton this year. We are going to reduce our acreage; we are

going to cut it down until we will not make more than 8,000,000 bales. The farmers know the cotton supply is short and will be for two or three years, and they figure that if they produce but 8,000,000 bales it will go to 60 cents this fall and maybe 75 cents, which will bring $2,400,000,000 and 12,000,000 bales at 30 cents will bring $1,800,000,000—$600,000,000 less than an 8,000,000-bale crop. That is the situation that is confronting us.

We are driven to diversified farming of every kind. We have got to produce the stuff that we are buying from you, the western farmers of our country. We are driven to this course because the gambling exchange, that has no stuff to deliver on a contract, with the use of the chalk mark and the money back of the wild speculator, writes down the price of cotton day after day.

Let me call this to your attention: Cotton in the spot market in the South is worth 27 and 28 cents a pound.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. LEVER. Mr. Chairman, I yield to the gentleman two minutes more.

The CHAIRMAN. The gentleman from Alabama is recognized for two minutes more.

Mr. HEFLIN. The spot market, about 28 cents. Get that. And the future price 23 cents. Did you ever hear of anything like that? A difference of $25 a bale. It is unnatural, inexcusable, and indefensible. It is a gambling transaction, pure and simple. Do you know what it ought to be? If the spot market is 27, the future market, if it is an honest market, would be 28¼. Why? Because you have got to count the freight rate on the cotton from the local market to the exchange. That makes the difference. This exchange reverses that situation, and it is a gambling transaction.

But the future exchanges tell us that we can not get along without them. They used to tell us that about the bar rooms, that business would be dull and the town would die if we did not have a bar room on every corner. We have driven them out, and every town in the South where we formerly had them is more prosperous than ever before. [Applause.] They tell us we have to have future grain and cotton exchanges. We will not have them if they are going to be used to rob the cotton producers of the South and the grain growers of the West.

We are asking, through the Caraway resolution, for the opportunity to investigate the cotton exchanges. Is not that a fair request, gentlemen? We want to find out exactly what is going on in these exchanges. Nobody should object to that. Let me show you, before I get through, a telegram that I want to read to you which I received from New York this morning. I will not read this firm's name, because I have not that permission, but I hope to use these gentlemen as witnesses later on. Listen:

NEW YORK, N. Y., *February 20, 1919.*

Have read extracts of your speech in the Journal of Commerce. Can give you details which will amaze you. Will gladly come to Washington on receipt of your telegram. Accept expressions of our appreciation for your helpful assistance.

Gentlemen, here is a telegram from the exchange seat. They say they can give details that will amaze me. If they can amaze me, with what I know about their transactions, then there must be "something rotten in Denmark." [Applause.] I make this appeal to you, that you give us an investigating committee to investigate these exchanges and take the embargo off of cotton and help the cotton farmer to receive the price that will give him a profit. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. HUTCHINSON] 10 minutes.

The CHAIRMAN. The gentleman from New Jersey is recognized for 10 minutes.

Mr. HUTCHINSON. Mr. Chairman, in the short time allotted to me I want to talk on the necessity of this legislation.

When the food-control bill of 1917 was under discussion and finally passed we were at war and our Nation faced a crisis that looked dark and serious.

One of the first things we were called upon to do was to increase production of food supplies, especially wheat, to take care of the requirements of our allies and ourselves.

In the year 1917 we produced 656,000,000 bushels; in 1918, stimulated by the guaranty price authorized by the food-control act, we produced 917,000,000 bushels. Of that crop we have used, in consumption, seed requirements, and exports in wheat and flour, over 600,000,000 bushels; and a few days ago, when Mr. Julius Barnes, president of the United States Grain Corporation, appeared before our committee at the hearing on this bill, he told us there remains about 300,000,000 bushels, which, after our own needs for the balance of the crop year are supplied, will leave a surplus, practically all of which has been contracted for, and that we will enter the new crop with very little, if any, carry over.

Should we have a crop no larger than last year, the appropriation carried in this bill will not be needed, while on the other hand, if the yield is as large as estimated, this bill will provide the machinery for handling the situation.

We are told there are nearly 50,000,000 acres of winter wheat planted and the soil prepared and ready for the planting of 25,000,000 acres of spring wheat, which, with favorable growing and harvesting conditions, will give us a total wheat crop of from one to one and a half billion bushels.

Of course, this is an estimated crop, but if the yield should actually be that great, by the passage of this bill we will be in a position to carry out our contract with the producer, provide the consumer with bread on the basis of the world wheat price, and at the same time protect the National Treasury.

On September 2, 1918, our President, under the authority of the food-control act, issued a proclamation guaranteeing to the producer for a period ending June 1, 1920, a fixed price on wheat of certain grades delivered to specific primary markets, and it is this obligation, thus created, that must be carried out to the last letter.

The provisions of this bill are confined to wheat and wheat flour, and authorizes the President or his agents to buy, sell, and deal in these commodities only, thereby releasing all other food products to be regulated by the law of supply and demand.

To those who may object to the President having authority to handle this proposition, I would like to insert right here a part of the speech I made on June 20, 1917, regarding the same provision in the food-control act:

There will undoubtedly be some objections to the unlimited authority given to our President by this bill, but such authority is to be used only when the situation is such that conditions make it necessary for him to act, and at such times he should have power to use every possible resource for the control and regulation of the food and fuel supplies of the country.

To those who make such objections I might add that the authority given to the President is more than overbalanced by the responsibility we are placing on his shoulders for carrying out the provisions of this bill.

This has been proven to be absolutely true. Also what I said regarding section 14 of that bill, the provision which makes this legislation necessary:

This section means the establishing of minimum prices, a practice to which I am strongly opposed, as I do not think any farmer or producer, after seriously considering the situation, will desire it, nor do I think we ought to empower the President to fix duties on importations if we could.

To offset any fear as to the outcome of this bill, it is interesting to note that, under the food-control act, there was organized a Grain Corporation, with Mr. Julius Barnes as president. We appropriated $150,000,000, and the Government subscribed for all the stock, and I am reliably informed that the Grain Corporation will return all of this appropriation, and after paying the expenses incident to the work they have performed, will have a handsome surplus to present to the Treasury, providing, of course, unforeseen losses do not occur between now and June 1, 1919, when that corporation will cease business.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield to answer a question?

Mr. HUTCHINSON. Yes; I will answer.

Mr. MOORE of Pennsylvania. The gentleman stated that if this bill passed the producer would be protected, the miller would be protected, the Treasury would be protected, and that the consumer would obtain his wheat at the world's price. Will the gentleman please tell us a little more about that if it does not upset his argument?

Mr. HUTCHINSON. I would rather answer it after I get through.

Mr. MOORE of Pennsylvania. All right.

Mr. HUTCHINSON. If the crop this year is no larger than that of 1918, with the same kind of management it will not cost the Government anything to carry out their guaranty, and if we should have 400,000,000 or 500,000,000 bushels of wheat more than our requirements it may cost the billion dollars appropriated, or even more; but that will be a good investment, for had the war continued we would have saved this appropriation and spent several billion dollars for equipment and supplies, besides sacrificing the lives of thousands of our boys.

Mr. Chairman, I think from the fact that we are privileged to cancel this obligation with money rather than the lives of our brave citizens we have reason to thank our Heavenly Father.

Your committee has given much thought and serious consideration to this bill and have prepared it with three objects in view—first, our contract with the producer; second, an effort

to give the consumer his bread on the basis of the world price; and, third, to protect the National Treasury so far as the situation will permit, and I feel that the measure should have the support of every Member of this House.

Now, I will be glad to answer the gentleman's question if he will state it again.

Mr. MOORE of Pennsylvania. The gentleman stated again in his wind-up that the consumer would get his bread at the world's price. I am interested in that because I come from a consuming constituency, which is very much interested in this bill.

Mr. HUTCHINSON. I will say that if the crop is not over 800,000,000 or 1,000,000,000 the price will be maintained by the demand, but if there is more than that, and the crop should be 400,000,000 or 500,000,000 more, they will have to reduce the price. This bill gives the Grain Corporation or the agency the power to sell for any price it wants to to meet the world's price.

Mr. MOORE of Pennsylvania. Suppose the price in Europe is $1.25 and the guaranteed price in Philadelphia is $2.39, how is the consumer in the United States going to get the world's price?

Mr. HUTCHINSON. The Grain Corporation or the agency will have the power to meet the exigency of $1.25.

Mr. MOORE of Pennsylvania. So the Treasury will pay the difference?

Mr. HUTCHINSON. The Treasury will pay the difference.

Mr. MOORE of Pennsylvania. The Treasury will stand the difference between the world's price and the guaranteed price in the United States?

Mr. HUTCHINSON. Yes. If we had not some agency to control the situation, probably some one would come in and break the price, so that under this regulation the Treasury and the consumer and the producer are protected. They are all protected under this legislation. [Applause.]

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. HAUGEN. Mr. Chairman, I yield 10 minutes to the gentleman from North Dakota [Mr. YOUNG].

The CHAIRMAN. The gentleman from North Dakota is recognized for 10 minutes.

Mr. YOUNG of North Dakota. Mr. Chairman, this is a liquidation bill. The Government found it necessary to contract in advance for the growing of a wheat crop. The same necessity required similar action in the United Kingdom and in France. Now, we face a situation where a loss to the Treasury may be sustained. How much will it be and how shall we meet it? Various plans have been suggested. Some have thought that the Government should guarantee certain prices for the production of certain coarse grain in order to reduce the quantity of wheat. The objection to that plan is that no one can forecast where it would lead us to. It might cost more to liquidate such a guaranty than to clean up upon the wheat contract. Besides, it would be interfering with another line of production. The Government, to my mind, made a mistake in interfering with the marketing of wheat, and we should avoid making a similar mistake.

Others, Mr. Chairman, think the wheat price can be maintained for export at the $2.26 level by giving the control of the exportation of fats to the Food Administration Grain Corporation as a club. Undoubtedly the price could be maintained that way, but the cure might be worse than the disease. If the Grain Corporation were to impose an embargo on meats, or even threaten one, it might create, and doubtless would create, a disturbance in the live-stock market which might be disastrous to the shippers of live stock, without any corresponding benefits to the consumers. Our exports of fats greatly exceed in volume the exports of wheat. No; it will not do to give the power to control wheat, butter, and cheese exports. It would be like jumping out of the frying pan into the fire.

Mr. Chairman, I believe we shall act wisely if we confine this legislation to the one purpose of liquidating the contract with the wheat farmers, making it as simple and interfering as little as possible with other lines of industry.

The bill is direct, simple in its terms, and to the point. Section 1 declares an emergency to exist, thus fortifying it against attack upon constitutional grounds. Section 2 empowers the President to create the agency or agencies for carrying the act into effect. Section 3 authorizes the President to buy wheat at not less than the guaranteed price and thereafter to buy and sell wheat and wheat flour at such other prices as he may deem necessary. This section also authorizes the securing of adequate storage, including granaries upon the farms, and also to take such steps and to make such arrangements as may be necessary to protect millers, wholesalers, and retailers who purchase in carload lots against loss by reason of abnormal changes in the market price. The Food Administration officials claim that it is necessary to assure a continuous and adequate flow of wheat and wheat flour in the channels of trade, particularly in the large commercial centers. Section 4 is the same wording as the section in the food-production act in respect to closing the exchanges as to future trading in wheat. Five is the licensing section, and is a necessary part of the machinery to handle the 1919 crop in accordance with the guaranty. Section 6 confers the power to prevent the importation of wheat during the emergency. Section 7 fixes penalties for the violation of the provisions of the act. Section 8 appropriates $1,000,000,000 to carry out the provisions of the act, and section 9 provides that an itemized statement of all receipts and disbursements must be filed with Congress. The bill confers all necessary powers to handle this year's wheat crop in a businesslike way, and without mixing it up with other commodities, however desirable that might appear to some.

Mr. John M. Anderson, president of the Equity Cooperative Exchange, a large and successful commission organization of St. Paul, owned by farmers, says, in a letter to me:

> Our dairy people will, of course, want that the wheat will be ground in this country, thus leaving them the by-products. Therefore we feel that the wheat should be handled in such a way as to give the farmers the price promised and at the same time enable American millers to grind the wheat and sell the by-products at home.

Some Members have suggested to me that the guaranty ought not apply to wheat from land not yet seeded. There are several reasons why that is not the correct view. I shall mention some of them:

1. There is already a large portion of the acreage which was plowed last fall and is now ready for the seed. The farmers had to pay very high wages for plowmen, as high as $5 and $6 per day, plus board and lodging, or a total cost of from $6 to $7 per day. Mr. Ford requires the consumer of his automobiles to pay his common labor $6 per day. Why should not the farmer have the same privilege in producing wheat, especially when he has been forced to pay such wages. This would mean higher prices for wheat, but is it not quite believable that wheat has always been too low in price?

1a. If a high standard of living is to be maintained throughout our country, the farmer is as much entitled to consideration as anyone else. Statistics show that the average upon the farms is not at all equal to that in the towns and cities. A home with all modern conveniences is a rare thing upon the farms, and in some of the States there are 62 farms out of 100 where there are no privies of any kind.

2. Many of the farmers in the West lost all the way from one to three wheat crops during the past three years.

3. The wheat guaranty should be looked upon as a three-year contract under which the Government forced the farmers to sell the wheat grown during 1917 and 1918 at prices much below the market value, and now, to even up, should see that they have a chance to even up. On a three-year average the farmers are losers.

4. The wheat guaranty was based on No. 1 hard spring wheat. Those very words were contained in the President's proclamation.

Some Members have asked me whether the interests of the consumers would be adversely affected by this legislation. I do not think so. Not a single consumer appeared before our committee during the hearings, and no one claimed to speak for them excepting some grain dealers, who made much of the rights of the consumers; but some of us thought their real purpose was to have us permit gambling in wheat. A difference of $1 per bushel in the price of wheat increases the cost to the consumer a little over 1 cent per day for each individual, which is a very small increase, considered against the advantages which come by reason of such increased cost. I am speaking now with particular reference to the laboring man. The increased cost of wheat just referred to spells prosperity for the wheat growers, and that prosperity in turn means prosperity for the whole country, and particularly the workers in the cities.

Mr. Chairman, to my mind many people are borrowing trouble as to how this year's crop of wheat is going to be disposed of. To begin with, the wheat bins in Europe are low, and in some portions there is hunger and famine. The stock of wheat in our own country at this time, we have been assured by Mr. Barnes, president of the Food Administration Grain Corporation, is considerably below the normal. He assures us that on June 1 we will begin the crop year of 1919 with considerably less than the usual carry over. And this, you will understand, is in spite of the fact that most of the year we were seeking to conserve the supply of wheat. Until the armistice was signed, it was the policy of the Grain Corporation to have as many substitutes for wheat used as possible and to conserve the supply of wheat in every way possible. In spite of this, the carry over on June 1, out of a bumper crop raised

last year, will be below the normal. Mr. Barnes, who recently returned from a visit to European countries, in addition to the statistical knowledge open to the ordinary investigator, has had the benefit of personal observations made in the chief importing wheat countries of Europe. I believe a careful reading of his testimony will convince any fair-minded man that it is exceedingly unlikely that the amount of wheat which we shall export from the United States will exceed 200,000,000 bushels, and it may be that for that amount of wheat, or even for considerably more than that amount, there is likely to be an active demand in Europe. Indeed, a fair reading of Mr. Barnes's testimony convinces one that that is more than likely to be true. If so, there will be no loss in handling the crop; and if these forecasts made by Mr. Barnes are inaccurate, it seems unlikely that the loss which the Treasury will be called upon to stand will be more than, say, $250,000,000.

There is another feature which ought to be considered, and that is that if it is found that we have a surplus of wheat to carry over at the end of the 1919 crop year our farmers are likely to greatly reduce their wheat acreage in anticipation of the effect which such a surplus may have on the price of the 1920 crop. The farmers are intelligent and are paying more attention to these marketing problems than ever before. For that reason, even if there should be a surplus to carry over at the end of the 1919 crop year the Grain Corporation may be able to dispose of it without exporting it, by reason of needs in the United States during 1920 caused by a shorter wheat acreage. And may I say also that in addition to the economic reason which will appeal to the farmers under the circumstances indicated to reduce their wheat acreage they will doubtless have the added reason of advice in that direction from the Department of Agriculture. It will be the duty under this bill for the Secretary of Agriculture to cooperate with the agency handling the 1919 wheat crop; and under the circumstances suggested the Secretary of Agriculture will doubtless make a campaign against seeding to wheat in the fall of 1919 and the spring of 1920. It is much easier, as everyone knows, to bring about a reduced production than to bring about a surplus.

Mr. Chairman, this bill gives power to the President to resell wheat at a lower price than the guaranteed price, which right will be exercised in the improbable event that the world price is lower than the guaranteed price. I am glad this provision is in the bill, for the reason that at the end of the 1919 crop year we will know to what extent, if any, the farmers have received a bonus over the market price. I predict that the 1919 wheat crop will be resold either for the guaranteed price or at a price little below the guaranteed price, and the people of our country and our allies will be under obligation to the farmers for having sold their crops of 1917 and 1918 at very much below the prices which would have obtained had the Government not controlled the price.

To my mind there is every reason why the officials appointed by the President to carry out the purposes of this act shall take hold of the big proposition of handling the wheat crop of 1919 upon the theory that it will not only be bought at the guaranty price but also sold at the guaranty price; and I want to assure every man in this House who is interested in maintaining the present standards of living, of maintaining present scales of wages, that if the Government stands firmly in the position of maintaining wheat prices it will be a big influence toward stabilizing values of all products; and this will be particularly true as an influence in maintaining the wages of workingmen in all occupations. Reconstruction is a much abused word. We get letters and editorials calling upon Congress for reconstruction legislation, in most instances without stopping to indicate what the character of the legislation shall be or even naming the subjects of such legislation. To my mind, for the most part reconstruction legislation should be of a simple character, such as this bill before the House, which deals directly with the question of carrying out the Government's contract with the farmers in a businesslike way. If the bill is passed and is carried out in the spirit in which it is passed, it will help to make prosperous farmers and it will do more than anything else I know of to stabilize the wages of workingmen in the towns and cities and assure them of continuous employment. So I venture to say that, in addition to being a liquidation bill, this is also the most important reconstruction bill pending in Congress.

If you want to help knock the bottom out of business, if you want to cut the heart out of labor, the way to do it is to cut the guaranteed price for wheat in the middle.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. STEENERSON] 15 minutes.

Mr. STEENERSON. Mr. Chairman, I ask to be notified when I have occupied 12 minutes.

When the Government fixed the price of wheat we provided in the food law for the agencies through which that was to be done. The Government provided ample power not only to keep the price down, but to prevent it from going up, thereby protecting the consumer of bread and also protecting the grower of the grain from receiving a less price.

It is said, and said truly, that one of the motives for this legislation was the stimulation of wheat production, which was of vital necessity in winning the war. Now, the proposition is to make good the guaranty of the President for the 1919 wheat crop. The representatives of the administration went before the committee of Congress and asked substantially that the same power which was vested in the Food Administration and given to the Grain Corporation be continued during this coming year, not only to control the price of wheat but other food products, for the reason, as explained by Mr. Barnes, chairman of the United States Food Administration Grain Corporation, in his testimony, that the so-called world price is nonexistent. He repeated time and again—and gave the reasons for that statement—that there is no such thing to-day, and will not be in the next 12 months, as a world price as generally understood in commercial terms, because the buying of wheat has been concentrated in Government agencies abroad. They are so depleted in financial means that they can not buy without Government financing of operations. In other words, they have got to sell bonds either to this Government or to private individuals here in order to establish credit with which to pay for the grain. In addition to that, the Government controls the tonnage upon the seas, so that transportation of these articles from the United States to Europe can not be carried on without the cooperation of the Governments of Europe.

On the subject he said at the hearing:

"I must protest with all the energy I have against the recognition in legislation of the fallacy that under present conditions there can be demonstrated 'a world price.' Prior to the war, when the transportation channels of the world were open, when finance was ample to care for international exchange, when buyers and sellers were free to supply their demands, on the one hand, and to offer their products, on the other, without the restraint now present as to transport and finance, there was much to be said as to the soundness of a world price. With all markets open freely for trading the general tendency of price probably fairly reflected the legitimate influences of supply and demand. Minor fluctuations were made by investors and speculators in attempting to anticipate the factors that govern supply and demand, such as crop deterioration in some section of the world—and a crop is exposed to growing influences somewhere in the world every day in the year—or such factors as a better appreciation of the actual supply or the actual consumption in the world, or the influence on consumption which a higher or a lower price level had created; but to deliberately propose that we shall recognize a price made in Liverpool, under present conditions, is national folly. The large markets of the central empires are closed at present, and inability to pay may keep them closed to our surplus or largely restricted.

"The natural consumption of all peoples abroad is affected by tonnage restriction, which will not be entirely overcome for many months or years. That natural consumption is also affected by governmental policies, which again reflect their international finance needs. The desire of certain peoples for wheat products to eat may be curtailed and influenced by a governmental policy that can not provide at the source of supply the finance to make such purchase as the individual peoples may desire to make. Therefore, I repeat, that there is no world price level, in the sense of fairly and soundly reflecting the natural play between the laws of supply and demand.

"More than that, it is a power we can not contemplate delegating to any other government that a price level subject to the control of that interested buyer shall be the basis for the marketing of any of our product. For instance, the food needs of the three close allies, of United Kingdom, France, and Italy, for imports of wheat will run at not less than 10,000,000 tons, and perhaps as much as 12,000,000 tons annually. Of this quantity the colonies of the British Empire can not soundly be expected to furnish over half. Yet that half, being under their influence, can be so used as to establish the price level on which under any definitely committed policy we must furnish the other half, and I protest that America shall not place the power to name the value on its products in the hands of any concentrated buying agency, no matter how friendly. Whatever legislation is passed do not write in the statute any recognition of this method of making prices on our products."

For this reason prices that were formerly fixed by supply and demand as estimated by the merchants do no longer operate. I should have liked to have seen the recommendations of the administration in regard to this bill granted.

They are not granted in full for the reason explained here by the members of the committee, that they want to secure as far as possible to the consumer of bread in this country a similar price to that which would be given to consumers in foreign lands in case we had as large a crop as has been estimated. That is a very laudable object, but it seems to me that it is shortsighted, because this abnormal amount of two hundred or three hundred million bushels of exportable surplus they say we will get if we have a good yield is not to be expected again, and why? Because no farmer under the present prices of labor, machinery, and the expense of raising wheat can possibly raise wheat for less than $2 a bushel on the farm. That is the price he is getting now.

Gentlemen talk about $2.26 a bushel. The Department of Agriculture itself estimates the price of wheat at $2 on the farm. The farmer has to haul the grain to the station, which costs 10 cents a bushel, and he can not haul over 50 bushels to a load, and it takes one day to do it. So it costs $5 to haul 50 bushels of wheat to a load. Then he has to pay the local elevator charge for putting it in the cars, and when he sends it to the terminal market at Minneapolis or Duluth or Chicago there is 2 per cent charge in addition, and then the switching charges and inspection charges in addition. So that the 26 cents is more than consumed in the charges that are imposed upon the wheat from the time it leaves the farm until it gets to the terminal market, where the prices are fixed. It is therefore incontestable that the price to the farmers is $2 a bushel. Very well.

It can be demonstrated to a certainty that it can not under present conditions be produced for less. There are many risks in raising wheat. If you, by stimulating production, have secured two hundred or three hundred million bushels surplus this year, and you should bear down the price, by not taking care of the surplus, to $1.25, the result would be that the following year there would be an underproduction of wheat. It would not pay the farmers to raise more than six or seven hundred million bushels. They would put in the land that was most suitable for the production of wheat and leave the other lands fallow or put in other crops. So if you should by any manner of means secure $1.25 wheat for the next year you would possibly get a little cheaper bread, and I will show you how much in a minute. But the following year the price would go up to where it is now. These things balance themselves, and you would only be doing a shortsighted injustice to the farmer if you did not pay him a price equal to this guaranty.

But even if you do pay him the guaranteed price, and the Government loses a billion dollars, the farmers and all other people will have to contribute that much in taxes. Then where are you? You are a loser to that amount. The gentlemen who are so zealous in representing the consumer, as they call it, are basing their arguments upon false reasoning. They argue, for instance, that wheat was $1.25 a bushel before the war, and that a pound loaf sold for 5 cents. They conclude that if you can get back to $1.25 wheat, a loaf of bread will be sold again for 5 cents. They overlook the fact that the part of the cost of the loaf that goes to the farmer is a very small fraction of the retail charge, for the reason that the journey from the farm to the elevator, to the commission merchant, to the miller, the transportation by rail, which transportation charges have been increased about one-third, and the miller's expenses are all greater, and the wages are higher. Bakers' wages have gone up about 100 per cent, and everybody that handles the bread until it reaches the private consumer gets more and he will continue to get more than he did before the war.

Take, for instance, the price of bread in Washington. I have gone to several bakers and grocers that retail bread, and what do I find? The biggest baking company in Washington—and they all agree—says that out of a barrel of good flour you can make 300 pound-loaves of bread. That wholesaled to the dealers for 8 cents, and if it is a Vienna loaf it weighs 14 ounces and retails for 10 and 11 cents. If it is a 12-ounce loaf it retails for 8 cents. That is to-day. Now, if you collect 10 cents a pound for bread, retail price, a barrel of flour is worth $30 in bread. The fact is, that 17 per cent of the wheat is feed—and the consumer of bread does not pay for that—so there is only $1.66 of the part that goes into the flour from a bushel of wheat which the bread dealer pays that goes to the farmer. That means in a barrel of flour the farmer gets for his labor $7.50 and the bread is sold for $30. If you cut the price to $1 he will get $3.75 for what makes a barrel of flour. That would mean that if the farmer produced the wheat for nothing, if you took it from him without paying a cent, all the difference it would make to the retailer, the man who buys the bread, or even the man who buys the flour in small sacks and who pays for it 7½ or 8 cents a pound, would be only 2½ cents on a loaf. That is what you would save the consumer. If you make him sell it for $1 instead of $2, you would save 1 cent a loaf. The quarter of a cent would be absorbed by the dealer. That 1 cent goes to pay the farmer for his labor, seed, and expenses, and do you tell me that the laboring man, for instance, the railroad employee, whose wages have been increased from four to six and seven hundred dollars a year, because of the high cost of living, is not going to be willing to pay the other man, who is also a laborer and who does not work only eight hours a day, but from daylight till dark, the 1 cent extra on the loaf? What did he get the increase in wages for? Was it not because of the high cost of living? Let us examine the table.

Railroad wage increases.

	Before Government control.	After Government control.
Crossing flagmen	$60.66 per month	$138.92 per month.
Baggagemen	$72.80 per month	$140.44 per month.
Drawbridge deckhand	$91. per month	$188.28 per month.
Drawbridge watchman	$66.12 per month	$147.89 per month.
Drawbridge operator	$88.83 per month	$184.86 per month.
Freight house watchman	$80.16 per month	$171.08 per month.
Ticket clerk and telegraph operator.	$75.83 per month	$182 per month.
Ticket clerk	$72.80 per month	$122.11 per month.
Porters and janitors	$71.28 per month	$138.19 per month.
Office boy	$8 per week	$13.40 per week.
Station agent	$74.75 and $98.28 per month.	$182 to $200 per month
Car repairer, blacksmith	$5.22 per day	$9.52 per day.
Plain carmen	$4.02 per day	$8.12 per day.

Now that he has got the increase, will he refuse to pay for that extra cost of living? Is that logic? I believe the laborer will continue to receive the higher wages. I hope he will; but if he does the farmer must also have a corresponding compensation. I have heard gentlemen here on the floor representing great production districts—like the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Ohio [Mr. MCCULLOCH]—say they want the bread and flour at the world price, and then they will probably turn around and want protection upon everything they produce in their own districts. That is consistency for you. [Applause.]

They want the farmer to work in competition with the peon laborer of Argentina, or the cheap labor elsewhere, but they want high protection—high as the skies—for what they produce in Pennsylvania and Ohio. That is the logic of it.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. STEENERSON. Mr. Chairman, I will ask the gentleman to grant me five minutes more.

Mr. HAUGEN. I yield five minutes more.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. STEENERSON. No; I will not yield; the gentleman can answer in his own time.

Mr. MOORE of Pennsylvania. The statement is entirely unwarranted. Nothing has been said to provoke such a discussion.

Mr. STEENERSON. There is the man who talks about representing the consumer. Take the speculator and the miller. They want to get control of the price of wheat and bleed the Government. That is what they want. Here is a letter from a miller that says:

> Moreover, there will be insured intense dissatisfaction upon the part of the consuming classes in this country because of their being compelled to pay a higher price for flour than the consumer in a foreign land.

The consuming classes! Who are they? I once read an absurd novel about a secret society to which everybody belonged; and here is a class of people who consume wheat. Well, who does not—from the baby in its mother's arms up to the old man, everybody consumes wheat. There is no such thing as a consuming class.

Mr. YOUNG of North Dakota. And I call the gentleman's attention to the fact that there was not a consumer who appeared before the committee, and the only ones who assumed to speak for them were the grain dealers.

Mr. STEENERSON. That is true. The apostles who preached on behalf of the consuming public were the grain dealers. I am a consumer and so are you. The average consumption of flour is one barrel per capita. If you impose a tax of 1 cent on the loaf in the United States, you impose on the consumers, all of the people, $300,000,000; but if you give it to them for 1 cent less you save that $300,000,000, but you impose a tax of a billion dollars on the people; that is, $10 per capita. You are fond of levying taxes; therefore, you want to absolutely throw away $700,000,000 because of the fun of taxing the people and paying it back to the farmer. That is the kind of management that is back of this proposition. I say to you that the farmer is as much of a laborer as any man working in a factory. No factory laborer will go before the public and claim that the farmer is not a laborer, when he knows that the farmer works early and late, and that his wife

gets up before daylight to cook the meals for the hands that raise the grain, plant it, and harvest it. There is no eight-hour day on the farm. Will it be said that these men who get double the wages they did before because they are going to pay a higher cost of living are now going to refuse to pay that cost because they say they want the world's price? But there is no such thing as the world's price. The result would be that you would turn it over to the grain speculators and the millers, and they would manipulate the surplus of wheat so that they would get it all in at $1.25 and then sell it for $2.50.

That is the secret of the whole movement. Whether you impose it on the consumer or take it out of them in taxes is about an even thing, only you tax more than you do through the form of charging a reasonable price for the wheat. I am in favor of a bill which would give the President of the United States ample authority. I believe that this bill properly managed would not increase the cost of living to the man who eats the bread, and that is a very small item. If you go down in the restaurant of this House, as in many restaurants down town, and buy meat, they give you the bread for nothing. The men who advocate this theory of helping the consumer by reducing this small fraction of price on the barrel of flour are as ridiculous as the man who advocates cutting down the price of iron ore, which sells at the mine for $3, to $2, because he wants to cheapen the price of sewing needles, or of reducing the price of lumber $10 a thousand because he wants to keep down the price of toothpicks. They give you the toothpicks in the restaurant for nothing.

The Food Administration has managed it so that the 1918 wheat crop will be sold at a profit. It has not cost the country one cent. The consumer has got his bread for less than he would without Government control. In 1917, when the food act was passed, flour was $20 per barrel, wheat over $3 per bushel. While the bill does not confer all the power I think it should, I believe it is quite probable that the Government can so manage under it as to come out whole. But whatever the result, I shall vote for the bill as the best that we can get. [Applause.]

Mr. LEVER. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. YOUNG].

Mr. YOUNG of Texas. Mr. Chairman, I have a distinction that falls to but few men in this House. I am one of five Members who voted against the original food bill that calls for this legislation. We suspended the law of supply and demand. When we passed the food bill we threw everything out of joint, and nothing has been able to go to the market as in former times. We are still operating under that food law, and another crop is at hand. While I voted against the original law in which the price of wheat was fixed, or the power to fix that price was given, I am going to vote for this proposition that we have in this bill, because the faith of this Congress is pledged to make good to the men who grow the wheat upon the basis of the price as named by the President of the United States. I do not see how anyone can do otherwise than vote to make that guaranty good.

If this armistice had come prior to the proclamation of the President fixing the price of the 1919 wheat crop, we would not have been in the condition that we are now, but unfortunately for the country the armistice was not signed until the fall crop of wheat was being planted and the proclamation had been made by the President that the farmers could expect this $2.26 for their wheat. I want to get out of this thing just as soon as it is possible to get out of it, and we are going to have to sustain a loss—that is, if the acreage that has been planted in wheat and that will be planted to spring wheat yields what we may expect it to yield, the Treasury of this Nation may sustain a loss of at least $1,000,000,000 and possible $1,500,000,000, because we are protecting everybody who handles wheat.

Mr. EAGLE. Handles it or produces it?

Mr. YOUNG of Texas. We are not carrying protection to the wheat farmer only, but we carry it back to the man who buys the wheat, who handles it in carload lots or who makes it into the bread, and no man can guess what it is going to cost the Government. But here is my viewpoint. We have got to make this guaranty good because we are pledged, not by my vote, but by the overwhelming vote of this House, and we are bound to make it good, but while the war is now over——

Mr. HARDY. Will the gentleman permit, but are we pledged to the miller, the baker, and the candlestick maker?

Mr. YOUNG of Texas. That is part of the machinery. I will get to that later. That is part of the machinery of making this guaranty good. The war is now over. We want to get back to the normal as rapidly as it is possible to get back to it. While the war is over, the farmer has made good by giving his land, his labor, his time to producing this wheat to win the war.

Now, we have got 100,000,000 American people who must be fed, and whatever the loss may be to the Treasury I do not think that if this crop yields as it is indicated it will yield that we can afford as a Government to set up a piece of machinery here that will charge war prices for the bread that the people must consume. We can not afford to do it. We are all consumers, and we ought not to have to pay war prices for bread in time of peace. So whatever machinery is set up here by the Government it must buy this wheat, and the machinery that is set up here since the Government becomes a monopoly is to handle this wheat in such a way that they may pass it on down through the millman, the wholesale dealer, the jobber, and the retailer at such prices as would reach as near normal prices and world prices as it is possible to reach. We handled this wheat situation a little differently during the war from the other nations. It is not our problem alone. Every nation on earth to-day has its wheat problem. They all had their wheat problems during the war. In France and in England and in other countries they tried to make a cheap loaf of bread to their citizenship even while war was on. Even then they sold that loaf of bread at a cheaper rate than the people of America were able to buy a loaf of bread, yet they were paying the same kind of prices for wheat that we were paying in this country. How did they do it? They sustained the loss directly out of the treasuries of the respective nations.

Mr. BAER. Will the gentleman yield?

Mr. YOUNG of Texas. That is what we have got to do now. We have reached the peace basis, and to get cheap bread to the people in peace time our loss must of necessity be sustained out of the Treasury of the Nation. Now, of course, there is no use of crying over spilt milk. Gentlemen from the wheat States—and I represent a State that will probably grow 30,000,000 or 40,000,000 bushels of wheat this year, not an insignificant crop—have complained that when the price of wheat was fixed that it was a loss to the wheat farmers. I have never agreed to that point of view. It is true at the time we had the food bill under consideration wheat had been stilted to an abnormal price by reason of the fact that shipping had gone to the bad, and the allies through their different branches were in this market competing against each other for the only supply of wheat that was available by reason of the shortage of shipping, and wheat had gone abnormally high; but at the time we had under consideration that bill an organization was being created to act as a single buying agency, not only for ourselves but for the other nations with whom we were allied, and that would have become the only market. Where would have been the farmer under that condition? This agency could have named prices way below what we did in the food bill. That was the situation that confronted us.

Following on the trail of this price-fixing legislation there has grown up a sentiment in different sections of this country urging price fixing of agricultural products as a permanent policy. That is a false system of government, but here is what it leads to, my friends, if the Government should ever enter upon a permanent policy of price fixing: You would have the corn men here saying that you have given by process of law undue advantage to the wheat grower, and he would have his Representative vote for a higher price for the corn that he grows; and the oats grower likewise, the barley grower likewise, the cattle grower likewise, the sheep grower likewise, and the cotton grower likewise. My viewpoint is that fixing of prices on farm products or any other commodity is not and should not be a governmental function. The quicker we can get away from this policy, which has been adopted as a war measure, the better for the Government and the better for individual initiative. [Applause.]

Mr. BAER. Will the gentleman yield?

Mr. YOUNG of Texas. I will yield, but I want to say that the gentleman brings from his section very largely the point of view that I inveigh against.

Mr. BAER. The point is that the manufacturer now is charging $4 for a suit of overalls or $5 for a suit of clothes and the southern farmer only gets 42½ cents for his cotton. Now, I think something should be done in those cases to regulate those things.

Mr. YOUNG of Texas. I do not know what the manufacturer is getting for his overalls, but the gentleman is badly off as to what the cotton farmer is getting for his cotton; instead of getting 42 cents, he is getting about 20 cents.

Mr. BAER. I meant for the amount of cotton that goes into the overalls.

Mr. YOUNG of Texas. I grant you that is one of the outgrowths of the war powers that we have given. Here I will tell the gentleman what was done in that instance.

The manufacturer slipped in before this War Industries Board, without consultation with the cotton producer or anybody else, upon the theory that he wanted to stabilize the prices

of his manufactured product, and he put one over on the War Industries Board, and they got their prices fixed, and when they fixed those prices nobody knew it. It was behind closed doors. And when they fixed those prices the first thing they had to take into consideration was, "What are you going to get for raw cotton?" They made the prices the public had to pay for manufactured cotton goods based on 36½ cents per pound for raw cotton. That is what they did. And they sold you overalls on that basis. But the cotton farmer did not get the 36½ cents per pound for his cotton. But it is one of the acts of the War Industries Board. And that is a point I am inveighing against, that as long as you break into the principles of government and violate those principles and violate all economic laws, you will have that situation.

Mr. BLACK. Will the gentleman yield to me?

Mr. YOUNG of Texas. I will be glad to do so.

Mr. BLACK. On the question of stabilizing of prices, I wanted to interrupt to say that I know my colleague will agree that these stabilization orders are no longer in effect. And the reason I state that is because some of the farmers in my own district seem to think that the manufacturers still have some sort of a guarantee to get these high prices for their products, while they are forced to sell on the open market. That is really not true now. The War Industries Board has gone out of existence, and all the manufacturers have to sell their products in the open market. I think that is a fair statement of the condition, and I think the gentleman intends to be fair.

Mr. YOUNG of Texas. That is true.

Mr. STEVENSON. Will the gentleman yield?

Mr. YOUNG of Texas. I will.

Mr. STEVENSON. How is the public going to be protected from buying its flour on the basis of $2.26 wheat if you are going to keep the wheat up, and if you do that is not the public paying a tax to keep it up and paying a tax on the flour?

Mr. YOUNG of Texas. It was the opinion of the committee that we wanted the people to get that flour at peace prices, so far as possible for them to get it, but with the machinery in operation during this period the Government must pay the farmer $2.26 for his wheat. And following the world conditions and the world's markets, the agency that is to be set up under this bill ought to be men of sufficient judgment to know about what a fair price would be, and they, through the licensing system, will see that that fair price obtains to the consuming public. That is the only way I know of how to handle it. If the farmer dumps all of his wheat on the Government, what man is there that is interested in keeping up a fair price for wheat? Nobody. On the contrary, everybody would be interested in wheat selling at 50 cents a bushel. Unless you have some machinery that stands between the consumer—and the farmer will be one—and the speculator then the Government will lose more than anybody can tell. But it is hoped this machinery will be composed of men of sufficient judgment to handle the situation, make good the guarantee, and give us bread at fair prices, and let the Treasury sustain whatever loss it must sustain. [Applause.]

Mr. LEVER. Mr. Chairman, may I ask how the time now stands?

The CHAIRMAN. The gentleman from South Carolina has consumed 1 hour and 18 minutes, and the gentleman from Iowa [Mr. HAUGEN] 1 hour and 25 minutes.

Mr. LEVER. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. HULL].

Mr. HULL of Tennessee. Mr. Chairman, in defining and announcing the 14 points which should be considered by the coming peace congress the President set out point No. 3, as follows:

> The removal so far as possible of all economic barriers and the establishment of an equality of trade conditions among all nations consenting to the peace and associating themselves for its maintenance.

The subject matter of this proposal is of the broadest and most far-reaching nature, and upon the solution of the extremely vital problems it presents measurably depend the permanent peace and friendship of nations. Instead of vainly striving to prevent wars after the causes have once arisen, this proposal has for its purpose the prevention of many causes of war. Since its announcement by the President some misconception as to the exact scope and meaning of this point No. 3 has arisen, and a few politicians have pretended and falsely intimated that the policy proposed would or might affect the right of a nation to determine its own economic policy as it relates to customhouse taxation. On October 28, 1918, the President made clear the meaning of point No. 3 in this respect, as follows:

> I, of course, meant to suggest no restriction upon the free determination by any nation of its own economic policy, but only that whatever tariff any nation might deem necessary for its own economic service, be that tariff high or low, it should apply equally to all foreign nations; in other words, that there should be no discriminations against some nations that did not apply to others. This leaves every nation free to determine for itself its own internal policies, and limits only its right to compound those policies of hostile discriminations between one nation and another. Weapons of economic discipline and punishment should be left to the joint action of all nations for the purpose of punishing those who will not submit to a general program of justice and equality.
>
> The experience of the past among nations has taught us that the attempt by one nation to punish another by exclusive and discriminatory trade agreements has been a prolific breeder of that kind of antagonism which oftentimes results in war, and that if a permanent peace is to be established among nations every obstacle that has stood in the way of international friendship should be cast aside. It was with that fundamental purpose in mind that I announced this principle in my address of January 8. To pervert this great principle for partisan purposes and to inject the bogey free trade, which is not involved at all, is to attempt to divert the mind of the nation from the broad and humane principle of a durable peace by introducing an internal question of quite another kind. American business has in the past been unaffected by a policy of the kind suggested, and it has nothing to fear now from a policy of simple international justice. It is, indeed, lamentable that the momentous issues of this solemn hour should be seized upon in an effort to bend them to partisan service. To the initiated and discerning the motive is transpartent and the attempt fails.

Mr. Chairman, this statement of the President only undertook to define the application of point No. 3 to provisions for discriminations and retaliation which are often found in the tariffs of different countries, and it did not enumerate and deal with many other trade methods, practices, and policies coming within the reasonable definition of "economic barriers" and "equality of trade conditions among all nations." I shall later undertake to enumerate them. I hope at this point I may be pardoned if I make brief reference to certain proposals I once offered in relation to this entire subject.

In February, 1916, after making some investigation of the various acts, methods, and policies practiced by many nations in their pursuit of international trade and commercial power, I was convinced that many of them were illegitimate, unfair, and unequal in their effects on other nations, with the result that much friction, ill feeling, and bitter economic strife often arose. I thereupon prepared a House joint resolution at the time stated, requesting that at the close of the war an international trade conference be held in the city of Washington, in which all commercial nations should be represented, for the purpose of establishing a permanent international trade-agreement congress, the function of which should comprise the consideration of all international trade methods, practices, and policies of an unfair, unequal, and objectionable nature, and to formulate agreements eliminating and avoiding such methods and policies in the future. After some conference, I deferred the introduction of this resolution until April, 1917, when I offered it in modified form. I append the original draft and an official letter defining its scope and meaning as exhibits to my remarks.

The proposal I offered, as does that contained in point No. 3 suggested by the President, as I would construe the latter, would require all commercial nations by mutual consent to abandon, as far as can be agreed upon, such acts, methods, and policies as I have just referred to. It would inevitably follow that their abandonment would both avoid the unjust injuries inflicted and promote fair and friendly trade relations among nations. This proposal does not mean the internationalizing of trade and finance in the slightest objectionable sense, but would only require nations to refrain from the acts and conduct stated in their efforts to develop or maintain their foreign commercial interests or to extend their economic power abroad. Any nation could prescribe a high or low or no tariff without the least interference except as to any provisions of discrimination and retaliation which such tariff might embrace.

Mr. Chairman, every business man and every intelligent citizen, though not a business man, knows that in addition to our material development at home we must now contemplate the important and permanent development of our international trade and finance. The United States must move forward or backward financially, commercially, and industrially; it can not stand still and stagnate, like China or other backward nations. Our chief expansion must be beyond the seas. We must give employment to labor and capital by developing our great resources. We must ship and sell abroad our surplus wheat and other cereals, cotton, minerals, iron and steel products, textile manufactures, lumber, and finished products generally. We have to-day an international commerce of more than $9,000,000,000, a substantial portion of which is temporary war commerce. In maintaining a goodly portion of our present great volume of foreign business after the war we must have shipping, harbor, banking, and other business relations with the citizens of almost all nations. Since the old sailing vessel was superseded by the fast ocean steamer, and letter mail by the ocean cable and the wireless, all commercial nations have been brought close to-

gether. European countries in this sense are now relatively nearer the United States than was Massachusetts to Georgia during the early years of the Republic. Our international financial and commercial fabric is common to all nations and, in a large sense, brings them close together and into a state of interdependence.

The United States emerges from the present world war in a stronger position than any other country. It possesses a relatively larger amount of capital, raw materials, skilled labor, and productive facilities than any other nation. It is now a creditor nation to the extent of more than $10,000,000,000 and has a favorable trade balance of $3,000,000,000 per annum. There is to-day a world demand for almost every surplus product we have or can produce. In my judgment, only the existing high prices and high cost basis and the inability of foreign countries to buy from us delays for a very brief time the leap forward which this country will take both at home and abroad in its material development and prosperity. Only the deepest lethargy and the utmost backwardness and lack of enterprise will prevent a colossal advance in the not distant future. Our international trade facilities are now supplemented by a great merchant marine, foreign branch banks, and the privilege of concert of action by our business men in reaching and supplying foreign markets under the provisions of the Webb law. As we emerge from the halting conditions of reconstruction we should gradually see American merchant vessels loaded with American goods on every sea and American commercial travelers penetrating all business territory in South America, the Pacific islands, the Far East, and many portions of the countries of Europe.

Mr. Chairman, 18 years ago, on September 5, 1901, President McKinley, in his famous speech at Buffalo, among other things, said:

> Our capacity to produce has developed so enormously and our products have so multiplied that the problem of more markets requires our urgent and immediate attention. * * * We must not repose in fancied security that we can forever sell everything and buy little or nothing. * * * The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals.

President McKinley emphasized the vital importance of fair and friendly competition in international trade. He doubtless had in mind the many lessons of the past that unfair, discriminatory, and objectionable methods adopted by a country to extend its foreign commercial power almost inevitably resulted in international quarrels, the arousing of the war spirit, increased armaments, militarism, and, ultimately, war. He also asserted the known truth that no important commercial nation can now maintain a situation of isolation or exclusiveness. Having been projected into the field of international trade and finance, the policy of justice and fairness should uniformly characterize the conduct of this Nation and its citizens in their foreign commercial relations, and a like standard should at this juncture be demanded of other countries.

If a real economic peace can now be effected it will afford the greatest possible assurance of permanent world peace. The accomplishment of this is most desirable and would in no wise conflict with any suitable plan for a league of nations that may be devised, but, on the contrary, would supplement, strengthen, and make easier its operation, in that there would be far fewer commercial and trade controversies for settlement.

Mr. Chairman, I should like to take the time to enumerate a long list of wars at least one of the principal underlying causes of which was due to trade wars, economic strife, jealousy, and strenuous contests for commercial advantage, such as I am undertaking to define and discuss. The President's point No. 3 should not only deal with the ordinary acute commercial controversy, such as has occurred in past years between Austria and Italy, Germany and Russia, Serbia and Austria, America and Germany, Sweden and Norway, but wherever the controlling purpose is to secure economic gain and commercial ascendancy by unjustifiable methods, point No. 3 should also deal with the struggles for colonies, protectorates, and concessions in undeveloped countries, including intense rivalries between business men, financiers, and traders, which activities have brought dangerous clashes between different nations within our time, as in the cases of Egypt, Morocco, Tripoli, the Transvaal, Persia, Mexico, China, and the Balkans. I wish to emphasize the fact that the conduct of powerful commercial nations in grabbing colonies and concessions and in assuming protectorates, usually by force, threats, bribery, or other unfair means, is almost invariably prompted by motives of trade conquest and commercial gain, and when so prompted should fall for treatment under point No. 3.

Innumerable instances might be cited in which commercial nations in the past have striven to reach the goal of commercial supremacy, either by fair means or foul. Commercial power means political power, and, as a rule, military power as well. Commercial control over one nation by another means political control.

Since the wars of earlier periods, when racial or tribal antagonisms, religious controversies, and personal rivalries or ambitions among kings and other autocratic rulers constituted their chief origin and underlying causes, it is a historic fact that most wars of recent generations owe their origin in at least substantial measure to the irritation, bitterness, jealousy, and strife arising from economic controversies. Dr. F. W. Taussig expresses the true condition when he recently said:

> It is strange that trade between nations should play so large a part in fomenting war and warlike spirit.

It is undoubtedly true that trade relations will bring nations closer together or drive them further apart than any other, accordingly as those trade relations are fair or unfair.

Mr. Chairman, the history of international commerce and finance presents many classes and innumerable varieties of illegitimate, unfair, unequal, and hurtful acts, methods, and policies which are wholly unjustifiable from the standpoint of right and fair dealing. We have seen practiced with impunity all forms of tariff discrimination and retaliation, preferential right of entry of ports, violations of the "open door," discriminating embargoes or restrictions, seizure of patents, copyrights, trade-marks, trade brands, wrongful interference with trade routes, unfair utilization of bounties, bonuses, subsidies, drawbacks, and rebates, the economic and financial violation of the territory of small, uncivilized, or backward nations, tonnage and shipping discriminations, economic alliances, trade concessions, and other preferences by special agreements.

Shall all these and numerous other vicious, unjust, and war-breeding methods and practices again be revived and made a part of our future international financial and commercial activities, or shall the nations by mutual agreement establish a fair and just international commercial and financial code which will insure, as nearly as may be possible, fair dealing? It is true that prior to the outbreak of the war the world presented a network of commercial treaties, but unfortunately those treaties did no contain either the terms or the foundations for a general commercial policy calculated to appeal to the fairmindedness and intelligence of all nations. Their scope was narrow and their objects fell far short of the real necessities. These treaties themselves contained in many instances features of rank discrimination and retaliation and were in no broad sense designed as a code of commercial ethics. Most of these commercial treaties only embraced the following subjects: (a) Most favored nation clause; (b) Liberty to trade and travel; (c) Passports; (d) Nationality of vessels; (e) Tonnage dues; (f) No shipping discriminations; (g) Port regulations; (h) Coastwise trade; (i) Deserters from ships; (j) Shipwrecks; (k) Blockade, embargo, contraband, and other war measures; (l) Patents, trade-marks, copyrights, and designs; (m) Consular officers. The few special treaties in addition to these afforded no improvement to the general situation I have described. The result has been that no redress for any injuries or complaints arising from the various acts and methods already referred to could be had except by arbitration mutually agreed to now and then, or by an appeal to the slow, uncertain, and wholly unsatisfactory agencies which diplomacy has offered.

The war, however, has broken the mass of commercial treaties formerly existing between the belligerent countries, and besides several nations are now proposing to abrogate these treaties existing with allied or neutral countries, with a view to the establishment of national trade policies calculated to promote greater material development. This is undoubtedly a stage at which every commercial nation might well begin with a clean slate.

Nearly a year ago the French Government gave notice that it would abrogate all conventional arrangements with other countries relating to economic relations. The British Chancellor of the Exchequer also announced that his Government would abandon all commercial treaties providing for the most favored nation treatment. There will naturally be a readjustment of tariffs everywhere, in the light of after-war conditions. This general rearrangement of tariffs will offer a strong incentive to the renewal of tariff-wars. Every nation will be disposed to adopt all the accustomed devices and methods calculated to give each some commercial advantage through preference or other means not justifiable except upon the theory that other countries are doing likewise. Many nations have already prepared to protect themselves against undue discrimination either by means of punitive surtaxes or retaliation in kind or prohibition of commercial intercourse. It is of paramount importance,

therefore, from every viewpoint, that the present peace congress should incorporate, or cause to be prescribed, certain prohibitions by which both individuals and nations shall be governed in their international financial and commercial activities, thereby eliminating as many of the unfair, hurtful, and trouble-making practices and methods to which the world has been accustomed as it may be possible to agree upon. President Wilson, in a speech on September 27, 1918, said:

Fourth, and more specifically, there can be no special selfish economic combinations within the league and no employment of any form of boycott or exclusion except as the power of economic penalty by exclusion from the markets of the world may be vested in the league of nations itself as a means of discipline and control.

Mr. Chairman, I desire briefly to refer in some detail to the classes of trade practices and conduct which, in my judgment, should be abandoned or curbed to the maximum extent. Let us first glance at the discriminations and retaliations to be found in the operation of tariffs. Such provisions are not only designed to stimulate the trade of the country adopting them, but oftentimes are intended to restrain unfairly the trade of another country. There are too many methods and phases of tariff discrimination to enumerate. Hon. W. S. Culbertson, who is an authority on international tariff relations, divides these discriminations into two classes and describes them as follows:

In the first place, there are those which may be removed by nations bargaining among themselves. These discriminations appear in a variety of forms. Often they are found openly in surtaxes. Sometimes they are concealed in tariff classifications where, under the guise of equality of treatment, tariff rates are made high on goods which are peculiarly the products of a disliked country and low on the goods which are the peculiar products of a friendly people. Sometimes they may exist in the administration of the customs regulations or in the enforcement of inspection and sanitary laws. Not infrequently they are found in tariff systems of nations which have adopted discriminatory tariff rates for the very purpose of providing a basis for bargaining with other nations for concessions. Such are the general and the maximum tariff schedules of certain European countries.

The second class of tariff discriminations includes those which can not be removed by nations bargaining among themselves, such as preferential tariffs or national reciprocity systems, which are expressions of the settled policies of peoples toward their colonies or toward other nations.

Some tariffs contain penalties to enforce equality of treatment by other nations, while other tariffs contain concession provisions. Section 2 of our tariff act of 1909 illustrates the penalty method. The German tariff presents the concession method and consists of a general and "conventional" tariff, the former fixed by the legislative and the latter by the executive department. The lower rates are extended to those entitled to most-favored-nation treatment. The French tariff contains maximum and minimum provisions, with the purpose that the minimum rates are used in securing concessions. What is known as colonial preference exists between England and her colonies. This, of course, operates as a substantial discrimination against other nations. Preferential relations to a certain extent exist between the United States and Cuba and also with Brazil. Other nations would term these arrangements discriminations against them. Most tariff laws contain provisions either intended to prevent discriminations or to secure concessions. Section 3 of the tariff act of 1890 authorized the President to proclaim certain penalty duties in prescribed cases. The tariff act of 1897 provided for three kinds of reciprocal arrangements. England, while receiving preference from her colonies, has granted none in return, mainly on account of the nature of her tariff. A number of official announcements have been made recently, however, to the effect that preference should hereafter be accorded to the products and manufactures of the British overseas dominions in respect to any customs duties imposed on imports into the United Kingdom. The United States has free trade with the Philippines, but other countries exporting to the Philippines pay tariff duties.

Tariffs, it is seen, have been so constructed as not only to deal with all phases of the import situation but with export conditions as well. Exports may thereby be encouraged either through reciprocal tariff concessions or by threats of retaliation to prevent discriminations. Most countries have practiced both methods. Some concrete illustrations of tariff discriminations against the United States in the past are shown by the action of Germany just prior to 1910 in withholding from this country certain tariff concessions given to various other countries of Europe in return for equivalent concessions made by them. Germany excluded American pork for a time under arbitrary regulations of her customs administration, the requirement of which was that American pork should be subjected to a microscopic inspection. Austria also pursued this viciously discriminating practice, while pork from other nations was admitted into Austria and Germany upon the certificate of the government inspector in the exporting country. France for some time gave tariff concessions to other nations for certain manufactured products which were denied the United States, such as agricultural and other implements, tools, and machinery. Italy, through customs regulations, prevented the admission of American pharmaceutical and medicinal preparations during a considerable period, while not so discriminating against like articles from other countries. Belgium at one time practiced a tariff discrimination against the crude and lubricating mineral oils of the United States.

Canada has really had three tariff schedules—general, intermediate, and British preferential. The British preferential rates are extended only to the United Kingdom, New Zealand, and South Africa, as I recall. For a number of years France and Canada had a special commercial agreement under which France secured the minimum rates, and in addition a small list of special rates applying to peculiarly French products. Under the operation of the most-favored-nation clause other countries secured these minimum rates, but in several important respects they were withheld from the United States. The negotiations between the United States and Canada on this subject in 1910 grew highly interesting. A satisfactory adjustment was effected, however, on the last day of the time prescribed for dealing with the matter under the maximum and minimum provisions in our tariff law, although Canada did not yield on every point. Hon. W. S. Fielding, the minister of finance in Canada, in a communication to the President touching the seriousness of the situation, among other things, said:

A tariff conflict between the two countries would undoubtedly be a matter of the gravest concern for both, involving widespread disturbances of trade, heavy loss to citizens of both countries, and the creation of much friction at a time when the cultivation of happier relations is most desirable.

The general situation for a time was that not only England but other countries competing with the United States were shipping products similar to ours into Canada at tariff rates substantially below those imposed on like products from the United States.

Mr. Chairman, the principal commercial nations of Europe have applied the most-favored-nation doctrine to their commerce and navigation. This provision as practiced in Europe requires each nation to accord to the other as the party of the second part treatment which is or shall be accorded in a like matter to that nation most favored by it in another treaty. The United States has thus far declined to adopt this doctrine in its unconditional form, and therefore does not extend such treatment where it has been given for a special consideration not given by the nation asking for it. Germany at one time threatened retaliation on England and retaliated on Canada because under Germany's treaty terms with England, embracing the most-favored-nation treatment, Canada declined to extend to her the so-called colonial preference advantages given to the mother country. Germany later yielded through fear of French trade advantages. At the conclusion of the Franco-Prussian War in 1870 Germany forcibly wrote into the treaty of peace the most-favored-nation doctrine in its unconditional form, and France was unable to abrogate this treaty until 1914, when its termination was effected by the declaration of war.

It is generally agreed that the adoption of the most-favored-nation clause in its entirety by all commercial nations would remove virtually all kinds of discrimination in international trade. One of the most vital questions, therefore, which the trading nations of the world have confronting them at this stage is that of determining whether this most-favored-nation doctrine shall be made universally applicable to as full an extent as they may decide to be practicable in the future. My investigations thus far lead to the conclusion that the comparatively small advantages gained here and there by the different nations from its nonobservance would be much more than overcome by the numerous benefits and blessings, both commercial and political, which its general operation would secure. A closer observance of this principle rather than a disposition to depart from it in the future is decidedly the wiser course.

The policy or doctrine of "colonial preference" in this respect becomes one most difficult of satisfactory settlement. This doctrine permits a mother country to give preference to colonial products in her markets, and vice versa. The practice is exemplified in the case of Great Britain and such colonies as Canada, New Zealand, and South Africa, and Germany, France, Italy, and Belgium and their respective colonies. Most of the colonial possessions of the various important nations are measurably undeveloped and contain large amounts of raw materials. Some authorities contend that the mother countries can not justly and fairly insist on the privilege of virtually monopolizing the trade and raw materials of such an immense portion of the earth as their colonies at present comprise. Hol-

land, for instance, has refused any preference in her colonies for her home products. The contention just stated is specially urged with respect to autonomous or self-governing colonies. The question, however, as to whether the policy of the "open door" should be applied to dependent colonies, subject to such nondiscriminating tariffs as their revenue situation might suggest, or whether preferential tariff relations with the mother country should be generally retained, would still be a problem. Canada and Australia, for instance, have seemed inclined virtually to take their place among the nations to the extent of fixing their economic policies. According to the London Spectator, colonial preferential tariffs "have nearly always been arrived at not by lowering the colonial duties on British imports, but by raising the duties on foreign imports. In other words, the Dominions have hitherto followed the policy of domestic protection even against the mother country and against one another, while increasing the scale of protection against foreign countries."

It is clear that any preferential tariff advantages given mother countries by their colonies are to that extent in violation of the most-favored-nation principle, a principle which I believe all commercial nations will now agree should be made as universally operative as possible. It must be conceded, on the other hand, that by reason of political, sentimental, and other special relations existing in many cases between colonies and mother countries, plausible grounds for such limited or nominal preference as would be calculated to reflect and evidence such relations can be shown. Naturally the facts relating to the manner of acquirement of the various colonies of the world, their retention by the mother countries, the amounts expended on them, the degree of care and aid given them, and special relationships are widely different. Some colonies have been acquired by fair and others by foul means. Some colonies have simply been exploited by the country acquiring them, without any effort to aid in their development in any way. Other colonies have been the beneficiaries of substantial expenditures and constant cooperation in other important respects on the part of the mother country. My present impression with respect to the variety of economic and political conditions which the colonies present is that in the case of autonomous or self-governing colonies the most-favored-nation principle should apply to the fullest extent possible to agree upon. This would mean either the abandonment or very considerable liberalization toward the minimum of preferential tariffs and other differential treatment heretofore in operation. As to backward, uncivilized, and more or less dependent colonies, I am of opinion that such international policy as would make their respective interests paramount at all times and would at the same time restrain any monopoly of their trade and raw materials on the part of any one nation, or collections of nations acting jointly to that end, would be wise. No nation has a right to indulge in the habit of procuring vast areas as colonies under the questionable methods usually adopted and then insist on retaining a monopoly of both raw materials and the trade that follows. The real question, after all, is as to what extent should the general benefits accruing to all commercial nations from the widest operation of the most-favored-nation principle be subordinated to the claims of mother countries for preferential advantages from their colonies for the reasons stated. It is true, I repeat, that the mother countries and not their colonies are the chief gainers under this system of preference. Canada, for illustration, imposes a higher tariff against the United States than against England in order to obstruct imports from the United States for the benefit of greater English imports, and in so doing she is obliged to pay substantially higher prices for American products.

While the United States has suffered from tariff discriminations in many instances and in many ways during past years, still the volume and nature of its foreign trade and its general and special reciprocal trade arrangements have had the effect, as a rule, of securing the chief benefits of favored-nation treatment.

Mr. Chairman, economic alliances between nations are important to consider. In June, 1916, an economic conference of the allies was held in Paris, at which two sets of recommendations were made—one for the period of the war and the other for the period of reconstruction and an indefinite period after the war. I have not the time to explain them in detail. The recommendation for the war period, however, proposed a policy of strict commercial and economic exclusion from the central powers in every respect. The second recommendation contained all the elements and essentials to be found in a close economic alliance, both offensive and defensive. It not only prescribed rules and methods to insure fair and friendly trade relations between the allied nations with respect to the interchange of products, but contained suitable provisions as to trade routes, transportation, and a fair distribution of raw materials. Considerable speculation and uneasiness arose as to the effect of this hard and fast economic alliance on neutral countries. Mr. Asquith on August 2, 1916, stated in the House of Commons that the recommendations or resolutions of the Paris conference "were in no sense aimed at neutrals." The general idea of the Paris conference was to establish a common economic policy, to promote the mutual trade relations of the allied nations, and to assure their independence, both as to sources of supply and as regards their financial, commercial, and maritime organizations.

An economic conference of officials of the central powers was held during the same year for the purpose of establishing an economic alliance among themselves. A central Europe commercial union between Germany, Austria-Hungary, and Turkey has been reported as the plan and purpose of this meeting. The pretext was that it was to avoid economic isolation, but the real object seemed to be the carrying out of the original plans and purposes to establish and develop a "Mittel Europa" in all its economic, political, and military phases, so long pictured in the dreams of the ruling class of Germany. Bulgaria was also to be included in this economic unit, which was to be self-containing, self-supporting, and independent of other countries.

For some time after these two economic conferences were held the press was filled with reports of the proposed "war after the war," meaning the economic war of extermination which the opposition associations of nations in the European war threatened to wage against each other after the conclusion of peace. Neutral countries were in no sense parties to the action of these two conferences, either at or since that time. These two incidents now appear to have been more in the nature of threats offered against each other by the opposing nations at war. Lord Bryce in October, 1916, expressed the prevailing idea of all conservative, sound-thinking persons, as follows:

> Such a trade war would prolong, would embitter afresh, those hatreds that ought to be allowed to die; and it assumes a continuance of those very things from which we expect our victory to deliver us once for all.

I assume the peace terms will abrogate these two sets of resolutions emanating from the rival economic conferences I have referred to. A conference of Sweden, Norway, and Denmark was held on March 9, 1916, for the purpose of establishing a Scandinavian economic union. The prime minister of Norway, later referring to the purpose of this conference, said: "Every effort should be made to safeguard the independence of the Scandinavian countries in the economic struggle which will follow the war." The second session of this conference was held on September 24, at which it was agreed that the three Governments should closely collaborate with respect to the commercial policies of each and that they should continue this practice following the war. They also agreed to a full exchange of information regarding all phases of their commerce, to protect their mutual commercial interests, and to maintain closer cooperation during and after the war with a view to safeguarding their common interests. One or two other alliances of a commercial character, such as the Russo-Japanese alliance of July 3, 1916, have also been undertaken. My opinion is that economic alliances established here and there by certain groups of commercial nations are calculated to arouse suspicion, hostility, retaliation, and ultimately economic war. Such policy, save under special conditions which would be generally recognized as justifiable, I believe to be unwise, unsound, and in the end productive of far more harm than good, even to the nations party to the same.

Mr. Chairman, the views I am undertaking to express relative to the establishment of fair trade relations generally are only intended to apply to normal peace times that are to follow, and after each allied nation which has suffered industrial losses and setbacks has had a chance to restore conditions to a satisfactory basis and is then given a fair start with other competitors in the race for trade and commerce. It is assumed that whatever general definition of fair trade the peace congress may draft or authorize to be drafted, such qualifications as will prevent the central powers from securing any advantage over such allied nations as Belgium and France until they have effected a physical and industrial reconstruction will be prescribed.

Another class of commercial practices and methods which have been the source of much unfairness and the cause of much retaliation and consequent ill feeling relates to subsidies, bonuses, drawbacks, rebates, etc. These policies are most generally utilized for the encouragement of export business. Dr.

Taussig, one of the leading economic authorities of the country, refers to this phase of foreign trade as follows:

The four devices for promoting export trade considered in the preceding discussion are, first, export bounties; second, special transportation rates on export traffic; third, specially reduced prices on commodities sold for export; and finally, lower duties on American goods in foreign countries, secured by negotiation or treaty. * * * Not only are such devices dubious, sometimes even clearly bad, but they are constant causes of misunderstanding, suspicion, recrimination, and international friction.

It was through the employment of a combination of these methods that Germany was able to supplant the electrical industry in England and the dyestuff industry in the United States and other countries. Germany prior to the war pursued commercial policies which embraced almost every conceivable unfair and hurtful trade device in connection with her efforts to develop foreign commerce. An able economist and business man has recently described the German policy as follows:

German banks, steamship lines, manufacturers, merchants, consular agents, Government spies, and other agencies, all acting together under close direction of the German Government, with the German Army and Navy ready in the background, have in the past acted with a common purpose of driving other countries out of foreign markets by means which went far beyond legitimate commercial practices. We need not be afraid of German industry so long as it is content to compete in the world's market by means of quality and cheapness of goods. But if the whole economic and governmental organization of Germany is to act as a unit, pooling their resources, seeking to offset losses through price cutting in one industry by gains made in another—if practices of this sort on the part of Germany have to be met in the future America, England, France, and other countries will have to take steps to meet them.

The practice of "dumping" consistently and systematically pursued, wherein a given industry subsidized or aided by one or more of the export devices I have described, undersells a foreign competitor in his home market with a view of destroying his industry, was a favorite German method. At this point I desire to quote the utterance of a leading writer and publicist, as follows:

If now, at the final peace negotiations the German style of economics is to dominate, the settlement will degenerate into a race for position "and the devil take the hindmost." If the allies should repudiate their own ideas, namely, the ideas of international reciprocity in trade relations and of the open door and each should merely seek to secure all it can of territory, colonies, trade concessions, exclusive ports, coaling stations, canals, railway routes, and discriminatory tariffs, the peace table will turn into a gambler's table, at which they will simply deal out the cards for the next great game of war, and, as often happens after a war, the ideas and ideals of the conquered will have made conquest over those of the conquerors.

Mr. Chairman, it will be noted that the objectionable trade practices which I am undertaking to discuss are only those which directly or immediately affect other nations unfairly in international finance and commerce, and in no respect relate to domestic trade and finance which every country should be free to conduct as it may see fit. I have not the time to illustrate discriminations in shipping or other transportation, or trade routes, many of which, however, are familiar to business people. Many firms in this country, undertaking to develop foreign businesses, have seen their trade-marks, trade brands, and patents wrongfully appropriated by citizens or tradesmen in such foreign countries without any opportunity for redress. This practice of theft has been prevalent in many foreign localities to the severe loss and detriment of honest exporters here and elsewhere. A general international agreement binding each nation by law to prohibit such conduct and to furnish a tribunal for prompt legal redress when these injuries are attempted is both urgent and feasible.

I now come to another class of conduct which relates to the economic penetration of uncivilized, backward, and weaker countries by methods of force, fraud, or threats in some cases, and of a subtle and insidious nature in others. While the motive in most every case is commercial or economic gain to the exclusion or detriment of other nations, the methods are often widely different. Trade and raw materials—and preferably a monopoly of both—are nearly always the objective. One favorite device for accomplishing this end is through the agency of so-called "loans and concessions." Trade acquired by an honest, unconditional loan would not be subject to criticism; but when loans are made to the Governments—or to those assuming to constitute the Governments—of weak or backward countries, or to provinces within them, only for the primary purpose of securing concessions of vast value to the great injury of the borrower and to the exclusion of the just rights of other trading nations, the viciousness of the transaction reveals itself. There are innumerable instances of this character to be found in the so-called financing of Morocco by France and Germany; of Turkey by France, Germany, and England; and of China by Japan and the rival powers. These loans carry concessions relating to strategic privileges, coaling stations, authority over arsenals, preferential right of entry into ports, tonnage rebates, control of railroads or rights of way for trade or transportation routes, mining privileges, exclusive-trade territory, the privilege of supervising the expenditures from the loan, and even the option of violating the sovereignty of these weak and backward countries. The concessions are political, military, and industrial. Within the past few years Japan is reported to have made 21 loans to alleged Chinese officials or to Chinese firms, aggregating more than $100,000,000, under such restrictions and for such vast concessions as I have described, and for others in addition. These only constitute a brief chapter in her reported encroachments on China in the past. It is not my purpose to discuss the problem now before the peace congress as to how weak and helpless countries are to be dealt with, either in a political or military way. I am only dealing with hurtful and unjustifiable commercial methods and practices. A proper remedy undoubtedly requires international action and supervision, with the "open door" as the underlying policy.

Mr. Chairman, another practice of the stronger nations relating to the virtual seizure of the lands of the weaker and less civilized countries for the primary purpose of commercial exploitation falls, at least to a partial extent, within the range of my discussion. This character of trade conquest is generally supported by armed cruisers and battleships. The acquisition of German Southwest Africa illustrates this class of international commercial depredations. A German merchant established a trading post in this territory and later ceded it to the German Government. The Government thereupon pretended to effect "treaties" with the natives for territory embracing 322,000 square miles and at once sent an army there to maintain German "rights." German traders soon after the year 1886 pushed their way into the Pacific islands, and, of course, promptly demanded protection by the home Government. German battleships were soon on the scene, with the final result that Germany acquired an area of 100,000 square miles in the Pacific islands which German armies and war vessels have been guarding from that day. The result in each instance cited has been a complete monopoly of the valuable raw materials and the trade of these localities by Germany. Force, stealth, and bribery have often been found in these territorial acquisitions. These helpless localities have first been placed under commercial tribute, and this has been followed by political and military domination. By similar methods Germany plundered parts of Poland, the Ukraine, and other small or defenseless countries.

It still causes one to shudder to recall how commercial nations, bantering, jockeying, and threatening each other in the course of strenuous trade conquests, have so often approached the very verge of a general war. Different terms have been used to define the various degrees or steps pursued by the strong nation in its efforts to secure new territory. The terms "controlling influence," "spheres of influence," "protectorate," and "colonies" mark the successive steps from the beginning of the encroachment until the designing country secures its prey. Gen. Marchand, with his army at Fashoda, as a "peaceable" protest against British occupation; the German Kaiser on his yacht in Tangier Bay, accompanied by a battle cruiser, challenging further French encroachments about Morocco, constitute two typical instances of clashes bordering on actual and imminent war which the world has been accustomed to witness in connection with the terrific struggle of different nations for commercial supremacy. The verdict of history, in my judgment, will be that Germany finally did go to war to gain greater control over markets for her home products and over larger sources of raw materials she needed for manufacture at home.

There is such a wealth of aggravated cases and incidents illustrating in almost innumerable ways the objectionable, dangerous, and unfair trade practices which I have attempted to point out that the temptation to enter into further details is strong, but I feel that I have in some measure presented the chief evils and dangers arising under past practices and policies in international trade and finance. It makes one almost despair of the future peace of the world to contemplate a resumption of these deplorable and war-breeding policies. Every intelligent citizen in every country should feel keenly the great lesson of experience and lend his influence in support of a reformation of these international practices. A learned writer has recently spoken concerning economic contests as follows:

Throughout the seventeenth and eighteenth centuries the struggle continued, and the commercial rivalry for new trade routes and new sources of supply and new markets led to a succession of wars, which culminated in the final great struggle between England and Napoleon.

It is needless to add that a number of serious wars of similar origin have since occurred, including our present world war.

Mr. Chairman, I do not contend that all hurtful, dangerous, and unfair trade practices in international commerce can be abolished by common agreement among the nations. I do believe, however, that it would be most wise and feasible at this propitious time for the governments of the various commercial

nations to enter into an agreement defining what their most enlightened joint judgment would suggest with respect to the term "unfair trade," and eliminating and abandoning by mutual consent the principal and more vicious devices, acts, and conduct I have described.

Such action would undoubtedly have the effect of greatly minimizing such activities and doubtless would result in the complete abandonment of most of them. A method of international arbitration, which has already been successfully tried out in a small way between the Argentine Republic and the United States, would solve most controversies arising among traders or business men. Either an international organization constituted for the purpose of investigating and deciding when a given act or acts are a violation of "fair trade" as defined, together with agencies provided by other nations to retaliate if necessary, as suggested by President Wilson, or an efficient arbitration tribunal would afford a contributing remedy. There should be some permanent workable agency in any event. Others more desirable might be worked out. In any event the world can not hope to embark upon an era of permanent peace unless it first makes up its mind thus to secure the abandonment of some of the principal underlying causes of most wars of the past.

EXHIBIT A.

[64th Cong., 1st sess., House of Representatives, Feb. 16, 1916.]

Mr. HULL of Tennessee introduced the following joint resolution, which was referred to the Committee on Ways and Means and ordered to be printed:

"*Resolved, etc.*, That the President be requested to propose to the governments of all commercial nations that, at the close of the present European war, an international trade conference shall be held in the city of Washington, D. C., for the purpose of establishing a permanent international trade-agreement congress, the function and duty of such congress to comprise the consideration of all international trade methods, practices, and policies, which in their effects are reasonably calculated to create dangerous and destructive commercial controversies or bitter economic wars; and to formulate treaty agreements with respect thereto, designed to eliminate, prevent, and avoid the injurious results and dangerous possibilities of economic warfare, and to promote fair and friendly trade relations among all nations of the world."

EXHIBIT B.

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., February 16, 1916.

MY DEAR SIR: I herewith inclose copy of proposed House joint resolution, with request that you will do me the courtesy and kindness to examine same and indicate (in confidence, if you prefer) your views as to the policy which the resolution proposes, and also, in the event you should approve its policy, your view as to the wisdom of offering the resolution in Congress at the present time.

Having in mind the generally accepted fact that the chief underlying cause of the present European war is accounted for in the strenuous trade conquests and bitter trade rivalry being conducted prior to the outbreak of the war, and also observing that leading officials and manufacturing associations of Germany and Austria are daily discussing and approving plans for a customs union under which the central powers would have one fiscal system and policy, and observing further that the so-called allies are constantly discussing and propagating a plan for an economic union—each of the foregoing unions intended to wage hostile commercial war at the close of the present European war—it occurred to me that a proposal from the United States announced at this time that an international trade-treaty congress should convene at the termination of the present war for the purposes set out in the resolution would strengthen the position of this country and would make an excellent impression among neutral countries, and doubtless among many of the countries at war. Furthermore, it would seem that some such action on the part of the United States would, above all other considerations, be very important and necessary out of consideration for its own commercial welfare and peaceable development in the future.

I had in mind in connection with the proposed work of the international trade-treaty conference such subjects, among others, as the following, although they are crudely set out:

(a) The permanent preservation of the principle of unconditional most-favored-nation treatment.

(b) The discontinuance of trade retaliation in all forms.

(c) Undue discrimination by a nation or group of nations against another nation or its products.

(d) A complete agreement and understanding with respect to the maritime rights of noncontraband commerce.

(e) Suitable action with respect to the procurement by one or more nations of trade routes by unfair means or unfair interference with trade routes.

(f) Action prohibiting a powerful nation from forcing trade upon a weak country.

(g) An agreement to the effect that no country shall subsidize a domestic industry for the avowed purpose of enabling it to systematically undersell a rival industry of another country and destroy it.

(h) A general understanding that no government will directly aid a domestic industry to destroy by any unfair method a trade rival in another country.

(i) To prohibit the boycotting of the commerce of one nation by another nation.

(j) To secure the equal application of export duties wherever in effect.

(k) To secure nondiscrimination with respect to entry to the ports of other countries.

(l) As to colonies and a mother country, to either discontinue or to adopt a broader and more liberal operation of preferential tariffs and other kinds of differential treatment.

(m) To devise and adopt, if possible, a reasonable system of commercial arbitration covering dealings between traders of different countries.

(n) To devise treaties with respect to such other matters relating to international trade, finance, industry, and transportation as would be deemed reasonably acceptable to the various commercial nations of the world.

Very respectfully, CORDELL HULL.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Iowa [Mr. HAUGEN] asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, this bill to be candid should be entitled "An act to authorize the laying of a tax upon the bread of the American people." That is what it really will amount to in the end.

In section 14 of the act of August 10, 1917, "the food-control law," it was provided:

Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guaranty within the period, not exceeding 18 months, prescribed in the notice a price not less than the guaranteed price therefor as fixed pursuant to this section.

The President was authorized by Congress to fix a minimum price on wheat by proclamation, and we guaranteed that the wheat producers should receive that price. The purpose of the bill under discussion is to take care of that situation. Its purpose is to make good to the wheat producers the price of $2.26 fixed by the President as the minimum wheat price.

Of course, by the law referred to we pledged the faith of the Government to the wheat growers. We bound the Government to make good on the guarantee. It turns out that we made a bad trade, but of course we must keep our pledged word. Nobody objects to that. Having bound ourselves to the wheat growers to see that they receive a certain minimum price per bushel, we must redeem that obligation. Nobody objects to that. We are both morally and legally bound, and I do not believe that any opposition would be found in the House against a redemption of our promise if a straight proposal to do so was presented. Unfortunately no such measure is presented in this bill.

If all that was intended by the bill was merely that the Government of the United States should make good its plighted word to the wheat growers the price that was promised, then all that the bill should have carried is an appropriation from the Treasury to pay the loss and providing for a means whereby the loss could be ascertained. But we find that this bill is vastly more than that. It provides for a wheat administration, which is clearly intended to control the price of wheat and to manipulate the wheat market. Under this bill the Government agent who may be charged with administering it may monopolize the wheat supply of the United States, may forbid imports from other countries, and may put any price on wheat that he sees proper.

No man can study this bill and come honestly to any other conclusion than that if the administrator who has it in charge should decide to do so, he may just as well put the price of wheat at $5 per bushel as at $1 per bushel, or whatever he may decide on.

Mr. LEVER. The gentleman evidently has not read the bill.

Mr. HUDDLESTON. The gentleman has allotted me a few minutes and now proposes to take that by disputing my fundamental proposition.

Mr. LEVER. I am disputing his facts.

Mr. HUDDLESTON. If the gentleman from South Carolina [Mr. LEVER] would yield me a little more time, I would demonstrate that either he has not read the bill understandingly or that he has not stated his views with candor to the membership of this House.

What is all this machinery in this bill for? Why, it is for the purpose of enabling the wheat administrator to put whatever price he wants to upon the bread of this country. That is what it is for.

The gentleman from South Carolina [Mr. LEVER] stated in opening discussion on the bill that such a measure must be based upon one of two fundamental ideas, each hostile to the other. One that the expense of the guaranty should be borne out of the Treasury, just as other Government expenses are paid, and the other that this burden should be passed on to the people—to the consumers of bread in this country.

If he had had in view merely the first of those propositions he would not have brought a bill in here cumbered with all this machinery of price fixing, forbidding all imports, and providing for the manipulation of markets. So that the conclusion is irresistible that by clothing the administrative official with all this power and machinery for manipulating markets there is behind it a purpose either to put all of this guaranty upon the shoulders of the consumers of bread, or to put a large part of it upon their shoulders. That conclusion, as I say, is absolutely irresistible.

Now then, what the bill really means is that we are going to lay a tax upon the consumers of bread in order to make good to the wheat producers what we will lose by this guaranty. That is what it means. It is just merely a way of saying to the child that reaches out its hand for a piece of bread: "You may take this bread, tolled by whatever it costs the Government to keep the price of wheat up to the guaranteed price." That is a fact that we must all face.

I do not approve of such a system of taxation. I do not approve of paying the loss that the Government has sustained by levying a per capita tax—for that is what this kind of a tax means. It is a per capita tax, not a tax laid upon the people in proportion to their ability to pay it, not a tax laid upon the property of the country, not a tax to be paid out of wealth; but, on the other hand, is to be paid out of poverty—a tax to be paid by the men of large families, a tax to be paid by the poor. I want to say to you, gentlemen, that when this measure is passed, and we find that the price of wheat and flour is manipulated, and bread is kept up in price to its war level, the responsibility can not be passed on by you to any administrative officer, but you must step up like men and say, "I did it; I did my part to make the people of the United States pay per capita the loss the Government has sustained."

By reason of the guaranty we have entered into we must sustain a loss.

Perhaps we will sustain a billion dollars of loss. That loss, in all fairness, according to all sound principles of taxation, ought to be paid out of the Treasury of the United States, just as any other expense of the Government is paid, just as other costs of Government ought to be paid. There is no more reason for passing this loss on to the consumers of bread than in passing any other war loss on to the consumer. It ought to be paid out of the General Treasury, a Treasury replenished by taxes laid, upon an equitable basis, upon the property of the country, upon the people who are able to pay. But instead of that we have a bill here disguised with exceeding art; but, thank God, no art can suffice to mask such a purpose as it has behind it. It is concealed and camouflaged with exceeding artfulness, but its purpose is clear after all, and that fell purpose is to lay upon the shoulders of the people of this country, per capita, in proportion as they eat bread, the payment of this loss that the Government has sustained by reason of this venture.

I refuse, my friends, to indorse any such principle. I refuse to wring out of the noses of the poor of America the money necessary to make good the wheat guaranty. I insist that it shall be paid, but, honestly and fairly, it shall be paid out of the Treasury of the United States. I refuse to vote to toll the bread of the children of America in order to make good this guaranty.

I am not willing to carry upon my conscience the burden of a vote for this measure. I am unwilling to besmirch my record as a friend to the poor and oppressed by a vote which will inevitably increase the price of our daily bread. I will not make myself liable to have the gaunt fingers of suffering women and children pointed at me as one who has aided in forcing them to pay war prices for bread in time of peace.

I do not know what the official who will be appointed to administer this measure may do. He may perchance be lenient toward the suffering. However, this bill does not compel him to leniency. It puts it in his power to require that the people of the United States pay an unreasonable price for bread during the next two years. This is more power than I am willing to give to any man. It is unnecessary power. The people of the United States are entitled to eat bread at its cost in the markets of the world, free from an arbitrary price increase.

It is immoral and unjust that the burden of the Government's guaranty should be shifted in any part to the cost of bread. It is an abuse of governmental authority to so shift it. It will be to practice a fraud on the people. If we are to pay a tax on bread, then let us make it a stamp tax, so that every head of a family, when he goes to buy a sack of flour, may see there upon it a stamp which shows exactly what the Government is extorting from him.

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. CANDLER], a member of the Committee on Agriculture.

The CHAIRMAN. The gentleman from Mississippi is recognized for five minutes.

Mr. CANDLER of Mississippi. Mr. Chairman, I must confess I am very much surprised at the remarks of the distinguished gentleman from Alabama [Mr. HUDDLESTON] when he insists that this money is to be gotten absolutely out of the consumers of the country and out of the poor people of the country, and concludes his speech by declaring that the appropriation ought to be made out of the Treasury of the United States, declaring that he would favor its being paid out of the Treasury of the United States in order that it might fall upon all alike, and that every taxpayer throughout the United States might bear his proportionate part of the loss, if there should be a loss, resulting from the enforcement of the law upon the statute books.

The gentleman from South Carolina [Mr. LEVER] called the attention of the gentleman from Alabama to the fact that he must not have read the bill, or he would not insist upon any such criticism as that. He insisted that he had read it carefully and said that the gentleman from South Carolina must not have read it, or if he had read it carefully he was not candid in his statement to the House when he made his speech this morning. Now, let us see who is correct. Section 8 of the bill specifically provides for this appropriation out of the Treasury of the United States. Here is the provision in the bill:

That for carrying out the aforesaid guaranties and otherwise for the purposes of this act, there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be available during the time this act is in effect, the sum of $1,000,000,000.

And section 11 provides—

That the provisions of this act shall cease to be in effect whenever the President shall find that the emergency growing out of the war with Germany has passed and that the further execution of the provisions of this act is no longer necessary for its purposes, the date of which termination shall be ascertained and proclaimed by the President; but the date when this act shall cease to be in effect shall not be later than October 15, 1920.

So the bill provides in so many words for the appropriation, and for the total appropriation, out of the Treasury of the United States—the very place that the gentleman from Alabama says it ought to come from. Then he says, further, that by reason of the machinery and the camouflage that was ingeniously devised and placed in this bill—calculated to mislead people, but not sufficient to mislead him—the director or administrator of this law, or the one who would have charge of the enforcement of it, could provide for a price for wheat of $5 per bushel when the bill itself provides on its face that it shall not be sold for more than the guaranteed price of $2.26 per bushel. So evidently the gentleman from South Carolina was correct when he said that the gentleman from Alabama had not read the bill, or if he had he had not read it carefully.

Now, gentlemen, the theory of the bill, of course, is that by reason of an extraordinary production of wheat in the United States there may be a loss; that the price of wheat may go below the guaranteed price of $2.26 a bushel. If the price should not go below $2.26, there would be no loss. If it goes below that price and we suffer loss, it will be because of the fact that we did pass a law in this Congress fixing a guaranteed minimum price of wheat at not less than $2, and authorizing the President of the United States by proclamation to fix the price that should be paid for it in the future. Under that the President of the United States, on February 21, 1918, issued a proclamation fixing the guaranteed price for the 1918 wheat crop. That proclamation is as follows:

FIXING GUARANTEED PRICES FOR 1918 WHEAT CROP.

(February 21, 1918.)

Whereas under and by virtue of an act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved by the President on the 10th day of August, 1917, it is provided among other things as follows:

"SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits of the guaranty provided for in this section, he is authorized from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act approved August 11, 1916. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment and differences in price for the several standard grades in the principal primary markets of the United States, adopting No. 1 northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guaranty within the period, not exceeding 18 months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty. The guaranteed prices for the several standard grades of wheat for the crop of 1918 shall be based upon No. 1 northern spring or its equivalent at not less than $2 per bushel at the principal interior primary markets. This guaranty shall not be dependent upon the

action of the President under the first part of this section, but is hereby made absolute and shall be binding until May 1, 1919."

Now, therefore, I, Woodrow Wilson, President of the United States, by virtue of the powers conferred upon me by said act of Congress, and especially by section 14 thereof, do hereby find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guaranty provided for in said section; and, in order to make effective the guaranty by Congress for the crop of 1918 and to assure such producers a reasonable profit, I do hereby determine and fix and give public notice of reasonable guaranteed prices for No. 1 northern spring wheat and its equivalents at the respective principal primary markets as follows, to wit:

Chicago, Ill., $2.20 per bushel;
Omaha, Nebr., $2.15 per bushel;
Kansas City, Mo., $2.15 per bushel;
St. Louis, Mo., $2.18 per bushel;
Minneapolis, Minn., $2.17 per bushel;
Duluth, Minn., $2.17 per bushel;
New York, N. Y., $2.28 per bushel;
Philadelphia, Pa., $2.27 per bushel;
Baltimore, Md., $2.27 per bushel;
Newport News, Va., $2.27 per bushel;
Charleston, S. C., $2.27 per bushel;
Savannah, Ga., $2.27 per bushel;
Portland, Oreg., $2.05 per bushel;
Seattle, Wash., $2.05 per bushel;
San Francisco, Cal., $2.10 per bushel;
Los Angeles, Cal., $2.10 per bushel;
Galveston, Tex., $2.20 per bushel;
New Orleans, La., $2.20 per bushel;
Salt Lake City, Utah, $2 per bushel;
Great Falls, Mont., $2 per bushel;
Spokane, Wash., $2 per bushel.
Pocatello, Idaho, $2 per bushel;
Fort Worth, Tex., $2.09 per bushel;
Oklahoma City, Okla., $2.05 per bushel;
Wichita, Kans., $2.08 per bushel; and that the guaranteed price for the other grades established under the United States grain standards act approved August 11, 1916, based on said price for No. 1 northern spring wheat at the respective principal primary markets of the United States above mentioned, will assure the producers of wheat produced within the United States a reasonable profit; the guaranteed prices in the principal primary markets above mentioned being fixed by adopting No. 1 northern spring wheat or its equivalent at the principal interior markets as the basis.

For the purposes of such guaranty only, I hereby fix the guaranteed prices at the respective principal primary markets above mentioned for the following grades of wheat, to wit: No. 1 northern spring, No. 1 hard winter, No. 1 red winter, No. 1 durum, No. 1 hard white. The guaranteed prices at the respective principal primary markets aforesaid of all other grades of wheat established under the United States grain standards act approved August 11, 1916, shall be based on the above guaranteed prices and bear just relation thereto.

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned to every producer of wheat of any grade so established under the United States grain standards act upon the condition that said wheat is harvested in the United States during the year 1918 and offered for sale before the 1st day of June, 1919, to such agent or employee of the United States, or other person as may be hereafter designated, at any one of the above-mentioned cities, which are, for the purposes of this act, hereby declared to be the principal primary markets of the United States, and provided that such producer complies with all regulations which may be hereafter promulgated in regard to said guaranty by the President of the United States. * * *

He issued that pursuant to section 14 of the act of August 10, 1917, which authorized him to issue that proclamation, and he quoted that section in this proclamation.

Then, on September 2, 1918, he issued a proclamation fixing the guaranteed price for the 1919 wheat crop. That proclamation is as follows:

FIXING GUARANTEED PRICES FOR 1919 WHEAT CROP.

(September 2, 1918.)

Whereas, under and by virtue of an act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved by the President on the 10th day of August, 1917, it is provided, among other things, as follows:

"SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain-standards act approved August 11, 1916. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment; and differences in price for the several standard grades in the principal primary markets of the United States adopting No. 1 northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guarantee within the period, not exceeding 18 months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty."

Now, therefore, I, Woodrow Wilson, President of the United States, by virtue of the powers conferred upon me by said act of Congress, and especially by section 14 thereof, do hereby find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guarantee provided for in said section; and, in order to make effective the guarantee by Congress for the crop of 1919 and to assure such producers a reasonable profit, I do hereby determine and fix, and give public notice of reasonable guaranteed prices for No. 1 northern spring wheat and its equivalents at the respective principal primary markets as follows, to wit:

New York, N. Y., $2.39½ per bushel.
Philadelphia, Pa., $2.39 per bushel.
Baltimore, Md., $2.38¾ per bushel.
Newport News, Va., $2.38¾ per bushel.
Duluth, Minn., $2.22½ per bushel.
Minneapolis, Minn., $2.21½ per bushel.
Chicago, Ill., $2.26 per bushel.
St. Louis, Mo., $2.24 per bushel.
Kansas City, Mo., $2.18 per bushel.
Omaha, Nebr., $2.18 per bushel.
New Orleans, La., $2.28 per bushel.
Galveston, Tex., $2.28 per bushel.
Tacoma, Wash., $2.20 per bushel.
Seattle, Wash., $2.20 per bushel.
Portland, Oreg., $2.20 per bushel.
Astoria, Oreg., $2.20 per bushel.
San Francisco, Cal., $2.20 per bushel.
Los Angeles, Cal., $2.20 per bushel.
Salt Lake City, Utah, $2 per bushel.
Great Falls, Mont., $2 per bushel.
Pocatello, Idaho, $2 per bushel.
Spokane, Wash., $2 per bushel.

and that the guaranteed price for the other grades established under the United States grain-standards act approved August 11, 1916, based on said price for No. 1 northern spring wheat at the respective principal primary markets of the United States above mentioned, will assure the producers of wheat produced within the United States a reasonable profit; the guaranteed prices in the principal primary markets above mentioned being fixed by adopting No. 1 northern spring wheat, or its equivalents at the principal interior markets, as the basis.

For the purposes of such guaranty only, I hereby fix the guaranteed prices at the respective principal primary markets above mentioned for the following grades of wheat, to wit: No. 1 northern spring, No. 1 hard winter, No. 1 red winter, No. 1 durum, No. 1 hard white. The guaranteed prices at the respective principal primary markets aforesaid of all other grades of wheat established under the United States grain-standards act approved August 11, 1916, shall be based on the above guaranteed prices and bear just relation thereto.

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned, to every producer of wheat of any grade so established under the United States grain-standards act, upon the condition that said wheat is harvested in the United States during the year 1919, and offered for sale before the 1st day of June, 1920, to such agent or employee of the United States, or other person as may be hereafter designated, at any one of the above-mentioned cities, which are hereby declared to be the principal primary markets of the United States, and provided that such producer complies with all regulations which may be hereafter promulgated in regard to said guaranty by the President of the United States. * * *

These proclamations issued by the President pursuant to the law of August 10, 1917, made an absolute contract with the wheat producers to pay them not less than $2.26 per bushel.

Now, what seems to trouble some of the Members is in reference to payment for the wheat that shall be planted in the spring of this year—spring wheat. The proclamation is not conditional in any sense of the word, but is sweeping in its provisions, and provides absolutely and unconditionally for the price of wheat for the crop of the year 1919. It provides that it shall be paid for at the rate of not less than $2.26 a bushel if it is harvested in the year 1919 and delivered prior to June 1, 1920. Therefore it fixes the price for the whole 1919 crop, the first proclamation fixing the price for the crop of 1918 and the second proclamation fixing the price for the crop of 1919, including not only winter wheat but also spring wheat harvested in the year 1919.

Therefore, my friends, we find ourselves in the situation of having made a specific, unequivocal, and unconditional contract with the wheat growers of the United States of America fixing the price that they should receive for their wheat, and the President of the United States under solemn proclamation and under seal of the United States of America, attested by the Secretary of State, guaranteed to those people that price which we authorized him by act of Congress to fix. Therefore it is as conclusive a contract and as binding a contract as could be made between two individuals in reference to any business transaction in the world. It is as binding on the Government as a bond. Having made the contract, there is but one way to be honest, and that is to fulfill the contract by meeting the requirements of it absolutely, and going to the fullest extent that it requires in order to carry it out, and not seeking at any time nor under any circumstances to deviate from the letter or spirit of the contract thus made under the statute as it is written. [Applause.] If we should take any other course it would be a repudiation upon the part of the Government of the United States of a contract made with its citizens to encourage them in the production of wheat which we so much needed. We know that when this law was passed there was a shortage of wheat, and therefore it was necessary to stimulate the wheat growers of the country in order to get them to produce the

wheat which was required to sustain our own people, to feed our boys in the Army and in the Navy of the United States who were fighting our battles, and feed our allies across the sea and their boys in their armies and navies who were fighting not only their battles but fighting our battles as well. That was the reason the statute was passed. [Applause.] And to show you that it did stimulate the production of wheat I call attention to the hearings, page 220, where Mr. Barnes stated as to the wheat crop of the world. His statement was as follows:

Mr. CANDLER. Mr. Barnes, what is the average world's supply of wheat?

Mr. BARNES. Well, I should say that the world's wheat crop has ranged in the past few years from a total of 3,000,000,000 to 4,000,000,000 bushels, roughly.

Mr. CANDLER. What is the average production in America? How much do we produce?

Mr. BARNES Our average crop will work out about 620,000,000 or 630,000,000.

Mr. CANDLER. The largest crop, I think, that we produced was in 1915, was it not?

Mr. BARNES 1915; yes.

Mr. CANDLER. It ran over 1,000,000,000 bushels that year, but the average amount produced in this country is what, did you say?

Mr. BARNES. Around 630,000,000.

Mr. CANDLER. This whole proceeding here is to take care of what is thought will be a very large increase upon the production in this country over any year heretofore.

Mr. BARNES. Let me correct my figures. The average crop in this country is about 740,000,000.

Mr. HAUGEN For how many years?

Mr. BARNES. Ten years.

The CHAIRMAN. I thought that your figure was incorrect.

Mr. CANDLER. What was the average price of wheat prior to the war in this country—three years prior to the war?

Mr. BARNES. Well, the average farm price in 1918 was $2.06; in 1917, $2.05; in 1916, $1.44; in 1915, 98 cents; in 1914, 99 cents; in 1913, 79 cents; and in 1912, 85 cents.

Mr. CANDLER. So our guaranteed price of wheat in this country under the Government guarantee has been above what the average price was during all the preceding years?

Mr. BARNES. Oh, yes.

The price fixed in the law was $2, which was a little under the 1917 price, but the price fixed by the President was a little above that price, thus furnishing encouragement and stimulation. Having thus encouraged the farmers to plant the wheat, we must keep the contract and not repudiate it because the war has come to an end. It is a part of our war expenses and we should be thankful the war is over and cheerfully pay our necessary war expenses. [Applause.]

I am supporting this and standing by the contract, just like I would have done had the Government guaranteed the price of cotton and similar conditions had arisen in reference to that product as has arisen in reference to wheat. The cotton growers opposed the fixing of the price of cotton, and it was not fixed. Conditions in the South at the present time as to cotton are very serious. Now, we will carry out our contract with the wheat farmers, and I hope some action may be taken to relieve the situation as to cotton and to help the cotton producers. They are not now asking the Government to fix the price of cotton or to buy the product, but they do ask that they be given an open and free market, so they can in a world's market get what their cotton is intrinsically and really worth. They do ask that unjust and illegal speculation in cotton be stopped, and if it takes the abolition of the cotton exchanges to accomplish that, then let them be abolished. If the exchanges will not abide by the law and see to the delivery of what is really sold, if they will not deal fairly and honestly and suppress the gambling in cotton on the exchanges, then let them pay the penalty and go out of business. Let us have fair and honest dealing in real cotton, so as it may sell at its value, not affected by sales of imaginary cotton never intended to be delivered. Cotton has secured the balance of trade to our country for more than 30 years. It is the product that always brings the gold across the seas to us. It is furnishing to-day a goodly portion of the food and raiment of the world. It is bandaging the wounds of our disabled and wounded soldiers. It is sewing together the garments of mankind. We want to increase its market, extend its blessings, and enlarge its use by having the chance to sell it at all times in all the markets of the world. I hope the day may soon come when that can be done. [Applause.]

Mr. HAUGEN. I yield 10 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not see why gentlemen complain when Members of Congress who represent consumers exclusively ask questions about an important bill like this, because it is evident that if the consumer obtains his flour at the world price the Treasury of the United States will pay the difference between the guaranteed price in the United States and the world price, no matter how low it may go. Inasmuch as the money to pay that difference all comes from taxation, which must be obtained from the producer as well as the consumer, it seems to be a very fair question to raise at this time. I may discuss it a little more fully when we come to take up the bill under the five-minute rule. But that the bill is a perfect one I think no one will contend except those who are blindly in its favor.

Section 2 of the bill confers upon the President—and that means upon Mr. Hoover or whoever he may appoint to act in his behalf—some very extraordinary powers. They are blanket powers, and may be enforced by a dollar-a-year man who has a very large interest in matters affected by this legislation. I question whether section 2 ought to be passed in the form in which it is written.

Section 6, which relates to the admission of exports——

Mr. LONDON. Will the gentleman permit an interruption?

Mr. MOORE of Pennsylvania. Yes.

Mr. LONDON. In section 3 I notice that the President is authorized to purchase "at not less than the guaranteed price," and the general impression throughout the country is that the guaranteed price is a maximum and not a minimum price. Under section 23 the President is authorized to buy or contract for the purchase of wheat at not less than the guaranteed price. In other words, the Food Administrator may raise the price to five or ten dollars.

Mr. MOORE of Pennsylvania. But the gentlemen of the committee dispute that statement.

Mr. ANDERSON. Let me say to the gentleman——

Mr. MOORE of Pennsylvania. Mr. Chairman, I decline to have a controversy in my time.

Mr. ANDERSON. I did not want to raise any controversy; I want to say that I think the gentleman from New York is right.

Mr. MOORE of Pennsylvania. I am glad to have one gentleman on the committee admit that. I had been advised that the gentleman from New York was wrong; but the gentleman from Minnesota says he is right.

Mr. LONDON. I want to say that it is the first time that a Republican has admitted that I am right.

Mr. MOORE of Pennsylvania. Well, there are some Democrats who do not always agree with the gentleman. But section 6 relates to exports. I have been wondering as I read the section whether it would not be possible for a speculator in wheat to buy Canadian or Argentine wheat, bring it into the United States at a price far below the guaranteed price and unload it on the American market at the higher price. I question whether that situation is amply protected. I question whether that is what the American wheat grower would want to have written in the bill without a better understanding.

Mr. YOUNG of Texas. If the gentleman will yield, we have a provision in the bill that prohibits wheat coming into this country.

Mr. MOORE of Pennsylvania. It leaves it discretionary with the President, but I question whether it is sufficiently adequate. Section 11 is the crucial section of the bill, but it goes a step beyond the bond. We all grant that Congress is just as responsible as anyone else. We gave the President authority to fix the price of wheat. We gave him authority to give a guaranty to the producer of wheat—to one-sixth of the farming population of the United States for whom my friend who criticized the consumer a little while ago, Mr. STEENERSON of Minnesota, so often contends.

But the bond the President gave was to run, so far as the sale of wheat was concerned, until the 1st of June, 1920. That is to say, he was to take wheat at the fixed price offered for sale before the 1st day of June, 1920. That is the bond, and I am ready to live up to the bond. But I asked the gentleman from South Carolina, the chairman of the committee, the reason for extending the time, as brought in in the bill, until December 31, 1920, and amended by the committee to October 15, 1920, but he had no time to answer.

Mr. LEVER. I will answer now.

Mr. MOORE of Pennsylvania. Very well.

Mr. LEVER. My interpretation of the act is that there is no authority in the act to extend the time for the bringing in of wheat—they must bring it in by the 1st of June, 1920. The other extension of time—October 15—is for selling and getting rid of the crop.

Mr. MOORE of Pennsylvania. The date when the act ceases to be in effect is not later than December 31, 1920, which, I think, the committee has amended to October 15, 1920.

Mr. LEVER. That does not affect the guaranty.

Mr. MOORE of Pennsylvania. I mention it to show that the bill is not a perfect bill and is not one in accordance with the bond, whether it was a good bargain or a bad bargain.

Mr. RUBEY. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I regret that I can not yield unless I can get three or four minutes from the other side.

Mr. LEVER. I can not possibly yield any time.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to extend my remarks on this subject in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORE of Pennsylvania. There are complaints coming up from some of our constituents in regard to this enormous proposition—the taking of a billion dollars out of the Treasury of the United States to bolster up a contract to one group of the people of the United States. It is a mighty serious thing. All the people have to pay for it. The consumers will have to pay a higher price for bread, and that price is apparently going to be higher. I append one letter indicating the drift. It comes from Joseph F. Hasskarl, assistant director of wharves, docks, and ferries at Philadelphia:

PHILADELPHIA, *February 20, 1919.*

MY DEAR CONGRESSMAN: In my circle of acquaintances I meet many people and hear their views concerning all kinds of subjects. As there seems to be a unanimity of opinion and a feeling of grave apprehension as to the future, I think it is a duty to bring to your attention some of the often-expressed views and opinions that I have recently heard, and which, in most instances, coincide with my own views:

1. General alarm and apprehension is felt by the thinking people at the extravagance and waste by the Government, which has unnecessarily increased the expenditures of this country during the past two years.

2. If these methods are permitted to continue much longer, bankruptcy and bolshevism will surely follow, and the vast majority of our people suffer in consequence.

3. The taxation now imposed is a very heavy burden upon our people, and the thought is frequently and freely expressed that better planning and greater care must be exercised in the future.

4. Agreements such as apparently were entered into by Mr. Herbert Hoover to purchase all wheat grown in this country at the rate of $2.26 per bushel up to July 1, 1920, looks like a very poor business arrangement for all excepting the farmers, especially in view of the fact that the greater portion of the wheat the country is to purchase at that high price has not been planted as yet, consequently the farmer has not incurred any expense whatever connected with the same, and I fail to see why we should be called upon to pay such an exorbitant price for wheat, when the same is being delivered in England from Argentina and Australia at the rate of 95 cents per bushel, and no doubt we could also buy it much under Mr. Hoover's contract figures if permitted to enter the world's open markets for the same.

5. The very high price for wheat under the present arrangement also operates greatly to the disadvantage of the country, inasmuch as farmers will now undoubtedly plant all the spring wheat they possibly can, whereas formerly they mixed their crops by planting corn, oats, rye, hay, and other products which were used as food in growing stock, such as cattle, sheep, hogs, poultry, etc. As a result all kinds of meat must necessarily continue to be scarce and prices high.

6. In view of the high cost of living under these arrangements, it becomes almost impossible to reduce wages and the cost of materials; so, directly and indirectly, fixing wheat at such a high price is operating against the best interests of this country in many ways and will ultimately interfere with the business expansion that should now take place and thus prevents capital and labor from becoming as active as they otherwise would.

7. These conditions are rapidly leading to a spirit of dissatisfaction and bolshevism that is becoming more widespread and threatening every day; therein lies the danger to this entire country, and it is for that reason I am taking the liberty of bringing this matter to your attention.

Having had leave to extend my remarks, I want to refer to the freight question which was raised a little while ago by the gentleman from Texas [Mr. YOUNG] and have read in my time a letter from the president of the Insurance Co. of North America, in answer to a statement issued by Mr. Hurley, president of the Shipping Board, with regard to shipping.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

THE INSURANCE CO. OF NORTH AMERICA,
Philadelphia, February 20, 1919.

Hon. J. HAMPTON MOORE,
House of Representatives, Washington, D. C.

MY DEAR MR. MOORE: Inclosed I hand you copy of article appearing in the New York Herald yesterday, which explains itself.

Referring to the charges made in this article, I desire to reply to the charges made by Mr. Hurley, as follows:

The charge that the American marine insurance companies are dominated by British influence is untrue; that they are discriminating against American shipping is also untrue; as is the charge that the American underwriters are endeavoring to cripple American merchant shipping in favor of their British rivals.

These charges, in fact, amount to a libel against American marine underwriters, who have been 100 per cent patriotic during the war, who have carried marine insurance during that time largely at a loss (their profit being made from war insurance and fire insurance), and have subscribed largely to Government bonds, and whose employees have very generally volunteered in the United States Army and Navy without waiting for the provost marshal to come for them.

These charges probably arose from the fact that many of the wooden ships constructed by the United States Shipping Board, against the advice of marine experts, have proved, as was anticipated, unsuitable for the transportation of cargoes overseas, and consequently the Shipping Board find it difficult to insure them, or the cargoes to be transported by them, anywhere in the world.

Some of the steel steamships constructed by the Shipping Board have also been found to be defective, principally in the matter of defective riveting.

Apparently the charge made by Mr. Hurley is an attempt to unload upon the shoulders of American underwriters responsibility for the failure of the shipbuilding policy persisted in by the Government in defiance of expert advice.

Anybody knows that green timber shrinks. Therefore, to build a ship out of green timber is the height of folly, because in the ordinary course of nature timbers and plankings are bound to shrink, rendering frequent calking necessary, and ultimately rendering the ship unseaworthy.

The Government was well advised of this fact, but persisted in constructing wooden tonnage, for reasons, no doubt, as well known to you as to anyone else.

All the time these ships were being constructed our surveyors were refused access to any Government yards, although request was made for this privilege.

American underwriters, as you know, are anxious to afford and do afford every facility for the transaction of American commerce.

They can and do quote as low rates on American tonnage as they do on British or other foreign tonnage, provided the American ship is the equal of the foreign ship.

If the Shipping Board will give us good ships, they will get good rates on them. There is ample capacity in the American insurance market to take care of American business, with occasional exceptions, to prove the rule.

As to the proposal, on behalf of Mr. Hurley and Senator FLETCHER, to create an insurance department for the Government to protect American commerce, it is not needed; in so far as it renders the Treasury Department of the United States responsible for insurance on wooden or poorly constructed vessels it would be welcomed by American underwriters as taking a burden off their shoulders; but as a citizen I would like to point out that not even the United States can keep a leaky or otherwise unseaworthy ship afloat at sea, and to attempt to do so is merely the equivalent of sending good money after bad.

Very truly, yours,

BENJAMIN RUSH, *President.*

I shall include in my remarks the statement made by Mr. Hurley, and in that connection I desire to say that it is interesting to note that the Shipping Board has recently announced that it would mark off $1,000,000,000 of expenditures appropriated by Congress.

[Article appearing in New York Herald Wednesday, Feb. 19, 1919.]

HURLEY CHARGES OCEAN INSURANCE DISCRIMINATION—DECLARES COMPANIES DOMINATED BY BRITISH OVERCHARGE FOR AMERICAN VESSELS.

WASHINGTON, D. C., *Tuesday.*

Admission that merchant-marine insurance concerns, most of which are dominated by British influence, are discriminating against American shipping was made to-day by Edward N. Hurley, chairman of the Shipping Board. Senator DUNCAN U. FLETCHER, of Florida, issued a statement advocating the establishing of Government form of insurance to meet the situation.

The discrimination against American shipping by British marine insurance concerns is regarded as one of the most serious menaces against American shipping. The American shipper ships his goods from an inland point, assuming a certain fixed rate of insurance. At New York he is told that if the goods are shipped in American bottoms the rate will be considerably higher than if shipped in British bottoms.

Inasmuch as the price which he has fixed on his goods is predicated on the insurance rate which he anticipated, his answer is usually to await the arrival of a British vessel.

The classification of vessels is the province of the British Lloyd's, with the result that this classification is used as the excuse for placing a higher rate on American carried cargoes.

The method suggested by Senator FLETCHER, chairman of the Senate Committee on Commerce, is to establish a system similar to the War Risk Bureau, which insured cargoes against destruction from submarines or other war menaces.

"I am strongly in favor," said Senator FLETCHER, "of the immediate establishment of an insurance plan whereby the Government will be enabled to insure its merchant ships and their cargoes.

"It is essential that this be done in order to protect ourselves against the exorbitant rates exacted by the marine insurance companies, most of whom are dominated by British insurance agents."

The War Risk Bureau, which formerly insured cargoes subject to war hazards has ceased to function. Private companies have been insuring American vessels, but the rates are invariably higher than those charged to British bottoms.

The whole situation is regarded as a deliberately intended method of crippling American merchant shipping in favor of British rivals, and so long as the British control the insurance situation there is apparently no help for what is a serious handicap. So serious is it that without some method of meeting it, it is not believed American merchant shipping can compete with its rivals.

Senator FLETCHER'S recommendation is expected to take the form of congressional action soon.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. LEVER. Mr. Chairman, I yield eight minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Chairman, on August 10, 1917, while the country was laboring under very abnormal war conditions, the Congress passed a wheat guaranty act. There were only five votes against the bill, therefore I have a right to assume that it was the best judgment of the entire Congress at that time to do the thing they did do. The bill was passed. It became the law. It assured the American farmer for that year's crop that he would receive at least $2 a bushel, without a maximum, but, as is often the case in legislation, the minimum became the maximum. Section 14 of that food act, carrying the wheat-price regulation of August 10, 1917, carried a provision that if in the judgment of the President he saw fit to issue a proclamation continuing that guaranty he might do so. Accordingly, and pursuant to the authority then given, in September, 1918, while the war was still on, before the signing of the armistice, he did issue a proclamation in terms clear and emphatic that in order to stimulate wheat production the Government would pay the American farmer at the scheduled places mentioned in

the schedule a price ranging from $2 to $2.26 per bushel for his wheat, according to the market, the carriage, and so forth. That was a solemn proposal on the part of the Federal Government pursuant to authority this Congress gave the President. The American farmer answered that proposal, and instead of planting the normal acreage of about 63,000,000 acres, he planted 75,000,000 acres, 12,000,000 acres more than the normal crop. This completed the contract; this rendered it a binding bargain; this left our duty very plain. Therefore I assume the question of whether or not we should this day appropriate a sum sufficient to make it good is scarcely open to discussion, and I shall not spend any time on it.

The normal crop in bushels for a series of prewar years ranged about 750,000,000 bushels per year. We have reason to assume that we will have a crop of 1,250,000,000 next year. That will so increase the production that undoubtedly the price of wheat will fall below this guaranty. The thought I should like to leave with the Congress and the farmer is that last year we apparently placed a burden on the farmer which was not placed on other classes, but this year the Congress is doing the honorable and decent thing of doing precisely what they agreed to do, and thereby they are making up the deficit and the loss that he sustained last year. Our duty seems plain, and there should be no controversy or haggling about it. There will be those who will oppose but it will be those who are unwilling to keep their contract. It will be from those who are unwilling to keep faith with the farmer.

I do not quite understand why the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Alabama [Mr. HUDDLESTON] feel so aggrieved over this bill. I take it that they are aggrieved as to the details more than as to the substance of the bill. True, they both represent city districts, but even so, I am perfectly sure their constituents would not desire their Government to fail to do a specific thing they promised to do.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. I am sure the gentleman will observe I can not yield. I do not refuse out of discourtesy, but I have a very few minutes. There are some six and a half million farmers in the country, and only about 1,000,000 of those raise wheat. The duty devolves on one-sixth of the American farmers not alone to feed themselves but to feed the rest of the country, not alone the country but in this world war to feed the world. We are the greatest wheat-producing country in all the world. They did their full part, and they ought to have full and ungrudging credit for it. They felt they were being regulated and others were not, and in this they were partially correct. There were many abuses and much extortion practiced by reason of the war. Neither time nor foresight with war raging could cure them all. What I do say here and now, I am glad that Congress is to-day making this appropriation, so that the farmer can recoup at least part of his loss of last year. War conditions were abnormal; they are always abnormal. Prices are abnormal, and they are always abnormal under war conditions. We have to do abnormal things. It is one of the heartaches of war that all rules and safeguards are in abeyance. Men were drafted into the military service; that was abnormal. We tax the people with as much as 80 per cent of their earnings; that is abnormal. But it all seemed necessary then. The appropriation of $1,000,000,000 out of the Treasury of the United States at this time is to those unacquainted with our obligation an abnormal thing to do. The appropriation of $1,000,000,000 for a revolving fund to keep up this wheat price of $2.26 per bushel is a very unusual thing—a thing which Members of Congress would refuse to do except for the abnormal conditions that have prevailed during the past year. Abnormal conditions must be met by the Congress in an intelligent way. You can not hew to old beaten paths when old beaten paths have become obscured by war. You can not follow the lines of least resistance when greater resistance is required. A strong government, if it is long to be strong, must meet abnormal conditions and deal with them intelligently. We did our duty then as we saw it. We must do it now when there can be no question about it. The gentleman from Alabama [Mr. HUDDLESTON] said that this should be entitled a bill "taxing bread." I think I have a right to deny that, although I am not on this committee, because I read in the pending bill an absolute outright appropriation out of the Treasury of the United States of $1,000,000,000. In section 8 I find this language:

SEC. 8. That for carrying out the aforesaid guaranties and otherwise for the purposes of this act there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be available during the time this act is in effect, the sum of $1,000,000,000.

Mr. HUDDLESTON. Mr. Chairman, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. HUDDLESTON. Is not that merely a revolving fund and is it not entirely consistent with the purposes of this bill that the entire fund be kept intact and be found in the Treasury at the end of this term?

Mr. FERRIS. Oh, no; the gentleman borrows trouble—strains conditions to achieve his point. I prefer to keep my contract and not quibble about petty details.

Mr. HUDDLESTON. Does the bill provide that as much as one dollar of that money shall be lost in this operation?

Mr. FERRIS. I do not agree with the gentleman. I have read the bill hurriedly, but the chairman is more able than I to make answer to these questions. I undertake to say that the billion dollars is an appropriation out of the Treasury to make good a solemn contract that this Congress made, a solemn contract that the President made, and I do not think it ought to be misunderstood or misstated to the effect that we are around trying to levy tributes on the toilers of the country. If the amount is not needed to make good our contract, of course it will be returned to the Treasury, as it should be; but in any event it is not to come out of the toilers. I would not add to their burdens. I represent a great agricultural section. I live out there on the prairies of the West, where we not only feed ourselves but we feed all the rest of you, and not only do that but feed this country and the other countries; and I say to you that during last year while this wheat regulation was going on the farmer was held down as few others were. You answer that by saying that the price of wheat was high. It was high, but few things were normal in price.

I myself have sold wheat when a young farmer boy for 35 and 40 and 50 cents a bushel, and I have bought shoes at 90 cents a pair, overalls at 50 cents apiece, and jumpers at 40 cents apiece. I have bought hats at $1 apiece. Everything now is clear out of proportion. We then could buy a double set of leather harness for $25 and now you have to pay $100, and so the conditions have become so abnormal that while the farmer got $2 for his wheat, or approximately so, it was not an abnormal price and it was not in keeping with the profits made by men in other businesses. But whether it was or not it was one of the very few things that were put under the law, and I congratulate the chairman of the Committee on Agriculture and his entire committee for doing promptly and justly what Congress had promised to do. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Chairman, I ask permission to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. HERSEY. Mr. Chairman, I have always been and I still am against price fixing by the Government, but this administration having entered upon the policy of price fixing and having made thereunder certain promises, agreements, and guaranties, I am for keeping the faith and shall vote that the Government shall make good its guaranty.

The farmer has not been helped by price fixing. The farmer will not be helped by this bill; others will. The farmers in my State and in my district will not be helped, for while we grew wheat last season for the first time in many years we have only grown enough to feed ourselves without exporting any. We have grown potatoes, our great staple crop, in great abundance, which we can not sell because of the increased freight rates. The coming season we can not plant and sell them at a profit because 3,000 miles of Canada borders the United States, and we are unprotected. The war protected us for the time being, but the war is now over, and now, under free trade, Canada will flood our markets with all farm products. An ex-President, the author of that un-American legislation, reciprocity with Canada in the same kind of products that grew in the United States, is now touring this country in favor of the President's league of nations, a league which has not been approved by this Nation or any other nation on the earth. It is distinctly the President's league of nations.

Mr. BAER. A league of notions.

Mr. HERSEY. A league of notions is right. I want to commend to the House the following editorial in the Washington Post of this morning entitled "Dangerous delay in making peace":

DANGEROUS DELAY IN MAKING PEACE.

The delay in making formal peace is extremely harmful in many ways. It works to the disadvantage and peril of the allies and to the advantage of the enemy. Everyone recognizes the fact that far-reaching and complicated problems confront the peace conference, and there is a disposition to be patient while the conference is carefully considering these problems with a view to settling them properly and once for all. The populations of allied nations are becoming restive, nevertheless, because they are convinced that secure peace with Germany is not being made as

speedily as it might be. The peoples believe that this delay, which seems to be unnecessarily prolonged, is working hardship and loss to individuals, perplexity to communities, and irritation to armies and nations.

In the single matter of demobilization the delay in making peace is piling up trouble for each of the allied Governments. The soldier boys are loyal to the core, and so long as there is fighting to be done there will be no grumbling. But when they are held in camp week after week while the Paris conference labors with questions which are not strictly a part of the program of settling this present war, the boys become impatient, and their relatives are likely to become troublesome.

Not an American soldier should be brought back from France while this Nation is at war against Germany and while the peace terms are undecided, for there is danger of disputes and Hun treachery, which would surely lead to hostilities if the Huns discovered that the allies had unduly weakened their forces. The strong hand of brute force must be held over the skulking Huns until peace terms have been imposed upon them. When Germany has been brought to terms the American soldiers must be brought home, every one of them. If an American Army should be kept in Europe pending the debate on the league of nations, after it is clearly seen that peace can and should be made with Germany, a situation will be created which might well alarm the Government, for its position would not be supported by the American people. Already there is a rapid drift of sentiment toward bringing the boys home without further waiting for peace adjustments.

The twilight zone in which Americans are now living is most unwholesome. They know it is a state of technical war and practical peace. Technicality rules to the exclusion of common sense in many matters. There is a clamp upon free speech which does not harmonize with peace, and yet there are traitors and enemies who are misusing free speech to make war on the flag. This is a dangerous condition, tending to split Americans apart when they are at heart ardently desirous of the same thing, namely, true liberty. Some honest Americans have been made indignant by the suppression of free speech, while others have been made furious by enemy propagandists masquerading as martyrs to free speech.

In the business world the no-peace-no-war conditions are bad. The Government has relaxed its grip in some quarters and holds it in others. War prices prevail without war activity. Peace demands can not be met because peace conditions have not been established. All industries and all communities and all commodities are more or less firmly linked together. No one industry can "go it alone," however optimistic it may be or however badly its products may be needed. The only relief that the home Government can give is the creation of a medium for aiding industry and labor to ascertain what prices should prevail. That will do some good; but while the home Government is doing this the Paris peace conference is delaying peace in this and every country, and thereby adversely affecting industry and commerce throughout the world. So far as this situation is unavoidable all Americans are willing and able to accept the delay; but it is difficult to convince them that it is unavoidable when the only matter actually agreed upon by the peace conference is the preliminary text of a proposed league of nations to preserve a peace that has not yet been made, and regarding which there must be considerable doubt if the making of it is so tedious and so difficult.

If this so-called league of nations as set forth in the 26 articles approved by the President is accepted and indorsed by the Senate, then the majority of the foreign nations will see to it that the United States will submit to world free trade, unrestricted immigration, the abolishment of the Monroe doctrine, the change of our Constitution to meet the wants and desires of Europe, Asia, and Africa, and a permanent "entangling alliance" with every people under the sun. The Government of Washington and Lincoln is imperiled by a future peace propaganda promoted and spread abroad throughout the land by a lot of theorists and idealists, who are moved by the most pure and patriotic motives, but who do not distinguish between a league of peace, which we all indorse, and a league of nations that will entangle us in all the politics, schemes, plots, and revolutions of the rest of the world.

The people who are lovers of peace and against any future wars do not understand the President's league of nations; they approve, of course, the idea without any knowledge of its practical workings. When the plain people come to know, as they will in due time, how this Republic, with only one vote, has by the provisions of this league surrendered its independence, sovereignty, and liberty to a majority whose every interest is to exploit this Government, capture our trade, and use us to finance their projects and fight their battles, they will reject it.

In Springfield, Mass., is published a farm paper called the New England Homestead, which circulates largely through New England among the farmers and in their homes, and the editor, an honest patriot, with the best of intentions, has issued a supplement which he is sowing all over New England to-day. I have a copy here from him, on which he has written:

Mr. HERSEY: Hope you favor league of nations. I believe your constituents and our New England people generally favor it overwhelmingly.

HERBERT MYRICK.

And then this editor publishes in big headlines and display type the following:

NEW ENGLAND TAKES THE LEAD—WELCOMES PRESIDENT WILSON'S RETURN IN BEHALF OF THE LEAGUE OF NATIONS—EVERY MAN, WOMAN, AND CHILD IN OUR SIX STATES URGED TO WRITE THE PRESIDENT A LETTER THAT WILL AWAIT HIS ARRIVAL AT BOSTON NEXT TUESDAY, FEBRUARY 25—UNIVERSAL POPULAR SUPPORT PLEDGED TO THE LEAGUE OF NATIONS—OUR FARMERS START A MOVEMENT THAT MEANS ITS SUCCESS.

Do you wish your own folks, your local community, your State, and Nation to enjoy the blessings of freedom? If so, champion the league of nations!

Would you yourself and those following you be free from the horrors of future wars worse in every respect than the cataclysm of the past four years? Then advocate the league of nations!

Do you want a new era right here in New England that shall enable the people gradually to work out a new civilization founded upon righteousness to country and town? If so, insist upon the league of nations.

Make up your mind to use your influence in its behalf until the league of nations is created, and then to back it up with the public opinion upon which its efficiency depends.

Talk up the matter with everyone you can until they are as enthusiastically for the league as yourself.

Advocate it by letters to friends, public men, local papers, or other publications.

Every church, club, union, or other organization should adopt resolutions favoring the league.

Do it now. Don't delay. Every moment counts. Final action will be taken at Paris in a few months. It will be based largely upon the public opinion expressed by your folks this week and next.

NEW ENGLAND'S LEADERSHIP IN WORLD CRISIS.

One of the most signal honors ever received by New England will be the arrival at Boston February 25 of the President of the United States direct from the peace conference, and his address giving to the American people a first-hand official statement of the proposed league of nations.

Boston and New England are preparing to observe fitly this unique occasion. Never again in all history will New England have the chance to do so much for the world, for America, and for herself as by making President Wilson's visit the means for the exhibition of New England leadership that shall go far to insure success for an efficient league of nations.

Every church service this Sunday, February 23, should by votes of all present adopt a similar resolution. Minister and priest may properly preach upon this topic. Make it a league of nations Sunday—for the golden rule among nations as between men.

Every gathering of people between now and February 24, inclusive, should discuss the subject and adopt resolutions—schools, clubs, unions, granges, chambers of commerce, lodges, etc. Where feasible a special meeting of the organization should be called for action.

A MILLION PERSONAL LETTERS.

Above all, and more important than all else, let each person in New England—man or woman, boy or girl—write a short personal letter to the President at Boston welcoming him to New England and pledging support for the league idea. Address the envelope, "President Wilson, Boston, Mass." Begin the letter informally, "Dear Mr. President." Each letter may be signed by all the members of the writer's family who may be at home, from grandparents down to baby, with age after each name to show its genuineness.

All votes, resolutions, letters, etc., should be mailed in time to reach President Wilson at Boston in the morning of February 25, suggestions for such as printed herewith.

KEEN INTEREST.

Time is so short and action so imperative. The New England Homestead submitted these suggestions early in the week to the press, to organizations, and to public authorities.

Replies up to the hour of going to press with this edition indicate that a whole-souled outpouring of New England sentiment in favor of the league of nations will be the most unique greeting that awaits President Wilson's arrival in Boston. It will attract profound attention at home and abroad. Such leadership by New England will be followed favorably by Congress, throughout America, and by the world.

The President is to be in Boston on the 24th. He is to have a great reception. He is going to speak to the people of Boston, a morning paper says, not to explain the league of nations but upon the idea of a world peace which everybody approves. He tells the Senate not to discuss his league of nations until he can meet the members of the Foreign Affairs Committee at a White House dinner and explain to them in confidence this league of nations, which the people do not understand, and in the meantime the people everywhere are called upon to express their approval of something that the President alone can explain, and he will only give this information to a few under the pledge of secrecy.

This is the kind of propaganda that is being spread and disseminated all over this country to-day in favor of a league of nations. The meaning of its articles is not now to be made public by the President, and which the people of this Nation do not understand, but the boy or girl, as well as the baby, are all expected to write a letter to the President saying, "We favor the league of nations that you are bringing from Europe to America."

The time has come when this Congress should carefully study this so-called league of nations and adopt it if it retains our Constitution, our form of Government and Americanism upon this continent. If it does not, we should reject it; and in the meantime we should insist on a treaty of peace and not delay it by proposing a future league of nations to preserve a peace that has not yet been made after three long months. [Applause.]

Mr. LEVER. Mr. Chairman, let me inquire as to how the time stands. I have lost track of it.

The CHAIRMAN. The gentleman from South Carolina has used an hour and 44 minutes and the gentleman from Iowa an hour and 48 minutes.

Mr. LEVER. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. GORDON].

Mr. GORDON. Mr. Chairman, I wish to request leave to revise and extend my remarks and to insert therein an extract from a speech delivered by J. S. Black in the Milligan case.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none.

Mr. GORDON. Mr. Chairman, I would like also to extend my remarks by inserting in the RECORD correspondence between HENRY CABOT LODGE and myself.

The CHAIRMAN. The gentleman also asks unanimous consent to insert in his remarks certain correspondence indicated. Is there objection? [After a pause.] The Chair hears none.

The correspondence is as follows:

SEPTEMBER 12, 1919.

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In your speech of the 23d ultimo you are reported to have said: "We have set aside, for the time being, the Constitution." I know it would afford much comfort and consolation to many Members of the Senate and House to be able to agree with this statement, and I am therefore taking the liberty to ask you just when, how, and in what manner this was done. Thanking you for the courtesy of a reply at your earliest convenience, I remain,

Yours, very truly,

(Signed) WILLIAM GORDON.

—

UNITED STATES SENATE,
September 13, 1918.

Hon. WILLIAM GORDON,
House of Representatives.

MY DEAR MR. GORDON: I said in my speech "We have set aside for the time being the Constitution," which I believe to be an exact statement of the truth. I have never heard anyone dispute the fact that both in legislation and administration we have transcended the limitations of the Constitution as universally observed and admitted in the normal times of peace. This has been done under the war power of the Constitution as to the extent of which there is much honest difference of opinion, but there can be no doubt of the general proposition that under the war power we have gone beyond the recognized limits of the Constitution in time of peace. It may be properly said that acting under the war power we have set the Constitution aside constitutionally, but we have none the less set it aside. If the Senate or House suspends a rule for the time being, they set it aside. I did not say we had violated the Constitution, nor had taken unconstitutional action. I said that we had set the Constitution aside for the time being. That is exactly what we have done, and if we had not done it we could not have passed many of the war measures for all of which I believe I voted.

Very truly, yours,

H. C. LODGE.

—

SEPTEMBER 16, 1918.

Hon. H. C. LODGE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have your letter of the 13th instant repeating the statement made in your speech, "We have set aside, for the time being, the Constitution," and then you add that we have done this "constitutionally" without citing any provision in the Constitution under which it was done. Instead of answering my inquiry you suggest others which are quite as impossible to answer. You and I and every other Senator and Representative have taken a solemn oath to "support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God." If, in time of war, when the people need and require the limitations and guaranties of a written constitution more than at any other time, Congress may "set it aside," then it is nothing more than another "scrap of paper" and our oath of office is the same thing. In Ex parte Milligan, Seventy-first United States, page 120, the Supreme Court of the United States placed the seal of judicial condemnation upon this heresy in language too clear to be misunderstood, in the following language: "The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men at all times and under all circumstances. No doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false, for the Government within the Constitution has all the powers granted to it which are necessary to preserve its existence, as has been happily proved by the result of the great effort to throw off its just authority." May I again request that you answer the questions propounded in my first letter or retract publicly what I believe to be a dangerous heresy?

Yours, truly, WILLIAM GORDON.

Mr. GORDON. Mr. Chairman, I desire to invite the attention of the House to a subject which has been generally discussed in the past year or two and which is generally known and referred to as military necessity in time of war.

MILITARY NECESSITY AND THE DUTY OF PUBLIC OFFICIALS IN TIME OF WAR.

A state of war, declared or recognized to exist, by joint resolution of the Congress of the United States adds enormously to the burdens and responsibilities of Senators and Representatives, but does not relieve them from any official obligation. So many errors and mistakes, the kinds that are worse than crimes, are prevalent that they ought to be corrected.

Shortly after our declaration of war it was proposed to enact into law a measure to muzzle the press and stifle free speech.

The constitutional inhibition, "Congress shall pass no law abridging the freedom of speech or of the press," was invoked against it. We were old that "we are at war and the Constitution is suspended." This idea did not originate among ignorant men, nor was it confined to the least intelligent Members of Congress.

Leaders in both branches boldly advanced it as an excuse for some of their votes without calling forth a public protest from anyone.

No one has undertaken to say just how, when, by what authority, or in what manner this has been done, and Members of Congress thereby released from the obligation assumed by their oath of office. It was such a "comforting" suggestion to many Members whose consciences pricked them because of votes they had cast that they eagerly seized upon it as an excuse for official misconduct which could not be defended in any other way.

Last summer, in a man hunt in a search for those who were unlawfully evading military service imposed by the draft law, many thousands of innocent men were arrested and imprisoned upon orders from the War Department until they were able to prove their innocence of crime or otherwise convince their captors that they ought not to be longer detained.

These arrests were made without any warrant or authority of law, and the instruments used were local policemen, United States soldiers, and private citizens.

The Attorney General of the United States, while approving these unlawful arrests, says that the use of soldiers and civilians as instruments was unlawful.

Just how regular policemen can be used to make unlawful arrests without violating the Constitution and laws of the country the Attorney General does not explain, but he leaves the public to infer that the use of police officers in some mysterious way consecrates and renders lawful these unlawful assaults.

The prohibition in the Constitution against unlawful seizure of the bodies of our citizens and against the issue of warrants for arrests, except upon probable cause, supported by oath or affirmation particularly describing the persons to be seized, renders the arrests made by these policemen quite as unlawful and much more humiliating and outrageous than those made by soldiers and civilians.

All were equally unlawful, but when a citizen is taken into custody by a uniformed police officer there always exists an added presumption that he is guilty of crime, which would not obtain if the unlawful arrest were made by a citizen or even by a soldier. The excuse given for this lawless raid upon thousands of law-abiding citizens is that throughout the United States there were many thousands of men between the ages of 21 and 31 who were unlawfully evading military service, and thereby injuring the morale of the men in our armies—that is, military necessity. Every crime against humanity, international law, and in violation of its treaties committed by the military authorities of Germany since July, 1914, Germany has tried to justify on the ground of military necessity.

One of the worst consequences of war is the spirit of lawlessness it breeds, not only among the body of the people, but among those clothed with official authority who are pledged by the most solemn oath to obey and enforce the laws and defend and protect the rights of the citizen as well.

Willful disregard of the constitutional and lawful rights of the people as a whole, and of those of the individual citizen, when practiced, permitted, and indulged by high public officials, furnishes an incentive to lawlessness and crime which, if permitted to continue unrebuked, will result in making crime and criminals not only tolerable but respectable in the eyes of the average citizen. This will inevitably lead to such civic decadence and disregard for law as will ultimately destroy this Republic.

We were told by the gentleman from Illinois [Mr. RAINEY], in the debate on the revenue bill, when some of its provisions were challenged as in conflict with the Constitution: "The Constitution is being defended by the American soldiers over on the old Hindenburg line," and he added further that the people were fretful and dissatisfied because of excessive taxes and not willing that subjects of taxation, which had always been recognized as exempt by the courts, even in time of war, should now be allowed to escape.

He assured Members of the House that they were not called upon to give any consideration to questions of conflict between the measure they were passing and the organic law of the Republic, which all had taken a solemn oath to "support and defend against all enemies, foreign and domestic." The disposition on the part of those in high official position to disregard the prerogative of Congress was further illustrated by the recent address of the President of the United States to the United States Senate in support of a joint resolution then pending therein providing for woman suffrage by action of the Congress and the legislatures of the several States upon the ground that the same is a "war measure." Because States like New Jersey and Ohio have rejected woman suffrage by a vote of their people on propositions to amend their State constitutions, it is

now proposed to force it upon them by the votes of Congress and the legislatures of the other States. It may be to that extent called a "war measure," but it certainly is not designed to make war upon the public enemy but upon certain States the people of which have refused to amend their constitutions in respect of the suffrage upon the demand of outsiders.

The contention that "military" or "State" necessity in time of war will justify or excuse Congress in enacting legislation in violation of the Constitution is naturally and logically followed by the contention that because the President is Commander in Chief of the Army and Navy he should be permitted to determine the "military necessity" of legislation by Congress; this clearly amounts to an entire abandonment by Congress of its constitutional function and a repudiation by the Members of their oath of office. These wild and lawless fallacies were distinctly repudiated by the Supreme Court of the United States in the well-known case of Ex parte Milligan, Seventy-first United States, page 120, United States Supreme Court Reports, in which the court said:

"The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men at all times and under all circumstances. No doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false, for the Government within the Constitution has all the powers granted to it which are necessary to preserve its existence, as has been happily proved by the result of the great effort to throw off its just authority."

Here we have the seal of judicial condemnation placed upon this dangerous heresy by the highest court in the land, in a case in which the precise question was presented for determination.

Three private citizens of Indiana who were not in the Army or Navy were arrested during the Civil War upon the order of Gen. Hovey, who had charge of the military district which included that State; the men were charged with disloyalty and were taken before a military commission, tried, and sentenced to be hung; they sued out a writ of habeas corpus in the United States circuit court, alleging that the military commission was without jurisdiction to try them for the offense charged or any other. It was contended that because the country was at war the constitutional provision which provided that persons not in the Army or Navy could only be tried for crime by a civil court and jury was suspended, and the court answered that contention in the negative and in the language I have quoted.

Mr. YOUNG of North Dakota. What war was that?

Mr. GORDON. The Civil War.

The leading counsel for the relators in this famous case was Judge Jeremiah S. Black, who, after a general discussion of the history of the case and of the origin and reasons for jury trial in criminal cases, together with the constitutional provisions securing the same to all citizens, said:

"There is another quasi-political argument—necessity. If the law was violated because it could not be obeyed, that might be an excuse. But no absolute compulsion is pretended here. These commissioners acted, at most, under what they regarded as a moral necessity. The choice was left them to obey the law or disobey it. The disobedience was only necessary as means to an end which they thought desirable; and now they assert that though these means are unlawful and wrong, they are made right, because without them the object could not be accomplished; in other words, the end justifies the means. There you have a rule of conduct denounced by all law, human and divine, as being pernicious in policy and false in morals. See how it applies to this case. Here were three men whom it was desirable to remove out of this world, but there was no proof on which any court would take their lives; therefore it was necessary, and, being necessary, it was right and proper, to create an illegal tribunal which would put them to death without proof. By the same mode of reasoning you can prove it equally right to poison them in their food or stab them in their sleep.

"Nothing that the worst men ever propounded has produced so much oppression, misgovernment, and suffering as this pretense of State necessity. A great authority calls it 'the tyrant's devilish plea'; and the common honesty of all mankind has branded it with everlasting infamy.

"Of course, it is mere absurdity to say that these relators were necessarily deprived of their right to a fair and legal trial, for the record shows that a court of competent jurisdiction was sitting at the very time and in the same town, where justice would have been done without sale, denial, or delay. But concede, for the argument's sake, that a trial by jury was wholly impossible; admit that there was an absolute, overwhelming, imperious necessity operating so as literally to compel every act which the commissioners did, would that give their sentence of death the validity and force of a legal judgment pronounced by an ordained and established court? The question answers itself. This trial was a violation of law, and no necessity could be more than a mere excuse for those who committed it. If the commissioners were on trial for murder or conspiracy to murder, they might plead necessity if the fact were true, just as they would plead insanity or anything else to show that their guilt was not willful. But we are now considering the legal effect of their decision, and that depends on their legal authority to make it. They had no such authority; they usurped a jurisdiction which the law not only did not give them but expressly forbade them to exercise, and it follows that their act is void, whatever may have been the real or supposed excuse for it.

"If these commissioners, instead of aiming at the life and liberty of the relators, had attempted to deprive them of their property by a sentence of confiscation, would any court in Christendom declare that such a sentence divested the title? Or would a person claiming under the sentence make his right any better by showing that the illegal assumption of jurisdiction was accompanied by some excuse which might save the commissioners from a criminal prosecution?

"Let me illustrate still further. Suppose you, the judges of this court, to be surrounded in the hall where you are sitting by a body of armed insurgents, and compelled by main force to pronounce sentence of death upon the President of the United States for some act of his upon which you have no legal authority to adjudicate. There would be a valid sentence if necessity alone could create jurisdiction. But could the President be legally executed under it? No; the compulsion under which you acted would be a good defense for you against an impeachment or an indictment for murder, but it would add nothing to the validity of a judgment which the law forbade you to give.

"That a necessity for violating the law is nothing more than a mere excuse to the perpetrator, and does not in any legal sense change the quality of the act itself in its operation upon other parties, is a proposition too plain on original principles to need the aid of authority. I do not see how any man of common sense is to stand up and dispute it. But there is decisive authority upon the point. In 1815, at New Orleans, Gen. Jackson took upon himself the command of every person in the city, suspended the functions of all the civil authorities, and made his own will for a time the only rule of conduct. It was believed to be absolutely necessary. Judges, officers of the city corporation, and members of the State legislature insisted on it as the only way to save the 'booty and beauty' of the place from the unspeakable outrages committed at Badajos and St. Sebastian by the very same troops then marching to the attack. Jackson used the power thus taken by him moderately, sparingly, benignly, and only for the purpose of preventing mutiny in his camp. A single mutineer was restrained by a short confinement, and another was sent 4 miles up the river. But after he had saved the city and the danger was all over he stood before the court to be tried by the law; his conduct was decided to be illegal by the same judge who had declared it to be necessary, and he paid the penalty without a murmur. The Supreme Court of Louisiana, in Johnson *v.* Duncan, decided that everything done during the siege in pursuance of martial rule, but in conflict with the law of the land, was void and of none effect, without reference to the circumstances which made it necessary. Long afterwards the fine imposed upon Jackson was refunded, because his friends, while they admitted him to have violated the law, insisted that the necessity which drove him to it ought to have saved him from the punishment due only to a willful offender.

"The learned counsel on the other side will not assert that there was war at Indianapolis in 1864, for they have read Coke's Institute, and Judge Grier's opinion in the prize cases, and, of course, they know it to be a settled rule that war can not be said to exist where the civil courts are open. They will not set up the absurd plea of necessity, for they are well aware that it would not be true in point of fact. They will hardly take the ground that any kind of necessity could give legal validity to that which the law forbids.

"This, therefore, must be their position: That although there was no war at the place where this commission sat, and no actual necessity for it, yet if there was a war anywhere else, to which the United States were a party, the technical effect of such war was to take the jurisdiction away from the civil courts and transfer it to Army officers.

"Gen. BUTLER. We do not take that position.

"Mr. BLACK. Then they can take no ground at all, for nothing else is left. I do not wonder to see them recoil from their own doctrine when its nakedness is held up to their eyes. But they must stand upon that or give up their cause. They may not state their proposition precisely as I state it; that is too plain a way of putting it. But, in substance, it is their doctrine—has been the doctrine of the Attorney General's office ever since the advent of the present incumbent—and is the doctrine of their brief printed and filed in this case. What else can they say? They will admit that the Constitution is not altogether without a meaning; that at a time of universal peace it imposes some kind of obligation upon those who swear to support it. If no war existed, they would not deny the exclusive jurisdiction of the civil courts in criminal cases. How, then, did the military get jurisdiction in Indiana?

"All men who hold the Attorney General's opinion to be true, answer the question I have put by saying that military jurisdiction comes from the mere existence of war; and it comes in Indiana only as the legal result of a war which is going on in Mississippi, Tennessee, or South Carolina. The Constitution is repealed, or its operation suspended, in one State because there is war in another. The courts are open, the organization of society is intact, the judges are on the bench, and their process is not impeded, but their jurisdiction is gone. Why? Because, say our opponents, war exists, and the silent, legal, technical operation of that fact is to deprive all American citizens of their right to a fair trial.

"That class of jurists and statesmen who hold that the trial by jury is lost to the citizen during the existence of war carry out their doctrine theoretically and practically to its ultimate consequences. The right of trial by jury being gone, all other rights are gone with it; therefore a man may be arrested without an accusation and kept in prison during the pleasure of his captors; his papers may be searched without a warrant; his property may be confiscated behind his back, and he has no earthly means of redress. Nay, an attempt to get a just remedy is construed as a new crime. He dare not even complain, for the right of free speech is gone with the rest of his rights. If you sanction that doctrine, what is to be the consequence? I do not speak of what is past and gone; but in the case of a future war what results will follow from your decision indorsing the Attorney General's views? They are very obvious. At the instant when the war begins, our whole system of legal government will tumble into ruin, and if we are not all robbed, and kidnapped, and hanged, and drawn, and quartered, we will owe our immunity, not to the Constitution and laws, but to the mere mercy or policy of those persons who may then happen to control the organized physical force of the country.

"This certainly puts us in a most precarious condition; we must have war about half the time, do what we may to avoid it. The President or Congress can wantonly provoke a war whenever it suits the purpose of either to do so, and they can keep it going as long as they please, even after the actual conflict of arms is over. When peace woos them they can ignore her existence, and thus they can make war a chronic condition of the country and the slavery of the people perpetual. Nay, we are at the mercy of any foreign potentate who may envy us the possession of those liberties which we boast of so much; he can shatter our Constitution without striking a single blow or bringing a gun to bear upon us. A simple declaration of hostilities is more terrible to us than an army with banners.

"To me this seems the wildest delusion that ever took possession of a human brain. If there be one principle of political ethics more universally acknowledged than another, it is that war, and especially civil war, can be justified only when it is undertaken to vindicate and uphold the legal and constitutional rights of the people, not to trample them down. He who carries on a system of wholesale slaughter for any other purpose must stand without excuse before God or man. In a time of war, more than at any other time, public liberty is in the hands of the public officers. And she is there in double trust; first, as they are citizens and therefore bound to defend her by the common obligation of all citizens; and, next, as they are her special guardians—

> "Who should against her murderers shut the door,
> Nor bare the knife themselves.

"The opposing argument, when turned into plain English, means this, and this only: That when the Constitution is attacked upon one side its official guardians may assail it upon the other; when rebellion strikes it in the face they may take advantage of the blindness produced by the blow to sneak behind it and stab it in the back.

"The convention when it framed the Constitution, and the people when they adopted it, could have had no thought like that. If they had supposed that it would operate only while perfect peace continued, they certainly would have given us some other rule to go by in time of war; they would not have left us to wander about in a howling wilderness of anarchy without a lamp to our feet or a guide to our path. Another thing proves their actual intent still more strikingly. They required that every man in any kind of public employment, State or National, civil or military, should swear, without reserve or qualification, that he would support the Constitution. Surely our ancestors had too much regard for the moral and religious welfare of their posterity to impose upon them an oath like that if they intended and expected it to be broken half the time. The oath of an officer to support the Constitution is as simple as that of a witness to tell the truth in a court of justice. What would you think of a witness who should attempt to justify perjury upon the ground that he had testified when civil war was raging and he thought that by swearing to a lie he might promote some public or private object connected with the strife?

"No, no; the great men who made this country what it is—the heroes who won her independence and the statesmen who settled her institutions—had no such notions in their minds. Washington deserved the lofty praise bestowed upon him by the President of Congress when he resigned his commission—that he had always regarded the rights of the civil authority through all changes and through all disasters. When his duty as President afterward required him to arm the public force to suppress a rebellion in western Pennsylvania he never thought that the Constitution was abolished, by virtue of that fact, in New Jersey or Maryland or Virginia. It would have been a dangerous experiment for an adviser of his at that time, or at any time, to propose that he should deny a citizen his right to be tried by a jury and substitute in place of it a trial before a tribunal composed of men elected by himself from among his own creatures and dependents. You can well imagine how that great heart would have swelled with indignation at the bare thought of such an insulting outrage upon the liberty and law of his country.

"In the War of 1812 the man emphatically called the Father of the Constitution was the supreme Executive Magistrate. Talk of perilous times! There was the severest trial this Union ever saw. That was no half-organized rebellion on the one side of the conflict to be crushed by the hostile millions and unbounded resources of the other. The existence of the Nation was threatened by the most formidable military and naval power then upon the face of the earth. Every town upon the northern frontier, upon the Atlantic seaboard, and upon the Gulf coast was in daily and hourly danger. The enemy had penetrated the heart of Ohio. New York, Pennsylvania, and Virginia were all of them threatened from the west as well as the east. This Capitol was taken, and burned, and pillaged, and every member of the Federal administration was a fugitive before the invading army. Meanwhile, party spirit was breaking out into actual treason all over New England. Four of those States refused to furnish a man or a dollar even for their own defense. Their public authorities were plotting the dismemberment of the Union, and individuals among them were burning blue lights up on the coast as a signal to the enemy's ships. But in all this storm of disaster, with foreign war in his front and domestic treason on his flank, Madison gave out no sign that he would aid Old England and New England to break up this Government of laws. On the contrary, he and all his supporters, though compassed round with darkness and with danger, stood faithfully between the Constitution and its enemies—

> "To shield it, and save it, or perish there, too.

"The framers of the Constitution and all their contemporaries died and were buried; their children succeeded them and continued on the stage of public affairs until they, too—

> "Lived out their lease of life, and paid their breath
> To time and mortal custom:

and a third generation was already far on its way to the grave before this monstrous doctrine was conceived or thought of that public officials all over the country might disregard their oaths whenever a war or a rebellion was commenced.

"Our friends on the other side are quite conscious that when they deny the binding obligation of the Constitution they must put some other system of law in its place. Their brief gives notice that while the Constitution and the acts of Congress and Magna Charta and the common law and all the rules of natural justice shall remain under foot they will try American citizens according to the law of nations! But the law of nations takes no notice of the subject. If that system did contain a special provision that a Government might hang one of its own citizens without judge or jury, it would still be competent for the American people to say, as they have said, that no such

thing should ever be done here. That is my answer to the law of nations.

"But then they tell us that the laws of war must be treated as paramount. Here they become mysterious. Do they mean that code of public law which defines the duties of two belligerent parties to one another and regulates the intercourse of neutrals with both? If yes, then it is simply a recurrence to the law of nations, which has nothing on earth to do with the subject. Do they mean that portion of our municipal code which defines our duties to the Government in war as well as in peace? Then they are speaking of the Constitution and laws, which declare in plain words that the Government owes every citizen a fair legal trial as much as the citizen owes obedience to the Government. They are in search of an argument under difficulties. When they appeal to international law, it is silent, and when they interrogate the law of the land the answer is an unequivocal contradiction of their whole theory.

"The Attorney General tells us that all persons whom he and his associates choose to denounce for giving aid to the rebellion are to be treated as being themselves a part of the rebellion—they are public enemies—and therefore they may be punished without being found guilty by a competent court or a jury. This convenient rule would outlaw every citizen the moment he is charged with a political offense. But political offenders are precisely the class of persons who most need the protection of a court and jury, for the prosecutions against them are most likely to be unfounded both in fact and in law. Whether innocent or guilty, to accuse is to convict them before the ignorant and bigoted men who generally sit in military courts. But this court decided in the prize cases that all who live in the enemy's territory are public enemies, without regard to their personal sentiments or conduct; and the converse of the proposition is equally true—that all who reside inside of our own territory are to be treated as under the protection of the law. If they help the enemy, they are criminals, but they can not be punished without legal conviction.

"You have heard much—and you will hear more very soon—concerning the natural and inherent right of the Government to defend itself without regard to law. This is wholly fallacious. In a despotism the autocrat is unrestricted in the means he may use for the defense of his authority against the opposition of his own subjects or others; and that is precisely what makes him a despot. But in a limited monarchy the prince must confine himself to a legal defense of his government. If he goes beyond that and commits aggressions on the rights of the people, he breaks the social compact, releases his subjects from all their obligations to him, renders himself liable to be hurled from his throne and dragged to the block or driven into exile. This principle was sternly enforced in the cases of Charles I and James II, and we have it announced on the highest official authority here that the Queen of England can not ring a little bell on her table and cause a man by her arbitrary order to be arrested under any pretense whatever. If that be true there, how much more true must it be here, where we have no personal sovereign and where our only government is the Constitution and laws. A violation of law, on pretense of saving such a government as ours, is not self-preservation but suicide.

"Salus populi suprema est lex. Observe it is not salus regis; the safety of the people, not the safety of the ruler, is the supreme law. When those who hold the authority of the Government in their hands behave in such manner as to put the liberties and rights of the people in jeopardy, the people may rise against them and overthrow them without regard to that law which requires obedience to them. The maxim is revolutionary, and expresses simply the right to resist tyranny without regard to prescribed forms. It can never be used to stretch the powers of government against the people.

"If this Government of ours has no power to defend itself without violating our own laws, it carries the seeds of destruction in its own bosom; it is a poor, weak, blind, staggering thing, and the sooner it tumbles over the better. But it has a most efficient legal mode of protecting itself against all possible danger. It is clothed from head to foot in a complete panoply of defensive armor. What are the perils which may threaten its existence? I am not able at this moment to think of more than these which I am about to mention: Foreign invasion, domestic insurrection, mutiny in the Army and Navy, corruption in the civil administration, and last, but not least, criminal violations of its laws committed by individuals among the body of the people. Have we not a legal mode of defense against all these? Yes; military force repels invasion and suppresses insurrection; you preserve discipline in the Army and Navy by means of courts-martial; you preserve the purity of the civil adminstration by impeaching dishonest magistrates; and crimes are prevented and punished by the regular judicial authorities. You are not merely compelled to use these weapons against your enemies because the yand they only are justified by the law; you ought to use them because they are more efficient than any other and less liable to be abused.

"There is another view of the subject which settles all controversy about it. No human being in this country ca . exercise any kind of public authority which is not conferred by law; and under the United States it must be given by the express words of a written statute. Whatever is not so given is withheld, and the exercise of it is positively prohibited. Courts-martial in the Army and Navy are authorized; they are legal institutions; their jurisdiction is limited and their whole code of procedure is regulated by act of Congress. Upon the civil courts all the jurisdiction they have or can have is bestowed by law, and if one of them goes beyond what is written its action is ultra vires and void. But a military commission is not a court-martial and it is not a civil court. It is not governed by the law which is made for either, and has no law of its own. Within the last five years we have seen for the first time self-constituted tribunals not only assuming power which the law did not give them but thrusting aside the regular courts to which the power was exclusively given.

"What is the consequence? This terrible authority is wholly undefined and its exercise is without any legal control. Undelegated power is always unlimited. The field that lies outside of the Constitution and laws has no boundary. Thierry, the French historian of England, says that when the crown and scepter were offered to Cromwell he hesitated for several days and answered: 'Do not make me a king, for then my hands will be tied up by the laws which define the duties of that office, but make me protector of the commonwealth, and I can do what I please; no statute restraining and limiting the royal prerogative will apply to me.' So these commissions have no legal origin and no legal name by which they are known among the children of men, no law applies to them, and they exercise all power for the paradoxical reason that none belongs to them rightfully.

"Ask the Attorney General what rules apply to military commissions in the exercise of their assumed authority over civilians. Come, Mr. Attorney, 'gird up thy loins now like a man; I will demand of thee and thou shalt declare unto me if thou hast understanding.' How is a military commission organized? What shall be the number and rank of its members? What offenses come within its jurisdiction? What is its code of procedure? How shall witnesses be compelled to attend it? Is it perjury for a witness to swear falsely? What is the function of the judge advocate? Does he tell the members how they must find or does he only persuade them to convict? Is he the agent of the Government, to command them what evidence they shall admit and what sentence they shall pronounce, or does he always carry his point, right or wrong, by the mere force of eloquence and ingenuity? What is the nature of their punishment? May they confiscate property and levy fines as well as imprison and kill? In addition to strangling their victim, may they also deny him the last consolations of religion and refuse his family the melancholy privilege of giving him a decent grave?

"To none of these questions can the Attorney General make a reply, for there is no law on the subject. He will not attempt to 'darken counsel by words without knowledge,' and therefore, like Job, he can only lay his hand upon his mouth and keep silence.

"The power exercised through those military commissions is not only unregulated by law but it is incapable of being so regulated. What is it that you claim, Mr. Attorney? I will give you a definition the correctness of which you will not attempt to gainsay. You assert the right of the executive government, without the intervention of the judiciary, to capture, imprison, and kill any person to whom that government or its paid dependents may choose to impute an offense. This, in its very essence, is despotic and lawless. It is never claimed or tolerated except by those governments which deny the restraints of all law. It has been exercised by the great and small oppressors of mankind ever since the days of Nimrod. It operates in different ways; the tools it uses are not always the same; it hides its hideous features under many disguises; it assumes every variety of form:

> "It can change shapes with Proteus for advantages,
> And set the murderous Machiavel to school.

"But in all its mutations of outward appearance it is still identical in principle, object, and origin. It is always the same great engine of despotism which Hamilton described it to be.

"Under the old French monarchy the favorite fashion of it was a lettre de cachet, signed by the king, and this would con-

sign the party to a loathsome dungeon until he died, forgotten by all the world. An imperial ukase will answer the same purpose in Russia. The most faithful subject of that amiable autocracy may lie down in the evening to dream of his future prosperity and before daybreak he will find himself between two dragoons on his way to the mines of Siberia. In Turkey the verbal order of the Sultan or any of his powerful favorites will cause a man to be tied up in a sack and cast into the Bosphorus. Nero accused Peter and Paul of spreading a 'pestilent superstition,' which they called the Gospel. He heard their defense in person and sent them to the cross. Afterward he tried the whole Christian church in one body on a charge of setting fire to the city, and he convicted them, though he knew not only that they were innocent but that he himself had committed the crime. The judgment was followed by instant execution; he let loose the Prætorian guards upon men, women, and children to drown, butcher, and burn them. Herod saw fit, for good political reasons closely affecting the permanence of his reign in Judea, to punish certain possible traitors in Bethlehem by anticipation. This required the death of all the children in that city under 2 years of age. He issued his 'general order,' and his provost marshal carried it out with so much alacrity and zeal that in one day the whole land was filled with mourning and lamentation.

"Macbeth understood the whole philosophy of the subject. He was an unlimited monarch. His power to punish for any offense or for no offense at all was as broad as that which the Attorney General claims for himself and his brother officers under the United States. But he was more cautious how he used it. He had a dangerous rival, from whom he apprehended the most serious peril to the 'life of his government.' The necessity to get rid of him was plain enough, but he could not afford to shock the moral sense of the world by pleading political necessity for a murder. He must—

"Mask the business from the common eye.

"Accordingly he sent for two enterprising gentlemen, whom he took into his service upon liberal pay—'made love to their assistance'—and got them to deal with the accused party. He acted as his own judge advocate. He made a most elegant and stirring speech to persuade his agents that Banquo was their oppressor and had 'held them so under fortune' that he ought to die for that alone. When they agreed that he was their enemy, then said the king:

"So is he mine, and though I could
With barefaced power sweep him from my sight
And bid my will avouch it; yet I must not,
For certain friends, who are both his and mine,
Whose loves I may not drop.

"For these, and 'many weighty reasons' besides, he thought it best to commit the execution of his design to a subordinate agency. The commission thus organized in Banquo's case sat upon him that very night, at a convenient place beside the road where it was known he would be traveling; and they did precisely what the Attorney General says the military officers may do in this country—they took and killed him because their employer, at the head of the government, wanted it done and paid them for doing it out of the public treasury.

"But of all the persons that ever wielded this kind of power, the one who went most directly to the purpose and object of it was Lola Montez. She reduced it to the elementary principle. In 1848, when she was minister and mistress to the King of Bavaria, she dictated all the measures of the Government. The times were troublesome. All over Germany the spirit of rebellion was rising; everywhere the people wanted to see a first-class revolution, like that which had just exploded in France. Many persons in Bavaria disliked to be governed so absolutely by a lady of the character which Lola Montez bore, and some of them were rash enough to say so. Of course, that was treason, and she went about to punish it in the simplest of all possible ways. She bought herself a pack of English bulldogs, trained to tear the flesh and mangle the limbs and lap the life-blood, and with these dogs at her heels she marched up and down the streets of Munich with a most majestic tread and with a sense of power which any judge advocate in America might envy. When she saw any person whom she chose to denounce for 'thwarting the Government' or 'using disloyal language' her obedient followers needed but a sign to make them spring at the throat of their victim. It gives me unspeakable pleasure to tell you the sequel. The people rose in their strength, smashed down the whole machinery of oppression, and drove out into uttermost shame king, strumpet, dogs, and all. From that time to this neither man, woman, nor beast has dared to worry or kill the people of Bavaria.

"All these are but so many different ways of using the arbitrary power to punish. The variety is merely in the means which a tyrannical government takes to destroy those whom it is bound to protect. Everywhere it is but another construction, on the same principle, of that remorseless machine by which despotism wreaks its vengeance on those who offend it. In a civilized country it nearly always uses the military force, because that is the sharpest and surest, as well as the best-looking, instrument that can be found for such a purpose. But in none of its forms can it be introduced into this country; we have no room for it; the ground here is all preoccupied by legal and free institutions.

"Between the officers who have a power like this and the people who are liable to become its victims there can be no relation except that of master and slave. The master may be kind, and the slave may be contented in his bondage; but the man who can take your life or restrain your liberty or despoil you of your property at his discretion, either with his own hands or by means of a hired overseer, owns you, and he can force you to serve him. All you are and all you have, including your wives and children, are his property.

"If my learned and very good friend, the Attorney General, had this right of domination over me I should not be very much frightened, for I should expect him to use it as moderately as any man in all the world; but still I should feel the necessity of being very discreet. He might change in a short time. The thirst for blood is an appetite which grows by what it feeds upon. We can not know him by present appearances. Robespierre resigned a country judgeship in early life because he was too tender-hearted to pronounce sentence of death upon a convicted criminal. Caligula passed for a most amiable young gentleman before he was clothed with the imperial purple and for about eight months afterwards. It was Trajan, I think, who said that absolute power would convert any man into a wild beast, whatever was the original benevolence of his nature. If you decide that the Attorney General holds in his own hands or shares with others the power of life and death over us all, I mean to be very cautious in my intercourse with him; and I warn you, the judges whom I am now addressing, to do likewise. Trust not to the gentleness and kindness which have always marked his behavior heretofore. Keep your distance; be careful how you approach him; for you know not at what moment or by what a trifle you may rouse the sleeping tiger. Remember the injunction of Scripture: 'Go not near to the man who hath power to kill; and if thou come unto him, see that thou make no fault, lest he take away thy life presently; for thou goest among snares and walkest upon the battlements of the city.'

"The right of the executive government to kill and imprison citizens for political offenses has not been practically claimed in this country, except in cases where commissioned officers of the Army were the instruments used. Why should it be confined to them? Why should not naval officers be permitted to share in it? What is the reason that common soldiers and seamen are excluded from all participation in the business? No law has bestowed the right upon Army officers more than upon other persons. If men are to be hung up without that legal trial which the Constitution guarantees to them, why not employ commissions of clergymen, merchants, manufacturers, horse dealers, butchers, or drovers to do it? It will not be pretended that military men are better qualified to decide questions of fact or law than other classes of people, for it is known, on the contrary, that they are, as a general rule, least of all fitted to perform the duties that belong to a judge.

"The Attorney General thinks that a proceeding which takes away the lives of citizens without a constitutional trial is a most merciful dispensation. His idea of humanity as well as law is embodied in the bureau of military justice, with all its dark and bloody machinery. For that strange opinion he gives this curious reason, that the duty of the commander in chief is to kill, and unless he has this bureau and these commissions he must 'butcher' indiscriminately, without mercy or justice. I admit that if the commander in chief or any other officer of the Government has the power of an Asiatic king to butcher the people at pleasure he ought to have somebody to aid him in selecting his victims, as well as to do the rough work of strangling and shooting. But if my learned friend will only condescend to cast an eye upon the Constitution, he will see at once that all the executive and military officers are completely relieved by the provision that the life of a citizen shall not be taken at all until after legal conviction by a court and jury.

"You can not help but see that military commissions, if suffered to go on, will be used for most pernicious purposes. I have criticized none of their past proceedings nor made any allusion to their history in the last five years. But what can be the meaning of this effort to maintain them among us? Cer-

tainly not to punish actual guilt. All the ends of true justice are attained by the prompt, speedy, impartial trial which the courts are bound to give. Is there any danger that crime will be winked upon by the judges? Does anybody pretend that courts and juries have less ability to decide upon facts and law than the men who sit in military tribunals? The counsel in this cause will not insult you by even hinting such an opinion. What righteous or just purpose, then, can they serve? None whatever.

"But, while they are utterly powerless to do even a shadow of good, they will be omnipotent to trample upon innocence, to gag the truth, to silence patriotism, and crush the liberties of the country. They will always be organized to convict, and the conviction will follow the accusation as surely as night follows the day. The Government, of course, will accuse none before such a commission except those whom it predetermines to ruin and destroy. The accuser can choose the judges, and will certainly select those who are known to be the most ignorant, the most unprincipled, and the most ready to do whatever may please the power which gives them pay, promotion, and plunder. The willing witness can be found as easily as the superserviceable judge. The treacherous spy and the base informer—those loathsome wretches who do their lying by the job—will stock such a market with abundant perjury, for the authorities that employ them will be bound to protect as well as reward them. A corrupt and tyrannical government with such an engine at its command will shock the world with the enormity of its crimes. Plied, as it may be, by the arts of a malignant priesthood and urged on by the madness of a raving crowd, it will be worse than the popish plot or the French Revolution— it will be a combination of both, with Fouquier-Tinville on the bench and Titus Oates in the witness box. You can save us from this horrible fate. You alone can 'deliver us from the body of this death.' To that fearful extent is the destiny of this Nation in your hands."

In this argument Judge Black lays bare many of the rotten arguments that have been made since this war started. The idea that the Constitution is suspended in time of war carried to its logical conclusion will justify every unlawful act that the Kaiser and the military authorities of Germany have committed since this war commenced, and the men who are clamoring now for the arrest and execution of the Kaiser for violating international law are the very ones who claim that the officials of the United States Government are not bound by their own Constitution, which every official from the President down to a constable is required to take an oath to support, and which Members of Congress especially take an oath to support and protect and defend against all enemies, foreign and domestic.

And it does seem to me gentlemen, realizing the logic of their own argument and where it leads—to the reign of anarchy, tyranny, and lawlessness, exactly as the Supreme Court has said—should refrain from presenting that old threadbare argument that public officals are released from the obligations of their oath of office whenever the country gets into a war. [Applause.]

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield to the gentleman from New York [Mr. ROWE] five minutes.

Mr. ROWE. Mr. Chairman, we have not heard very much to-day from men representing districts in our large cities. I think just one has spoken during the afternoon, and I asked two gentlemen who were listening to him as to which side of the question he was on, and they said that they had not found out.

Now, in our districts in the big cities are the consumers, or a large proportion of the consumers, of wheat. We have heard so far from all the farming districts that produce wheat, and we ought to have something said by those who represent the large cities.

We must first consider this question that is before us in the light of the history which is involved. In 1917 we were short of food in this country, and especially short of bread. The price of flour had gone up. It was liable to reach $17, or even $20, a barrel, when a bill was passed by this House permitting the President of the United States to fix the price of wheat, not only for that year, but the year that was to follow. The President fixed that price, and we have been living since under the regulation made by the law passed by this House authorizing the President to fix the price of wheat.

The price of flour to consumers in this country has been reasonable considering the conditions. All of the families of the Nation, because of the act we passed, have, during the past year, been greatly benefited and saved much money. England did not permit its inhabitants to pay the full price of the wheat flour. The nation itself bought wheat and sold it to the consumers for less than it paid for it. We are not in debt for the past, but we are now about to pass a law which may impose upon our Nation a debt in the near future. I like this law, however; first, because it carries out the obligation of the Nation. [Applause.] I believe that the Nation which we legislate for should be as honest as we expect its citizens to be, and that if it has made a contract it should stand by that contract, even if it stands to lose. All the Members representing large cities are getting telegrams these days and many letters appealing to them not to fix the price of wheat, but to allow it to fall as the market would cause it to fall; to allow it to seek its own level. Now, I hold that this bill aids in its seeking its level, because the country, under the bill, while it must stand by its bargain and pay $2.26 a bushel for the wheat, can sell it at any price which the normal conditions warrant, even $1.26 or any other price. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. BESHLIN].

Mr. BESHLIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BESHLIN. Mr. Chairman, I am not going to talk on the price of wheat but on a subject which perhaps is just as important.

Those opposing a league of nations overlook the fact that for the purpose of maintaining liberty and democracy and upholding the sanctity of treaties and the principles of international law there existed to all intents and purposes such an organization between the United States and her allies in the recent war against Germany and her allies.

They united upon an international policy, placed their armies and navies under single commands, and generally pooled all their supplies of food, munitions and credits. If such unity of policy, command, and purpose had existed in the summer of 1914, is it reasonable to suppose that Germany would have provoked a struggle that has drenched the world in blood? The fact that this unity of policy and command brought the war to a successful and glorious end, and thereby saved the world from the domination of Prussian militarism, is the strongest argument that can be advanced for the formation of a strong league of nations, whose powers and limitations shall be fixed and determined by the duly authorized representatives, not only of the nations opposed to the Teutonic powers in the war, but by neutrals who may desire to become members thereof.

Notwithstanding the proposal contained in a resolution introduced in another branch of this Congress "that any project for a general league of nations, or for any sweeping change in the ancient laws of the sea, as hitherto recognized as international law and violated by the Teutonic powers, should be postponed for separate consideration not alone by the victorious belligerents but by all the nations, if and when at some future time general conferences on those subjects might be deemed useful," I am of the opinion that the peace treaty can not be made without a league of nations. The peace treaty, when finally concluded, will be a pact of at least five nations, and will be signed by their duly accredited representatives.

No time should be lost in the formation of a strong league of nations, because the nations involved, as well as the neutral peoples of the world, stand aghast at the terrible losses in life, limb, and treasure caused by this great war. Now, the matter of averting future wars, with the recollections of its cost and suffering fresh and vividly in mind, is an all-absorbing topic, and the minds of the peace commissioners and of their respective peoples are open and ready to consider more intensely than heretofore or hereafter ways and means to the much-desired end.

AUTOCRACY DISCREDITED.

The kaiser, emperor, and king "business" is unpopular now. Many, as the result of this war, have quit their unstable jobs, knowing that their people, who have heretofore been denied a part in governmental affairs, will now demand what they have long been struggling to obtain.

Numerous republics, possibly from 8 to 12, will be set up in Europe. For some time they will be unstable, and the deposed rulers will seek to "come back," and they will unless a strong league of free nations stands in their way. Some of these governments may be overthrown, but following the example of the United States in Cuba, it will be the duty of the league to set them up again, and maybe a second time, until they at last become secure upon the firm foundations of free government.

These smaller nations not only will need help in the art of self-government, but will require also the means of sustaining their people through access to the markets of the world, as suggested by President Wilson in his message to Congress December 4, 1917:

Our entrance into the war has not altered our attitude toward the settlement that must come when it is over. When I said in January that the nations of the world were entitled not only to free pathways upon the sea, but also to assured and unmolested access to those pathways I was thinking, and I am thinking now, not of the smaller and weaker nations alone, which need our countenance and support, but also of the great and powerful nations, and of our present enemies, as well as our present associates in the war.

The idea of a league of nations is not new. It has been discussed for centuries. The nations represented at the Congress of Vienna more than 100 years ago, as well as those who formed the Holy Alliance at Paris on September 26, 1815, were doubtless of the opinion that such organizations were created, as disclosed by the articles agreed to.

The following recital of the Holy Alliance agreement, namely—

ARTICLE 1. Conformably to the words of the Holy Scriptures, which command all men to consider each other as brethren, the three contracting monarchs will remain united by the bonds of a true and indissoluble fraternity; and considering each other as fellow countrymen, they will, on all occasions and in all places, lend each other aid and assistance; and regarding themselves toward their subjects and armies as fathers of families, they will lead them in the same spirit of fraternity with which they are animated to protect religion, peace, and justice.

ART. 2. In consequence the sole principle in force, either between the said Governments or between their subjects, shall be that of doing each other reciprocal service, of testifying by unalterable good will the mutual affection which ought to animate them, of considering themselves all as members of one and the same Christian nation; for the three allied princes look on themselves as merely delegated by Providence to govern three branches of one family, namely, Austria, Prussia, and Russia. * * *

demonstrates that while it was a league formed ostensibly for conserving religion, justice, and peace, it nevertheless was purposely created for repressing popular tendencies toward constitutional government by autocratic rulers, namely, Francis I of Austria, Frederick William III of Prussia, and Alexander I of Russia. This league was subsequently joined in by all the other sovereigns of Europe except the Pope and the King of England.

The main purpose of such congresses and alliances was to make the world safe not for democracy but for autocracy, and for this reason they were failures.

If the attempts heretofore made to secure and promote the peace of the world had been made by the chosen representatives of free peoples instead of by mere agents of autocracies, then, indeed, we might be concerned over the outcome of the present effort.

One of the declarations adopted by the League to Enforce Peace reads as follows: "Make the world safe by the defeat of German militarism" and "Keep the world safe by a league of nations."

The first part of this declaration has been accomplished. It now remains to keep the peace of the world by a league.

The framing and subsequent adoption of the Constitution of the United Sattes marked an important step in the progress of constitutional government in this country. By its adoption civilization took another step forward. The text of the league of nations has been given to the world. Taking into consideration the issues involved, may we not truly say that the Declaration of Independence and other epochal documents are secondary to the draft of the league, because these various declarations concerned only one people, while the constitution of the proposed league affects many nations.

In writing to Patrick Henry after the Constitution of the United States had been framed Washington expressed his opinion of the convention's labors:

I wish the Constitution had been more perfect, but I sincerely believe that it is the best that could be obtained at this time.

Those who have participated in the framing of the constitution of the proposed league might properly say in like manner that it is the best that could be obtained at this time.

AMENDMENT TO LEAGUE PLANS.

As the Constitution of the United States has been amended from time to time to meet changing conditions, so it will be found necessary to amend the proposed constitution of the league in such manner as experience will demonstrate. Those opposed to the entire principle of the league, however, see no virtue in any of its provisions. Such course, however, shows no progress, and they would leave the forces that make for war where they were in 1914, ready and anxious to start another and perhaps a more fearful strife, if it were possible, on the slightest pretext. To these let me say that they are out of harmony with what is in the hearts of men and women everywhere who have suffered from the effects of war.

It has been said that "President Wilson's triumph at Paris is the more remarkable because he has had to struggle not only against all the elements of reaction in Europe, but against the most reckless and most shocking American propaganda that was ever directed against an administration engaged in foreign negotiations. This partisan propaganda took the form of a deliberate and calculated attempt to wreck the peace conference merely to discredit the President at home."

The shame of it all, because his success would be the Nation's success, his failure would mean the loss not only to America but to all of our allies of much of the fruits of victory.

Former President Taft, to whom much credit is due in the organization of the League to Enforce Peace, and who, since its purposes were announced, in speaking of the constitution of the league of nations, says:

"It is a real league. It has clinching and cinching provisions. It imposes on all the great powers and all others who enter the league a solemn covenant not to begin war until the differences have been submitted either to arbitration and award or to the executive council of the league as a concillating body. The parties covenant to obey the award if the executive council unanimously recommend a compromise; and if the party against whom it is made refuses to comply with the recommendation, the other party covenants not to go to war. Then the council may take steps to secure compliance. If a party breaks its covenant in these regards and goes to war, a complete boycott of the recalcitrant is required of all members of the league. The breach of covenant is an act of war against all the other members of the league. The executive council is then to recommend what military forces each member of the league should furnish to protect the covenants of the league. The members are to share the loss arising to any member of the league by reason of the boycott. The boycott is to prevent commerce not only between the outlaw nation and its citizens and the members of the league and their citizens, but is to be extended to prevent commerce of the outlaw and its citizens with nonmembers of the league. It is to be a complete isolation."

Article 5 provides for a permanent secretariat at a place to be agreed upon, which shall constitute the seat of the league. Article 2 provides for meetings of the body of delegates at stated intervals and from time to time as occasion may require, and article 3 for the executive council and its meetings from time to time as occasion may require, and at least once a year. We therefore see that a permanent court is provided and its meetings fixed as definitely as can be determined in advance, so that differences may be referred for hearing and determination.

Article 12, which read as follows—

The high contracting parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy, they will in no case resort to war without previously submitting the question and matters involved either to arbitration or to inquiry by the executive council and until three months after the award by the arbitrators or a recommendation by the executive council; and that they will not even then resort to war as against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council. In any case under this article the award of the arbitrators shall be made within a reasonable time, and the recommendation of the executive council shall be made within six months after the submission of the dispute,

contains the provisions requiring submission of disputes to arbitration or to inquiry in the manner indicated.

In the limits of my remarks on this subject it is impossible to discuss all of the provisions of this plan. Suffice it to say, however, that it does present a comprehensive platform for the maintenance of the peace of the world.

OBJECTIONS BY THOSE OPPOSING LEAGUE OF NATIONS.

The following are some of the objections made by those opposing the United States entering the proposed league of nations, namely, (1) that it creates a supersovereignty and will therefore take from the Congress the power to declare war and the power to raise an army and navy, which are powers specifically given to Congress by the Constitution; (2) a departure from the advice of Washington concerning permanent alliances and the warning of Jefferson against entangling alliances; (3) the abandonment of the Monroe doctrine; (4) the adoption of repression against smaller or weaker nations; and (5) that such a league is idealistic, or, in other words, impractical.

Under the Constitution Congress is given the power to declare war and to prosecute it when declared. This is one of the powers delegated by the States to the Federal Government. Section 2 of Article II gives the President "power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." While Congress has power to declare war, the President and two-thirds of the Members present of one branch of the body can make treaties of peace, thereby terminating the struggle which both branches of Congress authorized. The question therefore arises, If the President and two-thirds of the Senators present can conclude treaties of peace, why can not the same authority, namely, the President and two-thirds of the Senators present, make a treaty or pact which will, so far as possible, remove the possibility of war?

The league is not a supersovereign, but an association of nations which, it is planned, will give to us and other nations the sovereignty we can properly have, namely, a sovereignty regulated by international law and standards of right and justice, and consistent with the same sovereignty of other coun-

tries. The main purpose of the league, of course, is to make the possibility of war remote by requiring peaceful methods to be resorted to for the settlement of international disputes. If individual murder or homicide is a crime, how can collective murder or homicide committed or directed by a State be anything less than a crime? If a crime committed by an individual is the concern of every other citizen of the State—and we believe it is, and we have provided the means to apprehend and punish the criminal—why is not the crime committed by a nation the concern of all the nations? The act of Germany in provoking the recent war is the answer. In days long since passed away individual honor required the one whose honor was called in question to avenge his private wrong by taking the life, if he could, of the offender. Society has disapproved the custom; now let the family of nations place the seal of disapproval upon the acts of the individual State which that State itself has disapproved in the conduct of its citizens.

The advice of Washington and Jefferson was timely and proper when given. We had just emerged from the struggle for our independence, and could not afford to enter any permanent or entangling alliances, for the very reason that trouble would have arisen as the European alliances changed. At that time we enjoyed splendid isolation, the 3,000 miles of water affording a reasonably safe defense against all foreign enemies. The ocean has sunk to a lake, and in the near future it will have sunk to a river. Means of communication and attack from without are such that we can not escape world contact if we would. We are now resourceful and powerful, and should no longer shirk our full duty in helping to establish and maintain the peace of the world.

The Monroe doctrine was proclaimed not only to prevent colonization of the Western Hemisphere by European powers but indirectly thereby to strengthen the position of the United States, because colonization not only would have destroyed weak and helpless Central and South American countries, but their very occupation by European powers would have menaced the safety of our own Government. When the Monroe doctrine was originally published in Europe it met with approval from liberal statesmen, who, in the language of the day, hailed it as "shedding joy, exultation, and gratitude over all free men in Europe."

The reactionary Metternich, who hated constitutions, maintained it was a natural consequence of the establishment of free States, and that great calamities would be brought upon Europe by the establishment of these vast Republics in the New World. Bismarck, whose word is not now regarded as of much weight, since the overthrow of the policy of "blood and iron," regarded it as a piece of "international impertinence."

A recent writer asks this question: "If the Monroe doctrine is a sound principle and has been vindicated by the experience of a hundred years in this hemisphere, why not extend it to the rest of the world?" He then adds: "That task is a little too large for the United States alone to undertake, so it is proposed to organize a league of nations for the purpose of securing to weaker States the right of self-determination and self-development."

Article 10 of the proposed league, which reads as follows—

> The high contracting parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league. In case of any such aggression or in case of any threat or danger of such aggression, the executive council shall advise upon the means by which the obligation shall be fulfilled,

covers the Monroe doctrine and extends it to the world, which is in accord with the suggestions contained in an address by President Wilson to the Senate on January 23, 1917:

> I am proposing, as it were, that the nations should with one accord adopt the doctrine of President Monroe as the doctrine of the world; that no nation should seek to extend its policy over any other nation or people, but that every people should be left free to determine its own policy, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful.

To those who oppose a league of nations as a means of settling disputes between nations, it is perhaps pertinent to ask, "What better plan can you submit?" If you have no plan or scheme, why oppose the one which not only the best thought and study of the leading minds in our own country have proposed, but which is indorsed by the representatives of the various nations at the peace conference?

Physical force has generally been resorted to in the settlement of international disputes. As a result of this war, the supreme sacrifice of thousands of the flower of America's young manhood now sleeping their last sleep in the soil of France, as well as millions of their fellow men, backed by their bereft ones at home, demand an answer. They will not accept mere talk as a means to the desired end. Neither will mere criticism of those seeking a different solution be accepted. I believe, Mr. Speaker, that a new day has dawned and that we shall soon see the fruition of our hopes.

The extension of the principles upon which our Government is founded and our efforts with those of other free and liberty-loving peoples in behalf of those emerging from the grasp of autocratic powers will not operate to repress liberty, but, on the contrary, will aid them in securing free government and thereafter maintaining it.

This war has witnessed a rebirth of democracy. A democratic association of democratic nations is the ideal the world is striving to obtain. This idea was splendidly expressed by the President in one of his Fourth of July addresses:

> If I did not believe that the moral judgment would be the last judgment, the final judgment, in the minds of men as well as at the tribunal of God, I could not believe in popular government. But I do believe these things, and therefore I earnestly believe in the democracy not only of America but of every awakened people that wishes and intends to govern and control its own affairs.

Mr. MORGAN. Mr. Chairman, we have under consideration H. R. 15796, entitled: "A bill to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder."

At the beginning of my remarks I wish to correct an erroneous impression that prevails to a certain extent. There is an impression among some people that the Government control of wheat prices, beginning with the 1917 crop, has been highly profitable to the wheat producers. Such has not been the case. It was the European war which made high prices of wheat. It was not the food-control act nor the action of the President thereunder which made wheat raising profitable. Wheat was higher before the passage of this act and before the price fixing thereunder than it has ever been since. Prior to the passage of the food-control act the farmers in my State were being paid around $3 a bushel for their wheat. It is altogether probable that had it not been for the passage of this act wheat would have gone much higher than $3 per bushel. It was the consumers who were benefited by the fixing of prices on the wheat crops harvested in 1917 and 1918. Through the price fixing for the years 1917 and 1918 the wheat producers of the United States probably lost from $800,000,000 to $1,000,000,000. So impressed was I with this injustice to the wheat producers of 1917 that I introduced a bill to compensate them for this loss. If, therefore, it shall turn out that the wheat producers of 1919 shall profit by reason of the guaranties of the Government, the profit will not more than compensate them for their losses in 1917 and 1918.

Mr. SLOAN. Will the gentleman yield?

Mr. MORGAN. I will be glad to yield to my colleague.

Mr. SLOAN. I desire to inquire if the gentleman is for this legislation or not. I understand, with a number of the gentlemen who have spoken on this bill coming from the cities, after their speeches have been delivered, there has been an inquiry on the part of the House as to which side they are on, whether they were supporting this legislation or not, and I would like to hear in this first speech that I have heard from the gentleman on farming matters, or on wheat, on which side he stands, so that we may wait and hear the rest of his speech or depart.

Mr. MORGAN. I will say to the gentleman from Nebraska that I regard the ironical remarks involved in his question as a great compliment. I certainly have no apologies to offer for the frequency with which I may have spoken upon legislation affecting agriculture. neither do I desire to offer any excuse for the interest which I have manifested on the legislation pertaining to the price of wheat, relating back to the introduction of the "food-control bill," early in 1917. But I know the gentleman's remarks are made in the most friendly spirit, because he himself frequently takes the time of the House in championing the rights of farmers. Answering the gentleman's question directly, I will say that I am in favor of this legislation.

Mr. HASTINGS. Our friend from Nebraska [Mr. SLOAN] is a great humorist.

Mr. MORGAN. I will concede that he is great in every way.

CONVENIENCE OF THE FARMERS.

Before entering upon a general discussion of this bill I desire to call attention to what I regard as an important omission in the bill. I have carefully examined H. R. 15796, and I find There is no provision which fixes the place where the provide for the reasonable convenience of the wheat producers. There is no provision which fixes the place where the producer is to deliver his wheat, or the time at which he should deliver it, or when he shall be paid therefor. The President will no doubt, without the instruction of Congress, have full regard for the rights and convenience of the farmers. This, however, does not excuse Congress from doing its duty. Prior to

the time the bill reported by the committee was introduced I prepared and introduced a bill on this subject. It is H. R. 15770. In section 3 of that bill I endeavored to protect the wheat producers by placing in the law a provision which permitted them to deliver their wheat at such time or times as suited their convenience, that allowed them to deliver their wheat at the usual market places and which required the Government to pay them in full for the wheat at the time it was delivered. Therefore, Mr. Speaker, at the proper time I propose to offer the following amendment to the bill:

That the President is hereby authorized and directed to arrange with some grain dealer, miller, elevator, or operator thereof, or with some person, corporation, or agency, at each and every local grain market in the United States, so as to provide for the reasonable convenience of wheat producers in the delivery of their wheat, to receive, purchase, and pay for the wheat delivered by each and every wheat producer for the crop years of 1918 and 1919, at the price or prices guaranteed, and said payment shall be made in full on the delivery of said wheat to any grain dealer, miller, elevator, or operator thereof, or to any person, corporation, or agency authorized to receive, purchase, and pay for the same as aforesaid.

Unless a provision similar to this is placed in the law farmers may be inconvenienced, discommoded, and possibly put to financial loss.

TWO PLANS PROPOSED.

Two plans have been proposed for the Government in carrying out its guaranties. One is that the Government shall release control of the wheat market, remove all restrictions and limitations on trade, and permit the dealers, millers, and elevators to buy the wheat from the farmers in the ordinary manner as in normal peace times. In this case the Government would provide some method of paying to the farmer the difference between the guaranteed price and the price which the dealers paid him for his wheat. The other method proposed is for the Government to continue its monopoly in the wheat market, control dealers, millers, and elevators through a license system; and endeavor to market the wheat crop of 1919, both for export and domestic trade, at the guaranteed price. It seems clear to me that the latter course should be pursued. The guaranteed price should be regarded as the market price. So far as we can legitimately we should regard the guaranteed price as the world price. Until we have marketed the 1919 wheat crop and made good our guaranty to the wheat producers, it should be the policy of this Government to maintain the guaranteed price at home and abroad. I am opposed to trying to maintain two prices. I am opposed to selling at one price at home and another price abroad. I am opposed to selling to our own consumers at a higher price than we sell to foreign consumers. And I think we should sell to foreign consumers, so far as is practicable, at a price that will net us the same return we receive from our home consumers.

With the understanding that it shall be the general policy of the Government to maintain the guaranteed price of wheat, and that the wheat sold abroad shall not be disposed of at prices lower than those paid by our home consumers, I am in favor of giving the President power, through any agency or agencies he may create, to maintain the guaranties to wheat producers, with discretionary power to meet conditions as they may arise.

WHY MAINTAIN THE GUARANTEED PRICE.

There are many reasons why the Government should endeavor to maintain the guaranteed price of wheat as the market price.

1. The guaranteed price is the price fixed by the Government, after due consideration, with the full knowledge of the uncertainty of the future. It was fixed under the authority of law and has the approval of both the legislative and the executive departments of the Government. In fixing this price the Government took into consideration the rights and interests of both consumers and producers. The price was intended to stand until the 1919 wheat crop was disposed of. To undertake now to have two or more prices for wheat, one for the producers and one for the consumers, or one for the domestic trade and another for export trade, or to have the prices changing from month to month, or from week to week, or from day to day, would cause confusion, dissatisfaction, complaint, and utter demoralization in the wheat business.

2. Wages, trade, and business have adjusted themselves to the guaranteed price of wheat. The price of wheat has not varied materially since August, 1917. Considering the high scale of wages which have been paid, the increase in salaries and the profits which have been made in trade, commerce, and in all kinds of business enterprises, the price of wheat has not been exorbitant to consumers. Readjustment will be gradual. The reconstruction period will cover years. There will be little change within the next 12 months.

3. To pay wheat producers one price and sell the wheat to consumers at another and lower price would mean extraordinary loss to the Government and enormous appropriations out of the Treasury, to be made good by taxation which eventually must be paid by the masses of the people. Low-priced wheat to consumers for the 1919 crop means increased taxation on the same consumers. What will it profit the consumers to have a reduction in the price of bread but a corresponding increase in Federal taxation. It may be said that the rich pay the taxes. But the business interests of the country have no profits except what they take from the people. So that directly or indirectly the masses of the people pay the taxes which supplies the Treasury with the funds necessary to meet all the demands upon it.

4. It would be difficult for the Government to sell wheat for export at a higher price than it is sold for domestic purpose. If we pursue a policy which means low price of wheat at home, it carries with it a policy which means a low price of wheat abroad. It is to the advantage of foreign governments to buy our surplus products, including wheat, at the lowest price possible. On the other hand, it is to the advantage of this country to sell its surplus products at the highest price possible, or at least at a price that will be profitable to the producers, and will not entail loss to our National Treasury or to the producers of the country. Assuming that we will have from the 1919 crop a surplus of from 200,000,000 to 400,000,000 bushels of wheat to be disposed of in foreign markets, we should adopt a policy which will enable us to sell that wheat at a price which will save our Treasury from loss and will give our country and our people all the benefits and advantages which come from profitable international trade.

5. The allies—Great Britain, France, and Italy—ought not to expect us to sell them our surplus of the 1919 wheat crop at a price less than the guaranteed price. We made this guaranty as much for their benefit as for our own. It was made for a cause in which we were all equally interested. Its object and purpose was world-wide in the interest of humanity. The allies needed our food as much as they needed our men. Throughout this country the cry went forth, "Food will win the war." In the spirit of this call, and in response to the appeal of Great Britain, France, and Italy, the United States made its guaranties to the wheat producers of this Nation. We had no selfish purpose in making this guaranty. There is, therefore, a strong moral obligation upon these great nations to aid this Government in carrying out that guaranty. To my mind it would almost be an act of bad faith on the part of the Governments of Great Britain, France, and Italy to ask us to sell to them any portion of our surplus of the 1919 wheat crop at less than the price guaranteed to the producers.

6. There is a tendency to overestimate the monetary gain that would come to the average family through any possible reduction that might be made in the price of wheat. Bread is said to be the "staff of life," but the cost of bread does not constitute a very large per cent of the annual expenditure of the average family. It is well to bear in mind that a reduction in the price of wheat paid to producers would not mean the same reduction in the price of bread. Under normal business conditions, with a free and open market, and with dealers, millers, elevators, bakers, retailers, and distributors all left free to fix their own earnings, charges, and profits the price which the consumer pays for bread seldom reflects correctly the price of wheat. It is altogether probable that for the next year the consumers of this country would be fully as well off under the Government's fixed price of wheat as they would be in the hands of speculators.

7. Another thing should be taken into consideration. The cost of producing wheat in the United States is greater than it is in countries like Australia, Argentina, and India, which furnish a considerable part of the surplus wheat for the world market. If it is simply a question of who can sell wheat at the lowest price with a profit to the producers we are beaten before we start. The amount of wheat which we sell on the world market in competition with these countries will not be increased, so far as the price affects our sales, unless we offer wheat at a lower price than is offered by competing countries. It is wiser for us, having a surplus of wheat to dispose of through export sales, to maintain a fair price for the wheat products of our country rather than to adopt a policy which must inevitably mean a depression in the price of our wheat both at home and abroad.

8. There is no disposition on the part of Congress to make a rapid or abrupt reduction in wages or in the innumerable articles of commerce which are the product of wages. Organized labor, through its official head, declares that wages shall not come down. It would certainly be unwise for our Government

to inaugurate any policy which had for its object a reduction of wages. On the same grounds, the Government should not deliberately adopt a policy that has for its object an abrupt, sweeping revolutionary reduction in the price of wheat. The farmer would not complain in bringing down the price of wheat if other things are reduced accordingly. Low prices and low wages always mean hard times. Good prices and good wages always mean prosperity. I am in favor of passing the good things clear around the table. I want the farmer to have his share.

WORLD PRICE.

In the discussion of this question, there has been a good deal said about what would be the so-called "world price" for the 1919 wheat crop. It is asserted that consumers in this country should buy our wheat at the world price. In ordinary times, when all things are normal and when the forces of trade, commerce, finance, and transportation have full, unrestricted, and natural play, there is perhaps such a thing as a world price level for wheat. To-day there is no such thing. During the time of the marketing of the 1919 wheat crop in no legitimate sense will there be any world price for wheat. There are many reasons for this. Some of these are as follows:

1. Many of the wheat-producing countries have established through governmental authority a price on the 1919 wheat crop. Among these may be mentioned the following: United States, $2.26 per bushel; Australia, 95 cents; Roumania, $1.61; Great Britain, minimum price, $1.64; Brazil, $2.16; Switzerland, $3.18; Holland, $3.30; France, $3.84; Norway, $4.09; Italy, soft wheat, $3.96; and hard wheat, $4.44.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield there?

Mr. MORGAN. I shall be glad to yield.

Mr. SMITH of Michigan. How does the price fixed in the countries the gentleman has enumerated compare with the price fixed by the United States?

Mr. MORGAN. In the European countries prices are much higher. Even in Australia, considering the price of freight, it compares favorably and reasonably with our price. Our price is not excessive.

The fact that many Governments have fixed the price of wheat will in itself be a force that will prevent the law of supply and demand from having its normal influence on the price of wheat.

2. Transportation facilities for the exportation of wheat and other cereals are not now normal and will not be normal during the period that the 1919 crop will be marketed. This is another force that will work against the law of supply and demand. With a restricted, uncertain, variable, and inadequate shipping tonnage for the transportation of wheat there can be no natural, normal, trustworthy world price level for wheat.

3. The financial world is not normal and will not be during the period in which the 1919 wheat crop will be marketed. World finances, national and international, are in a most disturbed and unnatural condition. The situation is unparalleled in history. The enormous debts incurred through the prosecution of the war present the most difficult financial problems which have ever confronted the nations of the world. We may be and should be optimistic. We should feel that a solution will be provided without financial cataclysms. The demand for our wheat abroad may be greater than the ability to pay. The people of many European countries are hungry, but they are poor. Under these conditions, the law of supply and demand will not work naturally.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. Yes.

Mr. SLOAN. I thank the gentleman for having yielded to me before. Is there an open price for wheat on the market at Liverpool now; and if so, what is it?

Mr. MORGAN. There is no open price, as that term is ordinarily understood.

Mr. SLOAN. Is there anywhere in the world an open price in the great markets on wheat?

Mr. MORGAN. I think not. There is but one thing to do, and that is to do just what this bill provides; to put the power of buying our wheat and selling our wheat into the hands of a governmental agency, and to depend on that agency to do what is reasonable and fair to the purchasers and consumers and to trade and commerce.

4. The next year will be the beginning of the reconstruction period throughout all those countries which have been engaged in war. National energies, including every business calling and profession of life, will be affected by the processes of reorganization, reconstruction, readjustment, and revivification of the affairs of practically all the great nations of the world. Under such conditions the law of supply and demand and the laws of trade, commerce, and business will not function as they did in normal peace times.

5. But there is another reason why there can be no legitimate, trustworthy world price for wheat during the marketing of the 1919 crop. Countries which have a surplus of wheat to sell for export must sell mainly through concentrated buying agencies, largely under governmental control. So long as that condition exists there is no free competition in the sale or purchase of wheat. So long as we must sell our surplus wheat to concentrated buying agencies we must forget that there ever was such a thing as the law of supply and demand, which fixed the world price of wheat, and confront the concentrated buying agency with a concentrated selling agency. We must take advantage of every proper and legitimate means to compel the concentrated buying agencies to purchase our surplus wheat at a just, fair, and reasonable price, and we should assume to start on that such a price is represented by our guaranteed price.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. Yes.

Mr. WALSH. Does the gentleman advocate making this a permanent policy of the Government?

Mr. MORGAN. No; I am not advocating that.

Mr. WALSH. I know the gentleman is very familiar with all farming problems and has on many occasions demonstrated that to the House. Will the gentleman state what is the emergency that requires this tremendous appropriation?

Mr. MORGAN. Well, I say this: If the Government conducts this business as I think it should, it will endeavor to maintain the guaranteed price of $2.26 on wheat at home and abroad, so far as conditions will justify it, and at the end of the transaction we will have used very little of the money appropriated out of the Treasury of the United States. Most of this will be turned back. [Applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. LEVER. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LONDON].

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. LONDON. Mr. Chairman, I ask unanimous consent at the outset to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

Mr. YOUNG of North Dakota. I object.

The CHAIRMAN. The gentleman from North Dakota objects.

Mr. LONDON. Mr. Chairman, I desire, in the five minutes allotted to me, to again remind you of the necessity of repealing the espionage law.

War destroys respect for human life. It suspends the decalogue. Every form of brutality and cruelty is justified on the theory of war necessity. Just now a wave of dark reaction is sweeping throughout the world, a reaction that amounts almost to a state of insanity, to a veritable nightmare. It resembles very much the state of mind of Europe after the collapse of the French Revolution. I believe it was after the restoration of one of the Bourbons that an order was issued prohibiting professors in French universities from wearing pointed beards, on the ground that Van Dyke beards were fashionable during the revolution and were therefore suggestive of a spirit of sedition.

The Bourbon conducted war against a beard, which to him was emblematic of revolution. Legislative bodies are beginning a war against emblems, a war against words, a war against symbols, a war against a supposed something which they call bolshevism and which they are quite unable to define. All that is necessary in order to dispose of a man is to say that he is advocating bolshevism. I understand that a Senator of the United States has recently compared the proposed government of the league of nations to a Bolsheviki Soviet, and I can readily see how a protectionist and a free trader engaging in an old-fashioned debate on protection and free trade will call each other Bolsheviki in the very near future. [Laughter.]

During the war we enacted one of the most infamous acts of legislation, the most oppressive, not only in the history of this country, but in the history of modern times. The espionage laws of old Russia and of old Prussia were less severe than our espionage law. Supposedly legislating against spying, this Congress has conferred upon every constable the right to suppress the written and the spoken word.

Now, in war time people are insane, but there is no earthly excuse for retaining the espionage law to-day.

It should be repealed immediately. The Democrats should learn something from the lesson of the last campaign, if they are capable of learning anything at all. During the last elec-

tion the people for the first time in the history of this country refused to support an administration during a war.

Everything pointed a few days before election to a successful termination of the war. Turkey, Bulgaria, and Austria-Hungary had collapsed. It should have been apparent to the most superficial observer that victory was near. Nevertheless, the people defeated the Democratic Congress. While there were many reasons for it, the principal reason was the use within the country of coercive and undemocratic methods, methods violative of the most elementary rights of the people.

It is to the credit of the American people that no political party can sponsor an alien and sedition law and survive.

Of course, in substituting Democrats by Republicans the people but jumped from the frying pay into the fire, but there was evidently some relief in the very process of jumping.

The espionage law should be immediately repealed and its victims liberated.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LONDON. I ask leave to extend my remarks along this line.

Mr. YOUNG of North Dakota. The gentleman objected the other day to the request of the gentleman from Ohio.

Mr. LONDON. I know; I put my objection on record; but then I left the room and the gentleman from Ohio got his leave.

Mr. YOUNG of North Dakota. I withdraw my objection.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. LEVER. I will say to the gentleman from Michigan [Mr. McLAUGHLIN] that I have only one more speech.

Mr. McLAUGHLIN of Michigan. How much time have I remaining?

The CHAIRMAN. Twenty-nine minutes.

Mr. McLAUGHLIN of Michigan. I yield to the gentleman from Michigan [Mr. SMITH] 10 minutes.

Mr. SMITH of Michigan. Mr. Chairman and gentlemen of the committee, I do not care by what name you call it, whether Bolshevism, anarchy, red flag, or anything else, if it is against organized government I am opposed to it. I do not believe anyone in time of war has a right to take up arms against his country or to argue against it or to try to defeat its purpose when it is undertaking to save its very existence. If Bolshevism is against organized government, as it is in Russia, and in favor of everything that goes to tear down civilization, then I am opposed to it. We have the best Government on earth, and it is the duty of all good citizens to maintain and support it.

But I have obtained a little time in order to say something about wheat. There is no question but that the fixing of the price of the farmers' wheat at $2.26 a bushel was done for the purpose of bringing down the price of wheat at the time the price was fixed, and it absolutely did bring down the price of wheat. At the time the price was fixed at $2.20, in the first instance, wheat was selling as high as $3.40 a bushel in that same month. While that was an abnormal price, and not the uniform price that month, still it did sell as high as $3.40 in the month that the President was authorized to fix the price at $2.20 a bushel. I herewith incorporate the law authorizing the President to fix the price.

SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act, approved August 11, 1916. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment, and differences in price for the several standard grades in the principal primary markets of the United States, adopting No. 1 northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guaranty within the period, not exceeding 18 months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty. The guaranteed prices for the several standard grades of wheat for the crop of 1918 shall be based upon No. 1 northern spring or its equivalent at not less than $2 per bushel at the principal interior primary markets. This guaranty shall not be dependent upon the action of the President under the first part of this section, but is hereby made absolute, and shall be binding until May 1, 1919. When the President finds that the importation into the United States of any wheat produced outside of the United States materially enhances or is likely materially to enhance the liabilities of the United States under guaranties of prices therefor made pursuant to this section, and ascertains what rate of duty, added to the then existing rate of duty on wheat and to the value of wheat at the time of importation, would be sufficient to bring the price thereof at which imported up to the price fixed therefor pursuant to the foregoing provisions of this section, he shall proclaim such facts, and thereafter there shall be levied, collected, and paid upon wheat when imported in addition to the then existing rate of duty, the rate of duty so ascertained; but in no case shall any such rate of duty be fixed at an amount which will effect a reduction of the rate of duty upon wheat under any then existing tariff law of the United States. For the purpose of making any guaranteed price effective under this section, or whenever he deems it essential in order to protect the Government of the United States against material enhancement of its liabilities arising out of any guaranty under this section, the President is authorized also, in his discretion, to purchase any wheat for which a guaranteed price shall be fixed under this section, and to hold, transport, or store it, or to sell, dispose of, and deliver the same to any citizen of the United States or to any Government engaged in war with any country with which the Government of the United States is or may be at war or to use the same as supplies for any department or agency of the Government of the United States. Any moneys received by the United States from or in connection with the sale or disposal of wheat under this section may, in the discretion of the President, be used as a revolving fund for further carrying out the purposes of this section. Any balance of such moneys not used as part of such revolving fund shall be covered into the Treasury as miscellaneous receipts.

Mr. MORGAN. Will the gentleman yield?

Mr. SMITH of Michigan. Yes.

Mr. MORGAN. Then as I understand what the gentleman is saying so well, in reality the price as fixed in 1917 was fixed in the interest of the consumers and not of the producers of wheat. Is that the gentleman's idea?

Mr. SMITH of Michigan. I think the price was fixed in order to bring the price down. I do not think the consumer's interest was the whole thing which was taken into consideration.

Mr. MORGAN. Is it not a fact that the consumers really got the benefit of it?

Mr. SMITH of Michigan. The consumers got the benefit of it; yes.

Mr. RAGSDALE. Will the gentleman yield?

Mr. SMITH of Michigan. Yes.

Mr. RAGSDALE. Does not the gentleman think at that time the larger part of the wheat was consumed abroad instead of at home?

Mr. SMITH of Michigan. I think the home market consumed more wheat than the foreign market.

Mr. RAGSDALE. During the war?

Mr. SMITH of Michigan. Yes.

Mr. RAGSDALE. What per cent was consumed abroad and what per cent at home?

Mr. SMITH of Michigan. I think we consumed approximately 500,000,000 bushels at home, and that we shipped abroad only about 250,000,000 bushels. That is as I understand it, but the figures must be revised to be correct.

Something was said here about the interest of the consumer. I had the privilege of stepping into the committee room for a few minutes when the hearings were in progress, when they were taking testimony upon the provisions of this bill, and I think there was not a farmer present. Of the whole 24 witnesses who were sworn before the committee there was not an actual farmer brought in to testify. I think the producer is as much interested as anyone else, that his side should be fairly presented, and that those interested in the production of wheat should have been allowed to present their views to this committee.

Mr. SLOAN. Will the gentleman yield?

Mr. SMITH of Michigan. Yes.

Mr. SLOAN. Was it not the original purpose in fixing the price of wheat to aid the consumer rather than the producer? And is it not a fact that the wheat producers of the United States never asked to have the price of wheat fixed, but would rather have left it in the open market during the whole war period?

Mr. SMITH of Michigan. I am very certain that they would sooner have left it to the law of supply and demand, and when the price was fixed I understand there was not a farmer consulted in relation to fixing that price at $2.20 in the first instance.

Mr. HASTINGS. Will the gentleman yield?

Mr. SMITH of Michigan. I yield to the gentleman from Oklahoma.

Mr. HASTINGS. The gentleman made the statement just now that no producers came before the committee.

Mr. SMITH of Michigan. I made that statement.

Mr. HASTINGS. The gentleman did not mean to leave the impression that any of them were prevented from going before the committee?

Mr. SMITH of Michigan. Oh, no. They did not come. I want to call attention to a circular letter that was sent to me by the "Farmers' National Council," a special union of the leading farm organizations of the country to assist in carrying into effect the farmers' program of national and international reconstruction, adopted at the farmers' national conference on reconstruction, Washington, D. C., January 7, 8, and 9, 1919. I see that it has among its membership officers of the State granges of Washington, Idaho, Maine, Nebraska, Colorado, Oklahoma, and Oregon, besides a number of other farm organizations. This letter is dated February 14, 1919, and has just come to my desk. I will read the part which relates to the wheat guaranty:

We are confident that Congress will pass legislation to make good the Government's guaranty to the wheat raisers. We respectfully ask that such legislation shall be safeguarded to prevent millers and grain dealers from securing the major portion of the benefit of the guaranty made by the Government. As you are doubtless aware, a 16-ounce loaf of wheat bread can be sold for 5 cents even if wheat brings $3 a bushel, provided the profits to millers and grain dealers are kept down to a reasonable figure.

Sincerely, yours, GEORGE P. HAMPTON,
Managing Director.

Now, if that is true, that a pound loaf can be sold for 5 cents when wheat sells at $3 per bushel, the fixing of the price at $2.26 is not going to hurt anybody, and I will say that you can not produce wheat in some States for less than $2 or $2.50 a bushel.

Mr. HUTCHINSON. Will the gentleman yield?

Mr. SMITH of Michigan. Yes.

Mr. HUTCHINSON. Did I understand the gentleman to say that a pound loaf of bread could be sold for 5 cents?

Mr. SMITH of Michigan. No, sir; I say that is what the Farmers' National Council says. This organization is composed of some twenty-odd of the leading farm associations of the country, and I read that part relating to the cost of a pound loaf of bread.

Mr. HUTCHINSON. The wheat costs nearly that. That is a wonderful statement.

Mr. SMITH of Michigan. I will tell you how that is. A barrel of flour with wheat at $2.20 a bushel costs $9.90; that is, 4½ bushels of wheat will make a barrel of flour. It is said a barrel of flour will make 300 loaves of bread. If that be true, then the flour in a pound loaf of bread with wheat at $2.20 a bushel costs .033 cents. I do not know whether that is too much or too little. I am reading you just what the letter says, and it is backed up by the largest and best authority that has come to my attention. It represents over 20 agricultural and other institutions of farm management.

Mr. HUTCHINSON. Does the gentleman think that with the miller paying over 4½ cents for wheat bran that the bread could be sold for 5 cents?

Mr. SMITH of Michigan. I know that the bran and the middlings and the shorts will pay for grinding the flour, so they can get back a profit out of the by-products when they undertake to put up a barrel of flour.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MORGAN had leave to extend his remarks in the RECORD.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. BAER] 10 minutes.

Mr. BAER. Mr. Chairman, the question as to whether or not the United States Government is going to make this guaranty good is an undebatable one. Every citizen whether he lives in the city or in the country, whether he raises wheat or not, firmly believes, if he be honest, that the Federal Government should make good in its contract with the wheat growers of the country. The President issued a proclamation in which he solemnly pledged the price of $2.26 a bushel for wheat for the 1919 crop. Congress passed the law and an overwhelming majority voted for it. How, then, can anyone raise the issue of not paying this price? If he does, what argument can he use to uphold his contention?

It is true that the farmer will benefit by this price guaranty. But I also want to show how the consumers as well as the producers will be benefited by this measure, assuming, of course, that in the administration of the law the Federal authorities will retain rigid restrictions on the price of flour. I recall that when the bill was being considered to fix the price of wheat at $2.20 in 1917 that wheat was selling for $3.45 per bushel. On the day the price was fixed at $2.20 wheat was selling in the market for $3.07. At that time when the price was cut down nearly $1 I did not hear these ardent defenders of justice and city consumers complaining because the farmers were being paid less for their wheat. They were conspicuously silent. The farmers in my State, knowing it was their patriotic duty to raise wheat for our Government and the allies, did not complain. They loyally went forth in the fields and produced it without complaint nor murmur and without sending committees and lobbyists to protest here in the city of Washington.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. BAER. Yes, indeed.

Mr. McLAUGHLIN of Michigan. Does the gentleman remember that Mr. Hoover said that the danger was that wheat could go to $7 a bushel?

Mr. BAER. Yes; I talked to a gentleman from a consumers' league who interviewed Mr. Hoover. He went to his office. He asked, "Why are you fixing wheat so high—at $2.20?" Mr. Hoover informed him that the Argentine wheat and the Australian wheat was not accessible because there was not sufficient shipping to make available the vast supplies, and that wheat would probably go up to $6 or $7 a bushel if left to the law of supply and demand.

I wish I had time to go into the history of this price-fixing bill. On May 17, 1917, in Fargo, a barrel of flour cost $17.50. That same day in England, 3,000 miles away across the ocean from the United States, a barrel of flour only cost $8.20, and it was made out of American wheat. True, England appropriated $200,000,000 to take care of the differential between the cost of manufacture and the price that the consumer paid, but the amount that England paid was not equivalent to the amount the shipping of this wheat from North Dakota to England would cost.

Then what happened? The United States took control of the wheat and fixed the price at $2.20, and the price of flour was also fixed at $10.60 a barrel. Through the restrictions on flour the consumers of this country—in spite of the fact that the farmers received twice as much as they ever did before—paid $7 less for a barrel of flour than they did in the period before the price fixing, when gamblers and speculators of the country controlled the market and controlled the price of both wheat and flour. You gentlemen of Philadelphia and other cities paid $18 a barrel for flour then, and you paid only $12 for it a few months later when the Government took control.

I believe that the whole secret of this law is in the administration of it. I believe that if you keep the price at $2.26, and if the men who administer this law will restrict the selfishness and greed of the profiteers who formerly charged exorbitant prices for flour, that the American consumer will still obtain his flour for $7 a barrel less than he would if you take off all price restrictions. I know this is true, because in Ireland and England in September you could go to a mill and get a barrel of flour for $7.50, according to Senator GORE, who wrote an article at that time in the Forum magazine. Here in the United States it was $12.50, $5 more than it was over there. Let some of the gentlemen explain why this difference in price exists, especially those who are arguing that we are obtaining extortionate prices for our wheat.

In Larimore, N. Dak., where citizens were eating barley flour as a substitute for wheat flour in order to save the wheat, on the same day the baker bought wheat flour wholesale at $10.60 a barrel, I went to the elevator, and what did I find there? I found that wheat was $2.05 a bushel and barley only 63 cents a bushel. Of course, it takes more barley than wheat to make a barrel of flour. It weighs 42 pounds, where wheat weighs 60 pounds. Consequently barley would be worth about 93 cents in comparison with wheat. But the consumer paid $4 more for a barrel of barley flour than he did for a barrel of wheat flour, when at the same time wheat was selling for over twice as much as barley.

I lay this at the door of the gamblers and the speculators, who robbed the mothers and the wives of our soldiers while they were over in France fighting for this country. I say that we should lay these restrictions not only on wheat flour but on all products of wheat.

Take bran and middlings, for instance. This affects the man in the city, because he has to buy milk, eggs, and butter. The farmer feeds the by-products of the wheat to his cows and chickens. Bran was $27 when the Government had a stiff restriction on it. About three weeks ago the restriction was removed from bran, and what happened? It went from $27 to $41 overnight, and a few days ago it was $56 a ton.

I shall offer an amendment at the proper time which will include shorts, bran, and middlings, as well as flour, and if that be adopted in that way we will save the consumer millions of dollars.

At this point I shall insert in the RECORD a concurrent resolution recently passed by the legislature of my State:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA.

To all to whom these presents may come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify that the following is the full text, and whole thereof, of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

Dated at the capitol in Bismarck, N. Dak., this 3d day of February, 1919.

[SEAL.] THOMAS HALL,
Secretary of State.

Concurrent resolution relating to the fixing of the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920, at $2.26 at Chicago.

Whereas the President of the United States by his proclamation of September 2, 1918, fixed the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920, at $2.26 at Chicago; and

Whereas upon the faith of said proclamation the farmers of North Dakota and generally throughout the Northwest have gone to an enormous expense in the increase of acreage for wheat and for the purchase of horses, machinery, and other equipment for an increased wheat production, and have incurred great obligations on that account; and

Whereas it appears that up to this time no agency of the United States has been created and charged with the duty of making effective the guaranteed price under the President's proclamation; and

Whereas the farmers of North Dakota, as well as all other wheat-raising districts of the United States, have acted in good faith upon the said proclamation of the President, and in case Congress fails to make the said proclamation of the President effective such failure will cause an enormous financial loss to the farmers of the State of North Dakota and other wheat-raising districts of the United States, as well as a great disappointment, and will tend to lessen the confidence of the people in the Federal Government: Therefore be it

Resolved by the Senate of the State of North Dakota (the House of Representatives concurring), That we earnestly urge Congress to pass such measure as will make the said proclamation of the President effective: Be it further

Resolved, That the secretary of state be instructed to send a copy of these resolutions to each of our Senators and Representatives in Congress and to the chairmen of the Committee of Agriculture in both Houses of Congress.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I yield what time I have left to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, I shall vote for this bill, of course. I do not think there is anything left to do where the Government makes its promise, even if it be improvident—and I do not say that the promise we made here was improvident—but to vote for the bill. I would like to get some ideas with reference to what will be the effect of the bill when enacted. I heard a gentleman a moment ago on the floor favor the bill because while it would carry out the promise of the Government it would subject wheat to the ordinary laws of trade—the laws of supply and demand. My reading of the bill had not led me to suppose that would be the case. As I understand the proposition, it is that the Government through the grain corporation will practically purchase the wheat that is produced in the country. While there may be some transactions in wheat on boards of trade or grain exchanges, yet practically there will be no market price of wheat at all. Of course, if the price of wheat would go away up above the price that the Government is willing to pay, then there might be a market transaction in wheat. Whether there would be I do not know, but where the ordinary value of wheat, as compared with the market price of corn and oats and barley and rye, is to be held a good deal higher than would otherwise be, it seems to me that it will be necessary for the Government practically to buy all of the surplus wheat, at least, if not all of the wheat. Of course, it might happen, and probably will—and I suppose that is contemplated—if wheat comes into the Minneapolis market or some of the other markets, with the guaranty that the Government will pay on the basic price of $2.26 a bushel at Chicago, that millers may buy the wheat directly without its passing through the hands of the grain corporation at the same price. But there can be no market for it below the basic price guaranteed by the bill.

Now, we have two sides to look at on this proposition. If the price of wheat is kept up through the purchases by the grain corporation, as it will be, to $2.26 a bushel, Chicago market, there is no way I can see, and I am glad to have information from those who studied it, how it can be reduced when it comes to selling the wheat through any market operation. We have had said to us, on the one hand, the Government will buy this wheat at the guaranteed price, and then will sell it for consumption at the real value in the world, but if the grain corporation pays $2.26, Chicago market, per bushel for wheat, why will it go any lower unless they by their own volition offer to sell it for less? There is not enough wheat in other countries to supply the year's demand without using some of the wheat raised in the United States. In other words, the European markets may be able to buy wheat now in Australia or Argentina and ship it to Liverpool for a good deal less than $2.26, Chicago market, but they can not get enough wheat from those countries to supply the year's demand in Europe, and in the end they must get some wheat from the United States. Now, we are appropriating $1,000,000,000. That would more than pay for all the surplus wheat we will raise in this country, probably, yet unless the grain corporation, after it buys wheat at $2.26 of its own volition sells for less than it pays, the price of wheat will stay up in the markets of the world eventually, and it will not take very long to get to that position if people believe the grain corporation is going to take that position. Of course, it would save the Government from loss, but would require the consumers of the country here to pay a high price for all the wheat that is consumed in this country. And while various gentlemen, in discussing this matter, seem to assume that under this bill people who eat wheat flour are going to be able to buy it for a good deal less than it would be, based on the $2.26 a bushel, that can not be done unless the grain corporation, without regard to the laws of trade, without regard to market supply or demand, shall say, "We pay $2.26 a bushel for wheat, but it is not worth that much, and we will sell it for less, because there will be no market price fixed," as it would seem to me. I am perfectly willing to get information on the subject.

Mr. GORDON. Will the gentleman yield?

Mr. MANN. I will.

Mr. GORDON. Does not the gentleman think there is a large surplus of wheat in Argentina and Australia; that because of the lack of shipping facilities during this war there has been an accumulation of wheat in those countries?

Mr. MANN. I heard the figures given by the gentleman from South Carolina, and I assume they are correct as to the amount of the surplus wheat both in Argentina and Australia, and under that the supply is not sufficient materially to affect the price.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BAER. I ask unanimous consent for two minutes in order to answer a question——

Mr. MANN. The time is fixed in the House.

Mr. LEVER. Has the gentleman from Michigan used all his time?

The CHAIRMAN. Yes.

Mr. LEVER. I yield the remainder of my time to the gentleman from Missouri [Mr. RUBEY].

Mr. RUBEY. Mr. Chairman and gentlemen of the committee, had I spoken earlier in the debate I should have been glad to have reviewed briefly the events which have led up to the situation which confronts us to-day in the consideration of this bill. Those things have been gone over in the debate so often and they are so well known to the membership that I shall not go back into history and repeat them in detail.

I do want to reply very briefly to one statement which has been made so often in this debate, namely, that the purpose of enacting the legislation which led to the fixing of the guaranteed price on wheat was to benefit the consumer. The gentleman from Michigan [Mr. SMITH] made that statement a few moments ago; other gentlemen have said the same thing.

We all know that in August, 1917, when this House by a practically unanimous vote passed the food-control bill the underlying idea upon which it acted was that it was being done for the purpose of encouraging production. We all know that at that time we were at war; we know that the avenues of trade were shut out from England, France, and Italy for the purchase of wheat. They could not get wheat from Australia; they could not get it from Argentina; they could not get it from Russia. All of the Old World markets from which they had secured their supplies in former years were absolutely shut out. The crop of this country was at a very low ebb, and it was known to us and to our allies that during the war we would have to depend upon the United States and Canada for the wheat with which to feed our armies, to feed ourselves, and to feed our allies in Europe.

With that very idea in view, this Congress passed that bill, and if you will read it you will find that the act sets out the purpose for which it was enacted, namely, that of stimulating production. As the bill passed the House it authorized the President to determine and fix what would be a reasonable guaranteed price for wheat in order to assure producers a reasonable profit. After the bill went to the Senate it was considered there for a number of weeks, debated day after day, and it was then that the farmers of the Northwest, becoming uneasy lest the price might be too low, came to the Senate and asked them to put in a provision that the price should not go below $2 a bushel. That provision was inserted, and when it came back to the House the House passed the conference report by a unanimous vote. I quote from the act, as follows:

SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act approved August 11, 1916. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment, and differences in price for the several standard grades in the principal primary markets of the United States, adopting No. 1 northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guarantee within the period, not exceeding 18 months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty. The guaranteed prices for the several standard grades of wheat for the crop of 1918 shall be based upon No. 1 northern spring or its equivalent at not less than $2 per bushel at the principal interior primary markets.

The guarantee was made not by the President of the United States but by the Congress. The President fixes the price, the Government guarantees, as stated in the act. The language is specific.

When our committee was confronted with the duty of preparing a bill to meet these obligations we felt that we had before us a very difficult as well as a most important task. We met and gave to this subject our most earnest and candid consideration. We held extensive hearings; gentlemen came from all parts of the country to appear before our committee. Some gentleman asked a moment ago why we did not call the farmers before our committee. We did not do that for the very good and sufficient reason that it was not necessary. We will take care of the farmers when we pass a law that will enable the Government to meet its obligations and pay to them the guaranteed price. The thing we were most interested in was the very best way to write this law and put into it the provisions which would enable the Government to meet its obligations.

So we had our hearings. Then we went into our committee room. And let me say to you that all the members of the committee, practically, were there. We went over very carefully every proposition which we thought we ought to put into this bill. We discussed them at great length, and then we appointed a subcommittee to draft a bill according to our ideas. We then took the bill up and went over it again and again. No measure that has come before our committee since I have been a Member of this House has had more careful, candid, earnest consideration than the one we present to you to-day. When finally it was passed and reported back to the House, it came with the unanimous vote of the Committee on Agriculture. I am glad that to-day, after five hours of debate on this measure, no Member has even intimated that we ought not to keep our obligations; no one has said that he is not going to give this bill his support. Gentlemen may not agree with all of its provisions; they may not be pleased with everything in it, but in the main they are satisfied; they are for keeping the obligations made by the Government to the farmers and are going to support this bill.

Now, then, I want to discuss with you for a little while the plan upon which we are to proceed under the provisions of this bill. Quite a number of schemes were presented to us. Men came before our committee, good business men, and said to us, "Our idea is that you should go out to the farmers and pay them at the thrashing machine when they thrash their wheat."

We had other gentlemen come before our committee and say in substance, "You must go to the elevator and you must give the farmer two checks, one upon the basis of the world's price and the other for the difference between that price and the guaranteed price." Other suggestions were made, but the plans proposed were new, untried, and, in the opinion of the committee, unworkable. After careful deliberation our committee decided that the best thing to do was to do that which we are already doing—in other words, to give to the President the same authority he has now and enable him to carry on the trading in wheat just as it has been carried on for the last two years. For two years the Grain Corporation, organized under the food-control act, has been handling the wheat of the country, and we considered that the thing for us to do was to make provision in this bill for the continuation of that plan which is already well known not only to the grain trade but to the farmers and the people who have to do with it through the entire country.

Let us see what will happen under the provisions of this measure when it is put into operation. The farmer will take his grain to the market place, he will sell it to the elevator man, and he will receive from him the guaranteed price. He will get the same price that he would get if he were to take his wheat to the nearest central market, less the freight from his local market to the central market, and less a small per cent given to the elevator man for handling the wheat. Under the provisions of this act, the wheat business will be carried on just as it has been carried on for the past two years, and every farmer in the country will know exactly what is expected of him and what to do in order to get the guaranteed price.

Mr. ASHBROOK. I would like to ask the gentleman how much the warehouses are allowed for the handling of the grain? I know that during the last season there was a very great difference in different markets.

Mr. RUBEY. I regret that I can not give the gentleman that specific information. I do not know.

Mr. ANDERSON. At the terminal markets I think it was one twenty-fifth of a cent a bushel per day.

Mr. RUBEY. I beg the gentleman's pardon; I did not understand his question. It is somewhere near a cent a bushel per month for storage charge.

Mr. ASHBROOK. And you must add to that the charges for insurance and things of that kind?

Mr. RUBEY. Yes; insurance, interest, and storage will make it run to about 2 cents a bushel per month.

Mr. ASHBROOK. But the exact amount is not set out in the bill?

Mr. RUBEY. Oh, no.

Mr. ASHBROOK. Would it be 2 or 3 or 4 cents a bushel?

Mr. RUBEY. Probably not that much. It would probably be from 1 to 2 cents a bushel.

Now, as I said, the plan proposed in this bill is not a new one. The gentleman from Alabama [Mr. HUDDLESTON] says this bill is against the interests of the consumer and that the consumer is to pay the price. He tells us that the thing for us to do is to settle at once. If the gentleman from Alabama can give us the machinery under which this can be done, I would be glad, of course, to have him do it. That would be practically an impossibility.

Now, after the grain leaves the country elevator it goes to the central market and becomes the property of the Government. The Government must become the owner of that wheat. I can see no other way of handling it except for the Government to become the purchaser of wheat. As was suggested a moment ago, and very properly, by the gentleman from Illinois [Mr. MANN], the Government must become the purchaser of the wheat and have a monopoly of the whole wheat business of the country. Especially will that be true if we raise a bumper crop, as now seems likely.

Now, let us see what the Government will do with the wheat. It must sell it, of course, but whether it will sell that wheat for $2.26 or less depends upon conditions that are absolutely impossible for anybody here or anywhere else to determine. It all depends upon world-wide conditions.

If the wheat crop in this country is an immense one of 1,000,000,000 bushels or more, if wheat is raised in Argentina and Australia and other countries and the supply is very great, the price of wheat is going to be low, and then necessarily the Grain Corporation acting for the Government must sell that wheat at a price less than $2.26 a bushel. It must meet those conditions and give the consumers the benefit of the lower price. I for one do not believe that the world conditions will be such as to bring that price down to a very low plane. I believe that the conditions will be such that the price will be kept up. It will probably be less than $2.26. It may come down to $2. It may come down to $1.50. It might be less; but I doubt it very much.

Mr. ROSE. Mr. Chairman, will the gentleman yield?

Mr. RUBEY. Yes.

Mr. ROSE. What provision is made for storing the wheat in case the price should go so low that the Government will face a large deficit?

Mr. RUBEY. The President, through his agent or agency, has absolute authority under this bill to make provision for storage. Authority is given to commandeer, if necessary, space in which to store the wheat.

Mr. CURRY of California. Mr. Chairman, will the gentleman yield?

Mr. RUBEY. Yes.

Mr. CURRY of California. Is not the world price of wheat at the present time $1.35?

Mr. RUBEY. There is no such thing now as a world price.

Mr. CURRY of California. That is the price outside of the United States.

Mr. RUBEY. No; that is not the price outside the United States, as I will demonstrate. Let me say this to the gentleman: It has not been 10 days since the Dutch Government sent over

here and bought a cargo of wheat from the United States Grain Corporation. It paid $2.60 a bushel for that wheat f. o. b. at the Atlantic seaboard. About the same time, or just a little while before that, England wanted a large supply of wheat. She could not get the credit to buy that wheat in this country; what did she do? She went to Argentina, and there they loaned her $100,000,000, and she agreed to take the wheat there and take other products. She paid $1.35 for the wheat, the freight was probably from 60 or 70 cents a bushel, making the price delivered in England around $2 a bushel. The Dutch Government sent her own vessels for her wheat. Had she paid freight her wheat would have cost her about $3.20 a bushel delivered. Wheat in Australia sells for $1.35; the transportation to England is about $1.30, so that Australian wheat delivered in England is around $2.65 a bushel. So, you see, there is no such thing as a uniform world price.

Mr. CURRY of California. Was not the reason why they came here and bought it at that price the fact that Great Britain would not let them go to other countries—to the countries of the allies? We are not an "ally," you know.

Mr. RUBEY. Holland is a neutral; she can buy where she pleases. The conditions are such that we can not have what is called a world price. Some gentlemen here to-day have talked about the law of supply and demand. They say that we did away with the law of supply and demand when we passed the food-control bill and provided for a fixed price on wheat. The law of supply and demand was done away with when the great European war broke out; we could not have the law of supply and demand acting in this country during the great European war. And not only that, but that law will not act until conditions become normal.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?

Mr. RUBEY. Yes.

Mr. RAMSEYER. How long will the farmer have to put his wheat on the market to get this guaranty; what is the time limit?

Mr. RUBEY. On the 1st day of June, 1920. He has that time in which to sell his wheat, and he gets that price at the central market.

Mr. MADDEN. This bill guarantees a price on wheat that is not yet planted?

Mr. RUBEY. It guarantees spring wheat.

Mr. MADDEN. Why does it do that?

Mr. RUBEY. Because the gentleman voted to do that, just as the rest of us did.

Mr. MADDEN. We did not do that.

Mr. RUBEY. If the gentleman will read section 14 of the food-control act he will find that he did that very thing. We did not say, of course, that we were going to pay for wheat before it was planted, or anything of that sort, but we did say that "thereupon"—after the President had fixed the price—"thereupon the President guarantees to every producer of wheat produced in the United States," and so forth. That is what the act says.

Mr. MADDEN. I am talking about the time limit.

Mr. RUBEY. The time limit is the 1st day of June, 1920.

Mr. MADDEN. Is that what the law says?

Mr. RUBEY. That is what the guaranty says.

Mr. MANN. Will the gentleman kindly yield for an inquiry?

Mr. RUBEY. I will be glad to.

Mr. MANN. On the question of the disposition of the wheat, I know what the provision of the bill is—the penalty against falsely representing the wheat—but if the grain corporation should sell the wheat at less than the basic price, how will it be able to guard against that wheat being sold again to the Government or to the grain corporation at $2.26?

Mr. RUBEY. The grain corporation will sell that wheat through the license system. It licenses the millers of the country, and it sells this wheat to them at a certain price, and, of course, it has entire control of them through the license system and knows what they do with the wheat and how much flour they will make out of it. It not only does that, but this bill authorizes them to fix the amount of profit that the millers shall make out of the flour, so as to carry that on down and protect the consumer.

Mr. MANN. I understand that part of it, but suppose I want to buy wheat for seed purposes, how can I buy it? How will they know that I will not sell it back to them?

Mr. LEVER. If the gentleman will allow me, I will refer the gentleman from Illinois to section 7 of the bill, which imposes a very heavy penalty——

Mr. MANN. I know the penalty, but the penalty is against falsely selling other wheat. This would be the wheat subject to be purchased. There will be a great many farmers perhaps who will want to buy seed wheat, and they ought to be able to buy it without too much red tape. How is it proposed to guard against somebody buying wheat for a legitimate purpose, but not using it for that purpose, and selling it over again to the Government?

Mr. LEVER. Let me see if section 7 does not cover it—if I am not taking too much of my friend's time.

Mr. RUBEY. Go ahead.

Mr. LEVER. Section 7 provides:

That any person who knowingly makes any false statement or representation to any officer, agent, or employee of the United States engaged in the performance of any duty under this act, or falsely represents to any of said persons that the wheat he offers for sale was grown as a part of the 1918 or 1919 crops for the purpose of securing any of the benefits of the aforesaid guaranties, or any person who willfully assaults, resists, impedes, or interferes with any officer, agent, or employee of the United States in the execution of any duty authorized to be performed by or pursuant to this act, or any person who knowingly violates any regulation or order issued pursuant to this act, except as otherwise made punishable in this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding $5,000, or by imprisonment for not more than one year, or both.

Now, there may be something in the gentleman's suggestion that we ought to make that more specific to cover the case the gentleman has in mind.

Mr. ANDERSON. Will the gentleman yield?

Mr. RUBEY. Yes; I yield.

Mr. ANDERSON. I assume that all of the elevators and all of the mills will be under license.

Mr. LEVER. Undoubtedly.

Mr. ANDERSON. And they will have to account for every bushel of wheat that they take, either in reshipments or in flour, so that if a proper check is kept on the accounting systems in the elevators and in the mills, I assume that the wheat can not get back into the hands of the farmer after he has once sold it.

Mr. MANN. Then, a man, in order to buy wheat, must show what he is going to do with it, and satisfy the seller that he is going to mill it, or something of that kind.

Mr. ANDERSON. I think so.

Mr. MANN. He can not buy wheat for shipment.

Mr. ANDERSON. A country elevator can buy wheat for shipment, of course, but not an individual.

Mr. RUBEY. Mr. Chairman, I must proceed. I have only a moment remaining. I esteem it an honor to be asked to close the general debate on so important a measure. My regret is, however, that the time limit has not enabled me to discuss fully many important features. We are all agreed that the Treasury of the United States must be safeguarded, but at the same time justice must be done to the consumer. We are also of one accord and fully agree that this Government must keep the faith with the American farmer. The guaranty must be kept, no matter what the cost.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That by reason of the emergency growing out of the war with Germany and in order to carry out the guaranties made to producers of wheat of the crops of 1918 and 1919 by the two proclamations of the President of the United States dated, respectively, the 21st day of February, 1918, and the 2d day of September, 1918, pursuant to section 14 of "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, and to protect the United States against undue enhancement of its liabilities under said guaranties, the instrumentalities, means, methods, power, authorities, duties, obligations, and prohibitions hereinafter set forth are created, established, conferred, and prescribed.

Mr. MORGAN. Mr. Chairman, I offer an amendment.

Mr. LEVER. I hope the gentleman from Oklahoma will withhold his amendment just a moment. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15976) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder, had come to no resolution thereon.

INFORMAL WAR CONTRACTS—CONFERENCE REPORT (NO. 1118).

Mr. FIELDS presented the following conference report of the House conferees, which was ordered to be printed under the rule:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been

made in the manner required by law, having met, after full and free conference have been unable to agree.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.
GEO. E. CHAMBERLAIN,
C. S. THOMAS,
F. E. WARREN,
Managers on the part of the Senate.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. BYRNES of South Carolina, from the Committee on Appropriations, by direction of that committee reported the bill (H. R. 16104) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, which was read a first and second time and, with accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered printed (H. Rept. No. 1117).

Mr. MONDELL reserved all points of order on the bill.

GUARANTY PRICE OF WHEAT TO PRODUCERS.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the wheat bill.

The motion was agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HAMLIN in the chair.

Mr. MORGAN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 10, after the word "prescribed," strike out the period and insert a semicolon and the following: "and the President is hereby authorized and directed to carry out the guaranties to wheat producers referred to in this section."

Mr. MORGAN. Mr. Chairman, I call the attention of the committee to the fact that there is no provision in this bill directly and specifically authorizing the President to carry out this wheat guaranty. Section 2 says that in carrying out the guaranty the President is authorized to do certain things.

Mr. McLAUGHLIN of Michigan. It may be that the gentleman is right to give a direct authority to the President. That matter was up in committee, but I want to suggest to the gentleman that the President of the United States is never "directed and ordered" to do anything. He is "authorized," and I would suggest that the gentleman modify his amendment by striking out the words "and directed"; then it would be unobjectionable.

Mr. LEVER. The whole purpose of the bill is to do the very thing that the gentleman seeks to do.

Mr. MORGAN. I admit that.

Mr. RUBEY. Section 2 gives the President authority to carry out these provisions of the act.

Mr. MORGAN. It says in carrying out the guaranty the President is authorized to do so and so. I have looked over it and I am quite sure there is no provision which authorizes the President by direct language to carry out these guaranties. The suggestion made by the gentleman from Michigan may have something in it. I do not see any reason why, however, there is disrespect to the President in directing him, because otherwise it would be entirely discretionary with him. I assume if the bill is passed the President will carry it out, and yet I see no reason why we should not put in a direct authority to the President to carry it out, and it seems to me it would be preferable to leaving the language in this way, because, instead of leaving it discretionary with him, Congress assumes its right of legislation and directs the President to carry out what we direct.

Mr. ANDERSON. Does not the proposed amendment suggest that unless the President is directed to carry out the guaranty he will not do it?

Mr. MORGAN. No; I do not think so. I would not convey any such idea.

Mr. YOUNG of North Dakota. The President signed the proclamation, and would it be likely that he would not carry out the guaranty?

Mr. MORGAN. I think he would accept the bill as a sort of instruction, but I think it is no disrespect for Congress to assert its right to direct. But even if you leave out the word "direct," there would be no objection to making a specific authorization. At the suggestion of the gentleman from Michigan, I will ask to modify my amendment by striking out the words "and directed" and leave it simply a broad and definite authorization for the President to carry out the guaranty.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to modify his amendment.

The Clerk read as follows:

Mr. MORGAN asks to modify his amendment by striking out the words "and directed," so that it will read: "and the President is hereby authorized to carry out the guaranties to wheat producers referred to in this section."

Mr. LEVER. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. BAER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 7, after the word "guaranties," strike out the comma and insert the following: "and for the regulation of the trade in wheat products and by-products while such guaranties remain in force."

Mr. LEVER. To that, Mr. Chairman, I reserve a point of order.

Mr. BAER. Mr. Chairman, I do not wish to take up over a minute of the time, because I think that most of the Members were here when I spoke on the control of bran, middlings, and other by-products of wheat a few minutes ago.

The point is that if we do not fix the price of middlings, bran, shorts, and the other by-products of wheat, they will go sky high, and the farmers of this country can not pay these exorbitant prices for feed and then not charge more for butter and milk and everything that they sell to the city people. If you are going to control the price of wheat and flour why not control the products and the by-products of wheat? I think it is absolutely necessary that some such amendment go into this bill.

Mr. LEVER. Mr. Chairman, if the gentleman will give me his attention, I would suggest that while I am not sure the amendment is subject to the point of order at this time, and I do not care to argue it, yet I think that it would more properly come in section 3.

Mr. BAER. In section 3, line 24, after the word "thereunder"?

Mr. LEVER. Yes.

Mr. BAER. Very well. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN of Iowa. If the word "products" was substituted for "flour" in the proper place in section 3, it would serve the purpose.

Mr. LEVER. Yes; I think so.

The Clerk read as follows:

SEC. 2. That in carrying out the provisions of this act the President is authorized to make such regulations and issue such orders as may be necessary, to enter into any voluntary arrangements or agreements, to create and use any agency or agencies, to accept the services of any person without compensation, to cooperate with any agency or person, to utilize any department or agency of the Government, including the Food Administration Grain Corporation, and to coordinate their activities so as to avoid any preventable loss or duplication of effort or funds.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 2, line 13, after the word "necessary," strike out the comma, insert a period, and strike out the remaining words in lines 13, 14, 15, 16, 17, 18, 19, and 20.

Mr. MOORE of Pennsylvania. Mr. Chairman, this section confers extraordinary powers on the President. It proposes blanket authority involving the expenditure of this entire billion dollars, such as "to enter into any voluntary arrangements or agreements" with anybody, "to create and use any agency or agencies," and "to accept the services of any person without compensation, to cooperate with any agency or person," and so forth—to do what the Overman Act did, in substance, utilize any department or agency of the Government, including the Food Administration Grain Corporation. I presume most of this business could be done through the Food Administration Grain Corporation, but for some reason or other somebody here, not the President, for he has been abroad and knows nothing about this except by cable—somebody here again wants these extensive bureaucratic powers which most of us felt we were in error in voting during the war. Now comes peace. But we propose here to let Mr. Hoover or somebody else invite any agencies here or elsewhere to do anything they please under the direction of the President, if he ever hears about it, to the limit of $1,000,000,000. I was one of those who did not believe that we should have given away at the expense of the taxpayers of the United States $100,000,000 for the purpose of supplying free food to the people of Europe. I had no objection to offering assistance along with other nations, but we were to be the sole

nation to do it. It was voted through the House. I said at that time that there was some distress in the United States, and there are signs now that there will be real distress in the United States. We have taken out of the Treasury nearly all of the money there is in it. We have borrowed almost to the limit of the capacity of the people of the United States to lend, and we have in a general way given almost everybody, every bureaucracy, the power to expend, until we are all scared to death about the effect of taxation on the people. Now, this bill proposes, if this paragraph is agreed to, to let these new agencies, operating under the President while he is busy in France, go ahead and make any combinations they please, any contracts they please, which we must keep to the tune of $2,700,000,000 in war contracts down to $1,000,000,000 in the matter of these price-fixing grain contracts. We must let them go on apparently and continue making bonds and contracts, although we are approaching an era of peace.

I received a letter with regard to the hundred million dollar appropriation from a high official in the service of the United States abroad. I will not give the name of the gentleman who wrote it, but I am going to read briefly, if I have the time, an extract from this letter, showing that some of us were very nearly right when we opposed the giving away of the taxpayers' money to the tune of $100,000,000 to let somebody on the other side of the water, under the direction of Mr. Hoover, dispense it. He tells me that the farm people in Belgium, where they have had good German markets, are "fat and sleek." Evidently there is some exaggeration about starvation over there, but evidently food and money will be accepted so long as we are willing to tax our people to send it over for Mr. Hoover to give it away.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Chairman, I am not going to discuss with the gentleman from Pennsylvania the suggestion contained in his anonymous letter, because during my 44 years of life I have made it a rule never to answer anything that came to me anonymously. Of all the miserable creatures in the world, of all the detestable cowards in the world, it is the man who attacks under cover of an anonymous communication.

Mr. MOORE of Pennsylvania. This is not anonymous, I will say to the gentleman, but for obvious reasons I will not give the name.

Mr. FOSTER. The gentleman has not given the name.

Mr. MOORE of Pennsylvania. I understand my business well enough, and I have full confidence in the writer, whom I know.

Mr. LEVER. The gentleman's amendment would strike from section 2 the power of the President to create and use any agency or agencies; it would take from him the power to enter into any voluntary arrangement or agreement; it would take from him the power to accept services from any person without compensation, or to cooperate with any agency or person, or to utilize any department of the Government, including the Food Administration Grain Corporation, and to coordinate their activities, and so forth. It leaves the President only with the power in carrying out this act to make rules and regulations and issue such orders as may be necessary. That would mean, I take it, in a practical way, that the President himself personally would have to take over the management of the distribution to make good the guaranty of the crop for 1918. This language is in the existing food-control act. It is the language under which the present Grain Corporation has been organized, and I feel that it would be unfortunate if this burden should be placed upon any existing governmental organization unless it should be the present Food Administration Grain Corporation. When this matter of the food-control act was up for consideration at first it was suggested by some that the Department of Agriculture might handle the whole business. I very violently opposed that idea, as did the Secretary himself, because I felt we ought not to burden any existing institution with this extraordinarily difficult work.

Mr. WOOD of Indiana. Will the gentleman from South Carolina yield?

Mr. LEVER. For a question.

Mr. WOOD of Indiana. Do you not think it would be well if, at the end of section 2, some provision was made whereby, with the agricultural interests of the United States, the grain interests and milling interests should be represented in the agency to make those rules and regulations?

Mr. LEVER. I understand that is the case now.

Mr. WOOD of Indiana. It is not under this grain board that you are talking about.

Mr. LEVER. That is my information.

Mr. WOOD of Indiana. If so, it has not been exercised, for there is not any representation, as I understand it.

Mr. LEVER. I understand that the President, when the price of wheat was fixed, appointed a commission, in which different interests were represented, to advise as to a fair and just price.

Mr. WOOD of Indiana. The point I am making is that in this agency which is to provide the machinery for the carrying out of this act there ought to be some representation looking after the interests of the agriculturists of the United States and the grain and milling interests of the United States.

Mr. LEVER. Let me say to the gentleman the agricultural interests are taken care of by the bill automatically. The farmer is going to get the guaranty.

Mr. WOOD of Indiana. Perhaps in the price fixed for his wheat, but the grain man is not taken care of, and he is the one that is going to suffer for this legislation, if anybody does.

Mr. LEVER. I do not see it that way.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. LEVER. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 3. That whenever the President shall find it essential, in order to carry out the guaranties aforesaid or to protect the United States against undue enhancement of its liabilities thereunder, he is authorized to buy, sell, consign, or contract for the purchase or sale of wheat of said crops of 1918 and 1919 and flour produced therefrom, for cash or on credit at the said guaranteed prices or at such other prices and on such terms or conditions as may be necessary; to make reasonable compensation for handling, transportation, insurance, and other charges with respect to wheat and wheat flour of said crops, and for storage thereof in elevators, on farms, and elsewhere; to take such steps, to make such arrangements, and to adopt such methods as may be necessary to maintain and assure an adequate and continuous flow of wheat and wheat flour in the channels of trade, including the protection of millers, wholesalers, jobbers, and bakers against actual loss by them on account of abnormal fluctuations in the price of wheat and wheat flour of said crops; to borrow such sums of money as may be secured by the property or other assets acquired under this act; to purchase, lease, and utilize storage facilities for, and to store, such wheat and wheat flour; and to requisition storage facilities therefor. He shall ascertain and pay a just compensation for facilities so requisitioned. If the compensation so ascertained by the President be not satisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of such amount and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation for such facilities; and jurisdiction is hereby conferred on the United States district courts to hear and determine all such controversies.

Mr. LEVER. Mr. Chairman, I suggest that the committee amendments now be acted on.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 24, strike out the words "sell, consign."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

Also the following committee amendment was read:

Page 2, line 25, strike out the words "or sale."

The amendment was agreed to.

Also the following committee amendment was read:

Page 3, line 2, strike out the words "and flour produced therefrom" and insert "at the places designated for the delivery of the same by the President's proclamations or such other places as he may designate."

The amendment was agreed to.

Also the following committee amendment was read:

Page 2, line 5, strike out the words "or on credit."

The amendment was agreed to.

Also the following committee amendment was read:

Page 2, line 5, after the word "at" insert the words "not less than."

Mr. LEVER. Mr. Chairman, just one moment. It was not the intention of the committee by the amendment of striking out the words "not less than" before the words "the said guaranteed prices" to do what the language might indicate could be done. I think that language was put into the bill out of abundance of caution, to see to it that the farmer gets his guaranty. I really think it is capable of being interpreted in a manner that the committee had no intention of, and I ask that the amendment be voted down.

The CHAIRMAN. The question is on the adoption of the amendment.

Mr. YOUNG of North Dakota. Mr. Chairman, I want to be heard on that. I voted against the amendment that was offered

by the gentleman from Oklahoma [Mr. MORGAN] because we had this very section in here written in this very way. It seems to me it is necessary to retain this language in the section in order to be sure what is going to be done by the agency established by the President. One of my friends, sitting beside me, has asked me to state what this is about. The chairman of the committee has moved to strike out the words "not less than" which precede in this bill the words "the said guaranteed prices."

Mr. HASTINGS. So that it will read——

Mr. YOUNG of North Dakota. The words "not less than the said guaranteed prices."

Mr. LEVER. Will the gentleman yield for a question?

Mr. YOUNG of North Dakota. Yes.

Mr. LEVER. I had overlooked the interpretation that might be put on this language. I do not think it is the intention of the committee that the Grain Corporation, no matter what happens, should go into the market and buy wheat above the guaranteed price. As a matter of practical common sense, if the world condition of wheat should become such that it would be worth $2.30 instead of $2.26, I take it the Government agency would not function at all.

The farmer would be getting his guaranteed price. But this may suggest a doubt. Does it suggest that the Grain Corporation might go into the market and pay $2.50 a bushel? The gentleman from New York made the suggestion to me, and I think there is great force in it. I think you are amply protected when the language reads, "For cash at the guaranteed price." That price is set out in the proclamation.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. McLAUGHLIN of Michigan. Suppose that in the judgment of the Grain Corporation, the crop of wheat being very short, there was serious danger of the price going very much higher. Then it would be authorized to buy above the guaranteed price.

Mr. LEVER. I do not think it is the intention of Congress, after peace has come, to permit any agency of the Government to prevent the farmer from getting his guaranteed price for his wheat. I do not think there is any authority for that unless it is contained in this provision.

Mr. YOUNG of North Dakota. Why not add the words "and not more"?

Mr. LEVER. I have no objection to that.

Mr. ANDERSON. Your contract is to pay the guaranteed price. Now, if you leave out the words "not less than" you authorize the President to do that very thing—to keep the contract and buy the grain at the guaranteed price. That is what we want to do.

Mr. YOUNG of North Dakota. This is what the section provides: At the terminal, the place where the wheat is to be delivered, the President shall have the power to buy the wheat at not less than the guaranteed price. After he has bought it in the first instance it says he may sell it or buy it at different prices.

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the committee amendment.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. YOUNG of North Dakota. I ask for a division on that, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 6, noes 30.

Mr. YOUNG of North Dakota. I demand tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from North Dakota demands tellers. Those who desire the vote to be taken by tellers will rise and stand until they are counted. [After counting.] Not a sufficient number have arisen. Tellers are refused.

So the committee amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

On page 3, line 6, insert: "And he is authorized thereafter to buy or contract for the purchase of for cash or sell, consign, or contract for the sale of, for cash or on credit, wheat of the said crops of 1918 and 1919 and flour produced therefrom at the said guaranteed prices."

Mr. LEVER. One minute, Mr. Chairman. I move to amend the committee amendment. On line 7, after the words "purchase of" insert a comma.

The CHAIRMAN. The clerk will report the amendment.

The Clerk read as follows:

Mr. LEVER moves to amend the committee amendment by inserting after the word "of," in line 7, a comma.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEVER. Also after the word "cash" insert a comma.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. LEVER moves to amend, page 3, line 7, after the word "cash," by inserting a comma.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The question is on agreeing to the committee amendment as amended.

Mr. McLAUGHLIN of Michigan rose.

The CHAIRMAN. Does the gentleman from Michigan desire recognition?

Mr. McLAUGHLIN of Michigan. I do.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this matter was talked over in committee, and it was arranged that this language in italics should be prepared and added. But in my judgment it does not carry out the understanding of the committee. It was the idea, as I remember, that the sale of wheat in this country would be for cash, and cash only; that this agency should not be permitted to carry on a credit business in this country, but that it might be advisable to extend credits as to foreign shipments, because we were told that the foreign shipments would be solely to foreign governments. Private dealers in this country deal with private dealers in foreign countries, but the Government agency in this country deals with Government agencies in foreign countries. So that it would be perfectly safe for us to extend credit as to our foreign shipments, because that would mean dealing only with foreign countries. But this would authorize, as the language is now, this grain corporation to sell on credit to dealers, private individuals, all over the country. I do not think that is right, and it is not my understanding that it is in accordance with the understanding of the committee.

Mr. LEVER. If the gentleman will permit me to say, this matter was handled by a subcommittee, of which the gentleman from Missouri was chairman.

Mr. RUBEY. Mr. Chairman, the understanding of the subcommittee that handled this particular phase of the bill was that when the Government was to buy it was to buy for cash, and when it sold it was to sell for cash or credit, and it was upon that basis we fixed the language. Nothing was said about extending credit in this country or foreign countries, except that it was understood by the committee—and I think in carrying it out the Government will follow that idea—that credit would be extended only to foreign countries.

Mr. McLAUGHLIN of Michigan. The gentleman thinks that they will do only that, does he?

Mr. RUBEY. Yes.

Mr. McLAUGHLIN of Michigan. That is the way you would write a law to permit them to do anything they please. There has been too much of that. You say they will not do so and so, but you do not put it in the bill.

Mr. RUBEY. The subcommittee worked on this for hours to get it the way the committee wanted it, and we thought we had it exactly as they wanted it.

The CHAIRMAN. The question is on the committee amendment.

The question was taken; and on a division there were—42 ayes and 3 noes.

So the committee amendment was agreed to.

The Clerk read as follows:

Page 3, line 20, before the word "bakers" strike out the word "and."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 3, line 20, after the word "bakers" insert "and retain purchase in carload lots."

Mr. RUBEY. Mr. Chairman, I ask unanimous consent that the amendment may be amended by making the word "retain" "retained."

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LARSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LARSEN. I have an amendment which I propose to offer striking out all after the word "trade," in line 19, page 3.

The CHAIRMAN. Will the gentleman wait until the committee amendments are disposed of?

Mr. LARSEN. Will it not then be too late?

Mr. GREEN of Iowa. Mr. Chairman, if we adopt the language, will it not make it impossible to strike it out?

Mr. MANN. These amendments are only to perfect the text.

The CHAIRMAN. The amendments are to perfect the text, and the gentleman can move to strike out afterwards.

Mr. LARSEN. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LARSEN. There seems to be a difference of opinion among gentlemen who are well versed in parliamentary law. I make the inquiry in good faith. I would like to be sure that I shall be permitted to offer an amendment. The amendment I desire to offer is to line 19, page 3, after the word "trade," so as to strike out the rest of the line and lines 20, 21, 22, and 23, including the word "crops." The amendment just offered by the committee, as I understand, is an amendment to that section which might preclude mine.

Mr. MANN. These amendments are only to perfect the text, and it is in order to move to strike out the text afterwards; no doubt about that.

The CHAIRMAN. The Chair stated in answer to the gentleman's question that the amendment was to perfect the text, and it makes no difference whether it is voted up or voted down, the gentleman would have the right afterwards to strike out the text of the bill. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 3, in line 25, strike out the word "purchase" and the comma.

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 3, line 25, strike out the comma after the word "lease."

The amendment was agreed to.

Mr. BAER. Mr. Chairman, I have an amendment which I send to the desk.

Mr. RUBEY. Mr. Chairman, I ask unanimous consent that on page 3, line 5, the word "guarantied," which is incorrectly spelled, may be spelled correctly.

The CHAIRMAN. Without objection, the amendment will be agreed to.

There was no objection.

Mr. BAER. Mr. Chairman, I send up an amendment.

The CHAIRMAN. The gentleman from North Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BAER: Page 2, line 24, after the word "thereunder," strike out the comma and insert "and for the regulation of the trade in wheat and wheat products while such guaranties remain in force."

Mr. LEVER. Mr. Chairman, I reserve a point of order on that.

Mr. BAER. Mr. Chairman, if there is no opposition in the way of debate on this amendment, I will ask for a vote on it.

Mr. MANN. There can be no point of order against this.

Mr. LEVER. I do not care to press the point of order.

The CHAIRMAN. The gentleman withdraws the point of order.

Mr. MANN. Now, let us see about this. I may be wrong about it, but I am under the impression that the bill is confined to wheat and flour?

Mr. CANDLER of Mississippi. That is correct.

Mr. MANN. The gentleman's amendment refers to wheat and the products of wheat?

Mr. BAER. That is correct.

Mr. MANN. Of course, that is a very wide difference. I do not know whether crackers would be called products of wheat or not.

Mr. BAER. Cream of wheat, and crackers, and oyster crackers, and everything.

Mr. MANN. That introduces a very different proposition here. I did not suppose that was the purpose of the gentleman in offering the amendment.

Mr. BAER. The original idea was just to control the prices of by-products—and by by-products I meant bran and middlings and such things—but one of the members of the committee, whose name I do not care to mention, came over here and told me that it had better be wheat products, and consequently I have changed it from "by-products" to "wheat products." It is about the same.

Mr. MANN. Does the gentleman think that in order to carry out the guaranteed price of wheat it is necessary that we turn over to an agency of the Government the control of everything that is made from wheat flour? That is a pretty wide and extensive authority, in no way connected with the matter of guaranteeing the price of wheat. We are to carry out the guaranteed price of wheat, and I suppose necessarily in connection with that, because wheat is converted into flour, and flour is called wheat, practically, we may have to control the price of flour; but this amendment would control the price of manufactured products, and I doubt very much the advisability of having the General Government, through an agency, undertake any further to regulate the trade than is necessary to carry out the guaranty.

Mr. BAER. We assume that the men who will carry out the administration of this law will be practical enough not to try to control the price of every product that is made out of wheat or wheat flour; but there are products that I believe, as far as practicable, should be controlled, especially the by-products which the farmer buys, such as bran, middlings, and similar feed products. They have soared 100 per cent in the course of the last month. I realize that the millers are not making much profit on flour. The millers made only 100 per cent profit last year, and it is a shame to cut them out of this profit on these by-products. Nevertheless I believe the farmers of this country and the consumers in the cities will pay higher prices for food than they ever paid before if we do not regulate the price of them in this bill.

Mr. MANN. That argument goes to everything that we buy, from hair oil to shoe soles.

Mr. BAER. Hair oil and shoe soles are not by-products of wheat.

Mr. MANN. No; but the same reasoning applies just as much as it does here. The gentleman wants to have the General Government undertake to regulate the price of everything that is made from wheat. Well, if that is so, we ought to regulate the price of everything that is made from wool and everything else, it seems to me. It has nothing to do with the guaranteed price of wheat.

Mr. BAER. I have heard the gentleman's logic and reasoning on this floor, and I would not be presumptuous enough to argue with him, but I think in this case he is in error, for I am not trying to take in wool and hair oil and everything else; but I would like a vote on this amendment.

Mr. HUTCHINSON. Mr. Chairman, this proclamation of the President confines itself to wheat, and we are trying to create a machinery to carry out that guaranty. As the gentleman from Illinois says, this would go right down the line. In the first place, the gentleman from North Dakota [Mr. BAER] says that mill feeds have increased 100 per cent. Mr. Barnes was before our committee, and I want to read just what he said:

Mr. RUBEY. I have before me a petition from some farmers in my State protesting against this. I will read what they say:

"Almost immediately after the Government regulations were removed feed advanced nearly 100 per cent, feed which we are forced to buy on account of a short crop."

Has that prevailed very generally throughout the country?

Mr. BARNES. Yes. Your letter must be from the Southwest.

Mr. RUBEY. It is from Missouri.

Mr. BARNES. They had a light feed crop in that section, and therefore a greater need for it, especially in feed grain or mill feed.

Mr. RUBEY. What was the necessity for this advance in price, if any?

Mr. BARNES. The maximum price fixed at the beginning of the crop year was too low; it was below any possible comparison with any other feeding stuffs. And when the maximum price was taken off and the markets made a more natural reflection between feed and flour, the feed responded to the enlarged demand, while the shrinkage came in flour.

Mr. RUBEY. Do you believe that in handling the 1919 crop the power should be lodged in the Government to control matters of that kind?

Mr. BARNES. No; I do not.

Mr. Chairman, the feed price was fixed at $1.90, or $38 per ton, under the old crop, before the regulations were relaxed. The price did go up after the regulation was taken off to about $57 a ton. Since then it has gone back to $40 a ton. If we should regulate the price of feed products in this way, I think we would make a mistake. The price of it is generally away below the value of any other feed products. For instance, corn meal sells for $80 a ton and bran is selling at $40 a ton, and when the feed value is taken into consideration bran is worth more than the corn meal, so that the very object the gentleman tries to accomplish he would defeat. The people who produce milk must have bran, and under the regulations of the food-control act they were prohibited from getting it, because it was sold in mixed feed. I think the amendment ought to be defeated. I do not think it is in line with what we intend to do, viz, to regulate wheat and wheat flour; and that is the only object of the bill. If this were adopted, we would have to go on clean down the line for everything made from wheat. I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Dakota.

The question was taken, and the amendment was rejected.

Mr. BAER. Mr. Chairman, I offer another amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, line 24, after the word "thereunder," add the following: "and for the regulation of the trade in wheat, wheat flour, bran, shorts, and middlings while such guaranties remain in force."

Mr. LEVER. I make the point of order that that is not germane to the paragraph.

The CHAIRMAN. The Chair is inclined to think that that is the same amendment that was just voted down.

Mr. BAER. No; it is not the same amendment, because this other was more comprehensive than the one which I now offer. I would like to have read in my time a short excerpt from the Grand Forks American upon this subject.

The CHAIRMAN. Does the gentleman from South Carolina reserve his point of order?

Mr. LEVER. Mr. Chairman, I withdraw the point of order and ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Dakota.

The amendment was rejected.

Mr. LARSEN. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 3, line 19, after the word "trade," strike out all of said line and lines 20, 21, 22, 23, to and including the word "crops."

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate upon this amendment close in 22 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LARSEN. Mr. Chairman, there may be those who are disposed to adversely criticize the President for guaranteeing the price of wheat during the years 1918–19. Those who are thus inclined may feel that it is easy to criticize with some degree of accuracy and plausibility at this time. But, inasmuch as the war terminated at an earlier date than many had expected, an impartial public may desire to know why their protests have been so belated. Those who now or hereafter indulge themselves in this respect may not be able to convince the public that such a guaranty did not materially affect our fortunes in war. Surely no one will doubt that it materially affected the morale of our matchless armies, as well as those of our allies. It is certainly not unreasonable to assume that it had a depressing effect upon those against whom our armies were contending. Who can estimate the lives or dollars which the guaranty may have saved? During the war on almost every billboard we read, "Food will win the war." Who will deny that it did contribute a substantial part or that the guaranteed wheat price was not an important factor? Be that as it may, the price was guaranteed, and as I conceive it, we are honor bound to protect those who in good faith acted to their injury in trying to comply with the President's proclamation.

While I feel that the guaranty which the President made was authorized by the necessities of the situation, still I do not believe that we should extend its provisions. If I understand the wording of this bill, that is exactly what it seeks to do. In line 16, page 3, we find this language:

to take such steps, make such arrangements, and to adopt such methods as may be necessary to maintain and assure an adequate and continuous flow of wheat and wheat flour in the channels of trade.

That is all right, but then we find the following:

including the protection of millers, wholesalers, jobbers, bakers, and retail merchants who purchase in carload lots—

And so forth.

I fail to see any reason why that class of people should be included in the provisions of this bill. Suppose they go into the market and buy wheat at $2.30 per bushel, a price in excess of the Government guaranty. Section 11 of the bill provides that the act shall expire on October 15; that any rights which may accrue to parties under it shall not bar them from suit in the district courts, and so forth. Now, suppose a merchant has wheat and flour purchased in large quantity, or at any rate above carload lots, and it has not been disposed of at the time fixed in this bill; that he purchases it above the price at which the guaranty was made; he may come in and claim protection under the provisions of this act, and there is no telling when we would get through with suits all over the country. I do not understand that it was the original intention of Congress or the President to protect millers, merchants, bakers, and that class of men. It was to protect the man who was producing something to feed the soldier and to furnish our allies something in the way of food. Mr. Chairman, if that is true, then let us protect the man who produces and let the fellow who goes into the markets for speculative purposes take care of himself. [Applause.]

Mr. LONDON. Will the gentleman yield?

Mr. LARSEN. For a brief question.

Mr. LONDON. If that is right, why not include the wage workers and say, miller, wholesalers, jobbers, bakers, and their employees?

Mr. LARSEN. I presume we might with equal propriety. I have nothing against this class of men. I only say it is not right for Congress to undertake to put legislation on the country which will protect speculation. I do not desire to take up further time of the committee on this matter, and I desire to yield what time I have not used to the gentleman from Iowa [Mr. GREEN].

Mr. LEVER. The gentleman can not yield time.

Mr. LARSEN. I would like for the gentleman from Iowa [Mr. GREEN] to have it. I understood he had only three minutes and I had five, and therefore I would like for him to have it if possible.

Mr. LEVER. I have no objection to his having it.

Mr. LARSEN. I ask unanimous consent that the gentleman from Iowa [Mr. GREEN] may have what time I did not consume.

The CHAIRMAN. The gentleman has exhausted his five minutes.

Mr. LARSEN. Very well, then.

Mr. LEVER. Mr. Chairman, I think my friend from Georgia is laboring under a misapprehension touching this proposition. He has referred to the fact that he did not believe in protecting these bakers, millers, wholesalers, and jobbers against speculation.

Mr. LARSEN. I said in their speculation.

Mr. LEVER. Well, as a matter of fact, provision is made to prevent speculation in wheat and in wheat flour in this bill in another section; but, be that as it may, this proposition here is not so much for the protection of the miller or baker, but it is to guarantee the continuous flow of grain to the mill on the one hand and flour out of the mill on the other in order that we may have a continuous flow of bread in this country.

Mr. LARSEN. Will the gentleman yield for one question?

Mr. LEVER. Yes.

Mr. LARSEN. Is it supposed they are protected under the provision of the preceding line, or in line 18?

Mr. LEVER. He would be absolutely, but the committee wanted to be frank with the Committee of the Whole, and we wrote in this bill this specifically. It is absolutely protected in the language in which it is.

Mr. LONDON. Will the gentleman yield for a short question?

Mr. LEVER. I will.

Mr. LONDON. That is, strike out the words "the protection of," so that it would read "including millers, wholesalers, jobbers," and so forth, you would obviate——

Mr. LEVER. This criticism?

Mr. LONDON. Yes.

And you would not in any way injure the bill. I would suggest that the gentleman strike out the phrase, "the protection of," because it is your intention to provide a continuous flow of wheat and wheat flour in the channels of trade, including millers, wholesalers, jobbers, bakers, and retail merchants.

Mr. LEVER. Exactly. I think the gentleman has made a good suggestion.

I want to impress on the committee that our information is that from 35,000,000 to 50,000,000 bushels of wheat are required to be in transit constantly, and that the same amount of flour must be going out of mills and into transportation in order that there may be no break in the bread line. The miller may anticipate that on June 1, two months in advance, at the time when the guaranty runs out, that there will be a drop in the wheat prices, and refuse absolutely to buy any grain, because he thinks that he can buy it cheaper when the control is taken off and your bread line is broken. We are not trying to protect the millers, jobbers, or wholesalers. We are endeavoring to protect the American people and see to it that they have bread at all times. And I therefore very much hope that this amendment will be voted down.

Mr. GREEN of Iowa. Mr. Chairman, like every other Member of the House, I am in favor of the Government keeping the guaranties it makes, but I am absolutely opposed to the Congress creating some more and absolutely unnecessary guaranties that it shall have to keep hereafter.

What is the situation with reference to this matter? These words which are sought to be stricken from the bill are inserted for the protection against loss of certain traders in wheat commodities. They are there for that purpose, and for that pur-

pose alone. Why should we protect them against loss any more than we should protect a man who deals in steel, or in corn, in cotton, or any other commodity? Why is it any more necessary to protect them against loss in order to maintain the usual course of trade than it is in the case of steel or corn or cotton? All of those articles must move in order to maintain our trade and business.

Mr. WOOD of Indiana. The reason why they should be guaranteed is because of the fact that by fixing the price of wheat you have also fixed the limit on the margin of profit.

Mr. GREEN of Iowa. Unfortunately, the gentleman's premise fails at the start. If the price is to be fixed, from what these gentlemen tell us, by the law of supply and demand, these parties to be protected will pay only at the normal price as if the sale was to be transacted in the ordinary business way at any other time.

Mr. WOOD of Indiana. Do you not understand that one of the purposes of this bill is in fixing the price of wheat to fix the margin of profit?

Mr. GREEN of Iowa. Not at all. If it is, it is something I would never agree to. The purpose is to keep the guaranties the Government has made to the farmer. These provisions which the gentleman from Georgia properly moves to strike out are for the purpose of protecting the other people against losses in trade transactions. Particular classes are being selected that are no more subject to loss than one who buys corn or cotton—perhaps not so much as in cotton. The cotton traders have experienced some heavy losses of late; yet cotton must and its products are as necessary as flour.

Mr. ANDERSON. The Government has created an artificial condition here——

Mr. GREEN of Iowa. If my friend wants to make an argument, he is on the committee and can get time. I have only three minutes.

Mr. ANDERSON. Very well.

Mr. GREEN of Iowa. The Government has created an artificial condition, as my friend says, but it is expected to remove it, so far as the country at large is concerned. We keep it up only with reference to the farmer. What reason could possibly be given why we should pick out the people who deal in wheat, its products, or flour, or afterwards use the flour in the way of baking, and say we will protect them against loss while we will protect nobody else against the fall of prices that we all know is going to occur. What reason is there why we should especially select the millers? They have been making enormous profits while grain was rising, so the Trade Commission reports. Why should the retail dealers in flour be saved from loss? Flour will not fall as much as some other products. But, gentlemen say, the miller will not grind unless protected against loss. If the gentlemen who put forward this argument were not of known ability, I should characterize the contention as absurd. Even now I can not but think they have been hypnotized in some manner by the food commission, which, like all these other boards and commissions, it always wants to unduly extend its powers. It is a sufficient answer to this claim that wheat prices have fallen before, and to a greater extent than anyone predicts now, yet the mills ground, the dealers bought, the bakers baked, and the people got their bread just the same.

The CHAIRMAN. The gentleman from New Jersey [Mr. HUTCHINSON] is recognized for three minutes.

Mr. HUTCHINSON. Mr. Chairman, this is one of the most important provisions in this act. In the first place, as our chairman says, we have 50,000,000 or 60,000,000 bushels of wheat in transit. We have some mills which grind 250,000 bushels a day. They have got to make provisions to keep that flow of wheat running for 60 days. Some of them have bought as high as 10,000,000 bushels of wheat. If this should be stricken out of this law, I venture to say we will have a flour famine in a very short time, because nobody who deals in grain will buy a lot of wheat, with the expectation that the price will change at any time. While the law protects the farmers, certainly they ought to make provision for selling the wheat. You can sell the wheat, but you can not force the dealer to buy it. Therefore it is the most important thing in this whole bill. If you do not retain it, as I said a little while ago, you are going to have a famine in flour, and every mill in the United States will shut down, because they do not know where they will stand. I think the amendment ought to be defeated, and the provision ought to stand just where it is.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. Yes.

Mr. GREEN of Iowa. Why will we not have a famine also in steel in the same way? Why will not people refuse to buy steel ingots and bars to make them up?

Mr. HUTCHINSON. Wheat is guaranteed to the farmer at $2.26.

Mr. GREEN of Iowa. To the farmer; but they are not going to sell it to the mills. Are you going to keep up the price? Is that the object? We were told that you were going to put down the price.

Mr. HUTCHINSON. If the price goes down, say, to $1.25 a bushel, the miller ought to have protection.

Mr. GREEN of Iowa. Do you say the miller is going to pay $2.26 under this bill?

Mr. HUTCHINSON. Absolutely.

Mr. GREEN of Iowa. Why?

Mr. HUTCHINSON. Because the Government price is there.

Mr. GREEN of Iowa. You mean if that is the ordinary price? It may slump. It may be the same way with anything else. In that case you ought to protect everybody else against the decline of prices.

Mr. HUTCHINSON. That is the case with millers and the same with bakers. I know bakers who have bought as high as $100,000 worth of flour. They will not do that unless they are protected. This is to protect the regular routine of business.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. WASON. Mr. Chairman, did not the gentleman from New Jersey have five minutes?

The CHAIRMAN (Mr. HAMLIN). I was out of the chair at that time.

Mr. WASON. That was the understanding.

Mr. GREEN of Iowa. The gentleman from New Jersey, as I understand, had five minutes. I was the only one to have three.

Mr. LEVER. Mr. Chairman, if the time is so limited that the gentleman from New Jersey has not had five minutes, I would like to ask unanimous consent that he may have five minutes.

Mr. MOORE of Pennsylvania. Some of that time was reserved for me.

The CHAIRMAN. Two minutes were reserved for the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. I will yield it to the gentleman under the circumstances.

The CHAIRMAN. The gentleman from New Jersey will be recognized for two minutes more.

Mr. MANN. I understand that the bill does not undertake the payment of any loss to these people, but that the Grain Administrator may adopt such methods as are necessary to keep up an adequate and continuous flow of wheat in such manner as not to cause loss to the millers. I do not see how anybody can object to that.

Mr. GREEN of Iowa. I do not see how anybody can agree to it.

Mr. LARSEN. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. Yes.

Mr. LARSEN. Does not the gentleman think that the small merchant who is not able to buy carload lots is just as worthy of consideration as the large merchant who buys carload lots?

Mr. HUTCHINSON. There are very few merchants who buy more than 13 or 14 barrels.

Mr. LARSEN. I do not think the smaller man should be discriminated against.

Mr. HUTCHINSON. The wholesaler can protect that man.

Mr. LARSEN. The baker would not buy at wholesale rates.

Mr. HUTCHINSON. The wholesaler can protect these men.

Mr. LARSEN. He might protect them for his own advantage.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. HUTCHINSON. Yes.

Mr. BLACK. I would like to have the gentleman's version of the language that is sought to be stricken out—his interpretation of the meaning of that language. Does it mean that the Government guarantees these different dealers against loss, or that it will merely have the authority to promulgate rules and regulations designed to protect them aginst loss?

Mr. HUTCHINSON. The object of the bill is this: For instance, as to the miller with fifty or sixty thousand bushels in transit, for which he paid at the rate of $2.26, or whatever it is, if next morning he wakes up and finds it $1.25, he is protected in that amount.

Mr. BLACK. Then he is guaranteed against loss?

Mr. HUTCHINSON. He is guaranteed against loss.

Mr. SAUNDERS of Virginia. Mr. Chairman, will the gentleman yield to a question?

Mr. HUTCHINSON. Yes.

Mr. SAUNDERS of Virginia. I see that this bill provides that methods shall be taken if necessary to protect the jobbers and millers and bakers and retailers against actual loss. Suppose the methods prescribed did not work out and proved in-

sufficient to protect these people against actual loss. Then what would happen? The officials charged with this authority may do the best they can, but the conditions in the market might prove to be such that the methods pursued might fail to protect the millers, bakers, and other included parties against loss in that event; would these parties be entitled to call upon the Government for reimbursement?

Mr. HUTCHINSON. That is up to the agency in control.

Mr. SAUNDERS of Virginia. I am asking a question. Suppose the methods they set in motion do not protect these retailers against loss. Then what? Will the Government make good the actual loss?

Mr. HUTCHINSON. We are giving them the power, and we assume that they will protect them.

Mr. SAUNDERS of Virginia. Then if the methods they adopt are not sufficient to protect these parties against loss, then it is true that the Government will make good to them any loss which they may actually suffer. That is what I understand from your answer that the bill proposes to do.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. Is there any amendment to the amendment of the gentleman from Georgia pending?

The CHAIRMAN. There is none.

Mr. BANKHEAD. I desire to offer an amendment to the amendment. I move to strike out all the language included in the amendment of the gentleman from Georgia and to strike out the words "the protection of" in line 19, page 3.

Mr. LEVER. I make the point of order that that is not in order.

Mr. YOUNG of North Dakota. The time for debate on the former amendment has not expired, has it?

The CHAIRMAN. No; it has not. The gentleman will be recognized.

Mr. YOUNG of North Dakota. I yield my time to the gentleman from Minnesota [Mr. ANDERSON].

Mr. BANKHEAD. May I offer my amendment as a substitute for the amendment of the gentleman from Georgia?

Mr. MANN. The gentleman from Alabama can offer an amendment to perfect the text.

Mr. BANKHEAD. That is what I am seeking to do, and the gentleman from South Carolina made a point of order against it.

Mr. MANN. It is not an amendment to the amendment.

Mr. BANKHEAD. Why is not that in order?

The CHAIRMAN. The Chair has not ruled that it is out of order.

Mr. ANDERSON. There is an amendment pending now.

The CHAIRMAN. There is an amendment pending, but the gentleman from Alabama is offering to amend the amendment.

Mr. MANN. No; not to amend the amendment, but to perfect the text.

The CHAIRMAN. Will the gentleman withhold his amendment until the debate is finished on the other amendment?

Mr. BANKHEAD. Yes; I will be glad to do so.

The CHAIRMAN. The gentleman from Minnesota [Mr. ANDERSON] is recognized.

Mr. ANDERSON. Mr. Chairman, the Government has created and intends to continue an artificial condition in the grain business. It proposes to close up the exchanges so far as trading in wheat is concerned. Now, the exchanges represent the insurance of the miller against loss. In other words, against all the wheat he has bought for manufacture into flour he hedges in the speculative market. The Government has closed that speculative market and therefore prevents him from protecting himself against the loss which might result as to the wheat which he has in transit. Now, the provisions of this section are intended to meet that situation. Here is a miller who is gathering at different points, perhaps, a million bushels of wheat for manufacture into flour. If the Government adopts the policy of maintaining the price all the way through on the basis of $2.26, then, of course, the miller or the baker or the wholesaler can not possibly sustain any loss. But if the Government adopts a policy of buying the wheat at $2.26 and selling it at a lower price, then eventually we reach a point at which the amount in transit must be sold at a lower price; that is, the wheat which is coming in at $2.26 must be sold as flour at a lower price. It does not make any difference where you take up that slack. You can take it up when you buy the grain from the farmer or you can take it up when you buy it at the terminal; but if you carry that loss along to the point where it occurs in the hands of the miller, the wholesaler, or the retailer, you ought to take it up there. You are not taking up any greater loss. You are just simply taking it up in a different place than you might otherwise take it up.

Mr. SAUNDERS of Virginia. Will the gentleman allow me to ask him a question?

Mr. ANDERSON. Yes.

Mr. SAUNDERS of Virginia. I am very much interested in what the gentleman is saying, because it is along the line on which I want to get some information. Is it the purpose of this bill simply to guarantee to the wheat producer his $2.26 a bushel?

Mr. ANDERSON. Yes; to make good that guaranty.

Mr. SAUNDERS of Virginia. And after the Government has bought it from the producer at that price, then thereafter is the price of wheat, so far as the rest of the country is concerned, to be allowed to reach that level which it would obtain as the result of supply and demand on the market?

Mr. ANDERSON. No one can answer that question definitely, because the circumstances may necessitate adopting either one policy or the other. This bill does not adopt either policy.

Mr. SAUNDERS of Virginia. Does this bill give the authorities who will administer it the power to take all means necessary to make it effective, and undertake to maintain the level of the price of the wheat and the things that are produced from wheat, along with the original cost of the wheat?

Mr. ANDERSON. I think this bill contemplates that authority, and that that authority is given in this bill; yes.

Mr. SAUNDERS of Virginia. That they undertake to take up all the products to the consumer of wheat at the relative price.

Mr. ANDERSON. All the products of wheat flour.

Mr. SAUNDERS of Virginia. Yes; whatever comes out of wheat—middlings, bran, shorts, and so forth.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. In order that there may be no misunderstanding the Chair will state——

Mr. LARSEN. Mr. Chairman, I do not understand that all debate on the pending amendment has closed.

The CHAIRMAN. The Chair understand that; but the Chair wants to state that where a motion is made to strike out a certain portion of the text and then an amendment is offered to strike out only a part of that portion of the bill the second amendment would not be in order until a negative vote is had on the first amendment. Then the amendment would be in order if there should be a negative vote. The question is on the amendment offered by the gentleman from Georgia.

The question was taken; and on a division (demanded by Mr. LARSEN) there were 7 ayes and 39 noes.

So the amendment was rejected.

Mr. BANKHEAD. Mr. Chairman, I offer the following amendment, to strike out in line 19 the words "the protection of."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 19, strike out the words "the protection of."

Mr. LEVER. I have no objection to that.

Mr. MANN. Mr. Chairman, we ought not to make the House pass something that will be ridiculous, and this will read as follows if those words are stricken out:

To take such steps, to make such arrangements, and to adopt such methods as may be necessary to maintain and assure an adequate and continuous flow of wheat and wheat flour in the channels of trade, including millers, wholesalers, jobbers, bakers, and retail merchants who purchase in carload lots against actual loss by them on account of abnormal fluctuations in the price of wheat and wheat flour of said crops.

That would be ridiculous.

Mr. BANKHEAD. I see that the phraseology would have to be changed. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 3, line 19, after the words "protection of," insert the word "consumers."

Mr. MOORE of Pennsylvania. Will the gentleman from South Carolina accept the amendment?

Mr. LEVER. Of course not.

Mr. MOORE of Pennsylvania. Then I shall want to discuss it.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments to the paragraph be closed in 25 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on this section and all amendments thereto close in 25 minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I would like to ask the gentleman from South Carolina what the proportion of wheat farmers in the United States is to the whole number of farmers?

Mr. LEVER. I would prefer that the gentleman ask some other member of the committee who is perhaps more familiar.

Mr. MOORE of Pennsylvania. I think my memory is not awry when I say I heard the gentleman say that the number of farmers who raised wheat was one-sixth of the whole number of farmers.

Mr. LEVER. I think that is about correct.

Mr. MOORE of Pennsylvania. This bill carries an authorization for $1,000,000,000, which is about $10 per capita for every man, woman, and child in the United States to pay in some way or other before this contract is fulfilled. Every one of the total population of the United States is a consumer. Not that all men necessarily are producers of foodstuffs, but in this instance the total number of people of the United States, 110,000,000, if there is that number now, will contribute toward the payment of this bill—toward the keeping of the bond, this bond, which one-sixth of the total number of farmers in the United States have on the Treasury of the United States by virtue of the price guaranteed by the President of the United States. The bill provides for the protection of the wheat crop, and incidentally other farmers will have to pay as other consumers of wheat will have to pay.

Mr. LARSEN. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not yield, for I have only five minutes. The bill provides for the protection of one-sixth of the farmers of the United States, and it goes further and provides for the protection of the millers, the men who grind the grain.

It provides for the protection of the wholesaler. Who is he? Is he the horny-handed farmer who appeared before the Agricultural Committee urging the passage of this appropriation of $1,000,000,000 to keep an inviolate contract? He was there, and he was well attired. But he was not the farmer who raised the grain; he was the wholesaler who dealt in the grain. He is to be protected in this bill. The jobber is to be protected in this bill. What a horrible name that is! How terrifying it was in the old days when our friends wailed about the middleman, whom they insisted should be eliminated—the man who stood between the honest farmer and his customer—but this man, the jobber, is to be protected in this bill.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. For a question.

Mr. LEVER. I would suggest to the gentleman that the very bright, intelligent men who appeared before the committee, and who were brought there by the gentleman, were some of the men who insisted on this provision.

Mr. MOORE of Pennsylvania. Yes; but they were not heard. The jobbers in grain are the men who stand between the farmer who sows and harvests the grain and the consumer who eats the foodstuffs. These middlemen, who have been anathematized in this House so often, and whom the farmers' representatives have generally decried, are to be protected in this bill. Protecting the jobber! Think of it when you have gone home after passing this bill.

The baker is to be protected in this bill—not the man who eats the bread but the man who bakes it. If he has some wheat in his possession, he is to be protected; but the poor consumer, the 110,000,000 of them in the United States, who must eat the foodstuff, is he to be protected in this bill? Apparently not. I ask the gentleman to accept the amendment. So long as we are protecting the baker and the jobber and the middleman and the wholesaler and the miller, we might as well protect the farmers' friend, the consumer, the ultimate user of his product. That is what the amendment means. I hope the amendment will be agreed to. I trust there are enough of us in the House to-night to give some protection to the consumer, who has been omitted from this bill.

Mr. STEVENSON. Mr. Chairman, I am somewhat in sympathy with the purpose of the gentleman from Pennsylvania [Mr. MOORE] in so far as protection to the consumer is concerned. I had an idea that he was to be protected under the licensing or supervising system provided in the bill; but I want to talk just a minute about some of those who have not had any protection, and I am a little curious to know why they did not put some provision in the bill for the protection of some more of the farmers.

The statement has been made broadcast, and a great deal has been made out of it, that nobody's price was fixed except the wheat man's price. The misstatement amounts to this, that nobody's price was fixed and guaranteed except the wheat man's; and I want to say to you that there is a large class of farmers the price of whose goods has been fixed but was not guaranteed, and they are tied up tight to-day and have lost over $100,000,000. Take the matter of the cotton seed of the farmers of the South—about 5,000,000 tons. It was selling at $83 a ton. They came along and said that they must fix the price of that to prevent exorbitant charges, and they reduced the price to $69 a ton, making a deduction at one lick from the market price of $70,000,000. They fixed it at that and let it run along for a while, until some of the middlemen and some of the farmers had considerable stocks and seed on hand which they had obtained at the price fixed by the Government, and then they reduced it another dollar a ton. They did not guarantee that anybody could sell it at that. That took $5,000,000 more. Then they took the linters and reduced the price 3 cents a pound—the linters that were to be taken by the Government for the manufacture of explosives. By that reduction they caused the farmers of the South a loss of $21,000,000, but they made no guaranty about taking care of the loss that we sustained there. They went ahead then, and, as soon as the armistice is signed they cancel all of the contracts for linters and render them lifeless, so that the farmers can get only a cent a pound for them now. That cost us another niggardly $16,000,000 as a result of price fixing without a guaranty attached. That makes $112,000,000 that they fixed for us, but they did not guarantee us against loss. I sympathize with the gentleman over there who wants to be guaranteed against loss on the flour that we are going to buy from those fellows who had a guaranty out West. You must remember that cotton seed, after it is crushed and put into the mill, is sold back to the farmer for fertilizer; and they said, "If you take that seed home and keep it there over 60 days you will be guilty of hoarding," and they indicted some people in my country for hoarding cotton seed, so we had to let it go until the mills were blocked, and they have not bought a pound of seed since the 1st of December; and where are we?

They immediately raised the price of the cottonseed meal. Having reduced the price of the cotton seed $14 a ton, they raised the price of the meal $7 a ton, and thereby they hit the farmers of the South for $15,750,000 more on the price of cottonseed meal, but did not get any guaranty or relief or protection either out of the consumer or out of the producer. That is one item I have been sometimes desirous of letting somebody find out—that price fixing was not confined to the wheat producers of the West alone, that the price fixing and the guaranty was confined to them, and they are the fellows who are on top. Now, I think it is a good time to put in something here to protect the consumer, because we have all got to buy wheat, especially the southern farmer, who has been hit $127,000,000 by price fixing without a guaranty.

Mr. BAER. Under what administration was that——

Mr. AYRES. Out in my State all last fall they claimed that the South was in the saddle and fixed the price of wheat and they did not fix the price of cotton.

Mr. STEVENSON. Yes; and they elected a Republican House on that plea, and now are going to get $1,000,000,000 as a result of the action about which they howled, while the southern farmer gets it in the neck. I am standing to the Government fixing the price of wheat and carrying out her contract. I had a letter from a member of a bond house in New York last week, in which he said:

> Do you know 20 per cent of the next sale of liberty bonds is going to be used to pay a bonus to the western farmer on wheat?

I wrote back and said:

> I do know it; but who is going to buy United States bonds if the United States begins to repudiate her contracts with the farmers?

[Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Chairman, I understand the gentleman from Minnesota [Mr. ANDERSON], a member of the committee, will probably later on introduce an amendment that will amount at least to a declaration of policy along the line I have had in mind. If he does not introduce such an amendment, I shall do so. If the market price of wheat is less than the guaranteed price, there will be a loss, and, as I understand it, under the provisions of this bill it is left to the President or to the executive branch to apportion that loss. They can place the entire burden of the loss upon the Treasury or upon the consumer, or they can apportion the loss between the Treasury and the consumer.

I shall vote for this bill because I believe that the contract entered into between the Government and the farmers of the country should be carried out to the letter. The farmers have

done their part in this war nobly, and they submitted to the fixing of the price of wheat without objection. For the Government to repudiate its obligation now would be the worst kind of a breach of faith. But the consumer should not bear the loss. The loss should come out of the Treasury of the United States.

I endeavored to develop information by questioning the chairman of the committee during the debate this morning as to just what effect the passage of this bill would have upon the consumers of the country, but the time of the chairman of the committee seemed to be so limited that he could not go into that phase of the situation. I made another attempt to develop the same informaion from the ranking member of the Committee on Agriculture on this side of the Chamber, but his answers to my questions were, to say the least, unsatisfactory. No one seems to have given very serious consideration to the effect of this legislation upon the consumer. To my way of thinking that is now the most important matter to be considered in connection with this bill. No one has advocated, to my knowledge, at any time that the Government should not make good in the spirit as well as the letter the guaranty that it has made to the farmers of America. We are not now considering whether it was wise or not to provide for the fixing of a maximum price on wheat. We have now reached the point where the Government is called upon to consider ways and means to make good a contract already entered into and acted upon in good faith by the farmers and producers of the country.

Most of the debate has been consumed in a discussion of whether or not we should repudiate our contract and the guaranties when that point is not at issue at all. The method, however, of making good these guaranties is an important question, and therein lies the interests of the consuming public.

Assuming, as I have said, that the market price of wheat will be less than the guaranteed price—and I think that is a fair assumption—there will be a loss. The question is who shall bear the loss. If this were a business proposition there would be no doubt about who would bear the loss. The loss would be borne by the guarantor, and the Government is the guarantor in this instance and should bear the loss. But it is possible under this bill to make the consuming public bear the loss, which means, in effect, that the poor man who must buy bread to feed his family will have to bear the burden by increased prices.

This bill provides that the President shall have the power to place the loss entirely upon the consumer or entirely upon the Government, or to distribute the loss between the Government and the consumer. He is given the power under this bill to buy wheat at the guaranteed price and then to supervise its distribution at prices to be fixed by him. If the price of wheat in the market, through the operation of the law of supply and demand, which this bill will interfere with, were $1 a bushel, the loss would be the difference between the market price and the guaranteed price, which would be $1.26. The President could have the wheat distributed, as I understand the provisions of the bill, at, say, $1.90, or any other price which would mean a distribution of the loss between the Government and the consumer.

Now, I am opposed to that method for two reasons. In the first place, I do not believe that Congress should continue to pass legislation which shifts responsibility from the Congress to the executive branch, because by shifting responsibility Congress also at the same time extends powers to the executive branch which may or may not be used to the benefit of the public. In other words, I believe that Congress should assume its proper prerogatives and say what should be done and what should not be done. During time of war it was probably all right, or, to put it more in accordance with my views, it was probably necessary to centralize power and authority in the Executive and to leave him free to act as he might see fit under conditions which might be very uncertain. But the emergency has passed, and the Congress should now legislate definitely upon these important subjects and assume responsibility to the extent of passing laws which are directory rather than discretionary. Second, I do not believe that Congress should make it possible for any part of this burden to be placed upon the consuming public. The Government having entered into this contract, it should meet this guaranty and take its loss. The poor man with a large family will without doubt be less able to contribute in this indirect way to the meeting of this obligation than would the taxpayer who would have to meet it by paying the increased taxes. Besides, it is to the interest of those who have property and of those who have possessions which are subject to taxation to remove in every possible way the chances for unrest and discontent among the people, and I can not think of any way whereby the tendencies toward discontent would be increased more rapidly than by keeping the cost of living up, and whatever you may say about it the price of bread is always regarded as a basis from which to judge the cost of living; at least, if the price of bread is high the average consumer will look upon the cost of living as high, and I do not believe that the Congress should be in the attitude of making it possible for the price of bread to be kept up for the purpose of taking care of this obligation. I understand that the provisions of this bill, which places the entire matter in the hands of the executive branch of the Government, are regarded by some Members as being such as to protect the consumer against exorbitant profits by millers and others through the licensing provision. There, again, is a provision about which I disagree with those who have framed this bill. I believe that there can be too much Government interference and that the regulations can be made too complicated to result in any real good, even if the executive branch of the Government acts from the highest motives possible. We should get away just as soon as we can from Government interference with private business. I am for the strictest kind of regulation for the purpose of eliminating unfair practices and the preventing of the raising of prices by artificial means, such as trade agreements and otherwise, but I believe that after the Government provides strict regulation that then it should keep hands off and allow the natural laws of supply and demand to work unhampered.

I shall restate my position in regard to this bill in order that it may not be misunderstood. The Government having guaranteed the price of wheat to the farmer should make it good, but the guaranty should be made good out of the Treasury of the United States and not out of the pockets of the consumers of bread. Therefore I believe that this bill should be amended along those general lines, and the power should be taken away from the executive branch to distribute this loss as it may see fit.

So, therefore, while I am in sympathy with the spirit of the amendment which the gentleman from Minnesota informs me he will propose, which amounts to a declaration of policy, I do certainly think that Congress should assume for once the full responsibility, and, instead of shifting the responsibility to the executive branch of the Government, granting it the power to fix these prices, that we should provide specifically that the Government will take care of it itself and pay the guaranty. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I trust the amendment offered by the gentleman from Pennsylvania [Mr. MOORE] will not be adopted. The words of the bill are intended for the protection of the consumer, to take care of the fluctuations in price. The bill provides that the miller and the jobber and the baker shall be protected. There is a plan now, or during the operation of the grain corporation there was a plan, by which the purchaser of wheat—the miller—was required to pay a fixed price, and if the price of his product was reduced, he could call on the Grain Corporation to make his loss good.

If the price of his product increased, he should make up the difference to the grain corporation, but he should receive nothing unless he had given consumers the benefit of the reduction of price. It was because he was compelled to sell his product to the consumer at a lower price than was warranted by the price he had paid for the wheat that he asked protection, and under the plan that will be followed the miller will not be protected unless it is necessary for him to sell, and does sell, his flour at a lower price than he can afford to sell it according to the price he paid for the wheat. So the consumer is taken care of.

I am in thorough sympathy with what the gentleman from Ohio says, and I trust the gentleman from Minnesota [Mr. ANDERSON] will offer an amendment that will not only declare the policy of Congress but be binding upon the grain corporation, and that is that in selling this wheat and providing for the price for the products of wheat as they reach the consumer the consumer shall receive the benefit of the world's price—a fair market price.

We had hearings of several days. Some of the learned gentlemen on our committee, more familiar than I was with some of the intricate workings of the grain business, asked questions along a certain line. Some of my questions were along this line, to find out from Mr. Barnes, the head of the Grain Corporation, and from other gentlemen who might later be an authority, what their policy is or will be. I asked them a number of questions, each one of them. My questions were whether, if the world's price, the fair, reasonable, honest world's price, of wheat should be lower than the guaranteed price, the Grain Corporation should resist the influences that were honestly and fairly operating to reduce the world's price; that the corporation should hold up the price and thereby save the Government from

loss? And they answered that they felt it would be their duty to hold up the market price and compel the consumers to pay a high price so that the Government might be saved as much loss as possible. Mr. Barnes said, in answer to several of my questions:

Again, I say I believe that it is a sound national policy that if you have something to sell, a surplus to sell, to get just as much for it as you can.

I concluded, evidently after I had annoyed him by my persistence in asking him those questions, with:

Well, I do not wish to pursue it to your annoyance, but I wish to suggest that, in my judgment, if anything is done later to force a higher price than the natural, honest, world's price there will be serious trouble on the part of the consumers of the country. In my judgment, they are entitled to the actual, reasonable, fair world's price, even though it involves a loss to the Treasury of the United States. The Government must take its medicine.

And gentlemen who appeared before us did not believe in the idea I expressed, and I trust the gentleman from Minnesota [Mr. ANDERSON] will present something that can be written into this law that will require the gentlemen to observe the fair, honest, reasonable world's price and give the consumers the benefit of it. [Applause.]

Mr. McCULLOCH. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LONDON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

Mr. MANN. There is an amendment pending.

Mr. MOORE of Pennsylvania. The amendment including the word——

The CHAIRMAN. Is it an amendment to that amendment?

Mr. LONDON. I offer an amendment to perfect the text.

Mr. LEVER. Mr. Chairman, I ask that the gentleman may have his amendment read for information and have it pending.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment of the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. LONDON: Page 3, after the word "trade," in line 19, strike out all of line 19, all of line 20, all of line 21, down to and including the word "of," and insert in lieu thereof the following: "and to prevent."

Mr. LONDON. My amendment would strike out that portion of the amendment which relates to the protection of millers, wholesalers, bakers, jobbers, and so forth, and which would permit the Food Administration to adopt rules which would prevent abnormal fluctuations in the price of wheat flour. In other words, my amendment intends to deprive the Food Administration of the power and to divest them of the duty of guaranteeing money damages to the class of persons enumerated in the bill.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WOOD of Indiana rose.

The CHAIRMAN. The gentleman from Indiana is recognized.

Mr. WOOD of Indiana. I desire, Mr. Chairman, to offer an amendment.

Mr. MANN. We should vote on the pending amendment first.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the amendment was rejected.

Mr. LONDON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONDON. Is it in order to explain my amendment now?

The CHAIRMAN. The gentleman had the right to offer it, but all debate is closed on it now. Does the gentleman from New York desire to reoffer the amendment offered awhile ago?

Mr. LONDON. Yes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. LONDON. Mr. Chairman, I call for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 10, noes 29.

So the amendment was rejected.

Mr. WOOD of Indiana. Mr. Chairman, I offer an amendment to strike out, on page 3, lines 21 and 22, the word "abnormal."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana.

The Clerk read as follows:

Amendment offered by Mr. WOOD of Indiana: Page 3, lines 21 and 22, strike out the word "abnormal."

Mr. WOOD of Indiana. Mr. Chairman, I have four minutes. I think the force of the amendment I offer will be apparent to every lawyer here and every layman. It is a well-known principle of law that a descriptive statute that is subject to two or more interpretations is void.

It only requires a moment's reflection to see that the word "abnormal" is subject to all characters and varieties of opinion. What might appear as abnormal to one man would not be abnormal to another. What might be abnormal in one section of the country might not be abnormal at all in another section of the country. It is comparative. It might be abnormal, and it might be more abnormal, and it might be most abnormal. I do not think there is a State in the Union where, if this word appeared in any statute, that portion of the statute would not be held void on account of uncertainty; and if possibly it could not be expunged without injuring the remainder of the statute or the section, it would render invalid all that section.

This word can be stricken out, and the provision would still contain everything that is intended by the committee. It would then read: "against actual loss by them on account of fluctuations in the price." I understand that is the purpose of this legislation, at any rate, and if it is not stricken out it will result in all character of confusion. It will result in all manner of litigation. It may be inoperative because of the fact of its very uncertainty.

As a legal proposition, I do not think that anyone can safely gainsay the proposition that I have here offered, that it would be held void because of the fact that it is subject to two or more interpretations.

That, Mr. Chairman, is all I care to say on it.

Mr. LEA of California. Mr. Chairman, the wheat guaranty did two things for our farmer. It gave him a lower price during the war and a higher price following the war.

It deprived him of the opportunity to sell his grain at the highest possible price during the war, but induced him to plant, knowing that regardless of whether or not the war continued and regardless of the size of the country's crop, he would receive a good price for his product.

In neither case has he had cause to complain. He received a good price during the war. He had no right to profiteer on one of the world's greatest war necessities.

We compensated him for the temporary loss he may have suffered during the war by providing an abnormal and artificially produced high price for the period of the guaranty following the war.

It is persistently asserted over the country that the United States should now abandon all further dealings in wheat or efforts to affect the market, and leave the price to be regulated by the laws of supply and demand and pay the difference.

This contention ignores the equities of the situation. The guaranteed price of wheat to-day is nearly a dollar a bushel higher than in the open markets of the world. Our price is an artificial price, produced by this guaranty legislation. The vast surplus that confronts us in this year's crop is largely the result artificially produced by this legislation. To suggest that, after having by artificial means produced such a vast surplus, we should cease our activities in the wheat situation and let the law of supply and demand alone control, which, with the vast surplus ahead of us, would permit wheat prices to descend to the minimum, is in effect a suggestion to invite an unlimited raid upon the United States Treasury.

The consumers of the Nation received the benefits of a lower price during the war. By so doing they met a great war necessity.

They now have no just cause to complain if they are called upon to sustain the Government in doing the things that are yet necessary to terminate its wheat activities on a plan that keeps faith with the farmers and does no injustice to the consumers of the Nation.

A surplus artificially produced can not, under the guaranty plan, be disposed of in justice to the Federal Treasury without further artificial control.

It is a safe rule that under any ordinary circumstances the price of any given article is determined by the price at which the surplus of that article can be obtained. We have artificially produced a surplus for this year by controlling the price. To fail to control the surplus would be to let wheat prices go down with a crash. The difference between the guaranteed price and the price to which wheat would naturally fall under the law of supply and demand, if regulations were now abandoned,

is not a just measure of the liability of the United States. It is grossly unjust to suggest that we should abandon regulatory measures and bear the difference between the low prices resulting from the great surplus and the guaranteed high price which produced the surplus. The artificial regulation that produced the surplus must continue the control of that surplus until the transaction is closed on equitable terms.

Mr. DOOLITTLE. Mr. Chairman, did the gentleman from Indiana consume all of his time?

The CHAIRMAN. Yes. The question is on agreeing to the amendment offered by the gentleman from Indiana.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. WOOD of Indiana. A division.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 10, noes 22.

So the amendment was rejected.

Mr. ANDERSON. Mr. Chairman, I desire to offer an amendment as a new paragraph.

Mr. MORGAN rose.

The CHAIRMAN. For what purpose does the gentleman from Oklahoma rise?

Mr. MORGAN. To offer an amendment as a new section.

The CHAIRMAN. The gentleman from Minnesota [Mr. ANDERSON] is recognized first, then. The Clerk will report the amendment offered by the gentleman from Minnesota.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON: Page 4, line 12, after the word "controversies," insert a new paragraph, as follows:

"The President is authorized and directed, in the resale of wheat in the United States and its possessions, to sell the same at a price as nearly as possible reflecting the value thereof in the world's markets as such value may be determined from time to time."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on that be closed in——

The CHAIRMAN. The Chair thinks that no debate is permissible on this under the former order. This is offered as a paragraph to this same section, and the committee closed debate on this section and all amendments thereto.

Mr. LEVER. My understanding is different from that of the Chair. I understood this was offered as a new paragraph. Is that true?

The CHAIRMAN. But it is offered to the same section.

Mr. ANDERSON. I do not care to debate it.

Mr. MANN. I should like to be heard on it for a moment. I think the Chair is right in his understanding, but we did not anticipate this. It is not amending anything in the section.

The CHAIRMAN. Without objection, the gentleman from Illinois will be recognized.

Mr. LEVER. I ask unanimous consent that the debate on this amendment be closed in five minutes.

Mr. MORGAN. I should like three minutes.

Mr. LEVER. The gentleman has another amendment, has he not?

Mr. MORGAN. Yes; but I want to speak on this.

Mr. LEVER. Then I ask unanimous consent that the debate close in eight minutes.

Mr. ANDERSON. If there is going to be debate, I want some time on it myself.

Mr. LEVER. Will not the gentleman from Illinois let us take a vote?

Mr. GARRETT of Tennessee. I think I will ask for the regular order.

Mr. MANN. If gentlemen are going to try to cut us off from debating new matter that is introduced, they had better send out and get enough Members to do it.

Mr. GARRETT of Tennessee. The gentleman conceded that the Chair was right.

Mr. MANN. Technically he was right, because debate was concluded on the section and all amendments thereto, but this is a new paragraph.

Mr. LEVER. And a very important paragraph, too.

Mr. MANN. Everybody supposed it would be offered as a new proposition.

Mr. LEVER. I am anxious to get along with the bill, but this is a very important amendment, and I do not think myself that the debate was foreclosed, except technically.

Mr. ANDERSON. I could just as well have offered it as a new paragraph, and if there is any objection to this I will do so.

Mr. GARRETT of Tennessee. I do not object to the gentleman proceeding.

Mr. HAUGEN. There are a number of us who want to be heard. If one is heard, all ought to be heard.

Mr. LEVER. I ask unanimous consent that debate on this amendment and amendments to it be closed in 20 minutes.

Mr. SAUNDERS of Virginia. Reserving the right to object, I should like to have five minutes in this connection.

Mr. LEVER. Then I will make it 25 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the debate on this amendment and all amendments thereto be limited to 25 minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I do not think I will use my full five minutes, and other gentlemen may have the remaining time.

My constituency consist wholly of consumers, and this is in their interest, and I think it is inevitable that there will be some reduction in the cost of flour. But here is the situation in which we find ourselves: We fixed the price of wheat, in the first place, in order to sell wheat to our allies at less than the market price under market conditions, by which action the people of England and France and Italy saved a good deal of money. Now, we propose to pay $2.26 a bushel, Chicago basis, for wheat, and to sell the same wheat, under this amendment, to England, France, Italy, and Germany, if they buy it in the United States, which they will do, at a good deal less than we pay for it. We fixed the price of wheat, in the first place, in order to save money to the allies, or at any rate we did save money to them. Now, we propose to pay a very large sum of money in order to encourage the production of an immense crop of spring wheat, not yet sowed, and it seems to me that our friends on the other side of the water ought to be willing to take their chance on paying for the wheat what the Grain Corporation will ask them to pay, because, as this amendment is drawn, it would permit anybody who wanted to ship wheat abroad to buy it in the United States at what is called the world's market, whatever that may be, and sell it at a much less price than we pay for it. I am in a very charitable and generous frame of mind, but, really, when you go to cutting off not only the tail of the dog but his head as well, as a matter of convenience to the rest of the world, it is going a long way. This cuts both ways against the people of the United States. [Applause.] Mr. Chairman, I yield back the balance of my time.

Mr. STEENERSON. Mr. Chairman, the purpose and object of these provisions is to give the consumers, it is said, cheap bread, as cheap bread as they could get in Europe. Do you know that is absolutely impossible, unless you cut down the expense that is incurred between the farm and the baker. For 25 years before the war the people in England had a penny loaf that we paid 5 cents for. Why? Because the wages here are higher and the expenses of dealers and everybody are more. I was in England just before the war broke out and I know that that was the price of bread at that time—was a penny or 2 cents—and here we were paying 5 cents for a loaf.

Mr. REED. How does the gentleman get 5 cents?

Mr. STEENERSON. I am speaking about the price before the war. But you will never get it again, even if you got your wheat for nothing on the farms, because the expense of transportation and milling, selling, and making the bread is so much that it means more to the 5-cent loaf.

Now, the head of the Grain Corporation, Mr. Barnes, testified on that subject and he conclusively showed that this was an unnecessary and improper provision. He pleaded that he be given authority to manage the affairs so that we could get all that was possible out of the surplus. We will have a surplus for export, it is expected. We believe we shall have two or three hundred millions of bushels for export. By this proposed method you are going to keep the price down to what is claimed to be the world's market.

Mr. Barnes testified that the world's market was not in existence; that it was a controlled price. It is a monopoly price on the other side, and it will be here, because the buying is concentrated in the Governments of those countries and the selling is concentrated in the Government here. It is absolutely impossible to find a world's price here; and if you find it, the consumer would not get the benefit of it.

Mr. YOUNG of North Dakota. Has it not always been the policy of the United States to get as good a price as possible for the product exported from the United States?

Mr. STEENERSON. Certainly. Now, here is what Mr. Barnes said:

Even if they can solve the problem of paying it out of the National Treasury, the practical difficulties of returning it are enormous. I do not think we should embark on that policy, and I don't think it is necessary. It seems to me there are certain very clear principles. First, the farmer must have this price. Second, if we have a surplus to sell we should make an effort to get every cent for that surplus in this

country possible by every legitimate means, and if we then fail to market that surplus at this price level, then there should be authority vested in such a way that a readjustment can be worked out if the practical difficulties can be overcome.

What you do here is to take power away from the Government. The President should control this matter in his discretion. He is just; he will do what is right; there is no doubt about that. But if you take the power away and say they shall not exercise it, then who fixes the world's price? The grain speculators of the world, and especially the grain speculators and exporters of the United States; they will fix the price in order to bleed the Government as much as possible, and when they get the whole of the surplus they will put the price back to the consumer before the consumer has got time to get the benefit of it. Mr. Barnes testified that there were 10,000,000 barrels of flour in transit from the miller to the consumer all the time and an equivalent amount of wheat was in transit from the farm to the mill. It takes 60 days to make the operation complete. If you put this into effect you will have a guaranty, and you will pay the miller millions of dollars for the loss he incurs, and you will be creating a loss. I hope the amendment will not be passed.

Mr. MORGAN. Mr. Chairman, this amendment offered provides that the President is authorized and directed to resell to the people in the United States and its possessions and sell the same at a price as nearly as possible for the value thereof in those markets as such value may be determined from time to time.

I think it would be a very unwise policy on the part of the Government of the United States to adopt this kind of a policy. In the first place, if we are going to direct the President as to the policy we ought to require him to sell at home and abroad at the same price. Otherwise we would be treating the foreign countries in bad faith. If the people of the foreign nations want to buy our wheat, we have a surplus of wheat, and certainly this Congress will not adopt a policy of bearing down the price of the products we have to sell abroad. That policy never has been pursued, and it never should be pursued by any government. What is the position? England, France, and Italy, the three great allies, will have a buying agency here.

It will be to the natural and financial interests of those governments and their people to bear the price of wheat, to make us sell it at the very lowest price possible, and when we place in our statute a provision like this we are simply playing into the hands of foreign governments, to let them get the wheat at the lowest price possible. We are helping them to reduce the price of our product, to add to the cost of the Treasury of the United States, with nothing to be gained. We ought not to do such a foolish thing as that. We ought to leave this in the hands of the President of the United States to act from time to time. Nobody knows now whether we will have a surplus of 100,000,000 bushels of wheat, or 50,000,000 bushels of wheat, or 400,000,000 bushels of wheat. I know how quickly a bright prospect for wheat is sometimes destroyed. The idea that has been presented here that we are bound to have a great surplus and that wheat is going down is not justified. The best thing is to leave it to the President, leave to the agencies that he will create from time to time to do what is best.

Mr. ANDERSON. Mr. Chairman, I think this amendment clearly presents a question of policy involved in the administration of this act. It will determine the question of whether the cost of this guaranty is to be paid entirely by the consumers of the country, so far as they use the wheat, or is to be paid by the Nation at large as a war expense. It was contemplated when we made this guaranty that if there was loss under it it should be paid as a war expense, and that it should not be implemented against the consumers of the United States. It is, I think, true that the amendment as I have offered it is subject to the objection which the gentleman from Illinois [Mr. MANN] suggests, and I shall ask to offer a modification which I think will correct that defect.

Mr. STEENERSON. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. STEENERSON. If that was the policy, why did that act contain the provision that the President by proclamation might exclude all imports in order to make the losses to the Government as low as possible.

Mr. ANDERSON. Of course, nobody is suggesting, and certainly I am not suggesting, any policy which will make the Government loss as large as possible. I am simply suggesting that between the guaranteed price and what represents the intrinsic value of the product in the world's market, the loss shall be borne by the United States as a whole, as a war expense. I want to point out that in this amendment I have very carefully avoided using the words "the world's price," because I am frank to say that under the conditions now prevailing there is no such thing as a world's price and there may be no such thing as a world's price during the next year.

I have left it entirely in the hands of the President to say what the value of the wheat is on the basis of the world market. If he says it is $2.26 a bushel, then I am willing that wheat should be sold in this country at $2.26 a bushel, and that flour may be sold on the same basis; but if the President says that wheat, under the law of supply and demand of next year, is worth only $1.70 a bushel, then I am not willing that the consumers of the country shall be compelled to bear the other 56 cents a bushel. That is all there is to this proposition. Let us see what we have done. We provide in this bill that the President can embargo all wheat and wheat flour coming into this country.

Mr. GARRETT of Tennessee. That was provided in the original bill, was it not?

Mr. ANDERSON. Yes; and we have provided that he may close all exchanges of the country and thereby prevent speculation, and we have provided that the Government may become the sole purchaser of wheat, and when we have done those things we have given the President the power to keep the price at $2.26, if he thinks that is a just price to the consumer. If, in his judgment, the world's price, considering supply and demand, when he has all of the facts at hand, justifies a price to the consumer of less than $2.26 a bushel, then all my amendment does is to permit him to give the consumer the advantage of that price.

Mr. Chairman, I ask unanimous consent to modify my amendment by inserting after the word "wheat" the words "for consumption."

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendment as indicated. Is there objection?

Mr. LEVER. Mr. Chairman, reserving the right to object, may I not ask the gentleman to strike from his amendment the words "and directed"?

Mr. ANDERSON. Yes. I ask unanimous consent to do that.

The CHAIRMAN. The Clerk will report the amendment as it will be when modified.

The Clerk read as follows:

Page 4, after line 12, insert as a new paragraph the following:
"The President is authorized, in resale of wheat for consumption in the United States and its possessions, to sell the same at a price as nearly as possible reflecting the value thereof in the world's markets, as such value may be determined from time to time."

Mr. SAUNDERS of Virginia. Mr. Chairman, we are proposing to do, it seems to me, some very extraordinary things in this bill. I am in absolute accord, and I imagine every other Member of this House is, with the proposition that the farmer is to be guaranteed the price of $2.26 a bushel on his wheat, but in connection with that simple proposition of guaranty we are creating some very complicated machinery that is likely to work out some very difficult situations. The paragraph we have just read provides that certain methods may be promulgated that are intended to keep wholesalers, jobbers, millers, bakers, and retail merchants safe and harmless against loss. I wish to call the attention of the committee to the fact that all of these people intended to be protected must purchase this wheat and flour in carload lots in order to receive the benefit of this protection against loss.

Now, there are a very large number of bakers and retail merchants who do not purchase in carload quantities, but, perhaps, purchase half a carload lot or three-quarters of a carload lot, or in other proportions less than a carload. I take it that in the average district in the United States a far greater proportion of the purchases will be in quantities less than a carload. In these communities there will be found a merchant, a retailer, or a baker who purchases three-quarters of a carload lot of wheat or flour, and an abnormal fluctuation occurs. In that case the retailer or baker is not guaranteed against loss. Right by his side is a neighbor who purchases one carload lot, or two carload lots, or three carload lots, and as a result of the same abnormal fluctuation he loses out. That party will have the right to call on the Treasury of the United States to make good his loss, but his competitor, who had not purchased as much as a carload of flour or wheat, is absolutely without protection. Do you think that the practical operation of a law affording these contrasts and inequalities will be popular? Will it be just?

I wish to call attention to another matter in connection with this situation: Suppose an abnormal fluctuation takes place and it favors a man who has purchased as much as a carload of flour or wheat, so that he makes a considerable profit therefrom. Later he goes on the market and encounters another fluctuation which causes him to lose. Is it the purpose of this bill to balance the loss against the profit, or will the party be allowed to hold the profit which he has made as a result of the

first abnormal fluctuation and be entitled to be protected against the loss which resulted from his subsequent operation?

Mr. WELLING. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I do.

Mr. WELLING. Will the gentleman point out how it would be possible for him to make any money on the purchase of wheat when a man purchases a carload lot?

Mr. SAUNDERS of Virginia. Why not?

Mr. WELLING. He has got to buy it at the guaranteed price when he goes on the market and he can not make any money.

Mr. SAUNDERS of Virginia. Very well, suppose the price is maintained, how is the party going to lose in that event?

Mr. WELLING. He loses because there may be a fluctuation in the price after he purchases it.

Mr. SAUNDERS of Virginia. The Government is to maintain the price if it can, but these fluctuations may occur after the party has made his purchase.

Mr. WELLING. It will not come below the price——

Mr. SAUNDERS of Virginia. Why not? Another practical difficulty which suggests itself in this connection is this: Suppose a man has bought a carload lot and comes to the Government with the claim that he has lost out on the purchase. Possibly if that man had conducted his business a little more prudently, if he had not paid too much for his labor, if he had managed his business more prudently, he would not have lost out. Is the Government going to pay such a party on the presentation of his claim, or will the Government make an inquiry into the man's business to ascertain whether if he had conducted his business more prudently he would have sustained a loss? These are difficulties which I think are likely to arise. Just because a dealer comes to the Government, stating that he has lost out, should the Government accept his statement of loss, or should it undertake to conduct an inquiry into every phase of the dealer's business to ascertain whether, upon a proper conduct of business affairs, he would have sustained a loss?

These are practical inquiries in connection with the likely operation of this bill. The moment you undertake to interfere by boards, and methods and regulations with the ordinary rules of supply and demand, trouble begins. Many of the provisions of this bill deserve our very serious attention. They promise trouble.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, I am surprised to find that the committee had overlooked any of the recommendations of Mr. Barnes, who represents the Government. I supposed that every recommendation he had made had been ignored, but I find here that another one has been discovered, and it is to be turned down. We are now to take over the wheat and sell it at market price.

As stated by the gentleman from Virginia [Mr. SAUNDERS], wheat bought by the administration at $2.26 a bushel, with the exchanges left open on oats and corn, makes it possible to hammer down the price of oats and corn and carry the price of wheat down with it. If the price is hammered down a dollar, the Government agency is compelled under the amendment to sell it at a dollar loss, and then the purchaser turning around and offering it to the agency at a dollar advance, hence we have another endless chain.

The suggestion made to close the exchanges was turned down, which makes it possible to hammer down the prices. Mr. Barnes asked for authority of control over other foodstuffs. We have ignored that proposition. The two propositions will enable somebody to depress the prices and cause a loss. As I have said before, there seems to be a determined effort to bring about a big loss to this Government.

We have guaranteed the millers against loss. That may cost many millions. Nobody knows how much it will cost. We guaranteed the baker. Nobody knows what that will cost. We have guaranteed the jobbers against loss; we have guaranteed the merchant who buys the carload lots. It is proposed, in order to bring about a loss to the Government, to be dead sure that we are going to absorb this billion dollars, to sell the grain—first, that it might be sold anywhere in the world; now it is suggested to limit it to the consumer. But who can determine who the consumer is in the United States? Anybody buying 100,000,000 bushels may claim it for consumption, and there is nothing to prevent him selling it.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. SAUNDERS of Virginia. What is an abnormal fluctuation of wheat?

Mr. HAUGEN. Nobody knows. Probably it will fluctuate 40 cents; sometimes more. I can not say.

Mr. SAUNDERS of Virginia. Fifty cents is what I had in mind. If a man loses prodigiously at that, would that be considered an abnormal fluctuation?

Mr. HAUGEN. I would consider it so, if it is in a short period, for a day or week. Fifty cents in a week I should consider an abnormal fluctuation.

Mr. SAUNDERS of Virginia. Suppose it was 50 cents in a month?

Mr. HAUGEN. That is very uncommon.

Mr. SAUNDERS of Virginia. This is going to be difficult to administer. Suppose it is 25 cents in a week?

Mr. HAUGEN. That would be abnormal. Anything above 10 cents in a week I would consider abnormal.

Mr. SAUNDERS of Virginia. Have you any definition of "abnormal fluctuation" in support of that?

Mr. HAUGEN. No; that would have to be left to the administration to determine.

A gentleman asked a question sometime ago whether the Government would pay the loss to the miller. I might say for information that the licenses that have been prepared provide for the taking over wheat held by millers for that purpose.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Minnesota [Mr. ANDERSON].

The question was taken, and the amendment was rejected.

Mr. MORGAN. Mr. Chairman, I offer an amendment as a new section.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment as a new section, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MORGAN: Page 4, after line 12, insert the following as a new section:

"SEC. 3a. That the President is hereby authorized and directed to arrange with some grain dealer, miller, elevator, or operator thereof, or with some person, corporation, or agency, at each and every local grain market in the United States, so as to provide for the reasonable convenience of wheat producers in the delivery of their wheat, to receive, purchase, and pay for the wheat delivered by each and every wheat producer for the crop years of 1918 and 1919, at the price or prices guaranteed, and said payment shall be made in full on the delivery of said wheat to any grain dealer, miller, elevator, or operator thereof, or to any person, corporation, or agency authorized to receive, purchase, and pay for the same as aforesaid."

Mr. LEVER. Mr. Chairman, I reserve a point of order on the amendment. If the gentleman will not ask for more than five minutes' time I will withdraw the point of order and ask for a vote after six minutes.

Mr. MORGAN. I will not take more than that length of time.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this new section, which is the amendment, and all amendments thereto close in six minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this amendment and all amendments thereto close in six minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from South Carolina withdraws his point of order.

Mr. MORGAN. Mr. Chairman, I do not want to detain the committee, but I would like to indicate what this amendment is.

I take it that in carrying out this guaranteed price the agency created by the President will provide that the farmer may deliver his wheat at the usual grain market at such time as suits the farmer's convenience, and that it will be paid for. But there is no provision in the bill which in any way provides for such a thing.

The farmer is interested in three things: When he delivers his wheat, where he delivers it, and when he will get his pay for it. He ought to be allowed to deliver that wheat at his own convenience, just as he ordinarily does. He ought to be allowed to deliver it at his usual grain market. And third, when he delivers that wheat he ought to be paid that price in full.

Those are the only three things that my amendment proposes. I say that is fair and just. If you do not put some provision of that kind in the Government may require the farmer to ship his wheat to Kansas City, or to New York, or to Chicago, or to St. Louis, or to some other place. I do not apprehend that that would be the case; I say that frankly. I think the Government would try to suit the convenience of the farmer. This provision simply requires that to be done.

Now, we are going to give the farmer the price that we guaranteed to him. That seems to be agreed to by everybody, but we ought to have a provision which will protect the farmer from inconvenience. Certainly when that wheat is delivered he ought to be paid the guaranteed price in full. It ought not to be in piecemeal.

Now, that is all that I really care to say on this amendment. It is very plain and you can all understand it. I offer it in

the interest of the farmers, and I hope it will be adopted. [Applause.]

Mr. LEVER. Mr. Chairman, the amendment is so plain that it ought to be voted down.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oklahoma.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. That whenever the President shall find that operations, practices, or transactions at, on, in, or under the rules of any exchange, board of trade, or similar institution or place of business cause or are likely to cause unjust market manipulation, or unfair and misleading market quotations, or undue depression or fluctuation of the prices of, or injurious speculation in, wheat or wheat flour, hereafter in this section called evil practices, calculated or likely to enhance unduly the liabilities of the United States under the said guaranties, he is authorized to prescribe such regulations governing, or may either wholly or partly prohibit, operations, practices, and transactions in wheat or wheat flour at, on, in, or under the rules of any exchange, board of trade, or similar institution or place of business as he may find essential in order to prevent, correct, or remove such evil practices. Such regulations may require all persons coming within their provisions to keep such records and statements of account, and may require such persons to make such returns, verified under oath or otherwise, as will fully and correctly disclose all transactions in wheat or wheat flour at, in, on, or under the rules of any such exchange, board of trade, or similar institution or place of business, including the making, execution, settlement, and fulfillment thereof. He may also require all persons acting in the capacity of a clearing house, clearing association, or similar institution, for the purpose of clearing, settling, or adjusting transactions in wheat or wheat flour at, in, on, or under the rules of any such exchange, board of trade, or similar institution or place of business, to keep such records and to make such returns as will fully and correctly disclose all facts in their possession relating to such transactions, and he may appoint agents to conduct all investigations necessary to enforce the provisions of this section and all regulations made by him in pursuance thereof, and may fix and pay the compensation of such agents. Any person who willfully violates any regulation made pursuant to this section, or who knowingly engages in any operation, practice, or transaction prohibited pursuant to this section, or who willfully aids or abets in such violation, or any such prohibited operation, practice, or transaction, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a fine not exceeding $10,000, or by imprisonment for not more than four years, or both.

With committee amendments.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 4, line 24, after the word "transactions," insert "in wheat or wheat flour."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. HEFLIN. Mr. Chairman, I have an amendment which I wish to offer.

Mr. LEVER. Let us finish the committee amendments first.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 5, lines 6 and 7, after the word "transactions," insert "in wheat or wheat flour."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 5, line 13, after the word "transactions," insert "in wheat or wheat flour."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HEFLIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama. Where does the gentleman want to offer it?

Mr. HEFLIN. At the proper place to regulate the exchanges.

The CHAIRMAN. The Clerk can not tell just where the gentleman wants to place it.

Mr. HEFLIN. When I rose to offer it at the proper place the gentleman from South Carolina [Mr. LEVER] suggested that I wait until we got through the committee amendments.

The CHAIRMAN. Can the gentleman indicate the place?

Mr. BAER. While the gentleman is ascertaining the place, Mr. Chairman, I offer an amendment.

Mr. HEFLIN. It comes in on page 4, line 24.

Mr. BAER. Line 25.

Mr. HEFLIN. After the word "flour," in line 24.

The CHAIRMAN. After the word "flour," in line 24, page 4, the Clerk will report the amendment offered by the gentleman from Alabama [Mr. HEFLIN].

The Clerk read as follows:

After the words "wheat flour," on page 4, line 24, insert: "That the fifth paragraph of section 5 of the United States cotton-futures act, approved August 11, 1916, be, and is hereby, amended by striking out all of paragraph 5 after the word 'cotton,' on line 1, and inserting the following:

"'To be delivered on, under, or in settlement of such contracts shall be middling, strict low middling, low middling, strict middling, and good middling, the grades mentioned being of the official cotton standards of the United States of white cotton,' so that the paragraph as amended will read as follows:

"'Fifth. Provide that cotton to be delivered on, under, or in settlement of such contract shall be middling, strict low middling, low middling, strict middling, and good middling, the grades mentioned being of the official cotton standards of the United States of white cotton.'"

Mr. LEVER. Mr. Chairman, it is clear that it is subject to a point of order. I make the point of order on that.

Mr. HEFLIN. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair thinks well to rule, in order to save time. It clearly is not in order.

Mr. BAER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from North Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BAER: Page 4, line 24, after the word "wheat," strike out "or" and insert a comma, and after the word "flour" insert the following: "bran, shorts, and middlings."

Mr. LEVER. I make a point of order against that amendment.

Mr. BAER. I hope the chairman of the committee will withdraw that. I do not want to discuss the proposition which I have discussed here.

Mr. LEVER. If the gentleman will take a vote on it, I will withdraw the point of order.

Mr. BAER. I should like to have a little statement read in regard to bran, shorts, and middlings. It will not take two minutes.

Mr. LEVER. I ask unanimous consent that debate on the amendment and paragraph close in two minutes.

The CHAIRMAN. Does the gentleman withdraw his point of order?

Mr. LEVER. I withdraw the point of order.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on this section and all amendments thereto close in two minutes.

Mr. HEFLIN. I want to offer an amendment in line 19, on page 4, after the word "flour." to insert the word "cotton."

Mr. LEVER. You can not have two amendments pending at once.

Mr. HEFLIN. Then I object to the gentleman's request.

The CHAIRMAN. The gentleman from Alabama objects.

Mr. HEFLIN. I do not object to the gentleman from North Dakota proceeding for two minutes.

Mr. BAER. I desire to have this short article, which appeared in the Grand Forks American, read.

The CHAIRMAN. The Clerk will read it in the gentleman's time.

The Clerk read as follows:

THE REVENGE OF THE PROFITEERS.

No better demonstration of the necessity of continuing the Government regulation of prices has been afforded than in the sudden rise in the price of mill feeds. The day before the Federal regulation was lifted on these commodities bran was quoted at $27.73 a ton and middlings at $29.73. When the Federal regulation of prices was removed, bran shot up to $41 a ton and middlings to $46. A couple of days later the price of bran went up to $43 and middlings to $48.

In a short time the disastrous effects of this condition will be felt in every dairy and every farm that produces milk and butter and in every household that uses these articles. For the sake of the extortionate profits for one of the closest and most thorough combines in the country—the millers' combine—the majority of the population will be made to suffer. The producers will be unable to supply the necessary feeds for their cows, or they will be mulcted of practically all their profits or driven out of business. These conditions will result in a greatly curtailed production of dairy products if they are not remedied soon. The consumers will soon find themselves shortened on their dairy product allowances, or they will find themselves robbed outrageously by the prices of these commodities.

Mr. BAER. Mr. Chairman, I want to say to you Members with urban constituencies and you men from the South and other places who are consumers that this is a very vital amendment, and if you overlook this price fixing of bran, shorts, middling, and other complementary by-products of wheat you are overlooking a good bet. I will predict that the consumers in the cities will complain of this fact in the near future, when bran and shorts will go up to $75 a ton and they will pay for it in dairy products.

Mr. AYRES. They are already complaining.

Mr. BAER. They are already complaining. I have heard more about bran and shorts and middlings in the last week from

the farmers and the consumers than I have heard about this price fixing of wheat. The high price of feed is what makes butter high and milk high.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Dakota [Mr. BAER].

The question was taken; and on a division (demanded by Mr. BAER) there were—ayes 23, noes 27.

Mr. BAER. I ask for tellers.

Tellers were refused, 14 Members, not a sufficient number, seconding the demand.

Accordingly the amendment was rejected.

Mr. HEFLIN. Mr. Chairman, I know that it is not proper under the rules to put on amendments that are entirely foreign to the subject matter of the bill under consideration. I offered an amendment to this bill to give to the President the same power over cotton exchanges that you give him in this bill over wheat exchanges.

Mr. RUBEY. Mr. Chairman, I make the point of order that there is nothing before the House.

Mr. HEFLIN. I offered an amendment regulating future transactions on the exchanges——

The CHAIRMAN. The Chair understands the gentleman from Alabama is offering an amendment.

Mr. RUBEY. He must offer it and let it be reported.

Mr. HEFLIN. I desired to offer this amendment, "including the cotton exchanges."

Mr. GRAHAM of Illinois. I rise to a point of order. If the gentleman wants to offer an amendment, let him send it up.

The CHAIRMAN. The gentleman from Alabama will submit his amendment and the Clerk will report it.

Mr. HEFLIN. I move to strike out the last word. I am submitting my reasons for not offering the other amendment.

Mr. LEVER. If the gentleman will permit me——

Mr. HEFLIN. I do not yield the floor.

Mr. LEVER. I ask unanimous consent that debate on this section and all amendments thereto close in 10 minutes, the gentleman from Alabama to have 5 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on this section and all amendments thereto close in 10 minutes, the gentleman from Alabama to have 5 minutes. Is there objection?

Mr. HEFLIN. The gentleman from Arkansas [Mr. CARAWAY] wants to offer an amendment, and I will yield him three minutes of my time.

The CHAIRMAN. The gentleman can not yield his time. Is there objection to the request of the gentleman from South Carolina?

Mr. HEFLIN. Then, I object.

Mr. LEVER. I move that debate on this section and all amendments thereto close in 10 minutes.

Mr. HEFLIN. I have not yielded the floor.

The CHAIRMAN. The gentleman from South Carolina can not take the gentleman from Alabama off his feet. The gentleman from Alabama has moved to strike out the last word.

Mr. HEFLIN. Mr. Chairman, I have offered the amendment that I wanted embodied in this bill, which fixes the grades to be used on exchanges in future markets to five broad grades, which cover from 90 to 95 per cent of the cotton crop of the cotton-growing States. The gentleman from South Carolina has made a point of order against that amendment and the Chair has sustained it. I have offered the amendment at the place where I though it was proper, and it would have been as proper on this bill as the Agricultural bill, to which the gentleman from California offered the prohibition amendment, and it was held in order. Since the chairman of the committee [Mr. LEVER] has made the point of order against the other amendment that I offered, to restrict the grades of cotton to be used on the cotton exchanges, and the point of order was sustained, I feel that it is useless to offer the other amendment, and I yield to Judge CARAWAY, of Arkansas, to offer his amendment.

Mr. CARAWAY. Mr. Chairman, I want to offer an amendment in line 19, page 4, after the word "flour," to strike out the word "or," and then, in line 21, I want to strike out the words "unduly the liabilities of the United States under the said guaranties" and insert the words "or to enhance or unduly depress the price of those products."

Mr. LEVER. To that I reserve the point of order.

Mr. HAUGEN. Will the gentleman add the words "corn and oats"?

Mr. CARAWAY. I have no objection to that.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 19, after the word "wheat," strike out the word "or"; after the word "flour," in the same line, insert the words "or cotton"; and page 4, lines 21 and 22, strike out the words "unduly the liabilities of the United States under the said guaranties" and insert "unduly depress the price of these products."

Mr. MANN. To that I make a point of order.

Mr. CARAWAY. I do not concede that it is subject to a point of order. The gentleman has not stated any grounds, and I would like to hear the reason for his point of order.

Mr. MANN. Mr. Chairman, this is a bill the object of which is fairly well stated in the title—to enable the President to carry out the price guaranties made to producers of wheat of the crops of certain years. The bill relates to transactions of wheat and includes flour as a part of the transactions in wheat; all one subject matter of wheat. Now, it is not in order to include some other product as an amendment; it is not germane. To a proposition to enable the President to carry out the price guaranties in wheat I contend that it is not germane to offer an amendment relating to cotton, or steel, or minerals, or coals, or anything else of that sort.

Mr. CARAWAY. Mr. Chairman, this section under discussion is only remotely related to the question of guaranteeing the price of wheat and flour, if related to it at all. It is an independent section injected into the bill to prevent speculation; that is all. You could strike out section 4, and the question of Government liability in guaranteeing the price of wheat is not affected at all.

This section deals solely with delegating authority to the President under certain conditions to prevent speculation in farm products. Now, that is all there is in this section. It seeks to regulate speculation in grain and grain products. There is nothing in the section suggested that it would not be germane to include other farm products. To hold otherwise would be ridiculous, it seems to me. All kinds of extraneous propositions are proposed here; but if we attempt to legislate for cotton, then the rule of germaneness is invoked and the amendment is held foreign. Then, there is no use of further saying that we are a deliberative body. There is absolutely nothing in section 4 which has to do with the main purpose of the bill, which was the guaranteeing of the price of wheat. It is a section injected here to regulate exchanges that deal in wheat and flour.

Mr. MANN. Mr. Chairman, the purpose of the regulation is to enable the Government——

Mr. CARAWAY. Oh, that is merely an assumption on the part of the gentleman, because it is not necessary to the guaranteeing of the price of wheat.

Mr. MANN. I take it that the committee which reported the bill thought it was.

Mr. CARAWAY. I do not care what they thought; it does not make any difference to me what they thought.

Mr. LEVER. Mr. Chairman, I would like to say that the amendment must be germane not only to the section to which it is offered, but it must be germane to the bill. The amendment offered by the gentleman from Arkansas in striking out certain language and inserting other language changes the character of the bill.

Mr. CARAWAY. Is section 4 germane to the legislation?

Mr. LEVER. Why, it is a part of the legislation.

Mr. CARAWAY. Is it germane to the main purposes of the bill?

Mr. LEVER. Surely. It is a part of the machinery.

Mr. CARAWAY. In what way?

Mr. LEVER. To prevent undue speculation that would enhance the liabilities of the Government.

Mr. CARAWAY. The object here was not to prevent speculation. The object of the legislation is to guarantee the farmers a certain fixed price for wheat.

The CHAIRMAN. The Chair is ready to rule. The purpose of the bill is very clear to the Chair. It deals entirely with wheat and wheat flour, and in its very title provides that the purpose is to enable the President to carry out the price guaranties heretofore made to the producers of wheat for the crops of the years 1918 and 1919, and to protect the United States against undue enhancement of its liabilities thereunder.

Mr. CARAWAY. Mr. Chairman, may I interrupt the Chair there with a question?

The CHAIRMAN. Yes.

Mr. CARAWAY. What about the germaneness of the proposition to guarantee the millers and the bakers and the merchants and the wholesalers against loss? It shows that the bill goes beyond what the title proposes.

The CHAIRMAN. The Chair was not called upon to rule on that part of the bill.

Mr. CARAWAY. It constitutes a part of the legislation.

The CHAIRMAN. Section 4, where the gentleman offers his amendment, provides:

hereafter in this section called evil practices calculated or likely to enhance unduly the liabilities of the United States under the said guaranty—

And so forth.

The very thing that the title of the bill declares the President may do in reference to wheat, but cotton is not affected or in any way referred to from the first line to the last line of the bill. The Chair thinks this amendment very clearly is not germane, and sustains the point of order.

The Clerk read as follows:

SEC. 5. That, from time to time, whenever the President shall find it essential to license any business of importation, exportation, manufacture, storage, or distribution of wheat or wheat flour in order to carry into effect any of the purposes of this act, and shall publicly so announce, no person shall, after a date fixed in the announcement, engage in or carry on any such business specified in the announcement unless he shall secure and hold a license issued pursuant to this section. The regulations prescribed pursuant to this act may include requirements with respect to the issuance of licenses, systems of accounts, and the auditing of accounts to be kept by licensees, submission of reports by them, with or without oath or affirmation, and the entry and inspection by the President's duly authorized agents of the places of business of licensees. It shall be unlawful for any licensee to engage in any unfairly discriminatory or deceptive practice or device, or to make any unjust or unreasonable rate, commission, or charge, or to exact an unreasonable profit or price, in handling or dealing in or with wheat or wheat flour. Whenever the President shall find that any practice, device, rate, commission, charge, profit, or price of any licensee is unfairly discriminatory, deceptive, unjust, or unreasonable, and shall order such licensee, within a reasonable time fixed in the order, to discontinue the same, unless such order, which shall recite the facts found, is revoked or suspended, such licensee shall, within the time prescribed in the order, discontinue such unfairly discriminatory, deceptive, unjust, or unreasonable practice, device, rate, commission, charge, profit, or price. The President may, in lieu of any such unfairly discriminatory, deceptive, unjust, or unreasonable practice, device, rate, commission, charge, profit, or price, find what is a fair, just, or reasonable practice, device, rate, commission, charge, profit, or price, and in any proceeding brought in any court such order of the President shall be prima facie evidence. Any person who, without a license issued pursuant to this section, or whose license shall have been suspended or revoked after opportunity to be heard has been afforded him, knowingly engages in or carries on any business for which a license is required under this section, or willfully fails or refuses to discontinue any unfairly discriminatory, deceptive, unjust, or unreasonable practice, device, rate, commission, charge, profit, or price, in accordance with the requirement of an order issued under this section, or willfully violates any regulation prescribed under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished by a fine not exceeding $5,000, or by imprisonment for not more than two years, or both: *Provided*, That this section shall not apply to any farmer or cooperative association of farmers or other person with respect to the products of any farm or other land owned, leased, or cultivated by him, nor to any common carrier.

Mr. BAER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BAER: Page 6, line 7, after the word "wheat," strike out "or" and insert a comma, and after the words "wheat flour" insert the words "bran, shorts, middlings, and feed."

Mr. LEVER. Mr. Chairman, I make the point of order on that. We have already voted on that several times.

Mr. BAER. Mr. Chairman, I believe this is the proper place for this to be inserted, and I hope the gentleman will withdraw the point of order.

Mr. LEVER. I think I have been very liberal with the gentleman. He has offered this half a dozen times, and the committee has expressed its opinion about it.

Mr. BAER. I really feel that the last time it was out of place. I believe this the proper place for it. I do not like to take up the time of the committee, and I know the gentleman is in a hurry to get this bill through. Otherwise, I would bring in a lot of facts in connection with this, but I think I have been very lenient with the gentleman on the time of debate.

Mr. LEVER. If the gentleman is ready to vote, I shall withdraw the point of order.

The CHAIRMAN. The gentleman from South Carolina withdraws the point of order. The question is on the amendment offered by the gentleman from North Dakota.

The question was taken; and on a division (demanded by Mr. BAER) there were—ayes 22, noes 33.

Mr. BAER. Mr. Chairman, I ask for tellers.

The CHAIRMAN. The gentleman from North Dakota demands tellers. Eight gentlemen have arisen, not a sufficient number.

Mr. BAER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BAER. Can I ask for the other side, if I can not I will have to make the point of no quorum.

The CHAIRMAN. No; it takes one-fifth of 100 to order tellers.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the proviso beginning with first line, page 8.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. MOORE of Pennsylvania moves to strike out the proviso, page 8, line 1.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not believe the American farmer wants to be exempted from any of the laws that are applicable to other people. This section provides for a licensing system under the direction of the President, and it prescribes certain penalties to be imposed upon those who violate the license feature or who resort to discriminatory or deceptive practices or devices. Now, I do not say any American farmer would do this thing, but in the name of the farmer some one might resort to the use of a deceptive practice or a deceptive device, some one might resort to unjust or unreasonable practices or devices, or charge unreasonable or discriminatory rates, commissions, profits, or prices; some one might willfully violate any of the regulations prescribed under this act. That would be regarded as a misdemeanor if any individual other than the farmer were to be guilty of it.

Who is to be punished under this section, the baker, who was protected by the preceding paragraph, the jobber, or the middleman, who was taken care of in the preceding paragraph? Are they the only ones to be punished? Suppose that which never should happen in regard to the American farmer should happen and that there should be a short-weight bushel, or some poor grain should be put in the bottom of the car, or that there should be some deception in regard to the quality of the grain, overheated, or something of that kind. If that were done by one who could prove himself a farmer, then under this provision he would be exempt from any of these penalties.

Mr. LEVER. I suggest that the gentleman read section 7, and he will find where the farmer is protected.

Mr. MOORE of Pennsylvania. Is there a section which protects the farmer?

Mr. LEVER. You bet.

Mr. MOORE of Pennsylvania. Where is it?

Mr. LEVER. Section 7.

Mr. MOORE of Pennsylvania. In section 7 the farmer is particularly cared for? Well, I am very glad to have that information, because I thought for a while this bill was to protect the middleman and jobber, and that they were to be the beneficiaries of this $1,000,000,000 appropriation, this tax of $10 per head upon every man, woman, and child in these United States. But seriously, Mr. Chairman, I do not see why in justice and in fairness to the entire population of the United States some of the people should be exempt from these penal clauses. The gentleman from South Carolina is a very fair-minded man. I know that he would not speak in the interests of the American farmer unless duty impelled him to do so. I know he would not put any provision in this bill that would exempt the farmer from any obligation imposed by the bill upon other people. He has already indicated that he would not include the consumer in any of the benefits provided by this bill, and I thought possibly if I could reason with him a little, especially at this late hour of the evening, when we are all in good humor, I might satisfy him that this amendment was a proper one.

Mr. LEVER. I suggest that the gentleman from Pennsylvania's reasoning is always persuasive, but most usually is wrong, as this is, and I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 6. That whenever the President shall find it essential in carrying out the guaranties aforesaid, or to protect the United States against undue enhancement of its liabilities thereunder, and shall make proclamation thereof, it shall be unlawful to import into the United States from any country named in such proclamation, or to export from or ship from or take out of the United States to any country named in such proclamation, wheat or wheat flour, except at such time or times, and under such regulations or orders, and subject to such limitations and exceptions as the President shall prescribe, until otherwise ordered by the President or by Congress: *Provided*, That no preference shall be given to the ports of one State over those of another. Any person who shall import, export, ship, or take out of the United States, or attempt to import, export, ship, or take out of the United States, any wheat or wheat flour in violation of this section or of any regulation or order made hereunder, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be punished by a fine not exceeding $1,000 or by imprisonment for not more than two years, or both.

Mr. BRAND. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 8, line 18, after the word "another," insert:
"*Provided further*, That no part of the appropriation herein provided shall be available for the purposes named in this bill unless within 30 days after its approval the embargo on cotton exportation provided for

in title 7 of the espionage act, approved May 16, 1918, shall have been removed and all regulations and orders placed thereon and now of force shall have been vacated."

Mr. LEVER. Mr. Chairman, I reserve a point of order on that for five minutes only.

Mr. BRAND. Mr. Chairman, I have submitted this amendment because of the grave peril confronting the people of my district and State, which situation I assume similarly exists in all the cotton-growing States.

As it shows upon its face, the paramount object of this amendment is to lift the embargo on cotton and remove all limitations and restrictions on its free and unlimited shipment to all the countries of the world who need cotton and who are in the market for cotton.

Title 7 of the espionage act approved by the President May 16, 1918, prohibits all exports under certain orders and regulations to be fixed by the President.

On November 20, 1918, I wrote President Wilson the following letter upon this subject, signed by myself and Mr. BELL, he being the only other Member of the delegation accessible when it was written, all of whom entertained the same thought about the situation:

NOVEMBER 20, 1918.

DEAR MR. PRESIDENT: For the last two weeks we have been receiving letters and telegrams from constituents in our districts in regard to the cotton situation.

It has been suggested if the War Trade Board or Mr. BRAND'S committee do not give any relief to the cotton grower that we appeal to you.

The farmers of our districts, as a rule, are not selling their cotton. Most of it is stored in warehouses. The warehousemen will not loan a dollar upon this cotton. They claim that they can not borrow any more money from the banks, and for this reason they decline to make any advances, no matter how much collateral is offered.

Our people believe if the embargo upon shipments of cotton is lifted or removed that the price thereof will seek its level, which, in the judgment of cotton producers and other well-posted men, will be from 35 to 40 cents per pound. This has been a costly crop to make, and to sell it at the present price means a great sacrifice.

We are deeply concerned and interested in this matter. If you do not deem it proper or wise to remove said embargo, we respectfully submit for your serious and immediate consideration the proposition of not only authorizing but ordering the War Trade Board to remove its restrictions upon the shipment of cotton and liberally licensing the same.

This matter is not a question of politics with us or our constituents, but next to the war and the issues growing out of it, it is the most serious problem at present confronting our people.

We hope and trust that the matter may receive favorable consideration at your hands.

We beg to remain,

Most respectfully, yours,

C. H. BRAND.
T. M. BELL.

THE PRESIDENT,
The White House.

On November 22 I received his reply to this letter, which is as follows:

THE WHITE HOUSE,
Washington, November 22, 1918.

MY DEAR MR. BRAND: The letter signed by yourself and Mr. BELL touches a matter to which I have given a great deal of thought and which I sincerely hope is slowly straightening itself out. If it does not do so, it will not be from lack of sympathetic attention, but only from lack of ships and because of the present impossibility of breaking the blockade which is continued by the armistice.

Cordially and sincerely, yours,

(Signed) WOODROW WILSON.

Hon. C. H. BRAND,
House of Representatives.

No substantial results having been accomplished by this correspondence, nor by cablegrams sent by Senators and Congressmen to the President while in France, I thereafter introduced a bill to amend this act by repealing said title, the effect of which, of course, would be to permit the exportation of cotton and the purchase and sale thereof by the different nations of the earth interested in the same, which bill is now pending before the Judiciary Committee. A similar bill had previously been introduced in the Senate by Senator SMITH of Georgia. It is apparent that during the few remaining days of this session of Congress it is highly improbable that this bill will be reported to the House for consideration. This being true, if the removal of the embargo on cotton is to be made effective by legislation, an appropriate amendment to some of the pending bills must be engrafted thereon at this session of Congress. It will be too late to relieve the crisis which now exists for such legislation at the next session of Congress or at the extraordinary session which may be called.

I desire to call the attention of the chairman to the Randall prohibition amendment, which was put on the agricultural bill, H. R. 11945, found in the RECORD of May 21, 1918. The title of this bill is as follows:

An act to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," and for other purposes.

Mr. Chairman, the amendment offered by Mr. RANDALL, of California, is as follows:

No part of this appropriation shall be available for any purpose unless there shall have been previously issued the proclamation authorized by section 15 of the act of August 10, 1917, entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the transportation of agricultural products, such proclamation being the prohibition of the use of foods, fruits, food materials, or feeds in the production of malt or vinous liquors for beverage purposes.

After a lengthy debate, in which some of the expert parliamentarians in this House engaged, the Chairman decided the point of order was not well taken. It was accordingly overruled and this amendment was engrafted upon that legislation. In ruling upon and deciding the point of order thus raised, the Chairman, the distinguished gentleman from Virginia [Mr. SAUNDERS], makes this statement:

This amendment does not compel the President to issue the proclamation referred to. He may issue it or refuse to issue it, in his discretion. But the amendment, in substance, says to the Department of Agriculture, we propose to withhold from you the benefit of this appropriation during the full period of time during which this proclamation is unissued.

And further on in his opinion he says:

The matter proposed to be dealt with is an appropriation of money, and this body has the absolute power to determine whether it will or will not appropriate. In the exercise of that power we may do unreasonable things, but, after all, the question is whether, with respect to the action proposed, we are within our powers and within our rules; in a word, whether this is a limitation, in a parliamentary sense, on an appropriation bill? The Chair overrules the point of order and remits the same to the determination of the committee.

After the point of order was overruled this proposition of Mr. RANDALL'S was hitched onto the Agricultural bill. In effect, this action tied the hands of the President and virtually told him he could not put into operation and make effective the Agricultural bill unless he issued the proclamation which Congress had theretofore authorized him to do, prohibiting the manufacture of liquor and beer.

I do not pretend to be familiar with the technicalities of parliamentary law obtaining in this House, but I know the Randall amendment is a parallel case to the one I submit. It is a precedent for the propriety of my amendment and is ample authority for a ruling on the part of the Chair against this point of order.

I also know that the rules of any deliberative body in making laws are related in a degree to the rules which obtain in the interpretation and construction of laws by the courts. While one enacts legislation and the other construes, both deal with proposed amendments. The trend of the courts all over the United States for the last decade has been to broaden the authority of the judges and of the courts in allowing amendments to pleadings.

The established policy of the courts is to be liberal in granting amendments where there is any degree of germaneness. The days of niceties and technicalities, so far as dealing with amendments to pleadings is concerned, are past. I do not believe when considering legislation in the House which deals with millions and billions of dollars of money that we ought to be sticklers in regard to points of order or hold in such sacred regard technicalities and niceties of the character involved in the objection to this amendment. And I appeal to the Chairman and insist that this precedent to which I have referred is direct authority for a ruling on the Chairman's part favorable to this amendment and adverse to the point of order made against it.

I take the position, if any doubt exists in the mind of the Chairman as to the propriety of this amendment, that it should be resolved in its favor, because the cotton-growing States and the farmers who produce the cotton are suffering the greatest calamity short of human life which could befall a people. The great cotton-growing section of this country is facing perilous times, and I firmly believe that if this embargo on cotton is lifted the atmosphere would clear up, and that what now appears to be a pending calamity may be turned into a national blessing.

As all of us know, this espionage law embracing among other things an embargo upon the exportation of cotton is war legislation. As the war terminated last November I can see no earthly necessity for continuing this blockade on any sort of exports, much less should it operate a day longer against cotton.

In my judgment all this legislation which was enacted on account of the war should be repealed as soon as possible, in order that the business of this country may get back to normal conditions. [Applause.]

I can not see for the life of me why any Member of this House or why the administration or any of those high in authority should insist that this legislation should be continued, particularly when it benefits no section of the United Sates and is working irreparable loss and damage to a great section of our common country.

The lifting of this embargo will work no injury to the constituents of any Member of this House, it matters not what section of the country is represented.

Millions of dollars have been given to the poor and suffering people of Europe. Billions of dollars have been loaned to all the allied countries of the entente powers. The taxpayers of this country have been burdened on account of the necessities of war by the issuance of billions of dollars of bonds, and now that peace has come, I think it is high time that we begin to consider the interests and necessities of our own people. [Applause.]

The cotton grower does not ask you to give him a dollar. He does not ask you to loan him a dollar. He does not ask you to fix a price on cotton. He does not ask you to guarantee a fixed price on cotton. All he asks is fair play and fair treatment and that the shackles which have been placed upon cotton by this embargo be stricken and the chains which for months have held it captive may be broken, and in this way so far as possible we may be able to prevent the vultures in the New York and New Orleans Exchanges from further inroads upon the welfare and well-being of the cotton-growing States. [Applause.]

When the administration, in October of last year through Baruch, laid its hand on cotton and began to meddle with the price of it, though done in good faith and on account of the exigency of the war, the law of supply and demand was paralyzed. This action turned loose an avalanche which almost swept the cotton grower of the South into bankruptcy and financial destruction.

When the war was on and the results of it seemed uncertain and when the fate of humanity and civilization was trembling in the balance and the high seas were filled with submarines destroying human lives and property from shore to shore, cotton was selling in the open markets at 37 cents per pound. When the administration began, under the authority given it by title 7 of the espionage act, to regulate the exportation of cotton, the price began to go down. The bears took advantage of the situation. The cutthroats and robbers in the exchanges of the country saw an opportunity to enrich themselves at the expense of the laboring people of the South. They seized upon it, and have been successful in their operations from that day to this.

Hundreds of banks have advanced money on cotton on the assumption that it would sell around 35 cents per pound. Hundreds of merchants are in dire straits and many others have lost the accumulation of years by reason of the operation of these exchanges. Landlords have suffered heavily, but the most distressing feature of the whole situation is the suffering which the poor laboring people have endured on account of the great slump in the price of cotton. The man without land, the cropper and tenant, both white and colored, is the least able to endure the havoc wrought by these cotton gamblers.

Though indulging in grave reflections while carrying the load which he should not bear, as "the ploughman homeward plods his weary way," he endures the pending peril like a stoic, and yet it is nothing short of a crime that he should be the victim of the cotton conspirators, who have deliberately robbed him of the just fruits of his toil.

Mr. AYRES. Will the gentleman yield for a question?

Mr. BRAND. Yes.

Mr. AYRES. Do you mean to say that the price of cotton has been decreased in the last year or so?

Mr. BRAND. Everybody knows that to be a fact.

Mr. AYRES. I did not know it. The campaign was made all over the West last year that the South was in the saddle and had fixed the price of wheat and had not fixed the price of cotton. I can not understand it. Is not that same South in the saddle now?

Mr. BRAND. In what respect?

Mr. AYRES. I am taking the argument that the Republicans used last fall.

Mr. BRAND. That argument was delusive. The South was not in the saddle. How could she be when her cotton crop cost from 30 to 31 cents per pound to make it when it was selling f.. 25 or 26 cents, and the cotton grower could not borrow a dollar on it from the warehouses. While the Republicans got away with the argument in the West, instead of the cotton grower being in the saddle on account of this embargo he was on his knees.

The average price for cotton went from 37 cents to 27 cents per pound, and estimating a bale at 500 pounds and the number of bales now held plus that sold around 27 cents, the loss to the farmer and the cotton grower of the Southern States is approximately $200,000,000.

Mr. LEVER. Mr. Chairman, I do not want to interrupt the gentleman, but I suggest that the gentleman is not debating the point of order. I do not know how long the gentleman desires to continue.

Mr. ROBINSON. Mr. Chairman, I hope the gentleman will not interfere. Let him go on.

Mr. QUIN. Mr. Chairman, there is a big lot of truth in what the gentleman says, and I ask unanimous consent that he may go on for a little while.

Mr. BRAND. Let me have but two minutes more.

The CHAIRMAN. The gentleman is arguing on the point of order.

Mr. LEVER. Is not argument on a point of order subject to the five-minute rule?

Mr. CARAWAY. Argument on a point of order is not subject to the five-minute rule.

Mr. BRAND. I will quit in a minute.

In my judgment, to a large extent this great loss can be retrieved if the embargo upon cotton is lifted and the ports are opened for its shipment to other countries of the world.

From estimates made by experts, the cost of raising the crop of 1918 ranged around 30 cents per pound. There are now two and a half or three million bales of cotton in the farmers' hands in the South, in addition to a great volume of cotton now being held and controlled by bankers and merchants. If this embargo can be lifted, in the judgment of well-posted and disinterested men cotton will bring, as it ought to bring, from 35 to 40 cents per pound.

A great battle is on between these cotton growers, who are trying under great difficulties to hold for better prices, and those people in the country who are interested in keeping down the price of cotton. The latter are speculators. They have no earthly interest in the cotton farmer except to rob him and fleece him. The House of Representatives should therefore see to it that the farmers have a fair and open fight in their efforts to have the law of supply and demand vitalized and restored, and this can not be done unless this embargo is lifted. They believe the removal of this embargo will have this effect. If it does not, no one is hurt.

As is known of all men, the farmers of the South have done their share toward financing every war activity from its inception until now. They have subscribed liberally to every liberty bond issue. They have bought freely of all the war savings stamps and certificates. They have given unstintedly to the Red Cross, and besides have yielded their sons to cross the high seas for France to engage in a war for the security of mankind, in which many have made the supreme sacrifice. Yet they ask no favor for any of these reasons, because this was a patriotic sacrifice which they and their fellow countrymen everywhere have made. Their appeal for relief is not based upon any of these grounds.

In one of the most famous addresses of Daniel Wolsey Voorhees he relates an incident of an Indian at the head of his tribal delegation who appeared at Washington to plead for justice at the hands of the official authorities:

> His bronzed face and stoical bearing told that he was a native of the North American wilderness. The English language was an unknown tongue to him, and an interpreter told his hearers what he said. In the midst of his eloquent utterances, accompanied by dramatic gestures, there flashed from his barbarian lips in barbarian language that immortal sentence, first heard on the plains of Palestine: "And as ye would that men should do to you, do ye also to them likewise." His Christian listeners heard him amazed. The Indian of the plains, with his blanket on, stood there teaching them a higher principle of government than had ever been practiced toward him and his waning, perishing race. This dusky child of a plundered, outraged people, in claiming protection for his home and the graves of his kindred, based his touching appeal on the injunction of the great Galilean put forth 20 centuries ago.

The cotton grower places his case and his appeal to Congress upon this rule and upon the principles of equity and justice and the equal protection with his fellows of the laws of the land, and upon these propositions he is willing to stand or fall. [Applause.]

The CHAIRMAN. The gentleman's time has expired.

Mr. LEVER. Mr. Chairman, I regret to have to make a point of order against this amendment, because I realize that there is a great deal of truth in what the gentleman from Georgia says. But I must make the point of order on the ground that the bill now under consideration is not an appropriation bill in the sense in which we understand appropriation bills, and therefore this amendment would not be in order except as a limitation. This not being an appropriation bill, it can not be a limitation, and as it stands with reference to this section it is not germane.

On that proposition, Mr. Chairman, I may say that the Chair yesterday sustained a proposition of this kind when the gentleman from Texas [Mr. GARNER] was presiding.

Mr. BANKHEAD. Oh, no. It was just the other way. Mr. Chairman, I would like to be heard briefly on this point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BANKHEAD. Do I understand that the gentleman from South Carolina [Mr. LEVER] makes his point of order on the proposition that this is not germane, or that this is not an appropriation bill?

Mr. LEVER. I say it would not be in order unless it were in the form of a limitation, this not being an appropriation bill. A similar ruling was made yesterday on a like bill. It can not be a limitation; and the only way it can be in order on this bill would be that it should be germane, and it is not germane.

Mr. BANKHEAD. Mr. Chairman, in addition to the precedents cited by the gentleman from Georgia [Mr. BRAND], a ruling, I believe, by the gentleman from Virginia [Mr. SAUNDERS], when the Randall prohibition amendment was under consideration, which it seems to me is clearly in point upon this proposition, I desire to cite a more recent precedent to refresh the memory of the House, and call attention to a bill a few days ago when Mr. GARNER, of Texas, was in the chair, when that point of order was made to a proposition identical with this. The ruling of the Chair was that although in his own deliberate judgment the point of order was well taken, yet in view of the fact that the gentleman from Missouri [Mr. ALEXANDER] a short time previously to that had made a ruling to the effect that the same point of order was not well taken, and that the limitation in the amendment was germane, he overruled the point of order, and on an appeal to this House that ruling of the gentleman from Texas was sustained. Now what is involved in this amendment?

The CHAIRMAN. Will the gentleman allow the Chair to submit to him a question?

Mr. BANKHEAD. Yes.

The CHAIRMAN. The cases to which the gentleman refers were appropriation bills.

Mr. BANKHEAD. What is the difference in principle, Mr. Chairman? The only reason why a point of order of that sort on a general appropriation bill is so prescribed is by the rules of the House—Rule XXI of the House.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. LEVER. I am sure the Chair desires to have the latest ruling on this subject. This is contained on page 3894 of yesterday's CONGRESSIONAL RECORD. The Chair ruled as follows:

> The Chair believes it is agreed by all that this does not come under the head of a general appropriation bill, and therefore the question of new legislation does not apply. The only question, then, is as to the germaneness of this particular amendment to the bill. Let us just see what this bill proposes to do.
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> * * * * * * *
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> That this is no general appropriation bill. The Chair overrules the point of order.

Mr. BANKHEAD. That is not pertinent to the ruling that I am citing, because this is a limitation. Even under the rule that the gentleman from South Carolina is citing, the committee and the House have the right to put limitations even upon the Executive discretion in the exercise of its power of legislation.

If the Chair has any question upon that, I call his attention to numerous decisions in Volume IV of Hinds' Precedents, cited here on page 368 of the Manual. Now, as I started out to suggest, what is the object of this amendment offered by the gentleman from Georgia?

The CHAIRMAN. Right at that point, will the gentleman permit the Chair to make a suggestion?

Mr. BANKHEAD. Yes.

The CHAIRMAN. The gentleman's contention is that this is in order because it is a limitation?

Mr. BANKHEAD. A limitation upon an appropriation bill, if you please.

The CHAIRMAN. A limitation under the Holman rule.

Mr. BANKHEAD. Not necessarily. It is a general proposition.

The CHAIRMAN. The reason for the Holman rule was that it was an effort to save the Government some money.

Mr. BANKHEAD. I am not discussing the Holman rule. That is not involved in this question.

The CHAIRMAN. The gentleman cites page 368 of the Manual?

Mr. BANKHEAD. Yes.

The CHAIRMAN. The Chair calls the gentleman's attention to the citation at the top of page 369.

Mr. BANKHEAD. Yes; but let me call the attention of the Chair to those at the bottom of page 368.

The CHAIRMAN. The citation on page 369 is—

> But such limitations must give no affirmative direction, and must not impose new duties upon the executive officers.

Mr. BANKHEAD. That is entirely in line with what I am saying. Now, what does this amendment do? Here is an appropriation of nearly $1,000,000,000, and this amendment provides that the money shall not be used for the purposes named in this bill unless the Executive does so and so. If the Chair will get from the library the citations referred to on page 368 of the manual, he will find that those precedents justify a restriction upon the exercise of executive discretion and require the executive officers, before appropriations can be made available for certain purposes, to do certain things. Now, that is all that is involved in this proposition here.

Let me call the attention of the Chair to another recent decision. A few days ago when we had up the Army appropriation bill the gentleman from Missouri [Mr. DYER] offered an amendment providing that no part of the appropriation should be used for any purpose until all soldiers who had been drafted or volunteered for the military service should be restored to their former positions under the War Department, if found to be fit for this service. We had an elaborate argument here upon that proposition.

Mr. LEVER. Will the gentleman yield?

Mr. BANKHEAD. I yield to the gentleman from South Carolina.

Mr. LEVER. That was on a regular appropriation bill.

Mr. BANKHEAD. What is the difference?

Mr. LEVER. All the difference in the world. The Chair so held yesterday.

Mr. BANKHEAD. These restrictions upon regular appropriation bills are only put into effect by virtue of a rule of the House for that purpose, and they do not settle the general parliamentary question at all.

Mr. RANDALL. Will the gentleman yield?

Mr. BANKHEAD. I yield to the gentleman from California.

Mr. RANDALL. In the case of the so-called food-production bill, that amendment was not a general appropriation bill, it was an amendment designed to encourage the production of food, and this is an amendment upon a bill designed to encourage the production of food.

Mr. BANKHEAD. Exactly.

Mr. RANDALL. That amendment which was added to the food-production bill required affirmative action by the President before the funds would be available.

Mr. BANKHEAD. And that amendment was held in order.

Mr. RANDALL. And that amendment was held in order.

Mr. LEVER. If the gentleman will permit me to answer the suggestion of the gentleman from California, it was held in order not because it was a limitation on the food-control act but because it was germane to that act, and this amendment is not germane to this bill.

Mr. BANKHEAD. But as far as that is concerned, we are dealing with the question of an embargo. That is the reason why this amendment was offered to this particular section. I desire to call the attention of the Chair to the fact that it refers to title 7 of the espionage bill. It also relates to the question of an embargo and the proclamation of the President to that effect. Now, I want to ask the Chair this question: If that was sound parliamentary law and sound precedent, how can the Chair differentiate in principle the decision on the Randall amendment to the bill that he referred to and this one here, which is a limitation, and is a direction to executive discretion before the money can be used for any purpose?

Mr. BARKLEY. Will the gentleman yield there for a suggestion?

Mr. BANKHEAD. I yield to the gentleman from Kentucky.

Mr. BARKLEY. The Randall amendment was germane to the section and germane to the bill, because it was a food-production bill——

Mr. HEFLIN. Mr. Chairman, I submit that the Chair is entitled to hear what the gentleman from Alabama is saying, and the interruption of the gentleman from Kentucky, and not have to have his time taken up in conversation with the Clerk.

The CHAIRMAN. Perhaps the Chair might get some valuable information from the Clerk; but the Chair, however, will hear the gentleman.

Mr. BANKHEAD. Mr. Chairman, I am basing my contention that the point of order against this amendment is not well taken, because of the precedents I have cited and as a matter of logic. Here is an appropriation bill, and that can not be disputed. Has not this committee the right to put affirmative restrictions on the use of the money carried by that appropriation? What does this amendment do? It says that it shall not be used for the purposes named unless the Executive removes this embargo that he has had placed on the exportation of cotton under the authority of section 7 of the espionage act. It seems to me that it is a clear limitation on the Executive in the expenditure of the money which is placed in his hands to spend, and Congress says, "We will give you the money, but

you shall not expend it unless you do another thing under the law which the same power gives to remove."

Mr. RAGSDALE. Mr. Chairman, this bill before the House proposes to give the President certain powers by which the embargo may be laid on wheat. It is an appropriation bill carrying an appropriation which provides for the regulation and handling of this wheat. Why is it not germane when the special power is given the President of the United States to lay an embargo on wheat, in the same bill to lay an embargo on cotton? Why is not the same power that vests the power in the President of the United States on one agricultural product in the same bill that certain restrictions shall be laid on the President in the regulation of the embargo in agricultural products? That is what this amendment proposes to do.

The CHAIRMAN. The Chair would like to ask the gentleman a question. If you can do this on a legislative bill, for this is not a regular appropriation bill, you could offer an amendment, stating that no part of this money should be used until peace should be proclaimed.

Mr. RAGSDALE. While it is true that might be done there is this distinction: This particular bill carries a particular power to regulate embargoes, and if the power is conveyed in the bill to the President of the United States to regulate the embargo of one particular agricultural commodity why is it not germane on the same bill to control and regulate the power that is delegated to the President to lay an embargo on another? In other words, the power that is delegated under this bill is the power to regulate embargoes. If you can give him the power of laying the embargo here, on one agricultural product, why is it not in order on another agricultural product? If it is germane to the bill in here to give him the power to control wheat exportation, if he is going to handle the subject matter of exportation of wheat in this bill, why is it not germane to say that he shall not restrict the importation of cotton? Why is it not on all fours with the delegation of power to regulate embargoes? It seems to me it is absolutely germane under these conditions.

Mr. MANN. Mr. Chairman, it seems to me that the rule in reference to this matter is rather simple. Although the amendment is offered in the form of a limitation it derives no special value from its form because this is a legislative bill, and whatever you can do by limitation you can do directly. A limitation is frequently offered under a regular appropriation bill to accomplish something which you can not accomplish directly, by putting a limitation upon the expenditure of money appropriated, because the rule forbids positive legislation on such a bill. But the rule does not prohibit legislation on this bill. Any legislative proposition is in order on this bill which is germane to the bill. And even a limitation on an appropriation bill, while it is in the form of a limitation, must still be germane, if it is offered as an amendment, because the general rule of germaneness applies to all amendments.

Now, this bill carries in section 6 a provision in reference to the embargo, and if it stopped there and made a general provision for embargo, it would be quite in order to offer a specific amendment. But this section only applies to an embargo on wheat and wheat flour. It does not cover anything else, and in order to be germane an amendment must be in some way connected with the proposition of putting an embargo on wheat or wheat flour.

I shall not discuss that proposition with the Chair. The Chair has already held that a positive provision in reference to cotton is not germane to a bill regulating the price of wheat and wheat flour.

Mr. CARAWAY. Mr. Chairman, if the present occupant of the Chair was in the House the other day when this matter was under consideration on the other side, he would know that the argument made by the very distinguished gentleman from Illinois [Mr. MANN] at that time would answer the one he made just a moment ago. This is not legislation; it is merely a limitation. This does not require the doing of anything by the Congress, but simply says that the Executive shall do a certain act. It is certainly in line with what the Chair held in order when the gentleman from Virginia, Judge SAUNDERS, was in the chair when the so-called Randall prohibition amendment was under consideration, and the gentleman from Kentucky [Mr. BARKLEY] is entirely mistaken in stating that Judge SAUNDERS's ruling rested upon the germaneness of the proposed limitation. He simply held that if the Congress saw fit to impose certain restrictions upon the Executive before appropriations then being made should be available, it was within the power of Congress to do it. It was provided in that particular instance that he should issue a certain proclamation, and in this instance it is provided that he shall lift an embargo by proclamation. It was put on there by proclamation and he can take it off by proclamation, and to say that it was in order to put that limitation on the bill when the so-called Randall prohibition amendment was being considered and that it is not now, it strikes me would be an absurdity. This is a case, then, within the ruling of the gentleman who occupied the chair yesterday. It is as much germane to this particular bill as was the amendment to terminate the control of the railroads which was held in order yesterday to the bill then under consideration, when the Chair sustained the argument of the gentleman from Illinois [Mr. MANN] that it was germane and could be offered to the pending bill. That bill was, like this, merely to make good the guarantee of the Government against loss by certain instrumentalities that the Government had interfered with by previous legislation.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. BARKLEY. Would the gentleman think it would have been in order yesterday to offer an amendment providing that the $750,000,000 could not be available until the President had turned back the telephone and telegraph systems of the United States?

Mr. CARAWAY. I have no doubt about it at all.

Mr. LEVER. Would it have been in order yesterday to provide that the appropriation should not be available until the embargo under consideration in this bill had been lifted?

Mr. CARAWAY. I do not have to answer that question before the Chair passes upon this; but if Judge SAUNDERS was correct in his ruling that limitations upon expenditures were always in order, it would have been in order to do that. It certainly ought not to be the desire of anyone to prevent the House from going on record as to whether or not it favors this limitation. We ought not to reverse all precedents.

The CHAIRMAN. The Chair is ready to rule. The Chair had no notice of this proposition coming up, and has, therefore, not had the time to give to its consideration which the importance of the question deserves, and he may have a very erroneous idea as to how this question ought to be decided. The Chair, however, thinks that there is a very great difference between a legislative bill like this and a general appropriation bill, in so far as many questions that come up in the shape of amendments are concerned. The ruling that has been referred to so often in this argument, by Judge SAUNDERS, who is a most excellent parliamentarian, and for whose judgment and opinion the Chair has the profoundest respect, was a ruling upon a general appropriation bill. The Chair may add also that while he does not know what was in the mind of the then occupant of the chair, it seems to me that there could be some reason why the Randall amendment might have been considered germane as an original proposition to that bill, because that was a food-conservation proposition, and it is contended by some that if you prohibit the manufacture of liquor you will conserve food.

Mr. RAGSDALE. Mr. Chairman, will the Chair permit me to interrupt right there. I would like to make this suggestion to the Chair. This is not restricted to lint cotton, but it is to cotton, and that is just as much an article of food as anything produced in America.

The CHAIRMAN. This bill is a legislative bill, and has to do with wheat and wheat flour exclusively. The Chair does not think that any gentleman who has been contending that this amendment is in order would contend that it is germane to this bill. It seems to the Chair that contention could not be sustained for a moment, but if in order it must be upon some other ground.

Now, this amendment, if you undertook to put it on the ground that it is a limitation, which the Chair thinks would not be sound, but if you did could not be sustained upon that ground, because it requires a direct affirmative action of the President in relation to a matter foreign to the purposes of this bill before he could use any part of the money sought to be appropriated by this bill. In other words, if this amendment is in order, then you could put any other condition on the bill that the mind could possibly suggest. You could write into this bill this proposition: "*Provided*, That no part of this appropriation shall be available for the purposes for which it is appropriated until and unless the President should sign and approve some certain bill which might be mentioned that Congress had passed but upon which the President had not yet acted"; or, as suggested by some gentlemen, you might say it should not be available until and unless the President would first turn back to the private owners the telegraph and telephone lines. You can imagine perhaps a hundred different restrictions which you could put upon this appropriation requiring a direct, affirmative, positive action by the Executive before he could use any part of the appropriation. It seems to the Chair that this is unthinkable. Now, the Chair does not think, in the first place, that this amendment is germane to

this section of the bill. He thinks it violates the other rule already referred to. You are placing a condition and restriction that requires affirmative positive action upon the executive officers which has been ruled so repeatedly can not be done as a limitation upon a legislative bill. Therefore, the point of order is sustained; and the Chair wants to add that if any gentleman wants to appeal from the decision of the Chair and take the judgment of the committee, he will be glad to have him do so.

Mr. HEFLIN. Mr. Chairman, I most respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Alabama appeals from the decision of the Chair. The question is: Shall the decision of the Chair stand as the decision of the committee?

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. HEFLIN and Mr. BANKHEAD) there were ayes 83, noes 21.

So the decision of the Chair stood as the decision of the committee.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 8, line 7, after the word "aforesaid," insert the following words: "To prevent the importation into the United States of wheat or wheat flour at a price lower than the United States price."

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments to this section may close in——

Mr. ANDERSON. I have one amendment to the section which I desire to offer.

Mr. LEVER. I will say in 20 minutes.

Mr. MANN. That is practically 20 minutes over here.

Mr. LEVER. I will keep a few minutes for myself—15 minutes over there—and 5 minutes here.

The CHAIRMAN. Will the gentleman from South Carolina designate the gentlemen to whom the time is to go?

Mr. LEVER. The gentleman from Pennsylvania [Mr. MOORE] to have 5 minutes, the gentleman from Michigan [Mr. MCLAUGHLIN] to have 5 minutes, the gentleman from North Dakota [Mr. BAER] to have 2 minutes, the gentleman from Minnesota [Mr. ANDERSON] to have 3 minutes, which makes 15, and I will reserve 5 for myself, 20 minutes in all.

The CHAIRMAN. The gentleman from South Carolina asks that all debate on this section and all amendments thereto shall close in 20 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, if this amendment should be adopted, the section would read:

That whenever the President shall find it essential in carrying out the guaranties aforesaid to prevent the entry into the United States of wheat or wheat flour at a price lower than the American price—

And so forth.

It would place it in the power of the President to say to the speculator who would buy wheat in Canada at a low price and get it into the United States to have the benefit of the United States guaranteed price, or to the speculator who bought wheat at a low price in Argentina and paid the freight and got it up here and unloaded at the United States price, that that might be prevented. In a way it is a protective proposition. I assume that the members of the committee do not want to encourage unfair speculation, nor do they want to encourage any kind of speculation.

I assume they would not want to prefer in this matter the price fixing in the United States, Canadian low-priced wheat as against the American fixed-price wheat. They certainly would not want to prefer the Argentine low-priced wheat, brought into the United States merely that it might be unloaded on a level with the American fixed-price wheat. If this provision goes into the bill, while it might not direct the President, because we do not do that, it would at least suggest to the President, or give him the authority, to prevent those who were manipulating in wheat from utilizing the cheap world-price markets and benefiting, at the expense of the United States Treasury, from the United States high-priced wheat.

Mr. WELLING. Will the gentleman yield for a question right there?

Mr. MOORE of Pennsylvania. Yes.

Mr. WELLING. Does not the language in lines 9 and 10 of the bill prevent the importation of the wheat into the United States and give the same results you wish to reach?

Mr. MOORE of Pennsylvania. I have read that very carefully, and taking it in connection with the discretionary powers conferred on the President with respect to other things, it seemed to me there was a loophole and no inhibition. If we put in the language carried in my amendment, I think it would be clear that the intent of the legislature was to prevent the bringing into the United States of foreign wheat produced at a price less than the American fixed price and unloading it on the United States.

Mr. WELLING. But it says it shall be unlawful to import into the United States from any country named in such proclamation of the President.

Mr. MOORE of Pennsylvania. If the President shall find it essential to issue his proclamation. My amendment makes it a little stronger than that, and practically directs, without using the word "direct," protection against unfair importation.

Mr. MCLAUGHLIN of Michigan. Mr. Chairman, when the food-control act of August 10, 1917, which was the act that provided for the guaranteed price of wheat, was prepared, it was realized that the difficulty mentioned by the gentleman from Pennsylvania [Mr. MOORE] might arise and be present, and a portion of section 14 was prepared and enacted for the purpose of meeting that trouble. And I have prepared an amendment to be offered at the end of section 6, on page 8, in the same words as the act of August 10, 1917. It is fuller and, in my opinion, it is better than is the amendment offered by the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Will the gentleman yield? Does the gentleman intend to read it? I have no preference as to words. The idea is to prevent speculation or unfair manipulation by those who are speculators in respect to cheap foreign grain.

Mr. MCLAUGHLIN of Michigan. I will read from the act. Immediately following the sentences relating to the guaranteed price the act says:

When the President finds that the importation into the United States of any wheat produced outside of the United States materially enhances or is likely materially to enhance the liabilities of the United States under guaranties of prices therefor made pursuant to law, and ascertains what rate of duty added to the then existing rate of duty on wheat and to the value of wheat at the time of importation would be sufficient to bring the price thereof at which imported up to the price fixed or prevailing under the direction of the President under or pursuant to this act, he shall proclaim such facts, and thereafter there shall be levied, collected, and paid upon wheat when imported, in addition to the then existing rate of duty, the rate of duty so ascertained; but in no case shall any such rate of duty be fixed at an amount which will effect a reduction of the rate of duty upon wheat under any then existing tariff law of the United States.

I have copied that, except I have changed a few words so as to make it applicable to section 6 of this bill. The exact words as they appear in section 14 of the act of August 10, 1917, would not quite fit.

Mr. MOORE of Pennsylvania. Does the gentleman intend to offer that?

Mr. MCLAUGHLIN of Michigan. Yes. I shall offer it at the very close of section 6. I think it will be proper to offer it as a substitute. I will say to the chairman of the committee that this is taken almost word for word—it is the same idea exactly—from the act of August 10, 1917.

Mr. LEVER. What is the matter with the provision in section 6 as it stands?

Mr. MCLAUGHLIN of Michigan. It makes no provision whatever for the President fixing the price in any way of foreign wheat that is brought into this country. He may prohibit the importation altogether or bring it in under such regulations or orders that may possibly apply to price.

But my impression is that it does not apply to the price, and something such as I have offered would be the only thing that would authorize the President to fix or influence in any way the price of wheat brought into this country.

Mr. LEVER. Does the gentleman's proposition go to striking out section 6?

Mr. MCLAUGHLIN of Michigan. No. It adds to section 6, and leaves the section otherwise just as it is.

Mr. MOORE of Pennsylvania. Mr. Chairman, I withdraw the amendment in order that the substitute may be offered.

Mr. MCLAUGHLIN of Michigan. Mr. Chairman, I send it up.

The CHAIRMAN. The Clerk will report the substitute offered by the gentleman from Michigan [Mr. MCLAUGHLIN].

The Clerk read as follows:

Amendment offered by Mr. MCLAUGHLIN of Michigan: Page 8, line 25, at the end of line 25, add:

"*Provided further*, That when the President finds that the importation into the United States of any wheat produced outside of the United States materially enhances or is likely materially to enhance the liabilities of the United States under guaranties of prices therefor made pursuant to law, and ascertains what rate of duty added to the then existing rate of duty on wheat and to the value of wheat at the time of importation would be sufficient to bring the price thereof at which imported up to the price fixed or prevailing under the direction of the President under or pursuant to this act, he shall proclaim such facts and thereafter there shall be levied, collected, and paid upon wheat

when imported in addition to the then existing rate of duty the rate of duty so ascertained; but in no case shall any such rate of duty be fixed at an amount which will effect a reduction of the rate of duty upon wheat under any then existing tariff law of the United States."

Mr. ANDERSON. Mr. Chairman, I desire to offer an amendment to the amendment. Wherever the word "wheat" occurs I desire to offer an amendment immediately following, "wheat flour, semolina, or similar wheat products."

Mr. MANN. This amendment refers to the guaranteed prices that have been fixed. There has been no guaranteed price fixed on wheat flour, so that the gentleman's amendment, if it were agreed to, would not amount to anything, and it might complicate the others. I thought of the same thing.

Mr. ANDERSON. I will offer the amendment at a different place. The gentleman is right about it.

Mr. LEVER. Let me ask the gentleman from Michigan in my own time if the effect of his amendment, if it has an effect at all, would not be that it would result in a higher price of wheat to the consuming public of America?

Mr. McLAUGHLIN of Michigan. It would give the President the authority to protect the price against improper manipulation or ruinous competition from abroad. My idea, as the gentleman knows, has always been that the Grain Corporation should let the people of the United States have the benefit of every reasonable and proper market price. But there are certain improper, unfair influences that might be at work, and I would give the President the power and authority to meet those and to overcome them.

Mr. LEVER. In such case would not the President have the power under section 6 to regulate imports in such a manner as to prevent that? If my friend will permit, the language of section 6 provides for that, I think.

Mr. MANN. Section 6 would limit him to forbidding importations entirely, and perhaps that is what he would do. But supposing he wanted to permit some importations, and wanted to have the importers pay a higher price in order to equalize the price, he would not have that authority under this bill. This simply gives him that authority. It leaves it wholly in the discretion of the President.

Mr. LEVER. Mr. Chairman, I will defer to my colleagues on the committee. If they see no objection to it, I shall not object to it. I ask for a vote.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. McLAUGHLIN].

The amendment was agreed to.

Mr. BAER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BAER: Page 8, line 13, after the word "wheat" strike out the word "or" and after the word "flour" insert the words "bran, shorts, and middlings."

Mr. LEVER. Mr. Chairman, I make the point of order on that.

Mr. BAER. I hope the chairman of the committee will accept this amendment.

Mr. LEVER. I will say to my friend from North Dakota that the committee has repeatedly voted down that proposition.

Mr. BAER. I think it is a mistake to say that with this purpose in view the committee voted it down. This is an entirely different situation, and it serves an entirely different purpose. It is an entirely different proposition when it comes to imports and exports.

Mr. LEVER. If my friend will permit, I think that the committee has voted this proposition down repeatedly, for the reason that it wanted to take the hand of the Government off as many things as possible, and do it now. I think that is the fundamental reason for doing it.

Mr. BAER. The hand of the Government should not be taken off the by-products that are complementary to the wheat and absolutely germane to this subject. And, more than that, it is silly, it is foolish, for us to put an embargo on wheat and wheat flour and at the same time let people ship in products that are manufactured out of wheat flour. Let me cite one instance——

The CHAIRMAN. Does the gentleman make the point of order?

Mr. LEVER. I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. BAER. I thought I had two minutes.

Mr. KING. The gentleman had two minutes under the agreement.

Mr. LEVER. I hope the gentleman will take it on the next paragraph.

Mr. ANDERSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON: Page 8, line 13, strike out the words "wheat and wheat flour" and insert in lieu thereof "wheat, wheat flour, semolina, and similar wheat products."

Mr. LEVER. I reserve a point of order on that.

Mr. ANDERSON. Mr. Chairman, I offer this amendment for the purpose of preventing an enhancement of the liabilities of the Government under its guaranty. Semolina is a product of wheat, produced in the manufacture of flour. In fact, it is the whole flour in coarse form, the first break of the rollers. If there were no power to embargo the importation of semolina it would be possible to bring wheat flour into the United States in the form of semolina, put it through the rollers, and make flour of it and sell it in competition in this country, and thus reduce the price and consequently enhance the liability of the Government. This does not inject any new element into the situation at all. It simply authorizes specifically an embargo against a product of wheat, which is flour, but is not generally and commercially known as flour. I will say that semolina is treated in exactly the same way in the last tariff act, always in connection with wheat flour.

Mr. LEVER. I withdraw the point of order.

Mr. MANN. I make the point of order, for this reason: I do not care whether the importation of semolina is forbidden. You might say potato flour. They are making immense quantities of potato flour now, and are likely to. I think probably if you enlarge the scope of the bill by including a number of other things not included in the bill, that will open it up to adding anything else that anybody chooses to add to make it in order. While I have no special objection to adding cotton, I do not think we would get through to-night adding all the various things that Members might suggest.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. MANN. I make the point of order.

Mr. ANDERSON. I want to be heard on the point of order. This does not add any new product to this bill. Semolina is wheat flour in the process of manufacture. It is not a new product at all. I recognize the force of the argument of the gentleman, and I would immediately acquiesce in it if I thought that the addition of semolina to this bill was the addition of a new article which would have the effect of broadening the scope of the legislation. But the fact of the matter is that semolina is not a new product. As I said before, it is wheat flour in the process of manufacture. That is all it is.

Mr. MANN. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. MANN. I had supposed semolina was a form of flour and that it would probably be covered by the term "flour." I do not know whether the courts have passed upon the matter of importations or not. "Wheat flour" is a very broad term. I quite agree with the gentleman about the desirability of preventing the importation. I am inclined to think it would be covered by the term "wheat flour"; but if it is not, then it introduces a new subject matter, which would permit the introduction of any other.

Mr. LEVER. The gentleman from Illinois has covered what I intended to say.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

SEC. 7. That any person who knowingly or carelessly makes any false statement or representation to any officer, agent, or employee of the United States engaged in the performance of any duty under this act, calculated to secure any of the benefits of the aforesaid guaranties, or any person who willfully assaults, resists, impedes, or interferes with any officer, agent, or employee of the United States in the execution of any duty authorized to be performed by or pursuant to this act, or any person who knowingly violates any regulation or order issued pursuant to this act, except as otherwise made punishable in this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $5,000, or by imprisonment for not more than one year, or both.

The Clerk read the following committee amendment:

Page 9, line 1, strike out the words "or carelessly."

The committee amendment was adopted.

The Clerk read as follows:

Page 9, line 4, strike out the words "calculated to secure" and insert "or falsely represents to any of said persons that the wheat he offers for sale was grown as a part of the 1918 or 1919 crops for the purpose of securing."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 8. That for carrying out the aforesaid guaranties and otherwise for the purposes of this act, there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be available dur-

ing the time this act is in effect, the sum of $1,000,000,000, of which not to exceed $3,000,000 may be used for such administrative expenses, including the payment of such rent, the expense, including postage, of such printing and publications, the purchase of such material and equipment, and the employment of such persons and means, in the District of Columbia and elsewhere, as the President may deem essential. Any moneys received by the United States from or in connection with the disposal by the United States of wheat or wheat flour under this act may, in the discretion of the President, be used as a revolving fund for further carrying out the purposes of this act. Any balance of such moneys not used as part of such revolving fund shall be covered into the Treasury as miscellaneous receipts.

The Clerk read the following committee amendment:

Page 9, line 24, insert the figures "$3,000,000."

The committee amendment was agreed to.

The Clerk read as follows:

Page 10, line 12, after the word "Receipts" insert "Provided, That no part of this appropriation shall be used to pay rent in the District of Columbia."

The committee amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out in line 24, page 9, the figures "$3,000,000."

Mr. LEVER. That amendment has just been adopted.

Mr. MOORE of Pennsylvania. Not in this section.

The CHAIRMAN. That is a committee amendment that has just been agreed to.

Mr. MOORE of Pennsylvania. Here is a $1,000,000,000 proposition which we understand is to go to the protection of the farmers who raise wheat, and out of that $1,000,000,000, three millions of his money, and money of other citizens of the United States, is to be thrown in a lump sum into the hands of somebody not designated in this bill but to be appointed later by the President, possibly Mr. Hoover, now in Europe, to be used for the administrative expenses. While we have had some reports showing how the lump sums already appropriated for the uses of Mr. Hoover and others have been expended, if the people of the United States who pay the taxes had an opportunity to scan these reports as carefully as we have been able to scan them, perhaps there would be a protest arising up from the people themselves against this method of using the public funds.

I regret very much the opportunity is not now here to move to strike out this sum of $3,000,000 for these administrative officers whom we now do not know, who are not even in mind, and who might be obliged, like other administrative officers of the Government, to come to the Committee on Appropriations and present their claims in the regular way. Gentlemen have contended that this was not an appropriation bill against which a point of order would lie, but that it is a legislative bill and therefore is not subject to the same limitations as other bills, but under color of war in time of peace, just one lump sum of $3,000,000 is to be taken out of this tremendous sum of $1,000,000,000 of the farmers' money and all to be thrown wherever the administrative officers, when appointed, see fit to throw it.

I want to ask the gentleman from South Carolina, before my time expires, whether, in order to avoid a motion to recommit, since this has gotten into the bill and passed us rather hurriedly, without the sanction of the Appropriations Committee, which ought to have scrutinized this appropriation, he will agree that we shall have a vote on its staying in the bill?

Mr. MANN. We can not help but have a vote. This is an amendment which has been inserted. Let me make this suggestion to the gentleman from Pennsylvania [Mr. MOORE], who is one of the brightest men I ever knew so far as reading things is concerned, that after all this is a limitation, and that if this item were not inserted here the entire $1,000,000,000 or any part of it could be used for administrative purposes. The language is—

of which not to exceed $3,000,000 may be used for such administrative expenses.

Having appropriated $1,000,000,000 for the purposes of the act, without this limitation I am afraid they would expend a good deal more than the $3,000,000.

Mr. MOORE of Pennsylvania. I thoroughly agree with the gentleman and thank him for having pointed out the fact that it is a limitation, and since it is a limitation I should like to make it still further a limitation by reducing the amount from $3,000,000 to $1,000,000, so long as it does not have to pass the scrutiny of the Committee on Appropriations.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. LEVER. Mr. Chairman, let me say this to the gentleman from Pennsylvania, that in the first place the Committee on Appropriations is not called upon to scrutinize an appropriation in an Agricultural bill. The Agricultural Committee has both legislative and appropriation powers, and I am inclined to think that it is about as careful in scrutinizing appropriations as any committee of the House. The suggestion was made, and they told us it was more or less of a guess, that it might be necessary to use $10,000,000 of this fund. I do not think it possible to calculate exactly how much will be needed for this purpose. If there is an enormous crop, with a large surplus on hand, then they will have to have one kind of organization; but if calamity overtakes the present wheat crop, then they will have to have another kind of organization, and expenditures would be relatively small. Legislating upon a prospect, as we are doing in this bill, it is impossible for the Committee on Agriculture or anyone else to so segregate this fund of $3,000,000. Besides, this is only a temporary proposition. The committee came to the conclusion as to the amount by getting from the reports which the Food Administration filed with Congress from time to time the expenditures of the Grain Corporation for the year 1918, and the committee found that the expenditures of the Grain Corporation for that period amounted to $1,794,273.96. Of course, the gentleman from Pennsylvania well knows that a great many of the men connected with the Grain Corporation are men who are working for a dollar a year, serving without salaries.

I seriously doubt that such a condition would be possible in the administration of this act. The amount of $3,000,000 is based upon the additional months, making in all 20 months instead of 12.

Mr. MOORE of Pennsylvania. The gentleman knows that under section 2 the powers are very general.

Mr. LEVER. Yes.

Mr. MOORE of Pennsylvania. And the Food Administration Grain Corporation is only a very small part of what is contemplated. My judgment is that it would have been better to limit the work contemplated by this bill to the Food Administration Grain Corporation, but a number of new agencies are contemplated, and it seems to me the Committee of the Whole ought to have an opportunity to vote upon the amount of money that is to be applied.

Mr. LEVER. The committee gave that careful consideration. I think the lawyers on the committee were divided in their opinion as to whether or not the grain corporation, after the termination of the emergency and the issuance of the proclamation of the President, would be a legal entity. Therefore we have tried to continue it by calling attention to it by name.

Mr. MOORE of Pennsylvania. What objection would there be to my making a motion to substitute $1,500,000 for $3,000,000 in order to have a vote?

Mr. LEVER. I would not want to do that. I think the committee has gone into this as carefully as it is possible to do, and we have arrived at a calculation that is based on facts which have been reported to Congress.

The gentleman's proposition will be merely a guess, and he would not want that, I am sure.

Mr. MOORE of Pennsylvania. The gentleman showed the expenses for the Grain Corporation for the year, I think, of $1,700,000. Why could not they do the work as cheaply for the coming year? Why would it be necessary to advance it to $3,000,000? It is proposed to continue employees—

Mr. LEVER. This is for the 12 months, and the appropriation in this bill is for 20 months.

Mr. RUBEY. If the gentleman will permit, I want to say to the gentleman that 19 men on this board are serving without pay.

Mr. MOORE of Pennsylvania. I will say to the gentleman frankly that those gentlemen who serve without pay on a board of this kind sometimes excite my suspicion.

Mr. PARKER of New Jersey. Mr. Chairman, I offer an amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Before this section is passed would it be in order for me to move to strike out $3,000,000 and insert $1,500,000?

The CHAIRMAN. The Chair will state the committee voted upon that proposition awhile ago.

Mr. MOORE of Pennsylvania. The Chair feels it is out of order at this time?

The CHAIRMAN. That is the opinion the Chair entertains.

Mr. PARKER of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. PARKER of New Jersey. Page 10, line 13, after the word "Columbia," insert: "*Provided further*, That no part of this appropriation shall be used to pay for wheat the growth of seed hereafter sown."

Mr. PARKER of New Jersey. Mr. Chairman, I am entirely conscious of the duty of the United States to stand by its guaranties, but I do not think that any damage has been sustained by any man who has not yet cultivated and sown his fields, and that spring wheat, amounting, I believe, to about 300,000,000 bushels in prospect, ought not to be guaranteed now. The food-control act is limited by its terms to the period of the war. It was intended as a war measure. When the President guaranteed the wheat crop of 1919 it was supposed the war would be going on now and that we would need that remedy. We find, now that the war is at an end, that the prospects of wheat are of tremendous crops, a tremendous surplus instead of being what it was then, a shortage which had to be taken care of. The United States guaranty under those circumstances and the President's proclamation ought to have been conditioned upon the termination of the war. It was not so conditioned, but notwithstanding this is a guaranty not already accepted, not already acted upon, but a proposition to pay for wheat hereafter to be sown. The winter wheat has been sown, and it ought to be paid for. The spring wheat ought not to be guaranteed at that price, for it puts into the market a tremendous amount of wheat which will reduce the price of all the wheat that is grown, winter wheat and all.

Mr. BAER. Will the gentleman yield?

Mr. PARKER of New Jersey. I have only five minutes. If the gentleman could get me more time, I would. This is a most important matter, and the United States should not pay to produce wheat that is not needed, which, because not needed, reduces the price of wheat throughout all the world and simply makes the Government pay for wheat which is not wanted and pay more for wheat than was wanted and which has been raised. The proper course for the President to take—and it ought to be left to his discretion; he is not here—is to say we would rather pay damages to anybody who has prepared his land in order to grow wheat than to guarantee his crop. We withdraw a proposition to guarantee, that has not been accepted because the wheat has not been planted; and we propose if there are any damages to pay them, but not to pay for the whole crop. That is my proposition, and I think it is fair.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto shall close in 20 minutes.

Mr. ANDERSON. Mr. Chairman, reserving the right to object, I do not know what this debate is going to develop, and I am not quite willing it should be closed in 20 minutes.

Mr. LEVER. I will reserve five minutes to be divided between the gentleman from Minnesota and myself. Mr. Chairman, make it 25 minutes.

The CHAIRMAN. Is there objection to 25 minutes? [After a pause.] The Chair hears none.

Mr. BAER. Mr. Chairman, I want to say that I have always had the highest regard for the gentleman from New Jersey [Mr. PARKER]. He has always stood up with such dignity and spoken with such frankness that I had the greatest esteem for him; but I am sorry to know that in his retiring hours in this Congress he proposes to break faith with the solemn obligations for which he voted himself. He now wants to repudiate an obligation which he voted for and is honor bound to carry out. When the price was fixed on wheat on August 10, 1917, wheat brought that day $3.07; that all the men that had raised winter wheat in Iowa and the other States had already been paid as high as $3.50 a bushel.

Then immediately the administration made a cut off, reduced the price to $2.20, and the farmers in the Northwest only received $1.92, while this bulk of wheat in the Nation filled the elevators, and the producers of winter wheat got $3.50. And, now, the gentleman from New Jersey [Mr. PARKER] proposes, after cutting the farmer off at the large end of the horn, to cut him off at the small end, and say that he can not get the benefit of this guaranteed price. I say that the farmer has prepared the soil and has begun to prepare for this crop in other ways. Many acres have been plowed throughout the West for spring wheat. He has his seed wheat, and has it cleaned and treated and ready to put in the ground.

Mr. FOCHT. I would like to ask the gentleman if he is in favor of reciprocity with Canada?

Mr. BAER. I am not. And I want to say further, when I spoke on this amendment a few minutes ago, that if we do not put an embargo on this product of semolina and other products of wheat that there will be thousands of bakeries along the whole Canadian border that will be making cheaper wheat products out of Canadian wheat and trading across the border. Not long ago at Windsor, Canada, bread sold for 6 cents a loaf, while in Detroit, right across the river, bread was 11 cents a loaf. We must not only put an embargo on wheat and wheat flour but on all the products of wheat.

Mr. LARSEN. Mr. Chairman, I had prepared an amendment which I intended to offer, couched in almost the same phraseology as the amendment offered by the gentleman from New Jersey [Mr. PARKER]. I want to say that I am heartily in favor of his amendment, and I believe that it is proper and ought to be adopted by the House.

We all know that the purpose of the guarantee was to stimulate the production of wheat, and that with the signing of the armistice, the cause which made it necessary, in our judgment and in the opinion of the President, ceased. Any man who had intelligence enough to grow wheat knew the reasons which were given for growing it in this great abundance had ceased. We all knew that the wheat was to be grown for the purpose of feeding our allies and our soldiers while they were engaged in whipping the Germans, and when the Germans were licked there was no reason for anybody to go ahead and plant extra area. [Applause.]

Now, the gentleman from Minnesota [Mr. KNUTSON], I believe, said that all the land was broken for spring wheat that was fit for plowing at that time. I do not know whether that was true or not. I was not out in that section, but I want to say this, if so, it was the first time they ever had it broken so early in the year. The fact is, I do not believe that all of it is broken yet. [Applause.]

The climate where I happen to come from certainly is as favorable to breaking land as that from which the gentleman comes, and in my section they are not done breaking it yet. They are not done breaking it for the spring grain in many instances. But suppose they have broken it. They knew the armistice had been signed. Let them go on and plant this land in corn or some other grain and take the chances along with the balance of us.

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

Mr. LARSEN. I regret I can not. I have not the time.

Mr. LOBECK. Do you plant wheat?

Mr. LARSEN. We usually grow corn or other products.

Mr. LOBECK. Do you grow wheat?

Mr. LARSEN. I grow a little. I am trying to do so at this time. I suppose I grow as much as does the gentleman from North Dakota, to say the least of it. That would not be very much. [Laughter.]

Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ANDERSON rose.

The CHAIRMAN. The gentleman from Minnesota is recognized.

Mr. ANDERSON. Mr. Chairman, the gentleman from Ohio wants a reason for making good the guaranty on spring wheat. The best reason I know of is because we have agreed to make good the guaranty upon spring wheat. But let us see just "where we are at" on this proposition. We are assuming that we are going to have more wheat next year than we know what to do with. We may have a short crop of wheat this coming year, in spite of the large acreage. Russia will have no export wheat at all. Russia ordinarily exports 175,000,000 bushels. Roumania, Bulgaria, and Austria will have practically no export wheat. The crop of France will be at least one-fourth less than normal. If the present industrial conditions continue in Argentina, we may have no export wheat at all from Argentina. The world is very likely, indeed, to need every bushel of wheat that we can raise this year.

The question propounded by the gentleman from Ohio and the gentleman from New Jersey was asked of practically every man who appeared before our committee, and not one of them was willing to take the responsibility of saying that if the guaranty upon spring wheat was repudiated and it resulted in a reduction in the wheat acreage, we would be certain of a sufficient crop this next year to supply our own and the world's demands. It has already been stated that we cut the spring-wheat farmer off in 1917 when we made this guaranty. It is not fair, it is not just to consider this guaranty from the present standpoint of the Government. It ought to be considered from the standpoint of the conditions that existed at the time we made it. When we made it the world was suffering for wheat, and although the farmer had the best market he ever had in his life, we said to him, "We will not give you more than $2.20 a bushel for your wheat," and we said that in the face of the fact that wheat was then selling for $3.45 a bushel. If we squeeze the

farmer at one end of the horn, as my friend from North Dakota [Mr. BAER] says, are we going to squeeze him at the other end, too? Having made a guaranty when it was advantageous for us to make it are we now going to say that we propose to repudiate that guaranty when it does not appear to us to be to our advantage to keep it?

Mr. WELTY. Will the gentleman yield?

Mr. ANDERSON. I yield to the gentleman.

Mr. WELTY. Are you going to offer the farmer a bonus?

Mr. BAER. The gentleman from Ohio would have us rob him.

Mr. ANDERSON. I would keep the agreement that we made, and I do not think it is necessary to consider any other proposition.

Mr. WELTY. He has not accepted the guaranty, has he?

Mr. ANDERSON. Yes; he has. Now, when the farmer gets an advantage from this guaranty, it is not just to say that we will repudiate it, when we cut down his price at a time when it was to his advantage not to have the price fixed.

Mr. WELTY. You are not answering the question. If the farmer has not broken his ground——

Mr. ANDERSON. The farmer has broken his ground.

Mr. WELTY. And if he has not got the seed, there is no contract at all.

Mr. ANDERSON. He has broken the ground, and he has got the seed. If the gentleman knows anything at all about spring-wheat farming, he knows that in every case the land is always plowed in the fall, and the gentleman exposes his ignorance when he suggests anything else.

Mr. WELTY. Do you not think we ought to find out how much he has been damaged?

Mr. ANDERSON. It is impossible to do that. Every man who came before our committee testified that it was absolutely impossible to administer this wheat guaranty on that basis.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAGSDALE. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from South Carolina makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and fifteen Members present. The gentleman from Texas [Mr. CONNALLY] is recognized.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, I shall support the amendment of the gentleman from New Jersey providing for the withdrawal of the guaranteed price from wheat not yet planted. The warrant for the appropriation of money to pay the guaranteed price for wheat, as contained in this bill, is founded upon the proposition that the Government owes to the wheat farmers, under the proclamation of the President, the duty of carrying out the promise contained in that proclamation. In other words, gentlemen base their argument upon the theory that the Government has bound itself by contract to pay to the wheat growers the guaranteed price. Before a contract can become an obligation there must be an agreement by both parties to the contract. Each party must assume obligations in consideration of assumed benefits to it accruing, from which it is not at liberty to withdraw.

The proclamation of the President simply amounted to an offer to the wheat farmers that if they did on the faith of that offer plant wheat and offer it for sale within a certain time the Government would guarantee the price stipulated in the proclamation. Until that offer shall have been accepted by the party to whom it was made the Government has both the moral and legal right to withdraw that offer, and until the spring wheat grower has planted his wheat and put it into the ground, and placed himself in such a position as he would not have assumed but for the President's proclamation, there is no acceptance on his part of the offer made by the Government, and consequently no obligation on the part of the Government to pay him the guaranteed price can be implied. [Applause.]

Mr. RUBEY. Does that apply to a law passed by Congress?

Mr. CONNALLY of Texas. Absolutely, because all that the law amounted to was to authorize an agreement with the wheat growers.

Mr. RUBEY. It is not an agreement. Has the gentleman read the law?

Mr. CONNALLY of Texas. I have, but not recently.

Mr. RUBEY. The law says that after the proclamation is issued thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States, and so forth. The United States made a solemn agreement with these wheat growers.

Mr. CONNALLY of Texas. The gentleman is wrong about that. No matter how the law reads, the wheat growers could not be guaranteed the price until the President issued the proclamation. We should not appropriate the money of the taxpayers to pay these gentlemen until they have brought themselves within the terms of the law. [Applause.]

Mr. ALEXANDER. Where does the obligation of the Government begin? You say it does not begin when he plows the land and sows the wheat?

Mr. CONNALLY of Texas. I did not say that.

Mr. ALEXANDER. When does the obligation of the Government begin? The statement is made that the man has plowed his ground and purchased the grain.

Mr. CONNALLY of Texas. Suppose the man has plowed the ground and put no wheat in. Could the Government in any way require him to plant the wheat? He could plant corn tomorrow. The gentleman from Missouri is too good a lawyer to deny that a contract embodies the agreement on the part of both parties. And it is unilateral until it is accepted by the other party. He would plow his ground for whatever crops he might plant, and his seed wheat can be sold at the guaranteed price, which is as great as that which it cost him.

Mr. ALEXANDER. Suppose a man has a contract with another and the other man has carried out a part of it. You could not repudiate it.

Mr. CONNALLY of Texas. The gentleman talks about repudiation. If this is simply a contract Congress can not repudiate it, because the Constitution guarantees that the obligation of contracts can not be impaired.

Mr. ALEXANDER. The Government could not——

Mr. CONNALLY of Texas. I do not yield further to the gentleman unless he observes the rules of the House.

You say the wheat grower who has not yet planted wheat should be paid because we have guaranteed the price of wheat. You have not guaranteed it until the party accepts the offer and actually makes the acceptance and brings himself within the terms of the offer. [Applause.]

The wheat grower who has not yet planted his wheat can not plead that he has been induced by the Government to plant wheat, on the faith of the proclamation, because he has not. in fact, planted the wheat either on the faith of the Government's offer or on the faith of anything else. He is at liberty to plant what he pleases and has not entered into any undertaking which the Government can enforce as against him. Who is there who will say that the wheat farmer of the Northwest is not free to plant corn or other crops instead of wheat and who is there that doubts that he will plant such crops if they offer promise of a greater money return than the guaranteed price for wheat?

Mr. LEVER. Mr. Chairman, I desire to read from the President's proclamation:

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned to every producer of wheat of any grade so established under the United States grain standards act, upon the condition that said wheat is harvested in the United States during the year 1919, and offered for sale before the 1st day of June, 1920.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. LEVER. No. If that is not a solemn obligation made by the President of the United States to the wheat growers I do not understand the proposition at all.

Mr. CARAWAY. Mr. Chairman, will the gentleman yield?

Mr. LEVER. I can not yield now. I said this morning that the people of my district do not grow enough wheat to make biscuits for breakfasts every day in the year, but I would regard an affirmative vote upon this amendment absolutely a repudiation of a solemn obligation made by the President of the United States. I am surprised to find so many of my friends here taking the opposite view. This contract can not be fulfilled by the farmer until he has harvested his wheat and offered it to the Government agents. When he does that he has fulfilled his part of the contract, and he is entitled to the benefits of the contract. In every one of these war contracts that I have here on my desk you will find a cancellation clause, but there is no cancellation clause in this contract between the wheat grower, the spring-wheat grower and the fall-wheat grower, and the United States. It is an obligation; it is a contract that must be fulfilled or else repudiated, and I do not believe that this Congress will repudiate it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The question was taken; and on a division (demanded by Mr. LEVER) there were—ayes 28, noes 75.

So the amendment was rejected.

The Clerk read as follows:

SEC. 11. That the provisions of this act shall cease to be in effect whenever the President shall find that the emergency growing out of the war with Germany has passed and that the further execution of the provisions of this act is no longer necessary for its purposes, the date of which termination shall be ascertained and proclaimed by the President; but the date when this act shall cease to be in effect shall

not be later than December 31, 1920. The termination of this act shall not affect any act done, or any right or obligation accruing or accrued, or any suit or proceeding had or commenced in any civil case before the said termination pursuant to this act; but all rights and liabilities under this act arising before its termination shall continue and may be enforced in the same manner as if the act had not terminated. Any offense committed and all penalties or liabilities incurred prior to such termination may be prosecuted or punished in the same manner and with the same effect as if this act had not been terminated.

With the following committee amendment:

Page 12, line 1, strike out "December 31" and insert "October 15."

The CHAIRMAN. The question is on agreeing to the committee amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, I have an amendment which I desire to offer to the committee amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 12, line 1, after the word "than," strike out the words "October 15" and insert the words "the 1st day of June, 1920."

Mr. MOORE of Pennsylvania. Mr. Chairman, I want to take the chairman of this committee at his word. A short time ago he read what was the contract. He denominated the bond; he read from the President's agreement with the farmers of the country when he fixed the price of wheat, and in that agreement made by the President, sanctioned by the Congress, was the following language:

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned, to every producer of wheat of any grade so established under the United States grain-standards act, upon the condition that said wheat is harvested in the United States during the year 1919 and offered for sale before the 1st day of June, 1920.

That is the end of it. That is the agreement of the President—that we would take anything offered for sale before the 1st day of June, 1920. If I were disposed to vote against this bill I would vote against it upon the ground that it proposes to break the contract.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. LEVER. Mr. Chairman, I would say to the gentleman, as I interpret this language, read in connection with the proclamation of the President making the guaranties, that I do not think the President under this act would have the power to buy a single bushel of wheat after June 1, 1920. The only thing that he could do under the proposed committee amendment would be to sell the wheat and the flour that the Grain Corporation or the agents might have on hand. The thought that the committee had in mind was that at the end of the wheat year, June 1, 1920, there might be a rather large surplus in the hands of the agents operating under this bill, and that it would be wise to allow them some time in which to dispose of it.

For instance, there might be some delay on the part of the farmers in bringing in their wheat under the guaranty. Now, that being true, the committee thought it was wisdom to make provision for continuing the life of this act so that the grain corporation or agency might dispose of the surplus wheat on hand after June 1, 1920. That is the only effect, in my judgment, of this provision here.

Mr. MOORE of Pennsylvania. Mr. Chairman——

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. McLAUGHLIN of Michigan. This act does not create an obligation. The guaranty was given under another paper or on another paper. The obligation was incurred under a previous act and when the President acted. This is to carry out that agreement and that guaranty; but this date of October 15 is not put in here for the purpose and does not have the effect of extending the guaranty beyond the time fixed in the President's proclamation. It simply and solely is put in for the purpose, as the gentleman from South Carolina says, to enable the grain corporation to clean up its business and dispose of its surplus.

Mr. MOORE of Pennsylvania. Mr. Chairman, I am glad the two gentlemen, active as they are on the Committee on Agriculture, have attempted to explain this paragraph. I maintain that this is the crucial point in this whole discussion. We are asked to keep our faith, we are asked, Who will dare to violate our agreement with the farmers? I, for one, have answered I will not violate the agreement that I have made in part with the farmer. I am ready to keep it to the letter and yield up $1,000,000,000, which the people must pay in order that that faith shall be kept. Now, what is the faith, what is the contract, what is denominated in the bond? The President wrote it. He indicated in the bond he would take anything from them before the 1st day of June, 1920; that is the limit; that is presumed to be the end of the war; that is presumed to give time to every man who has planted his wheat and has wheat on hand to sell his wheat.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask that I may have five minutes additional.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto shall close in 12 minutes, the gentleman from Pennsylvania to have 5, the gentleman from Texas to have 5——

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this section and all amendments thereto shall close in 12 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WELLING. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will yield to the gentleman.

Mr. WELLING. Would not it meet the objection that the gentleman has if the language remained as amended by the committee, and insert after the period in line 2 the following proviso:

Provided, however, That no wheat shall be purchased by the Government under this act after June 1, 1920.

Mr. MOORE of Pennsylvania. I think probably that might meet the situation, but my amendment, perhaps, is the shorter way. I believe in keeping the bond——

Mr. WELLING. That would allow the Government to close up the business in wheat that it had purchased up to June 1.

Mr. MOORE of Pennsylvania. My point, I will say to the gentleman, is this: The committee—and I am not challenging its good faith—the committee had before it very earnest and very insistent men who were willing that this bond should be extended. They were willing that this agreement should be continued in order that the benefits derived from it should continue after the war, even after we had intended they should stop. Now, the committee yielded and had at first fixed December 31 as the date to which this bond may be extended, and then, evidently realizing that a mistake had been made, it still further shortened the time and brought it to October 15.

What was that for? To let negligent farmers bring in their stock? To let men who had large stocks in elevators take advantage of a delay in the situation? What was the purpose of it? Absolutely nothing, except to break the terms of the bond.

Now, those of you who are in favor of keeping this bond, those of you who say there must be no repudiation of the agreement of the farmer, those of you who insist that the letter of the bond shall be kept should vote to keep faith with the President and to see that the agreement that he made is fulfilled and that there is no extension of time. If I wanted to vote against this proposition I could vote against it now in good faith as it is written here, because it is a violation of the agreement as it is brought in in this bill. We should hold to the date that was fixed. If we are going to adhere to the agreement made by the President we should see that the terms of this bond are fulfilled and we should hold to the date fixed by him in his agreement, of June 1, 1920. Otherwise it is a breach of faith with the people of the United States.

Mr. YOUNG of Texas. Mr. Chairman and gentlemen of the committee, I sought while this bill was before the committee to have this date fixed at June 1, 1920. As originally written in the bill it was December 31, 1920, and the compromise proposition was adopted in committee, which was October. I am still of the same opinion that I was when the matter was before the committee. We have many powers given in this bill that would not be given in peace times under any consideration. It is a relic of the war power, a licensing system that handles all the elevators; that handles the wholesale dealers; that handles the merchants of the Government; that has by the throat all of the business interests that handle wheat in any kind of relation. And those powers go in this bill that we are now seeking to enact into law, whereas the proclamation of the President says that we will purchase this wheat up to the 1st day of June, 1920. What wheat? The wheat that is now in the ground, and that will be in the ground within the next month or six weeks, and this is the year 1919. And yet you are going to extend these war powers in peace times up to October 15, 1920, unless you adopt the amendment offered by the gentleman from Pennsylvania [Mr. MOORE]. We ought not to do it. [Applause.] We are not dealing in good faith with the American people when we extend this war power beyond June, 1920. And I appeal to you, who are here representing the business interests of this country, that we should not invoke these war powers to go beyond the date of June 1. And if a farmer has not got the 1919 crop sold before January 1, 1920, he ought not to have the benefit of the guarantee that we are now making good in this legislation. [Applause.]

I want to see business gotten out from under these war powers. God knows I am tired of them, and I want to get out from under them just as soon as we can do it in good faith; and in good faith we must get out from under them, as far as this bill is concerned, on June 1, 1920, because when you steal a day beyond that you are stealing a time that does not belong to you or to me, but belongs to the American citizen. [Applause.]

Oh, here is the trouble. You let this wheat be hoarded up by this Food Administration or by this corporation that is going to handle it, and they can use it as a lever on the next year's crop, either to boost it or depress it. I say, let us take our medicine. Let us sustain the loss we have got to sustain, and get out from under it by June 1, 1920, and let us get back to a normal basis. [Applause.]

Mr. RUBEY. Mr. Chairman, I desire to offer a substitute for the amendment of the gentleman from Pennsylvania [Mr. MOORE].

The CHAIRMAN. The gentleman from Missouri offers an amendment in the nature of a substitute, which the Clerk will report.

The Clerk read as follows:

Substitute offered by Mr. RUBEY: Page 12, line 2, after the word "twenty," insert:
"*Provided*, That after June 1, 1920, neither the President nor any agency acting for him shall purchase or contract for the purchase of wheat or flour, but all operations of the President or his agents shall be confined to the sale of the wheat and flour on hand owned by or under the control of the Government."

Mr. MANN. The gentleman, I suppose, means after that date all power——

Mr. RUBEY. My amendment retains the date of October 15.

Mr. MANN. I understand; but after the date of June 1 all the power——

Mr. RUBEY. Yes.

Mr. MANN. I think his amendment does not so state.

Mr. RUBEY. I think so.

Mr. MANN. I think not.

Mr. PARKER of New Jersey. Will the gentleman allow a question?

Mr. RUBEY. After June 1, 1920. Let the Clerk read it again.

The CHAIRMAN. Without objection, the amendment will again be read.

Mr. RUBEY. It says "after June 1, 1920." Let the Clerk read it again.

The Clerk read as follows:

Page 12, line 2, after the word "twenty," insert: "*Provided*, That after June 1, 1920, neither the President nor any agency acting for him shall purchase or contract for the purchase of wheat or flour, but all operations of the President or his agents shall be confined to the sale of the wheat and flour on hand owned by or under the control of the Government."

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman yield to a question?

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield to me for a question?

Mr. MANN. I think it would be desirable to say that after that date the powers of the President shall be confined, and so forth. Maybe not. I suppose it would be construed the way the gentleman means.

Mr. RUBEY. The date when this act shall cease to be in effect shall not be later than October 15, 1920, but after June 1, 1920, they shall not buy any wheat. They shall have from June 1, 1920, until October 15, 1920, to dispose of the wheat they may have on hand.

Mr. MANN. It probably would be so understood, but it is not clear.

Mr. LEVER. So far as I am concerned, I have no objection to the substitute.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman allow me a moment?

Mr. RUBEY. I will if I have the floor.

The CHAIRMAN. The gentleman from Missouri has not the floor.

Mr. RAGSDALE. Regular order!

Mr. PARKER of New Jersey. By the law it provides that the producer of wheat shall receive the price guaranteed from any wheat produced in reliance upon this guaranty within the period not exceeding 18 months prescribed in the notice concerning the price. Now, the proclamation was issued on the 2d day of September, 1918. The 18 months end on the 2d day of March, 1920, and not in June. The proclamation of the President beyond June is void.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. HAUGEN. Mr. Chairman, will the gentleman yield to me for one question?

Mr. RAGSDALE. The regular order, Mr. Chairman.

The CHAIRMAN. All time has expired.

Mr. HAUGEN. I want to ask the gentleman from Missouri [Mr. RUBEY] a question.

The CHAIRMAN. All time has expired. The question is on agreeing to the substitute offered by the gentleman from Missouri for the amendment offered by the gentleman from Pennsylvania.

Mr. MANN. I move to strike from the substitute all after the word "flour."

Mr. MOORE of Pennsylvania. Mr. Chairman, may we have it read as proposed?

The CHAIRMAN. The Clerk will report the amendment to the substitute.

The Clerk read as follows:

Amendment proposed by Mr. MANN: Strike out all after the word "flour" in the Rubey amendment, so that the amendment would read: "Page 12, line 2, after the word 'twenty,' insert: '*Provided*, That after June 1, 1920, neither the President nor any agency acting for him shall purchase or contract for the purchase of wheat or flour.'"

Mr. WELLING. That is all right.

Mr. RUBEY. That is all right. I accept the amendment offered by the gentleman from Illinois.

Mr. HAUGEN. Mr. Chairman, I desire to ask the gentleman from Missouri whether——

Mr. RAGSDALE. Regular order!

The CHAIRMAN. All debate is exhausted. If the gentleman demands the regular order, the question is on the amendment of the gentleman from Illinois to the substitute offered by the gentleman from Missouri [Mr. RUBEY].

The question was taken, and the amendment to the substitute was agreed to.

The CHAIRMAN. The question is now on the substitute as amended.

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. MOORE of Pennsylvania. Mr. Chairman, I demand a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 72, noes 6.

So the substitute as amended was agreed to.

The CHAIRMAN. The vote now recurs on the amendment of the gentleman from Pennsylvania [Mr. MOORE], as amended by the substitute offered by the gentleman from Missouri [Mr. RUBEY].

The question was taken, and the amendment as amended was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 12. That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

With the following committee amendment:

Page 12, strike out lines 20 to 23, inclusive, reading as follows: "This act shall not be construed as repealing or limiting any other act of Congress, but shall be construed as an enlargement, addition to, and extension of all existing acts of Congress."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. PARKER of New Jersey. Mr. Chairman, I move to strike out the section.

Mr. LEVER. Will the gentleman yield?

Mr. PARKER of New Jersey. Yes.

Mr. LEVER. It will save five minutes. I have absolutely no objection to striking out the section.

Mr. PARKER of New Jersey. Very well.

The CHAIRMAN. The gentleman from New Jersey offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PARKER of New Jersey: Page 12, strike out lines 13 to 19, inclusive.

The amendment was agreed to.

On motion of Mr. LEVER the committee rose; and Mr. SAUNDERS of Virginia having taken the chair as Speaker pro tempore, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. LEVER. I move the previous question on the bill and amendments to the final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any of the amendments? If not, the Chair will put them in gross.

The amendments were agreed to.

Mr. LEVER. Does the gentleman from Pennsylvania [Mr. MOORE] desire to offer a motion to recommit?

Mr. MOORE of Pennsylvania. I do.

The SPEAKER pro tempore. The question is, first, on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

Mr. PARKER of New Jersey. Mr. Speaker, I desire to offer a motion to recommit.

Mr. MOORE of Pennsylvania. I have already stated that I desire to offer a motion to recommit.

Mr. ANDERSON. I desire to offer a motion to recommit.

Mr. PARKER of New Jersey. I am opposed to the bill. Is the gentleman opposed to the bill?

The SPEAKER pro tempore. Under the rule laid down by the Speaker, with which, of course, the House is familiar, the Chair will ask, Is there anyone absolutely opposed to the bill?

Mr. PARKER of New Jersey. I am.

Mr. MOORE of Pennsylvania. Mr. Speaker, I am opposed to the bill as it stands, without this amendment.

The SPEAKER pro tempore. Is the gentleman from Minnesota opposed to the bill?

Mr. ANDERSON. I am not opposed to the bill.

The SPEAKER pro tempore. Is the gentleman from New Jersey [Mr. PARKER] absolutely opposed to the bill?

Mr. PARKER of New Jersey. I am opposed to the bill without my amendment. I stand in the same situation as the gentleman from Pennsylvania.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. MOORE] offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. MOORE of Pennsylvania moves to recommit the bill to the Committee on Agriculture with instructions to report the same forthwith with the following amendment:

Page 12, line 1, strike out the words "October 15" and insert in lieu thereof the words "the 1st day of June, 1920."

Mr. LEVER. Mr. Speaker, I move the previous question on the motion to recommit.

The SPEAKER pro tempore. The gentleman from South Carolina moves the previous question on the motion to recommit.

The previous question was ordered.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2715. An act to authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes;

S. 5038. An act extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act approved June 27, 1918, and for other purposes;

S. 5580. An act granting the consent of Congress to the counties of Martin and Bertie, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C.;

S. 5478. An act granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River; and

S. J. Res. 195. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 4246. An act to increase the salary of the United States district attorney for the district of Connecticut;

H. R. 13049. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 12995. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio;

H. R. 10225. An act striking from the pension roll the name of Jennie M. Heath;

H. R. 13369. An act to extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass.;

H. R. 13427. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 14555. An act granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barrs Ferry, in said county;

H. R. 13393. An act to revive and reenact the act entitled "An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa," approved April 22, 1912; and

H. R. 13647. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I want to ask the gentleman from North Carolina a question which interests most of the Members of the House. Is there any indication of an extra session, or can the gentleman inform the Members of the House, many of whom desire to prepare to leave Washington, of any extra-session program?

Mr. KITCHIN. I do not know of any at all. Of course, if any gentlemen in the Senate desire to defeat any of the appropriation bills, they can do it. They can hold them up over there, and if they do, of course, we will have to have an extra session; but I would say that there would not be much probability of an early session if the bond bill which we propose to pass in the House is passed by the Senate.

Mr. MOORE of Pennsylvania. If there should be an extra session due to delay in the other body, can the gentleman indicate about how long a recess there will be?

Mr. KITCHIN. No; I can not. If the Senate does not pass the bond bill, we shall have to have an extra session I should say by April 1 anyway.

Mr. MOORE of Pennsylvania. What does the gentleman think the chances are?

Mr. KITCHIN. If Congress passes the bond bill, it would not be necessary, so far as I can see, to have an extra session before May 15 or June 1.

Mr. MOORE of Pennsylvania. I make this inquiry on behalf of Members of the House who desire to make appointments after March 4.

Mr. KITCHIN. I have no authority to make any statement whatever. I am just simply answering the gentleman's question as best I can.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow?

There was no objection.

Mr. LEVER. Mr. Speaker, a great many gentlemen have requested that I ask unanimous consent that gentlemen who have spoken on the bill may have five legislative days in which to extend remarks on the subject matter of the bill.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent that gentlemen who have spoken on the bill shall have five days in which to extend remarks upon the bill. Is there objection?

Mr. WALSH. Reserving the right to object, and I shall object if the gentleman includes a longer period than five days.

Mr. LEVER. I did that because it is customary to allow five days. I do not care myself, as I am not going to extend my remarks. What does the gentleman suggest?

Mr. WALSH. I have no suggestion to make.

Mr. LEVER. Then, Mr. Speaker, I make it three days.

The SPEAKER pro tempore. The gentleman modifies his request to three days. Is there objection? [After a pause.] The Chair hears none.

Mr. GANDY. Mr. Speaker, I ask for leave of absence for one day, and in connection with that I want to say that, understand-

ing this vote would be taken to-night, I had arranged to go away to-morrow. If I could be present, I would vote against the motion to recommit and vote for the bill.

The SPEAKER pro tempore. The gentleman from South Dakota asks leave of absence for one day. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. MOORE of Pennsylvania) there were—ayes 11, noes 76.

So the motion to recommit was lost.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WILSON of Illinois, for six days, on account of illness.

To Mr. ALMON, for one day, on account of illness.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 56 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Saturday, February 22, 1919, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HOUSTON, from the Committee on the Territories, to which was referred the bill (H. R. 13699) to authorize the governor of the Territory of Hawaii to acquire privately owned lands and rights of way within the boundaries of the Hawaii National Park, reported the same with amendment, accompanied by a report (No. 1116), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DILLON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15834) to extend the time for the construction of a bridge across the Red Lake River, in Pennington County, Minn., reported the same with amendment, accompanied by a report (No. 1119), which said bill and report were referred to the House Calendar.

Mr. OLIVER of New York, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 15146) to authorize and empower the Postmaster General to construct, maintain, and operate a mail tunnel in the city of New York, reported the same with amendment, accompanied by a report (No. 1123), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15950) granting the consent of Congress to the county of Halifax, in the State of North Carolina, to construct a bridge across the Roanoke River, reported the same with amendment, accompanied by a report (No. 1120), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13394) to extend the time for the completion of the dam across the Savannah River by authority granted to Twin City Power Co. by an act approved February 29, 1908, as amended by act approved March 1, 1916, reported the same with amendment, accompanied by a report (No. 1121), which said bill and report were referred to the House Calendar.

Mr. DECKER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15814) granting the consent of Congress to road district No. 1, Lee County, Ark., to construct a bridge across the St. Francis River at or near the present location of the Missouri Pacific Railroad Co.'s bridge, reported the same without amendment, accompanied by a report (No. 1122), which said bill and report were referred to the House Calendar.

PUBLIC, BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CAMPBELL of Kansas: A bill (H. R. 16069) authorizing and directing the Secretary of War to construct a military road between the city of Baxter Springs, Kans., and the National Cemetery at that city and making an appropriation to cover the cost of same; to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 16070) to prepare for enforcement of Article XVIII of the Constitution of the United States, and to amend section 2, title 12, of an act entitled "An act to punish acts of interference with the foreign relations and neutrality and the foreign commerce of the United States, to punish espionage and better enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 16071) to reimburse soldiers and sailors of the Army and Navy of the United States for amounts deducted from their pay in payment for their insurance by the Government; to the Committee on Military Affairs.

By Mr. RUBEY: A bill (H. R. 16072) authorizing the Secretary of War to donate to the Crawford County Fair, at Cuba, Mo., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DOOLITTLE: A bill (H. R. 16073) authorizing the Secretary of War to donate to the city of Eureka, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GRIFFIN: A bill (H. R. 16074) authorizing the Secretary of War to donate to the borough of The Bronx, New York City, two German cannon or fieldpieces of artillery; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 16075) directing the Secretary of the Navy to discharge Edward M. Lawler; to the Committee on Naval Affairs.

Also, a bill (H. R. 16076) directing the Secretary of the Navy to discharge Claude S. Sopers; to the Committee on Naval Affairs.

Also, a bill (H. R. 16077) directing the Secretary of the Navy to discharge Kenneth S. Brush; to the Committee on Naval Affairs.

Also, a bill (H. R. 16078) directing the Secretary of the Navy to discharge William F. Seaman; to the Committee on Naval Affairs.

Also, a bill (H. R. 16079) directing the Secretary of the Navy to discharge Henry C. Brengel; to the Committee on Naval Affairs.

Also, a bill (H. R. 16080) directing the Secretary of the Navy to discharge Albert W. Humm; to the Committee on Naval Affairs.

Also, a bill (H. R. 16081) directing the Secretary of the Navy to discharge A. Longan Thome; to the Committee on Naval Affairs.

Also, a bill (H. R. 16082) directing the Secretary of the Navy to discharge George Dedrick Van Aken; to the Committee on Naval Affairs.

Also, a bill (H. R. 16083) directing the Secretary of the Navy to discharge Otis Palmer; to the Committee on Naval Affairs.

Also, a bill (H. R. 16084) directing the Secretary of the Navy to discharge Arthur G. Mullin; to the Committee on Naval Affairs.

Also, a bill (H. R. 16085) directing the Secretary of the Navy to discharge Thomas Lawler; to the Committee on Naval Affairs.

Also, a bill (H. R. 16086) directing the Secretary of War to discharge Harry Berkowitz; to the Committee on Military Affairs.

Also, a bill (H. R. 16087) directing the Secretary of War to discharge Leland J. Muir; to the Committee on Military Affairs.

Also, a bill (H. R. 16088) directing the Secretary of War to discharge William Lawler; to the Committee on Military Affairs.

Also, a bill (H. R. 16089) directing the Secretary of War to discharge Percy P. Hall; to the Committee on Military Affairs.

Also, a bill (H. R. 16090) directing the Secretary of War to discharge Anthony B. Weiden; to the Committee on Military Affairs.

Also, a bill (H. R. 16091) directing the Secretary of War to discharge Joseph M. King; to the Committee on Military Affairs.

Also, a bill (H. R. 16092) directing the Secretary of War to discharge John H. Mullen; to the Committee on Military Affairs.

Also, a bill (H. R. 16093) directing the Secretary of War to discharge Hugh Lee; to the Committee on Military Affairs.

Also, a bill (H. R. 16094) directing the Secretary of War to discharge Arthur H. Andrews; to the Committee on Military Affairs.

Also, a bill (H. R. 16095) directing the Secretary of the Navy to discharge Harry S. Seaman; to the Committee on Naval Affairs.

By Mr. FOSS: A bill (H. R. 16096) authorizing the Secretary of War to donate to the city of Wilmette, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16097) authorizing the Secretary of War to donate to the city of Grays Lake, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16098) authorizing the Secretary of War to donate to the city of Antioch, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16099) authorizing the Secretary of War to donate to the city of Wanconda, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16100) authorizing the Secretary of War to donate to the city of Libertyville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16101) authorizing the Secretary of War to donate to the city of Zion, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16102) authorizing the Secretary of War to donate to the city of Glencoe, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16103) authorizing the Secretary of War to donate to the city of North Chicago, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BYRNES of South Carolina: A bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. HICKS: A bill (H. R. 16105) authorizing the Secretary of War to donate to the village of Bayshore, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16106) directing the Secretary of War to discharge Raymond Lester; to the Committee on Military Affairs.

By Mr. PRATT: A bill (H. R. 16107) authorizing the Secretary of War to donate to the city of Elmira, N. Y., one German cannon or fieldpiece, to be placed in the city park; to the Committee on Military Affairs.

Also, a bill (H. R. 16108) authorizing the Secretary of War to donate to the city of Ithaca, N. Y., one German cannon or fieldpiece, to be placed on a site selected by the city; to the Committee on Military Affairs.

Also, a bill (H. R. 16109) authorizing the Secretary of War to donate to the city of Corning, N. Y., two German cannon or fieldpieces, one to be placed in Courthouse Park and the other in Denison Park; to the Committee on Military Affairs.

Also, a bill (H. R. 16110) authorizing the Secretary of War to donate 100 olive-drab wool uniforms and 100 rifles to Millport (N. Y.) Camp, No. 24, Sons of Veterans; to the Committee on Military Affairs.

Also, a bill (H. R. 16111) authorizing the Secretary of War to donate to the village of Spencer, N. Y., one German cannon or fieldpiece, to be placed in the village Memorial Park; to the Committee on Military Affairs.

Also, a bill (H. R. 16112) authorizing the Secretary of War to donate to the village of Avoca, N. Y., one German cannon or fieldpiece, to be placed in the village park; to the Committee on Military Affairs.

By Mr. LONERGAN: A bill (H. R. 16113) authorizing the Secretary of War to donate to the State of Connecticut the 220-millimeter gun captured by the Twenty-sixth Division at the second battle of the Marne; to the Committee on Military Affairs.

By Mr. BRODBECK: A bill (H. R. 16114) authorizing the Secretary of War to donate to the borough of Dallastown, York County, Pa., one cannon or fieldpiece, with carriage and suitable number of shells; to the Committee on Military Affairs.

By Mr. KRAUS: A bill (H. R. 16124) authorizing the Secretary of War to donate to the town of Fairmount, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By the SPEAKER: Memorial from the Legislature of the State of Illinois, urging reduction in freight rates; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Arizona, relative to the plan recommended by the Secretary of the Interior for the placing of returned United States soldiers upon farms; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Arizona, favoring the establishment of a league of nations of which the United States shall be a member; to the Committee on Foreign Affairs.

Also, memorial from the Legislature of the State of Alabama, urging further and permanent development of the plants at Muscle Shoals, in the State of Alabama; to the Committee on Agriculture.

Also, memorial from the Legislature of the State of Colorado, urging Congress to take such action as may be necessary to authorize and direct the broad gauging of the narrow-gauge line of the Denver & Rio Grande Railroad; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLIVAN: Memorial from the Legislature of the State of Illinois, urging a reduction in freight rates; to the Committee on Interstate and Foreign Commerce.

By Mr. McKINLEY: Memorial from the Legislature of the State of Illinois, urging a reduction in freight rates; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAMPBELL of Kansas: A bill (H. R. 16115) granting an increase of pension to Henry E. Hubbell; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 16116) granting a pension to George H. Haverkate; to the Committee on Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 16117) granting a pension to Zora Hockman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16118) granting an increase of pension to James E. Cline; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16119) granting an increase of pension to Zalman Ruddell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16120) granting an increase of pension to Eli E. Hann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16121) granting an increase of pension to Alfred Woodrum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16122) granting an increase of pension to Ambrose S. Uselmam; to the Committee on Invalid Pensions.

By Mr. VESTAL: A bill (H. R. 16123) for the relief of Milton B. Huffman; to the Committee on the Post Office and Post Roads.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROWNING: Petition of New Jersey State Board of Agriculture, favoring the continuance of the Federal Employment Service; to the Committee on Appropriations.

Also, petition of New Jersey State Grange, favoring continuance of United States Employment Service; to the Committee on Appropriations.

By Mr. BRUMBAUGH: Petition of Hocking Valley Railroad Federated Trades Association System No. 51, urging enactment of bill providing for five years' Government operation of all railroads within the territory of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREW: Petition of the Chamber of Commerce of the State of New York, recommending amendment to section 202 of war-revenue bill; to the Committee on Military Affairs.

By Mr. CRAGO: Petition of Washington County, Pa., Farm Bureau, opposing the development of swamp, arid, and cut-over timber lands to furnish farms for returning soldiers; to the Committee on Appropriations.

By Mr. ESCH: Petition of the Federal Council of the Churches of Christ in America, favoring a league of nations; to the Committee on Foreign Affairs.

Also, petition of the traffic bureau of the Sioux City Commercial Club, of Sioux City, Iowa, urging early return of the railroads to their owners; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Petition of the committee on evening schools of the Chicago Principals' Club, favoring the enactment of a Federal law requiring all non-English-speaking residents to acquire the ability to read and converse in the English language; to the Committee on Education.

By Mr. GORDON: Petition of Karl Marencic and 60 other residents of Cleveland, Ohio, in support of Government ownership and operation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. GREENE of Vermont: Petition of sundry citizens of Rutland, Vt., and vicinity, for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFIN: Petition of the American Agricultural Chemical Co., New York, relating to Chamberlain amendment to Senate bill 5261 to provide relief in cases where contracts in connection with the prosecution of the war have not been executed or made in the manner required by law; to the Committee on Military Affairs.

Also, petition of Navy Yard Retirement Association, asking for successful passage of H. R. 12352–S. 4637, known as Mc-

Kellar-Keating retirement bill; to the Committee on Interstate and Foreign Commerce.

By Mr. LONERGAN: Petition of the Commonwealth Club, New Britain, Conn., in favor of a league of nations; to the Committee on Foreign Affairs.

By Mr. MOORES of Indiana: Petition of 61 citizens of the State of Indiana, urging the enactment by Congress of a bill similar to or identical with House bill 10550, providing for the national ownership and Government operation of all railroads within the territory of the United States and its possessions necessary for the furnishing of transportation of the people of the United States, including all lands, terminals, and equipments required or desired for successful operation; to the Committee on Interstate and Foreign Commerce.

By Mr. PETERS: Petition of George H. Lemelin and other citizens of Fairfield, Me., for national ownership and Government operation of railways; to the Committee on Interstate and Foreign Commerce.

By Mr. REED: Petition of Dr. H. S. Hefner, Hon. T. A. Whelan, and other citizens of Weston, W. Va., relating to the control and operation of the telephone and telegraph; to the Committee on Interstate and Foreign Commerce.

Also, petiiton of R. B. Willison, Esq., and 28 other citizens of Clarksburg, W. Va., relating to the operation and control of the telephone and telegraph; to the Committee on Interstate and Foreign Commerce.

By Mr. TIMBERLAKE: Petition of Fort Morgan Lodge No. 1143, Benevolent and Protective Order of Elks of United States of America, indorsing passage of bill deporting all alien residents of the United States who claimed exemption from military service during the late war by reason of alienage; to the Committee on Immigration and Naturalization.

By Mr. VARE: Petition of Philadelphia Chamber of Commerce regarding Government control or ownership of public utilities; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, *February 22, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee with that exaltation of spirit that always arises in contemplation of the name and character and services of that great outstanding man in American history, the man whose character was forged in the furnace and wrought out our independence and formed the basis of our civil liberties. And as we think of him to-day we pray that we may lay emphasis upon that which he in his final address to his beloved countrymen made the point of supreme emphasis, that we can not maintain our free civil institutions without morality, and that we can not maintain fixed standards of morality without religion. So we pray Thee that we may follow his exhortation to develop our religious nature, give ourselves to the divince guidance, and work out that which was in his dream and purpose, the establishment of freedom and peace on the earth. For Christ's sake. Amen.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	New	Simmons
Bankhead	Henderson	Norris	Smith, Ga.
Beckham	Johnson, Cal.	Nugent	Smith, S. C.
Calder	Jones, N. Mex.	Page	Smoot
Chamberlain	Jones, Wash.	Penrose	Spencer
Colt	Kendrick	Pittman	Sterling
Culberson	Kenyon	Poindexter	Sutherland
Curtis	King	Pollock	Swanson
Dillingham	Kirby	Pomerene	Thomas
Fletcher	La Follette	Ransdell	Thompson
France	Lewis	Robinson	Townsend
Frelinghuysen	Lodge	Saulsbury	Trammell
Gay	McKellar	Shafroth	Underwood
Gore	McLean	Sheppard	Vardaman
Gronna	Martin, Ky.	Sherman	Walsh
Hale	Nelson	Shields	

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

The VICE PRESIDENT. Sixty-three Senators have answered to the roll call. There is a quorum present. The Secretary will read the Journal of the proceedings of the preceding session.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. THOMAS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE PRESIDENT. In accordance with the order of the Senate heretofore made, the Senator from New Jersey [Mr. FRELINGHUYSEN] will now read Washington's Farewell Address.

Mr. FRELINGHUYSEN (at the Secretary's desk). Mr. President, thus spake George Washington in his Farewell Address to the American people on September 17, 1796:

To the people of the United States.

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in

every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquillity at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth: as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south*, in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter.—Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head: they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism.—But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchial cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties,) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of aquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this

conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity, gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odius; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maximum no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishment, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and

humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity toward other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love toward it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever-favorable object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

ARMY APPROPRIATIONS (S. DOC. NO. 411).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting a draft of certain items of legislation recommended for enactment in connection with the Army appropriation bill, which, with the accompanying papers, was referred to the Committee on Military Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BYRNS of Tennessee, Mr. EVANS, and Mr. STAFFORD managers at the conference on the part of the House.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice President:

S. 2715. An act to authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes;

S. 5038. An act extending the use of the special fund for vocational education provided by section 7 of the vocational rehabilitation act approved June 27, 1918, and for other purposes;

S. 5478. An act granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River;

S. 5580. An act granting the consent of Congress to the counties of Martin and Bertie, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C.;

H. R. 4246. An act to increase the salary of the United States district attorney for the district of Connecticut;

H. R. 10225. An act striking from the pension roll the name of Jennie M. Heath;

H. R. 12995. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio;

H. R. 13369. An act to extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass.;

H. R. 13393. An act to revive and reenact the act entitled "An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa," approved April 22, 1912;

H. R. 13427. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13647. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13648. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

H. R. 13649. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 14555. An act granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barrs Ferry, in said county; and

S. J. Res. 195. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of a class other than Members of Congress.

PETITIONS AND MEMORIALS.

Mr. THOMAS. I present to the Senate a joint memorial from the General Assembly of the State of Colorado and ask to have it printed in the RECORD and referred to the Committee on Interstate Commerce:

The memorial is as follows:

Senate joint memorial 3.

To the Hon. Woodrow Wilson, President of the United States of America, the United States Railroad Administration, and the Congress of the United States:

Your memorialists, the General Assembly of the State of Colorado, respectfully represent that:

Whereas the railroads of the United States are now under Federal control; and

Whereas the narrow-gauge branch of the Denver & Rio Grande Railroad between Salida, Colo., and Montrose, Colo., is inadequate for the needs and development of the extensive agricultural, live-stock, coal and metal mining industries of the vast domain tributary to said narrow-gauge line of railroad, as is evidenced in the fact that all broad-gauge shipments of products from this section have to be routed via Grand Junction, Colo., necessitating an additional haul of 142 miles, which creates added delay, expense, and losses; and

Whereas the Uncompahgre Valley project, one of the largest governmental irrigation undertakings in the entire West, is located at Montrose and along said narrow-gauge line of railroad and is now in process of development; and

Whereas embraced in this great domain are vast partially developed coal fields, including the only shipping anthracite mines west of Pennsylvania; also the greatest shipping center of live stock in the State, and the most important producing field of carnotite ores in the Nation; and

Whereas embraced in this great domain are large fields of low-grade ores containing gold, silver, copper, zinc, and other minerals, which under the present inadequate narrow-gauge railroad facilities remain undeveloped, and which under improved and adequate facilities would become producing areas, thus building up profitable industries and adding to the world's supply of these necessary minerals:

Now, therefore, your memorialists, the Senate and House of Representatives of the Twenty-second General Assembly of the State of Colorado, do respectfully request and urge the United States Government take such action as may be necessary to authorize and direct the broad gauging of the narrow-gauge line of the Denver & Rio Grande Railroad between the city of Salida, Colo., and the city of Montrose, Colo., so that said line may be enlarged and transformed into a broad-gauge, standard line of railroad.

It is directed that this memorial be entered in the records of the general assembly and that copies hereof be forwarded by the secretary of state to the President of the United States, the United States Railroad Administration, to the United States Senate and National House of Representatives, and to our Senators and Representatives of Congress.

President of the Senate.
ALLYN COLE,
Speaker of the House of Representatives.

Approved February 17, 1919.

OLIVER H. SHOUP,
Governor of the State of Colorado.

Mr. THOMAS. I also present a senate joint resolution of the General Assembly of Colorado, which I ask to have printed in the RECORD and referred to the Committee on Education and Labor.

The resolution is as follows:

Senate joint resolution 6.

Whereas there is now pending in the Congress of the United States a bill (S. 4987) to create a department of education, to appropriate money for the conduct of said department, to appropriate money for Federal cooperation with the States in the encouragement and support of education, and for other purposes: Therefore be it

Resolved by the Senate of the State of Colorado (the House concurring), That we hereby indorse the provisions of said bill and urge its early passage by Congress.

Resolved, That the secretary of state be instructed to forward a copy of this memorial to the Representatives of the State of Colorado in Congress.

_____,
President of the Senate.
ALLYN COLE,
Speaker of the House of Representatives.

Approved February 18, 1919.

OLIVER H. SHOUP,
Governor of the State of Colorado.

Mr. VARDAMAN. I ask leave to have inserted in the RECORD without reading a telegram in the nature of a petition from the Chamber of Commerce and members of the Community Labor Board of Clarksdale, Miss., asking that the United States Employment Service be supported by the proper appropriations, and stating that it has done great good in finding employment for returning soldiers. I ask that it be referred to the Committee on Education and Labor.

The telegram is as follows:

CLARKSDALE, MISS., *February 21, 1919.*

JAS. K. VARDAMAN,
Washington, D. C.:

United States Employment Service doing splendid work in placing returning soldiers back into civil life and should be maintained. Support continuance of office if possible to consistently do so.

M. D. MARTIN,
Secretary Chamber of Commerce and Member Community Labor Board.

Mr. VARDAMAN. I present another telegram, in the nature of a memorial from the commissioner of agriculture of Jackson, Miss., protesting against any reduction in the appropriations for farm-demonstration work, stating that its results will be very detrimental to the farming country. I ask that it be referred to the Committee on Agriculture and Forestry.

The telegram is as follows:

JACKSONVILLE, MISS., *February 21, 1919.*

Hon. JAS. K. VARDAMAN,
United States Senate, Washington, D. C.:

Any reduction in appropriation will disorganize the farm-demonstration force in Mississippi and seriously cripple its efficiency. Sheppard amendment absolutely essential.

P. P. GARNER,
Commissioner of Agriculture.

Mr. VARDAMAN. I present another telegram from the president of the Mississippi Bankers' Association, R. C. King, urging that adequate appropriation be made by Congress for farm-demonstration work, and calling upon the Senator from Mississippi to support the proposition. I ask that it be referred to the Committee on Agriculture and Forestry.

The telegram is as follows:

GREENWOOD, MISS., *February 21, 1919.*

Senator JAS. K. VARDAMAN,
Senate Chamber, Washington, D. C.:

It appears imperative that the Mississippi farm-demonstration force be maintained upon present efficient basis. Decrease of funds means reduction of Mississippi force 25 per cent at a time when it has its greatest opportunity to encourage increased food production. Especially if cotton acreage is reduced, it is hoped you may be in position to support Sheppard amendment.

R. C. KING,
President Mississippi Bankers' Association.

Mr. ASHURST. I present a House concurrent resolution adopted by both bodies of the Legislature of the State of Arizona and ask that the same may be read and referred to the Committee on Foreign Relations.

The VICE PRESIDENT. The resolution will be read.

The Secretary read as follows:

STATE OF ARIZONA,
OFFICE OF THE SECRETARY.

UNITED STATES OF AMERICA,
State of Arizona, ss:

I, Mit Simms, secretary of state, do hereby certify that the within is a true, complete, and correct transcript of house concurrent resolution No. 1, Fourth Legislature of the State of Arizona, 1919, "Favoring the establishment of a league of nations, of which the United States will be a member"; all of which is shown by the original on file in this department.

In witness whereof I have hereunto set my hand and affixed my official seal. Done at Phoenix, the capital, this 4th day of February, A. D. 1919.

[SEAL.] MIT SIMMS, *Secretary of State.*

House concurrent resolution 1.

Whereas the war now brought to a victorious close by the associated power of the free nations of the world was above all else a war to end war and protect human rights: Therefore be it

Resolved by the Legislature of the State of Arizona (both houses concurring), That we favor the establishment of a league of nations, of which the United States shall be a member. We believe that such a league should aim at promoting the liberty, progress, and orderly development of the world and clinch the victory won at such terrible sacrifice; be it further

Resolved, That certified copies of this resolution be sent to the Secretary of State, to the President, and to the presiding officers of both branches of Congress and to each of the Senators and Representatives from Arizona.

Passed the house January 25, 1919, by the following vote—34 ayes, no noes, no absent, 1 excused.

A. C. PETERSON,
Speaker of the House.
SAM B. BRADNER,
Chief Clerk of House.

Passed the senate January 28, 1919, by the following vote—14 ayes, no nays, no absent, 5 excused.

A. A. JOHNS,
President of the Senate.
L. F. SWEETING,
Secretary of Senate.

Approved February 1, 1919.

THOMAS E. CAMPBELL,
Governor of Arizona.

Filed in the office of the secretary of state of Arizona this 1st day of February, A. D. 1919, at 1.30 p. m.

MIT SIMMS,
Secretary of State.
By R. E. MCGILLEN,
Assistant Secretary.

Mr. ASHURST. I have also a house joint resolution adopted by one chamber of the Legislature of the State of Arizona, and ask that it be printed in the RECORD without reading and referred to the Committee on Public Lands.

The resolution is as follows:

House joint resolution 5.

Whereas it has been recommended by the Hon. Franklin K. Lane, Secretary of the Interior of the United States, that Congress immediately appropriate the sum of $100,000,000 for placing the returning soldiers of the United States upon farms, thereby inaugurating a plan whereby at least 100,000 men will be immediately employed in the creation of at least 25,000 farms within the territory of the United States; and

Whereas the plan as outlined by the honorable Secretary of the Interior proposes the reclamation of approximately 215,000,000 acres of arid and swamp land within the United States at present unfit for cultivation because of the lack of water in the one case and drainage in the other; and

Whereas the plan suggested is not a "charity scheme," and under appropriate management will be self-funding, and will offer alluring opportunities to settlers as compared with the old land settlement systems, inasmuch as 40 years time is to be given the settlers within which to reimburse the United States for the money and credit loaned to them: Now, therefore, be it

Resolved by the Legislature of the State of Arizona (at its fourth regular session), That the plan as outlined by Secretary of the Interior Lane meets with its heartiest and utmost approval, and that this legislature urges upon the Congress of the United States the early enactment into law of the plan proposed and the appropriation of the money needed to carry out the provisions thereof; and be it further

Resolved, That this resolution be signed by the presiding officers of each branch of the legislature and the governor of the State, and that the secretary of state of the State of Arizona be, and he is hereby, directed to forward copies of these resolutions to the Hon. Franklin K. Lane, Secretary of the Interior, to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to each of Arizona's representatives in Congress.

A. C. PETERSON,
Speaker of the House.
SAM B. BRADNER,
Chief Clerk of the House.
A. A. JOHNS,
President of Senate.
L. F. SWEETING,
Secretary of Senate.
THOMAS E. CAMPBELL,
Governor of Arizona.

Approved February 6, 1919.

Mr. ASHURST. I have a telegram in the nature of a petition signed by the governor of the State of Arizona and other very prominent citizens in behalf of the league of nations. I move that it be noted in the RECORD and referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. ASHURST. Likewise, I have a telegram from the Speaker of the House of Representatives of the State of Arizona and also from the president of the council urging that adequate appropriations be made for the continuation of the Federal Employment Bureau. I move that it be noted in the RECORD and referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. SHEPPARD presented a petition of the executive committee of the Women's Missionary Society Central Texas Conference, Methodist Episcopal Church South, praying for the establishment of a Federal motion-picture commission, which was referred to the Committee on the Judiciary.

Mr. COLT presented a petition of the board of directors of the Chamber of Commerce of Providence, R. I., praying for the return to private ownership of the telephone and telegraph lines, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the League of Improvement Societies of Providence, R. I., remonstrating against a reduction in the appropriation for agricultural-extension work, which was referred to the Committee on Agriculture and Forestry.

He also presented resolutions adopted by the Rhode Island State Federation of Women's Clubs, of the Primary Principals'

Association of Providence, of Flintlock and Powderhorn Chapter, Daughters of the American Revolution, of Pawtucket, and of Nathaniel Greene Chapter, Daughters of the American Revolution, of East Greenwich, all in the State of Rhode Island, favoring the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

Mr. McLEAN presented a petition of sundry citizens of Hartford, Conn., praying for the enactment of legislation granting to discharged soldiers and sailors and American labor either employment or food and clothing during the critical period of reconstruction, which was referred to the Committee on Education and Labor.

He also presented a petition of Local Lodge No. 29, American Federation of Railroad Workers, of Hartford, Conn., praying for the proposed five-year extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a memorial from Capital City Lodge, No. 354, International Association of Machinists, of Hartford, Conn., and a memorial from Elm Lodge, No. 420, International Association of Machinists, of New Haven, Conn., relative to Government control of industry, in order to give reemployment to discharged war workers, which were referred to the Committee on Education and Labor.

He also presented a petition of the Chamber of Commerce of New Britain, Conn., and a petition of the Merchants' Association of New York City, N. Y., praying for the return to private ownership of the railroads of the country, which were referred to the Committee on Interstate Commerce.

He also presented a memorial from Local Union No. 79, United Brotherhood of Carpenters and Joiners of America, of New Haven, Conn., relative to the granting of additional pay to honorably discharged soldiers and sailors, and praying for an appropriation for the construction of public improvements, which was referred to the Committee on Military Affairs.

He also presented a petition of Bernardo Council, No. 1350, Knights of Columbus, of Shelton, Conn., and a petition of Russell Council, No. 65, Knights of Columbus, of New Haven, Conn., praying that the President lay before the peace conference the right of Ireland to self-determination, which were referred to the Committee on Foreign Relations.

He also presented petitions of the Chamber of Commerce of New Haven, of the Connecticut Federation of Churches, of the South Congregational Church Brotherhood of New Britain, and of sundry citizens of Bristol and Middletown, all in the State of Connecticut, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Merchants' Association of New York, praying that the return to private ownership of telephone and telegraph lines be deferred until Congress shall have studied the question and determined upon a safe and proper procedure to be thereafter followed, which was referred to the Committee on Post Offices and Post Roads.

Mr. LODGE presented a resolution adopted by Local Union No. 4, Commercial Telegraphers' Union of America, of Boston, Mass., favoring an investigation of the wage schedule, discrimination and reinstatement questions, and an inquiry into the general conduct of the telegraph companies under control of the Post Office Department, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Union No. 1, Edge Makers' Union, of Lynn, Mass., praying for the immediate withdrawal of American troops from Russia, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Chamber of Commerce of Springfield, Mass., favoring the retention of the railroads under Federal control until remedial legislation is enacted by Congress, which were referred to the Committee on Interstate Commerce.

He also presented petitions of sundry Lithuanian citizens of Fitchburg and Lawrence, in the State of Massachusetts, and of Cleveland, Ohio, praying for the independence of Lithuania, which were referred to the Committee on Foreign Relations.

He also presented petitions of the Massachusetts Retail Shoe Merchants' Association, of the congregation of the Congregational Church of Christ, of Leominster, and of sundry citizens of Beverly, all in the State of Massachusetts, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

LEAGUE OF NATIONS.

Mr. LEWIS. Mr. President, I merely rose at this moment to conform to what is the custom and give notice that upon Monday at the first moment the business of the Senate will permit, I will assume to address this body touching some of the features of the constitution of the league of nations, and, if I may be permitted, to pay some heed to the observations of the able Senators, the Senator from Idaho [Mr. BORAH] and the Senator from Missouri [Mr. REED].

Mr. President, I was asked by the Senator from Oklahoma [Mr. OWEN], who has been suddenly called out of the city, please to announce in his behalf that he would address the Senate on Wednesday next, February 26, on the matter of the league of nations. I comply with that request, of course, with pleasure.

Mr. LODGE. Mr. President, I merely desire to give notice that, with the permission of the Senate, on Friday, February 28, I shall address the Senate upon the question of the draft submitted by the committee to the peace conference in Paris on the league of nations.

I wish also to give a precisely similar notice on behalf of the junior Senator from Pennsylvania [Mr. KNOX] for Saturday, the 1st of March.

POSITION OF EX-PRESIDENT TAFT ON LEAGUE OF NATIONS.

Mr. SHERMAN. Mr. President, I submit a letter, a statement, which I ask to have read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

SWAN CREEK, ILL., *February 18, 1919.*

Hon. L. Y. SHERMAN,
Washington, D. C.

DEAR SHERMAN: I am a farmer and a brush lawyer and a Republican, which you know from the old days when you lived up this way. I hear a good deal of folks talk in my township and around here. I notice Taft says that the Republicans will get beat if they don't swallow the document about the league of nations just as the President fetches it over from Paris. Why can't Taft keep still since he fell through the flooring in 1912? He gives everybody a pain except Democrats.

[Laughter on the floor and in the galleries.]

The VICE PRESIDENT. The occupants of the galleries must maintain order or the galleries will be cleared.

The Secretary resumed and concluded the reading of the letter, as follows:

They could afford to pay the freight on him even if old Carnegie didn't, just to keep him thrashing around and falling down over things. Nobody in the corn belt has forgot how he framed up the Canadian reciprocity muss when he was President. This was a fine mess for Democrats who believe that way. Nobody can blame them for being pleased with Taft then. I hear as many Democrats opposed to this league business as I do Republicans. I don't believe I have heard a mother or father talk about it since it started who is for it. There are some societies in Chicago passing resolutions about it who favor it. I notice none of them I'm acquainted with ever had any mud on their boots or had any of their folks in this last fight. We have got an old constable in this township who knows more real politics about what people are thinking than Taft would ever know if he was pensioned off for life on Carnegie funds. He says there ain't anybody who wants this country hitched up to every fool fuss the rest of the world gets into. If the Germans or any other country gets into their bean they can straddle over the rest of the world, all of us favor a fight, just as we done, only we ought to be ready next time. It makes everybody laugh around here to hear Taft talking about politics, if people don't take his advice. When the curtain fell on him in November, 1912, he had 8 out of 531 electoral votes. His Canadian reciprocity and fool performances like it give the Bull Moose their chance. They couldn't have horned and tramped things up like they did if Taft hadn't made most Republicans satisfied to see it done. Taft has been running around with Frank Walsh so long he's caught some of the disease. In his frame of mind he is a fine expert to be telling us what to do in politics. About all a fellow needs to get right on is to find out what Taft is doing and then hit the trail the other way.

I hope the Senate won't tie us up so as to send any more of our boys up to north Russia to fight in countries we think ought to be let alone. It will be time enough for the United States to dip in when somebody threatens us or interferes with our affairs.

Don't make no mistake about following Taft in politics unless you want to wind up in the ditch again. As a ditch trailer there ain't anybody in this country can put it over on Taft. I want to let you know about what people are thinking back in your old home country.

Yours,

RICHARD ASHKUM.

Mr. ASHURST. Mr. President, I rise to express my personal regret that a Senator should ask that such a letter be read to the United States Senate. I have never agreed with Mr. Taft on politics, but he was for four years President of the United States of America. He was beaten for reelection, and he received the smallest electoral vote that any President running for reelection ever received in the history of American politics. I was glad of it. I hope if he runs again he will be beaten worse. But, Mr. President, William Howard Taft was at all times in office and out of office a conscientious, patriotic gentleman of the highest type. I could bring here letters I have received that would arouse the risibilities of Senators and the populace, letters reflecting on other eminent men, Democrats and Republicans. But I do not choose to make the Senate of the United States the conduit through and by which public men whom the Nation esteems, although it may differ with them, may be made the object of ridicule. I do not believe that is the

way to conduct the debate in behalf of or against the league of nations.

With perfect respect to my friend, the Senator from Illinois [Mr. SHERMAN], whom I entirely love, I believe that as the years glide by and when in the future he sees that document he has caused to be read and thus petrified into the RECORD of his country's Congress he will be as ashamed of it and of his action to-day as I am.

Mr. SHERMAN. I ask unanimous consent for a couple of minutes.

Mr. ASHURST. I will yield in just a moment. I only want another minute.

This discussion of the league of nations is going to sweep many men off their feet. It is going to cause many men to lose their heads. Let us proceed with the discussion without throwing ridicule, abuse, and vilification upon members of the citizenry of our country who may differ from us.

Ex-President Taft, once a judge, was governor of the Philippine Islands, and Secretary of War. He was twice named for President by a great political party, a party that I hope will always be defeated wherever it may challenge the Democratic Party for supremacy; and when you Republicans nominated Taft you nominated a gentleman, and he is entitled to fair and courteous treatment at the hands of the Senate of the United States. He is a credit to our American institutions although I do not agree with him politically and have always opposed him.

Mr. SHERMAN. Mr. President, I can understand fully the sentiment of the Senator from Arizona. I would feel the same way he does if I were a Member of the other side of the Chamber. No greater blessing was every vouchsafed to the majority than that conferred by the mistakes which are referred to by this humble correspondent. I think I have a right to defend this constituent.

I would not have presented this letter here under the head of "Memorials and petitions" had it not been for the fact that this ex-President of the United States not very many days ago said he would trust no Member of the United States Senate who was not for the league of nations. Whether one is or is not for the league remains a matter of future consideration.

Mr. McKELLAR. Will the Senator yield? I want to call the Senator's attention to the fact that Ex-President Taft this morning made a specific denial of that statement, and republished his own words, which apparently do deny it.

Mr. SHERMAN. I trust the Senator will place the denial in the CONGRESSIONAL RECORD.

Mr. McKELLAR. I shall be glad to do that.

Mr. REED. If the Senator from Illinois will permit me, the Senator from Tennessee might also put in with the denial his subsequent statements, because these statements have been appearing from day to day.

Mr. McKELLAR. I have them before me and will do so.

Mr. THOMAS. I have the denial here.

Mr. SHERMAN. I would be glad for my part to have it placed in the RECORD.

Mr. THOMAS. It is very short, and I will read it, with the Senator's permission.

Mr. SHERMAN. So let it be considered.

Mr. McKELLAR. I would be very glad for the Senator from Colorado to read it.

Mr. SHERMAN. If the Chair finds no objection made, I have no objection to having it interpolated.

Mr. THOMAS. Mr. Taft says:

> I observe that I have been misquoted in dispatches from San Francisco. I have been made to say that I would not trust overnight Senators opposing this treaty. What I said was this:
>
> I yielded to no man in my profound respect for the Constitution of the United States as the greatest fundamental instrument ever struck from the brain of man, but it made me impatient to see a perversion of its meaning and purpose urged in order to keep this great country out of a covenant to secure peace among men; that among those engaged in this were men whose adherence to the guaranties of civil liberty in that great instrument, and the means of maintaining them through the courts, had not been conspicuous in the past, and whose disposition to amend or weaken them in the past made me feel that I would hesitate to trust them with the Constitution overnight.
>
> I have said that those who oppose this covenant on the ground that we should maintain the so-called policy against entangling alliances and would withdraw us again into an impossible status of world isolation without responsibility for the peace of the world have a narrow vision of our national duty. They fail to realize our enormous power of assistance to the world in securing peace by concert. Thus they minimize America's proper part as a factor in the advance of civilization. They thereby belittle America and become little Americans.

Let me add, Mr. President, that while I am not in sympathy with Mr. Taft's views concerning a league of nations, I entertain the same high regard for him as a statesman and as a citizen as does the Senator from Arizona [Mr. ASHURST].

Mr. SHERMAN. Mr. President, upon the whole, I indorse the sentiment conveyed in the letter from Mr. Ashkum, my constituent. However it may arouse the indignation of certain Senators, I regard the conduct of the ex-President of the United States in its entirety as not only undignified but as grossly partisan and unfair. I regard his conduct as meriting the homely observation conveyed in the letter from my humble constituent. From many hundreds of such letters I selected that which more accurately in that phrase conveyed my impression of the ex-President's conduct.

It is entirely proper for him to take such course as he sees fit in the advocacy of a league of nations. I can understand why, as referred to in this letter, there is a sympathy between Mr. Taft and the President. The President applied to Mr. Carnegie's fund for a pension, and Mr. Taft has his expenses paid in this campaign from the same tainted source. There is a community of interest and an entire unanimity in the source of supply.

Mr. PITTMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Nevada?

Mr. SHERMAN. Yes, sir; I yield.

Mr. PITTMAN. I do not ask the Senator to yield. I rise to a question of order. I call for the regular order. I intended to explain why I called for it, but I simply call for it.

Mr. SHERMAN. Do I understand the Senator from Nevada objects to further remarks?

The VICE PRESIDENT. The Senator from Nevada has called for the regular order.

Mr. SHERMAN. Then I have to acquiesce.

The VICE PRESIDENT. Reports of committees are in order.

REPORTS OF COMMITTEES.

Mr. UNDERWOOD, from the Committee on Appropriations, to which was referred the bill (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other purposes, reported it with amendments and submitted a report (No. 750) thereon.

Mr. HENDERSON, from the Committee on Mines and Mining, to which was referred the bill (S. 5557) to safeguard temporarily by a license control of imports of potash the interests of domestic potash producers until trade conditions are readjusted, reported it with amendments and submitted a report (No. 751) thereon.

Mr. GORE, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, and for other purposes, reported it with amendments and submitted a report (No. 752) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 5648) to increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska; to the Committee on Public Buildings and Grounds.

By Mr. WALSH:

A bill (S. 5649) granting an increase of pension to Alice Chenoweth Day; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 5650) to amend sections 9 and 19 of the Federal reserve act; to the Committee on Banking and Currency.

By Mr. PENROSE:

A bill (S. 5651) for the purchase of a site and the erection of a public building at Emporium, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. MYERS:

A bill (S. 5652) providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes; to the Committee on Public Lands.

By Mr. WATSON:

A bill (S. 5653) for the relief of Milton B. Huffman; to the Committee on Post Offices and Post Roads.

By Mr. SHAFROTH:

A bill (S. 5654) granting a pension to Allie Bailey;

A bill (S. 5655) granting an increase of pension to Cornelia C. Harris;

A bill (S. 5656) granting a pension to Helen G. Inman; and

A bill (S. 5657) granting an increase of pension to Mary E. Opp; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SMITH of Georgia submitted an amendment providing that all officers charged with disbursement of public funds and all officers responsible for public property intrusted to their

custody since April 6, 1917, etc., shall be held responsible only in case of fraud or attempted fraud or embezzlement in the disbursement of such public money or the custody of such public property, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. SMOOT submitted an amendment proposing to appropriate $252,900.58 for the relief of Prof. William H. H. Hart, principal of the Hart Farm School and Junior Republic for Dependent Children, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CALDER submitted an amendment to authorize the Postmaster General to construct, maintain, and operate a mail tunnel in the city of New York, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

COURT-MARTIAL OF JOSEPH LINESKE.

Mr. TOWNSEND. Mr. President, I call the attention of the Senator to a matter which, I think, possibly may reach the Secretary of War and the people of the United States more generally through the CONGRESSIONAL RECORD than by any other method. I refer to the court-martial proceedings of a young man by the name of Joseph Lineske, from Cheboygan, Mich., late a private in Company H, One hundred and twenty-fifth Infantry, who was tried by court-martial last March and who is now serving a three-year sentence in Fort Leavenworth. The record of his trial is short, and I think the people, and especially the Senate, ought to know just what it is. I am therefore asking that it be inserted in the CONGRESSIONAL RECORD.

The record of the trial does not show the final determination of the court, which was that this soldier was sentenced to three years at Fort Leavenworth for causes which seem to me to be absolutely unworthy the consideration of a court in reference to a boy who is not a slacker; who is not charged with having been a slacker; who first enlisted in the National Guard; who was honorably discharged therefrom before he was drafted into the regular service; who was then imposed upon by being subjected to a surgical operation, which, however, he did not object to the first time, but which the second time was required of him with an assurance that he would not be helped by it. Because he resisted or objected to that he was tried and sentenced to Fort Leavenworth. I ask that the record of this trial may be inserted in the CONGRESSIONAL RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

RECORD OF TRIAL BY COURT-MARTIAL OF PVT. JOSEPH LINESKE, COMPANY H, ONE HUNDRED AND TWENTY-FIFTH INFANTRY, NATIONAL GUARD, CAMP MACARTHUR, WACO, TEX.

Proceedings of a general court-martial which convened at Camp MacArthur, Waco, Tex., pursuant to the following order:

HEADQUARTERS CAMP MACARTHUR,
WACO, TEX., *March 7, 1918.*

Correct copy.
Special order No. 48.

Extract.

4. A general court-martial is appointed to meet at this camp on Saturday, March 9, 1918, at 10 o'clock a. m., or as soon thereafter as practicable, for the trial of such persons as may be properly brought before it.

Detail for the court.

Maj. Fred W. Boschen, Fifty-sixth Infantry.
Capt. Joseph M. Murphy, Infantry, D. O. L. (Fifty-sixth Infantry).
Capt. Robert L. Williams, Fifty-fifth Infantry.
Capt. Horace Williams, Infantry, R. C. (Fifty-sixth Infantry).
Capt. Harvey R. Payne, Infantry, R. C. (Fifty-fifth Infantry).
Capt. Le Roy E. McCauley, Infantry, R. C. (Fifty-fifth Infantry).
First Lieut. Harry G. Hodgkins, Fifty-fifth Infantry.
First Lieut. Baxter Ware, Infantry, R. C. (Fifty-sixth Infantry).
First Lieut. Augustus P. Pigman, Field Artillery, R. C. (Eightieth Field Artillery).
First Lieut. Arthur L. Humphries, Field Artillery, R. C. (Eightieth Field Artillery).
Second Lieut. Harold G. Holt, Eightieth Field Artillery.
Second Lieut. Auguste Hoffman, Infantry, R. C. (Fifty-sixth Infantry).
Second Lieut. Henry D. Gaggstatter, Infantry, R. C. (Fifty-fifth Infantry).
First Lieut. Francis A. Woolfley, Infantry, D. O. L. (Fifty-sixth Infantry), judge advocate.
Second Lieut. James F. Johnson, jr., Fifty-sixth Infantry, assistant judge advocate.

The employment of a stenographic reporter is authorized.
(250.42 J. A.)
By command of Brig. Gen. Barth.

C. B. KELLY,
First Lieutenant, Infantry, D. O. L., Acting Adjutant.

Official:
C. B. KELLY,
First Lieutenant, Infantry, D. O. L., Acting Adjutant.

CAMP MACARTHUR,
WACO, TEX., *March 26, 1917.*

The court met pursuant to the foregoing order at 1.20 o'clock a. m.

Present: Maj. Fred W. Boschen, Fifty-sixth Infantry; Capt. Joseph M. Murphy, Infantry, D. O. L. (Fifty-sixth Infantry); Capt. Robert L. Williams, Fifty-fifth Infantry; Capt. Horace Williams, Infantry, R. C. (Fifty-sixth Infantry); Capt. Le Roy E. McCauley, Infantry, R. C. (Fifty-fifth Infantry); First Lieut. Harry G. Hodgkins, Fifty-fifth Infantry; First Lieut. Baxter Ware, Infantry, R. C. (Fifty-sixth Infantry); First Lieut. Augustus P. Pigman, Field Artillery, R. C. (Eightieth Field Artillery); Second Lieut. Harold G. Holt, Eightieth Field Artillery; Second Lieut. Auguste Hoffman, Infantry, R. C. (Fifty-sixth Infantry); Second Lieut. Henry D. Gaggstatter, Infantry, R. C. (Fifty-fifth Infantry); First Lieut. Francis A. Woolfley, Infantry, D. O. L. (Fifty-sixth Infantry), judge advocate; Second Lieut. James F. Johnson, jr., Fifty-sixth Infantry, assistant judge advocate.

Absent: Capt. Harvey R. Payne, Infantry, R. C. (Fifty-fifth Infantry) on special confidential duty under orders from camp headquarters Camp MacArthur, Waco, Tex.; First Lieut. Arthur L. Humphries, Field Artillery, R. C. (Eightieth Field Artillery), at Fort Sill, Okla., as per special orders No. 61, camp headquarters Camp MacArthur, Waco, Tex.

The court proceeded to the trial of Pvt. Joseph Lineske, Company H, One hundred and twenty-fifth Infantry, National Guard, who, on appearing before the court, introduced Lieut. Clarence H. Kells, Fifty-fifth Infantry, as counsel.

R. K. Barton was sworn as reporter.

The accused was asked if he desired a copy of the proceedings, to which he replied in the affirmative.

The order appointing the court was read to the accused and he was asked if he objected to being tried by any member present named therein, to which he replied in the negative.

The accused was notified of the absence of the members of the court, and the reasons therefor, and was asked if he objected to being tried by the court as now constituted, to which he replied in the negative.

The members of the court, the judge advocate, and the assistant judge advocate were then sworn.

The accused was then arraigned upon the following charges and specifications:

ARRAIGNMENT.

Charge I: Violation of the ninety-sixth Article of War.

Specification 1: In that Joseph Lineske, private, Company H, One hundred and twenty-fifth Infantry, National Guard, having been found to be suffering from hemorrhoids and prolapse of rectum, and having been advised by Maj. John C. Morfit, Medical Reserve Corps, that an operation consisting of hemorrhoidectomy by cauterization under local anesthesia was necessary to enable him to perform properly his military duties, did, at base hospital, Camp MacArthur, Waco, Tex., on or about January 15, 1918, refuse to submit to such operation; that after such refusal the said Pvt. Joseph Lineske was examined by a board convened under authority of paragraph 2, General Orders, No. 167, War Department, 1917; that the said board found that the operation advised by the said Maj. John C. Morfit, Medical Reserve Corps, was necessary to enable the said Pvt. Joseph Lineske properly to perform his military duties; that the said Pvt. Joseph Lineske was at base hospital, Camp MacArthur, Waco, Tex., on or about January 26, 1918, notified of the findings of said board; and that thereafter he persisted in his refusal and still persists in his refusal to submit to such operation.

C. W. WALKER,
Captain, Medical Reserve Corps, United States Army.

To which the accused pleaded:

PLEAS.

To the specification of the charge: Not guilty.
To the charge: Not guilty.

The paragraphs of the Manual for Courts-Martial that set out the gist of each of the several offenses were read to the court by the judge advocate.

The JUDGE ADVOCATE. The judge advocate desires to introduce two witnesses in this case, one to show that the accused was advised that an operation as herein specified was necessary, and both to show that a board met under the proper general order and personally examined the accused and found that this operation was necessary. That this board had advised the operation and that he refused the said operation.

TESTIMONY OF MAJ. JOHN C. MORFIT.

Maj. John C. Morfit, Medical Reserve Corps, United States Army, a witness for the prosecution, was sworn and testified as follows:

Examination by the prosecution.

Q. State to the court your full name, rank, and organization.—A. John C. Morfit, major, Medical Reserve Corps, base hospital, Camp MacArthur, Waco, Tex.

Q. Do you know the accused?—A. Yes, sir; his name is Lineske.

Q. State to the court his name, rank, and organization.—A. His name is Lineske, and he was a patient in the base hospital. I don't know his rank and organization.

Q. What was the accused suffering with at the base hospital?—A. He has been in the base hospital two or three times. He had two conditions, piles or hemorrhoids and prolapse of the rectum. Prolapse of the rectum means evacuation of the bowels, and in which the bowel comes out and has to be pushed back, or it causes a good deal of inconvenience if it remains.

Q. Maj. Morfit, did you examine the accused at the hospital?—A. Yes, sir.

Q. What treatment did you advise?—A. That is right in line with the story I was going to tell. He was operated on for hemorrhoids. Now, an operation for hemorrhoids incidentally cures in most cases the prolapse of the rectum. He returned to the hospital with the prolapse and further operation was advised for that.

Q. Did you inform the accused that it was necessary for him to have this operation?—A. Yes, sir.

Q. Did you operate upon the accused?—A. No, sir; not for this. The first time he was operated on for the piles and did not result in a cure for the prolapse.

Q. Why was it you did not operate upon the accused?—A. He refused the operation.

Q. Was this operation of a serious nature you advised, doctor?—A. No, sir.

Q. Well, did it endanger life?—A. No, sir.

Q. What further action did you take when the accused refused to submit to an operation?—A. He was put up before the board which had charge of those cases.

Q. Who were the members of the board?—A. Capt. Vanderveer, Lieut. Armstrong, and myself.

Q. State to the court the findings of the board.—A. The patient was examined—presented to the board and examined, and they all recommended the second operation.

Q. Who was the senior officer of the board?—A. I was.

Q. Did you render a written account of the findings of this board?—A. Yes, sir.

The JUDGE ADVOCATE. If there is no objection, I would like to have the witness identify the findings of this board and introduce it in evidence.

The COURT. Any objection on the part of the defense?

Lieut. KELLS. No objection.

The JUDGE ADVOCATE. Will you tell the court whether or not this is the correct findings of the board?

A. (witness looks at paper). Substantially; yes, sir.

Q. Is that your signature to the findings?—A. Yes, sir.

The COURT. There being no objection to the proceedings produced to the court, it will be introduced in evidence and certified copy attached to the record.

The prosecution read to the court the findings of the board of medical officers, which is hereto appended and marked "Exhibit I."

The ASSISTANT JUDGE ADVOCATE. Maj. Morfit, was the accused told of the findings of this board?

A. Yes, sir.

Q. What was his reply to that?—A. He refused the operation.

Q. He still refused the operation?—A. Yes, sir.

The ASSISTANT JUDGE ADVOCATE. No further questions.

The COURT. Any cross-examination?

Lieut. KELLS. Yes, sir.

Cross-examination—examination by the defense:

Q. Maj. Morfit, did you operate on the accused on or about November, 1917?—A. He was operated on; I think I did. It was either I or Maj. Howard.

Q. You are not sure it was you or Maj. Howard?—A. No.

Q. Were you familiar with the reason for the operation at that time?—A. Yes, sir.

Q. Why was the operation done then?—A. For hemorrhoids and prolapse of the rectum.

Q. Did he or did you not state to the accused at that time that particular operation would cure him?—A. No, sir; I never said an operation will cure at all.

Q. Didn't you assure the accused that a proper operation would not cause him very much pain and it would cure him, and it would not be necessary for him to return to the hospital again?—A. No, sir.

Q. After the findings of the board were given to the accused, and he was told that he was to be operated on again, did he or not ask you whether this operation would cure him?—A. Yes, sir; he did.

Q. Will you state to the court what you told him at that time?—A. I don't think that I can state exactly what I told him at that time, but at that time and subsequently I have told him that he should have an operation, a very simple one, under a local anesthesia, which, I believe, would complete his cure, and if it was not completed in that way it could be completed by a more radical method.

Lieut. KELLS. That is all.

The COURT. Any redirect examination?

The ASSISTANT JUDGE ADVOCATE. No redirect examination.

The COURT. Questions by the court.

Examination by the court—questions by the Court:

Q. Doctor, why were you sure at one time the operation would cure this man, and the other you were not? You stated the first time you didn't believe that the operation would cure him; the second time you stated that you did believe and told him it would cure him.—A. No, sir; I did not say the second time that it would cure him absolutely. I said it would probably do so, and it probably would.

Q. You said you advised him it is a simple operation and would cure him, and if that didn't a more redical method would. What more radical method would?—A. I mean by this: In prolapse of rectum sometimes, in fact in the majority of the cases, under cocaine you can let that prolapse come out, and with the cautery make a few cauterization marks in the intestinal wall that would cause a scar contraction sufficient to hold that up. Now, in about 25 per cent of the cases that does not occur; in those instances you have to get a cure, you have to amputate, and cut off what is hanging out. That makes it a much more severe operation.

Q. Doctor, you examined the man in November, didn't you?—A. Yes.

Q. And you found he had the same condition he has now?—A. Not the same thing. He has a prolapse.

Q. Has he still the hemorrhoids?—A. Well, the hemorrhoids are minor, however, now. At that time the hemorrhoids were majority trouble. He is practically cured of hemorrhoids, but didn't get an incidental cure of the prolapse.

Q. Was the resulting pain or inconvenience to the man after the first operation? How long was he laid up?—A. I don't know how long he was in the hospital.

Q. Any danger to life to the cutting off of the prolapse of that bowel?—A. No more danger than there is in the constant danger there of the condition.

Q. Is there much danger in cutting off that prolapse?—A. No, sir.

Q. Isn't these conditions, many occasions, one of sequel of the other? A man with hemorrhoids will have prolapse?—A. Yes, sir.

Q. And this just happened to be one isolated case where the operation for the hemorrhoids did not cure the prolapse?—A. Yes, sir.

Q. And further operation was necessary?—A. Yes, sir.

Q. Was this man told at the time the board met if he refused the operation he would be liable to be tried for it?—A. Yes, sir; that was all explained to him.

Q. What did he state was the reason for it, doctor, after his refusing?—A. I have forgotten just what he said. I think he doubted the results, feared the pain, or something of that sort. I don't know just what he said. He just refused.

Q. I want to get clear why they didn't operate for prolapse when they operated for the hemorrhoids?—A. As I was trying to bring out the operation for prolapse which is a precedent condition of the operation for hemorrhoids, which is a precedent condition for prolapse, sometimes is because of it when the hemorrhoids are operated upon incidentally cures the prolapse.

Q. He actually had the prolapse at the time?—A. He had the prolapse at the time, yes.

Q. He was told that the first operation, was he, that it would cure both the hemorrhoids and prolapse?—A. No; he could not have been told that because we don't guarantee a cure. There is an element of uncertainty in all operations, in all operative work. He was given to understand that he would probably be cured.

Q. The first operation as he was in the second one, the same degree of assurance.—A. The same degree of assurance.

Q. Yes?—A. Yes, sir.

TESTIMONY OF FIRST LIEUT. JOHN H. ARMSTRONG.

First Lieut. John H. Armstrong, Medical Reserve Corps, Base Hospital, Camp MacArthur, a witness for the prosecution, was sworn and testified as follows:

Examination by the prosecution:

Q. State to the court your full name, rank, and organization.—A. John H. Armstrong, first lieutenant, Medical Reserve Corps, United States Army.

Q. Do you know the accused?—A. Yes, sir.

Q. State to the court his name.—A. Joseph Lineske, private, Company H, 125th Infantry.

Q. State to the court under what conditions the accused came under your observation.—A. Examined by me. I was ward surgeon in ward 9. He had prolapse of the rectum. I advised operation for its relief. He refused the operation. Later, examined by me as a member of the board, he again refused the operation.

Q. Do you—as a member of that board did you make a personal examination of him?—A. I did.

Q. State to the court your findings.—A. Prolapse of the rectum.

Q. Lieutenant, can you identify this as a copy of the findings of the board?—A. Yes, sir.

Q. Is that your signature attached as recorder?—A. It is, sir.

The JUDGE ADVOCATE. If there is no objection, I would like to introduce as evidence the same proceedings as read previously and which has been identified by the first witness and by this witness.

The COURT. If there is no objection it will be introduced.

The JUDGE ADVOCATE. No further questions by the prosecution.

The COURT. Any cross-examination?

Lieut. KELLS. Yes, sir.

Cross-examination—examination by the defense:

Q. What capacity did you act, Lieutenant, on the board that examined the accused?—A. I was one of the examiners, and also recorder.

Q. You were the junior member?—A. Yes, sir.

Q. Besides Maj. Morfit, who else was a member of that board?—A. Capt. Vanderveer.

Lieut. KELLS. That is all.

The COURT. Any questions by the court? If not, the witness will be excused.

The JUDGE ADVOCATE. No further testimony by the prosecution.

The COURT. I would like to have a statement from the defense as to what he proposes to introduce.

Lieut. KELLS. May it please the court, we have no witnesses to introduce in this case except the accused. I wish the board would take into consideration it is impossible to produce any witness for the defense, because this man's regiment is not here and his company has been moved and is not here at this time. They have been ordered out, and perhaps for oversea duty. There is no one here who is familiar with his case. It is impossible to get any communication where this man was enlisted, who enlisted him, who examined him when he was sworn into service. We can't find any records here at the base hospital.

The COURT. I would like to know what those things have to do with him refusing the operation?

Lieut. KELLS. The defense desires to prove that this case existed before he was enlisted in the service and really should not be held for an offense, which should have been found before he was brought into military service. If he is now unfit for military service he could prove it by the facts that he was enlisted erroneously.

The COURT. This Government is in need of every man that they can get, and if this can be corrected by an operation under local anesthesia it is not proper to stand up there and plead that he should not have been drafted. That is to brand the man a slacker.

Lieut. KELLS. We have no witnesses, only the accused, who is to make a statement to the court.

The COURT. You, the accused, are informed that you have the right to testify in your own behalf and, subject to cross-examination, offer any evidence in denial, in explanation, or in contradiction of the charges against you. If you do testify, your testimony will be given the weight of evidence, the same as any other witness, and you may not be cross-examined beyond the field of your direct examination, except to test your credibility as a witness. You may also make an unsworn, verbal, or written statement of the case, which may consist of a brief summary or version of the evidence, with such explanation or allegation of motive, excuse, matter of extenuation, etc., as you may desire to offer, or it may embrace, with the facts, a presentation also of the case and an argument both upon the fact and the law. Such statement is not testimony, and therefore is not subject to cross-examination, but as a personal defense or argument, however, it may, and properly should, be taken into consideration by the court. You do not have to do either, and your failure to do either will not create any presumptions against you. Do you fully understand all that I have said to you?

The ACCUSED. Yes, sir.

The COURT. Knowing those rights, do you not wish to testify and to make a statement in your own behalf, or to do either? In other words, do you desire to be sworn as a witness in your own behalf or make an unsworn statement?

The ACCUSED. I desire to make an unsworn statement.

UNSWORN STATEMENT BY THE ACCUSED.

I was operated on here on the 19th of November, and I turned this operation down. I should better. On 9 o'clock in the morning, Capt. Howard was in charge of the ward. He came to me and asked me why I turned this operation down. I told him, "I am afraid it will do no good." He said, "We have some good surgeons." I told him that was what I wanted. I wanted to be fixed up or left alone. I told him the conditions. He told me he would fix me up. He said I would never have to turn this up any more. I went and took the operation about 12 o'clock the 19th of November. After the operation I was took to ward 12. After I got up so I had to get out on my feet, I went to the toilet. My rectum came out. It was no help, I got worse. They sent me back, and at that time, the 29th of November. It never helped me at all. I was in the Infantry and they sent me back, and I saw the shape it left men in their condition after operations. They sent me back. They wanted me to take another operation. I told them I didn't want to take it, for the first one didn't do me no good. They told me it would help me the first time, and it never did. I had this rectum trouble 15 years, and it never bothered me for two years. It never bothered me when we came down here, and then it got to hurting me, and I reported it, and I submitted to an operation. I don't want to be operated on if it don't help me any. They operated 10 days to-day on one and I seen the man go away

from here. He was operated on for such a thing as that and he had no control of his bowels at all. Sometimes he would crack away and sometimes he would not. I seen him with my own eyes. I know it to be a fact. He was sent out of T. B. They said he had consumption. He went out on T. B. and went home. I know a man who was operated on for the same thing. He had lost control of his bowels. He had no control of them. I don't want to be in a shape like that. I would submit to an operation provided it helped me, but I dont't want to be killed or make me worse than I am. I am worse than I was. I want to stay in the service. I did not turn this operation down to get out. I had no idea of that.

I don't believe the operation would help me. That is one reason I turned it down. I am willing to do what I can. I am willing to do my bit. I don't want to submit to four or five operations and not be any help to me. I had the understanding the first time I would never have to force this thing back again. When I came to the operating room, Maj. Morfit said: "You are the one that turned this down." I said: "I thought if you were not going to help me I wouldn't have done it the first time." He said: "Never mind, son; we will fix you up." I asked him afterwards; I said: "Major, if I do let you operate on me—the way you burn me, do you think it will be any help to me?" He said: "No; I won't promise you nothing; I won't." I said: "You had one chance. I give you a chance, and I don't like to take any chance where I don't know." He told me he could not give me any guaranty. He said if he couldn't fix me up on that operation he would operate again. I told him it is not necessary to operate on a man seven or eight times. I told him I wanted to be fixed up, and he didn't give me no satisfaction. I told him I wanted to do my bit. I have always tried to do my bit. I explained it to them down in the operating room? I showed it to them. He said, "We will attend to you all right," and he never did. I fell out like down on the border. I couldn't make it. My feet got sore when on the hikes. When I go on a hike my feet get sore, and I explained that to them in the operating room, and they said, "We will attend to you all right." But he never did. I took exercise over in the infirmary for my feet, but it never done me any good. I am willing to do my bit if there is any way to do it.

The COURT. Has the defense anything else to offer.

Lieut KELLS. May it please the Court, the counsel would like to make a few remarks.

The COURT. Your argument will follow the prosecution's.

The JUDGE ADVOCATE. The Judge Advocate has no argument to make.

The COURT. Argument by the defense.

REMARKS BY COUNSEL FOR DEFENSE.

May it please the court, it has been shown that this man was operated on on November, 1917, for practically the same thing in which he is being tried now for refusing an operation. The operation at that time was not successful. The accused didn't object to this last operation, provided it would be the same as the other one, but was objecting to the cauterization. The accused lives in fear of being burned. It has never been shown, or rather, not shown, the accused has said he has had this same disease for the last 15 years, and it never bothered him before until he was subject to hard training here and became painful; then he could not stand it any longer, and he was sent to a hospital. It would seem he was there plenty of time to either have cured or not cured. If he was unfit for military service it seems they could have decided long ago. The major of the board on the operation the first time was also president of the board who examined this man. That has been proved in evidence here. The accused has stated to the court he is not trying to get out of the military service, but is willing to serve his country. I have investigated with the short time which I have had and really have found that to be such. He is a good man, and he comes from as good people, perhaps, as a great many who are in the service to-day. It is my opinion that the board would make a great mistake to either sentence this man a long term of confinement or give him a sentence that would put him out of military service. It seems that some way could be prepared that he could be kept in the military service and given lighter duty instead of heavy training which would necessitate this old disease coming back on him.

The COURT. Any reply by the judge advocate?

The ASSISTANT JUDGE ADVOCATE. No reply by the judge advocate.

The court was closed and finds the accused:

FINDINGS.

Of the specification of the charge: ———.

Of the charge: ———.

The court was opened and the judge advocate stated in the presence of the accused and his counsel that he has no evidence of previous convictions to submit, and that the date of current enlistment should be April 30, 1916, instead of April 30, 1917, as shown by the charge sheet.

The ACCUSED. I enlisted April 30, 1916.

The court was closed and sentences the accused:

SENTENCE.

——— ———.

The court at 2.15 o'clock p. m. was opened and proceeded to other business.

———,
Major Fifty-sixth Infantry, President.

———,
Lieutenant Infantry, D. O. L. (Fifty-sixth Infantry), Judge Advocate.

EXTENSION OF CLAYTON ACT.

Mr. KELLOGG and Mr. SMITH of South Carolina addressed the Chair.

The VICE PRESIDENT. The Senator from Minnesota.

Mr. KELLOGG. Mr. President, I ask unanimous consent to bring up Senate joint resolution No. 222, which was unanimously reported by the Judiciary Committee on yesterday. It is a joint resolution which extends for another year section 10 of the Clayton Act, which has been twice extended by Congress. I do not think that there will be any objection to the joint resolution, and I ask unanimous consent for its present consideration, because it should be passed immediately.

Mr. REED. I hope the Senator from Minnesota will not ask to bring up that joint resolution at this time. The Senator from Washington [Mr. JONES] has given notice that he would address the Senate to-day, and I also have given a similar notice. The Senator from Washington has been so extremely generous as to give me the place he would occupy; and I should like to proceed with my remarks as soon as the morning business is over.

Mr. KELLOGG. If there is any discussion on or objection to the joint resolution, I shall not ask that it be considered. I do not think that there will be. I do not wish to take up any time.

Mr. REED. If there is no discussion on the joint resolution I shall not object.

The VICE PRESIDENT. Is there objection to the request of the Senator from Minnesota?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. J. Res. 222) extending until July 1, 1920, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, which had been reported from the Committee on the Judiciary with an amendment, on page 2, after the date, "July 1, 1920," to insert:

Provided, That said section shall become effective on March 1, 1919, as to any corporations hereafter organized.

So as to make the joint resolution read:

Resolved, etc., That the effective date on and after which the provisions of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, shall become and be effective is hereby deferred and extended to July 1, 1920: *Provided*, That said section shall become effective on March 1, 1919, as to any corporations hereafter organized.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

DECLARATION OF INDEPENDENCE AND WASHINGTON'S FAREWELL ADDRESS (S. DOC. NO. 410).

Mr. GORE. I am informed by the superintendent of the Senate document room that the Declaration of Independence has never been printed as a public document. I therefore request that the Declaration of Independence and Washington's Farewell Address may be printed as one document, and that as large a number be printed as is permissible under the law governing such printing.

The VICE PRESIDENT. Without objection, it is so ordered.

The order was reduced to writing, and agreed to as follows:

Ordered, That the Declaration of Independence and Washington's Farewell Address be printed as a Senate document, and that as many additional copies as can be obtained for $500 be printed for the use of the Senate.

PATRIOTIC ATTITUDE OF ORGANIZED LABOR.

Mr. OVERMAN. I ask unanimous consent to have printed in the RECORD a short article from the Evening Star newspaper of this city, headed, "Washington printers denounce bolshevism. Declare organized labor opposes foreign effort to produce general strike."

The VICE PRESIDENT. Without objection, it is so ordered.

The article referred to is as follows:

WASHINGTON PRINTERS DENOUNCE BOLSHEVISM—DECLARE ORGANIZED LABOR OPPOSES FOREIGN EFFORT TO PRODUCE GENERAL STRIKE.

The printers of Washington, as represented by Columbia Typographical Union, No. 101, went on record yesterday as opposed to any form of industrial Workers of the World and bolshevism, reaffirming their loyalty and allegiance to sane patriotism and refusing to give their indorsement to the nation-wide effort of the Industrial Workers of the World to tie up enterprise and industry of the country by a general strike July 1.

The matter came up on the reading of a communication addressed to the union in which indorsement of the strike movement was asked.

ATTITUDE OF ORGANIZED LABOR.

E. W. Oyster, a member of the union and one of the best-known labor leaders, locally and nationally, presented the resolution that clearly defines the attitude of the printers, and, in fact, that of organized labor generally affiliated with the American Federation of Labor.

The preamble declares the right of organized labor to secure its rights and recognition through peaceful channels, denounces violence in any form, and registers disapproval of bolshevism, favoring the maximum penalty of the law in the punishment of all violators.

The resolution, which was given unanimous indorsement, follows:

"The Industrial Workers of the World and the Bolsheviki, un-American organizations, composed mostly of unnaturalized foreigners, who believe in and are advocating murder, assassination, and incendiarism by the uncivilized, treacherous, and brutal use of the dynamite bomb, the dagger, and the torch, are advocating a universal strike to commence on the 1st day of July, and are endeavoring to influence all labor organizations to join with them in the universal strike.

COWARDLY AND UNCIVILIZED.

"Columbia Typographical Union, No. 101, believing that such a strike would be unwarranted and unjustifiable and detrimental to the best interests of the whole country, and of all honest workers, whether organized or unorganized, that law and order should be maintained under all circumstances, and that the rightful demands of the working classes of the country for justice can be more surely and effectively brought about by peaceful and lawful means—through agitation, education,

organization, and the ballot—rather than by cowardly and uncivilized use of dynamite or other unlawful methods, unreservedly condemns and repudiates any and all persons who encourage or resort to violence and destruction of life and property during labor troubles, or at any other time, and believes that the maximum penalty should be inflicted upon all those who so violate the laws of the land."

The VICE PRESIDENT. If there be no further morning business, morning business is closed.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. PITTMAN. Mr. President, I move that the Senate proceed to the consideration of the report of the committee of conference on Senate bill 2812, the oil leasing bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Nevada.

The motion was agreed to; and the Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. SMITH of South Carolina. Mr. President——

Mr. PITTMAN. Just a second. I wish to make a statement with reference to this matter. I want the legislative situation——

Mr. SMITH of South Carolina. If the Senator will yield to me, the morning hour is not yet closed. We are still under the head of resolutions, are we not?

Mr. PITTMAN. We are now considering the conference report on Senate bill 2812, as I understand.

Mr. SMITH of South Carolina. The reason I make the suggestion is that I did not hear the announcement made that we had passed the introduction of morning business.

The VICE PRESIDENT. The Chair asked if there was any further morning business, and, nobody interrupting, the Chair said morning business was closed.

Mr. SMITH of South Carolina. The reason why I desire recognition is that there is a matter of importance that I want to bring to the attention of the Senate. It will not create discussion. I refer to a Senate resolution asking for certain information from the Agricultural Department. The time is so short that, unless the resolution is promptly acted upon, the Department of Agriculture will be unable to get the information to the Senate. I therefore desire to ask unanimous consent for the immediate consideration of the resolution.

Mr. PITTMAN. I temporarily yield the floor for that purpose.

NITRATE OF SODA.

Mr. SMITH of South Carolina. I ask unanimous consent for the immediate consideration of the resolution which I send to the desk.

The VICE PRESIDENT. The resolution will be read. The resolution (S. Res. 461) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of Agriculture is directed to advise the Senate as soon as possible as to the cost of the nitrate of soda now being distributed by the Agricultural Department to the farmers; including the original cost of the soda per ton shipside Chile, the cost of ocean transportation per ton; an itemized statement of what other costs were included in its final delivery to the Ordnance Department; the price paid the Ordnance Department per ton; and an itemized statement of the cost included in the handling, shipping, and distribution to the farmers; also, the present price per ton of soda shipside Chile and the cost of delivery at the ports of America.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. PITTMAN. Mr. President, the Senator from Missouri [Mr. REED] has stated that he gave notice that he would at the close of morning business address the Senate with regard to the constitution of the proposed league of nations, or a matter of that substance. It has been understood, however, for several days that, owing to the legislative situation, during the morning hour, after the routine morning business was completed, the Senate would devote its time to the consideration of the conference report on what is known as the general mineral releasing bill. That understanding has been violated ever since that report has been before the Senate. Such action has been in accordance with our antiquated rules, I will admit; but, whether it is in accordance with the rules or not it is an outrage upon the country, and it is bringing into greater contempt the legislative efforts of the Senate.

On the 18th of this month, on behalf of the conference committee, I presented to the Senate the conference report embodying the agreement between the House of Representatives and this body with regard to legislation considered so vital by the President of the United States that some four years ago he urged upon Congress the necessity of passing legislation of this character. He has found it necessary time and time again to urge upon Congress in his messages to enact this important legislation for the benefit of the country. The two bodies of Congress have been striving for six years to reach an agreement. This body has three times passed a bill on this subject and the other body has three times passed a bill; but this is the first time the two bodies have reached an agreement.

I can not permit myself, as chairman of the committee of conference on the part of the Senate, to stand idly by and see the wishes of the Senate, of the House, and of the people of this country trampled on because rules made when Senators had respect for their privileges still exist in this body. Think of the absurdity of having great measures for determination before the Senate, with only eight or nine days left of the session, and Senators standing here talking for hours on some subject that is not under consideration by this body.

On the 18th of this month I had the conference report printed in the RECORD, so that Senators might read and consider it; on the 19th of this month, during the morning hour, the Senate saw fit to consider the conference report and brought it forward; but it had hardly reached the floor when the distinguished Senator from Washington [Mr. POINDEXTER] proceeded to discuss the league of nations until the hour of 2 o'clock arrived, and, under our system of procedure, at the hour of 2 o'clock, appropriation bills being given precedence, the conference report which was supposed to be under discussion—an agreement of the two Houses—was cast aside, and the legislative, executive, and judicial appropriation bill took its place. Even when that bill was before the Senate for consideration the distinguished Senator from Washington still continued to discuss the league of nations.

Again, on the next day, the 20th of February, performing my duty as the chairman of the managers of the conference on the part of the Senate, I again suggested to the Senate that it should take up for consideration the conference report on this general mineral leasing bill during the morning hour, knowing that at 2 o'clock the unfinished business would again come along and displace it from further consideration. On the next day, February 21, yesterday, another distinguished Senator on the other side of the Chamber, the Senator from Idaho [Mr. BORAH], aided in the determination of this vital question by discussing the proposed league of nations until within 10 minutes of 2 o'clock, and consideration during those 10 minutes was taken up by the distinguished Senator from Utah [Mr. SMOOT], who has kept on tap a speech to use whenever there is any time that might be available for the consideration of the conference report. He proceeded to speak on yesterday, and when the hour of 2 o'clock arrived and another bill was brought up he discontinued his speech. He has discontinued that speech every time any other Senator wanted him to discontinue it and when there could not be a vote on the conference report on the mineral leasing bill.

I intend to relieve myself of this responsibility. The Senate is either going to consider this conference report seriously or it is going to vote not to do so. Whenever the Senate votes not to do so I am willing to abide by that decision, but I do not intend to stand here and see one or two Senators contravene the will, or what may be the will, of the majority of the Senate.

I am serving notice now that I am going to move, when the hour of 2 o'clock arrives, to take up the conference report and continue its consideration. Then, if Senators see fit to discuss some other subject, at least when they get through we will have the report before the Senate. As it is now, when we only have the morning hour each day, Senators speak continuously until 2 o'clock, and then the consideration of the conference report terminates.

I am simply stating this because I want to urge the Senate to assist me in making this report the unfinished business, so that we may determine it one way or the other. Of course, if matters of far greater importance come on, I know what the Senate will do. They will take up those matters of greater importance. But if there is a filibuster against this matter, if two or three Senators are trying to defeat this measure by preventing it from coming to a vote, why, let that be demonstrated. It will not take them long to demonstrate it.

Oh, I admit that it is entirely according to the rules of the game for a gentleman to filibuster on the floor of the Senate. It is a privilege that you can not question. It has been done time and time again by all the Members of the Senate, I believe; yet it is the duty of those having charge of a bill to make those who see fit to utilize that power do it openly before the country, and not do it under cover. I want them to come out and say so, and if they do not come out and say so, I want their actions to confess to the country that they, by reason of the privilege they have to stand on this floor and talk without end, are going to defeat the will of Congress by virtue of that privilege.

Here is a measure that substantially in this form has passed the Senate three times and the House three times. Here is a conference report that was approved by the House of Representatives by a vote of 232 to 109. I am satisfied that two-thirds of the Members of this body, if given a chance to vote at this minute, would vote to approve that conference report. I believe there are Senators here who are attempting to defeat the right of the Senate to vote on this conference report, and, so believing, I am going to force them into the open, if the Senate will stand by me in this matter. If that power on the part of two or three men can be exerted to the end of preventing this body from agreeing on the report of one of its committees or disagreeing to the report of one of its committees, then let the world know it, and do not let those who are not responsible for the failure of legislation have to bear the burden of that failure. I want to tell you that if the report of this committee, which was appointed by this body, is not considered and this bill fails by reason of it, those who are responsible for it will have a burden to bear which is possibly far greater than they at present realize.

Mr. SHAFROTH. Mr. President, I should like to have the Senator state of what great importance this very measure which he has under consideration is to the great West. Our resources have been tied up for 15 years. We can not get any development whatever; and is it possible that the time of the Senate is to be frittered away on matters that are not before the Senate when this great measure has been agreed upon after six years of discussion upon each side of the Chamber?

Mr. PITTMAN. Mr. President, great as is the value of this matter to the western country, I say that it is of more value to the consumers of this country than it is to the development of the West.

Mr. KNOX. Mr. President——

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Pennsylvania?

Mr. PITTMAN. I yield.

Mr. KNOX. I should like to inquire of the Senator if he is willing to state to the Senate which is of the greater importance, the oil-leasing bill or a project to revolutionize the entire political system of the world?

Mr. PITTMAN. Mr. President, there is not any question but that these great matters that are now pending in Europe are of more importance than any legislation that this body now has before it, or ever had before it; and yet it does not seem necessary that this body should cease to function by reason of matters that will take four or five or several months to terminate over there. It does not seem that that is essential. We have about eight days more in which to legislate in this body before this Congress comes to an end, and the question is as to whether or not the opinions and voices of these Senators with regard to something that may terminate six or seven months from now are of more value than the performance of the duties that they should perform in this body.

I do not know whether or not the chief duty of the Senator from Pennsylvania is to speak on this floor. I have no doubt that his advice and his opinion will be of great help to the body over there that is preparing this treaty with our enemies; but he has other forums in which he may speak on that matter. He has other times in which he can speak on that matter. We have eight days more in which to perform the duties that have been imposed upon us by the people of this country. Whenever a treaty comes to this body, then the Senator from Pennsylvania will discuss it directly and in a manner that will have its effect. The Senate of the United States, as a Senate, has nothing to do with the negotiations that are now going on in Europe. As an individual, every citizen has a right to be interested in them, but no Senator has any more rights or privileges with regard to the discussions going on in Europe than the most lowly private citizen in this country. He has no more right to utilize the time of this body in speaking with regard to those subjects than if we should open the doors here and invite the public in to use this as a public forum. There is no comparison between the importance of the two matters; but one of them is here before this body for a vote and the other is not here, and will not be here for months to come.

Now, I want to say something in regard to the importance of this bill as not dealing with the West. I know that those who have opposed this bill are doing it upon the theory that it is a benefit to the West. Let me tell you that the defeat of this bill is of more value to the Standard Oil Co. than any piece of legislation which could be enacted on this floor. Those men who are constantly crying that this bill is in the interest of the Standard Oil Co. would know, if they gave the matter any consideration at all, that they are working either voluntarily or involuntarily for the Standard Oil Co. The Standard Oil Co. own thousands and hundreds of thousands of acres of lands in Texas. They own title to hundreds of thousands of acres throughout the United States. They have patents to their land. They have a monopoly, to a certain extent, of the great existing oil fields of this country. All possible competition to that great concern is barred so long as those 6,000,000 acres of supposed oil lands are tied up and prevented from being put to use.

Ah, yes; they come in here and they say, "You want to help the Standard Oil Co." The Standard Oil Co., with the power of their money, have bought in Texas, in Kansas, and throughout this country private lands that will furnish them all the oil that they will need for years and years to come; and where is the competition coming from?

We have asked in this bill that one man be allowed to take by lease one oil claim. We have placed in this bill every clause that could be conceived of to distribute this oil throughout and among the people. It is protected against monopoly in every particular. It is drastic in its provisions against monopoly. Has anyone fought those provisions? Does anyone criticize the provisions covering monopoly? I tell you that when you see the distinguished Senator from Utah fighting the bill because he does not approve of a leasing system, and the distinguished Senator from Wisconsin fighting the bill because it is not enough of a leasing system, you have a combination that requires consideration.

The Senator from Utah contends, and has contended before the committee all of the time, that there are too many provisions for Government control thrown around this thing, so that they will embarrass the operation of it; it is a danger; it was the ruination of the leasing bill in Alaska, so it has been said on the floor of the Senate; while, on the other hand, the distinguished Senator from North Dakota [Mr. GRONNA] attacks the bill on the ground that it is not sufficiently drastic.

Mr. GRONNA. Mr. President, will the Senator yield for a question?

Mr. PITTMAN. Yes, sir.

Mr. GRONNA. Is it or is it not true that under the provisions of this bill the mineral lands will enter into private ownership; and is it not possible for Rockefeller and for the Standard Oil Co. to get the balance of the land which the Government now owns?

Mr. PITTMAN. Mr. President, I will answer that directly, without going any further, by saying "no." It is provided in this bill that no individual or corporation shall acquire, either directly or indirectly, an interest in more than 1,280 acres of land. Does that answer the Senator from North Dakota? I knew that the Senator from North Dakota knew nothing with regard to the provisions of this bill. I knew that the only information he ever had with regard to this bill was the letter he put in the RECORD the other day from Mr. Gifford Pinchot. Now, let me tell you how reliable the information of Mr. Gifford Pinchot is. Listen to this, please. Here is a part of his letter. Here is what Mr. Pinchot said:

> As to oil and gas discovered in the future, it compels the Government to give absolute patents to the discoverer, leaving a small area adjacent to the lands so patented to be leased to others.

That is his statement. Let me tell you how true that is. He says it gives title by patent to the discoverer, does he not? And you would understand that it gave him a patent to everything he discovered, would you not? Is not that the idea that Mr. Pinchot intended to convey? As a matter of fact, under the bill which lies before us, he only gets patent to one-fourth of the oil land he discovers. The other three-fourths is subject to lease by the Government. Mr. Pinchot says that a little land, a small quantity of land adjacent, is subject to lease. There is three times as much land subject to lease under this bill as there is subject to patent to the discoverer.

Mr. GRONNA. Mr. President, may I ask the Senator another question right there?

Mr. PITTMAN. Yes, sir.

Mr. GRONNA. Is it not true that if these lands can not be leased, they will enter into private ownership, and that that will be the ultimate result—that they will all pass into private ownership?

Mr. PITTMAN. If they are not leased?

Mr. GRONNA. Yes.

Mr. PITTMAN. Then they remain Government property, as they have remained for nine years, because there is no law by which they can go into private ownership.

Mr. GRONNA. Yes; but I used the word "ultimately."

Mr. PITTMAN. Ultimately?

Mr. GRONNA. Yes.

Mr. PITTMAN. Yes; ultimately; I agree with the Senator. Ultimately, after the absurdity of this Pinchotism has penetrated the consideration of men who personally know nothing

about it, the whole foolish thing will be wiped into the waste-basket.

I want to say to you that constantly you are trying to regulate the laws of nature by legislation. You are trying to make men discover oil who know nothing about oil. You are trying to make men develop oil who never developed oil. You are trying to create out of a mining engineer a prospector; you are trying to make a mining expert out of a farmer; you are trying to make a farmer out of a miner, all the way through. You are trying to take your beautiful dreams and improve upon nature. We have been compelled to accept this legislation. I want to say that as far as I am personally concerned, it is simply the best that I could get. We have surrendered, I want to say to you, nearly every foot of ground to those people who believe in what you call the leasing system of minerals. There is not any question about that.

Mr. GRONNA. Mr. President, I do not find any fault with the distinguished Senator from Nevada for calling attention to the fact that I may not understand the provisions of his bill; but if the Senator from Nevada has given this matter as much attention as he states, he will know that I have had bills pending before his committee since he became a Senator, and in fact long before he came to this body, which I believe contain provisions that would be more beneficial to his own country, and certainly more beneficial to the entire country.

Mr. PITTMAN. I have always listened before the committee with a great deal of interest to the Senator, and I have found that when the Senator was moved by reason, rather than by impulses, you could follow him quite often; but when the Senator will take a letter like this one and place it in the RECORD as a description of his views of the bill, how can one account for it?

Now, another thing. Let me read from that same letter. I have just read a glaring misstatement from the letter and now I will read another glaring misstatement.

Mr. GRONNA. Will the Senator do me the justice to read what I said in the brief statement I made, in which I said I do not believe in locking up these minerals from the use of the public? Will the Senator be kind enough to do me the justice to read that?

Mr. PITTMAN. I will admit the Senator does not believe in it, and he said so. Let me read another beautiful statement from Mr. Pinchot. He had already, as I said, made a glaring misstatement in regard to the land that was patented. Listen to this. He says:

> The bill under discussion abolishes this system of classification by value and returns to sale at the old nominal prices, with competitive bidding above the minimum, a device easily workable by bidders to depress the price to the minimum.

He knows that in this bill there is a provision that no man who owns 2,560 acres of coal land, or who is interested in 2,560 acres of coal, either directly or indirectly, may become a bidder at that sale. He knows that the prior right is reserved to the Secretary of the Interior to refuse any and all bids that he considers unfair to the Government.

You have got to assume that the Secretary of the Interior is going to be dishonest before you could sustain the charges made by Mr. Pinchot. If the Secretary of the Interior is dishonest, then the grant of power to him to execute the leases under this bill can be utilized for the same fraudulent purposes.

I want to say to you now that there will not be oil enough in this country to supply domestic needs and the requirements of the Navy and of our great commercial fleet, unless some provision is made by Congress for the discovery and development of additional oil fields in this country. And what is your plan?

The VICE PRESIDENT. The morning hour having expired, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 14746) making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920.

Mr. PITTMAN. The important part of this bill is the provision looking to the discovery of new oil fields. That was the purpose of the act. The Standard Oil Co. already owns under patents sufficient oil to satisfy its needs. It is the thousands of other prospectors in this country, it is the independents, whom you want to draw into this field of enterprise. Now, what is your plan? What is your plan of developing oil fields, of discovering oil fields? Do you think for one moment that the Government to-day owns an oil field? If it did, why does it not set it aside for the Navy? When their experts came before the Committee on Naval Affairs in regard to naval reserves they asked us to set aside 6,000,000 acres of oil lands described by geologists. Why do you not set aside 100,000 acres of that for Navy and develop it. They said, "Because we do not know whether there is oil there or not. It will cost us $50,000 a well to find out whether there is oil, and we may sink 100 wells and never find it." Yet 6,000,000 acres of that land that the Government itself is afraid to prospect has been withdrawn from entry for nearly nine years. What is your plan for developing it? Have you got any?

Yet when these two Houses agree on a plan of development we have one man write a letter here, a letter that was written before the conference report was agreed to, before he knew what it contained, and you put that in the RECORD as advice for legislation to this body. In his letter he states that the House bill is fairly good, that the Senate bill is abominable, and at the time he wrote that letter there had been no agreement as to which bill would be sustained. That is the character of advice he offered.

I say to you this Congress has worked untiringly through its committees in attempting to devise a fair plan for the discovery of new oil fields, for the development of the so-called 6,000,000 acres of oil land. After six long years we have agreed on this plan, which is partial title and partial leasing. They allow a man to take a prospecting permit on the public land of not to exceed 1,280 acres, 640 acres if it is within 10 miles of a known oil well, or 2,560 acres if it is over 10 miles from a known oil well. He is required to develop that. He is required to expend his own money, his own time. If he makes a failure, he gets nothing. If he makes a discovery, the people of this country are enriched by additional oil supplies and a new competitor has been found for the Standard Oil Co.

The Standard Oil Co. will acquire that oil? Yes; but for one-fourth that the man gets a patent to there are three-fourths that the Government leases and keeps under control forever through the leasing system.

That only applies to discoveries, mind you. That only applies to something that the Government has not got. When you get down to the known oil fields, this straight leasing system and nothing but the leasing system, with perpetual Government control, continues to exist under this bill,

Mr. GRONNA. Will the Senator yield for another question?

Mr. PITTMAN. Certainly.

Mr. GRONNA. May I ask the Senator how many oil wells the Standard Oil Co. is operating now, or the volume of it, in barrels?

Mr. PITTMAN. There are hundreds of millions of barrels.

Mr. GRONNA. Is it not true that the Standard Oil Co. is not operating any; that the mining of oil is done by individuals; that it goes into the hands of the Standard Oil Co. after it has been mined; that it goes into their pipe lines and into their refineries?

Mr. PITTMAN. That is not true, Senator.

Mr. GRONNA. It is true.

Mr. PITTMAN. Let me tell you where you are wrong. The Standard Oil Co. has abundant subsidiary companies. In every great field that is discovered the Standard Oil Co. has its subsidiary operating companies that it puts into those fields. Those companies acquire the land and the Standard Oil Co. acquires the oil. We know that to be a fact. The Senator is simply in error in regard to that. If the Senator was right then a great many of the arguments which have been made that the Standard Oil Co. will be benefited by this bill by acquiring title on the naval reserve will fail. It is not true; but if there is anything against this bill I want those who know it to say so, and not waste their time placing in the RECORD letters that are palpably on their face the production of either an insane man or an inefficient one.

Mr. GRONNA. The Senator has been discussing oil. How about coal?

Mr. PITTMAN. The Senator from Oklahoma [Mr. GORE] says to me that we have discussed the coal situation very clearly. But what is the particular question the Senator wants to know in regard to the legislation on coal?

Mr. GRONNA. The Senator has discussed the oil question. I will now ask him what about the provision in the bill in reference to coal?

Mr. PITTMAN. The bill provides that any citizen of the United States may acquire either by purchase or by lease not to exceed 2,560 acres of coal land. That is the provision. Now, if it is acquired under lease it is acquired under the general provisions of the bill. If it is acquired by purchase he must designate the tract of land, and it must be advertised and published and put up to public competition. After the price and value have been fixed by competitive bidding, then the Secretary of the Interior decides whether he will accept any of the bids or not. If the Secretary of the Interior is honest, then the Government

will get the full price of the coal land. But Mr. Pinchot says it will not buy coal lands because people would rather lease them. That is his statement in this letter. But if they do buy it, then it is on a value determined by competitive bidding, and even after the price fixed by competitive bidding the Secretary of the Interior can say, "I do not consider that fair to the Government and I will not take it." It all depends on the honesty of your administrative officers, both as to the leasing provisions and as to the sale provisions.

But that is not all. Mind you, there is not a stockholder in one of the big coal companies in this country who can acquire a lease or title to a foot of coal land under this bill. Did you realize that? There is not a man who is interested as a stockholder in any other corporation or as an individual in any other coal in the country in excess of 2,560 acres of land who can become a lessee or a purchaser under this bill. Where does your monopoly come from? How can you possibly monopolize 40,000,000 acres of coal land under such a provision? I tell you the object of the bill is to fight the monopoly. The anthracite coal monopoly to-day has its coal; the Standard Oil Co. and the Dutch Shell Co., the great oil companies of this country, have their coal. This bill is intended to furnish competition to those great companies, and I regret that you gentlemen, whom I know to be sincere, are led into the support of those great companies by words and assertions that have no foundation whatever.

Mr. President, I move that the Senate proceed to the consideration of the conference report on Senate bill No. 2812.

Mr. REED. Mr. President, I am indeed sorry if the fact I gave notice that I desired to invite the attention of the Senate to-day to a great question of first importance should have been taken by my very good friend, the Senator from Nevada, as an attempt to obstruct the passage of the bill he so earnestly advocates.

Mr. PITTMAN. Let me assure the Senator that whatever I said that might have conveyed that meaning was not intended by me. I am quite sure the Senator has no intention of filibustering. He has no opposition that I know of to the bill.

Mr. REED. On the contrary, Mr. President, without knowing a great deal about the bill, because it is vouched for by the Senator and by two or three other western Senators, I had intended to give it my support.

The VICE PRESIDENT. The Senator from Missouri will proceed.

LEAGUE OF NATIONS.

Mr. REED. Mr. President, I ventured to ask and now venture to again ask the indulgence of the Senate to the great measure now challenging the attention of the world. By way of preliminary, perhaps by way of excuse for taking the time of the Senate when we are in the closing hours of a session, I might say a word called out by a remark of the Senator from Nevada [Mr. PITTMAN]. I think I heard him say in effect to the Senator from Pennsylvania [Mr. KNOX] "that the league of nations now in process of formation is no part of the business of the Senate and will not be until it is brought here in the form of a treaty; that it is no more a part of the business of any Member of the Senate than it is of the humblest man in the Nation."

In one sense that is true, for all that may transpire in the making of this league of nations affects the humblest man in the Nation. It affects him because it affects his country, and anything that affects his country is his business. He is yet the sovereign, and for that humblest man, that sovereign with the pick and the shovel, or that sovereign back of his bank counter with his dollars, or that sovereign who is a student, or that sovereign who follows the plow—for all of them I have to say they have the right to think, to question, and to speak when it is proposed in any manner to change the structure of their Government. This is their country, this is their Government, this is their Constitution; and the humblest man is as great as is the greatest of the land. Each is an uncrowned king, and each has yet the right to think and speak.

But, sir, the Senate does have a peculiar responsibility, and that responsibility does not begin at such time as an instrument may be laid here before us, all complete, for if we wait until that time we may be guilty of a kind of laches which would at least place us in the position of having failed to speak when we should speak.

Mr. President, upon that let me read you a very significant statement—a statement which I think challenges us now, before the thing is done, to speak out clearly lest the thing be done. I read:

> The President is made to approach that body—
>
> The Senate—
>
> as a servant conferring with his master, and, of course, deferring to his master.

This was written sometime ago, as you will observe.

> His only power of compelling compliance on the part of the Senate lies in his initiative in negotiation, which affords him a chance to get the country into such scrapes, so pledged in the view of the world to certain courses of action, that the Senate hesitates to bring about the appearance of dishonor which would follow its refusal to ratify the rash promises or to support the indiscreet threats of the Department of State.

Congressional Government, printed in 1900; Woodrow Wilson, its distinguished author.

It therefore seems to me at such a time as this no padlock should be put upon the tongue of any man charged with a high responsibility; but now, before the evil has been accomplished, we should advise the world of what the evil is, if there be evil. If, on the other hand, this instrument be filled with good, if, as some men have claimed, it is the greatest thing since Christ was born, not even excluding the passion of the crucifixion when the Saviour died for all mankind, then the more of light, the more of glory, the more of examination, the better will the shining gold appear. The more of virtue in the instrument, the more it is exposed to the full view of all the world, the more the world will love it. Only the wicked seek the shadows of the night. Only the thing that can not bear investigation shrinks from the test of the forum, from the caldron of debate.

Mr. President, with those preliminary remarks and with one further observation I shall proceed to a consideration of the matter in chief. That observation is this: I shall not try to entertain the Senate; I shall not try to entertain these galleries. I am interested, if I can, in bringing together the various phases and clauses of this proposed constitution of a league of nations and of exposing to view the real meaning of the document.

Let me say further by way of preliminary that it is the most remarkably obscure instrument I have ever read. It does not even possess the clarity of thought and expression that you find in Mr. House's book Philip Drew. Making no pretense to the ability of condensation, I think any man might say that he can put this instrument into perfectly clear and lucid expression with one-fifth of the words employed. It is because of this remarkable construction and obscurity that it is necessary to ask you to follow with great care and at a painful waste of time the language of this deed of power. Two or three propositions I wish to lay down, and then I shall come to an analysis of the document itself.

Mr. President, shall we surrender with the pen what Washington gained by his sword?

Shall we repudiate the nationalism under which we have become the first people of the earth for the doubtful experiment of internationalism?

Shall we make our Government of the people, by the people, and for the people a Government partly by the people and partly by kings and emperors?

The answer to these questions is involved in the acceptance or rejection of the proposed constitution of the league of nations.

The hour is big with the fate of the world. The consequences flowing from the steps threatened to be taken must inevitably affect all peoples, nations, and tongues of the living. They may concern the destiny of the shadowy races yet unborn. They are undoubtedly fraught with the gravest consequences to our beloved country. A situation so tragic demands the attention of every loyal citizen of the Republic.

America entered this war a complete sovereign. She acknowledged no master; she was arbiter of her own destiny. A victor in the war, shall she nevertheless emerge a mere constituent state of a league dominated by European monarchs and Asiatic despots? Shall her nationalism be stricken down and for it substituted an internationalism? Shall our independent democracy come under the control, either in whole or in part, of foreign monarchs or of foreign Bolsheviki? We can not escape these questions if we will but learn the truth of what is concealed within the four corners of the proposed international league.

A few weeks ago I ventured to state in a speech that the proposed league would:

(a) Abrogate the Monroe doctrine.
(b) Surrender in part our sovereignty.
(c) Involve us in the conflicts of the world.
(d) Compel us to contribute to an international force, which might in certain exigencies be used against us.
(e) Submit matters vital to the United States to a tribunal the majority of which would be composed of foreigners.

At once there arose an indignant protest. Members of Congress and many important members of the press declared that no such proposition would ever be found in the league when once its terms were made known. They insisted with indignation that the attack upon the league was prejudiced and unfair,

because the plan of no such league was in contemplation. Senators sitting within the sound of my voice know that I have had such conversations with them.

I now affirm, and shall undertake to show, that the text of the league constitution as submitted embraces every evil I predicted, and that it carries us into many other iniquities to which I shall call attention.

In order to understand the questions involved it is necessary to study the composition of the league of nations. That study will speedily demonstrate five things. I am asking the Senate now to hold this in their minds as we proceed:

First. That the control of the league from the first will inevitably be in European and Asiatic nations, having many interests in common and who may have common antagonisms against us.

Second. The British Empire will, in all probability, constitute the controlling influence of the league.

Third. If at any time England shall lose control, the Germanic powers will be likely to succeed to her position of dominance.

Fourth. There is in the background the menace of world Bolshevism. Indeed, that monster is the most earnest advocate of internationalism. Its fangs are plainly visible in the constitution of the league.

Fifth. Whoever controls the league will control the world.

The members of the league are known as the "high contracting parties." At present these are, so far as disclosed, Great Britain, France, Italy, Japan, and the United States. It is provided that they may also include (a) other States permitted to sign when the league is formed, a list of those States being made up; (b) those named in a secret protocol as States to be invited. What those States are we are not advised. (c) Any self-governing countries, including—get the language—dominions and colonies, that may be admitted by a two-thirds vote.

DELEGATES.

The action of the members is to be effected through a body composed of delegates of the members. Each member has but one vote, but may have three delegates. So let me pause to mark it.

Contrary to certain newspaper reports which have been sent out from time to time, the United States of America will have one vote, and only one vote, in this league. The smallest nation admitted and the smallest independent colony admitted will have a vote equal to the vote of the United States of America.

CONTROL OF THE LEAGUE.

I come now to discuss the question of who will control this league. At present, of the known signatories, are the British Empire, an empire; Italy, a monarchy; Japan, a monarchy or despotism; France, a republic; the United States, a republic. Thus the league will be composed of three monarchies and two republics. Who will control it, I ask again?

It must not be forgotten that France is under immeasurable obligations to Great Britain of money and of gratitude. She is always bound to rely upon Great Britain for assistance, for shipping, money, and protection. The British Empire holds the key to the Mediterranean. The Mediterranean is vital to France. Upon the army and navy of the British Empire France is, and always must be, dependent against the great Germanic people, whether they exist as republics or as empires.

This menace, Senators, has been present for 2,000 years. The soil of Alsace-Lorraine was watered with the blood of contending Gaul and Teuton before Christ was born, and every century since the red stain has been renewed.

France knows that a combination between the Germanic powers and the British Empire would mean her annihilation. She also knows that such a fate could not be prevented by the United States.

Italy and France are so similarly situated that, for the purposes of this argument, what has been said of one may be applied to the other. England, France, and Italy are bound together by geographical contiguity and by many common interests in which the United States is not concerned and which may even be antagonistic to us.

Japan has for many years been the close ally of Great Britain, and is held to her by a secret treaty of alliance. At the same time she has been in a state of irritation against us so acute as to cause grave fears of war. So delicate has been the situation that in recent years—very recent years—our Secretary of State made a trip to California to persuade her authorities not to irritate Japan by insisting upon the right of California as a sovereign State to determine the rights of Japanese subjects residing within her borders. I said then, and I say now, that the performance was not to the credit of the United States.

It thus appears that if the original organization of the league is limited to the five known members, namely, the British Empire, France, Italy, Japan, and the United States, in any controversy there will be the votes of four aliens against the single vote of the United States. The interests of these four aliens are especially in the Eastern Hemisphere, and they are, as I have undertaken to show, united by treaties and common interests. Clearly the United States is from the first at a disadvantage.

At this point I want to read the words that fell from the dead Washington, which were read to you this morning. He said:

> Europe has a set of primary interests, which to us have none or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.
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> * * * * * * * *
>
> It is our true policy to steer clear of permanent alliance with any portion of the foreign world.

ADDITIONS TO THE LEAGUE.

I will proceed now to discuss the additions to the league. What nations are named in the secret protocol as eligible we do not know. Perhaps Mr. House will later inform us, for that unofficial American appears to be the principal representative of America, save the President. Neither do we know whether any or all of those named in the secret protocol will join the league. We do know—and get this, please—that at any time by a two-thirds vote any State or dominion or colony can be admitted, and when they are admitted they shall each have one vote, each having a vote equal to that of the United States. The power, therefore, which now controls may at any time increase its dominance by admitting only such self-governing countries, dominions, or colonies as will best suit its purposes and perpetuate its control.

Nearly all of us have had some experience in politics. All of us know that if you can control the primary organization—and the primary organization determines who is to come in afterwards—having control of the primary organization, you can hold control forever. So here primary control is such that it can continue to control by letting in or keeping out whomsoever it pleases. It is not difficult to tell how the power will be exercised.

DOMINIONS AND COLONIES.

This question was so ably discussed by the Senator from Idaho [Mr. BORAH] on yesterday that I hesitate to enter upon it. I was, however, surprised to find one of our keenest Senators had placed a different construction on the language. I am glad the Senator from Idaho put into the RECORD the quotation from the London Times, which I venture to repeat:

> The project, if not the same as that outlined by Gen. Smuts, is like it as its brother. * * * It is a cause for legitimate pride to recognize in the covenant so much of the work of Englishmen. * * * It is again a source of legitimate pride to Englishmen that article 19 in the covenant might almost be taken as an exposition of the principles animating the relations of Great Britain with India and the dominions. *That the dominions are in this document recognized as nations before the world is also a fact of profound significance in the history of these relations.*

As for me, there never has been any doubt of the language. Attend, please. The provision is contained in article 7. The admission of the dominions and colonies is most significant and indicates that Great Britain is "on the job." Whether all dominions and all colonies may be admitted, or whether only self-governing colonies and self-governing dominions are eligible may be a matter of debate, for the language is:

> ART. 7. Admission to the league * * * shall be limited to fully self-governing countries, including dominions and colonies.

The phrase "including dominions and colonies" is meaningless unless the following are fully eligible: First, the Dominion of Canada; second, Australia; third, New Zealand; fourth, the Union of South Africa, formerly the Orange Free State and the Transvaal, now possessing a government similar to that of Canada, with Gen. Botha as premier. The plan adopted then is that the league may be so constituted that the British Empire will have 5 votes against 1 vote by the United States.

Senators, I challenge your thought to this matter; I appeal for a candid judgment upon it—not for that biased kind of judgment we so often bring to questions of minor importance. I say that under the terms of this instrument the self-governing British colonies and dominions can be admitted, and, when admitted, each will have a vote the equal of the vote of the United States.

Mr. GORE. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Oklahoma?

Mr. REED. I yield for a question.

Mr. GORE. I simply desire to observe that Australia has fewer people than the State of New York by 2,000,000, and Australia has less people than Pennsylvania or Illinois.

Mr. REED. Whether Great Britain, France, and Italy have at present other colonies which may be called "self-governing," it is clear that nations, having many colonies, can quickly qualify any of them by granting the necessary degree of autonomy. Possibly Japan could in like manner increase its vote by qualifying Korea and some other possessions. I do not stop to inquire.

SELF-GOVERNING COUNTRIES—WHAT KIND ARE ELIGIBLE.

I come now to consider the character of countries which may be admitted. The phrase is:

Admission to the league of States * * * shall be limited to fully self-governing countries, including dominions and colonies.

If we make the phrase read, as we must, if we limit the colonies and dominions to those that are self-governing—and to do otherwise would be to admit all the colonies, an absurd result—then the language would be "admission to the league of States shall be limited to the *fully* self-governing States, including *fully* self-governing colonies. Plainly, if Canada and Australia and New Zealand are fully self-governing colonies, then Persia, now self-governing in the sense indicated, yet completely under the control of Great Britain, could be admitted.

What of Egypt and India? What of the other colonies and dependent States? What of those States included within "spheres of influence?" How nearly will Japan come to voting China?

The foregoing commentaries make it plain that the league as originally organized will (a) be in all probability dominated by Great Britain; (b) this primary control will enable her to maintain her control by regulating new membership; (c) her right to vote her colonies and dominions gives her an immense advantage; (d) from the first, and at all times, European and Asiatic influences will predominate over the United States; (e) assuming that no general revolution takes place in the immediate future, it is clear that from its inception monarchies will largely outnumber the republics. If, however, the Bolshevists, Socialists, and internationalists shall succeed in gaining control of a large number of countries, then that influence may become predominant and the league be brought within its complete control, or the forces referred to may combine with despotic powers against us, as the Bolshevists of Russia did with Germany against their allies, and thus work irrevocable havoc.

STATES HAVE EQUAL VOTES IN THE LEAGUE.

I return to that theme. I read; I am not now going to give my comment, but the language of this instrument:

Each of the high contracting parties shall have one vote, but may not have more than three representatives. (Art. 2.)

The high contracting parties embraces those who organize the league and who afterwards become members. That is my comment. That is made plain by the following. I quote:

The action of the high contracting parties under the terms of this covenant shall be effected through the instrumentality of a meeting of a body of delegates held at stated intervals * * *. (Art. 1.) For the purpose of dealing with matters within the sphere of the league. * * * *Each of the high contracting parties shall have one vote,* but may not have more than three representatives. (Art. 2.)

Representatives of the high contracting parties and officers of the league shall enjoy diplomatic immunities. (Art. 6.)

A reading of all parts of the instrument makes it plain that the term "high contracting parties" applies to all members. It therefore follows that the language of article 2, "each of the high contracting parties shall have one vote," means that each State upon becoming a member of the league shall be entitled to cast one vote.

Under the rule thus established the British self-governing colony of New Zealand has a vote equal to that of the United States; likewise Australia, Canada, and the Union of South Africa. Each would be able to cast a vote offsetting that of the United States. The same statement probably applies to such countries as Luxemburg; it certainly does apply to all of the smaller countries of Europe, even to such kingdoms as Montenegro, with its population of less than a half million souls; Liberia, the Negro republic, with a population of between 1,000,000 and 2,000,000, might be admitted, for, bear in mind, she is one of our gallant allies, having gone to a paper battle with Germany immediately after we signed a declaration of war.

Now follow this: Germany and Austria can not be forever apart from this league, nor can Russia, unless we are to have a league that will compose one half the world and allow another league to be formed that will compose the other half, and then allow the two leagues to fight it out for supremacy, and thus insure another world war. So we must consider them. If Germany and Austria and Russia are admitted, as they must ultimately be, then each of these countries will cast a vote equal to that of the United States; indeed, the four kingdoms of the German Empire and the five kingdoms of the Austro-Hungarian Empire could all undoubtedly qualify.

What has been said places it beyond dispute that, in every question that may arise, the representatives of European and Asiatic countries, principally monarchies, will constitute a majority of the league. Canada, the one great country of the Western Hemisphere which might have natural geographical and economic interests with us is a part of the British Empire and as loyal to England as is the city of London.

THE JURISDICTION OF THE LEAGUE.

I come now to the question of the jurisdiction of the league, and I assert *that a close study of the scheme of the league demonstrates that its powers are almost unlimited. Every nation entering the league yields to its arbitrament and decision all controversies with other countries, even though they involve the national honor or the national life. There is no exception.* I am going to repeat that, for I want to burn it into the brain and heart of the American people, that every nation entering the league yields to its arbitrament and decision all controversies with other countries, even though they involve the national honor or the national life.

Nay, more; so that I may be clearly understood, I assert that they yield this power of decision to a league—not to an arbitration, and not to an arbitration court, both of which are mentioned in this document—but, as I shall show, a decision in every instance can be forced by the league itself.

This brings me to a sort of peculiar construction in this scheme—the executive council. We have the league, composed of the delegates of all of these States. Then there is erected an executive council, which has powers largely similar to or embracing those of the league. This executive council has also some powers that it really does not appear the league possesses, but I take it that a fair construction in the end would be that the executive council is the creature of the league. Nevertheless, we must consider it along with the league.

THE EXECUTIVE COUNCIL.

The league is expressly authorized to create an executive council, which shall consist of representatives of the United States, the British Empire, France, Italy, Japan, and four other States, to be selected "by the body of delegates on such principles and in such manner as they think fit"; so that the other four additional members are to be selected by the body of delegates, who shall select such nations as they see fit, and select them in such manner as they see fit, without the let or hindrance or control of a single line of this instrument. I refer you to article 3 for the statement I have just made.

To this executive council, which is a part of and the creature of the league, are assigned certain great powers, and to the league itself certain other great powers. Some of these powers will be found practically all-embracing.

Any matter within—

Get this language—

Any matter within the sphere of action of the league *or affecting the peace of the world may be dealt with at such meetings.*

That is, the meetings of the executive council. I have quoted from article 3. Do you get it?

*Any matter * * * affecting the peace of the world.*

Of course that means any matter *which the members of the council, in their judgment, think* affects the peace of the world. Any matter affecting the peace of the world may be dealt with by the executive council.

Yesterday the Senator from Idaho [Mr. BORAH] quoted an expression from Macaulay, in which he declared that the actions of Frederick the Great in Europe had made black men fight on the coast of Coromandel and red men scalp each other by the Great Lakes of North America; so that actions that may be very small or that may be domestic in their nature, but which in the opinion of these nine autocrats—eight of them representing foreign countries; seven of them, at least, representing Asiatic or European despotisms or monarchies—anything that in their opinion affects the peace of the world comes within their all-embracing jurisdiction. Let no man say I have misrepresented this. Let those who hesitate and doubt, scarcely believing that such a thing as this should be writ down in cold ink upon cold paper, read article 7.

I quote again:

No State shall be admitted to the league unless * * * it shall conform to such principles as may be prescribed by the league in regard to its naval and military forces and armaments.

When we enter this league, we give to the league the right to say what the Army and Navy of the United States shall be. To this league, composed of Europeans and Asiatics, to this league, composed of the representatives of kings for the most part, we yield the sovereign right of the people of the United States and of the Congress of the United States to fix the size of our Army and our Navy.

I read again:

The executive council shall formulate plans for effecting such reduction. The executive council shall also determine for the consideration and action of the several Governments—

That is where they are trying to get around the Constitution—

for the consideration and action of the several Governments what military equipment and armament is fair and reasonable in proportion to the scale of forces laid down in the program of disarmament, and these limits, when adopted, shall not be exceeded without the permission of the executive council.

When once they have said to Uncle Sam: "You shall have an Army of a certain size," or "a militia of a certain character," or "vessels of a certain number," we can not exceed that number without going to Europe and asking the gracious permission of eight gentlemen, six of whom probably can not speak our language and who have likely never set foot upon our shores!

I have just read from article 8. Under that article the executive council is authorized to present a scheme to limit and regulate the private manufacture of arms in all countries; so, before we can permit the manufacture of arms in the United States by private persons we shall have to get a license from these same eight foreign gentlemen; and they will give us that license or not give it as suits the interests of their own countries. Such is the history of the world. Such will be its history until men shall cease to be men.

Each nation must report the condition of its industries adapted to warlike purposes, and a sort of international smelling committee is instituted to find out what is being done. That you will find in articles 8 and 9.

When you set up this league, when you subscribe to this abdication of American sovereignty, you will have given to eight foreign gentlemen the right to fix the size of the Army and Navy, to regulate the amount of ammunition and guns the American Nation can manufacture for itself, and also the amount which private citizens within this Republic can manufacture.

Many Congressmen pay me the compliment of their attendance. They are standing up, and I wish they had seats; we ought to have some over here; but I say to these Members of the House: My poor remarks will be printed. I claim no merit for them, save that I have drawn together certain parts of this remarkable instrument; but Members of the House will find cited in the RECORD the language of the instrument to back every assertion I make, if they care to pay me the further compliment of an examination.

Now, since they have limited our arms, our right to make them, the size of our Armies and our Navies, let us see what else they are empowered to do. Notice the language of articles 10 and 11. I shall read them throughout:

Article 10.

The high contracting parties undertake to respect and *preserve as against external aggression the territorial integrity and existing political independence* of all States members of the league. In case of any such aggression—

I pause at that. That makes us do what the Holy Alliance did—guarantee the maintenance of the States signing. It makes us agree to send our arms and our money to protect the borders and sustain from all outside attack the Government of every nation in this league, whether it be despotic or not. It means also that if any nation should go to the rescue of a people rising in rebellion to gain their liberty, that would be an outside attack, and we would be bound to enter the war against those who are in rebellion.

Suppose, if you please, that Poland is erected into and recognized as a State. Suppose that a part of Russia lying adjacent to her, or a part of Austria, filled with patriots, loving republicanism and hating tyranny, should rise and should ask to become a part of Poland, and the Polish Army or the Polish people should go to their relief. That would be an outside interference; and it would then be the duty of the United States to march its Army to the defense of the monarch whose bloody hands had been upon the throats of an oppressed people. Suppose, sir, that Ireland were to rebel, and that some outside help were to be sent to Ireland. It would then be our duty, as guarantors of Great Britain against outside attack, upon being ordered by the league or by the council, immediately to attack the nation that had gone to the rescue of the Irish, who were seeking to establish their liberty.

Suppose, sir, that at some future day Canada shall conclude that she wants a separate government or that she wants to become a part of the American Commonwealth and have herself welded into the body of our States. If we go to her help every other nation in the world which is a member of this league will be bound to make common cause against us and against the Canadians who dare to seek either a government of their own or to aspire to be a part of this country.

We guarantee the territorial integrity of countries; and the executive council—not the Senate of the United States, not the House of Representatives, not the President, not all three combined—determine and advise upon the means by which—for the term is "advise"—the obligations shall be fulfilled. This is an astounding sweep of power; a transfer of the power which Congress has always had, which even the President did not have, which the fathers of the Republic withheld from the Executive and placed in the control of the representatives of the people. That power is here vested in an executive council, eight members of which are foreign to the United States, and, I say again, six members of which do not speak the English language as their mother tongue, and six of which are at present representatives of kings, and spring from countries that prefer kings and monarchies to republics.

I read on:

In case of any such aggression—

I am reading from article 10, and notice the language—

In case of any such aggression, or in case of any threat or danger of such aggression, the executive council shall advise upon the means by which the obligation shall be fulfilled.

"Any threat or danger!" Why, sir, a cloud of dispute as big as a man's hand may rise in the political horizon, and that could be construed into a threat or danger. A dispute with Mexico over an oil territory, a dispute with reference to the stealing of American cattle, a dispute with reference to shooting across the line—all these would be threats or dangers; and instantly this body of non-English-speaking foreigners, living 3,000 miles from here, could assume jurisdiction and could advise upon the means by which the high contracting parties would preserve the territorial and political independence of Mexico!

Read it, Senators. Do not read it like men who intend not to see; but read it, and may God give you the inspiration to read it, in the great white light that flows down from the soul of Washington upon the land he loved and dedicated to liberty.

I read article 11:

Any war or *threat of war*, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties *reserve the right to take any action that may be deemed wise* and effectual to safeguard the peace of nations.

What? Do you say this league is to interfere with matters outside its own members and that do not concern its own members? It is unbelievable that so monstrous a thing as that should be proposed; yet it is here plainly written down as one of the clauses of this document that is not capable of misunderstanding, one that is plain. I read it now again; and all men in the country should be compelled, somehow or other, to understand it. Even Taft ought to be made to read it every day to his audiences. [Laughter.]

Any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations.

That means that these eight or nine men who constitute this council may take whatsoever action they see fit. Thus do we undertake to set ourselves up as the complete masters of the world. Thus do we solemnly pledge that we will become a party to each international controversy, that we will thrust ourselves into every dispute; that we will play the master over all nations, great and small, that do not come within this league.

These articles, I repeat, leave no room for construction. Each member solemnly binds itself to preserve against external aggression the territory of all of the members. The way in which a nation must respond to this obligation is to be determined by the executive council.

The executive council shall advise upon the means by which the obligation shall be fulfilled.

Unless the word "advise" is synonymous with "direct," and unless the advice is to be followed as a matter of good faith, then the phrase amounts to nothing. Clearly if we enter this league we are bound to fight to preserve the boundaries of every State admitted.

Article 11 goes further and declares that—

Any war or threat of war * * * is hereby declared a matter of concern to the league.

I have discussed that question and shall not repeat it. I proceed now to another phase.

RIGHT TO DECLARE WAR.

The right to declare war is taken from the American Congress and placed in the executive council, which is eight to one composed of foreigners. The propositions just advanced are supported by the provisions of article 10 and article 11 just quoted, and I shall not repeat them, because my argument upon that I regard as complete.

JURISDICTION OF LEAGUE ALMOST UNLIMITED.

What questions, then, come within the purview of the league?

Broadly speaking, every question or any question arising anywhere in the world that may provoke a dispute or may cause a war comes within the jurisdiction of this board of nine men. Among other things, *the Monroe doctrine, border disputes, the right of aliens to enter and remain in the United States, privileges of aliens while so remaining, the rights of American citizens along the Mexican border, the destruction of American ships upon the high seas, the seizure of sailors upon American vessels, the imprisonment of American seamen, the building of fortresses to command the canal, the seizure of the canal, these and a thousand other vital questions, including, indeed, all questions, can be forced by any of our antagonists to a decision—note this, please—not by a court of arbitration, not by arbitrators we agree upon, but can be forced to a decision by any of our antagonists, by the executive council, or by the league itself.* This I shall now proceed to demonstrate. I quote:

Any war or threat of war, whether immediately affecting any of the high contracting parties or not, is hereby declared a matter of concern to the league, and the high contracting parties reserve the right to take any action that may be deemed wise and effectual to safeguard the peace of nations.

That is article 11. If I seem to repeat, bear in mind I am trying to draw together the phraseology with reference to different items. This, of course, means that the league must decide whether there is any threat of war, and having decided that in its judgment there is a threat of war, it can itself make war.

I quote again:

The high contracting parties agree that should disputes arise between them which can not be adjusted by the ordinary processes of diplomacy, they will in no case resort to war without previously submitting the question and matters involved either to arbitration or to inquiry by the executive council—

And then not until three months after decision. That is article 12.

I quote again:

The high contracting parties agree that whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration and which can not be satisfactorily settled by diplomacy, they will submit the whole matter to arbitration. For this purpose the court of arbitration to which the case is referred shall be—

Notice the language—

the court agreed upon by the parties or stipulated in any convention existing between them.

That is article 13. That is, it is to be the court agreed upon.

If there should arise between States members of the league any dispute likely to lead to rupture, which is not submitted to arbitration as above, the high contracting parties agree that they will refer the matter to the executive council; either party to the dispute may give notice of the existence of the dispute to the secretary general, who will make all necessary arrangements for a full investigation and consideration thereof. * * * The executive council may in any case under this article refer the dispute to the body of delegates. The dispute shall be so referred at the request of either party to the dispute, provided that such request must be made within 14 days after the submission of the dispute.

That is from article 15.

Should any of the high contracting parties break or disregard its covenants under article 12 it shall *thereby ipso facto be deemed to have committed an act of war against all the other members of the league.*

And then follows a list of penalties. That is article 16.

Now, let us go back and go over that. An analysis of these provisions shows that in case a dispute arises between nations, either of them may request arbitration; but by the simple device of claiming either that it is not a question that ought to be arbitrated or by the device of refusing to agree upon an arbitrator, then either party can by serving notice force a decision before the executive council, and by the simple process of giving notice transfer the jurisdiction to the league itself.

To illustrate: If we were to have a dispute with Mexico, one that seemed to threaten war, and we had agreed to these articles, and we should say to Mexico, "We will arbitrate this difference," and Mexico should say to us either, "We do not regard it as a question for arbitration" or "Yes; we will arbitrate, but whom shall we agree upon?" We might suggest this or that nation; but Mexico might refuse to accept any nation we would suggest, or no nation except one that would be prejudiced in her favor, and that already had its decision made up.

If we continued to insist, Mexico, by the simple device of refusing, would put us in a position where we would be left to no other recourse except to serve notice on the executive council, whereupon it would take jurisdiction, and thereupon Mexico, if she did not want the question decided by the executive council, could serve a notice within 14 days and the question would go to the decision of the league itself.

Thus a question arising on American soil, concerning American rights, involving possibly the vital interests of the United States, in a controversy with Mexico, would not go to the arbitration even of an impartial tribunal, but could be sent to the league of nations to be decided by a majority vote of a body composed of representatives of foreign governments. I repeat, most of whom would be representatives of kings or despotisms, either European or Asiatic.

You will find that is the league. You will find that is the provision. It may astound some of my friends, but it is there. If you can not find it, read this speech in the RECORD and you will find the sections drawn together and quoted. Of course, you can all find it if you hunt long enough. You may not be patient enough to do that, although you will be hunting through this document a good many times if it is ever adopted.

The league sets up a jurisdiction and a right to settle every controversy which may arise, including the right to pass upon all questions which it may think may lead to war. It is a jurisdiction as broad as the world. It is as universal as human interests are diversified. Anything which the representatives of the league believe will lead to disputes which may lead to war comes within the broad purview of its illimitable jurisdiction.

It is entirely conceivable that such a tribunal might conclude that a simple tariff levied upon importations might become a cause of war and assume the right to command a State not to levy a tariff duty. It is entirely conceivable that a dispute might arise under old treaties and it might be claimed that some favored-nation clause was being violated, and jurisdiction thereupon attempted to be assumed over the controversy.

THE PAINS AND PENALTIES FOR NONOBEDIENCE.

We are made to agree that if any nation disregards the covenants under article 12, which I have already gone over, it shall—

be deemed to have committed an act of war against all the other members of the league.

I have quoted article 12 and article 13 and article 15 and have shown that they embrace all disputes, and that under them any nation can force any dispute to a decision by the league.

Properly understood, therefore, the penalties are to be visited upon all who do not obey the orders of the league, or even the orders of the nine men composing the executive council, or I might, I presume, say five men out of the nine men. In the case aforesaid *every member of the league is at once ipso facto at war with the State failing to obey the orders of the league.* Under article 16 all trade or financial relations are to be immediately severed. All intercourse between citizens of the offending nation and citizens of all other nations is to be suspended. That is to say, not only the States but the people of the States are to be placed under the ban of an international bull of excommunication.

OUR ARMIES ARE LEVIED BY ORDERS OF THE EXECUTIVE COUNCIL.

I quote:

It shall be the duty of the executive council in such cases—

That is, the cases last mentioned, where a nation has offended—

to recommend what effective military or naval forces the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.

That is article 16. Besides this, we agree to protect one another in the financial and economic measures which may be taken. This compels us, in case Serbia should have a fight with Bulgaria, or England should have a revolution in the Transvaal or in Ireland, to render financial and economic support. Besides this, we bind ourselves to support any member of the league. The language is:

And that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State. (Art. 16.)

That binds us to go to the support of any member of the league with ships and arms.

We further agree to let the armed forces of any of the high contracting bodies who are cooperating to protect the covenant of the league to pass across our territory.

Any denial that these various obligations, stipulations, and surrenders taken together do not amount to a transfer of many of the great sovereign powers of the United States to a league controlled and dominated by foreigners is ridiculous and dishonest, William H. Taft to the contrary notwithstanding.

THE LEAGUE COMPELS ITS MEMBERS TO COMMIT ACTS OF WAR.

I have already referred to article 16, which provides that in case any nation shall refuse to obey the provision of article 12, intercourse between that nation and all members of the league shall be at once suspended. This might be held to be within the right of the members of the league. But the provision goes further. After declaring that there shall be a prohibition and prevention of all intercourse, financial, commercial, or personal, between their nationals and the nationals of the covenant-breaking States, it declares that the same provision *shall apply to all nationals of any other State, whether members of the league or not.*

This monstrous provision translated into direct speech means that if the league has seen fit to use its decree of excommunication against a nation not a member of the league and in no manner concerned in the league or in the dispute, shall have its commerce ravaged from the high seas, its honest trade with the nation with which it is at peace destroyed, its commercial and financial business ruthlessly suspended, and it is made to suffer all the horrors of a war in which it has neither part nor lot.

This is freedom of the seas with a vengeance! It is, in fact, Germany's policy of closing a part of the Atlantic extended to every water of the world. It makes the English fleet master. It leaves the nation thus assailed, maltreated, and deprived of its right under international law with no recourse save that of tame submission or of war.

INTERNATIONAL DESPOTISM.

Evidently in order to make certain that the members of the league must become involved in every dispute of the world and that those who control the league will be able to control the world, it is provided in section 17 that in the event of disputes between nations "*whether members of the league or not*," the league may take jurisdiction and take whatever action it pleases in the premises. That is to say, if we form this league, the moment it is formed by its constitution it assumes jurisdiction over any dispute in any part of the world between nations, members or nonmembers, which the five or nine men constituting its council see fit to interfere with.

It also proposes to regulate the trade in arms and in munitions of the countries in which the control of this traffic is necessary and in the common interest. I pass over that.

INTERNATIONAL LABOR REGULATIONS.

Article 20 reads:

The high contracting parties will endeavor to secure and maintain fair and humane conditions of labor for men, women, and children, both in their own countries and in all countries to which their industrial and commercial relations extended; and to that end agree to establish as part of the organization of the league a permanent bureau of labor.

I can not pause to discuss this article, but I warn American labor, that has always been the best paid, best treated, highest class of labor of the world, their supremacy and superior condition can not be maintained if they consent to have international bodies composed of the representatives of kingly governments interfering with their condition.

The same, or a worse result, will follow if the Governments fall into the hands of the Bolshevists, terrorists, or anarchists.

I warn American labor that the moment it assumes to exercise jurisdiction over the labor of other countries that same jurisdiction will under this agreement embrace the labor of this country. I warn American labor to beware lest they shall be drawn from their place of advantage to the level of what has been hitherto denominated the pauper labor of other lands.

THE REGULATION OF INTERNATIONAL COMMERCE.

I challenge special attention to article 21. I confess I do not know what it means, although its meaning seems to be plain. I make that paradoxical statement because it is impossible for me to conceive that those who drew this league have yet advanced to that point of international Bolshevism where they will undertake to regulate the international commerce of the world. Yet attend to the language:

ART. 21. The high contracting parties agree *that provision shall be made through the instrumentality of the league to secure and maintain freedom of transit and equitable treatment for the commerce of all States members of the league—*

And it is followed by this language:

having in mind, among other things, special arrangements with regard to the necessities of the regions devastated during the war of 1914–1918.

Let us omit the last few lines, which are only temporary in their effect. What then is the language? I quote:

Provision shall be made through the instrumentality of the league to secure and maintain freedom of transit and equitable treatment for the commerce of all States members of the league.

"Freedom of transit and equitable treatment for the commerce of all States." What does that mean? What can it mean except that the league proposes to regulate international commerce as the United States now regulates interstate commerce. Observe the language of our Constitution, Article I, section 8. I quote:

The Congress shall have power to regulate commerce with foreign nations and among the several States and with the Indian tribes.

Under that clause the jurisdiction of Congress over the greater part of the commerce of our country has been asserted and maintained. The language is not so broad or sweeping as that which undertakes to make this league the instrumentality to secure and maintain freedom of transit and equitable treatment for the commerce of all States members of the league.

How can Congress regulate commerce with foreign nations and at the same time the league be the instrumentality to secure equitable treatment for the commerce of all other States? Clearly the provision is unconstitutional. I have not in these remarks undertaken to discuss the unconstitutionality of this remarkable document. I reserve that for another occasion.

Mr. President, I have a few words to say of a general nature and in conclusion of my remarks.

Washington's Farewell Address, the most remarkable document save probably three others ever penned, has been read to the Senate to-day. It has been read in churches and schoolhouses all over our land ever since the day when the Father of his Country was taken from the land he had redeemed with his sword and enriched with his soul. It has been regarded as the textbook and creed of Americanism. But Washington did not stand alone. Every statesman of his day entertained similar opinions. These men were close to the time when our people had been under the control of foreign governments. They were close to the time when America was dragged into every European war. They had passed through a period when ill-advised treaties had involved us in interminable trouble and mischief. They stood near the great consuming flame that had so long burned the liberties of men, the flame of despotism that glowed hot upon the altars of the tyrants of the world. So these men acting in that light and with that knowledge were nearly all of one opinion, and among them there was one whose words I want to read. In 1782 John Adams said:

For my own part, I thought America had been long enough involved in the wars of Europe. She had been a football between contending nations from the beginning, and it was easy to foresee that France and England both would endeavor to involve us in their future wars. I thought it our interest and duty to avoid as much as possible, and to be completely independent, and have nothing to do, but in commerce, with either of them. That my thoughts had been from the beginning constantly employed to arrange all our European connections to this end and that they would continue to be so employed, and I thought it so important to us that if my poor labors, my little estate, or (smiling) sizy blood could effect it, it should be done. But I had many fears.

Now, only one or two other quotations. I read from the Parliamentary Manual of 1800:

The Constitution thought it wise to restrain the Executive and Senate from entangling and embroiling our affairs with those of Europe.

That is in the Constitution, and I make bold to assert that this league is a plain violation of the Constitution; but of that at another time.

I read one other statement:

Let us break these commercial and political fetters. Let us no longer watch the nod of any European politician. Let us be real and true Americans and place ourselves at the head of the American system.

So said the immortal Henry Clay, the intellectual lion of the South.

Let us no longer watch the nod of any European politician.

Adopt this league of nations and the American people need no longer watch their legislators at home; they need no longer depend upon their Congress here; they will be "watching the nods" of these eight foreign heads; they will be watching the hands of eight foreign masters; they will be harkening to the decrees of foreign princes and kings uttered through the mouths of their representatives, or mayhap they will be listening to the representatives as the Lenines and Trotzkys of the time, who may have seized the governments of Europe, overthrown all civilization, and upon its ruins erected the bloody despotism of brutal power.

I have read from one statesman of the South. May I now read from the giant of the North?

Sir, I look on the message of December, 1823, as forming a bright page in our history. I will help neither to erase it nor tear it out; nor shall it be, by any act of mine, blurred or blotted. It did honor to the sagacity of the Government, and I will not diminish that honor.

Thus said Daniel Webster, whose mighty intellect we miss to-day.

Attend to one other. Oh, ye Democrats, who have conjured by the name of Jefferson, who have whispered his praises in the ears of your children almost with your prayers, ye Democrats who have proclaimed him the greatest constructive statesman of all time, the seer who could look down the ages and visualize dangers that lay within the distant future, listen!

In 1820 we find Jefferson writing to William Short, and using this language:

I hope that he (the American minister to Brazil) will promote in his new situation the advantages of a cordial fraternization among all the American nations and the importance of their coalescing in an American system of policy, totally independent of and unconnected with that of Europe. The day is not distant when we may formally require a meridian of partition through the ocean which separates the two hemispheres, on the hither side of which no European gun shall ever be heard, nor an American on the other; and when during the rage of the eternal wars of Europe the lion and the lamb within our regions shall lie down together in peace. The principles of society there and here then are radically different, and I hope no American patriot will ever lose sight of the essential policy of interdicting in the seas and territories of both Americas the ferocious and sanguinary contests of Europe. I wish to see this coalition begun.

I could read on until the cock might crow in the morning, but it is enough that I give this one excerpt from Jefferson; it has been from the day of its utterance the holy creed of democracy. Is it now about to be repudiated?

Mr. President, that doctrine was accepted; that doctrine became our faith. Jefferson warned us that we might avoid the sanguinary wars of Europe. Have we not done so? It is true in 1812, when we were weak, Great Britain sought to destroy us, but from that day in 1812 when we fought for our rights upon the seas 105 years went by without America being involved in a European conflict. I do not count the War with Spain, for that was an American conflict, waged to release the brutal chains that Spain had forged upon our neighbors living in our front dooryard. One hundred and five years went by, and in that time what was occurring in Europe? Sirs, over 50 great wars swept over Europe, wars that called into play enormous numbers of men. I can not pause here even to call the list; I shall not take your time to do that, but I shall later ask, sir, to put into the RECORD a list of these wars.

I call attention to the fact that in that time the Napoleonic wars closed. In those wars there were 3,000,000 men in the field, and 1,900,000 lost their lives; the war of France and Russia of 1812–1815, with 1,500,000 in the field—we were not in those wars—the war of Russia and Turkey in 1828, with 120,000 loss of life—not an American was in that war—the war of Spain and Portugal from 1830 to 1840, but no American was in that war; the revolts in Europe in 1848, in which 60,000 lost their lives, but no American was in that war; the war in 1854 and 1856, in which France, England, Sardinia, Turkey, Austria, and Russia joined issue; the Crimean War in 1877, where 1,460,000 men were involved, and 609,797 died, but no American was among them, unless he crossed the ocean looking for trouble; the war of 1859, in which France, Austria, and Italy were engaged, there were enormous armies mustered, but no American was in that war; the war of 1864, in which Denmark, Prussia, and Austria were engaged, but no American was dragged into that war; the war of 1866 between Prussia and Austria, where there were three-quarters of a million troops involved, but no American was in that war; the war of Brazil, Argentine, and Paraguay, which occurred on this side of the ocean, from 1864 to 1870, but the United States was not drawn into that war; the war of 1865 to 1866 between France and Mexico, in which France, aided and abetted by England, undertook to abrogate the Monroe doctrine in this country, but America did not even become involved in that war, for when we got out of the trouble of the Rebellion France abandoned her attempt and England retreated quietly to the shadows; the war of France and Germany of 1870–71, in which 1,713,000 men were engaged, but no American was in that war; the war of Russia and Turkey from 1876 to 1877, in which 1,500,000 troops were involved, but no American was in that war; the war from 1900 to 1901 with the Transvaal Republic, when England crushed the republic of the Boers, and 400,000 men were involved, but no American was in that war.

I remember when the attempt was made to commit the Republican Party at its convention to intercession, and also the Democratic Party at its convention; but America stood aloof; she refused to intervene even on behalf of two expiring Republics.

Then came the war of 1904–5 between Japan and Russia, with 2,500,000 troops engaged and 555,900 killed; but no American lost his life in that war. The wars of 1912–13, known as the Balkan wars, in which 1,230,000 troops were engaged and 350,000 were killed; but no American was in that war.

Sirs, the claim that we have to join this league in order to keep out of European wars is a monstrous falsehood. We by joining this league put ourselves into all the controversies of the world, whatever they may be. If they can be suppressed without war, of course we shall not have war; but if war comes, we must be a party to the war.

Sirs, do not forget that this league of peace has written across its first page the word "Dishonored"—I say that because its authors make it pointed for armies and navies. When they provide for armies and navies they solemnly affirm that they know there is going to be war, for that is all armies and navies are for.

Mr. President, I ask leave to print as a part of my remarks a fuller list of these wars. There have been a half hundred in a hundred years—one every two years.

The PRESIDING OFFICER (Mr. POMERENE in the chair). Without objection, the request of the Senator from Missouri will be granted.

The list referred to is as follows:

MOST IMPORTANT WARS OF THE NINETEENTH CENTURY (1812–1919), EXCLUDING AMERICAN.

Napoleonic Wars (1792–1815).
Revolt of Spanish colonies (1810–1820).
Revolution in Naples against their ruler, King Ferdinand (1821).
Insurrection in Piedmont against Austrian rule (1821).
Revolution in Spain against King Ferdinand VII (1822–1823).
Revolt of the Greeks against Turkish rule (1821–1827), known as the War of Greek Independence.
War between England, Russia, and France, as allied against Turkey for the independence of Greece (1827).
War between Russia and Turkey (1828–29).
Revolution in France against Charles X, followed by the establishment of the Orleans dynasty (1830).
Revolt in Belgium against the union with Holland—ending in independence of Belgium (1830).
Insurrection in Warsaw—revolt in Poland against Russia (1830–31).
Insurrection in the Papal States (1831).
Civil war in Portugal (1828–1833).
Civil war in Spain (1833–1839).
War between Egypt and Turkey (1832–33).
War between Egypt and Turkey (1839–40).
War between Turkey, aided by Russia, England, Austria, and Prussia, and Egypt (1840–41).
Revolution in France and the proclamation of the Republic (1848).
Revolution in Vienna (1848).
Revolution in Hungary—practical independence of Hungary (1848).
Revolution in Bohemia against Austrian rule (1848).
Insurrection in Lombardy against Austrian rule (1848).
Insurrection in Venice against Austrian domination (1848).
War between Austria and Piedmont (1848–49).
Revolution in Berlin (1848).
War between Denmark and the German Federation (1848).
War between Austria and Hungary (1849).
War between Denmark and Prussia (1849).
Crimean War—England, France, Turkey, and Piedmont against Russia (1854–1856).
War between France and Piedmont allied against Austria (1859).
War between Piedmont (really represented by Garibaldi) and Naples, (1860).
Revolution in Poland against Russia (1863).
War between Prussia and Austria allied against Denmark, relative Schleswig-Holstein (1864).
Seven Weeks' War (1866).
Franco-Prussian War (1870–71).
Ashantee War (1873–74).
Serbian-Turkish War (1876).
Russo-Turkish War (1877–78).
Afghanistan War of 1879.
Zulu War of 1879.
Egyptian War (1882).
Serbo-Bulgarian War (1885).
China-Japanese War (1894–95).
Cuban Insurrection (1895).
Greco-Turkish War (1897).
South African or Boer War (1899–1902).
Russo-Japanese War (1904–5).
Italian-Turkish War (1911–12).
Balkan-Turkish War (1912–13).
European war (1914–1918).
Total, 51.

Armies and loss of life in recent large wars, excepting American wars.

[Data, except as indicated, taken from report of Massachusetts Commission on the Cost of Living (House, 1750, p. 202; Boston State Printers, 1910).]

Dates.	Countries engaged.	Armies in the field.	Loss of life.
1793–1815	England and France	3,000,000	1,900,000
1812–1815	France and Russia	1,500,000	200,000
1828	Russia and Turkey	.....	120,000
1830–1840	Spain and Portugal (civil war)	300,000	160,000
1830–1847	France and Algeria	150,000	110,000
1848	Revolts in Europe	.....	60,000
1854–1855	England, France, Sardinia and Turkey, Austria, Russia	1,460,500	609,797
1859	France	128,000	24,000
	Austria	200,000	.....
	Italy	50,000	.....
1864	Denmark, Prussia, and Austria	.....	3,314
1866	Prussia and Austria	639,000	57,000
1864–1870	Brazil, Argentina, and Paraguay	.....	330,000
1865–1866	France and Mexico	100,000	65,000
1870–1871	France and Germany	1,713,000	311,000
1876–1877	Russia and Turkey	1,500,000	180,000
1900–1901	Transvaal Republic and England	400,000	91,000
1904–1905	Russia and Japan	2,500,000	555,900
1912–1913	Balkan Wars	1,230,000	350,000

Mr. REED. I ask to engage your attention for a moment while I read what I regard as a message from the front. We went into this war for reasons we all know. Every man in this Senate knows that we would not have declared war if Germany

had not served notice that she proposed to renew her indiscriminate submarine warfare, and, more than that, if she had not resorted to overt acts, for every man here knows that the President did not ask us to declare war until these overt acts had taken place. We went over there to compel Germany to respect our rights as a sovereign Nation. When we went there for that good purpose we were, of course, very glad, while we were defending our rights, that we were helping defend civilization and Christianity; but our cause of war is the thing I have stated.

Mr. President, we did not leave it to the volition of our young men whether they would go or not. With the strong arm of the law we compelled more than 2,000,000 to embark upon that mission—a mission to punish Germany for violating American rights and to make her respect American rights.

Now, I want to read a short excerpt from an article by George Pattullo, in the Saturday Evening Post. Pattullo is now an officer in the American Expeditionary Force. I have found him generally a very reliable correspondent:

Not a man in the Third Army but wants to go home. They are longing to get back. They feel that America has accomplished what it set out to do and that the sooner the Army returns to the United States the better.

The more thoughtful among them have reasons other than personal. They can foresee snares and pitfalls and tortuous ways ahead. Already the difficulties are piling up; already problems are arising which may easily place us in a false position. They fear that the United States may become mixed up in the wrangles and jealousies and hates that dominate all national affairs in Europe. The people are fed on it from the cradle. They learn to fear and distrust and prepare against neighboring nations. That is the direct result of propaganda from the top—endless propaganda—centuries of it.

WASHINGTON WAS RIGHT.

In Europe racial prejudices are a stone wall to progress. Every war leaves bitterness and wounds which lead finally to another. It is a vicious circle without any end in sight. From a purely American standpoint, George Washington was right about "no entangling alliances." The officers in our Army are unanimous in declaring that the less we mix up in international affairs on this side of the water the better off we shall be. We haven't the same purposes, we haven't the same aspirations, we haven't the same ideals. Though of the same blood as the older races, we are yet a vastly different breed.

Mr. President, how true that is! Talk about nations thus divided being transformed into a brotherhood of love by the magic of a few resolutions is idle. Sirs, you can never make these races love each other. Answer on your consciences and your honor: Will the day come for a thousand years when France can ever forget? Will bleeding Belgium ever learn to love the horde that marched across her frontiers, ravished her women, and that burned her cities? Will the descendants of the boys whose hands were cut off ever forget the maiming of their ancestors? Will the sons of France ever forget that their women were brutally mistreated? Will the spot ever be forgotten where the Canadian soldier was crucified? Will these men ever learn to forget in the years to come that the inhabitants of the countries lying along their borders are of the same blood as those who in 1914 swept their land with fire and sword, with hate and malice that hell itself could scarcely have conceived? Think you they will forget? And, sirs, will the Armenian forget how the Turkish brute twisted his hands into the hair of Armenian women and dragged them to his seraglios? Will the Serbian forget how his land was trampled into a gory mire? Will the eye of his memory ever fail to see the red flames licking up alike the palaces and the hovels of his country? Will any of these people ever become so forgetful that they will not wait for the hour of their vengeance? And are we, who are in no way united with them, are we, sirs, to thus unite ourselves by a voluntary obligation which puts us into every one of their disputes, their deathless feuds?

This is the first time in a hundred years since we have been at war with Europe. Why were we forced into the present conflict? Well, I think I can answer. First, because international law is in many respects vague and indefinite. I pause at this moment to say that international law should be clarified and codified. The past construction of international law leads to the conclusion that the right of blockade is limited to particular ports; it being required that the blockade shall be rendered effective by a constant patrol. This rule, however, was perhaps not perfectly clear and certain. It was doubtless because of this fact that England undertook to declare a blockade of the entire North Sea—a thing that had hitherto been generally regarded as illegal. That was followed by Germany declaring a blockade of the English Channel and the waters in and about England; and that was followed by Germany undertaking to sweep all commerce from the seas. That brought us into this war.

But there was another reason. The world had been led to believe that America would not fight, and perhaps could not fight. We were not as well prepared as I wish we had been, but I shall not go into that. Many of us made mistakes along that line, and I do not care to argue it now; but Germany believed, more than any other people, that we would not fight. They thought that we were a lot of traders, either too proud or too lazy or too cowardly to fight, and so they threw the glove square in our face. They said, "You can not help yourselves, even if you would." Ah! sirs, that mistake will never be made again. While wood grows and waters run the world will know that Americans c. n and will fight. Never again, so long as we maintain our pride of race, will that mistake be made. They said we could not get ready to fight; but when the boys from the farm and the anvil and the office were called on they came, a glorious concourse of indomitable souls. They went across the ocean, sometimes imperfectly armed, but that made no difference; they may not have had all the weapons they needed, but that did not daunt their courage. The cry upon their lips was: "Take us to the trenches." The only desertions from the American ranks were desertions of men who left their camps that they might serve upon the battle's blazing line.

How well did they fight? I said the other day, and I repeat, the French had been driven back, the English had been driven back; gallantly they had retreated. The English lion, with the bloody froth dropping from his white fangs, facing the foe, but yet being driven back; the French, with gallant heroism, carpeting the ground with their immortal dead; but still they were being driven back, until at last, in the agony of his soul, Haig cried out: "Our backs are at the wall; Britons, stand and die." Just then new sounds were heard coming from the rear. It was the mingled rebel yell and the Yankee cheer.

They swept down through Chateau-Thierry, through St. Mihiel, through Belleau Wood, on through the forest across the Rhine, until they made themselves the masters of Berlin. The flag of the Republic floats to-day above the fortresses of the Teuton!

Sirs, that is our history. Can it be made better? Can you do better than that? Ah, my colleagues, why abandon the nationalism that has done so much for our country for the desperate experiment of internationalism?

The past rises before me like a dream. Again I see the lantern in the old North Church; I hear the clatter of galloping feet as Paul Revere rides out into the night; I see the farmers gathering along the lanes of Lexington, and I hear the sharp reports of their muskets; I catch a glimpse of the next day when the minutemen made their heroic stand along the little stream spanned by the bridge immortalized by Emerson's thrilling lines:

By the rude bridge that arched the flood,
Their flag to April's breeze unfurled,
Here once the embattl'd farmers stood,
And fired the shot heard round the world.

I see them at Valley Forge as they walk amidst the snows and frosts, staggering and hungry, falling dead, but not surrendering. I behold Washington with his troops crossing the Delaware to attack the Hessian horde. I see the flag of Cornwallis above the battlements of Yorktown lowered and the Starry Banner go up amidst the tears and cheers of Washington and his soldiers. Since then no despot has dared try to drag it down. Shall it be now supinely surrendered into the hands of foreigners? Shall it be turned back to the monarchs we defied? Shall we yield the sovereignty thus gloriously obtained?

I have talked too long; I thank the Senate. [Applause on the floor and in the galleries.]

REVERENCE FOR LAW ENFORCEMENT AND AMERICANISM.

Mr. JONES of Washington. Mr. President, I shall not discuss the league of nations proposal to-day. If one can be formed that does not threaten to engulf Americanism in internationalism and violate the traditions and principles of our Government or involve us in entangling alliances that will impose upon us foreign burdens and wars, I am for it. America and American institutions, the American people and American interests, American homes, and American liberties, however, are first and above all others with me, and upon this basis I shall determine my vote for or against any proposed league of nations that may be submitted to us. The words of Washington to which we have listened to-day are words of wisdom and exalted patriotism, and are not to be treated lightly in this hour fraught with graver consequences to the Republic than any since he spoke those immortal words. I hope this is not the last time they will be read to the Senate. I do wish we would close this war, impose whatever terms of peace we are going to impose on Germany, bring our boys home to mother and loved ones, stop the great expense that is piling up burdens for generations to come, and then settle the differences and fix the relations among the associated nations to promote the peace of the world

when it can be done deliberately, calmly, and after due consideration.

If we are to destroy the fruits of the American Revolution we should do it knowingly and willingly and not under the pressure of the desire to end this war, and be prepared to take the consequences.

Mr. President, there are other matters of very vital and pressing concern to this people that, in my judgment, demand immediate consideration and attention; and it is to some of these that I desire to direct my remarks for a while.

Mr. President, we have come through a great war. Our boys have fought a good fight. They have helped to win a great victory for the maintenance of our rights and sovereignty and for civilization and humanity. They are coming home to help solve the problems that confront us. These tasks are more difficult than those of war. They require as great a courage and as steadfast a purpose as the conduct of the war. The real test of our institutions and America is at hand.

What we need above all else is an intense devotion to the fundamental principles of our Government and an ardent love for our country, its laws, and its institutions. Discontent and unrest are growing with the readjustment that must come. Evil-minded men are inciting strife. Old and discarded theories of government are preached under new names and presented in enticing form. From foreign peoples without education, inexperienced in self-government, filled with the prejudices and hatred of centuries of oppression, come men to our cities promoting sedition, anarchy, and revolution through seductive promises and class hatred. Officials of high position are disregarding our constitutional limitations, and great and respectable interests are inciting the law's defiance.

Bolshevism is lifting its horrid head in this fair land of freedom. We denounce it and say that the way to meet it is to shoot it. Mr. President, the best way to meet it is to adjust differences and correct injustice with genuine Americanism and a firm and full adherence to the basic principles of the Government of our fathers. Instead of trying to correct the ills of all humanity, we should be looking after our own internal affairs. We have dangers, but they come from within and not from without. We must save ourselves from ourselves and from those we have allowed to come among us. To do it we must renew our vows as American citizens and go back to the practices and first principles of the Republic.

The ship workers of Seattle went out on a strike a short time ago. A sympathetic strike by affiliated unions was ordered. The tie-up of practically all business, including lighting systems, street car lines, restaurants, schools, and hospitals was probable. Strike leaders proposed to provide eating places, milk for children, service in hospitals, and guards to maintain order. The mayor of the city knew that as the duly elected executive it was his duty to maintain order and to enforce the law. He did not falter. He did not take sides in the labor dispute. He planted himself squarely upon the American doctrine of law and order. He acted promptly and issued a proclamation that law and order would be maintained at any cost by the duly constituted authorities. Order was maintained. The law was enforced. Riot and bloodshed was prevented. True Americanism was triumphant.

Mr. President, I want to read this proclamation, so that it may be in the RECORD as an example and as a model for other executives throughout the country, who are very likely to be confronted with the same problems that confronted our mayor:

PROCLAMATION.

To the people of Seattle:

By virtue of the authority vested in me as mayor, I hereby guarantee to all people of Seattle absolute and complete protection. They should go about their daily work and business in perfect security. We have 1,500 policemen, 1,500 regular soldiers from Camp Lewis, and can and will secure, if necessary, every soldier in the Northwest to protect life, business, and property.

The time has come for every person in Seattle to show their Americanism. Go about your daily duties without fear. We will see to it that you have food, transportation, water, light, and all necessities.

The anarchists in this community shall not rule its affairs.

All persons violating the laws will be dealt with summarily.

OLE HANSON, *Mayor.*

FEBRUARY 7, 1919.

Mr. President, going on that strike were 65,000 people in the city of Seattle. It went on for a week. Not a shot was fired; no property was destroyed; no lives were lost; no riots occurred. The law was maintained. Americanism was triumphant.

Mayor Hanson's prompt and firm stand for law and order is greatly applauded all over the land. The newspapers generally praise him warmly and commend his example as one to be followed by other executives. I heartily join in that praise. He acted as a fearless and true executive should act. He had back of him an intensely patriotic citizenship. The people of Seattle have had their trials; they have made their sacrifices in war; they have seen disloyalty show itself and force and brutality disregard and defy the law. They had become fully aroused. They love their country and its institutions. They are Americans to the core. They believe in law and order and were ready to stand by their executive to the limit.

Mayor Hanson was the right man in the right place at the right time. He did his duty well and fearlessly as a true-blue American. What a strange commentary upon the state of the public mind it is when this act of patriotic duty causes so much wonder, amazement, and acclaim. Is it possible that it is an exception and not the rule for public officials to do their plain duty? It looks that way. It is well to commend a public executive when he does his duty, but we should have such a public sentiment as will insure such action when the occasion demands. Do we have so little regard for law and order in this country that its enforcement in times of stress is a source of surprise? If so, then every lover of liberty should bestir himself. Such a state of public sentiment is a fertile field for bolshevism. A Republic without the observance of law and order is anarchy and chaos and a breeder of bolshevism, if it is not bolshevism itself.

We hear much denunciation of bolshevism to-day. I do not defend it. I abhor what I conceive its essence to be. We can not make headway against bolshevism in the masses, however, until we get rid of it in high places. The best antidote for it is an intense respect for law and an ardent love for our institutions and principles of government and a faithful adherence to them by those in authority. We have the best form of government devised by the wit and wisdom of man to insure liberty, justice, and happiness. It gives to every man the opportunity to work out for himself the highest good. The life of the Republic is love for and devotion to the law and its orderly change. The rule of unreasoning force is the essence of bolshevism. It thrives on disregard for law by those in authority. The very public opinion that makes Mayor Hanson's patriotic action so noteworthy foments anarchy and bolshevism.

If one in high position can disregard the fundamentals of law, why can not the humblest of citizens defy the law? If any official in high position can use coercion to accomplish his ends, the humblest citizen sees no reason why he should not obtain his ends by force, if he can do so. Yielding to lawlessness begets more lawlessness. Concession to disloyalty begets more disloyalty. The President of the United States did not intend it so, but he brought our institutions into contempt and struck a deadly blow at the vitals of the Republic when he used the influence of his high office to control the executive of a State in the discharge of his duty under an oath to uphold the laws of the State. His unauthorized act in sending a commission to investigate the acts of State officials in the discharge of their duty gives anarchy its chance to mislead the unthinking to lawlessness and contempt for authority.

Mooney may have been innocent. I do not know. He had been convicted, however, of a most heinous crime under the laws of the State of California, one of the most enlightened States in the Union. Every opportunity had been given to him under those laws to establish his innocence. All that skilled attorneys could do was done. The jury heard the evidence and convicted him. His appeals had been taken and denied. Upon the governor of the State rested the duty and power of granting or refusing a pardon. The President of the United States sought to influence and control the governor in his action on an appeal, or more nearly a demand, for Mooney's pardon. He had no power or authority in the matter. He disregarded one of the fundamental principles of the Republic when he interfered. By his action he encouraged disrespect and contempt for legal authority and the orderly process of law and undermined local self-government.

Grant that Mooney was innocent. It were better that an innocent man should suffer than that the law should be defied and set aside. The excuse for the interference only made matters worse. It was a concession to the bad in bolshevism in a foreign country and aggravated matters there and brought trouble here. Concession to arrogance generally breeds contempt. It did so in this case and encouraged a disregard for our laws that it will take a long time to eradicate. It sowed the seeds of contempt for local authority and encouraged appeals to the irresponsible but influential over the responsible.

Again, the President showed a disregard for the Constitution and the framework of our Government when he came and addressed the Senate on the woman-suffrage amendment. His action is and will be an excuse given by others for disregarding the law when they want to do so. I do not question his motives, his sincerity, or good intentions. He was urging the adoption of a proposition that I strongly favored and will do every proper thing to get passed.

This, however, is a Government of coordinate branches. The invasion of one by the other is subversive of law and orderly government. This resolution was peculiarly outside the power and responsibility of the President. He should not have attempted to interfere, no matter how strongly he may be for it personally.

Anything short of success in revolutionary methods brings reproach to our institutions and casts suspicion upon the sincerity and honesty of those who follow them. That was true in this case. The President's plea failed. He was humiliated. Those opposed to the resolution were embittered. Those who favored it were chagrined and dissatisfied. Some wanted him to use the power of public patronage to coerce individual Senators. Some questioned his sincerity. Others suggested that he was governed by political considerations. Conceding unqualifiedly the sincerity and purity of his motives, I regret more than I can say his disregard of those constitutional provisions defining the powers of the executive and legislative branches. He set an example that the un-Americans can use in a most dangerous way.

The Congress is not blameless in such matters. We do not encroach upon the jurisdiction of any other coordinate branch, but we supinely submit to constant encroachment upon our jurisdiction. We welcome relief from duties and responsibilities that we should discharge fearlessly and courageously.

The public press is the greatest agency for good or evil in this country. Its columns are read eagerly by the people every day. It largely molds and directs the opinion of the people. It should be careful of its influence. In season and out of season it should teach the principles of our Government and urge their observance, and it should condemn without qualification any nonobservance of them.

Some of our greatest papers, however, seem to forget the foundation stones upon which this Republic rests. They are intolerant and misleading. They misrepresent men and falsify measures to sustain their views. This was the policy of some of them before we got into the war. They recognized no room for patriotic differences of opinion and denounced as traitors those who disagreed with them and discredited them with the public by deliberately misrepresenting their acts and views. Some of these papers are now showing their real character. They are justifying the suspicion that they or their columns were and are dominated by selfish, financial, and corrupt interests, and they are doing more to promote bolshevism and undermine genuine Americanism than any other agency in the land. They aid and abet defiance of the law, promote anarchy, and incite riot. This is a severe indictment to make, but there is clear proof of it now.

Certain great papers opposed prohibition. That was their right. They may have been honest in this opposition. I concede that. The time for argument, however, on war-time prohibition and on the constitutional amendment is passed. They were both adopted. One is the law and the other is a part of the supreme law of the land. The issue now is not prohibition but the enforcement of law. That is vital to the very life of the Republic. There is no room now for a difference of opinion on this issue. One is for law enforcement or one is against it. These papers are for enforcement or they are against it; they are for law or they are for anarchy; they are American or they are un-American. What are they? By their words and their acts they are defiers of law, breeders of revolution, teachers of bolshevism, un-American, and unpatriotic. They do not urge and they have not urged the law's enforcement. On the contrary, they incite and encourage resistance to it.

The New York World is a great paper. It is doubtless a patriotic paper, even if it does show its patriotism in a most peculiar way. It condemns bolshevism and pro-Germanism with great vigor. It viciously attacked as traitors those who did not follow the course it mapped out as patriotic prior to the war, and yet, while the war was going on, it joined with the ultra pro-Germans and proven disloyal German-American Alliance in fighting prohibition. It had the right to oppose prohibition before the verdict was rendered. It could do so and still be patriotic. It has not ceased its intolerant opposition, however. It continues this fight now. Its columns are used not to uphold but to discredit the Constitution and bring the laws of the land into contempt. This is unpatriotic, dangerous to the Republic, un-American, and the worst kind of bolshevism.

On January 16, the day the amendment was ratified, the World said in an editorial:

REVOLUTION BY AMENDMENT.

As the liquor traffic, like all other social affairs, falls properly under the power, the proposed amendment will embody in the National Constitution a principle in conflict with the basic theory of our Federal system. It is a most emphatic denial of local self-government. One important result of such a departure, amounting to revolution, will be the enforcement of vexatious and sumptuary laws upon resisting peoples, not by their own officers but by informers and prosecutors from a distance. It was resistance to some such measures that awakened the spirit of seventy-six. No less certain is the prospect that one successful invasion of the rights of the States by sectarian and centralizing influences will be followed by many others designed still further to regulate or suppress customs, diversions, occupations, domestic relations, forms of public worship, perhaps matters of faith and opinion. Thus the States, speaking through intimidated, bigoted, or reckless legislatures in many cases, are doing much more than ratifying a measure suggested as a sure cure for the admitted evils of intemperance. They are opening the door to a consolidated autocracy at Washington which eventually will overthrow the Republic as we have known it, and they are welcoming this monster in the name of God.

On the same page was a cartoon representing a beautiful woman, called "Personal liberty," being made to walk the plank by an old man called "Prohibition."

On January 23 a letter appeared on the editorial page of the World, headed "The lynching of liberty." On January 21, on the editorial page, appeared a letter, signed "Al Rehm," in which it is said:

The people of this country will never submit to any laws that may be passed by a minority that has usurped the rights of the majority through political trickery and fraud.

On January 26, another letter appeared on the editorial page, signed "W. V. Hirsh," in which it was said:

Still another method to arouse the public is to call mass meetings. Let the people know that docile submission to national prohibition will inevitably make them the victims of all the puritanical laws the militant church can jam down our throats.

On January 17, in an editorial under the title "The lynching of Jeffersonism," the World said:

In supporting this amendment the South has wrecked the whole structure of State rights, obliterated the police powers of the States, without which they have no political excuse for existence, and destroyed the personal liberty which has hitherto been a bulwark of American freedom.

On January 19, in an editorial headed "Moral forces that are immoral," the World condemned the Evening Post for urging that "good citizenship now requires unquestioning obedience" to laws that may be enacted to carry out the prohibition amendment. In this editorial it is said:

National prohibition is not a people's achievement but a politicians' achievement. It was put through by professional politicians who believed that the prohibition lobby and the so-called church vote, organized by that lobby, held the balance of power, and that it was part of political wisdom to submit. Back of it all, of course, were certain great corporation and financial interests that were convinced that labor could be made more profitable and productive if put on a prohibition basis; and these interests, looking to dividends, helped to finance the movement.

The vast majority of the Members of Congress and of State legislatures who have written this amendment into the Constitution do not practice prohibition themselves and do not believe in it for themselves. They lent themselves to the lobby to protect their own political skins, but for the most part they are cowards and hypocrites and know they are cowards and hypocrites.

* * * * * * *

The fact of the matter is that the prohibition amendment has been carried through in defiance of the fundamental principles of the American Republic, and in defiance also of all the political traditions of the American people. The lobby bent all its energies to the work of ratifications, because it did not dare wait until the troops had returned home from France, and the American people had had an opportunity to consider the question calmly and deliberately. It was a snap proceeding; and in spite of all the bleating about moral forces the action has no moral status whatever, because it is at war with all true political morality, which gives due consideration to the rights of both majorities and minorities.

There have been many shameful chapters in American history, but no other chapter which was written in such infamous disregard of the spirit of American institutions.

Then I have here an editorial of two or three days ago, from the same paper, headed:

MAKE CONGRESS REPEAL THE LAW.

The labor unions and the labor leaders who are threatening a general strike July 1 on a "no beer, no work" issue might infinitely better devote their organizations and their efforts to forcing the repeal of the war-time prohibition law which goes into full effect June 30 and which is the basis of their immediate grievance.

This is something practical that can be done in a legitimate way without tying up the industries of the country or punishing the innocent for the offenses of the guilty.

The war-time prohibition act is a statutory lie and a statutory fraud. It was conceived in false pretenses and enacted in false pretenses. Framed by the agents of the Anti-Saloon League, it was driven through a subservient Congress by the league's lobby, and became a legislative fact only because it was attached as a rider to the highly important bill to stimulate food production.

Then it goes on in this editorial and points out the objections to it—objections that were all submitted before it was enacted into law; objections that were all passed upon by Congress itself—and yet it suggests, in this editorial, that these great labor organizations that are threatening to strike against the prohibition amendment should change their object and force Congress to repeal this legislation. What can that excite men to except revolution?

Now, Mr. President, as an index or an indication of what is animating the New York World in presenting and reiterating, day after day, all the stock arguments of the distillers, and the

brewers, and the pro-German German-American Alliance, and all the forces arrayed against prohibition, I desire to call the Senate's attention to a statement in the World of January 8, 1918, headed as follows:

DISTILLERS PLEDGE $1,000,000,000 TO BEAT BONE DRY ACT.

This is a "special" to the World from Chicago, dated January 7. The World's representative knew what was going on. He knew what this organization represented. He knew what it proposed to do. He knew what it was willing to do and what it was willing to pay. How did he know it? I leave you to judge. This is what this dispatch says:

CHICAGO, *January 7.*

A billion dollars has been pledged and 300 distillers, the pledgers, are going to fight Uncle Sam to the last ditch before they submit to the annihilation of their business by the bone-dry amendment. This was the ultimatum that wound up a two days' meeting of the Nation's distillers here to-day.

The Supreme Court has been chosen as their battle ground, and the constitutionality of the amendment itself will be attacked, they say. Levy Mayer, a Chicago attorney, has been chosen as chief counsel and will sally forth to battle with practically carte blanche and a $1,000,000,000 fund.

Levy Mayer going out with carte blanche! Where did he go? He went to New York, where the World is published, and here is what the World said again:

LEVY MAYER SAYS FIRST MEETING WILL BE HELD HERE NEXT TUESDAY—$1,000,000 IS ALREADY PLEDGED.

WASHINGTON, *January 24.*

American distilling interests representing a capital investment of a billion dollars will hold a preliminary meeting in New York next Tuesday to plan a campaign of protection against the effect of the prohibition amendment. They have pledged a $1,000,000 fund with which to fight an enactment of the national prohibition measure, it is understood here.

Ah, Mr. President, the World knew first of the meeting in Chicago, where the fight was planned by the $1,000,000,000 interest. It has kept track of it since. It knows how to get a share of the $1,000,000 fund recently set aside. It is doing the work this sum was set aside to have done. It will get its pay. It will accomplish nothing, but the harm it will do among the people will be beyond computation.

Mr. President, I say, and I say it deliberately, from the editorials and articles in the World regarding war-time prohibition and the constitutional amendment that the man in the World office who is responsible for those articles, those editorials, and the news appearing in those columns is a liquor hireling, a pro-German propagandist, a Bolshevist, a lunatic, or an idiot, and there is abundance of proof to sustain any conclusion that you desire or that you may reach.

Such words and sentiments spoken by a poor, starving, struggling, humble citizen against some law he does not like would be denounced by the world as inciting revolution and anarchy. How much more dangerous and inexcusable are they when uttered by a great, powerful, and educated leader of American thought. In this paper and in others of high standing under large headlines are published all sorts of stories regarding these measures. We are told that this law and this amendment are to be annulled in one way or another; that the people's verdict is to be nullified and set aside; that great lawyers are going to prostitute their talents to defeat the people's will; that personal liberty is to be taken away; that legislatures are going to disregard the sentiment of the people that this outlaw traffic may continue to reap its profits; that labor proposes to strike as a method of resisting this law; that our very system of government is being undermined; that revolution is at hand; and that all we hold dear is threatened by fanaticism.

Interviews by prominent men suggesting revolution are given prominent places in great newspapers. A few days ago the Washington Post printed an interview with Judge W. M. Hough, of St. Louis. Under the black-type heading, "Drys breeding revolution," he is quoted as saying:

Whenever a minority can rule a majority there is danger of revolution, and in the submission and ratification of the eighteenth amendment to the Constitution a minority has triumphed over a majority. * * * In my judgment, the prohibitionists are treading on dangerous ground. They are breeding a revolution.

Judge Hough is a lawyer. He is supposed to be an intelligent American citizen. He knows that his suggestion that a minority ruling a majority breeds revolution is baseless as applied to the present situation. He knows that this amendment is a part of the fundamental law of the land, and that it was adopted in the duly constituted and orderly way. He knows that it has behind it a stronger and more general public sentiment than any constitutional amendment ever had. He knows that its adoption by States, large and small, was as general as the adoption of the Constitution itself, and he knows that it expresses the sentiments of an overwhelming majority of the people of this country. He has sworn to uphold the law of the land and the Constitution of his country. Is he doing it? On the contrary, he is inciting rebellion to it. He may be a man of high character and great learning and ability, but he is not a good American and he is not patriotic. He is, in effect, disloyal, a lawbreaker, a friend of anarchy, and the enemy of the Republic. When I say that he has been, and probably now is, the attorney for large distillery interests, his attitude is very easily understood. If there is one thing that has distinguished the liquor interests and their supporters it is defiance of the law and a lack of real Americanism.

What good purpose can the Washington Post and these other papers hope to serve by giving publicity to these things? They may be doing it unintentionally, but they are lending their columns to the propagation of un-Americanism. What should these papers do? What should every real American do? Get behind the law and this amendment and its effective enforcement until repealed. That is the essence of genuine Americanism. That is the attitude of Mr. Taft, who opposed the prohibition amendment, and who now says that the legal objections made to it are pure "moonshine," and that it is the duty of every patriotic citizen to uphold and see to its enforcement. He says:

This is a democratic Government, and the voice of the people, expressed through the machinery provided by the Constitution for its expression and by constitutional majorities, is supreme. Every loyal citizen must obey. This is the fundamental principle of free government. It is the principle which the Bolsheviki are fighting with wholesale assassinations and starvation of their fellow citizens. One who, in the matter of national prohibition, holds his personal opinion and his claim of personal liberty to be of higher sanction than this overwhelming constitutional expression of the people is a disciple of bolshevism. Those who oppose passage of practical measures to enforce the amendment, which itself declares the law and gives to Congress the power and duty to enforce it, promote the nonenforcement of this law and the consequent demoralization of all law.

This was the evil result opponents of the amendment prophesied, and they are thus doing all they can to vindicate their view. Such a course is unpatriotic and is not playing the game of self-government fairly.

These are the words of a patriotic and genuine American. This is the spirit that should animate every American and control every loyal publication. What a splendid influence and example of Americanism would it be if every interview given out, and the editorial page of every newspaper in the land, would urge the full and complete enforcement of the law.

These self-proclaimed, extra-loyal newspapers gave special notice a few days ago to an alleged labor movement against the enforcement of the war-time prohibition and the constitutional amendment. They point out that a campaign is begun under the slogan "No beer, no work," if the "bone-dry prohibition law is really enforced on July 1." This movement, it is said, is being engineered by Ernest Bohm. There may be no significance in the name, but I have no doubt that the influences behind him are the interests that were behind the German-American Alliance. Then, it is stated that one Emmanuel Kavaliski is to be in charge of spreading the movement to other cities and other States. Is any comment necessary in view of the seditious propagandists at work in this country? This is the same element that sought revolution in Seattle. It is the same element that was allied with the German-American Alliance. It should receive, and I believe will receive, the condemnation of every real American citizen. If newspapers are to print such items they should at least denounce such conduct in their editorials.

These people propose to appeal to the American Federation of Labor to aid them. I hope they will do so. That organization is composed largely of American citizens, who, while organized for the purpose of bettering their condition and securing justice for themselves and their associates, are above all law-abiding, liberty loving citizens. They know that this Government, with all its faults, gives the poor man more chance for progress, comfort, enjoyment of life, and happiness than any other government on earth; that it insures him better protection under the law and more liberty of action than any other. This organization and its great leader will welcome this opportunity to show their loyalty and genuine Americanism, and in my judgment will declare themselves in no uncertain way for the supremacy of the law. Sam Gompers was openly and frankly opposed to prohibition, but he is a genuine American citizen, and now that the people have spoken he will surely accept their verdict and will be found exerting his great influence for the efficient enforcement of the law. He could do nothing less as an American citizen, and to take any other stand would be to discredit his great organization and destroy its influence. The American Federation of Labor stood by the Government in the prosecution of the war. It will now stand by law and against revolutionists and lawbreakers, who have in some way gained a position of leadership. I will be greatly disappointed in Mr. Gompers's Americanism if he does not come out squarely against such opposition to the law's enforcement.

American labor must purge itself. If it would hold the respect and favor of loyal citizens, it must purge its ranks of those who

defy our laws and advocate revolution. They are taking the right course at Seattle and here in Washington City, and they will do so everywhere.

In the Christian Science Monitor of February 14 is a special dispatch from Seattle, as follows:

LABOR MAY EXPEL RADICAL ELEMENT—SEATTLE COUNCIL TO RID ITSELF OF ALLEGED ADVOCATES OF BOLSHEVISM AND THE I. W. W.—BREACH OF FAITH ADMITTED.

[Special to the Monitor.]

SEATTLE.

Measures for the immediate expulsion of the radical element were taken by the labor council on Wednesday when B. F. Naumann, chairman of the executive committee of the general strike committee of last week, said the time had come for organized labor to stop the preaching of bolshevism or the propaganda of the I. W. W. on the floor of the council. "We have tolerated them too long, and the finish is here," he said.

His denunciation was followed by other speeches and was adopted as a committee report. Members last week were howled down on similar motions and discussions. "If you want to change your form of government," said Mr. Naumann—

I want to call the attention of the New York World to this language—

"the way is with the ballot. Our Constitution provides the regular means whereby this can be accomplished. When we struck we violated all the laws of the American Federation of Labor. Nearly every union in the city had contracts with employers, which were broken."

In the Washington Post of February 17 the following is quoted as a resolution adopted by the Columbia Typographical Union, No. 101, of Washington City:

I commend this resolution not only to the New York World but to all the labor unions throughout the country as one that could be well followed to promote Americanism and law-abiding citizenship:

Resolved, That Columbia Typographical Union, No. 101, believing that such a strike—

Referring to the strike planned for July 1 of this year—

would be unwarranted and unjustifiable and detrimental to the best interests of the whole country and of all honest workers, whether organized or unorganized; that law and order should be maintained under all circumstances; and that the rightful demands of the working classes of the country for justice can be more surely and effectively brought about by peaceful and lawful means—through agitation, education, organization, and the ballot—rather than by cowardly and uncivilized use of dynamite or other unlawful methods, unreservedly condemns and repudiates any and all persons who encourage or resort to violence and the destruction of life or property during labor troubles, or at any other time, and believes that the maximum penalty should be inflicted upon all those who so violate the laws of the land.

This is the great opportunity for American labor to assert itself as law-abiding Americans.

The news dispatches tell us that the New York Legislature is giving way to this lawless element. Compromising with rebellion is ruin. The people can not be fooled. They know what they have done. They will not be cheated out of it by craven and faithless legislators. They know the cunning, tricky, lawless, and traitorous element with which they are dealing, and the legislative or executive official who yields to its threats will be replaced by one who will stand by law rather than by treason. These dispatches say that action on a bill by the New York Legislature which would practically defy the war-time prohibition act and the constitutional amendment "was determined upon to-day following confidential reports from leaders in Washington that Congress would not define 'intoxicating liquor.'" Who is it that assumes to speak for Congress? What leaders took such a message to Albany? Has any Senator assumed to do so? Surely not. Has any Senator so far forgotten his oath to support the laws of the land and the Constitution as to encourage its nullification by evasion? Surely not. Senators may make mistakes, but they will not violate their oaths or conspire with lawbreakers to defeat the people's will.

Congress has a pressing and plain duty to perform. The constitutional amendment is not self-executing. Open defiance of the war-time prohibition act is proposed. That is revolution. There should be no compromise with it by Executive or legislator. We should provide for its full enforcement. If we neglect to do this in the spirit in which the one was adopted and the other passed, the people will hold us strictly to account, as they ought to do. We have put our hand to the plow. We can not turn back if we would. Will Congress be turned from its duty by the threats of the lawless element and that interest which has been shown to be disloyal and whose dastardly methods are known to all? Surely not. It will not even place itself in a suspicious position. The friends of prohibition ask nothing extreme. They do know, as everybody knows, the character of those who would defeat the law and the methods they will employ. They want legislation that will insure an honest and fair enforcement of the amendment and the law. This is all the people want. Anything short of this will cause distrust and resentment and is unworthy of the servants of the people.

Mr. President, the enemies of prohibition prate of personal liberty. Editorials are written appealing to the passions of the people and especially of the laborer on the ground that his personal liberty is to be taken away. Personal liberty is the attribute of autocracies but not of democracies. The Kaiser and the Czar claimed and exercised the right of personal liberty and everyone knows what their end has been. Those who bewail the loss of personal liberty have not learned one of the essentials of a democracy. They should know that no one has the personal liberty in a Republic to do what the majority has properly declared shall not be done. Till they learn that they can not become good Americans.

Mr. President, this is a time for a searching of hearts. There should be no parleying with lawlessness or revolution. The liberties we enjoy and the rights we prize can not be preserved by cowardice. We are for the country and behind its laws or we are not. There is no halfway ground. We are for law and order or we are against it. We are Americans or we are un-American. We believe our Government to be the best on earth. Let us sustain our beliefs by our acts. It has come down to us through bloodshed and tears, through sacrifice and death. Its principles are uplifting all peoples. Its life is in the law and the maintenance of the law, and every true American citizen will place above all—above property, life, family, and home—the sacredness of the law and the observance of the principles of the Republic.

This Nation of ours is the richest product of centuries of struggle between the weak and the strong. Its scheme of government is the best and most perfect ever devised by the wit and wisdom of man to promote the happiness and secure the liberties of the people. Under it complaints and grievances can be rectified without violence or disorder. All are equal before the law and injustice can be removed in an orderly way. There is no excuse for threats, bloodshed, or anarchy, because the people rule and the majority make the laws. The great mass of our people are real Americans, who believe that grievances should be redressed and unwise or unjust laws repealed in an orderly way, and those who do not should be made to do so or leave the country. This is no school for novices to be taught anarchy and bolshevism by foreign propagandists.

This country belongs to the poorest citizen as well as to the most opulent. Its principles and its laws are not perfect, but the more closely they are administered the more nearly will they do justice and give protection to the weak and to the strong. We believe this. Let us do all in our power to prove it. The vast majority of our people are law-abiding Americans and believe in the law's enforcement, and if they openly and boldly stand by these convictions and principles lawlessness and bolshevism can not thrive in this fair land of ours. I appeal, I pray in this hour of internationalism, for a real, genuine, undiluted Americanism.

Mr. WILLIAMS. Mr. President, in the St. Louis Globe-Democrat of February 19 I find an editorial entitled "The Republicans and the League." It is an editorial in favor of the league of nations. I consider it quite apropos to-day as a reply to the Senator from Missouri [Mr. REED], because it is one of the two greatest newspapers in the chief city of his State; and quite apropos also in reply to the Senator from Idaho [Mr. BORAH] in the remarks that he made on yesterday, because this is perhaps the most stalwart Republican newspaper—I started to say in any part of the country—but in its own section, at any rate. I ask that this editorial be inserted in the RECORD.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Without objection, leave will be granted. The Chair hears none.

The editorial referred to is as follows:

THE REPUBLICANS AND THE LEAGUE.

After the election last November, Theodore Roosevelt, speaking as a Republican, said the result ought to be considered not so much a victory as an opportunity. He never spoke words of truer wisdom. The Republican Party, placed in control of Congress by that election, has a great opportunity before it. Will it use it constructively or destructively? Will it seek to build upon a broad platform of national welfare, or will it be guided by party interest or party advantage? The future of the Republican Party is dependent upon the course taken by the incoming Congress. It has been restored to a place of power in the National Government. There is vast work for it to do, work that will demand all of the energy and all of the capacity and all of the patriotism of the party. The opportunity has been given it. If it uses it wisely, constructively, and with unreserved loyalty to the Nation it will be rewarded by the confidence and support of the people.

And at the very beginning it is to be confronted by the greatest question that has ever come before the Nation or before the world. The treaty of peace, involving the creation of a league of nations, with the United States as a leading member, must be ratified by the Senate or

it will fail in its application to America, and if it fails with us it fails in its entirety. What is to be the attitude of the Republican Party toward this great project? We put the question because there is now discernible a disposition on the part of some Republicans who have influence in the party councils to make it a party issue and to array the party against it. Judging from the tenor of the speeches and the statements that have been made by most of these, their opposition is based primarily on the fact that it has been advocated and largely achieved by a Democratic President. This, we would assert with all emphasis, is much too great a matter to be viewed through the darkened glasses of personal or partisan animosity. It must be considered on its merits, without regard to personalities or parties, and in the consideration of its merits account must be taken of the conditions, the circumstances, and the tendencies of the times in which we live.

The world has moved forward a long distance since 1914. It has moved forward, not backward, and it has left the status quo ante far behind. It has made new relations among the nations; it has established new standards of international ethics; it has given the peoples of the earth a new outlook upon life as well as upon government. Mankind has gone through a seething furnace, and out of the crucible has come the league of nations as the expression of the hope and confidence of a new world. Senator BORAH said the other day that if Christ himself should come to earth and advocate a league of nations, he would oppose it, which is equivalent to saying that if he knew God to be for it he would be against it. This outburst of childish spleen would be unworthy of notice were it not that it illustrates the utter blindness of some who are unable to realize that they are antediluvians; that they have somehow missed the train and been left behind at some way station of the receding past. The United States of America can not be held back by such as these. It can not be held back by any human force whatsoever. It is going forward, and woe to the man or the party who gets in the way of its progress. The league of nations is the sign and symbol of the world's advancement. It is the concrete evidence that it has advanced an immeasurable distance. It is tangible proof that the awful lessons of the last four years have been well learned by humanity. All the nations have learned them. America has learned them, and Columbia sits in the pilot house of the league guiding its destinies and the destinies of mankind. America is essential to the world's progress and the world is essential to ours. We must go forward, and go forward in association with the other nations of civilization, and any party that attempts to impede us does so at its peril.

Mr. HARDWICK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Georgia suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Nelson	Smith, Ga.
Bankhead	Jones, N. Mex.	New	Smith, S. C.
Beckham	Jones, Wash.	Norris	Smoot
Calder	Kellogg	Nugent	Spencer
Chamberlain	Kendrick	Overman	Sutherland
Curtis	Kenyon	Page	Swanson
Dillingham	King	Pittman	Thomas
Fletcher	Kirby	Pollock	Townsend
France	La Follette	Reed	Trammell
Gay	Lodge	Robinson	Underwood
Gore	McCumber	Saulsbury	Vardaman
Hale	McKellar	Shafroth	Walsh
Harding	McNary	Sheppard	Warren
Hardwick	Martin, Ky.	Shields	Weeks
Henderson	Myers	Simmons	Williams

The PRESIDING OFFICER. Sixty Senators have answered to their names. A quorum is present. The question is on the motion of the Senator from Nevada [Mr. PITTMAN] to proceed to the consideration of the conference report named by him.

Mr. HARDWICK. Mr. President, I very much dislike to oppose the motion of the Senator from Nevada, but some of the regular supply bills of the Government which have been reported from the Committee on Appropriations have not yet received consideration in the Senate at all. Unless they are considered we might just as well abandon the effort to finish the necessary business of the session. I therefore hope that the motion of the Senator from Nevada will not prevail, and that the Senate may proceed to the consideration of the District of Columbia appropriation bill, and then to the consideration of the Diplomatic and Consular appropriation bill. I make this request on behalf of the Committee on Appropriations.

Mr. SHAFROTH. I hope the Senator from Georgia will not oppose the consideration of the conference report.

Mr. HARDWICK. The Senator will not make any headway by insisting on its consideration now.

Mr. SHAFROTH. The truth is that all of these appropriation bills, if they are not passed at this session, will be passed at the extra session, whereas it is almost impossible to get an agreement upon these general leasing bills. We have had six years of it, Mr. President, and everybody concedes that something——

Mr. PITTMAN. I suggest the point of order that the motion is not debatable.

Mr. HARDWICK. After 2 o'clock the motion is debatable.

Mr. PITTMAN. I refer to Rule XXVII.

The PRESIDING OFFICER. The Chair calls attention to Rule XXVII. He invites the attention of the Senator from Georgia to that rule and invites his construction of that rule. The Chair, in examining the precedents, anticipating the point of order, has found no exact precedent. Rule XXVII reads:

> The presentation of reports of committees of conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

The question is whether the latter clause, "when received the question of proceeding to the consideration of the report, if raised, shall be immediately put and shall be determined without debate," relates only to the time when the conference report is received, and the Chair rules that, under the present parliamentary status, the motion is debatable.

Mr. HARDWICK. Mr. President, I desire to occupy just a moment to say a word to the Senator from Colorado, who has raised this question. A conference report has been presented; the conferees have agreed; the bill has passed both Houses, and only needs the final action of this body to become a law. The Senator can not expect that the regular supply bills of the Government, which have not yet passed this body and have not gone to conference at all, shall at this late hour in the session be laid aside for a proposition of this sort that can come up after all chance of passing the supply bills has vanished.

Mr. SHAFROTH. It is the most important bill——

Mr. HARDWICK. Well, a lot of us do not think it is.

Mr. SHAFROTH. That has been considered perhaps in six years, because without it a large section of the country will be tied up in such a way that there can be no development there.

Mr. HARDWICK. I am in sympathy with the Senator in his troubles, and I am not particularly opposed to this bill; in fact, I presume, it having been reported by a committee that has carefully investigated the subject, I will support it; but, on behalf of the Appropriations Committee, I am bound to insist that it not be made the unfinished business of the Senate, and that we proceed to the consideration of the bills I have named, reported by the Committee on Appropriations.

Mr. SHAFROTH. Mr. President, the Senator will bear in mind that, after the conference report becomes the unfinished business, it will probably get through soon, and then the general appropriation bills can be considered.

Mr. HARDWICK. If the regular supply bills do not pass very soon, there will be no need even to send them to conference. The Appropriations Committee is of the opinion that it owes a duty to the Senate to present that question squarely, so that we may know what our future conduct will be, not only in reference to the two bills they have already reported, but in reference to other great supply bills which they hope to report at an early day. If conference reports shall be allowed to take precedence of and stand as a buffer to the supply bills and all the regular work of the session, I do not see any need of trying to do anything.

Mr. SHAFROTH. Mr. President, if this conference report does not pass at this time it may be that our natural resources will be locked up for six years longer, as they have been for the past 10 years. As to the appropriation bills, every one of them will either be passed in the closing hours or at the extra session that is bound to come. I have seen supply bills put through the Senate in a very short time. On one occasion I saw six great supply bills put through in one day. That can be done.

If the Senate makes the conference report the unfinished business, we will not have much discussion upon it, because those interested in the supply bills will be urging every Senator not to spend a long time and not to make speeches outside of the question. Then, of course, we will get a vote upon it. All we ask is a vote, with opportunity for legitimate discussion upon it. But if we do not insist upon the consideration of the report now, we are not going to have the measure become a law at this session, and we will probably not have it for another six years.

Everybody has conceded something in order to reach an agreement. The oil people who came here are getting but a fraction of what they at first demanded. The departments have made certain requests, and the Navy Department has been yielded to entirely, the Interior Department has been yielded to, and unless the present opportunity is embraced the chances are that probably no agreement can be reached again, because there are so many conflicting ideas amongst individual members of the committees.

Mr. President, if we do not get this conference report through now it seems to me there will be no possibility of getting an agreement, and great injury will be done. The failure to pass the supply bills now may delay for a short time the payment of money to some person in the Government service, but that is insignificant as compared to the fact that we have millions of acres of land locked up on which no kind of an entry can be made in connection with certain great natural resources located upon

them. By reason of that I submit that the conference report ought to be made the unfinished business.

Mr. ASHURST. Mr. President, with the greatest respect and with much deference I beg most respectfully to record my dissent from the ruling of the Chair. The present occupant of the chair, the senior Senator from Arkansas [Mr. ROBINSON], I regard as one of the most able parliamentarians in this body, but for fear the ruling might become a precedent I wish to say that I do not believe—and I do not want to be heard on it at all—that a motion to proceed to the consideration of a conference report is debatable. So much for that. I say that, I repeat, with the greatest respect, because there is no Senator in this body for whose judgment in parliamentary and other matters I have a higher respect than that of the Senator from Arkansas.

Mr. President, the Indian appropriation bill is the unfinished business. I said last night, and I reiterate, that while it is not the most important of the supply bills, it is not the least important, and I hope it will be passed. It is a bill that deals with Indian tribes on one hundred and sixty-odd reservations; it contains appropriations of $15,000,000, affects $2,000,000,000 of property, and ought to pass. I am willing at any time, so far as I have any power or authority, to give way to any Senator who has any bill that he feels that might be imperiled by not being considered at this time. That is my attitude. I will yield to the Senator from Alabama in order to have the conference report on the Post Office appropriation bill considered; I will yield to the Senator from Nevada to allow him to have the conference report on the leasing bill considered; I will yield to any Senator for any purpose; but I do not want the Indian bill displaced.

Mr. LODGE. Mr. President, I merely desire to say a word in regard to the point of order. A conference report is privileged; that is, it can be presented to the Senate at any time, no matter what is going on; but its privilege is exhausted when the conference report is presented. If at the time of the presentation—that is, when the conference report is received—the question of consideration is raised, the vote must be taken without debate; but after the conference report has been before the Senate for several days I myself think that a motion to take it up is open to debate, because I think the privilege relative to cutting off debate on the question of consideration expires unless it is raised at the time of the presentation of the report. I think the ruling of the Chair, as I understand it, is correct.

The PRESIDING OFFICER. Touching the point of order, the Chair desires to state that it has been universally held that conference reports, after they have been received, lose their privilege. The Senator in charge of a conference report may at any time move to proceed to the consideration of that report; but that is an entirely different parliamentary procedure from raising the question of consideration.

When a conference report is presented to the Senate, it is in order at that time to raise the question of consideration—not to move formally to proceed to the consideration of the conference report, but the language used would be, "I raise the question of the consideration of the report presented"; and when that is done, under Rule XXVII it must be determined without debate. But after the conference report has been received, when at any subsequent time a motion is made to proceed to its consideration, the Chair still thinks, notwithstanding the observations of the Senator from Arizona, that that motion to displace the unfinished business is debatable.

The Senator from Arizona, of course, knows that he is at liberty to appeal from the decision of the Chair if he desires to do so.

Mr. ASHURST. Oh, Mr. President, I would not appeal from any decision that the present occupant of the chair might make, because he is so much more skilled and learned in parliamentary law than I am that it would be absurd for me to appeal from one of his decisions. I simply felt that the motion to proceed with the consideration of the conference report, under my view of the rule, was not debatable, that is all.

The PRESIDING OFFICER. The Chair thanks the Senator from Arizona.

Mr. SMOOT. Mr. President, the Senator from Colorado [Mr. SHAFROTH] has on two or three occasions called the attention of the Senate to the fact that this legislation has been before the Senate for six years. I have not had time to look up the RECORD, but I have no doubt but that if it were examined it would show that the Senator from Colorado has taken twice as many hours as any other Senator in this Chamber in trying to defeat just such legislation. Why the change? What has come over the spirit of the Senator from Colorado, that we shall now move quickly and immediately so that this legislation shall pass, and that it is very much more important than the great supply bills? There ought to be some reason assigned for it. If it is taken up this afternoon, then I shall want to occupy a very few moments of the time of the Senate.

The charge that is made by the Senator from Nevada [Mr. PITTMAN] that I am trying to hold up this report is unfounded. When it was first presented here the Senator from Nevada took one hour and a quarter. I occupied 45 minutes. The next day I had 5 minutes, making 50 minutes that I have occupied in stating my position—not how I was going to vote, but my position, and why I would not sign the conference report. To-day the Senator from Nevada takes 45 minutes more of the time of the Senate and others have had no time whatever to discuss it.

Now, these things look rather strange, Mr. President—they do, at least, to me. I can not see why the charge is made, and I do not know what object there is in it.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nevada?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. PITTMAN. I want to say that if the Senator will assure the Senate that he has not had any intention of delaying a vote on this matter and has not made any efforts, either directly or indirectly, to delay a vote on this matter, and has not any intention now of doing so, I simply apologize for my misinterpretation of his actions.

Mr. SMOOT. Mr. President, I have no power to assure the Senator what will become of the report; but I do say to the Senator that if the "Senator from Utah" had been treated as a gentleman in the conference he perhaps would have gone on and considered the bill in conference and said what he had to say in the conference. But I never was treated in a conference as I have been treated in the one considering the report, and that is one reason why I did not sign the report. I am not going to bring in any personal questions at this time. I simply said, when I first rose to speak upon it, that I desired to state why I had not signed the conference report, and then I started to state why, and I had, as I stated, 45 minutes then, and yesterday I had five minutes.

I want to say to the Senator now that I had no intention, and I have told the Senator from Colorado [Mr. SHAFROTH] I do not know how many times, that I had no intention of trying to talk this measure to death. The Senator from Colorado knows that.

Mr. SHAFROTH. Why, certainly; the Senator has told me that a number of times, Mr. President, and I have no doubt of it.

Mr. SMOOT. Therefore, Mr. President, I can not understand why there is this attitude of the Senator reporting the conference.

Mr. SHAFROTH. Not on my part.

Mr. PITTMAN. Mr. President, I do not understand the Senator yet.

Mr. SMOOT. Well, never mind. I am not going to take up the time to explain to the Senator if he does not already understand my attitude.

Now, Mr. President, I want to say that if the time of the Senate is to be taken up in discussion for the few days that are left of this session, it ought to be taken up upon those matters that are vital to the country. I am perfectly willing to remain here in this Chamber from early morning, if necessary, until late at night; I am perfectly willing to put in as many hours as any other Senator for the balance of the session; but I do not think any headway is going to be made by trying to force things at this time in the Senate. I have never seen any time gained in that way since I have been in the Senate. I know that all Senators are reasonable, and I know that if they are approached in even a spirit of common decency there will be no objection whatever to trying to get through with the legislation that we have to act upon.

I have never seen the situation as congested at the close of a session as it is to-day. I think it is impossible to get through with the supply bills. There are, however, some supply bills that carry appropriations for immediate needs; the appropriations are made immediately available; and, of course, if some of those appropriation bills are not passed, it will be a detriment to the departments interested in them.

Mr. CHAMBERLAIN. Mr. President, will the Senator yield?

Mr. SMOOT. I yield.

Mr. CHAMBERLAIN. Will the Senator permit me to present a conference report?

Mr. SMOOT. I shall be through in just a minute, I will say to the Senator. I have not any extended speech to make. I intend, Mr. President, to vote against taking up this matter and displacing an appropriation bill at any time.

UNIFORMS OF SOLDIERS.

Mr. CHAMBERLAIN. Mr. President, I present a conference report on House bill 13366, and I ask that it be considered.

Mr. PITTMAN. Mr. President, I desire to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PITTMAN. Is the presentation of a conference report in order while a motion is pending?

Mr. SHAFROTH. A motion to take up another conference report?

The PRESIDING OFFICER. It is in order.

Mr. CHAMBERLAIN. Mr. President, if Senators desire to have an explanation of the measure, I shall be glad to give it.

Mr. JONES of Washington and Mr. SMOOT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Oregon raise the question of the consideration of the report?

Mr. CHAMBERLAIN. I do.

The PRESIDING OFFICER. The question is, Shall the Senate proceed to the consideration of the conference report? That question is not debatable. [Putting the question.] The ayes have it. The Secretary will read the report.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13366) permitting any person who served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate amendment, insert the following:

"SEC. 3. That section 126 of the act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, be amended to read as follows:

"'SEC. 126. That an enlisted man honorably discharged from the Army, Navy, or Marine Corps, since November 11, 1918, or who may hereafter be honorably discharged, shall receive 5 cents per mile from the place of his discharge to his actual bona fide home or residence, or original muster into the service, at his option: *Provided*, That for sea travel on discharge, transportation and subsistence only shall be furnished to enlisted men: *Provided*, That Naval Reservists duly enrolled who have been honorably released from active service since November 11, 1918, or who may hereafter be honorably released from active service shall be entitled likewise to receive mileage as aforesaid.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment, insert the figure "4"; and the Senate agree to the same.

GEORGE E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.
S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

Mr. CHAMBERLAIN. Mr. President, the bill as it passed the House originally was simply a bill to give to the soldiers discharged from the Army their uniforms and overcoats and some equipment. That bill came to the Senate, and that part of it was passed by the Senate practically unchanged, except that two amendments were added to the bill. One was to allow these returning soldiers mileage to their homes or places of enlistment, and it also had a provision granting them one month's pay. The Senator from Washington [Mr. JONES], I believe, introduced that amendment. The committee broadened it somewhat and allowed 5 cents a mile either to their homes or to their places of enlistment, and allowed marines and men in the Navy the same rate of pay; so it broadens the bill to that extent, and gives a man the option of receiving mileage either to his home or to his place of enlistment.

The other amendment which the Senate added, and which the Senate conferees have agreed upon, was the one which allowed the soldier $30, one month's pay. We omitted that from the conference report because it is provided for in the revenue bill, and $60 was allowed instead of $30, as was contained in the original bill.

Mr. SMOOT. What is amendment No. 2? The Senate yielded on that amendment.

Mr. CHAMBERLAIN. I have called the attention of the Senate to the fact that that is the amendment that provided pay.

Mr. SMOOT. Then, No. 1 was agreed to with an amendment?

Mr. CHAMBERLAIN. With an amendment. We changed somewhat the amendment which was added to the bill by the House, enlarging its scope somewhat.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ENLISTMENTS IN THE ARMY.

Mr. CHAMBERLAIN. I present another conference report, on Senate bill 5279, relating to voluntary enlistments in the Regular Army.

The PRESIDING OFFICER. The Senator from Oregon submits another conference report, which will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5279) to authorize the resumption of voluntary enlistments in the Regular Army, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed by the amendment of the House insert the following:

"*Provided*, That from and after the approval of this act, one-third of the enlistments in the Regular Army of the United States shall be for a period of one year, and the remaining two-thirds thereof shall be for the period of three years. Any person enlisting under the provisions of this act shall not be required to serve with the reserves. The pay of the men enlisted hereunder shall be the same as that provided by the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917: *Provided further*, That after the expiration of one year those enlisting for the period of three years may be discharged in the discretion of the Secretary of War under such rules and regulations as may be prescribed by him after one year of service."

And the House agree to the same.

GEORGE E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.
S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

Mr. CHAMBERLAIN. Mr. President, I will state to the Senate with reference to the report that the Senate passed a bill which removed all restrictions against volunteering in the Army of the United States. That would have opened the door for enlistments for the term heretofore provided by law. The House amended that bill by requiring an enlistment for only one year, and after serving the one-year enlistment the men were to be discharged absolutely from the service and would not go into the reserves. There was a good deal of warm discussion on the subject in the House, and the House conferees were quite insistent that their amendment should prevail. We finally compromised by putting one-third of the volunteer enlisted force in for a year, two-thirds for three years, and not requiring them upon discharge to serve in the reserves. That is practically the substance of the report.

The PRESIDING OFFICER. The Chair calls the atttention of the Senator from Oregon to the fact that he is informed the papers in this case are not in the Senate.

Mr. CHAMBERLAIN. It may be that I am anticipating a little in presenting the report. The House has the first right

to act upon it, and the chairman thought they would act on it this afternoon.

The PRESIDING OFFICER. The Chair will suggest to the Senator that he let the report lie on the table for the present.

Mr. CHAMBERLAIN. I will let it lie on the table, although I am sure it has passed the House by this time.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection.

OIL AND GAS LANDS—CONFERENCE REPORT.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nevada [Mr. PITTMAN] to proceed to the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. SHAFROTH. Mr. President, the Senator from Utah [Mr. SMOOT] stated that I have discussed this question on this very bill many hours, perhaps more so than any other Member of the Senate. I wish to say to the Senator that while I have discussed this bill to some extent, he has gotten confused as to the subjects that were before the Senate when I did discuss the question. The water-power bill was the bill that I made the longest speech on, and also I spoke on the Alaskan bill. When those two bills were up I did take a good deal of time, and I think facts have demonstrated that it was time that was very properly taken, because the coal-leasing law for Alaska which passed Congress has proved an absolute failure. There has been no development whatever in that Territory regarding the mining of coal under the leasing system. There is a letter which we have from Secretary Lane which states that only four applications have been made for coal leases in Alaska in the last four years and a half, and that in that time two of them fell down because they could not be financed, and the other two were of a limited nature.

Mr. President, I did discuss that bill, and I tried to demonstrate to the Members of the Senate that it would prove a failure, for any person who knows the facts must know that capital will not lend money on a lease, and he ought to know that it never can be a success. Whenever the proposition comes up of lending money for the purpose of opening a coal mine or building a railroad to a coal mine they ask, "What is the title that you offer?" and when you say that you have a lease, they ask, "Can it be forfeited?" and you have to say, "Yes." Then they will say that is no security whatever to us. That is the reason why they are turned down, and that is going to be the case in every leasing system, in my judgment. Now, on the question of water power it is the same way.

Mr. JONES of Washington. Before the Senator proceeds with that branch I wish to ask him if that letter from Secretary Lane has been put in the RECORD? I do not doubt the statement of the Senator, but I should like to have the letter in the RECORD.

Mr. SHAFROTH. I will say that I have a copy of it in my pocket.

Mr. JONES of Washington. If it has not gone in the RECORD, I should like to have it appear there.

Mr. SHAFROTH. I think it was placed in the RECORD the other day.

Mr. JONES of Washington. Very well.

Mr. SHAFROTH. The Senator from Utah wanted to know why I was so anxious to get a settlement now when I was not so anxious to get one before.

Mr. SMOOT. Mr. President——

Mr. SHAFROTH. I will state to the Senator candidly that my position was because there was in the bill no alternative whatever, but it was a leasing proposition. It provided only for leasing, and that meant no development whatever to the western territory in my judgment. That being the case, it was natural that we should oppose those things; but we never got to the stage of a conference report. We never got to the stage even of passing the bill in the Senate, except the last one presented, which was a compromise bill, and that compromise bill was made under these circumstances, because it seems to me there ought to be some attention paid to that.

The Senator from New Mexico [Mr. JONES] was formerly Assistant Secretary of the Interior, and when he came to the Senate he asked why we could not agree upon a bill with relation to coal and other matters contained in this bill. I said, "We can if we give fair treatment." He said, "The Senator from Montana has a leasing bill solely and purely. You have an entry bill. Why can you not pass both the bills by consolidating them and give the option to the person who makes the entry or who applies for the lease? " We got together. We presented the arguments both ways and we reached a conclusion on a bill and submitted it to the Committee on Public Lands.

I want to say to the Senator from Utah that during all those negotiations I went to him—not once, but I went to him ten or twenty times—as to the matter that we were compromising on, and the Senator came to the committee when he was engaged in the consideration of the revenue bill, I think, and said that it was impossible for him to attend the meeting of the Committee on Public Lands, and authorized me to vote him; but he said if it was to be a straight-out leasing bill he would not consent to it under any circumstances.

Mr. SMOOT. Now, Mr. President——

Mr. SHAFROTH. Or if it was to be used as a means of getting it into conference by reason of that fact, so as to stifle our ideas that were contained in the bill, he did not want even to take up or consider the bill. Now, then, that was all right. That suited me, and I am with the Senator right now on this point.

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. SHAFROTH. I will yield for a question.

Mr. SMOOT. What the Senator has just stated happened over a year ago. It was not what happened in the conference on this bill.

Mr. SHAFROTH. Oh, no.

Mr. SMOOT. I want to say to the Senator that the bill we agreed to and the bill I authorized him to vote me for when I was engaged in the Appropriations Committee was not this bill at all. The alternative system, the sale or the lease of coal, is in this bill, but the way the conferees have it written it does not make a particle of difference in existing conditions. The Senator must admit that it is entirely in the hands of the Secretary of the Interior. But that is not what I rose to say. I simply wanted the Senator's statement not to carry the impression that I authorized him to vote me for this conference report.

Mr. SHAFROTH. No; I do not intend to do that.

Mr. SMOOT. What I am against is the conference report, that has been changed from the Senate bill in many particulars. One of the fundamental principles is that of all royalties to be collected under the Senate bill one-half would go to the States for schools and the building of roads, and that has been eliminated.

Mr. SHAFROTH. Mr. President——

Mr. SMOOT. I will not take the time of the Senator now, but I could go on and enumerate the others.

Mr. SHAFROTH. I want to conclude in a few words. It is true, as the Senator says, that there were several changes. Conferences are had for the very purpose of trying to get an agreement between the two Houses. It is true we had to strike out of the bill reported to the conferees the clause that the States should get one-half of the proceeds from the sale of coal over and above the minimum price which was prescribed. It is true we had to strike out also the provision that one-half should go to the States on the oil proposition.

But, Mr. President, the Senator is perfectly at liberty to vote against the bill by reason of that provision if he has any doubt about it. There are some other particulars that we agreed upon with relation to the bill that I had to yield on. I was as anxious as the Senator possibly could be to maintain an entry system, as we have developed in this country heretofore, but we could not get everything that we wanted. We have the very best measure that we could get. We fought the Secretary of the Interior, the Secretary of the Navy, and the Attorney General on the demands they made and we have at last got something that we did agree upon. It seems to me that after we have been for years and years reaching this agreement and have gotten a conference report which has been agreed to by the House, we ought to be permitted to make it the unfinished business, so that it can be disposed of, and when that is done you will find that the Senators who are interested in passing the supply bills through the Senate will not want the consideration to be long upon this conference report.

Mr. President, this is the most important measure that I have had any direct connection with, and it does seem to me that we ought to have a vote upon the conference report.

Mr. WALSH. Mr. President, I wish to say just a word, and that in the nature of an appeal to the Senator from Alabama and the Senator from Georgia and my associates on this side of the Chamber and Senators upon the other side who are familiar with this measure, to let us come to a vote upon it.

I recognize the devotion of Senators to their duties in pressing for the consideration of the appropriation bills, but I trust they will recognize the situation that confronts us now. It is peculiar and extraordinary. The vast interests that the people of the West have in this bill, I am sure, they can not possibly appreciate, or they would recognize that after four years of discussion and unfortunate division among ourselves a bill has finally been

presented by the conference committee that represents the judgment of the conferees of both Houses, and I venture to say has the overwhelming concurrence of the department.

The differences we have confronted were most unfortunate; but, as has been said by the Senator from Colorado [Mr. SHAFROTH], we have all yielded much of our positions about what the bill ought to be to the opinions of others. Each has surrendered something with respect to the matter and now after all these years we have a bill. Of course, its fate depends very largely, if not wholly, upon the vote we are about to take.

I can not believe, Mr. President, that the discussion of this conference report can possibly occupy more than a couple of hours at the outside. It is proper to say in this connection that the delay about the bill has been very largely due to what is known as the relief provisions to take care of persons who have developed oil properties in the West. Everybody who was directly interested has given away something. The oil men, who asked for considerably more than they get in the bill, are reasonably satisfied to take what is provided for them here. The department officials who were interested in the matter have waived much of their contentions, and we have a bill that represents the judgment of both Houses, I think.

I hope very sincerely that we may be able to get the conference report before the Senate, and I think we ought to have a vote upon it after a few hours of discussion.

Mr. UNDERWOOD. Mr. President, I think the time has come, which I think comes in every legislative body, when it has got to find and to map out a program of what it is going to do. That is always the case with the House and the Senate in the closing weeks of a Congress. We have got to determine what program is going to be pursued or we shall accomplish nothing.

I am in entire sympathy with the efforts of these gentlemen to get up the conference report, and, as a matter of fact, in the beginning I tried to cooperate with them. I realize the situation. I realize the importance of the bill to a large number of people in the United States, and I realize that after contesting here for years they have reached a conclusion and they are anxious to register a vote on it.

The bill has been here off and on for two days. If there was any absolute assurance that it could be disposed of in the next hour or hour and a half, for one I would be glad to get out of the way, but there is no assurance to that effect. The indications are, on the other hand, that a very considerable debate will go on.

Now, there are 14 great supply bills that are necessary to run this Government. Not one of them has been finally passed to a conclusion. The most of them have not been considered by the Senate. We have seven legislative days left in this Congress before it expires by law. The District appropriation bill is on the calendar of the Senate, the Diplomatic and Consluar appropriation bill is on the calendar of the Senate, the Indian appropriation bill is on the calendar, and the fortifications appropriation bill is on the calendar. Two of those bills were reported before this conference report came here. The naval appropriation bill and the Army appropriation bill and the Agricultural appropriation bill are in the Senate. The first two have not been reported. The sundry civil appropriation bill has not yet passed the House; neither has the general deficiency bill.

We might just as well take stock and realize where we are. If we are going to deliberately scrap these bills, we might as well recognize it and let everybody who has important business here get it out and go along, and let the supply bills take care of themselves. It is true that at an extra session of Congress you can take care of most of them, but some of them you can not take care of. You can not let the general deficiency bill go down with this session of Congress without seriously injuring some of the functions of the Government, because the deficiencies are to take care of matters resting between now and the 1st of July. There are appropriations in almost all these bills that need immediate consideration.

Mr. SHAFROTH. Is it not a fact that ninety-nine one hundredths of the matters that are contained in this bill do not become operative until the end of the fiscal year, and therefore if an extra session is called it seems to be inevitable that they can be taken care of without any trouble; but if this bill fails it is gone forever?

Mr. UNDERWOOD. I do not see why this bill could not be taken care of at an extra session, as well as the supply bills. An agreement has been reached now, and an agreement can be reached at an extra session. I am not saying that against this bill, because I am not against it, but I think the time has come for the Senate to either determine to put the supply bills to the front and keep them there to the exclusion of everything else that is contested—of course, there are many uncontested matters that can be considered—but to keep them to the exclusion of other contested matters or determine that we are not going to do it, and let the calendar take care of itself "and the devil take the hindmost."

I think, therefore, we ought to have a decisive vote on this question. I hope we can have a record vote and determine whether or not we are going to take up the supply bills. If this conference report is voted down, I take it the Senate will determine to take up the supply bills and keep them as the unfinished business until we dispose of them. If we are not going to take up those bills, then, of course, we might as well recognize the fact that most of the supply bills are going down.

I hope we can have a decisive vote on a roll call and determine what we are going to do.

Mr. PITTMAN. Mr. President, I agree with the Senator from Alabama that there should be a determination of policy, and that is the exact reason why I did not ask the Senator in charge of the unfinished business, the Indian appropriation bill, to agree to temporarily lay it aside so that we might go on with the conference report. I think the policy should be established. This is completed legislation, and we owe a duty to the other branch of Congress. The District appropriation bill has not been passed by this body. It is not legislation that is ready to be placed in conference now. It seems to me as a matter of policy conference reports should have precedence in all cases, because we are not only dealing with legislation which we initiate, but we are dealing with legislation that has been perfected by both Houses.

Mr. HARDWICK. Will the Senator state whether he thinks the supply bills should come here a week before the session ends?

Mr. PITTMAN. I do not desire to criticize anyone, but I do not think the supply bills ought to have come in a week before adjournment.

Mr. HARDWICK. There are two supply bills that ought to be taken up which came in long before the conference report.

Mr. PITTMAN. Then I should like to have had Senators press them at an earlier day.

Mr. HARDWICK. They could not be pressed.

Mr. PITTMAN. But the policy must be determined as to whether or not the Senate is going to recognize the priority of conference reports. In the House, as I am informed—I was so informed to-day—precedence is given to conference reports over everything else.

It was undoubtedly the intention of the rule established by this body that conference reports should be given precedence here. The language of the rule is unfortunate in that it may be construed that if a conference report is not voted on immediately when presented it loses its right of precedence; but the reason for its precedence exists just the same to-day as it did on the day it was presented. The only reason a vote was not demanded on the day that it was presented was out of respect for some of the Senators, and particularly the Senator from Utah [Mr. SMOOT], in order that they might have an opportunity of examining the report. I announced that day that I was going to ask for immediate action on it, but Senators here, including the Senator from Utah, suggested that they would object if it were intended to take it up immediately.

Mr. SMOOT. Mr. President, I think the Senator from Nevada is wrong in that statement. It may be that some other Senator made that objection. I do not really remember making any objection to the report. I do think, however, the Senator is perfectly correct in the statement he makes that when he presented the report he stated that he presented it and wanted it printed in the RECORD in order that Senators might examine it and see what the report contained. I do not remember any Senator objecting at that time, I will say to the Senator from Nevada.

Mr. PITTMAN. Mr. President, my memory may be incorrect, but I had thought the Senator from Utah stated he would object. However, whether that is so or not, I stated that I had no intention in the way of attempting to take advantage of any Senator reading the conference report.

As a matter of fact, the same reason exists now for giving the conference report precedence as existed on the day I presented it. The reason for the rule was that it was perfectly proper that completed legislation, which had been acted upon by the other House and by this body and came back as conference reports, should be acted on without delay. Now we are asked to allow a bill which has never gone into conference to be taken up and passed by this body, then go into conference, then come back to this body as a conference report. If that is to be the procedure of this body, we might as well know it.

I want a decisive vote on it. The question I want to determine in this matter is whether, when a bill has reached the completed state of a conference report, we are going to act on it or whether we are going to take up other bills that have never gone into conference.

Mr. SHEPPARD. Mr. President, it is essential that the conference report on the bill for the Fourteenth Decennial Census shall be agreed to by the Senate before this session expires. The proper preparation for the next census must be taken at an early day, if the census is to be properly and effectively taken. I would not, therefore, by my vote against this conference report desire to preclude the consideration of the conference report on the census bill or to give consent to a policy which would preclude a consideration of conference reports.

Mr. UNDERWOOD. Will the Senator from Texas yield to me?

Mr. SHEPPARD. Yes.

Mr. UNDERWOOD. There is no proposal at all to cut out conference reports on other bills or on supply bills where there is not a contest and where they may be disposed of within a reasonable time. That is always done.

Mr. SHEPPARD. I have heard some Senator say that he wanted to have the Senate establish the policy as to whether it would pass on supply bills or whether conference reports should be considered.

Mr. UNDERWOOD. Oh, no. What I said was that I hoped the Senate would determine on a policy as to whether they are going to take up the supply bills and finish them, to the exclusion of every other contested proposition. Of course, it does not apply to matters that are merely pro forma or which ordinarily go through; but if we do not adopt a policy and determine to take up the supply bills as a matter of policy and as a regular rule for the remaining days of the session, we can not possibly dispose of them.

Mr. THOMAS. Mr. President, just a word. The Democratic majority determined upon a policy about two weeks ago at a caucus. That policy was to keep the Senate in session day and night for the transaction of business upon the calendar. With the exception of two nights, we have paid no attention to our caucus agreement; and frequently there have been more Senators belonging to the minority here when roll calls were demanded than those who agreed among themselves to stay here and see that the business of the Senate was transacted. I want to see a policy established, but my experience is that we make policies by our votes and then abandon them by our actions. The chances are that the next seven days will be devoted, for the most part, no matter what bills are up, to the consideration of the league of nations and a discussion of matters which are entirely foreign to the business upon the docket. If we will stay here day and night, we can dispose of the conference reports and also the supply bills, provided that we will attend to the business of the Senate and let the discussion of these other matters go until they become concrete subjects of Senate consideration.

MEMORIAL SERVICES ON FORMER SENATOR HUSTING AND REPRESENTATIVE DAVIDSON.

Mr. LA FOLLETTE. Mr. President, I understand that it is probable that there will be a very late session of the Senate to-night, and at the request of a number of Senators who expected to take part in the memorial exercises which it had been planned to hold to-morrow in commemoration of the life, character, and services of the late Senator HUSTING and of the late Representative DAVIDSON, both of Wisconsin, I want to ask unanimous consent that the Senate hold a session beginning at 1 o'clock on the 2d of March to be devoted to the exercises that were expected to have been held to-morrow. I do this, I repeat, at the request of a number of Senators who had expected to take part in the exercises to-morrow. I have conferred with the senior Senator from Virginia [Mr. MARTIN] respecting the matter and also with the junior Senator from Virginia [Mr. SWANSON], who was present, and who rather approved of that action.

Mr. THOMAS. May I ask the Senator from Wisconsin why we can not go on with those exercises to-morrow?

Mr. LA FOLLETTE. For the reason that if we are to have, as the Senator himself has suggested, a very late session to-night it will interfere with the proposed memorial services to-morrow.

Mr. THOMAS. It should not interfere with them.

Mr. LA FOLLETTE. It will interfere with the preparation of a number of Senators who had expected to have made preparations this evening for the exercises to-morrow.

Mr. THOMAS. I have no doubt that there will be a later session of the Senate on the night of the 1st of March than there will be to-night. I do not object to the arrangement, but I am afraid the Senator will not gain anything by it.

Mr. LA FOLLETTE. I submit the request.

The PRESIDING OFFICER. The Senator from Wisconsin asks unanimous consent that the Senate convene on Sunday, March 2, for the purpose of holding memorial ceremonies in connection with the lives and services of the late Senator HUSTING, of Wisconsin, and the late Representative DAVIDSON, of that State, in lieu of the arrangement heretofore effective for to-morrow. Is there objection to the request? The Chair hears none, and it is so ordered.

Mr. LA FOLLETTE. Mr. President, may I inquire if it is necessary to have a roll call before the request is finally passed upon?

The PRESIDING OFFICER. The Chair thinks not. The rule which the Senator has in mind does not apply to an order of the character which has just been directed to be entered.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. PITTMAN. Mr. President, I now ask for a vote on my motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nevada.

Mr. UNDERWOOD. I ask for the yeas and nays.

The yeas and nays were ordered.

The Secretary proceeded to call the roll, and Mr. ASHURST responded in the negative.

The PRESIDING OFFICER. Without objection, the Chair will state—the Chair attempted to do so before ordering the roll call—that the question is on the motion of the Senator from Nevada [Mr. PITTMAN] that the Senate proceed to the consideration of the conference report on the so-called leasing bill. As many as favor the motion of the Senator from Nevada will vote "yea"; those who are opposed will vote "nay." The Secretary will resume the calling of the roll.

The Secretary resumed the calling of the roll.

Mr. CURTIS (when Mr. KELLOGG's name was called). I am requested to announce the unavoidable absence of the Senator from Minnesota [Mr. KELLOGG]. He is paired with the senior Senator from North Carolina [Mr. SIMMONS].

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL], which I transfer to the Senator from California [Mr. PHELAN], and vote "yea."

Mr. MARTIN of Kentucky (when his name was called). I transfer the general pair which I have with the junior Senator from New Hampshire [Mr. MOSES] to the senior Senator from New Hampshire [Mr. HOLLIS], and vote "yea."

Mr. SAULSBURY (when his name was called). I transfer my general pair with the senior Senator from Rhode Island [Mr. COLT] to the senior Senator from Virginia [Mr. MARTIN], and vote "yea."

Mr. SIMMONS (when his name was called). I transfer my general pair with the junior Senator from Minnesota [Mr. KELLOGG] to the senior Senator from Nebraska [Mr. HITCHCOCK], and vote "nay."

Mr. SMITH of Georgia (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE], who is absent. I therefore withhold my vote.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I announce the unavoidable absence of my colleague [Mr. SMITH of Michigan] and his pair with the senior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. THOMAS (when his name was called). I transfer my general pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the junior Senator from Arizona [Mr. SMITH] and vote "yea."

Mr. WEEKS (when his name was called). I transfer my general pair with the senior Senator from Florida [Mr. FLETCHER] to the Senator from Maine [Mr. HALE] and vote "yea."

The roll call was concluded.

Mr. NUGENT. I desire to announce the absence of the Senator from Maryland [Mr. SMITH] on account of illness. I ask that this announcement stand for the day.

Mr. PENROSE (after having voted in the affirmative). I observe that the senior Senator from Mississippi [Mr. WILLIAMS] has not voted. I have a general pair with that Senator, which I transfer to the senior Senator from Connecticut [Mr. BRANDEGEE] and will let my vote stand.

Mr. MYERS. I inquire if the Senator from Connecticut [Mr. MCLEAN] has voted?

The PRESIDING OFFICER (Mr. KIRBY in the chair). He has not.

Mr. MYERS. I have a general pair with the Senator from Connecticut, which I transfer to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. CALDER. I inquire if the junior Senator from Rhode Island [Mr. GERRY] has voted?

The PRESIDING OFFICER. He has not.

Mr. CALDER. I have a general pair with that Senator, which I transfer to the junior Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. CHAMBERLAIN. I have a general pair with the junior Senator from Pennsylvania [Mr. KNOX], which I transfer to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. SUTHERLAND. I transfer my general pair with the senior Senator from Kentucky [Mr. BECKHAM] to the junior Senator from Oregon [Mr. MCNARY] and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON];

The Senator from Illinois [Mr. SHERMAN] with the Senator from Kansas [Mr. THOMPSON]; and

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 28, nays 24, as follows:

YEAS—28.

Chamberlain	King	Pollock	Sutherland
Harding	Lewis	Pomerene	Swanson
Henderson	Martin, Ky.	Robinson	Thomas
Johnson, Cal.	Myers	Saulsbury	Wadsworth
Jones, N. Mex.	Nugent	Shafroth	Walsh
Jones, Wash.	Penrose	Sheppard	Warren
Kendrick	Pittman	Smith, S. C.	Weeks

NAYS—24.

Ashurst	Gore	Lenroot	Smoot
Calder	Gronna	New	Spencer
Curtis	Hardwick	Norris	Townsend
France	Kenyon	Overman	Trammell
Frelinghuysen	Kirby	Page	Underwood
Gay	La Follette	Simmons	Vardaman

NOT VOTING—44.

Baird	Fletcher	McKellar	Sherman
Bankhead	Gerry	McLean	Shields
Beckham	Goff	McNary	Smith, Ariz.
Borah	Hale	Martin, Va.	Smith, Ga.
Brandegee	Hitchcock	Moses	Smith, Md.
Colt	Hollis	Nelson	Smith, Mich.
Culberson	Johnson, S. Dak.	Owen	Sterling
Cummins	Kellogg	Phelan	Thompson
Dillingham	Knox	Poindexter	Watson
Fall	Lodge	Ransdell	Williams
Fernald	McCumber	Reed	Wolcott

So the motion was agreed to; and the Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

Mr. ASHURST. Mr. President, of course, I do not complain of the action which the Senate has taken. The Senate is the master. That, of course, displaces the Indian appropriation bill. It is no longer the unfinished business.

The PRESIDING OFFICER. That is the understanding of the Chair. The conference report is laid before the Senate as the matter for consideration.

Mr. PITTMAN. I ask for a vote, Mr. President.

The PRESIDING OFFICER. The question is upon agreeing to the conference report on the leasing bill.

Mr. LA FOLLETTE. Mr. President, I want to make a point of order which, I believe, lies against the conference report, and that is that the report contains new matter not acted upon by either branch of Congress.

The PRESIDING OFFICER. Under what particular rule does the Senator raise the point?

Mr. LA FOLLETTE. Under Rule XXVII, the second paragraph, on page 35 of the rules. It is a new rule, I believe. I will read the rule. It is as follows:

> Conferees shall not insert in their report matter not committed to them by either House, nor shall they strike from the bill matter agreed to by both Houses.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Nevada?

Mr. LA FOLLETTE. Not just at present. I should like to state my position first.

Mr. PITTMAN. I could not hear the Senator, by reason of the confusion. I thought he was debating the question.

The PRESIDING OFFICER. The Senator from Wisconsin raises the point of order that the conference report violates paragraph 2 of Rule XXVII.

Mr. SHAFROTH. Mr. President, I do not know whether we would waive anything; but the rule is well and clearly established that after debate has begun on a conference report, no point of order can be made.

The PRESIDING OFFICER. The Chair will say to the Senator that the Senator from Wisconsin has the floor, and he was recognized first after the report was laid before the Senate. He has the floor.

Mr. SHAFROTH. If my right to object is preserved, it is all right.

Mr. LA FOLLETTE. Mr. President, I should like without further interruption to get before the Senate the point of order that I desire to present.

The PRESIDING OFFICER. The Senator will proceed in order. He has the floor.

Mr. LA FOLLETTE. And I decline to yield until I have made the statement.

I cite, Mr. President, Rule XXVII, second section, page 35, which is as follows:

> Conferees shall not insert in their report matter not committed to them by either House, nor shall they strike from the bill matter agreed to by both Houses. If new matter is inserted in the report, or if matter which was agreed to by both Houses is stricken from the bill, a point of order may be made against the report, and if the point of order is sustained the report shall be recommitted to the committee of conference.

Mr. President, when the bill passed the Senate the section providing for the leasing of coal lands excluded from its scope coal lands in the Territory of Alaska. The House took similar action, so that, as a matter of fact, the House and the Senate were in agreement that this legislation should not apply to coal lands in Alaska. The conferees, in section 3, on page 2, of the conference report, absolutely and actually reversed the action of both Houses; and in the fourth line of section 3, on page 2, as the Chair will see, they changed the whole action of the two Houses by including the Territory of Alaska within the leasing provisions of this measure.

That states, I think, in a fairly plain way, the action of the conferees, and that action was directly in violation of this rule.

The whole purpose of the rule was to divest conferees from the power, which they frequently exercised, of going beyond the matter committed to them; namely, to adjust the differences and the disagreeing votes of the two Houses. Conferees had fallen into the habit of reporting to the Senate and to the House of Representatives new matter that had not been passed upon by either branch of Congress; and this rule, which is a comparatively recent addition to the Rules of the Senate, was designed to put an end to that practice.

It seems to me, if I correctly understand it, this is altogether the rankest violation of the rule which could be conceived. The conferees have not only introduced new matter into this bill, because neither of the bills was applicable to the Territory of Alaska, so far as coal lands were concerned——

Mr. PITTMAN. Mr. President, I will take issue with that in a few minutes, and I want to call the Senator's attention to that fact.

Mr. LA FOLLETTE. The Senator will have an opportunity to take issue with the entire matter that I am presenting in a few moments. The conferees have actually reversed the action of both Houses upon this matter. Each House specifically excluded coal lands in Alaska from the leasing provisions contained in section 3, so, as to that matter, both Houses were in perfect agreement. There was no difference to be adjusted. Notwithstanding this perfect agreement between the House and Senate bills, the conference committee bring in a bill that reverses the action of both Houses and subjects Alaska coal lands to lease under the terms of this bill.

I submit, Mr. President, that the point of order should be sustained, the conference report should be rejected, and the bill be recommitted to the conference committee.

Mr. PITTMAN. Mr. President, the Senator has urged that neither bill dealt with the sale of coal lands in Alaska. I call the attention of the Chair to page 2 of the comparative print of the Senate bill and the House bill. The House bill, found in the first column, does not attempt to deal with the disposal of coal lands in Alaska. In the next column the Senate bill reads as follows:

> That any citizen or any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State or Territory, or any municipality of any State or Territory, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within

any State or Territory of the Union not otherwise appropriated by competent authority, not exceeding 2,560 acres, upon payment to the receiver of not less than $10 per acre—

And so forth. There was a clear grant of that. Now, let me tell you why there was a clear grant of that in the Senate bill.

In the first place, section 1 of the Senate bill reads as follows:

That deposits of coal, phosphate, oil, gas, or sodium in land owned by the United States and not otherwise reserved shall be subject to disposition in the form and manner provided by this act to citizens of the United States—

That is section 1 of the Senate bill. That is on page 1 of the comparative print. The very first section of the bill provides for the sale and disposal under this bill of coal in the public lands of the United States. It goes on further and says:

Or to any association of such persons, or to any corporation organized under the laws of the United States, or of any State or Territory thereof.

Take that into consideration in connection with the coal provision of the Senate bill. If you take that into consideration, you will find that the Senate intended to apply the sale provision of coal to Alaska. Why? Because there was a law already in existence which provided for the leasing of coal in Alaska, but there was no law providing for the sale of coal in Alaska. It was the intention of the committee to give this optional provision of sale in all public lands owned by the United States.

When we came into conference this was the situation: The House had opposed the sale of coal lands under any consideration. They were willing, however, to extend the sale provision except with regard to Alaska; but the Secretary of the Interior wrote a letter to Mr. SCOTT FERRIS, the chairman of the Public Lands Committee of the House and the chairman of the House conferees, asking him to allow the Senate provisions that did extend to Alaska to continue to extend to Alaska. There was nothing to it except that the Senate provisions were adopted, and that is the situation as it stands to-day.

The PRESIDING OFFICER. The Chair will ask the Senator if there is any significance to the words "and not otherwise reserved," on line 4, page 1, of the Senate bill, the clause reading:

Oil, gas, or sodium, in land owned by the United States and not otherwise reserved.

Mr. PITTMAN. The only land in Alaska that is reserved consists of naval reserves, oil reserves, and timber reserves. All other public lands of the United States were thrown open to the action of this bill by the provision of the Senate bill itself. There is, of course, a distinction between lands that are withdrawn from the operation of the law and lands that are reserved. There are 44,000,000 acres of coal land that have been withdrawn from the operation of existing law and 6,000,000 acres of oil land; and that was the reason of the necessity of this bill, to open up those lands. Those lands are withdrawn lands, but not reserved lands.

There are coal lands in Alaska that are not reserved, that are subject to sale under the provisions of the Senate bill; and the Secretary of the Treasury recognized that fact when he wrote the letter that has been placed in the RECORD, stating that he favored the sale provision as far as Alaska was concerned, as the leasing provision had so far been a failure.

As the situation stands, the whole question is this, and there is but one question: It is whether or not the language "vacant coal lands of the United States within any State or Territory of the Union" covers all of the public lands of the United States, as described in section 1 of the act. Section 1 of the act states that deposits of coal, phosphate, oil, gas, or sodium in land owned by the United States shall be subject to disposition under this act. In the next section we expressly provide for the sale of coal lands in the United States within any State or Territory of the Union. Now, if there is any question as to what the word "Territory" means it must have had some meaning on the part of Congress, because there is no Territory in the United States proper; but there is a Territory in the Union, and that Territory is the District of Alaska—a Territory with a legislature, with a governor, and with a Territorial form of government. It is the Territory referred to in the act passed by the Senate.

The PRESIDING OFFICER. The Chair will ask the Senator, before he finishes the discussion, if the expression "land owned by the United States" includes lands in Alaska, what is the purpose of putting in the words "including Alaska" in this conference report?

Mr. PITTMAN. I will state that very thing—because it was urged that a court might raise the question as to whether or not the Senate meant by "Territory of the Union" the District of Alaska; and while it was contended by the Members of the Senate committee that it could not mean anything else but Alaska, it was considered that there was no harm in putting in words that meant exactly the same thing if anybody wanted them put it.

Mr. WALSH and Mr. LENROOT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nevada yield, and if so, to whom?

Mr. PITTMAN. The Senator from Montana attracted my attention first. I will yield to him, and then to the Senator from Wisconsin.

Mr. WALSH. I rose to inquire whether or not Hawaii is a Territory?

The PRESIDING OFFICER. In order that the Senator may have this whole matter before him, the Chair calls attention to page 4 of the comparative print, where both the Senate bill and the House bill expressly declare "outside of the Territory of Alaska."

Mr. PITTMAN. That is not in the sale provision of the bill. That is in regard to the leasing provision of the bill. I now yield to the Senator from Wisconsin.

Mr. LENROOT. I wish to ask if the conference report in the leasing provision does not read "including the Territory of Alaska," instead of "outside the Territory of Alaska," being exactly contrary to what both Houses had agreed upon as to the leasing of coal.

Mr. PITTMAN. I want to get through with one question at a time. Of course, I anticipated that that would be an objection, and I am going to present my view of it. I think in so far as the sale provision of coal is concerned that is plain. Now, then, coming down to the leasing of coal lands in Alaska, if the Senate bill provided for the sale of coal in Alaska and the House bill had no provision with regard to the disposal of coal in Alaska, then what is the situation? The situation is, may the Senate bill be modified? That is the status. The Senate bill provided for the passing of the title to coal lands in Alaska. The House bill did not provide for the passing of any title in Alaska, and a compromise was reached granting a lesser title than the Senate bill called for. Let me call attention to a provision of the Constitution of the United States touching that point. In Article IV of the Constitution we have this language:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States.

"Power to dispose of." When the proposition to lease public lands for coal or oil was first urged in this country those who were opposed to the leasing system questioned the authority of Congress under the Constitution to lease lands under the term "right to dispose of." They never questioned the right to sell but the right to lease. It was held, however, by the courts that the power to grant the greater title necessarily carried with it the power to grant a lesser title. The Senate bill, in dealing with coal in Alaska, provided for the conveyance of the highest title, a patent. The House had no provision on the subject. The House conferees said, "We will agree that you may have your sale power provided we have our conveyance of a lease power which is a lesser right." The whole subject matter was certainly in conference between the two Houses.

Now, what was the subject matter submitted to the conferees? It was whether or not the Secretary of the Interior should have the right to dispose of coal lands in Alaska. This body has said he should have the right to dispose of it by patent. The House had no provision. The subject matter under consideration by the conferees was the provision authorizing the Secretary of the Interior to pass title to coal lands in Alaska. The House conferees said, "We will not accept that provision in toto, but we will accept that provision for the sale of coal lands in Alaska provided that the Secretary of the Interior may grant a lesser title if he sees fit."

I think I have made my position clear. The Senator from Wisconsin [Mr. LENROOT], in my opinion, was in error in his description of the bill.

The PRESIDING OFFICER. The Chair is ready to rule, but does not wish to do so if there is any other Senator who cares to discuss the matter.

It is the opinion of the Chair that when the two bills specifically provide for leasing land and each one of them says "outside the Territory of Alaska," that that would exclude the conference committee from including a provision in the report relating to the leasing of lands including the Territory of Alaska. That is the idea of the Chair. In answer to the suggestion that the greater power to sell would include the power to lease, it could have no relation to this question, because these are separately dealt with in the bill.

Mr. WALSH. If the Chair has not made up his mind conclusively about the matter, I think after due consideration the Chair might change his opinion and adopt another view.

I do not believe, Mr. President, that it is possible to extract an item like this out of a bill of this character and make it subject to a point of order under Rule XXVII. So far as the sale provisions are concerned I think there is really no answer to be made. The House bill expressly excludes Alaska from the provisions of the bill and the Senate bill clearly provides for the disposition of coal lands in any State or Territory in the Union. Alaska is undoubtedly a Territory of the Union, so that Alaska was included within the sale provision of the Senate bill and excluded from the sale provision of the House bill. I think there can be no controversy about that. Accordingly, Mr. President, it seems to me that there is no question about the bill being invulnerable so far as the sale provision is concerned.

Now, I turn to the leasing provision. There were very radical differences between the House bill and the Senate bill evidencing wide differences in policy concerning the disposition of these public lands. The House conferees gave way practically to the Senate conferees with reference to the sale provision; and you will observe that the Senate conferees gave way practically to the House conferees in relation to the leasing of the land as provided in section 3. The Senate conferees might very easily say, "We will not assent to the House provision in relation to leasing unless the provision extends to Alaska also."

Mr. President, why does not that come within the power of the conferees? Suppose a plan proposed by the House for the disposition of all lands except those in the State of Montana and a totally different provision in a Senate bill concerning the disposition of all lands except in the State of Montana. The conferees get together and they devise a system that is not wholly in accord with the ideas of the Senate or of the House. For instance, the side that gives in says, "We will not assent to it unless it is made general for the Union."

So we have that situation here, Mr. President. The Senate conferees practically assented to the leasing provision in the House bill. The Senate conferees were willing to exclude Alaska from the operation of the bill, which they proposed if their bill should become a law. They were quite willing that the coal lands of Alaska should remain subject to disposition under the special laws in relation to Alaska. but they said in substance that as the House provision is going to be adopted concerning the disposition of coal lands within the United States we insist that it shall be extended over Alaska. Now, why is not that entirely proper? Why is not that a proper compromise for the conferees to make?

I submit, Mr. President, that it falls within the general subject.

Mr. LENROOT. I should like to ask the Senator how he contends that the matter of leasing in Alaska was submitted to the conferees at all when it had been expressly excluded in both bills?

Mr. WALSH. There was submitted to the conferees the subject of the disposition of coal lands throughout the Union, the Senate conferees agreeing that if their bill should become a law they were willing it should not extend to Alaska; but they said, "If the House bill is to become a law, we shall insist that the law shall extend over all of the public lands of the United States." Now, what is wrong with that?

Mr. LENROOT. If the Senate should pass a leasing bill with relation to Alaska, and the House should pass no leasing bill with reference to Alaska, but a bill of a different kind, does the Senator contend if that bill went into conference the conferees would have the authority to extend the bill to the United States?

Mr. WALSH. That is a different question.

Mr. LENROOT. It is exactly the same question.

Mr. WALSH. It is a different question; it is a question between the substance of the bill and the exception.

Mr. CURTIS. Mr. President, having proposed this amendment to the rule, I have taken considerable interest in its enforcement, and I want to call the attention of the Chair to the language that, it seems to me, makes this conference report subject to a point of order. In section 3 of the House bill, as pointed out by the Chair, the leasing provision provides "owned by the United States outside of the Territory of Alaska." Identically the same language is used in section 3 of the Senate bill. In section 3 of the conference report the language is "including the Territory of Alaska."

I desire to call the attention of the Chair to a decision made April 18, 1918, by Vice President MARSHALL on a point of order which I raised against the Indian appropriation bill. The Indian appropriation bill as it passed the Senate used the words "including oil and gas leases." In conference the word "including" was changed to "except," and the Vice President, upon the point of order raised by me, held that the conferees had exceeded their authority, because they had changed the entire situation.

It seems to me that in section 3 the conferees did exactly the opposite of what was voted in the House and voted in the Senate, and I think the point of order is well taken.

Mr. SHAFROTH. Mr. President, I wish to call attention to the time when a point of order can be raised. I read from Hinds' Precedents at section 6440:

A point of order as to a conference report should be made before the consideration of the report has begun.

This report has been discussed for three days; and if the speeches that were made upon it really did not relate to it, they were still considered as being on the conference report.

Mr. NORRIS. Will the Senator yield?

Mr. SHAFROTH. Yes; I yield.

Mr. NORRIS. Is that a citation from a House precedent or a Senate precedent?

Mr. SHAFROTH. From a House precedent.

Mr. NORRIS. Does not the Senator know that the rule in the House and in the Senate is entirely different; that in the House that precedent is good, but in the Senate one can make a point of order at any time?

Mr. SHAFROTH. But there is every reason in favor of it. Is it possible that you can discuss a measure and use up the time of the Senate for days and days and then raise a point of order that would make all the discussion immaterial?

I wish to read this:

On March 3, 1899, the House was considering the conference report on the disagreeing votes of the two Houses on the river and harbor appropriation bill.

The statement of the conferees was read, and the reading of the report was dispensed with by unanimous consent, except as to certain portions, which were read.

Debate having begun, Mr. William P. Hepburn, of Iowa, proposed to raise a point of order against the portion of the report relating to the Nicaraugua Canal.

Mr. Theodore E. Burton, of Ohio, raised the point of order that the point of order of the gentleman from Iowa came too late.

The Speaker said:

"The Chair thinks the point of order was not taken at the proper time. Nothing is better settled than that a point of order must be raised prior to discussion."

Mr. President, it is true there is in this bill, with relation to leasing, a proposition not including Alaska because Alaska had a leasing law, but it must be remembered that when the Senate passed its bill it went over to the House and the House struck out all the provisions of the bill and adopted the provisions of a separate bill in entirely different language.

Mr. NORRIS. May I ask the Senator a question?

Mr. SHAFROTH. Yes.

Mr. NORRIS. Does the Senator contend that the rule of the House on this point is applicable to the Senate?

Mr. SHAFROTH. I do not see anything to the contrary.

Mr. NORRIS. Will the Senator let me read Rule XX of the Senate?

Mr. SHAFROTH. All right.

Mr. NORRIS. Rule XX of the Senate reads:

A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate.

Mr. SHAFROTH. It seems to me that is not on this point.

Mr. NORRIS. That is one of the Senate rules.

Mr. SHAFROTH. The question of order there relates to whether you are not going to take one bill up or another, and that it could not be discussed at certain stages. It relates to the order of the Senate with relation to its calendar. It does not relate to the question of raising a point of order in this case, because it is absurd to let a discussion occur for three days upon a measure and then let a Senator raise a point of order against it and knock the entire measure out.

The PRESIDING OFFICER. The Chair is ready to rule.

Mr. NORRIS. Does not the Senator know that that has been the practice of the Senate, that it is continually done, and that a point of order can be made after debate has gone on for two or three days?

Mr. SHAFROTH. I do not think that can be done. It has not come under my observation.

Mr. CURTIS. Will the Senator allow me?

Mr. SHAFROTH. I yield.

Mr. CURTIS. I wish to read just one decision. This question was raised before Vice President MARSHALL May 19, 1914, and the Vice President in deciding the question said a point of order could be raised at any time and so held. I read:

Mr. MCCUMBER submitted an amendment to the Agricultural appropriation bill, and, while occupying the floor, Mr. REED made a point of order.

Mr. MCCUMBER. I have not yielded, and I do not think in the middle of another Senator's address the Senator can raise the point of order. I raise the point of order that the Senator can not be recognized for that purpose without my consent.

Mr. REED. A point of order is always in order.

Mr. McCUMBER. The Senator can rise to a parliamentary inquiry.

The VICE PRESIDENT (Mr. MARSHALL). The rules of the Senate are to the effect that a question of order may be raised at any stage of the proceedings. The Chair will read the rule:

"A question of order may be raised at any stage of the proceedings, except when the Senate is dividing."

So the Senator from Missouri, if he desires to make a point of order, has the right to do so now.

Mr. SHAFROTH. Mr. President, it does seem to me——

The PRESIDING OFFICER. The Chair does not care to hear any more discussion on that particular point. The Chair takes this view——

Mr. SHAFROTH. Then let me present my view on the other point, Mr. President.

The PRESIDING OFFICER. The Chair has the Senator's view on the other point; and upon the other point, if the Chair assumed that the precedent which the Senator cited was of weight or ought to have weight here, he would not rule in favor of the Senator's contention on that point. Until this matter was taken up it would not have been in order to have raised the point of order. There is no use of a Senator getting up and making a point of order against a conference report that may or may not be taken up. After this conference report had been declared to be the unfinished business and had been taken up, the first thing which was done was the making of a point of order by the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. SHAFROTH. No; the Chair must remember that this conference report was taken up three days ago; it was again taken up two days ago and passed over by the Senate, and it was discussed. There is no doubt about that, Mr. President.

The PRESIDING OFFICER. It was taken up at that time for adoption and declared to be the unfinished business.

Mr. SHAFROTH. And the other was also taken up for adoption.

The PRESIDING OFFICER. The Chair did not know that.

Mr. SHAFROTH. Oh, yes; there is no doubt about that. The motion was made by the Senator from Nevada [Mr. PITTMAN].

The PRESIDING OFFICER. The Chair was only assuming that under that state of case the point of order is in time. The Chair has no disposition, however, to insist that he is absolutely correct about it; and if any Senator is disposed to disagree with the Chair on that point, an appeal will lie to the Senate. On the other point, unless some other Senator cares to discuss the matter, the Chair will say that his mind is made up.

Mr. SHAFROTH. Mr. President, let me discuss this matter a little further, for the situation with reference to this bill is somewhat different from that which relates to conference reports on many other bills. This bill is really made up of two bills. The Senate passed a bill which provided for the title to the land being passed, the contention being made in the Senate that there would be no development unless the title should be passed. It is true that, so far as Alaska is concerned, a leasing system applies there already, and so it was not thought necessary to include Alaska in the House bill.

When the House came to consider the matter they did not want any title to pass at all to the coal lands. When the theory was accepted that the coal lands might be disposed of by sale, that evidently carried with it any subordinate title. It is similar to the greater including the less.

Now, I want to call attention to a letter which was written by Secretary Lane while this matter was being considered by the conferees:

THE SECRETARY OF THE INTERIOR,
Washington, February 1, 1919.

MY DEAR MR. FERRIS: On December 10, 1917, you transmitted a copy of resolutions passed by the Cordova (Alaska) Chamber of Commerce with reference to the pending general leasing bill and particularly with reference to deposits of coal and oil. One of the matters urged was that the pending bill be modified so as to make its provisions relating to the sale of coal lands applicable to Alaska. In my reply of January 4, 1918, I advised you, in effect, that the reason this provision was not included was that there is now a special leasing law applicable to that Territory, enacted October 20, 1914 (38 Stat., 741), and that this law had not been in operation long enough for the department to determine whether it will be successful and adapted to the development of Alaska's coal resources.

Since the above letter was written there has been further opportunity to learn whether the Alaska coal-leasing bill is suitable to conditions in the Territory, and I have concluded that it is not entirely so. There has been but little inquiry for these lands and only limited development. Four leases were granted under the present law, and but two of these were able to finance the small operations thus far begun.

After further study of the situation I have come to the conclusion that perhaps the field would be more inviting to coal operators if title were granted as in the States, especially since Alaskan operations are so far away from the bases of labor and supply.

I therefore recommend that Alaska be placed on the same footing as the States in the pending bill, and that operators in that field have the same choice of lease and purchase as accorded elsewhere. Otherwise, Alaska coal lands will remain in a disadvantageous position.

Mr. SMOOT. Mr. President——

Mr. SHAFROTH. I decline to yield.

The PRESIDING OFFICER. The Senator from Colorado declines to yield.

Mr. SHAFROTH. The letter continues:

The Territory of Alaska is now included in the oil provision of the bill, thus giving it the same law as the States, which will be an advantage in the administration of the law, because the same rulings would apply to both the States and the Territories and will obviate the necessity of administering and construing two different laws on the same subject.

I am therefore of the opinion that not only would it be in the interest of the development of the Alaska coal lands to have the provision of the pending bill made applicable to Alaska, but that it would also be conducive to good administration of the laws.

Cordially, yours,

FRANKLIN K. LANE.

Hon. SCOTT FERRIS,
Chairman Public Lands Committee,
House of Representatives, United States.

Mr. President, it can readily be seen, there being in the House bill nothing with relation to the disposition of land, except as to leasing it, that whenever there is introduced and allowed, as was done in the Senate bill, the sale of lands, it becomes a subject of proper consideration between the House and the Senate as to whether or not this provision does modify the situation so far as it requires, in the interest of good administration and in the interest of beneficial laws, that that situation should prevail.

Mr. President, we know that when one House passes a bill and the other House strikes out the provisions of that bill and inserts another bill, very liberal latitude is given to conferees. I call attention to the fact that that is the general rule. I read from Hinds' Precedents the following:

SEC. 6421. Where one House strikes out all of the bill of the other after the enacting clause and inserts a new text and the differences over this substitute are referred to conference, the managers have a wide discretion in incorporating germane matters, and may even report a new bill on the subject. On March 3, 1865, Mr. Robert C. Schenck, of Ohio, from the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 51) entitled "An act to establish a bureau of freedmen's affairs," reported that the Senate had receded from their amendment, which was a substitute, and the committee had agreed upon, as a substitute, a new bill entitled "An act to establish a bureau for the relief of freedmen and refugees."

As soon as the report had been read, Mr. William S. Holman, of Indiana, made the point that the report did not come within the scope of the conference committee.

The Speaker said:

"The Chair understands that the Senate adopted a substitute for the House bill. If the two Houses had agreed upon any particular language, or any part of a section, the committee of conference could not change that; but the Senate having stricken out the bill of the House and inserted another one, the committee of conference have the right to strike out that and report a substitute in its stead. Two separate bills have been referred to the committee, and they can take either one of them, or a new bill entirely, or a bill embracing parts of either. They have a right to report any bill that is germane to the bills referred to them."

That latitude has been generally allowed. This new provision comes. It does refer to some other matter, but it can readily be seen that when the Senate passes a bill which provides for the disposition by sale—a higher title than a leasehold, as provided in the House bill—and the measure goes to conference that changes the situation entirely; and, as the Senator from Montana [Mr. WALSH] has stated, it is a proper subject of dispute between the two Houses; and if it is a proper subject of dispute as to what is best to be done, in view of the agreement on that part of the Senate bill which relates to the sale of land, it is a subject which properly comes within the scope of the conferees.

Mr. President, this is a very important matter, for if the point of order is sustained it practically disposes of the bill.

The PRESIDING OFFICER. If the Senator will desist, the Chair's mind is made up on that point, and a precedent that was established some years ago could hardly be of weight now in view of the new rule which provides expressly what shall be done.

Mr. SHAFROTH. Mr. President, I wish to restate one point. The first clause of the Senate bill provides:

That deposits of coal, phosphate, oil, gas, and sodium in land owned by the United States—

This land is owned by the United States—

and not otherwise reserved—

It is not applicable to that which is reserved—

shall be subject to disposition in the form and manner provided by this act to citizens of the United States, or to any association of such persons, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, and in the case of coal oil, or gas to qualified municipalities.

Alaska, of course, is a Territory.

Mr. President, the House bill provided:

That deposits of coal, phosphate, oil, oil shale, or gas, owned by the United States, including those in national forests, the Grand Canyon national monument, and the Mount Olympus national monument, but excluding those in national parks, and in lands withdrawn or reserved for military or naval uses or purposes, except as hereinafter provided,

shall be subject to disposition in the form and manner provided by this act to citizens of the United States, or to any association of such persons, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, and in the case of coal, oil, oil shale, or gas, to municipalities.

Not only was there a reference to Territories, but in the Senate bill, under the caption of "Coal," the provision is found—

That any citizen or any association composed of persons severally qualified by law to enter coal lands, or any corporation incorporated under and by virtue of the laws of any State or Territory, or any municipality of any State or Territory, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States within any State or Territory of the Union not otherwise appropriated by competent authority—

That makes a disposition of the land. The conferees came together, and the Senate conferees said, "We want that provision to remain, and we want a provision by which the Alaskan lands can be included under the provisions of the bill, as the Secretary of the Interior desires, and be administered under the same law." That makes a different situation, and because of that different situation, and under the liberal rules governing the action of conference committees when the entire bill passed by one House is stricken out and a substitute is inserted by the other House, it seems to me that the provision with reference to Alaska is relevant, and that, therefore, the point of order is not well taken.

The PRESIDING OFFICER. The Chair holds that, under Rule XX, the point of order is made in time, and that under the second section of Rule XXVII the point of order should be sustained. The language of the sections of the House bill and of the Senate bill, as printed in parallel columns, shows that only that portion of the public domain outside of the Territory of Alaska was included, and that, so far as can be gathered from the provisions of the bills passed by both Houses, the matter as affecting Alaska was not intended to be submitted to conference. So the conference report on that point is beyond the authority of the conferees; and the Chair rules that the point is well taken and sustains it.

Mr. PITTMAN. Mr. President, a parliamentary inquiry. What further action is to be taken?

The PRESIDING OFFICER. The Chair holds that the point is well taken, and he therefore sustains the point of order and recommits the report to the conference committee, unless some other order is made. That is what the rule provides.

Mr. PITTMAN. It is recommitted to the same conferees?

The PRESIDING OFFICER. It is recommitted to the same conferees. Unless there is an appeal from the decision of the Chair, it will stand.

Mr. McKELLAR. I move that the Senate proceed to the consideration of Senate bill 4637.

Mr. PITTMAN. Just a moment, Mr. President. I rise to a parliamentary inquiry. Has the conference report been recommitted?

The PRESIDING OFFICER. The conference report is recommitted to the conference committee under the provisions of the rule, which reads, in part, as follows:

A point of order may be made against the report, and if the point of order is sustained, the report shall be recommitted to the committee of conference.

The point is sustained, and the report is directed to be recommitted to the committee of conference.

RETIREMENT OF FEDERAL EMPLOYEES.

Mr. McKELLAR. I move that the Senate proceed to consideration of the bill (S. 4637) for the retirement of employees in the classified civil service.

Mr. POMERENE. Mr. President——

Mr. McKELLAR. I have the floor, and have made a motion.

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Ohio?

Mr. McKELLAR. I yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, I had supposed we were going on with the appropriation bills. There was no notice given that this measure was to be taken up at this time; and, more than that, when it does come up I shall ask the privilege of being heard at length upon it.

Mr. McKELLAR. I have no objection to the Senator being heard on my motion, but I ask the Senate to pass upon it.

The PRESIDING OFFICER. The motion is debatable.

Mr. JONES of Washington. Mr. President——

Mr. McKELLAR. If the Senator from Washington desires me to yield to him, I will do so; but I should like to make a statement concerning the motion I have made.

Mr. JONES of Washington. I will tell the Senator what I want to do.

Mr. McKELLAR. I yield.

Mr. JONES of Washington. Mr. President, this is the birthday of George Washington. Our thoughts all go back to his patriotic services for the country, especially at this time, and I think it would be extremely appropriate for the Senate to adjourn out of respect to his memory.

Mr. McKELLAR. I should like to say to the Senator that all I ask is that this bill be made the unfinished business. If it is, I shall not ask to proceed with its consideration to-night, but will yield to the Senator to make his motion to adjourn.

Mr. President, the bill which I have asked the Senate to take up has been read and considered. There is no reason in the world why the Senate should not pass upon it, and all I ask is that the Senate pass upon it finally. It ought not to take any time at all. Senators certainly are willing to vote on this measure, and that is all I ask, that it be finally voted on. I hope that we may make it the unfinished business, and proceed with it.

Mr. POMERENE. Mr. President, this is the retirement bill——

Mr. McKELLAR. It is the retirement bill, and I hope the Senator will not object, but will permit it to come to a vote.

Mr. POMERENE. Yes; I will object to its coming up at this particular time. I do not think it is quite fair to call this bill up when it was understood that an appropriation bill was to be taken up. It is true that the Indian appropriation bill was displaced by the conference report; but after the conference report was acted upon, it was understood that one of the appropriation bills was to be presented to the Senate, and now in the very closing hours of the session the Senator is trying to force upon this Government a system which is going to cost this Government no man knows what.

I am entirely in sympathy with the idea of a retirement bill; I have been working to that end for several years; but I do not believe that an attempt should be made now, when there are only a few Senators present, to bring up a matter of this kind, which is involved in character and which no man can understand unless he carefully studies it.

I have taken pains to collect some data upon this subject, and I want to present at length the information I have when we get to a time when we can possibly get our minds down to this subject.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. POMERENE. Yes.

Mr. McKELLAR. I will say to the Senator that the Senator has been making that same statement to the Senate for months—not for weeks, but for months—and he made it so successfully that he even got his bill substituted. Surely if the Senator is in favor of any kind of a retirement bill, he is willing for the Senate to vote on it.

Mr. POMERENE. Mr. President, I have a right to hope that the Senator will state the situation accurately.

Mr. McKELLAR. The Senator will certainly admit that I held back the vote on this bill time after time to allow him to get a chance to get his data together so as to speak upon it.

Mr. POMERENE. No, Mr. President; that is only a part of the story. It is true that for several days it was held back until I could get certain data together. I presented them to the Senate, with the result that my substitute bill was adopted, and it is now on the calendar. After it was adopted the Senator refused to allow it to be further considered.

Mr. McKELLAR. Not at all. I am asking that that very bill be considered now. I am trying to get a consideration of the Senator's own substitute. The Senator is here talking against his own substitute.

Mr. POMERENE. No, Mr. President; I am not talking against my substitute, but I do not know what the plans are about this matter. There is not a quorum present here, and probably——

The PRESIDING OFFICER (Mr. LEWIS in the chair). The Chair will ask who holds the floor, as the present occupant of the chair has but recently taken it?

Mr. McKELLAR. I think I hold the floor.

Mr. POMERENE. If so, I will surrender the floor.

Mr. McKELLAR. But I yield to my friend from Ohio.

The PRESIDING OFFICER. The Chair would like to know who is in control of the floor, having been so recognized by the previous occupant of the chair. Does the Senator from Tennessee contend that he has the floor by virtue of recognition by the predecessor of the present occupant of the chair?

Mr. McKELLAR. Yes, sir; and I have yielded to the Senator from Ohio.

The PRESIDING OFFICER. The Chair then recognizes that the Senator from Tennessee [Mr. McKELLAR] holds the floor by virtue of previous recognition, and he yields now to the Senator from Ohio, and the Chair recognizes the Senator from Ohio. Does the Senator desire to address the Senate?

Mr. McKELLAR. Let us have a vote on the subject.

Mr. POMERENE. No, Mr. President; I will not consent to a vote being taken to-night upon this subject, and I want to appeal to the Senators who are here. The statement has been made throughout the length and breadth of this land that this was a so-called half-and-half bill; that is, that the employees were to pay half and the Government was to pay half of the expense of these annuities. A greater misrepresentation than that has never been made to the public about any bill that has been before the Senate.

Mr. McKELLAR. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Tennessee?

Mr. POMERENE. Yes.

Mr. McKELLAR. The Senator certainly knows that the Senate has already substituted the Senator's own bill for the half-and-half plan that was reported by the committee. Is the Senator unwilling that his own substitute shall be voted on?

Mr. POMERENE. No, sir; I am not; but——

Mr. McKELLAR. Then why does the Senator take this course?

Mr. POMERENE. If the Senator will permit me, I will tell him in a few words. After the substitute was adopted, the Senator from Tennessee refused to allow it to come to a vote when the Senators were here who were reasonably well-advised with regard to it; and now, when there are only a few Senators here, he insists on foisting it upon the Senate.

But I was discussing another branch of this subject.

A lot of these young girls and young boys in the service have been led to believe that if the so-called McKellar bill was adopted the Government would pay one-half of the expense, and they would be charged only one-half of the expense, and that would be 2½ per cent of their salaries. They have not been advised, however, that the 2½ per cent will pay almost the entire cost of their annuity, and that if they should be fortunate enough to go along to a point where their salaries are increased above the average, and they should get a salary of $2,500, they will be paying twice the cost of an annuity which they could go out in the open market and buy, and that if they should get to a point where they were paid a salary of $5,000 they would be required to pay three or four times the cost of an annuity bought in the open market.

When this matter was up before, and the statement was made that this bill met the approval of all of the employees of the Government, I challenged that statement. There was a committee of lobbyists in the galleries here at the time, and I may say that most of them were men 45, 50, and 55 years of age, and that committee would have been benefited by their scheme at the expense of the young boys and the young girls that are in the service. Now, I want an opportunity to demonstrate this fact to the Senate, and I will demonstrate it, without any question whatever.

Mr. President, I do not feel that it is fair to the Government; I do not feel that it is fair to the boys and girls who are in the service, that this matter should be taken up at this late hour in the session. Why, Mr. President, for an annuity of only $600, 2½ per cent paid on the boy's or the girl's salary when he or she is only getting $1,000 a year means $25 a year. If they get to the point where they get $2,000, it means $50 a year. In other words, these young boys and girls will be compelled to pay the expense of the annuities which are received by others.

Mr. JONES of Washington. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Chair recognizes the Senator from Washington to propound a parliamentary inquiry. The Chair will entertain it.

Mr. JONES of Washington. I wish to know who has the floor.

The PRESIDING OFFICER. The Chair has heretofore stated the position as he understands it. The Chair understands that the Senator from Tennessee [Mr. McKELLAR] has the floor, and that he has yielded to the Senator from Ohio. The Senator from Ohio is being recognized through the yielding of the Senator from Tennessee.

Mr. JONES of Washington. I do not like to make any point of order against it; but, of course, under the rule the Senator from Tennessee can not yield indefinitely.

Mr. McKELLAR. I would not care to yield indefinitely, Mr. President.

Mr. JONES of Washington. I just wanted to say this——

Mr. McKELLAR. I yield to the Senator from Washington.

Mr. JONES of Washington. The Senator from Ohio says he will not let this matter come to a vote to-night; so I wanted to ask the Senator from Tennessee if he would not yield for us to make a motion to adjourn out of respect to the memory of George Washington?

Mr. McKELLAR. After the Senate votes upon the question of whether or not this bill shall be made the unfinished business, I shall be delighted to yield.

Mr. JONES of Washington. I will say to the Senator that I do not like to do that, but that is one reason why I rose awhile ago. I understood the Senator from Ohio to state that he would not permit a vote to-night.

Mr. McKELLAR. I am sure that the Senator from Ohio would not object to a vote on it if the Senate desires to vote, and I think it desires to vote on this bill.

Mr. JONES of Washington. I just heard the statement awhile ago; that is all.

Mr. UNDERWOOD. Mr. President, will the Senator allow me to make a suggestion?

Mr. McKELLAR. I will.

Mr. UNDERWOOD. Unquestionably there is not a quorum here. We can not proceed with this matter now. If the Senator insists upon taking up this bill as the unfinished business of the Senate, it can be determined when we next meet and have a quorum; and I suggest that the Senator yield for a motion to adjourn.

Mr. McKELLAR. I shall be willing to yield for that purpose if we have an agreement that we can take it up.

Mr. SMOOT. Not an agreement that we can take it up; an agreement that the Senator can make a motion to take it up.

Mr. McKELLAR. Well, I am willing——

Mr. UNDERWOOD. The Senator understands that the point of no quorum can be made, and at the end of the roll call we will have to adjourn?

Mr. McKELLAR. Of course.

Mr. UNDERWOOD. Very well; then why not yield for an adjournment now?

Mr. McKELLAR. For this reason: The bill has been before the Senate, and every word of it has been considered. The bill has been read in full. It is in the Senate. It is ready for a final vote, and a final vote has been prevented by just such tactics as are being pursued this evening against the bill. Now, I am not in a position where I think I would be fair to the bill or to the committee which I represent in reporting the bill if I yielded again.

Mr. UNDERWOOD. But the Senator understands that he will have to yield the floor before a vote can come, and when he does yield the floor a motion to adjourn will be made.

Mr. McKELLAR. Well, I know; and I am appealing to the Senate to let us make it the unfinished business. It will not take 10 minutes to do it, and surely Senators are not unwilling to vote. Here is one Senator who says that he is unwilling to vote upon the bill when it is his own bill.

Mr. UNDERWOOD. Is the Senator willing to take a vote now as to whether this shall be the unfinished business, without a roll call?

Mr. McKELLAR. I am.

Mr. UNDERWOOD. Let us have that, then.

Mr. KING. Mr. President, I move that the Senate adjourn.

Mr. McKELLAR. Let us vote on whether or not it shall be taken up. I will ask for a division, but I will not ask for a roll call.

The PRESIDING OFFICER. The question is, Shall Senate bill 4637 be made the unfinished business—a bill the nature of which has been explained by the colloquy and the debate of the Senator from Ohio [Mr. POMERENE] and the Senator from Tennessee [Mr. McKELLAR]. [Putting the question.] The noes seem to have it.

Mr. McKELLAR. I call for a division.

The PRESIDING OFFICER. All those in favor of making Senate bill 4637 the unfinished business will rise and be counted. [A pause.]

Mr. KING. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Chair must ask the Senator from Utah whether that suggestion can be made in the midst of a division?

Mr. KING. Then I move that the Senate adjourn.

Mr. McKELLAR. Surely the Senator will not do that, especially after the agreement has been made as to a vote. He will not go back on the agreement that was made here in the open Senate.

Mr. KING. There was no agreement. I moved to adjourn before the motion was put.

Mr. McKELLAR. The Senator was present here when the inquiry was made if we should vote on it by a division.

The PRESIDING OFFICER. The Chair will have to ask the Senator to let the division be concluded. Those who are opposed to making this bill the unfinished business will rise and be counted. [A pause.] The motion is lost.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. UNDERWOOD. Mr. President, I move that the District of Columbia appropriation bill, H. R. 13277, be made the unfinished business of the Senate, for the purpose of establishing it as such, and then adjourning.

Mr. SHEPPARD. Mr. President, I merely wish to state that upon the conclusion of the consideration of this bill I shall make another effort to have the conference report on the census bill considered.

Mr. UNDERWOOD. This bill will not interfere with that.

The PRESIDING OFFICER. The Senator from Alabama moves that the Senate proceed to the consideration of H. R. 13277, the District of Columbia appropriation bill.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Tennessee?

Mr. McKELLAR. Will the Senator yield for just a moment?

Mr. UNDERWOOD. Yes; I yield.

Mr. McKELLAR. I should like to state to the Senator that there is a bill here which I think is absolutely unopposed, in which other Senators and the House are very greatly interested, about allotments. It has been unanimously reported by our committee. I have not the report of the committees before me, but in the administration of the war-risk insurance act allotments that were made by soldiers and were paid up until July 15, 1918, were discontinued, and discontinued without authority and without excuse of authority.

Mr. UNDERWOOD. I will say to the Senator that if this motion prevails it is the purpose to move an adjournment as soon as the bill is made the unfinished business, and the Senator can take up the bill to which he refers in the morning hour on Monday.

Mr. McKELLAR. It will take but a moment to take it up and pass it now.

Mr. SWANSON. Mr. President, I hope the Senator will permit this bill to pass. It is unanimously reported.

Mr. McKELLAR. It is unanimously reported. I do not think there is any objection to it.

Mr. UNDERWOOD. If the Senator will allow the District bill to be made the unfinished business, I will then lay it aside.

Mr. McKELLAR. And yield to me? That will be entirely satisfactory.

The PRESIDING OFFICER. The question before the Senate is the motion of the Senator from Alabama [Mr. UNDERWOOD] that H. R. 13277, being the District of Columbia appropriation bill, shall be made the unfinished business.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13277) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. UNDERWOOD. I now ask that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama? The Chair hears no objection, and it is so ordered.

PAY OF ENLISTED MEN.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 13306) to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued.

Mr. SMOOT. Is that the bill to which the Senator called my attention last evening?

Mr. McKELLAR. It is.

Mr. SMOOT. I have no objection to it.

The PRESIDING OFFICER. The Senator from Tennessee asks unanimous consent that the Senate proceed to the consideration of H. R. 13306. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, on page 2, line 12, after the word "written," to strike out "rescision" and insert "rescission," so as to make the bill read:

Be it enacted, etc., That in all of those cases in which an authority of allotment by an enlisted man directing the payment of an indicated amount to a designated beneficiary is on file in the Bureau of War Risk Insurance, and payments pursuant to this authority had been made by said bureau prior to July 1, 1918, but which payments were discontinued as of that date, the War and Navy Departments are directed to resume the payments of allotments in these cases, pursuant to the authority on file as aforesaid, pending the receipt of a new authority, or of a written rescission of the old authority from the enlisted man. In those cases in which pending the receipt of the new authority, the military authorities, beginning with July 1, 1918, have reserved from month to month out of the soldier's monthly accruing pay the amount directed to be paid by the original authority of allotment, the War and Navy Departments, upon resuming the payment of allotments in such cases, under the authority of this act, shall pay all arrearages out of these respective reservations.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The preamble was stricken out.

ADJOURNMENT.

Mr. JONES of Washington. Out of respect to the memory of George Washington, I move that the Senate adjourn until 11 o'clock on Monday next.

The motion was agreed to; and (at 7 o'clock p. m.) the Senate adjourned until Monday, February 24, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 22, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal and everliving God, our Heavenly Father, we bless Thee for that spirit of patriotism and profound gratitude which moves the people throughout our Nation, yea, throughout the world, to hold in sacred memory the birth of him whom we delight to call the Father of his Country.

We thank Thee for the mentality which enabled him to grasp and solve great problems; for the divination which enabled him to penetrate the future and predict results; for the splendid personality which enabled him to command men and lead them to victory; for the fervor of his religious convictions which enabled him to rely upon Thee for strength and support and which brought him to his knees at Valley Forge—the darkest hour in that struggle for liberty, right, and justice.

Long may his memory live in the hearts of his countrymen and longer yet his deeds inspire men to truer, nobler life.

We are shocked by the news from oversea, that a Member of this House, ever active and conspicuous for his work, has passed to the beyond. Comfort his friends and admirers, his bereaved wife, and those to whom he was near and dear, with the blessed hope of the immortality of the soul through Him who died and rose again. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

An act (S. 5627) to fix the time of holding court in the Amarillo division of the northern district of Texas; and

An act (S. 29) to reimburse W. B. Graham, late postmaster of Ely, Nev., for money expended for clerical assistance.

The message also announced that the Senate had passed, without amendment, bills of the following titles:

An act (H. R. 3217) providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio; and

An act (H. R. 171) to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes.

The message also announced that the Senate had passed, with amendment, the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines, had requested a conference with the House on the bill and amendment, and had appointed Mr. HARDWICK, Mr. BECKHAM, and Mr. FRANCE as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 13366) permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditions, had agreed to the conference asked by the House, and had appointed Mr. CHAMBERLAIN, Mr. HITCHCOCK, and Mr. WARREN as the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments, the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending

June 30, 1920, and for other purposes, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. CHAMBERLAIN, Mr. HITCHCOCK, and Mr. WARREN as the conferees on the part of the Senate.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below.

An act (S. 29) to reimburse W. B. Graham, late postmaster at Ely, Nev., for money expended for clerical assistance; to the Committee on Claims.

BRIDGE ACROSS ROANOKE RIVER, N. C.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 15950) granting the consent of Congress to the county of Halifax, in the State of North Carolina, to construct a bridge across the Roanoke River.

The SPEAKER. The gentleman from North Carolina asks unanimous consent for the present consideration of a bridge bill. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object—and I shall not object to the request—I would like to know from the majority side of the House whether it is the intention to abandon the custom that has been followed for many years in this House of having read, February 22, the anniversary of the birth of George Washington, the Farewell Address of President Washington, first in war, first in peace, and first in the hearts of his countrymen.

The SPEAKER. No; the custom is not going to be abandoned, and the Chair has asked the gentleman from Texas [Mr. DIES] to read it, taking it for granted that nobody would object to its being read.

Mr. MANN. I am delighted to know that the Chair has done so.

Mr. KITCHIN. I would say in that connection that heretofore, since I have been in the House, some gentleman has always asked beforehand to read it. I think it ought to be read.

The SPEAKER. The Chair will suggest that the gentleman now make that request, in order to keep up the form.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DIES] read President Washington's Farewell Address.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that President Washington's Farewell Address be read by the gentleman from Texas [Mr. DIES]. Is there objection?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill H. R. 15950?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Halifax, in the State of North Carolina, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Roanoke River at any point suitable to the interests of navigation between Hills Ferry, near the town of Palmyra, in the county of Halifax, in the State of North Carolina, and the ferry near the town of Halifax, in the county of Halifax, in the State of North Carolina, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KITCHIN, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS RED LAKE RIVER, MINN.

Mr. DILLON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 15834) to extend the time for the construction of a bridge across the Red Lake River, in Pennington County, Minn.

The SPEAKER. The gentleman from South Dakota asks unanimous consent for the present consideration of a bridge bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the time for commencing and completing the construction of a bridge authorized by act of Congress approved February 19, 1917, to be built at or near the section line between sections 20 and 21, township 153 north, range 41 west of the fifth principal meridian, in the county of Pennington, in the State of Minnesota, are hereby extended one and three years, respectively, from the date of approval hereof.

With the following committee amendment:

Line 6, after the word "built," insert the words "by Kratka Township."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "To extend the time for the construction by Kratka Township of a bridge across Red Lake River, in Pennington County, Minn."

On motion of Mr. DILLON, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table the legislative, executive, and judicial appropriation bill, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

There was no objection.

The SPEAKER announced the following conferees: Mr. BYRNS of Tennessee, Mr. EVANS, and Mr. STAFFORD.

GUARANTY PRICE OF WHEAT TO PRODUCERS.

The SPEAKER. When the House adjourned last night the bill (H. R. 12596) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919, and to protect the United States against undue enhancement of its liabilities thereunder, had been read a third time and the previous question had been ordered. The question is on passing the bill.

Th question was taken.

Mr. LEVER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on the passage of the bill.

The question was taken; and there were—yeas 278, nays 14, answered "present" 3, not voting 134, as follows:

YEAS—278.

Alexander	Curry, Cal.	Goodwin, Ark.	Kitchin
Almon	Dale	Gordon	Knutson
Anderson	Darrow	Graham, Ill.	Kraus
Ashbrook	Davey	Gray, Ala.	La Follette
Austin	Davis	Green, Iowa	Lampert
Ayres	Decker	Greene, Mass.	Larsen
Baer	Dempsey	Greene, Vt.	Lea, Cal.
Bankhead	Denison	Gregg	Lee, Ga.
Barkley	Denton	Griffin	Lesher
Barnhart	Dewalt	Hadley	Lever
Beakes	Dickinson	Hamilton, Mich.	Linthicum
Beshlin	Dill	Hamlin	Little
Black	Dillon	Hardy	Littlepage
Bland, Ind.	Dixon	Harrison, Miss.	Lobeck
Bland, Va.	Dominick	Harrison, Va.	London
Blanton	Doolittle	Haskell	Lonergan
Bowers	Doremus	Hastings	Longworth
Britten	Doughton	Haugen	Lundeen
Brodbeck	Dowell	Hawley	Lunn
Browne	Drukker	Hayden	McClintic
Browning	Dupré	Hayes	McCormick
Buchanan	Dyer	Heflin	McCulloch
Burnett	Eagan	Hersey	McKeown
Burroughs	Elliott	Holland	McKinley
Butler	Ellsworth	Hollingsworth	McLaughlin, Mich.
Byrnes, S. C.	Elston	Hood	McLemore
Byrns, Tenn.	Esch	Houston	Madden
Campbell, Kans.	Evans	Hull, Iowa	Magee
Campbell, Pa.	Fairchild, G. W.	Hull, Tenn.	Mann
Candler, Miss.	Fairfield	Humphreys	Mansfield
Cannon	Ferris	Hutchinson	Mapes
Caraway	Fess	Igoe	Martin
Carter, Okla.	Fields	Ireland	Mason
Cary	Fisher	Jacoway	Mays
Chandler, Okla.	Flood	James	Merritt
Clark, Pa.	Focht	Johnson, Ky.	Miller, Minn.
Classon	Foss	Johnson, Wash.	Miller, Wash.
Claypool	Foster	Jones	Montague
Coady	Frear	Juul	Moores, Ind.
Connally, Tex.	French	Kearns	Morgan
Connelly, Kans.	Fuller, Ill.	Keating	Mott
Cooper, W. Va.	Gard	Kehoe	Neely
Cooper, Wis.	Garland	Kelly, Pa.	Nelson, A. P.
Copley	Garrett, Tenn.	Kennedy, Iowa	Nelson, J. M.
Crago	Garrett, Tex.	Key, Ohio	Nichols, Mich.
Cramton	Gillett	Kincheloe	Oldfield
Crosser	Glynn	King	Oliver, N. Y.
Currie, Mich.	Goodall	Kinkaid	Olney

Osborne	Romjue	Snook	Voigt
O'Shaunessy	Rose	Snyder	Volstead
Overmyer	Rouse	Stedman	Walker
Overstreet	Rowe	Steele	Wason
Padgett	Rubey	Steenerson	Watkins
Paige	Rucker	Stephens, Nebr.	Watson, Va.
Parker, N. Y.	Sanders, Ind.	Stiness	Weaver
Peters	Sanders, La.	Strong	Welling
Polk	Sanders, N. Y	Sumners	Welty
Powers	Saunders, Va	Sweet	Whaley
Purnell	Scott, Iowa	Switzer	Wheeler
Rainey, H. T.	Scott, Mich.	Taylor, Colo.	White, Me.
Raker	Scully	Temple	Williams
Ramseyer	Sells	Tillman	Wilson, La.
Randall	Shallenberger	Timberlake	Wilson, Tex.
Rankin	Shouse	Tinkham	Wingo
Rayburn	Sims	Towner	Wood, Ind.
Reavis	Sinnott	Treadway	Wright
Reed	Slemp	Van Dyke	Young, N. Dak.
Roberts	Sloan	Venable	Young, Tex.
Robinson	Small	Vestal	
Rodenberg	Smith, Mich.	Vinson	

NAY—14.

Aswell	Dallinger	Parker, N. J.	Steagall
Bell	Hilliard	Phelan	Walsh
Blackmon	Huddleston	Rogers	
Brand	Husted	Sherwood	

ANSWERED "PRESENT"—3.

Moore, Pa.	Quin	Snell

NOT VOTING—134.

Anthony	Farr	Lazaro	Sherley
Bacharach	Flynn	Lehlbach	Siegel
Benson	Fordney	Lufkin	Sisson
Birch	Francis	McAndrews	Slayden
Booher	Freeman	McArthur	Smith, Idaho
Borland	Fuller, Mass.	McFadden	Smith, C. B.
Brumbaugh	Gallagher	McKenzie	Smith, T. F.
Caldwell	Gallivan	McLaughlin, Pa.	Stafford
Cantrill	Gandy	Maher	Stephens, Miss.
Carew	Garner	Mondell	Sterling
Carlin	Godwin, N. C.	Moon	Stevenson
Carter, Mass.	Good	Morin	Sullivan
Chandler, N. Y.	Gould	Mudd	Swift
Church	Graham, Pa.	Nicholls, S. C.	Tague
Clark, Fla.	Gray, N. J.	Nolan	Taylor, Ark.
Cleary	Griest	Norton	Templeton
Collier	Hamill	Oliver, Ala.	Thomas
Cooper, Ohio	Hamilton, N. Y.	Park	Thompson
Costello	Heaton	Platt	Tilson
Cox	Heintz	Porter	Vare
Crisp	Helm	Pou	Waldow
Delaney	Helvering	Pratt	Walton
Dent	Hensley	Price	Ward
Dies	Hicks	Ragsdale	Watson, Pa.
Donovan	Howard	Rainey, J. W.	Webb
Dooling	Johnson, S. Dak.	Ramsey	White, Ohio
Drane	Kahn	Riordan	Wilson, Ill.
Dunn	Kelley, Mich.	Rowland	Winslow
Eagle	Kennedy, R. I.	Russell	Wise
Edmonds	Kettner	Sabath	Woods, Iowa
Emerson	Kiess, Pa.	Sanford	Woodyard
Essen	Kreider	Schall	Zihlman
Estopinal	LaGuardia	Sears	
Fairchild, B. L.	Langley	Shackleford	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. GRIEST (for) with Mr. EDMONDS (against).

Until further notice:

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. TAYLOR of Arkansas with Mr. WILSON of Illinois.

Mr. CAREW with Mr. BIRCH.

Mr. HENSLEY with Mr. CARTER of Massachusetts.

Mr. THOMAS F. SMITH with Mr. CHANDLER of New York.

Mr. CALDWELL with Mr. GRAHAM of Pennsylvania.

Mr. DOOLING with Mr. DUNN.

Mr. MAHER with Mr. BENJAMIN L. FAIRCHILD.

Mr. SULLIVAN with Mr. FARR.

Mr. DONOVAN with Mr. FORDNEY.

Mr. SLAYDEN with Mr. LUFKIN.

Mr. HAMILL with Mr. BACHARACH.

Mr. STEVENSON with Mr. FREEMAN.

Mr. RIORDAN with Mr. FRANCIS.

Mr. CLEARY with Mr. FULLER of Massachusetts.

Mr. CANTRILL with Mr. GOOD.

Mr. COLLIER with Mr. HAMILTON of New York.

Mr. BENSON with Mr. HEATON.

Mr. PRICE with Mr. SANFORD.

Mr. RAGSDALE with Mr. SCHALL.

Mr. JOHN W. RAINEY with Mr. SIEGEL.

Mr. RUSSELL with Mr. SWIFT.

Mr. SABATH with Mr. TEMPLETON.

Mr. SEARS with Mr. TILSON.

Mr. SISSON with Mr. VARE.

Mr. STEPHENS of Mississippi with Mr. WALDOW.

Mr. TAGUE with Mr. WARD.

Mr. THOMPSON with Mr. WATSON of Pennsylvania.

Mr. WALTON with Mr. WOODYARD.

Mr. WEBB with Mr. ZIHLMAN.

Mr. WISE with Mr. WOODS of Iowa.

Mr. BOOHER with Mr. KIESS.

Mr. CARLIN with Mr. HICKS.

Mr. CLARK of Florida with Mr. JOHNSON of South Dakota.

Mr. CRISP with Mr. KAHN.

Mr. DELANEY with Mr. KENNEDY of Rhode Island.

Mr. DENT with Mr. KREIDER.

Mr. DRANE with Mr. KING.

Mr. EAGLE with Mr. LAGUARDIA.

Mr. GALLIVAN with Mr. LANGLEY.

Mr. GANDY with Mr. LEHLBACH.

Mr. GODWIN of North Carolina with Mr. MCFADDEN.

Mr. HELM with Mr. MCKENZIE.

Mr. HELVERING with Mr. MCLAUGHLIN of Pennsylvania.

Mr. HOWARD with Mr. MONDELL.

Mr. KETTNER with Mr. MORIN.

Mr. LAZARO with Mr. MUDD.

Mr. MCANDREWS with Mr. NOLAN.

Mr. MOON with Mr. PLATT.

Mr. NICHOLLS of South Carolina with Mr. PORTER.

Mr. OLIVER of Alabama with Mr. PRATT.

Mr. PARK with Mr. RAMSEY.

Mr. POU with Mr. ROWLAND.

Mr. FESS. Mr. Speaker, my colleague, Mr. COOPER of Ohio, is unavoidably absent. If he were present, he would vote "aye."

Mr. SINNOTT. Mr. Speaker, my colleague, Mr. MCARTHUR, is unavoidably absent. If present, he would vote "aye" on this wheat bill.

Mr. DALLINGER. Mr. Speaker, my colleague, Mr. WINSLOW, is unavoidably absent. If present, he would vote "aye."

The result of the vote was announced as above recorded.

On motion of Mr. LEVER, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. A quorum is present; the Doorkeeper will open the doors.

LEAVE OF ABSENCE.

By unanimous consent, Mr. STEELE was granted leave of absence indefinitely on account of serious illness in his family.

HOUR OF MEETING TO-MORROW, SUNDAY.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow, Sunday. Is there objection? [After a pause.] The Chair hears none.

HOSPITAL AND SANATORIUM FACILITIES.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 13026, the hospital bill, disagree to the amendments of the Senate, and agree to the conference asked for.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged, sick, and disabled soldiers, sailors, and marines.

The SPEAKER. The gentleman from Alabama asks unanimous consent to disagree to the Senate amendments on that bill and agree to the conference asked for by the Senate.

Mr. CANNON. Mr. Speaker, what are the amendments? Are they material?

Mr. BURNETT. Very, I think.

Mr. CANNON. When was the bill sent over?

Mr. BURNETT. Just this morning.

Mr. CANNON. Will the gentleman take a little time to tell us what the amendments are?

Mr. BURNETT. I do not know.

The SPEAKER. Is there objection?

Mr. CANNON. I wish the gentleman would postpone it a little bit until we can have an opportunity to see what the Senate amendments are.

Mr. BURNETT. Well, Mr. Speaker, I have no objection to its going over until the latter part of the afternoon session. I wanted to get the conferees appointed to-day in order to get to work.

WASHINGTON'S FAREWELL ADDRESS.

The SPEAKER. Under the special order of the House, the gentleman from Texas [Mr. DIES] will read Gen. Washington's Farewell Address. [Applause.]

Mr. DIES read Washington's Farewell Address, as follows:

To the people of the United States.

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive Government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection of the then perplexed and critical posture of our affairs with foreign nations and the unanimous advice of persons entitled to my confidence impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust I will only say that I have, with good intentions, contributed toward the organization and administration of the Government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself, and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me, and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently want of success has countenanced the spirit of criticism—the constancy of your support was the essential prop of the efforts and a guaranty of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual; that the free Constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which can not end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that from different causes and from different quarters much pains will be taken, many artifices employed to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it, accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity, watching for its preservation with jealous anxiety, discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess are the work of joint counsels and joint efforts, of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South in the same intercourse, benefiting by the same agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North it finds its particular navigation invigorated, and while it contributes in different ways to nourish and increase the general mass of the national navigation it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East in a like intercourse with the West already finds, and in the progressive improvement of interior communications by land and water will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and what is perhaps of still greater consequence it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union directed by an indissoluble community of interest as one Nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined can not fail to find in the united mass of means and efforts greater strength, greater resource, proportionately greater security from

external danger a less frequent interruption of their peace by foreign nations, and what is of inestimable value they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty and which are to be regarded as particularly hostile to republican liberty. [Applause.] In this sense it is that your Union ought to be considered as a main prop of your liberty and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—Northern and Southern, Atlantic and Western—whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You can not shield yourselves too much against the jealousies and heartburnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the Executive and in the unanimous ratification by the Senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the General Government and in the Atlantic States unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, toward confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a constitution of government better calculated than your former for an intimate union and for the efficacious management of your common concerns. This Government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. [Applause.] The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the Nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils and modified by mutual interests.

However combinations or associations of the above description may now and then answer the popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Toward the preservation of your Government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the form of the Constitution, alterations which will impair the energy of the system, and thus to undermine what can not be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of Governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion; and, remember especially, that for the efficient management of your common interests in a country so extensive as ours a Government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a Government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the Government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of persons and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit unfortunately is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual, and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind—which nevertheless ought not to be entirely out of sight—the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms, kindles the animosity of one part against another, foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the Government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchial cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency it is certain there will always be enough of

that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming it should consume.

It is important likewise that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. [Applause.] The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. [Applause.] A just estimate of that love of power and proneness to abuse it which predominate in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation, for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed. [Applause.] The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible [applause], avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it [applause]; avoiding likewise the accumulation of debt, not only by shunning occasions of expense but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned [applause], not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that toward the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant [applause]; that the intrinsic embarrassment inseparable from the selection of the proper object—which is always a choice of difficulties—ought to be a decisive motive for a candid construction of the conduct of the government in making it and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice toward all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. [Applause.] Who can doubt but in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded, and that in place of them just and amicable feelings toward all should be cultivated. The nation which indulges toward another an habitual hatred or an habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. [Applause.] Antipathy in one nation against another disposes each more readily to offer insult and injury to lay hold of slight causes of umbrage and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent, collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes, perhaps, the liberty, of nations has been the victim.

So, likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter without adequate inducements or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concession by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens who devote themselves to the favorite nation facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak toward a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence—I conjure you to believe me, fellow citizens—the jealousy of a free people ought to be constantly awake [applause], since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. [Applause.] So far as we have already formed engagements, let them be fulfilled with perfect food faith—here let us stop.

Europe has a set of primary interests which to us have none or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities. [Applause.]

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient Government, the period is not far off when we may defy

material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? [Applause.] Why quit our own to stand upon foreign ground? [Applause.] Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice? [Applause.]

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony and a liberal intercourse with all nations are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand, neither seeking nor granting exclusive favors or preferences, consulting the natural course of things, diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants and to enable the Government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another [applause]; that it must pay with a portion of its independence for whatever it may accept under that character [applause]; that by such acceptance it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions or prevent our Nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigues, to guard against the impostures of pretended patriotism, this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice and by that of your Representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, as far as should depend upon me to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity toward other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after 45 years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love toward it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.

GEO. WASHINGTON.

UNITED STATES, *17th September, 1796.*

[Loud applause.]

SUNDRY CIVIL APPROPRIATIONS.

Mr. BYRNES of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16104.

The SPEAKER. The gentleman from South Carolina moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16104, the sundry civil bill.

Mr. BYRNES of South Carolina. Mr. Speaker, pending that motion I would like to ask the gentleman from Wyoming whether we can at this time agree on time for general debate.

Mr. MONDELL. I have comparatively few requests for time, I will say to the gentleman from South Carolina.

Mr. BYRNES of South Carolina. Will the gentleman agree to a unanimous-consent request that general debate be limited to an hour on each side? I have no requests.

Mr. MONDELL. As I am now advised, I think if the gentleman can extend that to an hour and a quarter on each side we will probably be able to comply with all the requests for time.

Mr. MONTAGUE. Mr. Speaker, reserving the right to object, may I ask the gentleman from South Carolina [Mr. BYRNES] if that means the debate shall be confined to the subject matter of the bill?

Mr. BYRNES of South Carolina. We can not limit that. I ask unanimous consent that the general debate be limited to two hours and one-half, one-half to be controlled by the gentleman from Wyoming [Mr. MONDELL] and one-half by myself.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that general debate on the bill shall not exceed two hours and a half, one half to be controlled by himself and the other half by the gentleman from Wyoming [Mr. MONDELL]. Is there objection? [After a pause.] The Chair hears none.

The question is on agreeing to the motion of the gentleman from South Carolina [Mr. BYRNES] that the House resolve itself into Committee of the Whole House on the state of the Union.

The motion was agreed to.

The SPEAKER. The gentleman from Texas [Mr. GARNER] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 16104, the sundry civil appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The gentleman from South Carolina is recognized.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to dispense with the first reading of the bill. Is there objection?

Mr. MANN. Reserving the right to object, can the gentleman give us any information as to how long the House will remain in session to-day?

Mr. BYRNES of South Carolina. My intention was that I would confer with the minority leader and see if we could not make some agreement later on.

Mr. MANN. Very well. I shall not object.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNES of South Carolina. Mr. Chairman, the membership of the House will agree with me that in the history of the House we have seldom had a Member who was possessed of greater ability and greater industry than the gentleman from Kentucky [Mr. SHERLEY], the chairman of the Committee on Appropriations. But there is a limit to the activities of all men, and at this session of Congress the chairman of the Appropriations Committee, burdened as he was with the preparation of what is known as the second deficiency appropriation bill for 1919, the railroad bill, and the general deficiency bill, has, much to the regret of the sundry civil subcommittee, been unable to be present at most of the hearings before that subcommittee, and therefore I have been directed to report to this House the sundry civil bill.

In doing so I intend only to make a short statement as to the general character of the provisions of the bill, and I shall then be glad to answer, in so far as I am able, any questions that may be asked of me.

The estimates as submitted by the departments, as gentlemen will notice by reference to page 1 of the committee report, amount to $1,122,919,735.52. Of that amount $760,574,000 was estimated for the conduct of the Emergency Fleet Corporation and Shipping Board. For all other services there was estimated $362,345,735.52. The appropriations carried in this bill for the Emergency Fleet Corporation amount to $660,903,234 and for all other services of the Government $189,863,000, making a total of $850,000,000, or $272,919,735.52 less than the estimates. This reduction in appropriations is made possible because of the attitude of the committee that, now that the war is over, the Government, in so far as it is possible, should return to its prewar activities. By reference to the report, gentlemen will find on page 5 a statement of the appropriations repealed, and on page 4 a statement is made of the increases and decreases in this bill, which will give ample information as to the cuts that have been made.

I wish first to call the attention of gentlemen to the repeal of appropriations to the Bureau of Mines for the enforcement of the explosive act, amounting to $143,000. That was purely a war emergency appropriation, and now, even though the proclamation of peace is for a time withheld, certainly there is no justification for the continuance of the expenditures under this explosive act.

The repeal of the appropriation of $143,000 means solely that the inspectors of explosives in the various States will have their services dispensed with after the passage of this bill. The bill provides a sufficient amount to pay all salaries up to March 4 and then to furnish an ample amount to pay the obligations of the bureau that have been incurred under the act. From the Capital Issues Committee we repeal $265,000 and from the Committee on Public Information $200,000.

The Committee on Public Information is continuing its activities to a limited extent. When Mr. Creel, who is head of the bureau, left for Europe he wrote a letter to the chairman of the committee in which he expressed the opinion that the services of the committee could be dispensed with on January 1; but they have not discontinued their activities. A service bureau is located in the city of Washington in what was formerly the Pennsylvania Railroad ticket office. It is an expensive building; the rent is $7,500 a year. The Committee on Public Information is also continuing the publication of the Official Bulletin. In addition to the repeal of this appropriation, specific legislation is recommended in the bill providing that on April 1 the service bureau shall be closed and that the Official Bulletin shall be dispensed with.

In passing, I want to say that the expense of printing the Bulletin for the last month was $68,000 and for the previous month $73,000. There is no likelihood that this expense will be greatly decreased. As a matter of fact, the Public Printer has complained about the size of the Bulletin.

The Council of National Defense was established prior to our entrance into the war, and therefore, while a war activity, it has specific duties provided by legislation in the collection of statistics as to the manufactures of the country, a duty which can well be continued, in the opinion of the committee; and therefore we recommend, and this bill carries, an appropriation of $50,000 for the continuance of that work.

Mr. LONDON. Mr. Chairman, will the gentleman yield there?

Mr. BYRNES of South Carolina. Yes.

Mr. LONDON. What has the Council of National Defense to do in the future?

Mr. BYRNES of South Carolina. What they want to do is, through what they call a highway department, to advise the people of the country of the wisdom of improving public roads and encourage road development and various other activities along that line, for which they ask an appropriation of $250,000 or $300,000. The precise figures I have not carried in my mind. The opinion of the committee was that the Office of Public Roads now established in the Department of Agriculture could certainly furnish ample information to the States and municipalities as to the wisdom of improving public roads, if they need education along that line, and consequently there is no necessity for the continuance of the Council of National Defense except for such purposes as it was originally intended they should accomplish. The committee believed that the statistics which the council and the Ordnance Department gathered during the war can be kept up to date, and there is no necessity for a larger expenditure than that recommended—$50,000. So, presuming that all of our efforts fail, and that there shall in the future occur a war in which we are engaged, we will have on hand the information which was so sorely needed at the beginning of this war.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. BYRNES of South Carolina. I yield to the gentleman.

Mr. HUDDLESTON. Does the Council of National Defense exist as a permanent bureau or as a temporary organization?

Mr. BYRNES of South Carolina. It was not one of the temporary war organizations. It was created in the Army act of 1916, prior to our entrance into the war.

Mr. HUDDLESTON. As a permanent bureau?

Mr. BYRNES of South Carolina. That is my understanding. That is the explanation of the action of the committee with regard to the Council of National Defense.

Mr. PADGETT. Will the gentleman yield?

Mr. BYRNES of South Carolina. I yield to the gentleman from Tennessee.

Mr. PADGETT. The gentleman was speaking of their gathering statistics with reference to manufactures. Why can not that be done by the Census Bureau, and are they not gathering statistics along the same line? I have understood that the primary purpose of the Council of National Defense was to consider policies with reference to obtaining information, and not the gathering of statistics. It looks to me as though they were running parallel and duplicating the work of the Census Bureau.

Mr. BYRNES of South Carolina. I will say to the gentleman that the committee inquired as to that very matter, and we ascertained the fact that the Census Bureau does not gather statistics similar to those collected by the council. The Council of National Defense was instructed and directed to gather information as to the possible output of every factory, and its equipment, and the possibility of converting that equipment into other uses, information which the Census Bureau does not gather. It was because of this that in the Army act of 1916 the Congress created the Council of National Defense.

Mr. LONDON. Will the gentleman yield?

Mr. BYRNES of South Carolina. I yield to the gentleman from New York.

Mr. LONDON. The Council of National Defense was to gather information in regard to possible war necessities. The war being now over, what is the necessity of maintaining a separate bureau to do such work, which is within the province really of the War Department or of the State Department or of other bureaus? It has a very pretentious name. That is also a serious objection—the Council of National Defense.

Mr. BYRNES of South Carolina. The duties of the Council of National Defense were to coordinate the activities of the various bureaus and to investigate economic and industrial activities, and its functions were intended to be exercised in time of peace and not alone in time of war. It was established by Congress in 1916 for the purpose of securing information which would be of use in time of war.

Mr. LONDON. What is the necessity of retaining the organization now?

Mr. BYRNES of South Carolina. On the theory that if wars have not been permanently and definitely abolished from the earth, this organization should in time of peace function as Congress intended it to.

Mr. ESCH. Will the gentleman yield?

Mr. BYRNES of South Carolina. I yield to the gentleman from Wisconsin.

Mr. ESCH. I understand that the Official Bulletin is to be discontinued on April 1.

Mr. BYRNES of South Carolina. Yes.

Mr. ESCH. I understand that they abolished their free list some time ago and that they make a charge for this publication. Does the gentleman know how much revenue they are deriving from subscribers?

Mr. BYRNES of South Carolina. I do not recall the exact amount of the revenue, though the hearings will disclose it. I think the information of the committee was that the free list was not dispensed with, but that there were 80,000 free copies and about 15,000 that were paid for. At least that was the condition about a month or six weeks ago. The principal argument made in behalf of its continuance, I will say in justice to the gentlemen who favor its continuance and who have appealed for this appropriation, was that it was now publishing the casualty lists and that it should be continued for that purpose. The opinion of the committee, however, was that if that was sufficient ground for its continuance, so long as our boys are on foreign soil there will be some deaths in hospitals, and there never will be a time when it can be discontinued; and I am frank to say that the committee had this opinion, that if the Government is to resume its peace status, the only way to do it is to resume right now; that if we continue, there will always be found some excuse for carrying on as permanent activities of the Government those things which were established under the press of necessity during war times, which, in fact, were urged upon the Congress as necessary for the successful prosecution of the war.

Mr. ESCH. I agree with the gentleman; but I did not know but that the publication of the Official Bulletin might be justified if from the subscriptions they could meet the expenses.

Mr. BYRNES of South Carolina. The suggestion has been made that there is a proposition to carry it on under private control and to continue the publication of a bulletin of that character. The fact is that now it is nearly all free list, whereas if under private control that condition would not prevail.

Mr. LONDON. Does not the gentleman believe, as a matter of policy, that it is desirable to have an official bulletin in which a résumé of the activities of the various departments shall be given to the people?

Mr. BYRNES of South Carolina. So far as I am concerned, if it were possible to publish a bulletin which gave to the people what they wanted to know, and not what the department wanted the people to know, I believe it could perform a good service. But the Congress can provide for that, if they think it is wise, and I believe it is unwise to continue this publication at the present time, at an expense for printing alone of $70,000 a month.

Mr. HUDDLESTON. The primary purpose of the Official Bulletin was propaganda. Now, does not the gentleman think it is very dangerous to allow any departmental officer or any Government officer to publish at the public expense, for circulation among the people, a propaganda sheet?

Mr. BYRNES of South Carolina. I will say to the gentleman that the committee has expressed its opinion in the recommendation contained in the bill, that it be discontinued on April 1, and I gather from the gentleman's question that he approves of that action, and I am glad of it.

Mr. HUDDLESTON. I approve of that most heartily, and I think we ought to do away with this Council of National Defense, too. I am tired of that.

Mr. BYRNES of South Carolina. The lump sum appropriation for the Federal Trade Commission was given last year because of the inability of the commission even to guess intelligently as to what its expenses would be or what would be the cost of the investigations which the commission had been directed to make for the War and Navy Departments. I must say that the Federal Trade Commission has made a report to the Congress which is a full and complete one, which shows that it has had due regard to the necessities of the Treasury, that it has safeguarded its funds, and it has turned back of the lump sum given it $300,000.

As to the Food Administration we repealed $3,500,000, because we believe that there is no further reason for their activities after July 1. I will say that all of the activities of the Food Administration were limited to the time of the issuance of the President's proclamation of peace; but as there is no reason for the existence of the Food Administration the committee have taken the position that this bureau should cease its activities on July 1. If thereafter there are any outstanding bills the comptroller and auditor can take care of them, and the President, by this bill, is directed to authorize such departments as he deems wise to take charge of the files of the war bureaus which are discontinued by this bill.

Mr. HUDDLESTON. It is contemplated, then, by the committee that the administration of the act that we passed this morning, the wheat-control act, shall be handled by a new organization or a different organization from the Food Administration?

Mr. BYRNES of South Carolina. My understanding of that bill was that it was to be administered through the Secretary of Agriculture. Certainly there is carried in this bill nothing that has anything to do with it. By the terms of this bill the Food Administration will cease to exist on July 1 unless there is some money provided.

With regard to the War Industries Board we provide that on and after July 1 they shall have no funds to continue business.

Mr. BANKHEAD. Will the gentleman yield?

Mr. BYRNES of South Carolina. I will.

Mr. BANKHEAD. I am informed that no appropriation is carried for the Employment Bureau in the Department of Labor.

Mr. BYRNES of South Carolina. I was coming to that, but I will get to it now, inasmuch as the gentleman has asked the question. The gentleman will notice in the report under war services omitted that among them is the Employment Service in the Department of Labor. During the war the Appropriations Committee quite frequently brought into the House appropriation bills with legislation which was frankly presented to the House as being new legislation and having no place on appropriation bills, with the statement to the House that it was done solely because it was necessary to prosecute the war, and under that statement the House very generally refrained from making any point of order on the legislation.

Last year when the sundry civil bill was brought up the head of the Labor Department presented to the sundry civil subcommittee a proposition to establish in the bureau what might be called a reorganization, and it was presented in a most attractive and forcible way by Mr. Marshall, of the Chicago University, and Mr. Hale. It was presented solely as a war emergency, and the language of the appropriation so indicates. Under that language appropriations were made for a number of services in the bureau, and I think the appropriation made was ample as to all of them; but the Employment Bureau has incurred a deficiency, and there is now pending, as the hearings will disclose, an estimate for a deficiency. The House originally provided for this service about $1,500,000. It went to the Senate and they increased it to about $7,000,000. In conference it was cut to $5,500,000. The deficiency estimate now is for $2,900,000. While the subcommittee had to inquire how the funds appropriated had been spent, it, of course, did not function on the deficiency. The deficiency committee is to-day in session, and it happens that this very bureau of the Labor Department is before the committee presenting an estimate for a deficiency for the sum mentioned.

While I am in no way authorized to make any statement as to the action of the deficiency committee, my opinion, as the gentleman has asked it, is that the deficiency committee is certain to recommend that the deficiency be granted, if not for the total amount certainly for a sufficient amount to carry the bureau to the end of the fiscal year, because it was the intention of Congress that it should be continued for this fiscal year. I shall certainly advocate such a deficiency appropriation.

Now, if the gentleman will permit me, as to the continuance of that bureau for the next fiscal year, the situation is this: The Labor Department presented a request that Congress establish a permanent bureau of the Government for the purpose of carrying on this work. The language of the present act was for the prosecution of the war, and therefore it is necessary that Congress should enact legislation for the permanent existence of this and other bureaus if they are to be continued. The Appropriations Committee is not a legislative committee. Time after time the Members of the House have criticized the Appropriations Committee for usurping the jurisdiction of other committees of the House, and wisely so.

The only way in which we can legislate in an orderly manner is for legislative committees having jurisdiction of certain subjects to take up these matters, consider them, and if they believe them wise, recommend legislation. If they believe a new bureau should be created, the proper legislative committee

should prescribe its duties and also its organization, instead of having the departments asking the Committee on Appropriations to appropriate lump sums, without any restriction as to activities or limit as to expenditures. Of course, legislation of that kind is always subject to a point of order, and regardless of what was done during the war the Appropriations Committee is of the opinion that it should not now bring into the House propositions clearly subject to a point of order, thus usurping functions of other legislative committees of the House. Therefore, as to all of these bureaus not established by law they have no appropriations in this bill for the next fiscal year. The Committee on Appropriations expresses no opinion as to the wisdom or the merits of the proposition, but it does believe that the legislative committees that have control of these matters, if they desire to establish this bureau or any other bureau, should establish it in an orderly way, just as was established the Bureau of Labor Statistics, the Bureau of Immigration, the Children's Bureau, and every other bureau of the Government, and that the Committee on Appropriations should not bring in legislation that is subject to a point of order.

Mr. GALLIVAN. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. GALLIVAN. Of course, the gentleman will not leave an impression that there was not a difference of opinion in the committee as to whether this appropriation for the Employment Service is subject to a point of order. Some of us believe that it is not subject to the point of order.

Mr. BYRNES of South Carolina. Oh, I am only too glad to do that. I am expressing the views of the majority of the committee.

Mr. LONDON. Mr. Chairman, will the gentleman yield.

Mr. BYRNES of South Carolina. Yes.

Mr. LONDON. It is my impression that the organic law which created the Labor Department provides that one of the functions of the Labor Department shall be to increase opportunities for employment. Therefore it would be in order to legislate for the creation of a national network of employment bureaus, so as to increase the opportunities for employment.

Mr. BYRNES of South Carolina. I would say to the gentleman that no such duty is prescribed in the organic act. There is such a statement in the declaration of purposes, but discussion of that question would involve a discussion that necessarily must be had at the proper time when the bill is under consideration under the five-minute rule, and while I differ with the gentleman, I know that he is so well informed about it that he will make an interesting argument at the proper time.

Mr. LONDON. I thank the gentleman, if it will only do any good.

Mr. ROGERS. Mr. Chairman, will the gentleman yield for a question as to the substantive side of the matter?

Mr. BYRNES of South Carolina. Yes.

Mr. ROGERS. The gentleman referred to the fact that this appropriation was made in prior legislation reported by his committee on the basis of its being a strictly emergency matter.

Mr. BYRNES of South Carolina. Yes; and clearly so stated.

Mr. ROGERS. There are different kinds of emergencies arising out of the war. The munitions emergency would end on November 11; but does not the gentleman think that this is the kind of emergency legislation that does not reach its full height until after the war is over, until the great problems of demobilizing these men and getting them back into their original peaceful vocations have been solved? In other words, is not the emergency right upon us for the next six months or a year?

Mr. BYRNES of South Carolina. I will say that, as a rule, no proposition is presented unless the proposer of the proposition believes there is an emergency to warrant it, but I said it was established as a war emergency, and the bill so provided. The Committee on Appropriations has not attempted to respond to every emergency, but during the war it did respond, and no gentleman made the point of order, and now that the war is over the committee does not feel that it should violate the rules and bring in legislation on an appropriation bill.

Mr. ROGERS. The demobilizing emergency is a war emergency.

Mr. BYRNES of South Carolina. The gentleman would be one of the first to advise the committee that the war is over and the Appropriations Committee should no longer bring in legislation creating new bureaus in violation of the rules. Personally I would favor legislation providing assistance of this kind for soldiers and sailors during the period of demobilization, but such legislation should be reported from the Committee on Labor, as provided by the rules.

Mr. GALLIVAN. Mr. Chairman, will the gentleman again yield?

Mr. BYRNES of South Carolina. Yes.

Mr. GALLIVAN. I just want to say something to my colleague from Massachusetts [Mr. ROGERS] to the effect that the minority report covers just the ground he takes, and the minority Members signing that report agree with my distinguished colleague from Massachusetts that the real emergency now exists.

Mr. BYRNES of South Carolina. Let me say this in passing, that there are two distinct propositions. The sentiment expressed by my good friend from Massachusetts [Mr. GALLIVAN] involves one proposition, but it is entirely different from the sentiment expressed by his colleague from Massachusetts [Mr. ROGERS]. When demobilization is over the emergency to which reference is made would no longer exist and this bureau would cease to exist. The proposal of the department before the committee is to make a permanent bureau of the Government, with an appropriation of $10,000,000, and with the establishment of an increased number of offices, which will mean a larger appropriation next year, in the opinion of the director, who made a very clear statement along that line, and he always presents a matter clearly and frankly. He presents this proposal not for the demobilization period but as a permanent bureau, and the Committee on Labor should function on it.

Mr. GALLIVAN. But the request for this appropriation is only for the next fiscal year, and there is nothing said about a permanent appropriation.

Mr. BYRNES of South Carolina. Oh, yes. The gentleman is mistaken; the proposition presented by the department is for a change of language, and the desire, frankly stated, is to make this a permanent bureau.

Mr. LARSEN. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. LARSEN. I would like to inquire whether the committee gave any consideration, under the head of "Public service," to the question of Spanish influenza?

Mr. BYRNES of South Carolina. Does the gentleman mean the Public Health Service?

Mr. LARSEN. Yes. I notice that under this head you have appropriated $7,206,000, and I notice the following paragraph, occurring on page 32 of the bill:

> Prevention of epidemics: To enable the President, in case only of threatened or actual epidemic of cholera, typhus fever, yellow fever, smallpox, bubonic plague, Chinese plague or black death, trachoma, or infantile paralysis, to aid State and local boards, or otherwise, in his discretion, in preventing and suppressing the spread of the same, and in such emergency in the execution of any quarantine laws which may be then in force, $400,000.

You make an appropriation of $400,000 to be used in the execution of any quarantine laws which may then be in force.

Mr. BYRNES of South Carolina. In the deficiency bill reported in October an appropriation of $1,000,000 was granted for that purpose. There is no estimate from the department for any additional appropriation for this purpose.

Mr. LARSEN. If the gentleman will permit, I have that resolution before me. If I understand, it does not meet the requirements concerning which I make the inquiry.

The matter the gentleman speaks of is the joint resolution passed October 1, 1918, which made an appropriation of $1,000,000 to enable the Public Health Service to combat and suppress Spanish influenza and other communicable diseases by aiding State and local boards of health or otherwise. On February 18 I introduced a bill, which is now pending before the Committee on Interstate and Foreign Commerce, providing for an appropriation of $500,000, not for that purpose alone but also for the purpose of conducting investigations and experimental work in the United States and its territory with a view of ascertaining the causes of, a cure for, and the mode of transmission of such diseases. I am advised by the Chief of the Bureau of Public Health Service that Spanish influenza has existed in the United States since 1916 and that beyond any doubt we will have it for three or four years longer. He also informed me that European nations contended that we did not get it from Europe, but that we carried it there in a virulent form. Be that as it may, it occurs to me the committee might with considerable propriety consider the advisability of changing the phraseology of the bill, on page 32, so as to include Spanish influenza and permit investigational work along that line.

Mr. BYRNES of South Carolina. I will say to the gentleman I can answer some of the questions he has asked, but——

Mr. LARSEN. In this connection may I also suggest to the gentleman that I am advised by the Chief of the Bureau of Public Health Service that the appropriation of $1,000,000 which was made last year has been nearly expended, and that there is not in the hands of the bureau at this time a sufficient amount to carry on that branch of the work during the present fiscal year. In view of that, does not the gentleman think it

would be a good idea to amend and make this $400,000 available for that purpose also?

Mr. BYRNES of South Carolina. The gentleman, as a Member of the House, doubtless voted to establish a hygienic laboratory for the purpose of making experimental investigations of all kinds, and this bill carries an appropriation for that purpose. If the gentleman will turn to the next page of the bill he will find that under the head of "Diseases of man" there is an appropriation given, and if there is anything broader than the term "Diseases of man" it is difficult to conceive of it. There is nothing to prevent them from using any of that appropriation for the treatment of Spanish influenza, if they see fit to do so. I can state to the gentleman the Public Health Service is not a bashful service. They did not ask for this particularly, made no estimate, and did not ask any appropriation for it; but under the head of "Diseases of man," if the gentleman can convince them that is a disease of man that is worthy of their attention, they have full power to spend every cent of that appropriation for the investigation of Spanish influenza.

Mr. LARSEN. Has the gentleman paid careful attention to the verbiage of this particular portion of the bill?

Mr. BYRNES of South Carolina. Is the gentleman talking of the epidemic fund, where there is a restriction?

Mr. LARSEN. No; I am talking about communicable and other diseases. The paragraph to which the gentleman refers, while including diseases of man, also includes sewage, pollution of streams, and so forth, and is only for $300,000. Again, it is for field investigation, not laboratory work.

Mr BYRNES of South Carolina. I will tell the gentleman what the Public Health Service want to do under that paragraph. They want to investigate tuberculosis, infant mortality, and the care of children; they want to investigate what weight a woman can safely lift; they want to investigate spinal meningitis and every other disease that was ever known; and if the gentleman would sit down and read the hearings he can read for five hours this afternoon and find out the Public Health Service under this paragraph has authority to investigate everything, and he can find out whether or not they are discriminating against the "flu."

Mr. LARSEN. The Public Health Service may have that idea, but they never suggested it to me, because I went there to seek information myself. At the present time Spanish influenza exists throughout the United States. It is the most dreadful thing that ever existed in the history of the world since the appearance of the bubonic plague.

Mr. FOSTER. Will the gentleman yield?

Mr. BYRNES of South Carolina. I will.

Mr. FOSTER. This paragraph to which the gentleman from Georgia refers is an emergency fund.

Mr. BYRNES of South Carolina. I have explained that, and it is clearly restricted to epidemics subject to quarantine by the President. It is current law, and it has been carried for years; and what the gentleman speaks of does not refer to this at all, and it is another section, and I would be glad after a while to tell the gentleman about it.

I want to make a few references before concluding my remarks about the appropriation for the Shipping Board of $660,000,000. Regardless of the views of Members of Congress about the wisdom of the Government in embarking in the construction of ships, as in the case of railroads and many other things, we did embark in the building of ships. We did it at a time when we thought it was necessary to win the war, and from every housetop we were told that the only way we could win the war was to build a bridge of ships across the Atlantic Ocean. We went ahead, and we authorized the expenditure of about $4,000,000,000. The situation with regard to it is simply this: In the last Congress, because of an emergency, when Germany had taken Mount Kimmel and was apparently going to take the channel ports and Paris, and the world was afraid of German success, the Shipping Board came before us and we increased the authorizations and appropriations to such an extent that we had ships building in this country from one end to the other, and we put more men into shipbuilding than we ever dreamed we could do in so short a time. As a result 578 ships have been delivered and we have put millions of dollars in yards in this country. Unfortunately, forced as we were to build ships to take care of an emergency, we built them without the refinements that would make them possible competitors under peace conditions with ships that are constructed with a view to engage in a certain line of trade.

As a result we are bound to suffer loss. We know it. In the yards, if we can salvage one-third we will be doing good. Wooden ships we know that we can not use to any great extent unless we find a new trade. They tell me they can be used in the Pacific and Hawaiian trade successfully, and are now being so used. But, regardless of the loss, Congress is faced with this problem, that we are obligated to finish so many of these ships as in the opinion of the Shipping Board should be finished if the Government is to avoid losing millions of dollars. There comes a time in the construction of a ship when it is in the interest of economy to finish it and sell it instead of to scrap it and stand the loss. And that time is not determined by the percentage of construction of the hull of the ship, but is determined in the greater majority of cases by the percentage of construction of the machinery or of the plates that are being fabricated before they are assembled; and the best thought of the Shipping Board has been applied to that problem. They have canceled more than 500 contracts. They are still continuing to cancel them, but they believe that they will have to finish so large a number of ships that they will need the large appropriation of $660,000,000.

They are going out of the business of housing, and I am glad to say that the gentleman who is in charge of the housing proposition of the shipping corporation has shown considerable executive ability in his handling of the proposition since the signing of the armstice.

This bill carries a repeal of $8,000,000 from the transportation fund and a repeal of more than $5,000,000 from the housing fund. I must repeat that the Appropriations Committee has nothing to do with the shipping policy of the Government, so far as the merchant marine is concerned. That is a policy for the Committee on the Merchant Marine and Fisheries.

Mr. LONDON. What is that policy?

Mr. BYRNES of South Carolina. I will say to the gentleman that, so far as I have been able a learn, there is no policy; but I will say, too, that I believe the solemn duty of the Congress is to shape some policy, because we are on our way and we do not know where we are going. We know, and the gentlemen in charge of the construction of ships know, it is a wise policy now to change from the construction of ships as originally intended, which had in mind the development of boats to perform certain jobs. Those ships, mostly tramps, can not successfully engage in competition in world trade with ships built in foreign yards, which are built for certain purposes and with certain refinements. There is an opening for ships now that will go to South America with coal and bring back manganese, but we have no ships specially suited to the purpose.

The Shipping Board can not sell its ships. It would love to sell some of them in order to engage in the construction of different types of ships which could go into certain channels of trade in which they are needed and would give us a well-balanced fleet of ships. But no business man is going to buy a ship, because he does not know whether he is going to be in competition with the Government-owned Emergency Fleet Corporation or what the situation is going to be. The uncertainty of the situation makes him stay out of the business, and until Congress itself develops some policy we can only recommend that this amount be appropriated and that the ships we can not avoid finishing be finished and be turned over to the Government. And hence the large appropriation carried in this bill.

Mr. BANKHEAD. As a member of the Committee on the Merchant Marine and Fisheries, I think it fair to say that a policy has to be formulated, and it is a very difficult problem, in view of our international situation, to do that with any degree of intelligence under the present conditions.

Mr. BYRNES of South Carolina. I will say to the gentleman that I recognize the problem. There is no greater one. We know that there are 10,000,000 dead-weight tons less in existence to-day than in 1914. We have 10,000,000 tons in process of construction in this country and about 5,000,000 abroad. That apparently would make a surplus, but, as a matter of fact, when we make an allowance for the natural increase in trade there is no surplus and will be none in 1921. If we continue the construction of these ships it does not necessarily mean that the Government is going to stand to lose by their operation, because the testimony here will show that while there is an apparent loss in the operation of ships, as a matter of fact it is due to the extraordinarily large percentage that is charged up to depreciation and amortization.

So far as our construction is concerned we may as well face the facts. Take our wooden ships, for instance. To-day we are able to charter them at high rates, but just as soon as we return to normal conditions, in 10 or 12 months, and the rates are reduced the wood ships will be too expensive to operate when steel ships can be used. Consequently the only wise thing to do is to sell some of the many wooden ships we have built, and, in the opinion of the Director of the Fleet Corporation, it

would be wise to mark them down as much as $100,000 below cost in order to sell them. It is wiser to do this than to suffer total loss.

Then take our yards. The Hog Island yard can not be converted into a profitable shipyard. The Hog Island shipyard was constructed, as was the Ford automobile plant, to turn out one type of ship. It is an assembling plant. It purchases everything finished before it is placed in the ship. It would always be dependent upon outside shipyards. It has no shops for fabricating, and in ordinary times, when domestic and commercial business is good, the outside shops can not be depended upon. Just as the Ford shop can turn out but one automobile, the Hog Island yard can turn out but one type of ship. In the shipping business a yard must be able to build a ship that will suit a particular trade. To be successful, in the opinion of the Director of the Fleet Corporation, it will have to be reduced from a 50-way yard to a 10-way yard, and as the side tracks have been placed for a larger yard, we must make up our minds to stand a great loss before we can expect it to turn out ships at a price that will enable them to compete.

A reading of the testimony taken before the committee will convince Members of the necessity of the Government at the earliest possible moment determining its policy with regard to the merchant marine, and in the meantime it requires but little thought to reach the conclusion that it is our duty to make this appropriation in order that we may complete those ships now under construction and which it is more economical to complete than to scrap.

Now, unless some gentleman wishes to ask me a question about the bill I shall conclude my remarks and reserve the balance of my time. [Applause.]

Mr. MONDELL. Mr. Chairman, after a committee has spent three months, most of the time all day, frequently evenings, and often Sundays, disregarding union rules as to hours of labor and taking 2,500 pages of testimony, and finally reaching a conclusion on a bill involving an estimated expenditure of $1,250,000,000 reduced to $850,000,000, it is very pleasing and satisfactory to the committee when it presents its finished product to the House to be greeted by so large and enthusiastic an audience. [Applause.]

The sundry civil bill is the one appropriation bill under the flag that has in it not only a good deal of sentiment, but a considerable amount of romance, for it touches every quarter of the globe where Uncle Sam has placed his footsteps, where the flag has been planted, where Federal activities are carried on. The Virgin Islands and Panama, the Philippines, Hawaii, and Alaska, and all the regions in between have items in this bill. The formulation of a bill of this character necessarily involves a great deal of labor, much of it trying, dull, and drab in character, but much of it highly interesting and appealing, for there is human interest in every item in this bill.

There is this further fact which differentiates the sundry civil bill from other appropriation bills. While the committee in reporting it must always bear in mind that it is an appropriating and not a legislative committee, and must therefore, if it is to protect the House and observe the obligations of the members of the committee under their oath and the rules, bring in only items that are provided for or justified by legislation, still within those limits there is a certain broad discretion, and the committee by its recommendations within legislative limits may very largely influence the policy of the Government by recommending an increase or reduction of appropriations for activities authorized by law. There is therefore a great responsibility upon the committee at all times.

There was an especial and peculiar responsibility upon the committee at this time, for we have for the last two years been appropriating under conditions of war. Speaking now of the activities provided by law and not of those which have been carried as war emergencies, the conditions of war have tremendously affected these appropriations, in some instances necessitating an increase and in other instances justifying a decrease of the appropriations, as there was an increase or a decrease of the particular activity during the period of the war.

Now, in regard to these various activities it became the duty of the committee in reporting this bill to determine what the policy should be with regard to those activities. Where they have been increased as purely war activities, the duty of the committee, we thought, was to bring those appropriations, as far as we could in reason and with propriety, back to, or somewhere near, the prewar basis. As regards those activities that had been neglected or curtailed during the period of war, it seemed the duty of the committee to consider them with a view of restoring, if conditions justified, the agencies and activities to a prewar basis. That was the view of the subcommittee in the preparatiton of the bill and the view of the committee in reporting it.

Now, there was another unusual situation presented to the committee, the most trying presented in the consideration of the bill. At the beginning of the war we established certain war emergency activities, activities undertaken by reason of war, to take care of conditions produced by war, activities urged solely because of the war, provided for as war emergency measures, so labeled, and so held and considered. They were subject to a point of order when presented, but they were adopted, as was much legislation and as were numerous appropriations, during the period of war because of war necessity. When we came to consider the items that go to make up this bill, which does not go into effect until the 1st of next July, beyond the probable date of the signing of the treaty of peace, we were met with demands not only to continue a number of these activities but to enlarge them beyond their present plan and scope. In this situation it became our duty to examine each and all of them with a view of determining what our authority was under the law and our obligation under the rules. The committee came to the conclusion that I think any like number of Members of the House would come to placed in a like position of responsibility. We could not accept or take upon ourselves the responsibility of presenting to the House a long list of proposed expenditures, running into the millions, proposing and contemplating in time of peace the continuation of activities begun to meet war conditions—we could not accept the responsibility of presenting them to the House without their having been passed upon by some legislative committee of the House. To have done so would have violated every rule that ought to guide and that does guide the Committee on Appropriations. They would all have been subject to the point of order that they were not authorized by law, and no doubt the point would have been made.

That necessitated the reporting of the bill without various items of appropriation carried in the current bill, as follows: The national security and defense fund, the appropriation for the National Capital Issues Committee, the appropriation for the Committee on Public Information, the appropriation for the Food Administration, the appropriation for the Fuel Administration, the appropriation for the War Industries Board, the appropriation for the War Trade Board, and appropriations for various activities of the Department of Labor.

Now, if the House believes that any or all of these funds and activities should be continued, it is for the House to say and determine in some way provided for by the votes. Seventy-six million dollars was involved in appropriations for those activities in the current sundry civil bill, but the estimates for a number of the same activities as presented for the next fiscal year amounted to very much more than the amount carried in current law.

The question was, Was this committee justified in presenting to the House a large number of items, every one of them subject to a point of order, providing for the continuation and enlargement in time of peace of activities undertaken as war activities, activities which the legislative committees of this House had never sanctioned? Of course, we were not justified in doing that, and having established that as the proper rule of conduct, we were compelled to adhere to it throughout the bill. We followed it, with just one exception; and there is generally some one exception that proves the rule.

Among the activities provided for under the Bureau of Labor was an activity for which an appropriation of $40,000 was made under the title of "Woman in industry." It virtually established for the time being a woman's bureau in the Department of Labor; and I want to say with regard to that bureau and the work it did that it was a bright and shining example of how good work can be done in a helpful field. That work was carried on intelligently, faithfully, energetically, and, in my opinion, it accomplished much good. But the committee would not have been justified in excepting that particular activity from all the other activities unless there had been surrounding it some peculiar condition which differentiated it from all others; for I want to make it very clear that, so far as the committee is concerned, in not appropriating for these various activities we are expressing no opinion with regard to them.

That is a matter for the House to determine. We did not provide for them, for the reason that we had no authority to provide for their continuation in the next fiscal year. But there was this peculiar condition with regard to the activities of the woman's bureau, or the bureau having to do with woman in industry, that while there are in the Department of Labor bureaus that can in a way and to a certain extent carry on practically all of the activities which have been carried on in

a larger way by the various bureaus temporarily provided for as war emergencies, there is no bureau of the Department of Labor that is so organized that it can in a thorough and effective and satisfactory way carry on this particular work, and that fact differentiates this work in a way from the work of the other bureaus. Furthermore, there is a condition affecting women in industry that is rather more acute now than it was during the period of the war. Then the women were sought for in industrial activities. Now there are said to be some men so inconsiderate of the superior claims of the so-called weaker sex as to insist that they, the men, get back the jobs they abandoned and which women took. To a very considerable extent there must be a diminution of the activity of women in certain industries. There must be a readjustment, and there is great need for intelligent work along that line now, as there will be in the future; and it is my opinion that this work is organized in a way to justify us in believing that intelligent and efficient work will be done.

It is by reason of these facts, differentiating this activity from all of the others, that we felt justified in presenting this item to the House—not in the sum asked for, $150,000, but in the sum of $40,000, which is the present appropriation.

We present it to the House for its consideration. It is subject to a point of order. It was the one item in which we departed from the general rule that we felt must guide us in the making up of our bill. The size of the appropriation is a matter for the House to decide. There is some question as to whether even this very important and essential work should be greatly expanded at this time. Of course there is no limit to the possible expansion of work of this kind. By going into the field and establishing local branches you could build up a very great bureau, employing a very great number of people and costing a great deal of money. Our committee did not feel warranted in recommending that extension. We did believe we were justified in providing for the bureau as now organized, which is largely an investigating, advising, and coordinating bureau, providing for cooperation between the various agencies of the Government and the various agencies of the States relative to the work of women.

Mr. Chairman, of this bill, carrying approximately $850,000,000, $660,000,000 is to carry on our shipping program and only $190,000,000 to provide for the usual activities of the Government carried on under items provided for in the sundry civil bill. This $660,000,000, when appropriated for the Shipping Board, will bring the total appropriations for the Shipping Board and Emergency Fleet Corporation to $3,507,604,254.

Mr. SNYDER. Will the gentleman yield there?

Mr. MONDELL. Yes.

Mr. SNYDER. Has the gentleman any figures to show what part of that $3,500,000,000 is now an asset of the United States Government?

Mr. MONDELL. I was going to express some opinion relative to that matter when the gentleman interrupted me. The appropriations up to this time, including the sums in this bill, are as follows:

Emergency shipping fund.

	Authorized.	Heretofore appropriated.	Appropriated in this bill.	Total appropriations, including those heretofore appropriated and in this bill.	Remaining to be appropriated.
Construction of ships, etc	$2,884,000,000	$1,938,451,000	$549,653,254	$2,488,104,254	$395,895,746
Requisitioning of ships, etc	515,000,000	415,000,000	100,000,000	515,000,000	
Purchase of ships other than those requisitioned or constructed	150,000,000	150,000,000		150,000,000	
Purchase of ships constructed in foreign yards	55,000,000	55,000,000		55,000,000	
Acquisition of establishments or plants	122,000,000	122,000,000		122,000,000	
Housing for shipyard workers	75,000,000	75,000,000	(1)	75,000,000	
Operation of ships (in addition to revenues)	65,000,000	65,000,000		65,000,000	
Transportation systems in connection with shipyard workers and plant employees	20,000,000	20,000,000	(2)	20,000,000	
Recruiting, training, and instruction of officers and crews	17,500,000	6,250,000	11,250,000	17,500,000	
Total	3,933,500,000	2,846,701,000	660,903,254	3,507,604,254	395,895,746
Capital stock in original shipping act	50,000,000	50,000,000		50,000,000	
Total	3,953,500,000	2,896,701,000	660,903,254	3,557,604,254	395,895,746

[1] $5,685,646 of the housing appropriation repealed by this bill.

[2] $8,787,172.93 of the transportation appropriation repealed by this bill.

The present program is for 2,532 ships, constructed or to be constructed by the Emergency Fleet Corporation, with a total tonnage of 14,578,111 gross tons, of which 578, with a gross tonnage of 3,313,386, have been delivered, and 391 requisitioned ships, of a dead-weight tonnage of 2,725,441, of which 298, with a dead-weight tonnage of 1,931,061, have been delivered. The appropriations now made will not, however, fully pay for this program.

The gentleman asks me what, in my opinion, we will have after the program is finished—what we could cash in. My opinion is that the loss from our shipping investment will be somewhere about 50 per cent, somewhere between $1,500,000,000 and $2,000,000,000. I hope it may be less. I trust it will not be more.

In the first place, we must strike from all of our shipping practically 35 per cent in order to get down to a cost under which we can operate even at this time, and then as ocean freights are lowered and readjusted to peace conditions we will probably have to strike off another 15 per cent to get down to the peace value of some of the ships, and the percentage of loss may be even greater than that on some of the wooden ships.

Then we come to the question of fabricating yards. Mr. Piez, of the Shipping Board, says that our $65,000,000 Hog Island yard has no future, and no one is in a better position to judge of that than Mr. Piez. I do not know just how much the scrap that will remain at Hog Island after it is all over will bring. It may bring 25 per cent of the $65,000,000 that it will have cost. I shall be surprised if it can be cashed in for more than 25 per cent of the cost, and probably it will not bring that much. The loss on yards and yard extension will be heavy, as will be the loss on housing, on dry docks, and other facilities.

Then we are spending a very large sum of money training our men for the merchant ships—approximately $10,000,000 a year. Of course this will not be a loss if we can operate the ships at a profit, and we have been operating some of the ships at a fair profit up to this time, and there may be reasonable ground for hope that we may continue to operate some of them at a profit, at least for some little time to come. But we might just as well make up our minds now that the American people will pocket a loss of at least $1,500,000,000 or $1,750,000,000 in this venture on the building, requisitioning, and operating of ships. I do not mean to say that we were at fault in undertaking the plan. There was much to commend it at the time. There have been great difficulties to meet, but there has been a very great amount of gross mismanagement. Fortunately things are running better now, but nothing that can be done now can atone for the mistakes of the past.

Mr. SNYDER. The gentleman has answered my question very fully and very satisfactorily, and I should like to ask him this question: Under that answer, then, we would be led to believe that out of this $600,000,000 that we are now appropriating we are going to get 50 per cent value; that is, that we will have a 50 per cent asset when we get through?

Mr. MONDELL. The situation with regard to the future is this: The Shipping Board are completing where, in their opinion, the least loss will result from completing and disposing of the vessels.

Whenever, in their opinion, the loss which will result from the cancellation of the contract will be less than it would be by completing the ship, then the contract is canceled. That is the policy they are following. They are not carrying out all contracts on the theory that there is an obligation that must be met; they are canceling or not, depending on which policy will, in their opinion, result in the least loss.

Mr. SNYDER. The gentleman will see what I am trying to bring out, and that is that the whole $600,000,000 will not be lost.

Mr. MONDELL. No; the whole $600,000,000 will not be a loss. As a matter of fact, if we did not appropriate this sum the loss would probably be much more than $600,000,000. In other words, we must appropriate the money, notwithstanding the unfortunate conditions. To complete the ships we are building now will not cost as much as ships were costing some time ago, because there is no overtime or Sunday work, with increased pay and tremendously increased expense. So we are building the ships cheaper than when we were going on under whip and spur of war conditions.

Mr. SNYDER. I would like to ask the gentleman another question. The chairman of the committee in his statement said that many of the ships we were now building would not be suitable for trade after we get back to the ordinary economic trade period. This money we are now appropriating is for the continuance of that policy—that is, only building ships for the merchant trade and not constructing ships for use under the ordinary, economic period which we hope will come soon. I judge that from what the gentleman from South Carolina said in his remarks.

Mr. MONDELL. Manifestly we could not change the type of ships we are constructing; if we did, our loss would be greatly increased. It is true a fabricated ship is not as valuable a ship after it is built as a ship constructed along other lines. But the material is on hand for fabricated ships whether or not the ships are just what they should be. In order to enable us to best meet trade conditions, we must build the ships along the lines laid down, or take a greater loss. The ships we are building are good merchantmen. By reason of the engines we put into them, by reason of their heavier weight compared with their carrying capacity as compared with a more perfect type of cargo carrier, they are not an ideal ship; but they are the only ship we can build along the lines laid down and with the material on hand.

Mr. SNYDER. If the gentleman will permit. I can not see much difference in the final result. If you continue building more worthless ships, when you get through are you not in a worse condition than if you stopped now? Your loss will be the same in the end.

Mr. MONDELL. It is not true that we are building worthless ships.

Mr. SNYDER. I think it is said that some of the wooden ships are worthless; some tipped over before they got the engines into them.

Mr. MONDELL. I am not posing as a defender of the Shipping Board, but I do believe that the gentleman has been misinformed, if anyone has told him that any ships we have built were not seaworthy. Every one of them have received an A1 register. They may not be ideal ships, but they are all seaworthy, and all good, stanch ships. There is no question about that. Some weigh too much for their carrying capacity; that is, the steel ships do. The wooden ships are so small that there is not a trade demand for the large number of ships we have built.

Mr. HARDY. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. HARDY. Is it not true that the value of the smaller ships is likely to increase as the trade of South American countries grows greater?

Mr. MONDELL. Taking into consideration every possible trade that uses the wooden ships, I fear we have too many. No doubt, however, there will be found some use for them if they are sold cheaply enough, and some may have to be sold very cheaply. This is the situation as I understand it. When we shall have completed our program at the end of a year and a half, and the shipping now on the ways and in immediate contemplation in foreign countries is built, the world will have got back approximately to its prewar tonnage plus about 5,000,000 tons.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MONDELL. Just one moment more. Five million tons added to a prewar tonnage of 60,000,000 tons—not a great increase. So that when our program is completed there is hope for useful business for our ships, taking a very considerable loss on their cost. We have here another illustration of what great mistakes people may make by entering upon great programs without careful consideration, and how, in the desire to accomplish large things under the stress and spur of war, we may overshoot the mark. We voted for this program. I had some doubts about it, but I voted for it. I am not blaming anybody in particular for suggesting it. I should not like, however, to be the man who ought to be held responsible for some of the gross mismanagement under it. It is going to cost us a pretty penny before we get through, and some folks need be brought to account for the waste and loss.

Mr. SNYDER. Mr. Chairman, I would not like to have the gentleman leave any impression that I was blaming anyone. I was simply trying to bring out whether or not out of all this money that we have been spending for shipping we would have any asset, or what proportion of asset we would have, and it was in no spirit of criticism whatever.

Mr. MONDELL. I think there is a great deal of ground for criticism for the way in which the money has been spent. I think there has been very great waste. Whether there have been any criminal transactions I do not know, but the waste has been frightful, the extravagance without justification.

Mr. Chairman, I yield 15 minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Chairman, it is not my purpose to talk about this appropriation bill. It is my intention, however, to call the attention of the committee to a few things that I think the country is interested in, as well as the House. I think the Members of this House are to be congratulated upon the patience they have exercised with reference to the treatment that has been accorded to the soldiers from every district, I dare say, in the United States. Of course, everyone realizes that with the vast army of men scattered, as they have been, all over the country and all over France and Flanders and up into Siberia, a very great many mistakes were inevitable, and that very many apparent mistreatments have not been intended, but we have such numerous examples of such flagrant neglect right within the confines of our own country and within 24 hours' travel of the seat of the Government, that patience ceases to be a virtue.

I wish to call the attention of the committee to two or three striking examples. When this war first broke out, or when we entered into it, fired with the enthusiasm that had spread throughout the country, a young man from the city of Hammond, Ind., tried to get into the service. He was rejected for some physical disability. He endeavored to cure it and attempted to get in again, only to be rejected. Finally at the third attempt he was successful, and was admitted to the service in August of last year. He immediately went to Camp Taylor, in the State of Kentucky. Three days after he entered that camp he went to a hospital. He has been there on the flat of his back ever since. He was operated upon immediately after entering the hospital, blood poisoning set in, and he has had 10 additional operations and has been unable to move. Notwithstanding the fact that that boy has been continuously from the second day after his entry in the Army, in that hospital, a few days ago the War Department sent a letter to the father and mother of the boy that he had been missing since the 24th day of September, and that if they did not tell of his whereabouts he would be classified as a deserter and prosecuted as such when discovered. Can you imagine any possible excuse for that situation?

I want now to call attention to another almost as bad. Just before Christmas a constituent of mine in the city of La Fayette, Ind., a business man conducting a hardware and tin shop, died. His son who had been in the business with him before he entered the service was down here at Camp Devens. I succeeded in getting him a furlough that he might go home to attend the funeral of his father.

I tried to get his discharge while he was there in order that he could take care of the business, which would go to rack without some attention. I did not succeed in getting that and he had to go back to Camp Devens. Affidavits galore were furnished from the best people in the city of La Fayette with reference to the absolute necessity of this boy being at home to look after the affairs of the business and to look after his mother. Promise after promise was made that he would be discharged as soon as they could get somebody to take the little menial position that he was occupying at Camp Devens. Finally, we supposed that he had succeeded, for we got word that he was discharged on the 1st of February, and we notified friends of that fact. Three or four days ago I got a letter informing me that he had been discharged at Camp Devens, but it seems they have to go back to all of the camps they have ever been at in order to get the final discharge. He had to unwind the ball of yarn going back to these different camps, and finally landed at Camp Sherman, Ohio. His commanding officer at Camp Devens had confidence in him and gave him his papers for final discharge in order to facilitate matters. He presented them to the commanding officer at Camp Sherman. Did he get his discharge? No; but instead the officer to whom he presented his papers gave him a pair of overalls and told him to shovel coal, and he kept him

continuously there until the day before yesterday, when finally we succeeded in prying him out of that institution.

I have another case in my State where a boy with overseas service, crippled and maimed for life, seven months without any pay, without any of the compensation to which he is entitled under the law passed by this Congress, sought at one of our universities to have the advantages of this rehabilitation and vocational training that had been promised to him. Through the good offices of that institution he was taken in. On the very day that this young man applied to those who were in authority at that institution, telling them that he had no money with which to pay his way, that the Government had promised to take care of him, but that they had not given him his pay for seven months and had not given him any of the compensation guaranteed under the law for services which he had rendered, in the event he became disabled—on that very day 11 men reported at Berne, in the State of Indiana, who were conscientious objectors and who had been relieved, if you please, from Leavenworth, too cowardly to fight and too lazy to work, and they came back with full pay, every one of them! Mr. Chairman, these are things that are creating the spirit of dissatisfaction throughout this country.

These are samples of the treatment that is sinking so deep in the heart of every boy who volunteered his service or, being conscripted, rendered his service in behalf of this country of ours; and when we are appropriating these millions, yes, these billions, of dollars for the purpose of carrying on the activities of this country we should see to it that the greatest asset that this country has or can ever hope to have against the evil and insidious influences that would destroy it—namely, the patriotic, loyal support of the boys, the soldier boys—is not destroyed. Some attention should be paid to them. I wish to call to the attention of the committee what Prof. Edwin A. Lee, professor of vocational education, Indiana University, at Bloomington, Ind., says:

HEROES DESERVE BETTER TREATMENT.

To the editor of the Star:

In this morning's issue of the Star—

Referring to the Indianapolis Star—

appears an article regarding the action taken by the soldiers and sailors of Fort Wayne denouncing the action of the War Department in its treatment of "conscientious objectors." The article states in one place that nine of these objectors, according to one speaker, have returned to Berne, their home, with honorable discharge papers and amounts of money received as Army pay varying from $200 to $300.

This morning in the line of my regular work at the university I conferred with a disabled soldier, who was wounded in overseas service. When he arrived in this country his pay was behind seven months. He has applied for reeducation under the Smith-Sears Act and had come to see me in regard to certain procedure to be followed. I learned that he has not received any compensation as yet for the wound received.

The contrast is sufficient. Here is a man who has been wounded in the service of his Nation, whose pay was held up seven months, who has yet to receive the compensation due him by action of Congress. The terrible thing about it is that his case is only one of many that I personally know of. Over against this situation is the spectacle of the War Department granting honorable discharges to men who refused to serve and sending these men away with pay equal to that of the men who did serve.

EDWIN A. LEE,
Professor of Vocational Education.

BLOOMINGTON, IND.

Now, I do not know what is to be the remedy for this, but it occurs to me that it is not very complimentary that the men who refused to fight and who refused to work have been made exceptions in regard to receiving their pay as against the boys who have endured the toils, who have suffered all these months of privation, who have willingly suffered knowing them to be incident to the task—I say it is not complimentary to them or their country that such a spectacle as the one to which I have called attention should exist; and if the Secretary of War, who has been apprised of all these things, can not find some way with the machinery and the instrumentalities that he has to remedy these outrages that are so flagrant and so numerous throughout this country, a way should be provided by the Congress that that may be remedied. [Applause.]

Mr. BYRNES of South Carolina. Has the gentleman from Wyoming any other speakers?

Mr. MONDELL. Mr. Chairman, I yield 15 minutes to the gentleman from Indiana [Mr. FAIRFIELD].

Mr. FAIRFIELD. Mr. Chairman, evidently I shall not be able to conclude what I desire to say, and therefore I ask permission to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none.

Mr. FAIRFIELD. Mr. Chairman, on the 2d day of November, in my presence, in the town of La Grange, Ind., a man from the Department of Justice of the United States handed a paper to the Republican county chairman, stating that the Department of Justice would intern any enemy alien who attempted to vote, and further stated that care would be exercised that those men who did vote would be prosecuted fully after the election. This was so high handed an exercise of arbitrary power that it ought to challenge the attention of every good citizen in this country. I have a copy of that letter delivered to this county chairman, which I want to make at this time a part of the RECORD, and I ask that it be printed at this particular place.

The letter is as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
BUREAU OF INVESTIGATION,
Indianapolis, Ind., October 29, 1918.

Mr. SIMON A. NASH,
517 Lincoln Life Building, Fort Wayne, Ind.

DEAR SIR: I have been instructed by the district attorney to make the utmost efforts looking to the prevention of alien enemies from voting in the coming election, as Mr. Slack considers the act of an enemy alien taking part in our election as illegal and sufficient aggravation for internment.

You are also probably advised that Congress has recently passed a law against buying and selling of votes in the election, copy of which is as follows:

"That whoever shall promise, offer, or give or cause to be offered, promised, or given any money or other thing of value or shall make or tender any contract, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or conveyance of anything of value to any person either to vote or withhold his vote or to vote for or against any candidate, or whoever solicits, accepts, or receives any money or other thing of value in consideration of his vote for or against any candidate for Senator or Representative or Delegate to Congress at any primary or general or special election, shall be fined not more than $1,000 or imprisoned not more than one year, or both."

In order to deter as much as possible any violations of either of the above-mentioned regulation and law, I wish to inform you that I shall leave the enforcement of this law in the twelfth district to you, and will, of course, assist you as much as possible in developing investigations after election day. In the meantime, however, I desire that you visit, if possible, each county seat in the twelfth district and cause to be made a statement to the local newspapers, informing them that the Department of Justice intends to be active on election day and thereafter, and will investigate all information indicating violations of either of the above-mentioned law or district attorney's regulation as to enemy aliens, and you may request that information be transmitted to your office on election day or direct to this office after that date.

Trusting that you will give as much publicity as possible to our intentions to prosecute such violations, I am,

Very truly, yours,

CHAS. P. TIGHE,
Acting Agent in Charge.

On my return to Washington I wondered if the Attorney General had given countenance to that letter. Accordingly I addressed a letter to him on December 4, as follows:

DECEMBER 4, 1918.

Hon. THOMAS W. GREGORY,
Attorney General, Department of Justice.

DEAR SIR: On Saturday, November 2, notice was served on the county Republican chairman of La Grange County looking to the prevention of alien enemies from voting in the election of November 5, and threatening them with internment should they exercise the right of suffrage. Copy of notice served is herewith inclosed.

Will you kindly inform me whether this action was taken in conformity with your judgment in the matter. I would be pleased to know also whether any further action is contemplated by the Department of Justice. Is it your conviction that this action by Charles P. Tighe, acting agent in charge, United States Department of Justice, Bureau of Investigation, was legal?

An early reply would be highly appreciated.

Very respectfully, yours, ——— ———.

Waiting for a month I addressed another letter, as follows:

JANUARY 4, 1919.

Hon. THOMAS W. GREGORY,
Attorney General, Department of Justice.

DEAR SIR: Under date of December 4, 1918, I wrote you concerning the matter of a letter circulated by your department division in Indiana concerning the matter of elections and the voting of foreign-born citizens who had not been granted full citizenship. I have not as yet had the honor of a reply, nor has my letter been returned.

Will you not kindly give this matter your early attention?

Sincerely, yours, ——— ———.

On January 11 I received the following letter:

DEPARTMENT OF JUSTICE,
Washington, D. C., January 11, 1919.

Hon. LOUIS W. FAIRFIELD, M. C.,
Washington, D. C.

SIR: Ever since the receipt of your letter of January 4, 1919, I have been making an earnest effort to locate your letter of December 4, 1918, but have been unable to do so. I deeply regret this as it is very seldom that letters are misplaced in the department, but it seems to have happened in this case. I would appreciate it very much indeed if you could favor me with a copy of that letter, upon the receipt of which I will be pleased to answer immediately.

Respectfully,

CLAUDE R. PORTER,
Assistant Attorney General.

For the Attorney General.

I addressed him a letter in which I copied the former letter on January 15, and on January 18 I received the following:

DEPARTMENT OF JUSTICE,
Washington, D. C., January 18, 1919.

Hon. LOUIS W. FAIRFIELD,
House of Representatives, Washington, D. C.

DEAR SIR: The department is in receipt of your favor of January 15, 1919, wherein you very kindly set out a copy of your letter of December 4, 1918, which seems to have been misplaced in the department in some way.

In answer to your inquiry I desire to suggest that the circular which you refer to, and which was sent out by the agent of the Bureau of Investigation at Indianapolis, Ind., was, so far as it contained reference to the right of alien enemies to vote, not authorized by this department, and the department very much regrets that the same was sent out.

Respectfully,

CLAUDE R. PORTER,
Assistant Attorney General.

I addressed another letter to Hon. L. Ert Slack, district attorney at Indianapolis, Ind. I shall not read that letter, but on January 24 I received a reply from Mr. Slack, and I desire to have both of these letters printed in the order in which I have suggested them.

The letters are as follows:

JANUARY 21, 1919.

Hon. L. ERT SLACK,
The District Attorney, Indianapolis, Ind.

DEAR SIR: On Saturday, November 2, 1918, notice was served in my presence on the county Republican chairman of Lagrange County, Ind., looking to the prevention of alien enemies from voting in the election of November 5, 1918, and threatening them with internment should they exercise the right of suffrage. This notice was served by Mr. Simon A. Nash, 517 Lincoln Life Building, Fort Wayne, Ind. The notice was addressed to him by Charles P. Tighe, agent in charge United States Department of Justice, Bureau of Investigation.

Mr. Tighe states in the letter that you had instructed him to warn any alien enemy against taking part in the election, as it would be illegal and sufficient aggravation for internment. You further state your intention to prosecute such violation.

Will you kindly inform me whether the Department of Justice at Washington sanctioned this action, and whether it is your intention to prosecute such violations? For very urgent reasons an immediate reply would be highly appreciated. Inclosed is copy of the notice from the Department of Justice at Indianapolis.

Sincerely, yours,

—

DEPARTMENT OF JUSTICE,
UNITED STATES ATTORNEY,
INDIANAPOLIS, *January 24, 1919.*

Hon. LOUIS W. FAIRFIELD, M. C.,
Washington, D. C.

DEAR SIR: Acknowledging receipt of your letter of the 21st instant, I wish to state:

That it is not my intention to prosecute alien enemies who voted at the last general election in this State.

You are perhaps familiar with the fact that the State election board, consisting of the attorney general and two members appointed by Gov. Goodrich, gave a written opinion about a month previous to the last general election in which they decided that under the constitution and laws of the State of Indiana alien enemies were not allowed to vote. Of course you are familiar with the statutes of Indiana, which make it an offense for one to vote unless he has legal qualifications. You are perhaps also aware that alien enemies who violate a State law are liable to possible internment for having violated such law.

If the opinion of the State election board above referred to correctly interprets the law, then all alien enemies who voted at the last general election violated a criminal statute of the State of Indiana, which would make them liable to be interned.

After carefully considering this matter in all its phases it has not been deemed advisable to rely altogether upon the opinion of the State election board, and feeling that there may be some doubt about it it is not deemed advisable that I proceed to take further action in the matter.

Your inquiry as to whether or not the Department of Justice "sanctioned this action" will have to be referred to the department for answer, for the reason that I do not know what is meant, and also for the reason that I hardly think it proper for me to state concerning the policy or action of the Department of Justice.

Respectfully,

L. E. N. SLACK,
United States Attorney.

This correspondence puts the matter clearly before us. This effort to disfranchise a large body of citizens in the State of Indiana originated in the State of Indiana.

It was either political or patriotic. In either case liberty under law is the only safeguard. The Constitution of the United States expressly states, Article I, section 2:

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The constitution of the State, article 2, section 2, provides that—

Every male of foreign birth of the age of 21 years and upward who shall have resided in the United States 1 year and shall have resided in this State during the 6 months and in the township 60 days and in the ward or precinct 30 days immediately preceding such election, and shall have declared his intention to become a citizen of the United States conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote.

The Indiana election laws published in 1916, on page 153, are identical with the provisions of the State constitution. Yet, with the rights of these people guaranteed by the Constitution of the United States, by the constitution of the State of Indiana, and by the laws governing elections in the State of Indiana, the Department of Justice of the United States, operating in Indiana, endeavored to prevent them from voting by intimidation.

It may be that we are accustomed to look upon matters of that kind as a mere matter of politics, and yet is it not a grave offense for the agents of the Department of Justice to try to frighten voters away from the polls under threat of internment? It seems to me that a cursory examination of the conditions under which men vote in any State would have revealed to these men that they were not acting in accordance with law, but contrary to the express provisions of the criminal law of the State, which provides that men shall not undertake to intimidate other men in the exercise of the right of suffrage. It is true that, as we see it now, unwisely, the State of Indiana has continued for many years to permit those who have been residents of the United States a year, who have been residents of the State of Indiana for six months, and who have taken out their first papers to vote. Under that law and in accordance with the constitution of the State, which expressly provides that men with those qualifications may vote, many of our citizens have exercised the right of suffrage for more than 40 years. In my town there was an old soldier with one leg off, drawing a pension from the Government of the United States, with a son over on the other side, and yet they threatened him with internment if he should attempt to vote. Two other gentlemen with boys in France, having exercised the right of citizenship and who, through no fault of their own—for both political parties had for many years when the election time approached cultivated those men and urged them to take out their first papers and vote—had gone on exercising those rights; but when the election was on, and an election that involved no danger to this country, but possible danger only to the continued power of the dominant party, we find the agents of the Department of Justice in the State of Indiana willing to frighten men with internment and prosecution if they dared to exercise the right of suffrage. As I said to that gentleman, this right is guaranteed in the Constitution of the United States, for it says "the qualifications for voting shall be the same as those for the most numerous branch of the legislature." The constitution of the State of Indiana expressly says that if a man has resided in the United States a year and for six months in the State and has taken out his first papers, he has a perfect right to vote.

What, then, was the exigency, what was the crisis, that would lead men to be willing contrary to law to subvert the very basic things upon which the Republic rests? True, in the years gone by we had asked these men from foreign shores to come into Indiana, to fell its forests, and to identify themselves with every development of the country, and suddenly, when the great war broke out, they found themselves in the position of enemy aliens, though only technically so. The efforts to prevent their voting aroused just indignation. I knew two men who were thus involved, and I learned that one of them did not intend to vote on the morning of the election. I had not visited him before, but I went into his place of business and said to him, "You have as much right to vote as I have. We have not amended the Constitution of the United States. We have passed no law against your voting. We have not amended the constitution of the State of Indiana. No law has been passed against your voting. Your boy to-day is over on the other side. He may come back. But, man, if you are the red-blooded American that I think you are, and love your country as I think you do, you will vote." And the next day I asked him, "John, did you vote?" He said, "Yes. And I thank God I did."

It is thus that arbitrary power, feeding by what it grows upon under stress of circumstances, has again and again destroyed the liberties of people. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. LUNDEEN].

Mr. LUNDEEN. Mr. Chairman and gentlemen of the committee, on the 4th day of January I introduced a resolution demanding the withdrawal of American troops from Russia. This was the first resolution introduced in either House or Senate demanding that our troops be withdrawn from the Russian Republic. A resolution asking for information had been previously introduced in the Senate by Senator JOHNSON of California, and one of the ablest men who ever held a seat in the American Congress, the Hon. WILLIAM E. MASON, of Illinois, has since delivered several strong speeches in support of this demand.

I send the resolution to the desk, and ask that it be read.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

House concurrent resolution 64.

Whereas thousands of American soldiers are now fighting in Russia; and

Whereas these Americans engaged in war upon the Russian Republic were conscripted to make war on the Empires of Germany and Austria; and

Whereas the President has declared in favor of self-determination for all nations; and we are now permitting enemy nations to adjust their own internal affairs; and

Whereas the President, on January 8, 1918, in his peace terms which laid down his 14 points declared in point 6 as follows:

"The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest

cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy";

And

Whereas the State Department has made public no information as to the causes of war against Russia or the status thereof; and

Whereas the President has stated officially that America went to war to save democracy; and

Whereas the Congress of the United States has made no declaration of war against Russia: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the President be, and hereby is, instructed to withdraw at once all American troops now on Russian soil.

Mr. LUNDEEN. Gentlemen, the holding of our soldier boys in foreign lands after the conclusion of the world war is in violation of all laws and the Constitution. I strongly urge the speedy return of every American soldier wherever he may be, and it is the duty of this House and the Congress of the United States to pass a resolution definitely and positively directing the President to order the return of these soldiers at once to the United States. An ever-rising tide of sentiment demands their immediate return. Our brave boys themselves in no uncertain language tell us that they are tired of France and England, Germany and foreigners. They have only one compelling desire, and that is the desire to see once more the Statue of Liberty, to tread again the soil of the land they love.

Our American soldiers were not conscripted to fight republics; certainly not Russia—Russia, who befriended us in the Civil War when England threatened; Russia, who now seeks liberty after a century of black Siberian night of Czarism. The President lays himself liable to impeachment and removal from office by his unwarranted use of American troops. Once before he made war against Mexico without a declaration of war; now, again, he makes war on Russia without a declaration. Congress only can declare war and carry on war, but what else could be expected from an Executive who was elected on the promise to keep our Nation out of war, and then proceeded promptly to plunge us in?

On November 5 the American people placed the Democratic Party in the discard, after a fervent presidential plea to support his foreign policy at the election. The American people do not support the Wilson foreign policy. They are dead against it, and so said at the polls in November. The tide has turned; the men who fought Wilson ran well in the November election, while many of his supporters fell by the wayside. I have voiced my protest against the killing of American boys in the Arctic regions to make good the Russian bonds held by Wall Street. I am unalterably opposed to sacrificing American lives that the Russian bonds held by France or England, or any other country, be made good.

France, supposed to be bled white, is now penetrating Russia from the regions of Odessa, if we can believe the public press, and her columns are half way to Kief. France apparently has not yet had enough of war. We have been sucked into this Russian war by subtle foreign diplomacy.

The United States, Japan, and England all have placed troops upon Russian soil to threaten the people there, and to dictate the form of government which they must have. What hypocrisy is this at a time when we proclaim the doctrine of self-determination for all peoples?

The labor-union element in England, as well as the soldiers themselves, have compelled the British Government to announce that they are going to withdraw the British troops from Russia. In fact, when rumors penetrated the British Army that they were to be sent into new wars in foreign lands they refused to move, and the Government was compelled to send a committee to parley with their own troops, with the result that England was compelled to proceed more rapidly with its demobilization and to give the workmen and soldiers further assurance that they would be consulted in the foreign policy and in the domestic policy of the British Empire.

Japan has announced that she will withdraw her troops. In fact, Japan was the first nation to make this announcement. It is not for the American people to argue against or to argue in favor of the present government of Russia. It is none of our business what sort of government obtains in that country. They have the same right to determine for themselves their own form of government that we have, or any other nation. If we speak about blood being shed in Russia, let not the American people forget that millions of men fought and hundreds of thousands died in a bloody fratricidal Civil War in this country. It will be a long time before as many lives are lost in any civil war in Russia as were lost in our own Civil War at that time, but we should not argue the question. We should not discuss it. We have problems at home, and these Russian domestic problems do not concern us, should not concern us, and must be put out of the American mind at the earliest possible date.

We have overwhelming problems of reconstruction to solve. We must remember our returning soldiers, the men who fought so bravely for America in the world war. We must care for the war workers, millions of whom are turned adrift. We must solve our problems of unemployment. We have vast tracts of undeveloped land, lands that must be reclaimed. We have tremendous problems which sweep the entire Western Hemisphere, and these must be solved. Yet we leave these questions unsolved, and send boatloads of idealists, dreamers, and college professors to Europe to proclaim universal peace and meddle in the affairs of foreigners. This is contrary, gentlemen, to the advice of Washington, who said in his Farewell Address:

Why quit our own to stand on foreign ground? Why, by interweaving our destiny with that of any part of Europe, imperil our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It has been the fashion to term anyone who advocated the foreign policy of Washington a traitor to his country, and in that connection let me quote from Washington:

Real patriots who may resist the intrigues of the favorite [nation] are liable to become suspected and odious while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

Europe has a set of primary interests which to us have none, or a very remote, relation. Hence she must be engaged in frequent controversies the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Instead of following the advice of immortal Washington America is now being entangled everywhere and with everything the world over. To-day our soldier boys are fighting on the Arctic Circle under British command, and when announcement was made that they would be withdrawn in the near future that announcement came from the British premier and not from our own Secretary of State. To such a depth free and independent America has fallen. The mighty Republic is meekly taking orders from kings and emperors, listening to the wiles and intrigues of foreigners. The time has arrived for a new birth of freedom, a new declaration of independence.

During the war I refrained from criticizing any of our departments. I differed from the policy of the President in implicating America in a war which did not concern us in the least, and I so stated in no uncertain terms. The war has come to an end, however, and certainly no one can now say that we are embarrassing the Government in time of war by telling a few truths concerning the international situation.

The State Department has persistently kept every item of information from Congress and from the people concerning this Russian situation. It pursued a policy of making war without consulting the war-making body. It has demanded money to prosecute that war. Of course, the responsibility for all this devolves upon the Executive himself, who, while he writes golden words and speaks with a silver tongue, acts exactly contrary to his promises and countermarches every movement begun.

Russia is free; the Czar is dead. From our point of view Russia may not have a perfect Government; I doubt that our own Government is perfect; perhaps our own Government is more perfect than theirs, but who shall doubt that in the course of time, with greater experience and the growing intelligence of the people, Russia will solve her own problems? Shall we take our place in the ranks of the robber nations who seek territorial aggrandizement and who seek to impose their will upon nation after nation, or shall we rather be an example to the world so that all people may see and behold a Nation which seeks to promote justice and right and does not seek to impose its will upon unwilling peoples, but, rather, extends to them recognition, sympathy, and the bonds of international commerce and good will?

Mr. MONDELL. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has four minutes remaining.

Mr. MONDELL. I yield the four minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman, I call the attention of the committee to the fact that this is the centenary of one of the country's greatest scholars and greatest literary men, James Russell Lowell, and it seems it ought not to pass over without some mention of the fact. My interest in this scholar is due very largely to my interest in education, and I can not take the time to characterize him or to place him in history. But I will

ask the privilege later on of extending my remarks, so that I can pay my appreciation.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. Now, Mr. Chairman, among the many things James Russell Lowell said, that has been a sort of slogan for the world, is the following:

Truth forever on the scaffold, Wrong forever on the throne,
But that scaffold sways the Future, and behind the dim Unknown,
Standeth God within the shadow, keeping watch above His own.

Another suggestion he gave, that serves as a guidance, is:

Be noble! and the nobleness that lies
In other men, sleeping but never dead,
Will rise in majesty to meet thine own.

I notice that Members are anticipating what I am saying and repeating it ahead of me. That speaks well for the intelligence of the membership of the committee. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, I ask leave to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LONDON. Mr. Chairman, Europe was an armed camp; it then became a slaughterhouse, and is now a madhouse. Although the war is over, the chaos is not over, and there is no telling how long it will continue. A few days ago in France a young assassin attempted to kill the premier. This morning the press brings the distressing news that in Germany the junker crowd has started a campaign of assassination and that among the first victims are several of the noblest men the German democracy has produced.

The great masses of the common people of Russia are struggling against the forces of darkness and reaction inside of their country as well as against the forces of darkness and reaction outside of their country. A monarchist campaign, a campaign of the tory elements of other countries, is being conducted against the Russian people, who, groping toward a better state of affairs, are necessarily going through a series of social and political upheavals. Instead of aid and sympathy, they are to be warred against, or at least blockaded and starved. And while Europe is a madhouse to-day, there is serious ground for apprehension that a wave of darkest reaction is sweeping across the Atlantic and over this country. Not only is no attempt made to repeal the hysterical legislation enacted during this war, not only is there no effort made to wipe off the statute books the infamous laws curbing the written and spoken word, the ability to think and to speak being the principal attributes of the human being as distinguished from the rest of the animal world—not only is no effort made to repeal these laws, but there seems to be an inclination to continue these restrictions and to make them more rigorous for a long period after the termination of the war.

The nations are supposed to have been freed and the world made safe for democracy. How a nation can be free while the men and women who compose it are to be robbed of their elementary rights the statesmen fail to tell us.

One of the noble bits of legislation of this Congress was the law permitting the deportation of aliens who are anarchists; aliens who advocate the overthrow by force or violence the Government of the United States, or of all forms of law; aliens who are members of or affiliated with any organization that entertains a belief in, teaches, or advocates the overthrow by force or violence of the Government of the United States, and so forth.

I pointed out at the time the bill was before the House that a law which would deprive a person charged with a serious offense of a trial by jury, of an opportunity to be confronted by his accusers, and to cross-examine them, was vicious and was violative of the fundamental rights guaranteed to every human being.

The newspapers report that thousands of radicals are to be deported, and really all that is necessary under this law to deport one who has not become a full-fledged citizen, and this, no matter how long he has lived in this country, is to charge him with being an anarchist or with belonging to an organization which advocates or teaches, and so forth. It is enough to convince an employee of the Labor Department that there is a basis for the charge, and the accused is helpless.

The mere threat to deport can have only one effect, and that is to reduce the resistance of the masses of workers to economic oppression.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LONDON. Has the gentleman a few minutes more?

Mr. MONDELL. If I have any time remaining I will yield it.

The CHAIRMAN. The gentleman has one minute.

Mr. MONDELL. I yield to the gentleman that one minute.

Mr. LONDON. Of course these deportations are without an opportunity to present the case before a jury. Whatever restrictions there may exist as to immigration, once a human being has been permitted to land and to work he should be accorded the rights of a human being.

The right to a fair trial, to a trial by jury, is one of these inalienable human rights. And while I have no intention to charge the Secretary of Labor—for I know he means well—with seeking to oppress the working masses, there is not the slightest doubt that unless the law is repealed and the policy of deportation is abandoned that the labor organizations of the country will be the worst sufferers. The alien radical helps to organize the immigrant masses. Without the organization of the immigrant masses no labor union could survive. Destroy the capacity of the immigrant to organize and you pull down and destroy American labor.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BYRNES of South Carolina. I yield one minute to the gentleman from New York [Mr. LUNN].

The CHAIRMAN. The gentleman from New York is recognized for one minute.

Mr. LUNN. Mr. Chairman, I ask unanimous consent that I may extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LUNN. I desire to insert a short letter, about 300 words or so, of a young soldier in the Thirty-seventh Division, fighting in the Argonne Forest, and describing that battle.

Following is the letter referred to:

I see that a certain man, who it seems is well up in politics, wants to know why it was there were so many casualties in a division which was in the Battle of the Argonne Woods, why wounded were allowed to lie on wet ground for hours without being removed, that there wasn't airplanes or enough artillery and food.

My own division, the Thirty-seventh, from Ohio, was one of the divisions which was in the drive that started on the 26th of September.

Let me say that the artillery barrage which was laid down was one of the greatest, if not the biggest, that was ever laid before attacking troops. I never knew guns could raise such hell as they did and cause such havoc as they did to the Boche lines.

To me, and from all I heard, it didn't appear that there was such a lacking in allied planes. As soon as day broke and the skies had cleared, allied planes could be seen darting here and there through the skies. They were doing scout and patrol duty and also guarding observation balloons, of which I personally saw nine in our sector. Besides, the planes that were there were greatly handicapped on account of inclement weather.

But the roads were the big drawback here. The roads that were in the woods—and they were few—were blown up by Boche and our own artillery fire. This meant new roads had to be built. These were built through fields which could not stand up under such heavy traffic as artillery and ammunition trains, which were going all day and night.

The moving of artillery was delayed also on this account, as the roads were nothing but mud and water. And it was hard work to bring up a light caisson with 16 horses hitched to it. And as for food, there was lots of it, but it was almost impossible to get it up to the fighting lines on account of the roads. I personally carried food 20 kilos, if not more, on my back that the fellows would get it.

By this time our troops had reached the roads made by the Boche in the rear of their former lines and loaded the rations on one of our Ford cars, which carried it the rest of the way up.

Everything possible was done for the wounded. It was almost impossible to get an ambulance through the sector held by our division on account of the roads. The wounded were carried back by medical men, Boche prisoners, trucks, and even on a narrow-gauge railroad captured in the drive. And I believe everything that could possibly be done for the wounded was carried out.

The American officers didn't take any unnecessary chances with American troops. Their plans were mapped out, and they acted accordingly.

I can't see for the life of me why men who sat back in soft chairs should criticize and want to investigate the efforts of those men who were under shell fire, who faced gas attacks, who went around in mud and water knee-deep.

To find fault with those who went without food and sleep for hours at times, and when they did sleep it was usually in a shell hole about half filled with water; men who went about with mud-caked and wet clothing and ate hard-tack and corned Bill with the rest of the boys.

During this drive our doughboys in the Thirty-seventh were asked if they wanted food or ammunition, because it was out of the question to get both up, and they said, "Give us ammunition." If these men don't find reason to complain, why should those who weren't over here do so?

Let us all boost, and if any investigations are to be made let them be made by men who were here in action and who went through the hardships of war. They are the only men who are qualified to make them.

HARRY L. JONES,
Company B, One hundred and thirty-fourth Machine-Gun Battalion, 1, 515 306, American Expeditionary Forces.

JANUARY 23.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1920, namely.

Mr. MANN. Mr. Chairman, I ask leave to extend my remarks.

The CHAIRMAN. The gentleman from Illinois asks leave to extend his remarks. Is there objection?

There was no objection.

The Clerk read as follows:

Clinton, S. C., post office: For completion, $39,500.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. There is a large number of items here for Government buildings. May I ask the gentleman from South Carolina [Mr. BYRNES] whether there is any item in this bill under the public-building caption which is not authorized by law?

Mr. BYRNES of South Carolina. There is no item in the bill that is not authorized by law, and there is no appropriation which extends the limit of cost of buildings now under construction.

Mr. MANN. Does the gentleman happen to remember how much is carried in the bill in the way of appropriations for these various Government buildings?

Mr. BYRNES of South Carolina. For construction of all public buildings, does the gentleman mean, including quarantine stations and marine hospitals and post offices and courthouses?

Mr. MANN. Especially post offices and courthouses and Federal buildings in the various cities.

Mr. BYRNES of South Carolina. For courthouses the amount is $6,166,000.

Mr. MANN. Does that include——

Mr. BYRNES of South Carolina. That amount includes marine hospitals.

Mr. MANN. That includes what, in a general way?

Mr. BYRNES of South Carolina. Public buildings which heretofore have been authorized. Many of them are in process of construction, and in this bill they ask for the balance of the authorization.

Mr. MANN. It does not include all the public buildings which have been authorized, I take it?

Mr. BYRNES of South Carolina. I think it does. It includes all the buildings that the Treasury Department estimated for.

Mr. MANN. Well, that is what I wanted to get at. Upon what basis has the Treasury Department made its estimates? In other words, this is what I want to find out: I suppose there has been very little public building going on during the period of the war. Now that the war is practically ended, how far along is the Supervising Architect's office in providing for construction of public buildings heretofore authorized to proceed during the next fiscal year?

Mr. BYRNES of South Carolina. I do not recall any statement of the Supervising Architect that would enable me to give any information other than I have already stated.

Mr. MONDELL. Will the gentleman yield to me for a moment?

Mr. BYRNES of South Carolina. Yes.

Mr. MONDELL. This is the situation, as I understand it, and I think the gentleman from South Carolina will recall it: Many public buildings have been appropriated for in the sundry civil bill in the past two years where the construction has not been undertaken, first, because there was a general order discontinuing all construction, and, second, because in a great many cases the lowest bid was above the limit of cost. Those appropriations, of course, are all in force, and the buildings can be constructed whenever bids can be obtained within the limit of cost. Now, in this bill we are providing for the beginning of construction of all of the buildings heretofore authorized where the buildings have not been heretofore appropriated for.

Mr. MANN. Is the gentleman sure he is right about that?

Mr. MONDELL. I am.

Mr. MANN. That this bill provides for all of the buildings heretofore authorized?

Mr. MONDELL. That have not heretofore been appropriated for.

Mr. MANN. Well, the gentleman is usually accurate, and of course I take his statement. I had not supposed that they were ready to begin all of these public buildings yet. But I would like to ask this question: Including the money which has heretofore been appropriated and the money which is appropriated in this bill, can any estimate be given as to how much will probably be expended during the next fiscal year on these Government buildings?

Mr. BYRNES of South Carolina. In answer to that, that is my understanding of the estimate of the departments. They estimate what in the opinion of the department can be wisely expended by them upon the public buildings to be constructed during next year.

Mr. MANN. That is, in this appropriation bill. But we have made appropriations for several years where very little of the money has been expended, and I thought it would be desirable to know—and I suppose the Supervising Architect does know, to an estimated extent, at least—how much they expect to spend out of this appropriation and former appropriations during the next year in building. How much Government building are we going to do, in other words, during the next year?

Mr. BYRNES of South Carolina. The Supervising Architect says that there was a balance available for construction of $11,300,000, and if this appropriation of $6,000,000 is made there will be available for construction during the next fiscal year $17,466,000.

Mr. MANN. Yes; available, so far as appropriations are concerned. But a considerable portion of the money which has heretofore been appropriated in cases covered by that is not available. There is not money enough appropriated to build the buildings within the limit of cost fixed, and in those cases the department can not go ahead and spend the money.

Mr. BYRNES of South Carolina. I think the gentleman's statement is correct, and for that reason the Secretary of the Treasury has pending before the Committee on Public Buildings and Grounds estimates to increase the authorizations for those buildings.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. I will ask for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BYRNES of South Carolina. The Committee on Appropriations believed it had no right to increase the authorizations, but it was informed that the Committee on Public Buildings and Grounds would do it.

Mr. MANN. Well, the Committee on Public Buildings and Grounds has reported a bill to the House, which is on the calendar. It may be called up for consideration under suspension of the rules, at which time, if that is done, of course, there will be no information furnished, or not very much. There will not be time enough to furnish very much; and I would like to find out, if the gentleman knows, how much money can be expended for public buildings in the next year if the public-buildings bill does not become a law—I do not think its chances are exceedingly rosy—and how much necessity there is for passing the public-buildings bill in order that the public work may proceed. If the gentleman from South Carolina has any figures on the subject, I would like to have them.

Mr. BYRNES of South Carolina. I have no figures from the Supervising Architect's Office except those that I have given him.

Mr. MONDELL. If the gentleman would like to have an opinion on the subject——

Mr. MANN. If it is an opinion based on information, I know of no other gentleman whose opinion I would rather have than that of the gentleman from Wyoming. Even if it is a desire and not an opinion I would still welcome it.

Mr. MONDELL. This is the situation: Practically the entire $11,000,000 now in the Treasury available for public-building construction is tied up because of the fact that the lowest bids under advertisement have not been within the limit of cost.

Unless conditions change, it is quite likely that only a small portion of the $6,000,000 we are now appropriating can be spent, because of the fact that bids will not be received within the limit of cost. Now, there are three general conditions affecting this situation. In some cases the Supervising Architect anticipates that there may be such a change in the condition of the labor market as will enable him to construct the buildings for which he has advertised or for which he will advertise. Second, in some cases he hopes to be able so to modify the plans as to come within the limit of cost where the bid is very near the limit of cost. But in the main, unless there shall be a very great change in the labor and material situation, the carrying on of this program depends upon the passage of the bill that has been reported from the Committee on Public Buildings and Grounds raising the limit of cost on these buildings.

The CHAIRMAN. The time of the gentleman has again expired. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Muskegon, Mich.: For rent of temporary quarters for Government officials and moving expenses incident thereto, $1,500.

Mr. HASTINGS. Mr. Chairman, I wish to offer an amendment, after line 18, page 6, and to have the amendment read, and let gentlemen reserve any points of order against it, and let it go over until later.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HASTINGS: Page 6, after line 18, insert:
"Muskogee, Okla.: Post office and courthouse, completion, $50,000."

Mr. BYRNES of South Carolina. I reserve a point of order on the amendment.

Mr. MANN. I reserve a point of order.

Mr. HASTINGS. I want to say to the gentleman from South Carolina in charge of the bill that this item is contained in the public-building bill that is reported. It was estimated for by the Treasury Department, but I do not have the letter here with me now, and if he will be good enough to let it go over with permission to return to it, I will appreciate it.

Mr. BYRNES of South Carolina. Is there any authorization for the construction of the building?

Mr. HASTINGS. The building is already constructed. This is for completion.

Mr. BYRNES of South Carolina. This increases the limit of cost?

Mr. HASTINGS. It does.

Mr. BYRNES of South Carolina. I make the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

St. Louis, Mo., appraisers' stores: For remodeling plumbing system, rewiring, and other necessary repair work, $40,000.

Mr. KEATING. Mr. Chairman, I move to strike out the last word. The Committee on Appropriations has seen fit to strike from this bill appropriations for the United States Employment Service and certain other bureaus in connection with the Department of Labor.

The gentleman in charge of the bill says that the items were taken out of the bill because they were clearly out of order. The Committee on Appropriations in the past have not found it difficult to protect items that they desired to retain in a bill, and I take it that if the committee had desired to continue the employment service and the other bureaus of the Labor Department they would have appealed to the Committee on Rules for a rule making those items in order, and that the Committee on Rules would have responded to the request.

I am not convinced that the amendments are not in order, or at least that they can not be so framed as to be in order; and when the items are reached in the bill, if no one else offers the amendments, I will endeavor so to frame them that they will be in order, and that the Department of Labor may secure the money that it needs to carry on these activities.

It is very unfortunate that the Committee on Appropriations has endeavored at this time to cut off the employment service. Some one has suggested that there is an item in the bill for the purpose of enlarging St. Elizabeths Hospital for the Insane. I sometimes wonder what the folks at home will think when they learn that the Congress of the United States, after the great war, when we are demobilizing hundreds of thousands and millions of men from military life and from industrial life, offers as its contribution a proposition to close all the Federal employment offices in the country and to enlarge the Federal insane asylums.

Mr. Chairman, I have no desire to detain the House at this time, and I ask permission to insert in the RECORD, without reading it, a letter from the Secretary of Labor, in which he sets forth some of the reasons why the United States Employment Service should be continued and its activities should be enlarged.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

The letter is as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, February 21, 1919.

Hon. EDWARD KEATING,
House of Representatives, Washington, D. C.

MY DEAR MR. KEATING: In submitting the estimate for the United States Employment Service and asking for the appropriation "to enable the Secretary of Labor to continue and maintain a system of labor exchanges and to cooperate with States and municipalities in continuing and maintaining systems of labor exchanges in order to advance opportunities for profitable employment of the wage earners of the United States, including discharged soldiers, sailors, and marines," I felt that it was absolutely necessary in order to keep industrial unrest at a minimum throughout the whole country and to facilitate the processes of readjustment, to continue the Employment Service as established and operated in this department in cooperation with the public employment services in such States as have established them. These State employment services, either through their statutory organization or through the various State councils of defense, have contributed during the period of the war to the maintenance of a federated employment service, supervised uniformly with regard to standards and practices.

It is the policy of this department to work toward a federated system of employment exchanges, which shall be jointly financed by the Federal Government and the States (including municipalities) and managed by the States under proper supervision from the Federal Government, so that every possible facility shall be given to wage earners out of employment in one locality or State to secure positions which are open in another.

Agreements are already pending with certain States, where the legislatures have shown themselves inclined to grant an appropriation sufficient to maintain an adequate service under the proposed plan.

Inasmuch as the maintenance throughout the country of an employment service at least as adequate as that now in existence is required in order to avoid hardship and disorder during the period of military demobilization and industrial readjustment, it is necessary that the Federal Government should for the present be able to maintain its own system of offices in every State until the State is ready to meet its share of the burden and take over the management subject to Federal supervision.

Sincerely, yours,

W. B. WILSON,
Secretary.

Mr. KEATING. Mr. Chairman, just a word more. One of the objections urged against the employment service is that it has been controlled by representatives of organized labor. The most convincing answer to that objection is a statement showing the personnel of the service, the men who have charge of the activities of the service. Therefore, I ask permission to insert in the RECORD without reading it a list of the directors of the service, both in this city and throughout the country.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

Mr. WALSH. Mr. Chairman, reserving the right to object, that is all contained in the reports of the department, I assume. Why is it necessary to print the names in the RECORD? There are quite a number of names, are there not?

Mr. KEATING. Not more than 50 or 60.

Mr. WALSH. Is that all—the complete personnel of this bureau?

Mr. KEATING. No; not every employee, but the men who are in charge.

Mr. WALSH. The directors?

Mr. KEATING. The directors.

The CHAIRMAN. Is there objection?

There was no objection.

The list is as follows:

PERSONNEL, UNITED STATES EMPLOYMENT SERVICE.

Director general, John B. Densmore, lawyer.

Assistant director general, Nathan A. Smyth, member of insurance firm of Smyth, Sanford & Gerard, New York City.

Advisor on industrial relations, Hugh Frayne, formerly labor representative, War Industries Board.

Director clearance division, Sanford H. E. Freund, assistant general counsel, Great Northern Railroad.

Director organization division, William E. Hall, manufacturer and lawyer, New York City.

Director information division, A. D. Chiquoine, jr., secretary Philadelphia Bourse, Philadelphia Public Ledger.

Director control division, Luther C. Steward, Immigration Service and lawyer.

Director farm-service division, M. A. Ceykendall, Immigration Service.

National superintendent bureau returning soldiers, sailors, and war workers, Harold A. Stone, banker and lawyer, Syracuse, N. Y.

Federal directors for States:

Maine—Charles S. Hichborn, president First Granite National Bank, Augusta, Me.

Vermont—Robert W. Simonds, lawyer and commissioner of labor.

New Hampshire—E. K. Sawyer, merchant, department store.

Massachusetts—Everett W. Lord, dean, School of Business Administration, Boston University.

Rhode Island—George H. Webb, formerly secretary chamber of commerce, commissioner of industrial statistics, director of workingmen's compensation, superintendent of State employment office, director of the draft in Rhode Island, Army commission of captain, colonel on governor's staff.

Connecticut—Charles E. Julin, manufacturer.

New York—Acting Director George W. Elrchway, formerly dean Columbia Law School.

New Jersey—Lewis T. Bryant, real estate business, State commissioner of labor.

Pennsylvania: Former director, E. C. Felton, president Pennsylvania Steel Co. (Successor not appointed.)

Maryland: John K. Shaw, coal operator.

Virginia: James B. Botts, formerly member firm of Darris & Stephenson (Inc.), insurance.

West Virginia: Lemuel B. Spaun, immigrant inspector in the Immigration Service.

Ohio: Fred. C. Croxton, food administrator.

Michigan: James V. Cunningham, formerly State labor commissioner. (Member organized labor.)

Wisconsin: George P. Hambrecht, lawyer and employer, chairman Wisconsin Industrial Commission.

Indiana: Louis C. Huesmann, manufacturer of hardware.

Illinois: Mark L. Crawford, commissioner of conciliation, immigration inspector at Chicago.
Minnesota: Hugo Koch, deputy labor commissioner of Minnesota; Department of Labor, from civil-service list.
Kentucky: W. Pratt Dale, lawyer, formerly counsel for the chamber of commerce.
Missouri: W. W. Brown, lawyer, formerly member of Brown & Steward.
Tennessee: Joseph T. Ware, physician.
North Carolina: George J. Ramsey, president Peace Institute, Raleigh, N. C.
South Carolina: John L. Davis, secretary-treasurer South Carolina Federation of Labor, secretary-treasurer City Federation of Trade, member South Carolina Board of Conciliation and Mediation, employee of newspaper.
Georgia: H. M. Stanley, State commissioner of industry and labor.
Florida: Gideon B. Travis, civil-service appointee.
Alabama: George B. Tarrant, real estate dealer.
Mississippi: H. H. Weir, president State Federation of Labor, newspaper, creamery, and farm products business employee.
Louisiana: H. A. M. Jacobsen, civil-service appointee.
Arkansas: R. B. Keating, Immigration and Conciliation Service.
Iowa: A. L. Urick, State commissioner of labor.
North Dakota: Lindley H. Patten, cashier and lease clerk of State land department.
South Dakota: Charles McCaffree, five years immigration and industrial department; newspaper and advertising; four years directing farm-labor work.
Texas: H. W. Lewis, railway official, formerly State labor commissioner.
Nebraska: George J. Kleffner, formerly with Post Office Department (member of organized labor).
Kansas: J. Will Kelley, formerly secretary chamber of commerce, Topeka.
Oklahoma: Claude E. Connally, assistant commissioner of labor; six years State forestry inspector
Montana: Scott Leavitt, formerly official of forestry service.
Wyoming: Edward P. Taylor, fire chief; commissioner of labor and statistics.
Colorado: Roady Kenehan, formerly State treasurer and State auditor; secretary district exemption board.
New Mexico: D. A. MacPherson, business manager of newspaper.
Arizona: Thomas J. Croaff, president State Federation of Labor; member executive council, State council of defense.
Utah: P. J. Moran, president Utah-Portland Cement Co.
Idaho: M. J. Kerr, rancher and contractor.
Washington: Lawrence Wood, Immigration Service.
Oregon: Wilfred F. Smith, transferred from Immigration Service.
Nevada: J. C. Coniff, business man.
California: William T. Boyce, Immigration Service.
Delaware: Simon P. Doherty, secretary police commission, Delaware; secretary State senate; inspector Dupont Co.; employer in laundry business.
District of Columbia: E. M. Kline, civil-service employee.

Mr. KEATING. And now, Mr. Chairman, I want to impose on the good nature of the House by asking to insert in the RECORD a short brief, referring to some of the activities of the service.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

Mr. WALSH. Is it the gentleman's own brief?

Mr. KEATING. No; it is a brief prepared for me, at my request.

Mr. WALSH. Does the gentleman know whether it is the brief that has been sent out by Mr. Densmore to all Members?

Mr. KEATING. I presume it covers practically the same ground. I will say to the gentleman that my object in inserting it is to furnish information to the membership of the House. I presume most Members of Congress treat letters and pamphlets as I treat them. I confess that I have not time as a rule to read all the pamphlets that come to my desk. I merely desire to insert the matter so that Members of Congress who read the RECORD may have an opportunity to see the work that the department has been performing.

Mr. WALSH. It was presented by Mr. Densmore with a letter accompanying it, and it was official mail, and I assume that Members have read it. I have.

Mr. KEATING. If Members have read it, I have no desire to insert it in the RECORD. I merely want to call it to the attention of Members.

Mr. WALSH. I wanted to see if it was the same matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The brief is as follows:

UNITED STATES EMPLOYMENT SERVICE—WAR AND POSTWAR ACTIVITIES, AND ITS PLACE IN THE NATIONAL PROGRAM.

(1) Increased the number of public employment offices throughout the United States from 96 in 36 States on January 3, 1918, to approximately 800 in 48 States on August 1, 1918.
Unified Federal, State, and municipal services into national system.
(2) Centralized the control of labor recruiting and reduced turnover by abating the chaotic unrestricted bidding which was going on between different Government departments and private concerns doing war work. Accomplished by having all departments use Employment Service by regulating fee-charging agencies, and by prohibiting competitive advertising for common labor.
(3) Established approximately 1,700 community labor boards, with representatives of employers, employees, and the public, and secured their joint counsel in the work of the local offices. These boards made it possible to secure cooperation of the various community interests and to intimately study and adjust local labor situations—the moving of men from nonessential to essential industry; replacement of men with women; determination of priorities to insure proper distribution among plants doing war work; and the like.
(4) During 12 months, January 1, 1918, to December 31, 1918, received orders for 8,800,000 people; registered 4,212,000; referred 4,000,000; placed 3,100,000. Interstate shipments of unskilled labor of six months were 165,000. At the rate charged by private agencies—$2 to $5 per person—this service saved, it is conservatively estimated, the wage earners over $8,000,000.
(5) Selected and appointed 149 representative public-spirited citizens of broad and varied interests to act as industrial advisers to the district draft boards on the problem of industrial deferments. These industrial advisers, working with the community labor boards and local branch offices of the Employment Service, were a real factor in assisting the district draft boards to get competent information on industrial deferments.
(6) Studied the important problem of transferring women to war work and handled through the local offices nearly 368,000 women of all classes during a period of 10 months. Also organized to assist in demobilization of women war workers.
(7) Organized the Public Service Reserve, with some 15,000 volunteer enrolling agents, as an auxiliary arm to the local employment offices. This service registered and classified approximately 300,000 workers of various trades. Three thousand motor mechanics were specially recruited to meet urgent request from Gen. Pershing; 6,000 railway men were secured for overseas service; a large number of high-grade technicians secured for Ordnance, Engineering, Navy, and other Government departments.
(8) Organized Boys' Working Reserve in every State, with approximately 250,000 boys, and placed about 200,000 boys over 16 years and under draft age into agricultural work, besides training in camps and schools 30,000 in farm craft.
(9) Handled through special offices in the Dakotas, Nebraska, and Kansas some 18,500 men for wheat harvesting.
(10) Worked out elastic labor pooling of the longshoremen, stevedores, and marine workers in all of the important Atlantic coast ports. Estimated that efficiency of handling New York port traffic was increased 30 per cent, and that 175,000 vacancies filled in one month, when pressure for shipping was greatest. This meant an actual increase in shipping tonnage.
(11) Cooperation effected with coal operators and workers whereby some 15,000 miners were transferred from nonwar to war work.
(12) Organized a bureau for placing men handicapped by age or physical disability, and have placed some 7,500 since July 1, 1918.
(13) Established a technical, professional, commercial, and executive section to deal with high-grade, qualified applicants. This section has given special attention to finding opportunities in civil life for officers being discharged from military service.
(14) Since the signing of the armistice approximately 1,500,000 people have registered; 1,300,000 have been referred to jobs and approximately 1,000,000 placed. The employment offices made many adjustments possible by securing information on job opportunities, both locally and otherwise.
(15) Organized throughout the country some 1,850 special "Returning Soldiers, Sailors, and War Workers' Bureaus;" and coordinated the activities of the American Red Cross; Young Men's Christian Association; Young Woman's Christian Association; National Catholic War Council, including the Knights of Columbus; Jewish Welfare Board; War Camp Community Service; War Time Commission of the Churches; Salvation Army; American Federation of Labor; Council of National Defense and its State and local units; Women's Committee, Council of National Defense; American Council of Education; Federal Board for Vocational Training; War Department (Adjutant General's Staff, Morale, Personnel, and Demobilization Divisions, and the Committee on Educational and Special Training Services); Navy Department; Department of Agriculture; War Labor Policies Board of the Department of Labor into a comprehensive, cooperative plan directed by a central board to meet this problem.
(16) Stationed men in all of the important Army camps to give assistance to soldiers wanting information about job opportunities, and to call to the attention of camp commanders the cases of men whose discharge is important for industrial reasons. It is estimated that 200,000 soldiers desired and have received such information.
(17) Report secured weekly from 122 major industrial centers of the country giving barometric pressure map of employment conditions—showing shortages and surplus. These data are being used by Senate committees and the various executive departments of the Government to determine important Government policies having to do with unemployment—e. g., cancellation of contracts, rapidity of demobilization of the Army, necessity for emergency public works, and the like.

LABOR EXCHANGES IN NATIONAL PROGRAM.

(1) The operation of employment offices is universally recognized as a public function—private agencies operating on a fee basis have stimulated unemployment and increased turn over besides taking millions of dollars out of the pockets of the wage earners of the country.
(2) England with one twenty-fifth of our territory and one-half of our population has approximately 1,500 exchanges and agencies. When it is considered that New York City alone has 600 private agencies, it would seem that 1,500 offices eventually in the United States will not be an unreasonable number. Expenditures for such agencies are an investment in industrial peace.
(3) Employment offices must be labor exchanges rather than simply unemployment offices. They must secure a pooling in so far as is practicable of all job opportunities and applications in the community.
(4) To maintain confidence both of employers and employees, advisory boards, national, State, and community, are a necessity in the general plan.
(5) Study must be made of causes of unemployment, irregularity of employment, and methods of relief. A national obligation to do this in cooperation with the States and municipalities—a well organized, efficient system of labor exchanges can be the one biggest single factor in meeting the problem of unemployment which is more fraught with dangerous possibilities than at any time in the world's history.
(6) There must be no drifting back to prewar methods of handling unemployment—a well organized, unified national system of labor exchanges is vitally necessary as a permanent part of our national program.

Mr. MONDELL. Mr. Chairman, the gentleman from Colorado grows facetious as to the discharge of its duty by the Committee

on Appropriations. The gentleman from Colorado would have the Committee on Appropriations run amuck when it suits him to have it run amuck; but no one would protest more loudly, no one would be more vociferous in denouncement of the committee than he were it to exceed its authority and its jurisdiction in lines that did not please his fancy.

It is all very well for the gentleman to get up and abuse the Committee on Appropriations for doing its duty, but when appropriation committees in this House cease to realize and understand the responsibility placed upon them by the rules of the House and their oaths it will be a bad day for the House.

The gentleman from Colorado did not accurately state the situation when he said that the committee had stricken from this bill certain items. The committee did nothing of the kind. It did not place in the bill items for various war services, because it had no authority to make appropriations for those services. The members of the committee would have been subject to the severest criticism if they had assumed to provide for all of them, or to have selected, according to their particular fancy, those activities which they thought ought to go into the bill.

Mr. KEATING. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. KEATING. I think the gentleman and the House will agree that I have not spent any great time on the floor abusing the Committee on Appropriations or any other committee of this House. What I endeavored to say was that the Committee on Appropriations knew the path that leads to the room of the Committee on Rules, and that in the past when the Committee on Appropriations desired to retain in the bill an item on which a point of order might be urged, the chairman of the committee, acting on behalf of the committee, has not hesitated to go to the Committee on Rules asking for a rule to make it in order.

Mr. MONDELL. The gentleman from Colorado is no more accurate in that statement than in the original statement that he made. It has never been the practice of the Committee on Appropriations, and I hope it never will be the practice of that committee, to bring into the House matters subject to a point of order. There have been very rare cases—and they have been so rare as to be remarkable in their infrequency—when it became necessary, in order to carry out the clearly expressed will of the House in an urgent matter or to properly provide for an appropriation regularly made, by some modification of a regulatory provision.

Mr. KEATING. Will the gentleman yield?

Mr. MONDELL. No; I can not; I have not time. But the gentleman complains that the Appropriations Committee should place in the bills every estimate and suggested expenditure——

Mr. KEATING. I never expressed any such idea.

Mr. MONDELL (continuing). That the committee might approve.

Mr. KEATING. If the gentleman will yield, I will clear that up so that he will not make a mistake.

Mr. MONDELL. Because the committee did not accede and go beyond its jurisdiction in regard to the matter.

Mr. KEATING. If the gentleman——

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Colorado?

Mr. MONDELL. I have not yielded, Mr. Chairman.

The CHAIRMAN. The gentleman declines to yield, and the gentleman from Colorado will observe the rule.

Mr. MONDELL. Because the committee refuses to go beyond and exceed its jurisdiction and violate the rules of the House by submitting an appropriation of millions of dollars for an agency which the Congress has not provided for by law the gentleman is not pleased; and yet if it did that very thing, touching subjects the gentleman did not approve of, he would be the first to complain.

Mr. MANN. Mr. Chairman, the gentleman from Colorado [Mr. KEATING] is slightly in error and has committed a very natural error in assuming that the Committee on Appropriations had been in the habit of asking for a rule to make items in appropriation bills reported from that committee in order. That has very seldom been done, as I am informed by one of the gentlemen here. It was done, I think, during my absence, but of that I am not sure. Otherwise I do not remember of any case—although my memory might be refreshed—where the Committee on Appropriations has done that. But it is natural that the gentleman from Colorado fell into the error because various other appropriating committees have gotten into the very vicious habit of assuming that they could report anything in an appropriation bill, like the Post Office bill, the Agriculture bill, the naval bill, or the Army bill, or some of the other appropriation bills, and then walk over to the Committee on Rules and ask the Committee on Rules to report a rule making it in order. The same committees have jurisdiction to report bills covering the same legislation to bring such a bill before the House when the proposition could be carefully considered. It is a practice that has only grown up in the last four or five years. It ought to be frowned upon, but probably never will be, because since the change of the House rules making a new Committee on Rules, which formerly was a mere instrument of the House, the Committee on Rules frequently gets the idea in its head, and it will always continue, that the committee owns the House and runs the House and that it is its duty to tell the House what it shall consider. [Applause.]

In the old days the Committee on Rules never brought a matter before the House unless the House clearly indicated its desire to take up a certain proposition, which otherwise could not be called up. In charge of them, I put through this House some of the most important measures ever passed through the House. If it were to be done now gentlemen would trot to the Committee on Rules and ask for a rule for special consideration, with a limitation of debate; yet I never asked for a rule from the Committee on Rules in my days in the House, and never passed a bill with a limitation of debate proposed by the Committee on Rules. It is just the difference of going at it. I suppose it will get worse and worse until some day the House will throw the Committee on Rules through the ceiling.

The CHAIRMAN. The time of the gentleman from Illinois has expired. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Tulsa, Okla., post office and courthouse: The sum of $35,000 of the unexpended balance of the appropriation for the "post office and courthouse, Tulsa, Okla," is reappropriated and made available for necessary changes and remodeling at the said building.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. In the first place, apparently, they have got to remodel this building before they finish it. What is the necessity for it?

Mr. BYRNES of South Carolina. The Supervising Architect stated that of the original authorization for the construction of this building there remains a balance unexpended of $75,000, which amount they asked for the purpose of remodeling and repairing it. The request naturally caused the committee to inquire, as the gentleman from Illinois [Mr. MANN] inquires, the reason for it. They said that this is one of the boom oil towns. When the building was constructed there was a population there of 20,000, and the last census shows a population of 78,000. The receipts of the post office in 1916 amounted to $176,000; in 1917 to $262,000; in 1918 they increased to $404,000; and in 1919, from July 1 to October 1, the first quarter, they were $110,000, and for the second quarter, $126,000. They urge that the conditions as they exist are impossible, and that they absolutely need the money, and so this sum of the unexpended balance is made available.

Mr. MANN. It was not all appropriated in the first place?

Mr. BYRNES of South Carolina. Yes.

Mr. MANN. And there was an allowance for a certain amount. Thereupon the Supervising Architect's Office thought it owned the money. They could not spend it on the building, and now, thinking they own the money, they want to expend it on something else. How long has this building been finished?

Mr. BYRNES of South Carolina. It has been finished since the latter part of 1917.

Mr. MANN. And now they are going to spend $35,000 on remodeling?

Mr. BYRNES of South Carolina. Yes; and I will say to the gentleman that the statement he makes I made when the proposition was originally submitted.

Mr. MANN. Then we both agree, but what's the answer?

Mr. BYRNES of South Carolina. The answer is that the Supervising Architect presented a statement of receipts showing that this post office is now absolutely inadequate for these people to carry on their business within the walls of the building. The receipts show that they have grown from $176,000 in 1916 to where they will be over $500,000 this year.

Mr. MANN. Is this for an addition to the post-office building?

Mr. BYRNES of South Carolina. It says to make necessary changes and remodeling.

Mr. MANN. And it wants to spend $35,000 to remodel it. At first blush, I should think we need a new Supervising Architect's Office.

Mr. BYRNES of South Carolina. The statement of the Supervising Architect was that they needed this money to extend the vestibule and make it possible to accommodate the business of the office, and as the money was available for this purpose they asked that it be appropriated instead of going to the Committee on Public Buildings and Grounds and asking for a new authorization.

Mr. MANN. I understood the gentleman to say awhile ago that there was no item of appropriation in this bill which is not authorized by law.

Mr. BYRNES of South Carolina. Yes; within the limit of cost.

Mr. MANN. This item is not authorized by law.

Mr. BYRNES of South Carolina. This is within the limit of cost, authorized by law. That is what I stated to the gentleman in reply to his question. It is within the limit of cost authorized by law.

Mr. MANN. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn and the Clerk will read.

The Clerk read as follows:

Remodeling, etc., public buildings: For remodeling, enlarging, and extending public buildings, including any necessary and incidental additions to or changes in mechanical equipment thereof, so as to provide for additional space for emergent cases, not to exceed an aggregate of $20,000 at any one building, $200,000.

Mr. WALSH. Mr. Chairman, I want to ask the gentleman in charge of the measure how this $200,000 is to be applied.

Mr. BYRNES of South Carolina. I can explain to the gentleman. Last year Congress made this identical appropriation as a proviso to the item for repairs of $800,000, making the total appropriation $1,000,000 under that item. When they went to make expenditures under this appropriation for the purpose of making minor repairs or to remodel at a minor expense, the comptroller ruled that inasmuch as they had this special fund for that purpose, they could not spend any of the $800,000 for any work which was in the nature of remodeling a building, and where Congress intended to give to the Treasury Department the right to make minor changes not to exceed $20,000 in any case, the result was that it tied up the expenditure of the $800,000. The purpose is to give to the department the right to make minor repairs of this character, not to exceed the sum mentioned.

Mr. WALSH. He could go ahead and start to remodel the building at a cost of $20,000 and then stop and come back and in the next bill presented to the House they would say they wanted some more money to complete the remodeling of that building. I do not know but that may account for the situation at Tulsa, Okla.

Mr. BYRNES of South Carolina. That, of course, would be a violation of the purpose of the architect as expressed to the Appropriations Committee, and if the fund were so used in any case, the Appropriations Committee would learn of it at the next session and the Congress could promptly remedy it by failing to renew this appropriation.

Mr. WALSH. They might see to it that it was remedied by giving him an additional appropriation, if the building happened to be favorably situated in the country, but I can not quite see why we should give a blanket authorization for remodeling, "enlarging, and extending public buildings, including incidental additions to or changes in the mechanical equipment," and for "additional space for emergent cases."

Mr. BYRNES of South Carolina. The only purpose is this, undoubtedly during the year there arise emergency cases where there should be for the accommodation of the business of the post office minor extensions which, under this item, could not in any case exceed $20,000.

Mr. WALSH. Of course a number of buildings are provided where the total appropriation is not $20,000 or in that vicinity and they could take a building of that sort for which $20,000 or $25,000 has been appropriated and put an addition on it for $20,000 out of this $200,000 and give practically twice as much building as the Public Buildings Committee reported or provided for in its authorization.

Mr. BYRNES of South Carolina. Assuming the statement of the gentleman to be correct, that the Supervising Architect would do that, I can only say what I said before, it would be such an abuse of the appropriation that I have no idea the Congress would ever again grant the appropriation.

Mr. WALSH. The Supervising Architect would not do that because we have not got a Supervising Architect and have not had one for three or four years. The executive officer would never do that who is the Acting Supervising Architect, but we might get a Supervising Architect who would find it very convenient to do just that one thing. They have got a fund of $200,000 available for adding to and altering buildings, but they limit each individual case to $20,000.

Mr. MANN. Mr. Chairman, I am not at all certain as to that. While the gentleman says the Supervising Architect's Office will not do it, it looks as though that is what they were asking for permission to do directly. Last year we authorized an expenditure of $200,000 for altering or remodeling public buildings outside of the District of Columbia not including quarantine buildings.

That provision they do not ask for again this year, but in lieu of it they ask for $200,000 to remodel, enlarge, or make additions to buildings, including the buildings or enlargements and including quarantine stations. We have always tried to draw the line between the ordinary Government building and a quarantine station, so far as appropriations are concerned. Now, they have some object in view in making this change, and what is it they propose to do? This would authorize them to spend $20,000, if they desired, where they are authorized now to spend $40,000 for a public building. It might be very handy——

Mr. BYRNES of South Carolina. I can say to the gentleman the purpose of the Supervising Architect, as expressed to the committee, is merely to carry out the idea expressed last year, and the language which the gentleman calls to my attention I have absolutely no objection to, so I suggest that either he or I offer as an amendment so as to provide exactly the language in which this appropriation was carried last year. Mr. Chairman, I move, after the word "buildings," in line 21, to amend by inserting "outside the District of Columbia, other than marine hospitals and quarantine stations."

Mr. WALSH. Mr. Chairman, I reserve the point of order on the amendment.

Mr. MANN. That does not quite cover what I was calling attention to. I do not know that it is improper. The language last year was, "for altering and remodeling completed and occupied public buildings." Of course, altering and remodeling are the same thing, and, of course, that is a duplication, and that is left out, and this year they say, "for remodeling, enlarging, and extending public buildings." Now, I take it what they propose to do out of this money appropriated is to build an addition, if they want to, whereby they can take $20,000, having only authority to do that ten times.

Mr. BYRNES of South Carolina. The purpose of it was, as stated to the committee, simply to provide for remodeling or altering where emergency cases became necessary.

Mr. MANN. Well, I quite agree as to the desirability of permitting this, but I have always observed that it was the practice of the department where they had an appropriation in certain language and that language covered what they wanted to do that when they made their estimate they made it in that language, but if they wanted to do something else they proposed new language and they do not say anything about that when they come before the committee unless somebody asks about it.

Mr. BYRNES of South Carolina. If I understand the gentleman's position, he would strike out the words "and extend"?

Mr. MANN. I do not say it ought to be stricken out, but I am asking why they are asking for this permission to enlarge and extend public buildings, that is a new proposition.

Mr. BYRNES of South Carolina. Well, if they have any reason they failed to disclose it to the committee. Their only objection is that by reason of including that particular language in the section they were unable to use any of the $800,000 for repairs in any remodeling work.

Mr. MANN. Well, certainly; and that is because they were given $200,000.

Mr. BYRNES of South Carolina. But there was no statement made by the Supervising Architect that any occasion had arisen for broadening the language, and I am entirely willing to accept the amendment to strike out the words "and extend."

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. WALSH. Mr. Chairman, I would like to ask the gentleman if it is contemplated to make this available to buildings in process of construction and why it is not confined, as it was done last year, to completed and occupied buildings?

Mr. BYRNES of South Carolina. It is not my understanding that the language provides for buildings in the process of construction. If the gentleman will call my attention to the language he has in mind in making the inquiry, I would be glad.

Mr. WALSH. Well, the only reason that I think it applies to buildings in process of construction was that this item last year was carried in the following language:

That not to exceed $200,000 of the appropriation in this paragraph may be expended for altering and remodeling completed and occupied public buildings outside the District of Columbia other than the marine hospitals and quarantine stations.

Now, they put in here:

For remodeling, enlarging, and extending public buildings, including any necessary and incidental additions to or changes in mechanical equipment thereof so as to provide for additional space for emergent cases, etc.

Now, that, it seems to me, would permit the enlarging, changing the plan of, or the extension of a building in process of construction, provided they could do that out of the $20,000.

Mr. BYRNES of South Carolina. I will say to the gentleman that the comptroller has ruled that where the Supervising Architect has a special fund for construction additional funds can not be used for that purpose, and certainly under this language no part of this fund could be used for extending the work upon a building under construction, and I am satisfied if the gentleman will read it he will reach the same conclusion.

Mr. WALSH. I do not reach that conclusion at all. That is just the point I am making.

Mr. BYRNES of South Carolina. My information is that the comptroller has ruled that additional money can not be used where a fund is provided for the construction of the building.

Mr. WALSH. Would the gentleman have any objection to incorporating in line 21, after the word "extending," the words "completed and occupied"?

Mr. BYRNES of South Carolina. None at all. That covers the purpose which the Supervising Architect stated to us.

Mr. WALSH. If the gentleman will propose that amendment, I will gladly withdraw the point of order.

The CHAIRMAN. The gentleman from Massachusetts withdraws the point of order, and the gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 10, line 21, after the word "extending," insert the words "completed and occupied."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. MONDELL. Mr. Chairman, I desire to clear up a seeming misunderstanding with regard to the language carried in the bill of the present fiscal year, appropriating $200,000 of the general appropriation for repairs, equipment, and general expenses of public buildings, for altering and remodeling completed and occupied public buildings outside of the District of Columbia. The difficulty with regard to that provision was that while that $200,000 was intended to enable the Supervising Architect to remodel in a way to enlarge and extend facilities, the language was such that the comptroller held that if the remodeling did enlarge or extend, the money could not be used. Therefore, in order to give the Supervising Architect a sum that he might use for remodeling, which would enlarge and extend facilities we put it in a new paragraph, instead of leaving it in the language of the present appropriation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MARINE HOSPITALS.

Chicago, Ill.: For remodeling present building, $50,000; medical officers' quarters, $10,000; junior medical officers' quarters, $12,000; pharmacists' and pursers' quarters, $16,000; attendants' quarters, $33,000; in all, $121,000.

Mr. KEATING. Mr. Chairman, I move to strike out the last word.

A few minutes ago I made the suggestion to the Committee on Appropriations that before omitting the item relating to the United States Employment Service it might have been well to have asked the Committee on Rules for a rule which would have made the appropriation in order. The gentleman from Wyoming [Mr. MONDELL] took exceptions to the way in which I presented that view.

As I said at that time, Mr. Chairman, I have no desire to abuse the members of the Committee on Appropriations, and if there was anything in my remarks which could be construed as abuse, I will very gladly remove those obnoxious statements from the RECORD.

But, Mr. Chairman, when the gentleman from Wyoming tells the House that the Committee on Appropriations or the members of the Committee on Appropriations have not appealed to the Committee on Rules to make in order items on appropriation bills which would otherwise be subject to a point of order, his memory betrays him.

I have before me the CONGRESSIONAL RECORD for March 13, 1918, when we were considering the legislative appropriation bill. The gentleman from Kentucky [Mr. SHERLEY], the chairman of the Committee on Appropriations, offered an amendment allowing a bonus to Federal employees. A point of order was made, and the amendment was ruled out of order. And immediately the chairman of the Committee on Rules presented a rule making that exact language in order. And the rule was adopted by the House and the proposition made by the Committee on Appropriations was carried.

So, when I suggested to the Committee on Appropriations that in considering so important an item as this relating to the employment service, the committee, if necessary, should have appealed to the Committee on Rules, I was only suggesting what the committee itself had done in connection with other important legislation. Because, Mr. Chairman, the legislation proposed back there on March 13, 1918, was of little importance compared with the item I am discussing now. If you omit this appropriation for the employment service, it means you will discontinue at the end of this fiscal year this great service which has been built up all over this country, and that you will discontinue it at a time when hundreds of thousands and millions of men who were called to the service of their country are about to leave that service and seek employment.

Mr. McCORMICK. Will the gentleman yield?

Mr. KEATING. I will.

Mr. McCORMICK. Will the gentleman tell the committee how many agencies have been conducted by this service, approximately?

Mr. KEATING. I have placed those exact figures in the RECORD.

Mr. McCORMICK. I beg pardon.

Mr. KEATING. I can not place my finger on the figures now, but if the gentleman will read the CONGRESSIONAL RECORD tomorrow he will find that information.

And so, Mr. Chairman, permit me to again express regret that the Committee on Appropriations did not safeguard this appropriation by securing a rule. And then, allow me to express regret that anything I may have said in this discussion should be construed by my good friend from Wyoming [Mr. MONDELL] as abuse of him or any other Member of the House.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

Mr. WALSH. Mr. Chairman, I move to strike out the last two words for the purpose of asking the gentleman from Colorado [Mr. KEATING] if he knows how it is that within less than 36 hours—I think less than 20 hours—after the Committee on Appropriations had declined to insert the item in which he was so profoundly interested in the sundry civil bill that there came to Members of Congress from all over this country telegrams by the dozens and by the scores, and to further inquire if he knows whether or not those telegrams are being sent as the result of recommendations being sent out by the Department of Labor here in Washington, by telegrams to men interested in the labor movement and in the maintenance of these employment bureaus throughout the country?

Mr. KEATING. Mr. Chairman, I would suggest to the gentleman that there is a telephone connecting this House with the Department of Labor, and if the gentleman from Massachusetts believes that the Secretary of Labor or anyone connected with the Labor Department is conducting a propaganda, it would be perhaps well to address his question to the director of the Labor Department. I am not connected with the Labor Department.

Mr. WALSH. I thank the gentleman for the answer which he gives, containing no information. But the gentleman, though he be not connected with the Labor Department, stands here upon the floor and for the past two years has held the position of the spokesman of that department whenever any proposition has been under consideration here affecting labor. He is known throughout the country as the friend of labor, and I think rightly so, because he has advocated every measure and proposition that in any wise in his opinion would tend to benefit the interests of the laboring people throughout the United States, and he has done it ably and well and intelligently. But I thought that because the gentleman, although he is not connected with the Department of Labor, is in the confidence of the department, and is even here now standing as their spokesman and advocate and seeking to put back into the bill a measure which the Committee on Appropriations has seen fit to reject, he might know whether or not these telegrams and messages that we are getting are the result of stimulation and recommendation on the part of the labor officials under the jurisdiction of the Secretary of Labor, and whether Government money is being expended to send telegrams to every city and town urging the people there who are interested in this movement to wire their Representatives and Senators, in order that this matter might be put back into the bill.

The gentleman says that I might go and get on one end of a telephone wire and ask somebody down there if that were so. The gentleman knows that this is a holiday, and that the Secretary of Labor and his office force of employees are celebrating it in rest and restful recreation, and are ceasing their labors and laborious efforts, and probably may be hereabouts, for all we know, observing the shower of telegrams that come over the postal department wires from the ends of the earth, even

though it be a holiday. But I wondered how it was that so soon after the Committee on Appropriations had refused to act on this matter the telegrams began to come in. They certainly must have gotten the news from some intimate source.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. WALSH. I yield to the gentleman from Philadelphia.

Mr. MOORE of Pennsylvania. Evidently the reply of the distinguished gentleman from Colorado [Mr. KEATING] was not satisfactory to the gentleman from Massachusetts. Why not ask somebody else?

Mr. WALSH. I am sorry that the gentleman was not aware of that earlier in my remarks. [Laughter.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MONDELL. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Massachusetts.

Mr. Chairman, apropos of the matter of the Committee on Appropriations placing in an appropriation bill items of appropriation not provided for by law, let me call to the attention of my friend from Colorado and others minded as he seems to be, that this committee ought to run amuck and place in appropriation bills any items that happen to be submitted in the form of an estimate or a bill referred to the committee, whether authorized by law or not. Let me call attention to certain matters presented to the committee other than those he has referred to. There was before the committee an estimate, sent in the regular way, for an appropriation of $125,000 for a very worthy drainage work in my State. There was an estimate of $150,000, transmitted in the regular way, for an equally worthy drainage work in his State and one for a project in the adjoining State of Nebraska. In addition to that there was an estimate of a million dollars for the continuation of investigations and bills calling for an appropriation of $100,000,000 to begin the work of providing opportunities for the returning soldiers to help develop waste lands and secure farm homes. Those were all before the committee. I introduced one of them. I approve all of them. I should like to see these projects provided for. I believe they are worthy and helpful. But the committee did not feel justified in placing those items on the bill because Congress has not legislated upon the subject matter of those proposed appropriations. Our committee has no authority to appropriate for them. The Committee has no right to present propositions of that kind to the House as though they had been approved by the Congress.

It does not state the case fairly to say these items were stricken from the bill, either the item that the gentleman from Colorado refers to or the items I have referred to. They were not placed upon the bill, because we had no authority or jurisdiction in the premises. We would have been subject to severe censure had we placed them on the bill without legislative sanction, and they would all have no doubt gone out on a point of order. I would like to have seen them on the bill, but the committee would have been derelict in its duty had it attempted to make appropriations which had not been provided for for legislation.

And let me suggest this, further: Gentlemen who are very active and earnest for appropriations for the employment and other services know that the way to provide for them is through legislative committees. The legislative committees have plenty of time to act on these matters, and when legislative committees act the appropriating committees will appropriate. But until we change the rules the appropriating committees should not appropriate or attempt to appropriate until the legislative committees have acted. So far as our drainage and land reclamation work is concerned, we have been trying to secure the legislation so the appropriations can be made. Why have not the gentlemen who are now finding fault with the Appropriations Committee because it did not do something it had no authority to do been equally active in securing legislation for the Employment Service and thus give us authority to appropriate?

The CHAIRMAN. The time of the gentleman from Wyoming has expired. The Clerk will read.

The Clerk read as follows:

Repairs and preservation: For repairs and preservation of all completed and occupied public buildings and the grounds thereof, under the control of the Treasury Department, and for wire partitions and fly screens therefor, Government wharves and piers under the control of the Treasury Department, together with the necessary dredging adjacent thereto, buildings and wharf at Sitka, Alaska, and the Secretary of the Treasury may, in renting said wharf, require that the lessee shall make all necessary repairs thereto; care of vacant sites under the control of the Treasury Department, such as necessary fences, filling dangerous holes, cutting grass and weeds, but not for any permanent improvements thereon; repairs and preservation of buildings not reserved by vendors on sites under the control of the Treasury Department acquired for public buildings or the enlargement of public buildings, the expenditures on this account for the current fiscal year not to exceed 15 per cent of the annual rentals of such buildings: *Provided*, That of the sum herein appropriated not exceeding $125,000 may be used for marine hospitals and quarantine stations and completed and occupied outbuildings, including wire partitions and fly screens for same, and not exceeding $16,000 for the Treasury, Treasury Annex, Arlington, Liberty Loan, Butler, Winder, and Auditors Buildings in the District of Columbia: *Provided further*, That this sum shall not be available for the payment of personal services except for work done by contract or for temporary job labor under exigency not exceeding at one time the sum of $100 at any one building, $800,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. I want to ask the gentleman what is the necessity of these wire screens and fly screens for all of these privately owned buildings, where they were apparently provided for in last year's appropriation?

Mr. BYRNES of South Carolina. This provides only for the current item of repairs. Screens, like everything else, wear out, I presume, and it does not involve any change of language except for the new buildings. As the Treasury Annex and the Arlington and the Liberty Loan are about complete, they are included, and that is the only change.

Mr. WALSH. Are you going to occupy those buildings in this forthcoming year?

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. Are you going to keep on building new annexes and new buildings by the Government and still occupying buildings that have been leased?

Mr. BYRNES of South Carolina. I know that the gentleman will be glad to hear that as to every department, with the exception of two, we have taken from them the authority to rent buildings, in order to force all those bureaus of the Government to go into buildings now owned by the Government which have been constructed in the last year or two. As to these buildings which have been recently constructed, it is certainly essential that this item for repairs should include them. It would be unwise not to do so.

Mr. McCORMICK. Will the gentleman yield for a question on that point?

Mr. BYRNES of South Carolina. Yes.

Mr. McCORMICK. Is it the policy of the committee, then, to abandon rented quarters hereafter and to house all the Government departments in these war-built structures?

Mr. BYRNES of South Carolina. It is, so far as this bill is concerned. The only exceptions are as to the Alien Property Custodian and the Interstate Commerce Commission. A very earnest plea was made by the Alien Property Custodian, who stated that as a great deal of litigation will necessarily arise concerning the work of his office, it is absolutely essential that his records be preserved, and inasmuch as he has a fireproof building he asked that we should not cause him to go into one of these temporary buildings.

Mr. McCORMICK. But it is the general policy of the committee, with these two exceptions, to work toward the time when there will be no buildings in Washington rented by the Government?

Mr. BYRNES of South Carolina. That time will arrive with the passage of this bill, so far as the departments covered by it are concerned.

Mr. WALSH. I am sure we ought to indulge in a chorus of hallelujahs when that greatly-to-be-desired event takes place.

Mr. BYRNES of South Carolina. My statement is correct as to the departments and commissions appropriations for which are carried in this bill. There may be a bureau appropriated for by some other committee renting offices in the city, which would, of course, not be affected by our action on this bill.

Mr. WALSH. But I understand that there is hope that at some time in the future the Butler, Winder, and Liberty Loan Buildings may be vacated?

Mr. BYRNES of South Carolina. No; every one of those buildings is Government owned—the Arlington, the Treasury Annex, the Liberty Loan, the Butler, the Winder, and the Auditor's Buildings, which latter is the old Bureau of Engraving and Printing. So far as I know, there are but two exceptions in this bill, the Alien Property Custodian and the Interstate Commerce Commission, that have authority to expend money for the purpose of renting buildings in the District of Columbia.

The Clerk read as follows:

Architectural competitions: To enable the Secretary of the Treasury to make payment for architectural services under contracts entered into prior to the repeal of the act entitled "An act authorizing the Secretary of the Treasury to obtain plans and specifications for public buildings to be erected under the supervision of the Treasury Department, and providing for local supervision of the construction of the same," approved February 20, 1893, including additional commissions accruing under certain of said contracts due to increase in the limits of cost of certain buildings, except as otherwise specifically provided

by law, and including payment for the services from July 1, 1912, of the architect of the Hilo, Hawaii, building, specially selected under the provisions of the act approved March 4, 1911, the unexpended balances of the appropriations for architectural competitions, public buildings, for the fiscal year 1919, or so much thereof as may be necessary, is continued and made available for said purposes during the fiscal year 1920.

Mr. WALSH. I move to strike out the last word. When was the act of 1893 repealed?

Mr. BYRNES of South Carolina. Seven or eight years ago. My information is that there are two buildings—one in New Haven, Conn., and the other in Hilo, Hawaii—as to which the fees of outside architects are to be paid out of this appropriation, and for that purpose this appropriation is carried.

Mr. WALSH. Prior to eight years ago, under the provisions of the act passed in 1893, they could enter into contracts with outside architects for architectural services.

Mr. BYRNES of South Carolina. Yes; under what was known as the Tarsney Act, and they were paid out of the building fund.

Mr. WALSH. And they have not yet settled these contracts under that act?

Mr. BYRNES of South Carolina. There were two buildings where, by special legislation, the employment of outside architects was authorized, and these two buildings are all that remain to be cared for in that way under this appropriation.

Mr. WALSH. It seems that it is taking quite a long time to get through with all the cases which have arisen under that law.

The Clerk read as follows:

During the fiscal year 1920 the Secretary of the Treasury is authorized, out of the appropriations "Operating supplies for public buildings" and "Operating force for public buildings," to furnish steam for the operation of pneumatic tubes of the Postal Service, as heretofore, and to pay employees in the production of said steam, as heretofore, the proceeds derived from the sale of said steam to be credited to said appropriations in proportion to the amounts expended therefrom.

Mr. WALSH. I move to strike out the last word. I want to ask the chairman of the committee what pneumatic tubes this refers to? I thought those had been discontinued.

Mr. BYRNES of South Carolina. This is the current law, and refers to the pneumatic tubes which have been the subject of so much discussion. I have some recollection that in the Senate an effort was made to authorize the use of the tubes, but if the pneumatic tubes are no longer in use the item has no business here.

Mr. WALSH. If it has no business in the bill, I move to strike out the paragraph.

Mr. BYRNES of South Carolina. Can the gentleman tell me if the tubes go out of business on the 1st of July?

Mr. WALSH. I so understood.

Mr. ROUSE. They went out of business the first of last July.

Mr. BYRNES of South Carolina. Then I see no reason for this provision.

Mr. ROUSE. There is no appropriation for them, and they are not being used.

The CHAIRMAN. The Chair understands the gentleman from Massachusetts to move to strike out the paragraph?

Mr. WALSH. I do.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, strike out lines 1 to 9, inclusive.

The motion was agreed to.

The Clerk read as follows:

COAST GUARD.

For every expenditure requisite for and incident to the authorized work of the Coast Guard, as follows, including maintenance, repair, and operation of motorcycles, to be used only for official purposes.

Mr. MANN. I reserve a point of order on the paragraph. I have no doubt the Coast Guard may need some motorcycles. This would authorize the expenditure of any portion of $4,500,000 for motorcycles. The other day the House put a provision in the Army bill that no Army automobile should be used here in the District of Columbia, and I do not know but they included the whole United States. That referred to passenger-carrying vehicles. Of course motorcycles are passenger-carrying vehicles. Now, we propose to introduce motorcycles into the old Life-Saving Service.

Mr. BYRNES of South Carolina. I will call the gentleman's attention to the language in the hope that he will arrive at the conclusion we did. It provides only for maintenance, repair, and operation, and does not authorize the purchase. The only purpose for which it could be spent would be for maintenance and operation. As a matter of fact they have 15 motorcycles.

Mr. MANN. Where did they get them?

Mr. BYRNES of South Carolina. They got them from the Navy Department.

Mr. MANN. What authority have they to get them from the Navy Department?

Mr. BYRNES of South Carolina. It is difficult for me to state under what authority the different services got property from the Navy Department and the War Department during the war or how they procured them. They seem to have come into possession of many things that Congress did not see fit to give them. At any rate they have the motorcycles. When they asked for authority to purchase more we did not give them the authority, but the committee gave them an appropriation for maintenance and operation of the motorcycles they now have.

Mr. MANN. I withdraw the point of order.

The Clerk read as follows:

For pay and allowances prescribed by law for commissioned officers, cadets and cadet engineers, warrant officers, petty officers, and other enlisted men, active and retired, temporary and substitute surfmen, and one civilian instructor, $4,575,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. There is a decrease apparently in this appropriation, but in the act carried last year there was a proviso as to the pay of the civilian instructor after five years' service and also the pay of a cadet that is omitted this year. Was that because the committee considered the proviso carried in the act of last year permanent law?

Mr. BYRNES of South Carolina. Yes; permanent law.

Mr. WALSH. Neither of the provisos provided that it was to be hereafter.

Mr. BYRNES of South Carolina. That was the opinion of many people, and it was the opinion that the language carried in the bill last year was permanent law.

Mr. WALSH. I withdraw the pro forma amendment.

The Clerk read as follows:

Rural sanitation: For special studies of, and demonstration work in, rural sanitation, including personal services, and including not to exceed $5,000 for the purchase, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, $50,000: *Provided*, That no part of this appropriation shall be available for demonstration work in rural sanitation in any community unless the State, county, or municipality in which the community is located agrees to pay one-half the expense of such demonstration work.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. What authority is there for rural sanitation work?

Mr. BYRNES of South Carolina. What is the gentleman's question?

Mr. WALSH. I was going to ask a question with reference to the rural sanitation work, but it is another item I had in mind. I withdraw the pro forma amendment.

The Clerk read as follows:

COMMISSION OF FINE ARTS.

For expenses made necessary by the act approved May 17, 1910, entitled "An act establishing a Commission of Fine Arts," including the purchase of periodicals, maps, and books of reference, to be disbursed on vouchers approved by the commission by the officer in charge of public buildings and grounds, who shall be the secretary and shall act as the executive officer of said commission, $10,500.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. This item for the Commission of Fine Arts is increased. What is the increase, if it was carried in the bill of last year?

Mr. BYRNES of South Carolina. There is an increase. The item is $10,500 and last year was $9,000. The gentleman will notice that the estimate was $11,250, but the committee recommended this slight increase in order to give them an additional clerk and a slight increase for miscellaneous expenses of the commission.

Mr. WALSH. Was it in the bill of last year?

Mr. BYRNES of South Carolina. It was; in a paragraph under "Public buildings and grounds." But as long as it is a commission the committee thought it ought to be in the bill along with the other commissions that we have just passed. It is only a rearrangement of the bill. The appropriation last year was $9,000.

Mr. WALSH. And what is the reason for the fifteen hundred dollar increase?

Mr. BYRNES of South Carolina. Twelve hundred dollars for a clerk and $300 for increase in miscellaneous expenses. The estimate was $11,250.

Mr. WALSH. I thought the gentleman said something about increased building activity.

Mr. BYRNES of South Carolina. No; I said the increase was due to the fact that the committee thought it wise to grant the additional clerk, $1,200, because of increased work of the commission, and the rest of the increase is for miscellaneous expenses, making an increase of $1,500.

Mr. WALSH. Will the gentleman say what increased work the commission has to make a clerk necessary?

If the gentleman will refer to page 682 of the hearings, he will see there a statement as to the increased work of the com-

mission. The seven members of this commission are giving their services to the Government for nothing. They are men at the top of their profession, and have given a great deal of their time, and there has been a great increase in the number of submissions of plans to them for their consideration.

Mr. WALSH. Were these Government buildings that have been erected on the Mall and in Potomac Park and hither and yon submitted to the Fine Arts Commission?

Mr. BYRNES of South Carolina. I do not think those buildings were. I am satisfied they were not; but they did acquiesce in their construction.

Mr. WALSH. And some of these seven men are at the top of their profession, and they approved the design of some of these buildings that have been scattered around this town?

Mr. BYRNES of South Carolina. That was not my understanding. They did not object to their construction, although they were not in any way responsible for their design.

Mr. WALSH. Can they in any way become responsible for or hasten their removal?

Mr. BYRNES of South Carolina. I think that the gentleman from Massachusetts will come nearer hastening their removal than the Commission of Fine Arts. I do not think they have any power to do it.

Mr. WALSH. I do not know why they should get this increase in the appropriation if they are acting without compensation. I withdraw the point of order.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Contingent expenses: For furniture and other equipment and repairs thereto, $2,500; law books, books of reference, periodicals, stationery, and supplies, $1,000; traveling expenses, $5,000; printing and binding to be done at the Government Printing Office, $7,500; experts and temporary assistants in the District of Columbia and elsewhere to be paid at a rate not exceeding $8 per day, and temporary clerks, stenographers, or typewriters in the District of Columbia to be paid at a rate not exceeding $100 per month, $10,000; medical examinations, traveling and other expenses, and loss of wages payable to employees under section 21 of the act of September 7, 1916, and for miscellaneous items, $2,000; in all, $28,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. There is quite a substantial increase in both of these last two paragraphs, one from $63,000 to $91,000 and the other from $24,500 to $28,000.

Mr. BYRNES of South Carolina. I can tell the gentleman the reason. The greatly increased number of employees of the Government engaged in hazardous work during the past year necessarily increased the number who are entitled to the benefits of the employees compensation act. This necessitates a greatly increased number of investigations—investigations that ought to be made in order to protect the Government. That accounts for the action of the committee as to one paragraph.

As to the other paragraph, the increase of the amount is absolutely necessary because the awards were necessarily increased. Thousands of employees are now entitled to the benefits of this employees' compensation fund, and we have to pay them, and it is a mere question of mathematics. Where they are entitled to compensation it has to be paid. The increased administrative force is to enable them to properly investigate those claims, and I know that the gentleman will agree that that ought to be done.

Mr. WALSH. What claims?

Mr. BYRNES of South Carolina. The claims of persons many of whom may not be entitled to the benefits of the fund—in the case of an employee of the Government who is killed or who is injured in some accident. Where there is an injury there may be a question as to the extent of the injury, and this commission has to investigate that.

Mr. WALSH. They do not have to do much investigating if the man is dead.

Mr. BYRNES of South Carolina. In case of injury, certainly you have to find out the extent of the injury. If the gentleman will look at the estimates——

Mr. WALSH. Oh, we have not had time to look at the estimates. You could not get copies of the hearings until this morning or copies of the bill. I am sorry to delay the proceedings, but this is the only way to get information.

Mr. BYRNES of South Carolina. That is always the case with every bill that is reported——

Mr. WALSH. From this committee.

Mr. BYRNES of South Carolina. And when I tell the gentleman that the hearings were available yesterday, of course it does not help the situation.

Mr. WALSH. They were not available yesterday. I tried to get them last night after the House adjourned.

Mr. BYRNES of South Carolina. It was unfortunate that the gentleman could not get a copy, because they were printed and were available and were secured by others.

Mr. WALSH. I did finally get a copy from a member of the committee, but they were not to be had generally.

Mr. MONDELL. Mr. Chairman, the gentleman's question is predicated on the apparent increase in the appropriation.

As a matter of fact, there is a decrease in the appropriation. I think it is $200,000 less than the appropriation, with a deficiency, for the current year.

Mr. BYRNES of South Carolina. There was a deficiency of $700,000 in addition to the regular appropriation of $500,000, and this year's estimate was $1,500,000; but the committee has recommended $1,000,000, because we believe they can get through on this amount.

Mr. WALSH. Yes; I know; but that is not available until July 1, 1919, and remains available until June 30, 1920.

Mr. BYRNES of South Carolina. I should say the estimate was $1,500,000 and they did reduce it to $1,250,000 finally.

Mr. WALSH. That is very close; that is almost what the bill provides; but about these investigations I do not understand, now that many of these people who have been working for the Government in hazardous employments have ceased their connection with the Government in that capacity, that there is going to be required a great army of investigators running around to find out how men are killed or injured.

Mr. BYRNES of South Carolina. Unfortunately it is because of a lack of force that they are way behind in their investigations.

Mr. WALSH. It is not because of a lack of force.

Mr. BYRNES of South Carolina. It is because the force they have is inadequate. The hearings will also show that it covers a transfer of several employees now in the office and being paid out of the lump sum to the statutory roll, and there has been a reduction in the lump sum.

Mr. MANN. Mr. Chairman, I renew the motion. I have taken a great deal of interest in this compensation business. I believe I got the first law that was passed on the subject of compensation for Government employees; that is on the Panama Canal act, an amendment offered on the floor; but it ought not to be a very difficult matter to ascertain in regard to the injury of a Government employee working in some department or bureau of the Government.

You could get fairly good information from the bureau or department in which the man served. Now, it is proposed that the office expenses in Washington shall be equal to more than 10 per cent of the amount of the compensation which is paid out. That does seem at first blush, at least, an exorbitant overhead charge. If we are to pay compensation upon that basis on all the insurance we write it makes a pretty large office force. I have not counted up to see how many employees there were in the office here. Of course, there are three commissioners at $4,000, and I take it that one commissioner would do the work a great deal better than the three; but still that is not the fault of the commission, but an overhead charge of 10 per cent, after the facilities are all furnished through other bureaus to make most of the investigations, would seem at first blush to be a very high overhead charge.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Miss RANKIN. Mr. Chairman, I ask unanimous consent to return to page 34 and the paragraph beginning in line 8.

Mr. BYRNES of South Carolina. For what purpose, may I ask?

Miss RANKIN. To offer an amendment in the way of a proviso. This makes an appropriation of $200,000, according to sections 3 and 4 of the act approved July 9, 1918, and in that act, in section 4, the second proviso is, to cooperate with State boards of health for the prevention and control of such diseases within the State, and the third, to control and prevent the spread of those diseases in interstate traffic. To that I wish to add a proviso, "that no part of this appropriation shall be used to pay male physicians for the physical examination of females."

Mr. BYRNES of South Carolina. I will say to the lady from Montana that there is, on page 39, a provision for an interdepartmental social hygiene board, which administers that $1,000,000 fund which, I think, the lady from Montana has in mind, and that the item to which she refers, on page 34, refers only to the Bureau of the Public Health Service and that bureau under this appropriation does not cause to be made the examination to which she objects. The examinations she has in mind are included in the work of the interdepartmental social hygiene

board, under the section which authorizes them to cooperate with the boards of health of the States for the purpose of isolating and detaining them. Is not that it?

Miss RANKIN. This is in chapter 15 of the act approved July 9, 1918. This other appropriation is for these hospitals, and I have no objection to that. That has nothing to do with the detention and with the examination of the women.

Mr. BYRNES of South Carolina. There are two funds. There is a fund of $1,400,000 to be spent during this year in cooperation with the boards of health of the various States in the treatment of this disease. Then there is $1,400,000 for the same purpose for the next year. Then there is $1,000,000 that is to be used in cooperation with the States for the purpose of isolating and detaining persons having this disease. Then there is still another fund of $200,000 for the purpose of establishing this division in the Bureau of the Public Health Service. It is to this latter fund that this paragraph refers. Now, the fund of $1,400,000 which is used in cooperation with the boards of health of the States is under the control of the Interdepartmental Social Hygiene Board, and her amendment should be offered when we reach that paragraph and not to the appropriation for this division of the Public Health Service.

The CHAIRMAN. Is there objection to the request of the lady from Montana?

Mr. BYRNES of South Carolina. I must object at this time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Employees' compensation fund: For the payment of compensation provided by "An act to provide compensation for employees of the United States suffering injuries in the performance of their duties, and for other purposes," approved September 7, 1916, including medical, surgical, and hospital services, and supplies provided by section 9, and the transportation and burial expenses provided by sections 9 and 11, $1,000,000, to be available until expended.

Mr. BANKHEAD. Mr. Chairman, the next section in the bill, relating to the Federal Board for Vocational Education, is a subject in which a very great many Members of the House are deeply interested, and the proviso carried in the paragraph affects a very radical change in the existing system of compensation for the director and other employees of that board. I understood there was a tentative agreement that the committee should rise at 5 o'clock, and I hope the chairman will do that now, so that we can let this matter go over until Monday.

Mr. BYRNES of South Carolina. All right. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING ON MONDAY, FEBRUARY 24.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask unanimous consent that when the House adjourns on Sunday it adjourn to meet at 11 o'clock a. m. on Monday.

The SPEAKER. The gentleman asks unanimous consent that when the House adjourns to-morrow, Sunday, it adjourn to meet at 11 o'clock a. m. on Monday.

Mr. MADDEN. Reserving the right to object, I hope the gentleman from South Carolina will agree to go back to this item on page 34 if we agree to meet at 11 o'clock on Monday.

Mr. BYRNES of South Carolina. I would be glad to talk with the gentleman about it. I have made objection in the Committee of the Whole. I told the gentleman from Illinois that I would talk with him about it.

Mr. MADDEN. I will not object.

The SPEAKER. Is there objection to the request to meet at 11 o'clock a. m. on Monday? [After a pause.] The Chair hears none.

HOSPITAL AND SANATORIUM FACILITIES.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 13026, the hospital bill, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines.

The SPEAKER. The gentleman asks unanimous consent to disagree to the Senate amendments and agree to the conference asked by the Senate. Is there objection?

Mr. SLOAN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Nebraska rise?

Mr. SLOAN. For the opportunity to object to its going immediately to conference.

The SPEAKER. Is there objection?

Mr. SLOAN. I object to its going immediately to conference; yes, sir.

Mr. BURNETT. Mr. Speaker, one minute. The gentleman and I had a little conference awhile ago, and I understood from him that he thought the bill, perhaps, ought to be printed. There is no objection on my part that it be printed, so that Members can inform themselves in regard to it, and I can call it up again Monday. I would rather to do that than have it sent to the committee.

Mr. MANN. Printed with the Senate amendments?

Mr. BURNETT. Yes, sir.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] asks unanimous consent that the bill be printed with the Senate amendments indicated. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

Mr. LEVER. Mr. Speaker, I ask leave of absence, indefinitely, for my colleague, Mr. STEVENSON, on account of illness.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

RETENTION OF MILITARY UNIFORMS AND EQUIPMENT.

Mr. DENT, from the Committee on Military Affairs, submitted a conference report on the bill (H. R. 13366) permitting any person who served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditions, for printing under the rule.

VOLUNTARY ENLISTMENT IN THE REGULAR ARMY.

Mr. DENT, by direction of the Committee on Military Affairs, also presented for printing under the rule the conference report and accompanying statement on the bill (S. 5279) authorizing the voluntary enlistments in the Regular Army, and for other purposes, as follows:

CONFERENCE REPORT (NO. 1226).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed by the amendment of the House insert the following:

"*Provided*, That from and after the approval of this act, one-third of the enlistments in the Regular Army of the United States shall be for a period of one year, and the remaining two-thirds thereof shall be for the period of three years. Any person enlisting under the provisions of this act shall not be required to serve with the reserves. The pay of the men enlisted hereunder shall be the same as that provided by the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917: *Provided further*, That after the expiration of one year those enlisting for the period of three years may be discharged in the discretion of the Secretary of War under such rules and regulations as may be prescribed by him after one year of service."

And the House agree to the same.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEO. E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 5279) to authorize the resumption of voluntary enlistments in the Regular Army, and for other pur-

poses, submit the following written statement explaining the effect of the action agreed upon, to wit, instead of providing for a period of enlistments for one year only, as decided by the House, the conferees agreed that one-third of the enlistments should be for a period of one year and the remaining two-thirds for a period of three years. The conferees adopted the House provision exempting enlistments from service in the reserve. An agreement was reached as to the House provision making the pay of enlisted men the same as that of the act of May 18, 1917, the act providing for the temporary increase in the Army. The provision was also agreed upon to the effect that those enlisting for three years might be discharged, at the discretion of the Secretary of War, after the expiration of a period of one year.

S. H. DENT, JR.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

VALIDATION OF CERTAIN WAR CONTRACTS.

Mr. MANN. Mr. Speaker, may I ask the gentleman from Alabama [Mr. DENT] in reference to the bill validating contracts? I think the conferees made a partial report.

Mr. DENT. The conferees reported back a further disagreement.

Mr. MANN. As to the complete bill?

Mr. DENT. As to the complete bill.

Mr. MANN. When does the gentleman intend to call it up?

Mr. DENT. I intend to call it up on Monday.

Mr. MANN. I suppose the mining question is still unsettled?

Mr. DENT. Yes; the mining question is still unsettled.

PRINTING THE NEW REVENUE ACT.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent for the consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from North Carolina asks unanimous consent for the consideration of the resolution, which the Clerk will report.

The Clerk read as follows:

House concurrent resolution 72.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 62,700 copies of the regulations 45 relating to the income tax and war-profits and excess-profits tax under the revenue act of 1918 (preliminary edition relating to the income tax on individuals)—19,200 copies for the use of the Senate and 43,500 copies for the use of the House of Representatives, the same to be distributed through the folding rooms.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, there is no revenue act of 1918. How can they get out official regulations concerning something which does not exist?

Mr. KITCHIN. I expect the gentleman technically is correct.

Mr. MANN. I do not desire to be technical about it at all. I concede the necessity of printing the stuff.

Mr. KITCHIN. The Commissioner of Internal Revenue asked me to have this number printed, so that the Senate could take it up on Monday and have it sent out at once.

Mr. MANN. Why has he not authority to print?

Mr. KITCHIN. He has the authority to print there, but Members get requests for them.

Mr. MANN. It seems strange to send out a regulation officially prescribed by the Treasury Department, referring to a certain act which is not an act. It may be by the time it is sent out.

Mr. KITCHIN. It may be by the time it is printed, because I understand they sent it to Boston. I think Mr. Tumulty took it up to be signed.

Mr. MANN. I had a letter to-day from a gentleman who put a question which seemed quite proper. He pays an income tax. He said that he had seen that the Treasury Department, which was not yet given any law on the subject of the new tax, proposed to require a return by March 15; that he had been having correspondence with the Treasury Department about some money due to him on account of the death of his son in the Army, which had now extended over 11 months, and they were not prepared to do anything because they did not have the information which they must secure from somewhere, he did not know where. Everybody admitted that the money was due, but they can not pay it promptly. He wanted to know why a Government that could start to collect taxes before the law allowed it might not be able to pay its bills after 11 months? [Laughter.]

Mr. KITCHIN. They ought to give him a good answer to that. I do not know what it will be.

Mr. MANN. I can tell him what it will be—a Democratic administration. [Laughter.] That is the easiest answer to make to my constituent at the present time.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the passage of the resolution.

The resolution was agreed to.

DEATH OF REPRESENTATIVE BORLAND, OF MISSOURI.

Mr. RUCKER. Mr. Speaker, it becomes my sad duty to announce to the House the death of our late colleague, the Hon. WILLIAM P. BORLAND, a Representative from the State of Missouri. Mr. BORLAND died on February 20, 1919, day before yesterday, at base hospital No. 301, at Coblentz, Germany.

At a later date I will ask the House to set aside a day for tribute to the life and distinguished public services of my colleague. For the present I offer the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 601.

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM P. BORLAND, a Representative from the State of Missouri.

Resolved, That a committee of 20 Members of the House, with such members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to; and the Speaker announced as the committee on the part of the House Mr. ROMJUE, Mr. RUCKER, Mr. ALEXANDER, Mr. BOOHER, Mr. DICKINSON, Mr. HAMLIN, Mr. SHACKLEFORD, Mr. ESSEN, Mr. IGOE, Mr. DYER, Mr. HENSLEY, Mr. RUSSELL, Mr. DECKER, Mr. RUBEY, Mr. SHERLEY, Mr. MONDELL, Mr. LITTLE, Mr. GOOD, Mr. ANTHONY, and Mr. CAMPBELL of Kansas.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that the Speaker of the House may be added to the committee.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the Speaker of the House be added to the committee. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. RUCKER. Mr. Speaker, I offer the following.

The Clerk read as follows:

Resolved, That as a further mark of respect this House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House, under the order heretofore adopted, adjourned until Sunday, February 23, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, inviting attention to House Document No. 832 (65th Cong., 2d sess.), transmitting a recommendation for necessary legislation for a credit in the accounts of Sydney E. Smith, disbursing clerk of the War Department (H. Doc. No. 1824); to the Committee on Claims and ordered to be printed.

2. A letter from the Secretary of Commerce, transmitting a summary of reports from collectors of customs and a brief statement of the action of the department, both with respect to accidents sustained by barges while in tow through the open sea during the fiscal year 1918 (H. Doc. No. 1825); to the Committee on the Merchant Marine and Fisheries and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GARD, from the Committee on the Judiciary, to which was referred the bill (S. 4785) to incorporate the American Committee for Relief in the Near East, reported the same with amendment, accompanied by a report (No. 1125), which said bill and report were referred to the House Calendar.

ADVERSE REPORT.

Under Clause 2 of Rule XIII,

Mr. WEBB, from the Committee on the Judiciary, to which was referred the resolution (H. Res. 580) directing the Attorney General to furnish the House of Representatives certain information, reported the same adversely, accompanied by a report (No. 1124), which said resolution and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McLEMORE: A bill (H. R. 16125) to authorize the acquisition of a site and the erection thereon of a Federal building at Wharton, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. HENRY T. RAINEY: A bill (H. R. 16126) authorizing the Secretary of War to donate to the town of Murrayville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16127) authorizing the Secretary of War to donate to the town of Hardin, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 16128) authorizing the county of Beltrami to construct a bridge across the Mississippi River; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Florida: A bill (H. R. 16129) to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of certain public buildings; and to authorize the purchase of sites for certain public buildings; and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. MOTT: A bill (H. R. 16130) authorizing the Secretary of War to donate to the village of Cape Vincent, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 16131) authorizing the Secretary of War to donate to the town of Grant, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16132) authorizing the Secretary of War to donate to the town of Whitehall, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16133) authorizing the Secretary of War to donate to the town of White Cloud, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16134) authorizing the Secretary of War to donate to the town of Hart, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HUSTED: A bill (H. R. 16135) authorizing the Secretary of War to donate to Bedford Village, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KITCHIN: A bill (H. R. 16136) to amend the liberty-bond act and the War Finance Corporation act, and for other purposes; to the Committee on Ways and Means.

By Mr. IGOE: Joint resolution (H. J. Res. 434) extending until July 1, 1920, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Memorial from the Legislature of the State of Illinois, favoring reduction of freight rates on building material; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREW: Memorial from the Legislature of the State of New York, protesting against the proposed amendment to the rivers and harbors bill (H. R. 13462); to the Committee on Rivers and Harbors.

By Mr. GORDON: Memorial from the Legislature of the State of Ohio, requesting the United States Government to appropriate $1,000,000,000 to be expended during the next five years on the roads of this country in a manner similar to the present plan for Federal aid; to the Committee on Roads.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Benjamin F. Paukey, lieutenant governor and presiding officer of senate; A. A. Sedillo, speaker of the house of representatives; and Lorenzo Delago, chief clerk, asking for passage of bill providing for fifth liberty loan; to the Committee on Ways and Means.

Also, petition of John J. Kenny, chief clerk of senate, Santa Fe., N. Mex., urging legislation with respect to reclamation of swamp, arid, and waste land to aid honorably discharged soldiers, sailors, and marines; to the Committee on Appropriations.

By Mr. BURROUGHS: Resolution of the New Hampshire State Federation of Labor, R. A. Cooney, president, indorsing the United States Employment Service and advocating its continuance; to the Committee on Labor.

Also, telegram of Hon. John R. Willis, postmaster, Manchester, N. H., indorsing the United States Employment Service and advocating its continuance; to the Committee on Labor.

Also, telegram of Hon. Moise Verrette, mayor of the city of Manchester, N. H., advocating the continuance of the United States Employment Service; to the Committee on Labor.

Also, telegrams from Typographical Union, by E. B. McAuliff, secretary, Concord; Bakers' Union, by Frank E. Mansfield, Concord; Musicians' Union, by Ernest Newbold, secretary, Concord; Boiler Makers' Union, by James J. Berryman, secretary, Concord; L. H. Douphinet, president Central Labor Union, Concord Depot; L. H. Douphinet, president Pulp Makers' Union, Franklin; Central Labor Union, by William H. Riley, president, Concord; Metal Trades Council, by George A. Cate, secretary, Portsmouth; Central Labor Union, by John J. Coyne, president, Manchester; Carpenters' Union, by P. W. Jones, secretary, Concord; Quarry Workers' Union, by William Flynn, secretary, Concord; and Iron Molders' Union, by Charles Haywood, secretary, Concord, all in the State of New Hampshire, urging the continuance of the United States Employment Service of the Department of Labor; to the Committee on Labor.

Also, telegrams from the New Hampshire State Federation of Labor, by R. A. Cooney, president, Portsmouth; Martha J. Kimball, Portsmouth; City Employees' Union, No. 15501, by Thomas P. Daily, secretary, Concord; Boot and Shoe Workers' Union of Manchester; Barbers' Union, by G. E. Foster, secretary, Concord; Maintenance-of-Way Shop Laborers, by Charles Marshall, secretary, Concord; Federated Shoe Craft, by Stacey Oliver, Concord; Railroad Carmen, by C. R. Stone, secretary, Concord; Cooks and Waiters' Union, by E. McDonald, secretary, Concord; Retail Clerks' Union, by E. H. McDonald, secretary, Concord; Machinists Local No. 276, by N. L. Couture, president, Concord; Granite Cutters' Union, by James Murray, secretary, Concord; Portsmouth Central Labor Union, by M. B. Clark, secretary, Portsmouth; Blacksmiths' Union, by C. E. McLamb, Concord; 98 large manufacturing plants, 220 local labor organizations, soldiers and sailors, by Enos K. Sawyer, Federal director for New Hampshire, Franklin; Sheet Metal Workers' Union, by C. Chase, secretary, Concord; and Paving Cutters' Union, by John Hunt, secretary, Concord, all in the State of New Hampshire, urging the continuance of the United States Employment Service of the Department of Labor; to the Committee on Labor.

Also, telegrams from the Cahill & Storer Cigar Manufacturers, Concord; M. L. Lee & Co., Concord; Concord Electric Co., John McCloud, superintendent, Concord; Medford (Mass.) Ice Co., by Mr. Pray, Concord; Pressmen's Union, by Albert Johnson, secretary, Concord; William H. McElwain Co., G. M. Belcher, employment manager, Manchester; the George Widle Co., Concord; Street Carmen's Union, by Charles D. Dean, Concord; Street Railway Employees' Union No. 717, by Patrick J. Winston, Manchester; New England Cable Co., Concord; Cigar Makers' Union No. 192, by John J. Coyne, secretary, Manchester; Direct Importing Co., by Mary Langley, manager, Concord; and City Employees' Union No. 13951, by P. J. Cahillane, secretary, Manchester, all in the State of New Hampshire, urging the continuance of the United States Employment Service of the Department of Labor; to the Commitee on Appropriations.

Also, telegrams from Molders' Union No. 285, by P. J. Horan, secretary, Manchester; Sheet Metal Workers' Local No. 297, F. L. Foster, secretary, Manchester; Forrester P. Ainsworth, dispatcher, Boston & Maine Railroad, Concord; Stationary Firemen's Local No. 219, by John G. Hobin, secretary, Manchester; Musicians' Union, Local No. 349, by Frank L. Robitaille, Manchester; the Corbet & Morency Painting & Decorating Co., Concord; Painters and Decorators' Union, Local No. 1042, E. L. Foster, secretary, Manchester; Hoyt Electrical Co., by F. M. Laing, manager, Concord; the John W. Waters Taxi Service, Concord; Tobacco Strippers' Union, by Florence Vandermolen, secretary, Manchester; the John Swenson Granite Co., by Omar S. Swenson, manager, Concord; Bookbinders' Union, by Miss Ethel F. Mitchell, secretary, Concord; Theater Stage Employees' Union No. 195, Samuel F. Colley, secretary, Manchester; Loom Fixers' Local No. 86, by John D. Shea, secretary, Manchester; and Barbers' Local No. 151, by J. J. Sevingy, secretary, Manchester, all in the State of New Hampshire, urging the continuance of the United States Employment Service of the Department of Labor; to the Committee on Appropriations.

By Mr. CARY: Petition of R. E. P. Local No. 392, of Milwaukee, Wis., Edward Driscoll, recording secretary, for Government ownership and operation of all railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of executive committee of the Catholic Colonization Society of the United States of America, Chicago, urging passage of bill (H. R. 13651) providing for appropriation of $100,000,000 for development of certain lands for soldiers; to the Committee on Appropriations.

Also, petition of A. H. Weinbrenner Co., the Milwaukee Executive Association, and Northwestern Malleable Iron Co., all

of Milwaukee, Wis., urging passage of House bill 13274, relating to informal war contracts; to the Committee on Military Affairs.

By Mr. DOOLING: Petition of the Republican Club of New York, opposing Federal government of railroads, telegraphs and telephones, and trans-Atlantic cable lines; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Republican Club of New York, opposing Government retaining railroad companies for further period of five years; to the Committee on Interstate and Foreign Commerce.

Also, petition of American Committee for Independence of Armenia, urging that the peace conference make requisite arrangements for helping Armenia to establish an independent republic; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Petition of Central Labor Union, Rockford, Ill., favoring Government ownership of railroads, express companies, telegraphs, and telephones; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLIVAN: Petitions of the Y. W. C. A., Wilmington, N. C.; Ohio Woman Suffrage League; Y. W. C. A., Grand Rapids, Mich.; Equal Suffrage Association, St. Johnsbury, Vt.; Y. W. C. A., Danville, Ill.; national board Y. W. C. A.; Ohio and West Virginia field committee, Y. W. C. A., Cincinnati, Ohio; Consumers League of Connecticut; Suffrage Committee Protection Women, Richmond, Va.; North Central field committee, National Board, Y. W. C. A., Minneapolis, Minn.; Equal Suffrage Association, Hartford, Conn.; Y. W. C. A., Cincinnati, Ohio; Oregon Y. W. C. A., Portland, Oreg.; S. W. field committee, Y. W. C. A., Dallas, Tex.; board of directors, Y. W. C. A., Ann Arbor, Mich.; Y. W. C. A., Terre Haute, Ind.; Y. W. C. A., Kalamazoo, Mich.; Y. W. C. A., Yakima, Wash.; East Central field committee; Y. W. C. A., Philadelphia, Pa.; Y. W. C. A., Atlanta, Ga.; Y. W. C. A., Decatur, Ill.; Y. W. C. A., South Bend, Ind.; Y. W. C. A., Germantown, Pa.; Y. W. C. A., Pottstown, Pa.; Y. W. C. A., Hazleton, Pa.; Y. W. C. A., Bloomington, Ill.; Y. W. C. A., Boise, Idaho; Y. W. C. A., Easton, Pa.; Y. W. C. A., Norristown, Pa.; Y. W. C. A., Augusta, Ga.; and Equal Suffrage Association, Wichita, Kans., all urging continuance of the Woman's Division, Department of Labor; to the Committee on Appropriations.

Also, petitions of Y. W. C. A., Roanoke, Va.; Y. M. C. A., Bloomington, Ill.; West Central field committee, Y. W. C. A., Denver, Colo.; Y. W. C. A., Wilmerding, Pa.; Y. W. C. A., Alton, Ill.; Y. W. C. A., Charlotte, N. C.; industrial committee, Y. W. C. A., Charleston, S. C.; Consumers' League of Eastern Pennsylvania; Y. W. C. A., Billings, Mont.; Y. M. C. A., Bellingham, Wash.; Equal Suffrage Association, Providence, R. I.; Y. W. C. A., Rock Island, Ill.; Y. W. C. A., Indianapolis, Ind.; Y. W. C. A., Walla Walla, Wash.; Y. W. C. A., Fort Wayne, Ind.; Y. W. C. A., St. Paul, Minn.; Y. W. C. A., Great Falls, Mont.; Y. W. C. A., Peoria, Ill.; Y. W. C. A., Lansing, Mich.; Fannie Cochran, Philadelphia, Pa.; S. C. Smith, president National Bank, Phillipsburg, N. J.; Mrs. Thomas Brose, Evansville, Ind.; Kate Neel Workman, Newberry, S. C.; and Mrs. Andreas Ueland, Minneapolis, Minn., all urging Congress to continue the Division of Woman's Service in the Department of Labor; to the Committee on Appropriations.

Also, petition of City Council of Cambridge, Conn., in favor of the continuance of Federal Employment Service; to the Committee on Labor.

Also, petition of Boston Women's Trade Union League, Mabel Gillespie, secretary, favoring bill providing funds for Woman's Bureau, United States Navy Department; to the Committee on Naval Affairs.

Also, petition of Ancient Order of Hibernians in America, Philadelphia, John O'Dea, State secretary, urging self-determination for Ireland at peace conference; to the Committee on Foreign Affairs.

Also, appeal to Hon. Woodrow Wilson, President of the United States, and Congress for release of Edward de Valera, Arthur Griffith, and other Irish men and women confined in British jails; to the Committee on Foreign Affairs.

Also, petition of Mrs. Elizabeth Pursell, president Mothers of 1917 Regulars; Denver Trades and Labor Assembly and organized labor of Denver; general secretary Young Woman's Christian Association; Treadwell Engraving Co.; and Denver Young Women's Christian Association, urging continuance of Employment Service; to the Committee on Labor.

By Mr. GRIFFIN: Petition of Republican Club, New York City, favoring payment of extra compensation to persons honorably discharged from military and naval forces, to enable such persons to return to civil life; to the Committee on Military Affairs.

Also, petition of Andrew Koch, Bronx, N. Y., urging passage of House bill 12352 and Senate bill 4637, known as McKellar-Keating retirement bill; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON of Michigan: Petition of citizens of Adrian, Mich., against the Hoke Smith bill; to the Committee on Education.

By Mr. LUNDEEN: Petition of Mrs. Albert Scriver, secretary College Women's Club; Mrs. Andreas Ueland; Edwin A. Dubois, secretary and treasurer Federal employment office; Hon. S. A. Stockwell; and J. A Walkine, secretary and treasurer Minneapolis Building Trades' Council, asking that the United States Government employment office be retained and all men and women in industry be properly protected by the Government; to the Committee on Labor.

Also, petition of Twin City Carpenters' District Council, St. Paul, Minn.; W. Exworthy, secretary Twin City Plasterers' Local No. 20; Minneapolis Trades' and Labor Assembly, L. Sinton, secretary; Joseph Hauggi, secretary Federal Employees Union, No. 43; Mrs. John H. Baxter, president Woman's Club of Minneapolis; Eliza P. Evans, secretary Minneapolis Minimum Wage Commission, asking that the United States Government employment office be retained and that all men and women in industry be properly protected by the Government; to the Committee on Labor.

Also, petition of J. P. Gardner, commissioner of labor, State of Minnesota, asking that the United States Government employment office be retained and that all men and women engaged in industry be properly protected by the Government; to the Committee on Labor.

Also, petition of Hugo V. Koch, Federal director United States Labor Service, St. Paul, Minn., asking that the United States Government employment office be retained and that all men and women engaged in industry be properly protected by the Government; to the Committee on Labor.

By Mr. POLK: Petition of Central Labor Union of Wilmington, Del., favoring continuance of United States Employment Service; to the Committee on Labor.

Also, petition of Delaware Equal Suffrage Association, of Wilmington, Del., favoring continuation of Woman's Bureau in Department of Labor; to the Committee on Labor.

Also, petition of Pomona Grange, Kent County, Del., opposing plan of Secretary of Interior Lane on arid and cut-over lands for returning soldiers; to the Committee on Military Affairs.

By Mr. PRATT: Petition of the John A. Robinson Class of the First Presbyterian Church, Elmira, N. Y., opposing the enactment of laws which would legalize Sunday moving pictures, baseball, or in any other way commercialize the Sabbath; to the Committee on the Judiciary.

By Mr. RAKER: Petition of Kulman Oals & Co., San Francisco, Cal., urging passage of revised Dent bill; to the Committee on Ways and Means.

Also, petition of Federal Employees' Union, California State Federation of Labor, Plumbers' Union, and Sheet Metal Workers' Union, all of Vallejo, Cal., urging appropriation for the woman in industry service and the employment service of the United States Department of Labor; to the Committee on Labor.

Also, petition of Woman's National Trade Union League of America, urging appropriation for the maintenance of the Woman in Industry Service and the Employment Service of the United States Department of Labor; to the Committee on Labor.

Also, petition of Federal Council of the Churches of Christ in America, indorsing the league of nations; to the Committee on Foreign Affairs.

Also, petition of Woman's Club of Redondo Beach, Cal., indorsing Senate bill 4987; to the Committee on Education.

Also, petition of citizens of Roseville, Cal., urging the Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of City Federation of Women's Clubs, San Francisco, Cal., urging six months' pay for discharged soldiers; to the Committee on Military Affairs.

Also, petition of Shasta County Promotion and Development Association, California, favoring deportation of persons found guilty of offense against the United States; to the Committee on Immigration and Naturalization.

Also, petition of certain voters of the second congressional district of California, favoring the Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Woman's Club of Redondo Beach, Cal., indorsing the league of nations; to the Committee on Foreign Affairs.

By Mr. ROGERS: Petition of Local No. 12 of Telephone Operators' Department, Concord, Mass., protesting against the evasive methods in which wage schedules, etc., have been handled; to the Committee on Interstate and Foreign Commerce.

By Mr. SANDERS of Indiana: Petition of citizens of Indiana, urging passage of House bill 10550, providing for national ownership and Government operation of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. SWEET: Petition of citizens of Buchanan County, Iowa, protesting against continuance of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. WELLING: Petition of J. E. Paul, J. C. Cox, and other citizens of Utah, for national ownership and operation of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Walter Hamer and other citizens of Salt Lake City, Utah, favoring national ownership and operation of railroads; to the Committee on Interstate and Foreign Commerce.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 23, 1919.*

The House met at 11 o'clock a. m., and was called to order by Mr. SHERLEY as Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Great Father Soul, in whom we live and move and have our being, we bless Thee for the deep moral and spiritual excellence resident in the heart of man, which moves him to deeds of self-sacrifice in behalf of others, liberty, truth, right, justice, which excite in his fellows admiration, gratitude, praise.

We are here to-day in memory of three men who died in the harness, striving for the betterment of the American citizen, as Senators of the National Congress. Long may their works live in the heart of the true American to inspire those who shall come after them, that the American institutions may live an ensample to all mankind.

Comfort, we beseech Thee, all to whom they were nearest and dearest, by the angels of faith, hope, love, in the overruling providence of the living God, who hath decreed that life is stronger than death and love shall never die.

"Let not your heart be troubled: ye believe in God, believe also in me."

"In my Father's house are many mansions; if it were not so, I would have told you. I go to prepare a place for you. And if I go and prepare a place for you, I will come again, and receive you unto myself; that where I am, there ye may be also."

Amen.

THE JOURNAL.

Mr. FIELDS. Mr. Speaker, I move to dispense with the reading of the Journal to-day.

The SPEAKER pro tempore. The gentleman from Kentucky moves to dispense with the reading of the Journal. Without objection, it will be so ordered.

There was no objection.

THE LATE SENATOR HUGHES, OF NEW JERSEY.

The SPEAKER pro tempore. The Clerk will report the special order for to-day.

The Clerk read as follows:

On motion of Mr. EAGAN, by unanimous consent,

Ordered, That Sunday, February 23, 1919, be set apart for addresses on the life, character, and public services of Hon. WILLIAM HUGHES, late a Senator from the State of New Jersey.

Mr. EAGAN. Mr. Speaker, I offer the following resolutions, which I ask the Clerk to report.

The SPEAKER pro tempore. The gentleman from New Jersey offers the resolutions which the Clerk will report.

The Clerk read as follows:

House resolution 602.

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. WILLIAM HUGHES, late a Senator of the United States from the State of New Jersey.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolutions were agreed to.

The SPEAKER pro tempore. The gentleman from New Jersey [Mr. EAGAN] will take the chair.

Mr. EAGAN took the chair as Speaker pro tempore.

Mr. PARKER of New Jersey. Mr. Speaker, no one who knew WILLIAM HUGHES will ever forget him. He was a man through and through. His life history shows it. Very few men born in 1872 and dying before reaching the age of 50 years have filled so many positions as did my friend. Coming to this country from Ireland when he was only 8 years old and working in the silk mills from 11 years on; studying stenography at night, taking his place in that profession and as official reporter of a court; studying law; a soldier in the War with Spain; elected to Congress; defeated at his second election, then reelected; appointed as a judge of one of our own New Jersey courts; elected as a Senator from the State of New Jersey; and dying in harness, his life went through more vicissitudes, more trials, and more success than usually fall to older men with more apparent chance in the beginning of life.

He was a devoted husband and father, he was a loving friend, he was a determined supporter of whatever he thought right; a supporter when he was in the absolute minority, and never untrue to it when he came to have the power. His death was a great loss to this country, because he took such a determined and patriotic interest in all public affairs.

I spoke of natural advantages perhaps wrongly. I sometimes think that a young boy who learns to know men by selling newspapers in the streets or who learns early to know the responsibilities of business, of work, and of life by having something to do when he is young takes hold of life more quickly and with more energy than do those who are brought up in idleness and taken care of until they become of full age. I often wish that I had had that training myself, so that I could have started in life earlier.

The keynote of the early thought of WILLIAM HUGUES was to better the condition of the people with whom he had worked in those silk mills and the condition of every laborer in the whole United States. I am sure not all of us agree with him that this ought to be done by national legislation. Some of us were educated in the idea that the States should take care of the necessities of children and laborers, according to the conditions of the climate and surrounding population; that possibly a different rule had to be made for country districts than for the cities, or for the South than the North; but his energy knew no bounds, and it was crowned with the most tremendous success.

This morning I have taken a memorandum from the index of the earlier Congresses of which Mr. HUGHES was a Member. In his first session has was modest and made no speeches.

In the second session of the Fifty-eighth Congress, from December, 1903, to April, 1904, we find that he proposed amendments to the naval appropriation bill and the Post Office appropriation bill. If I remember aright they were amendments proposing eight-hour laws. He introduced a bill for the building of a national museum of war. He made remarks on convict labor, on the eight-hour law, on labor legislation, on the pay of letter carriers, and on prison-made mailbags.

In the next session, in 1904, he again pressed his amendment to the naval appropriation bill and made remarks on armor plate, the eight-hour law, the Navy, railroad rates, special mail facilities, and also on the Passaic River.

In the next session we find again his amendments proposed to the naval bill. It took him years to get through that eight-hour amendment. He also proposed amendments to the penal laws with reference to labor strikes. He made remarks on antitrust legislation, wages at the Panama Canal, the deportation of aliens, the eight-hour law, the causes of financial panics, Government liability to employees, strikes, railway mail pay, and the cause of hard times.

In the next session he made remarks on the copyright law, on industrial peace, the use of the injunction, Lincoln's views on labor and capital, the right to vacation of postal employees, and the protection of aliens.

In the second session of the Sixty-first Congress he made remarks on the arrest of Members, on railroad legislation, on the doctrine of contempt in the courts, on the increase of the Navy, on structural materials, on search warrants, on publicity of campaign contributions, and so forth. But as he went on, and after he was elected to the Senate, his energies found wider fields. He was relied on in the Judiciary Committee. His judgment as a lawyer was always sound. His energy for his country was always determined, and the same feeling that made him care for the laborer and for his associates made him care for the whole people of all these United States, and made him a man beloved and respected by his associates in the Senate, and made his death a real loss to this country.

I have always stood firmly against too much arbitrary restriction of immigration. This poor Irish boy, coming here at the age of 8, is an example of what can be done by and how good an American can be made of some one born abroad.

I have always been a believer in giving a boy a chance to learn something about life. Of course, I believe in the strictest regulation of the work of the young, but I believe that people ought

to have a chance to learn what to do in the world at a reasonably early age, and not be kept until they are 23 or 24 years old before they are supposed to have finished their education and gotten to work. This man is an example of that.

I believe that religion and morality make for the benefit of society. This man is an example of that.

Beloved of all, idolized by his family, a despiser of wealth, a lover of his country and his kind, and a faithful public servant, he has gone to his reward.

I believe that the State of New Jersey, as well as the United States, will always be proud of the life, character, and achievements of WILLIAM HUGHES, Representative and Senator from my own State.

Mr. BROWNING. Mr. Speaker, the great emancipator, who said, "God must love the common people, because He made so many of them," also said:

The prudent penniless beginner in the world labors for wages a while, saves a surplus with which to buy land or tools for himself, then labors for himself another while, and at length hires another beginner to help him. This is the just and generous and prosperous system which opens the way to all, gives hope to all, and consequent energy to progress and improvement of conditions to all.

The Senator of the United States whose passing we mourn to-day was a "prudent penniless beginner and labored for wages." With few advantages and overcoming many obstacles—by dint of the courage, industry, and persistence of the bright Irish lad that he was—he so builded upon the foundation afforded in the few years he was privileged to attend school that when the opportunity came and he entered the law office of Judge Griggs, who afterwards became the governor of New Jersey and later the Attorney General of the United States, there was no danger of failure for this boy. Nor was it wonderful that he forged ahead in the legal profession and became a lawyer sought by the client who wanted a jury convinced of the righteousness of his side of the case in controversy.

Rugged, honest, direct, Lawyer HUGHES, in a manner peculiarly his own, was successful in presenting to a jury the real facts as they existed, and his case was won.

So much for the "tools he had bought for himself and his labors for himself another while" in his successful practice of the law.

But WILLIAM HUGHES did not see fit to continue his labors in a vineyard where he might in a decade have readily accumulated a competence. He failed to "hire another beginner to help him" go on and on and build up a large and lucrative practice and thus take further advantage of the opportunities open to the "penniless beginner."

Instead, he came to Congress, where he gave to his constituents, his State, and his country the best there was in him.

Many of us had the pleasure of serving in this House with him, and we all know that his splendid mind, his good heart, and his fullest energy were poured into his untiring labors.

Not only did this man enjoy the admiration and confidence of the membership of this House, but he could not help knowing that he was regarded with the deepest affection. We enjoyed his ready wit and humor; we admired his honesty, ability, and industry; and we loved his human kindness and sympathy.

It was characteristic of the man to prefer to reenter the legislative branch of the Government, where his responsibility was to the people who elected him as well as to the whole American Nation, rather than to preside as a judge in the high office to which he was called by the then governor of New Jersey, now President of the United States.

After his election to the United States Senate I found myself in a new relationship with WILLIAM HUGHES—one which might, in the order of things, have been difficult, strained, or possibly unpleasant, but just the reverse proved true. Times without number I visited him in the Senate or in his office to consult with him on matters of interest to the people of the district I represent. I invariably found him most courteous, interested, and ready to cooperate fully in every matter I brought to his attention, and I always felt stronger in having the support of his opinion and wise judgment.

Mr. Speaker, I pay sincere tribute to-day to the memory of Senator HUGHES.

Mr. FERRIS. Mr. Speaker, I knew the late Senator HUGHES intimately during the last 12 years of his life, and each and every day I knew him to be a man in all that the term implies. I first knew him as a Member of this House, and served with him. He had been a Member of the Fifty-eighth Congress, out in the Fifty-ninth Congress, and back in the Sixtieth, and I served with him during his subsequent service until he went to the Senate.

My first recollection of him was his energy and his desire to ever hold aloft and aid the man who seemed to need help. The 20,000,000 men and women of the Republic who serve in one capacity or another for a salary never had in the last 12 years, I am sure, a more honorable, able, and effective friend in either branch of the Federal Congress than Senator HUGHES. In season and out, he always offered some amendment, always made some contention, to help them; always striving for their welfare; always guarding their every ache and pain; always alert to their every desire.

Life is so short and so uncertain, almost like the passing of a day, it seems to me that no tribute could be more beautiful and appreciative than that he was a man who fought for the man who really needed fighting for.

So many of us in the country are able to fight for ourselves; still there is a much larger number, for one reason or another, that are unable to fight for themselves. Senator HUGHES devoted his attention, energy, and ambition to them. He was all they would have him be—he was their friend.

Death always comes too soon, and when it strikes down a man so full of usefulness, so full of activity, so full of true worth, so full of accomplishment, so full of achievements, it makes the maxim seem more real and better understood.

Born across the seas in a land other than this one, coming to our country, I believe, at 8 years of age, it seems to me it sets a beautiful example of what can be achieved by a healthy, earnest, honest, faithful endeavor.

As the onrushing tide of time knocks at the hearts of all of us our ambitions are interrupted so many times, the hills in front seem so high and difficult to climb, still the highest summits are reached one by one, one after another. This life that has passed must in the very nature of things be a true beacon light of hope to the struggles of the poor boys of the land everywhere. We first find him here as a Congressman serving a district with a determined interest and capability, and his capabilities were recognized on both sides the aisle and throughout the length and breadth of the country.

Then we have him selected for the bench as a judge, to pass upon the rights and liberties of men. He served there with distinction. Later he achieved what must be almost the topmost pinnacle of party desire to a man in public life, a place in the Senate of the United States. How painful it must be for men who toil for better days and legislation throughout the country to know and to think that his life was stricken down at the age of 46, and everyone must feel and know that it came too soon. Always unselfish, always generous, always hopeful, always dependable, always true, are encomiums that are entitled to be placed about the life and character of the late Senator WILLIAM HUGHES.

But his life and character appeal to me most strongly for another reason. He spent no time and devoted none of his energies to teaching himself or the populace that he was not as are other men. He preferred to be as other men; he preferred to be one of them. He was one of them. He was among them; he shared their aches and pains; he enjoyed their hopes and ambitions; he enjoyed their pursuits and successes; he mourned and grieved at their defeat and their disappointments. The Nation may well pause this Sunday morning and pay tribute to the life and character of this brilliant, worthy, and distinguished son. He was all that we would have him be. He was all his loved ones would have him be. He was all the Nation would have him be. He was a man. He was an American.

Mr. GARRETT of Tennessee. I loved Senator HUGHES. It was my good fortune to be closely associated with him personally. We disagreed occasionally in legislative matters. Our minds did not always run in the same channel, but he was one of the fairest of antagonists. He was one of the most ingenious of advocates for that which he believed. His frankness was proverbial.

He came from the great land of poetry, of song, of philosophy, of all the things that go to make up the splendid features of human history. He was typical of the good things of the great race from which he sprang. I think he never had a selfish desire even in his political aspirations. He did not seek so much for himself the honors of his country, but rather he sought his country's honors that he might serve his country's good. It has been said by speakers who have preceded me that special emphasis was placed by him upon legislative activities for the laboring man. That is true. That undoubtedly was the passion of Senator HUGHES's life, but the fact that that was his great passion is not to be taken as an evidence of his failure to realize all the deep, broad questions of national policy. That he did realize these things was evidenced by the fact that his

colleagues in this House, when the change in party control came and when the change came in the rules of the House in the selection of committees, by unanimous vote made him a member of the great Committee on Ways and Means, and in the caucus of his own party he was made a member of the Committee on Committees. When he left us here and went to the Senate of the United States he at once became a member of one of its highest committees.

Personally he was a man of most lovable disposition, happy, humorous—not only humorous, but witty. I suppose he had enemies, but he had none here. I never heard aught said of Senator HUGHES among those who were associated with him here, except that his was one of the most lovable characters that had ever been known to those with whom he was associated. He had a nimble intellect, a wonderfully adroit manner. He saw not only the big things but he saw the little things in relation to the big things. He studied them with much care. He knew a great deal intuitively, and to that intuitive inspiration with which God had gifted him he added by a close and careful study of not only the fundamentals of the law but the fundamentals of human nature and human character. He was a strong, youthful, powerful man, and it seems a pity to us, who grope here through the darkness of our misunderstandings, that he should have been taken at so early an age from the sphere of the activities of the Nation and of the world.

Mr. FOSTER. It was my pleasure to be associated with the late Senator HUGHES during most of his service in the House of Representatives beginning with the Sixtieth and each succeeding Congress until he was elected to the United States Senate, except for a short period of time when he acted as judge of the court in New Jersey under appointment by then Gov. Wilson, now President of the United States.

Mr. HUGHES was a young man at his death, having but reached his greatest usefulness. His life was an example of what a man with industry, honesty, and integrity can do for himself.

He was born in Ireland in 1872 and came with his parents to the United States in 1880. He worked in the mills in Paterson, N. J., when a boy, and so his education in school was limited. While working in these mills he saw the injustice being done his fellow workers and so became a leader among them in an endeavor to correct the wrongs that then existed. While employed in the mills he studied stenography and typewriting at night, afterwards studied law, and as attorney he defended the employees of these mills against what he believed to be tyranny of their employers and against the outrageous injunction of the courts which deprived them of their just rights as American citizens. In his legislative capacity he endeavored to correct these wrongs which were suffered by the working people throughout the country by legislation which would be fair and just to all concerned. He was not a radical and unreasonable advocate of labor legislation but was fair and just in his work to better the conditions of those who toiled for a living.

He served his country with honor during the Spanish-American War, though not participating in any active fighting at the front, yet he did his duty as a true soldier in whatever capacity the Government chose to place him.

He was a true American, and in the late war with Germany he was true to his country, working zealously for the success of our country in its efforts to overthrow autocracy and firmly establish liberty of all people of the world and right the wrongs they had suffered. To be a Member of Congress, judge of the court in his State, and United States Senator before he had reached the age of 46 is a high honor which but few men attain.

Mr. HUGHES abhorred hypocrisy. He was always frank and straightforward in all his acts, both public and private. He did not hesitate to declare his position on any public question when he investigated the subject under consideration. He loved his friends and was always happiest when he could do something for them, though he would not favor a friend when he believed it was not for the best interest of the public.

Always generous, true to his friends, and always fair and considerate with those with whom he differed. As a soldier, judge, Member of the House of Representatives, and United States Senator, he measured up to the full requirement of each. His home was ideal, and he leaves to mourn his death a wife and two daughters.

Mr. HUGHES, or rather "BILLY" HUGHES, as we called him, was my close personal friend and associate. He will be missed, but we will cherish a fond recollection of him through this life.

The late Senator HUGHES and the late Senator OLLIE M. JAMES, of Kentucky, were close personal and political friends, having served together in the House and entered the United States Senate at the same time. In the House they served on the Ways and Means Committee; in the Senate together on the Finance Committee. They were both intense Americans and exerted great influence in both legislative bodies. They were true, capable legislators, and always stood for the principle of equal and exact justice to all men, with special privilege to none. Their service was conspicuous, honorable, and it was their endeavor to do the best that was possible for all the people of their country. They truly represented their States and the Nation; both will be missed in the legislative bodies of which they were able and honest and capable Members.

Mr. RAMSEY. Mr. Speaker, I have always considered it a privilege to have had a personal acquaintance with the late Senator HUGHES and a great honor to know that there existed between him and me a very close friendship. I believe his great successes were very materially brought about by the many friends that he made, who so loyally supported him during his whole life. Real friends are difficult to make and quite impossible to retain if one has an ulterior design or feels that through friendship he is to be personally benefited. He then can not be natural. But the friends of "BILLY" HUGHES were such as were created by the personality of the man and not because of a designed influence or for a far-reaching thought of personal advancement; they were such as arise and exist from the irresistible influence of the proper conduct of man in all of his undertakings and because of the true worth and value of such undertakings. His career was a most remarkable as well as successful one. Born in a foreign land and arriving in this country at an early age—I think he was about 8 years old—he made Paterson, N. J., his home. His father was without means, and while his son had the advantages of our liberal school system, his opportunities for educational advantages were necessarily limited. As a youth we find him employed, earning his own living in one of the silk mills of the city of his adoption. But he was an energetic, systematic young man, with an indomitable will and with the push that meant success and accomplishment. His career afterwards became varied but consistent—a lawyer's clerk, a student of stenography, a court stenographer, a lawyer, a Member of the House of Representatives, a judge of the court of Passaic County, N. J., again and for several terms a Member of this House, and then the distinguished United States Senator of his State—a wonderful advancement in a short time and one of great accomplishment, especially with only the meager opportunities that were his in the beginning. Is it not an inspiring actuality to the young men of to-day to stir themselves to higher endeavors, that they might attain an honored and respected position in governmental affairs and statesmanship?

Mr. Speaker, permit me to give somewhat in detail my knowledge of and association with our late Senator. I first knew him when he was a very young man. Our acquaintance became of a more intimate character when he acted as the official stenographer of our courts in Bergen County. There I saw him frequently, associated with him, and often we lunched together. I learned to know him well and liked and admired him. Little did he think at that time of the future that was before him and the important part he was to play in the activities of the Government of his State and Nation!

Admitted to the bar of our State at or about that time, he entered upon his new duties with zeal, determination, and success. He participated in important litigation and legal work in his home county, which brought him prominently before the people, and this undoubtedly was the stepping stone to his future political and brilliant career. In the year 1902 the Republican Party of the sixth congressional district of New Jersey had placed in nomination as its candidate for Member of the House of Representatives Col. William Barbour, of Paterson. Col. Barbour was a most delightful citizen, a manufacturer of magnitude, and a business man of recognized ability and capacity. It was generally accepted that he would be elected by a big vote. A short time after, the Democratic convention was held in the city of Paterson. This party had no active candidate for the nomination of Congressman. A personal friend of mine, Col. Alfred T. Holley, of Hackensack, was sought to accept it, but he declined, believing it impossible to defeat Col. Barbour. At last the convention turned its attention to the popular young man and able lawyer of Paterson, "BILLY" HUGHES, and he was selected as its choice and candidate to run for the office. During the campaign I distinctly remember meeting him at the Ho-ho-Kus fair grounds with a Republican friend of mine, Hosey Osborne by name, who was introducing him to the Bergen County people. "BILLY" said to me, "BONE, you know I am in the congressional race and am trying to win. I hope you will not fight me too hard." I answered by saying, "Well, you know,

BILLY, I am on the other side of the fence and have always been quite active; however, I will say that whenever an inquiry is made concerning you as to your fitness and character, I will always tell the truth." He replied, "I thank you, and am satisfied."

"BILLY" HUGHES won that election, and by doing so started upon an upward career, which brought honor to himself, happiness to his friends and acquaintances, and beneficial results to his district and State. But he had an interruption in his congressional privileges, being defeated at one time. He, however, was not long out of public service, for his legal knowledge, sound reasoning, and recognized stand for true justice brought to him the appointment of judge of the court of common pleas of his county. In this position he acquitted himself well and won the respect and good feelings of all the lawyers who practiced before him. He seemed to be restless with judicial work, it being of a different character than any of his former activities, and he again became a candidate for Congress. He was successful in the election and was ever after and up until the time of his death continuously engaged as a legislator in the Federal Congress. In the Hall of this House he improved himself wonderfully, applying himself strictly to his work, participating actively in legislation, increasing in popularity not only among his colleagues but also with his constituency at home. Senator HUGHES had perspicuity and initiative. These characteristics were forcefully and prominently illustrated in his election to the United States Senate. The dominating power of the Democratic Party in New Jersey was anxious that John W. Westcott, subsequently the attorney general of the State, should be elected to the Senate. James Smith, of Newark, and a former United States Senator, was a candidate, and whose defeat was seemingly especially desired by the then governor, Hon. Woodrow Wilson. There was also a third candidate, a Mr. McDermott, I think was his name.

"BILLY" HUGHES, with his keenness of intellect, truly observed the situation, and, practically without consultation with anybody, concluded to be a candidate. He had been in public life for a number of years, had a large personal acquaintance, and realized that in all parts of the State he was known by reputation at least. His candidacy resulted in the withdrawal from the contest a few days before the primary of Mr. Westcott, in order to make certain the defeat of Mr. Smith, and "BILLY" HUGHES received a sweeping victory by the preferential vote cast. At that time United States Senators in New Jersey were not elected by the direct vote of the people, but there was a provision of law which permitted the voter to express his preference for the office upon the official primary ballot. The moral obligation which such a vote carried with it resulted in the legislature electing Mr. HUGHES United States Senator at its next session—a striking illustration of the man as he really was, undertaking practically alone so great a thing and accomplishing it. He was not a great and distinguished statesman nor was he a wonderful orator. He did attain such a position that it can be truthfully said of him that he was a statesman, and had he lived I believe that, in the consideration of great matters of government which necessarily would have been brought before him, he would have attained an eminence of superiority.

In his public expressions he had force; he portrayed fine reasoning and excellent logic. He believed in the subject matters he advocated and in himself, and so was a very pleasing and convincing talker and speaker. He was a true patriot and evidenced by his actions and expressions the highest standard of Americanism, for he loved the country of his adoption, and conformed to its teachings and its demands. He, too, was fond of all outdoor sports, and had a keen interest in nature's beauties. He was real human. He was the possessor of a bungalow, situated on the easterly side of Greenwood Lake, probably the most beautiful and picturesque lake within many miles of New York City, with its high mountains on either side and natural scenery quite unsurpassable in grandeur and beauty in our part of the country. The time he spent there was most delightful to him. He indulged in aquatic sports and was an ardent and expert fisherman. The surroundings would almost make one conclude that he was of a poetic nature; and while he possessed beautiful thoughts and had a true conception of the ideals which make the imaginative mind bigger and broader, he was too busy with his public duties to give time to matters of lesser importance.

But, Mr. Speaker, the star that shines brightest ofttimes becomes dull and finally fades from view. We watch it nightly with feelings of interest and admiration. The star of our dear Senator, brilliant as it was for years, gradually, though perceptibly, grew dim, and as time went on it became more obscure, until it finally disappeared from view, and so went out the life of "BILLY" HUGHES, a real man, a true man, beloved by those who knew him well, admired by his constituency, and respected by all.

Mr. MADDEN. Mr. Speaker, BILLY HUGHES, and that is what I always called him, and I were very warm personal friends. His was a typical American life. He was a common, everyday citizen. He knew his friends, and he was not afraid to associate with them. He devoted his life to the upbuilding of better conditions for the masses. He knew American problems, and he knew how to approach their solution. He was devoted to America and her advancement. He was a true patriot. That was exemplified in its fullest sense when America's honor was questioned before we entered the war. He was an advocate of every measure calculated to sustain American prestige. He made no pretense at superiority, and because of that fact he proved himself superior to many. His simplicity of life, his unassuming character, his clean morals, his attitude toward the best things in life, always stamped him in my mind as a man who eventually would become a great power in the land, because I always assume that power is brought about more by approaching the situations that confront us in a simple, straightforward, unassuming way, rather than in any other way. BILLY HUGHES had friends everywhere. You could not know him without loving him. He was intense in his devotion to the cause of the oppressed. He gave more of his time, I think, to the amelioration of conditions that needed improvement than to any other one thing. His heart went out to the lowly. He spoke the language of the man on the street. He was reared with him, and he never broke away from him; and in his daily life he associated with him. In his thoughts he always remembered him. He began with the man on the street, he rose above him officially, but never left him. He understood his ambitions, his hopes, his fears, his dangers. He realized that the man on the street makes up the bulk of America, and that the more contented this man is the better Government we will have. He realized that contentment among the masses is one of the essential needs to the happiness of the people of the Nation, and yet he was always just to those who were not of the masses. He realized that men in this country grow up from the ground, so to speak; that the great body of successful men come from the ranks; that the rich man in nine cases out of ten is not born rich, that his success is not due to the environment in which he was born, but that the great, successful men of the Nation come from the average men, compelled to toil, to struggle, to save, to pinch, to sacrifice, come from the men who learn to associate with other men who struggle, and he realized that that is the safety valve of the Nation.

I am proud to have associated with him, not only as a private citizen but as a Member of this House. I was proud to know him as a Senator. He approached all the questions that came before him with a conscientiousness with which few men approach these questions. He was interested only in the country's welfare. He had no ulterior purpose. He had no ambitions that would conflict with his country's welfare and advancement. He would make any personal sacrifice that others might reap the reward due them for the sacrifice which they made.

He regarded public office as an opportunity to serve the people. He did not aspire to power because he cared for power; he aspired to it because he realized that it would give him an opportunity to do something for his country and his people. He conceived that public office meant that the man who occupied it was the public servant, and he always acted as though he realized it to its fullest extent. It is a pity that men are taken away just as they begin to reap the full fruition of their usefulness. It takes a long time for men to learn the intricate problems of a given vocation, and there is nothing more intricate than the problems of the Nation and to understand and to realize the importance of the work of public officials dealing with nation-wide problems, world-wide problems, if I may say so, one must have had long training and experience, and it is because of the long training and experience that men have that we are able to meet the great problems that confront the country with intelligence and success. BILLY HUGHES had reached that point in life where he understood the Nation's needs. He had a knowledge of the country's history, of its legislative problems, of its complications. He was close to the Executive power of the Nation, justly so, for he was true and loyal to the Chief Executive in every trying hour.

He was true to every man with whom he came in contact. He was able to learn from personal contact with other men things that he might not have had the time to study for himself. It is through contact with men who have made special study that in most cases we are able to become familiar with the things with which we have to deal. No man in this great body can be

familiar with everything that comes before it, and so men here specialize. A man who specializes may take two or three years to study the conditions that surround a given problem and the methods by which those conditions must be met. I frequently go to those men and ask them to tell me in five minutes what they took three years to learn, so that I too may be able to get some knowledge of the intricate problems with which they are so familiar. That is what we have to do here; and it was because Mr. HUGHES did that to an extent that few men did that he was familiar with nearly every question that came before the Congress. And it was because he was familiar with these things that he was a power, but he used the power that he had sparingly. He used it only for the public good. He never assumed a dictatorial attitude. He was always approachable, sweet, truthful, honest, moral. His life was one that can well be emulated by those who are to follow. It should be an inspiration to the youth of the community in which he lived. We who are here miss him. We sympathize with his family. We regret his early taking off, but we who believe in a future still hope he has not gone from us forever; that we shall have communion with him in another place; and the time is not far off when most of those who are here will be called hence. My hope and prayer to-day is that at the end we may be considered by those whom we leave behind to be as worthy of the confidence and respect of the public whom we have tried to serve as I consider BILLY HUGHES to be.

Mr. BYRNS of Tennessee. Mr. Speaker, I count it a very great privilege to have numbered Senator HUGHES among my good friends. In common with the entire membership of both branches of Congress and the people of the State of New Jersey, whom he had so faithfully and efficiently represented in both the House and Senate, I was greatly grieved when death visited him in the very prime of his life and at the height of his powers and usefulness.

I first met Senator HUGHES 10 years ago when I entered the House, of which he was at that a Member. I very soon learned that there was no Member of the House on either side of the big aisle who was more universally beloved by the membership than "BILLY" HUGHES, as he was familiarly and affectionately known by all of his many friends and associates. As I began to know him more intimately, I formed a warm attachment for him and a strong admiration for his many splendid qualities of mind and heart, his never-failing good humor, his fine ability and sound sense, his earnest devotion to duty, and his intense loyalty to his people, his State, and to his country.

Senator HUGHES was an optimist. He never failed to take a cheerful view of life and its problems. His good humor was infectious, and, I dare say, if the truth were known, that it has caused many a man who was feeling despondent and upon the verge of despair to take a fresh and a stronger grip on life. At the same time he did not fail to fully realize the very serious nature of the many problems which are now confronting the people of our country and the entire world, but his own courage was such, and his confidence in the sound sense of all the people was such, that he never wavered in the firm belief that these problems would be finally solved to the best interest of the people, and that our republican institutions would be fully maintained in all of their purity and solidarity as planned by our forefathers and guaranteed by the Constitution. And, Mr. Speaker, it was this calm confidence that the right would prevail, coupled with his ability and his great popularity with all classes and men of all opinions, that made him one of the real leaders during his terms of service in both branches of Congress.

Senator HUGHES was distinctly the friend of the working classes. He never forgot that he had once been a hand toiler himself, nor did he scorn the various steps of the ladder by which he had ascended to the highest honor his State could bestow upon him. He knew from personal experience something of their trials and difficulties, and he never failed to ardently espouse their cause when they were threatened with unjust or unfavorable legislation or when an opportunity offered to promote their welfare and happiness. At the same time, Mr. Speaker, he had the moral courage and honesty of purpose to stand only for what he believed to be right, and to speak frankly and firmly when legislation on any subject was offered which he considered improper or unwise from the standpoint of his country's welfare. There was nothing of the demagogue in Senator HUGHES, neither was there anything narrow in his make-up. He was a broad-minded, clear-headed, loyal American citizen and statesman, anxious always to know and do the right. And this clear course of conduct actuated him throughout his career in Congress and won for him the very warm regard of his colleagues and the confidence and affection of his countrymen. This to him was worth infinitely more than all of the honors which had been bestowed upon him or which the future might have had in store for him if he had lived.

Senator HUGHES has left us. The cruel hand of death has torn him from his friends and loved ones, but his spirit still lives, and his memory will always be kept green in the hearts of those who knew and loved him.

Mr. LEHLBACH. Mr. Speaker, in paying my tribute to the achievements, services, and qualities of the late Senator WILLIAM HUGHES, of New Jersey, it is not necessary for me to repeat in detail his life's story. It is a veritable romance, crowded with dramatic incidents, with startling contrasts, with brave battles with superior forces, and wherein he, by sheer mental and moral force, conquered for himself power and place. In boyhood a hand in a Paterson silk mill, in manhood as lawyer battling in the courts for the cause of his former fellows; at first the factory hand in the employ of Col. Barbour, later the one political opponent who succeeded in defeating him for a seat in Congress; in youth stenographer and clerk in the office of John W. Griggs, former governor of New Jersey and Attorney General of the United States in the Cabinet of William McKinley; in the maturity of his powers a leader of political forces that overwhelmed with defeat the great party in which his earlier patron held so conspicuous a place; elected, defeated, then repeatedly elected again to Congress in a district wherein political strife was unceasingly waged; for a brief time a judge of the Court of Common Pleas of New Jersey; and finally a Senator of the United States—truly a story that as forcefully gives the lie to those who assert that in America the path of opportunity no longer lies open to one who has the ability, industry, and courage to tread it as Senator HUGHES himself was wont to give it to the traducers of Americanism as embedded in our traditions and written in the Constitution of our Government.

Throughout his career he was the avowed champion of those with whom in his early years he toiled, aggressive in supporting measures for their advantage, unceasing in his insistence upon what he conceived to be their rights. Yet he was a profound believer in American institutions and hated those who in the guise of solicitude for the worker sought to undermine them. In these times, when it is sought to sterilize our national spirit and destroy the fundamentals upon which our democracy rests, by inculcating foreign doctrines abhorrent to the genius of America, the Nation can ill spare the services of WILLIAM HUGHES. The implicit confidence which those who labor with their hands placed in him would give weight and authority to the message of Americanism he undoubtedly would deliver.

Until I came to Congress I had not become closely acquainted with him. In the two years I was here, before his illness put an end to his legislative activities, I had frequent occasion to confer with him and to meet him socially. The "BILLY" HUGHES I thus came to know was sincere, unaffected, warm-hearted, and altogether lovable. To have known him was a privilege. His departure is an irreparable loss.

Mr. HEFLIN. Mr. Speaker, again the flag upon the Capitol has hung at half-mast, and again death has invaded the ranks of the great congressional family. One of our bravest and best men has paid the debt that we must all one day pay.

I had the pleasure of serving in this House for a number of years with BILLY HUGHES. He was my warm personal friend. I probably knew him as intimately as did any Member of the House. I loved him devotedly. I watched his growth and development here with a great deal of interest and pleasure. I found him faithful in all the high engagements of his public life. Sincere, conscientious, industrious, and enterprising, he was truly a great American patriot, and he rendered great service to his State and to his country.

I believe the first eight-hour law ever introduced in the Congress of the United States was by a gentleman from New Jersey, by the name of Rogers many years ago, but it remained for BILLY HUGHES, of New Jersey, to exalt labor more than any man with whom I have ever served or of whose service I have known in the American Congress. Paul said, "This one thing I do," and BILLY HUGHES dedicated his service to organized labor. He believed that labor was being imposed on, and that it should have better treatment at the hands of the Government, and that measures should be enacted to protect the great army of industrial workers in the United States. He set himself to that task, and the great constructive laws that are now upon our statute books upon that subject are due more to him, I believe, than to any other man in the American Congress. As a result of his work and preaching in this House in the interest of labor and the magnitude of labor, I believe, more

than to any other man, is due the creation of the Department of Labor and a member in the President's Cabinet, a Secretary of Labor. I think BILLY HUGHES is more responsible for that than any other Member in either branch of Congress. It is a pleasure to have served with him, to have known him, to have had his friendship. His example will be an inspiration to boys who desire to accomplish something in life when they see that this man, who used to stand at the loom, hired by the day, afterwards served in this great American Congress, and died a United States Senator at the age of 46 years. We mourn him and we miss him, and a truly great man has gone.

Mr. BROWNING took the chair as Speaker pro tempore.

Mr. SCULLY. Mr. Speaker, the depth of the regret which I feel for the death of my friend, Senator WILLIAM HUGHES, is greater, perhaps, at least in some respects and for certain special reasons, than that of any other Member of this House.

It was in my home that Senator HUGHES became ill with what proved to be his last sickness. The attack came upon him suddenly, when he was apparently in the full vigor of lusty health. From that first blow he never completely rallied. He made a brave fight for life, but his task here was completed, and death claimed him at last. When he died I suffered not only a great personal loss but it seemed to me also that something of what service to my country at the National Capital had meant to me passed away with him. And there was a reason for this.

When I came to Washington as the Representative from the third congressional district of New Jersey, Representative WILLIAM HUGHES was one of the first men to greet and welcome me. He had had experience in Washington, and knew legislative Washington as only a small proportion of our Members ever know it. I can not help feeling that the flow of the Democratic tide which was at its height when I first came to Washington, and as a result of which the control of the legislative and later of the executive branches of the Government passed to the Democrats, was one of the great historic movements in the history of the development of the law and institutions of the United States.

At such epochs big men rise to the surface, and because of their gifts of leadership and native energy and physical and mental vigor are forced into the vanguard.

Coming to Washington, as so many Members did at that time, fresh from contact with the people, and dominated by the impulse of a splendid idealism, they sought to signalize the change in control of the House by reforming its procedure so as to make it more truly democratic and more fully responsive to the will of the citizens of the United States.

This desire furnished Representative WILLIAM HUGHES with his opportunity. Many of us were inexperienced. He was able to furnish experience and that knowledge of what can and what can not be done that great parliamentary leaders must possess. And it is unquestionably true that the rules by which this House is governed to-day are in great part the work of Representative WILLIAM HUGHES. These rules are not perfect, because nothing in human life is perfect, but the change was a change in the direction which the great public mind of the country wanted.

Meeting Representative HUGHES as I did at that time, and finding him always ready to share the fruits of his experience, I learned to know him well and to value deeply his friendship. He was, above all other things, a man with a strong man's virtues and passions, and with that inherent strength of character which compels a strong man to follow the great, dominating aims of this life, however much lesser aims may confuse and hinder.

We are all familiar, to some extent, with the life of Senator HUGHES. Whatever he became—and he became a powerful and influential figure in the Government of this country—he owed to his own practically unaided efforts, unless we consider that the opportunity which our country affords to all its citizens to rise to positions of trust and influence is an aid.

Senator HUGHES went to work in a silk mill in Paterson at an age when most boys and girls are only leaving the grammar school, but he had in him that desire to accomplish something in life, that determination to overcome obstacles, which is inherent in the race from which he sprang, and the results of which we see in this great country that stretches from Maine to California, with the evidences apparent on every hand of the results of man's work and man's ingenuity and energy.

Working in the daytime and studying in the evening and in his other spare time, Senator HUGHES achieved an education superior to that obtained by many persons who pass through all the grades of grammar school, preparatory school, and college.

When the War with Spain broke out Senator HUGHES was one of the first to offer his services to his country, distinguishing himself as a soldier whenever opportunity offered. He returned to civilian life at the close of the war and immediately took up the study of law. His attainments as a lawyer were great and were recognized not only by his fellow members of bar associations, but by the governor of his native State and by all his fellow citizens who knew him.

Having in his bosom the ambitions and aspirations to leadership which all true men have in one form or another, and having also that inherent and inherited desire to do what he could to improve the condition of his fellow men, it was inevitable that WILLIAM HUGHES should interest himself in politics.

I will not dwell on the number of times or the manner in which he was elected to this House, or to the equally emphatic way in which he was recognized by the citizens of the State of New Jersey and elevated to become a Member of the United States Senate. I will only note the fact that time and time again, in a constituency conceded to be strongly Republican, he was so able to teach and to exemplify the principles of the true democracy which he understood and believed in that he was elected by the votes of citizens who by the ordinary rules of the partisan game would have been understood as opposed to him.

Some one has said that the history of a country is the story of the lives of its individual citizens. I think that that is most readily seen in the lives of such men as Senator WILLIAM HUGHES. Whatever may have been his human weaknesses, he always fought on the side of right. However great may have been the obstacles which he perceived in the path of progress, they never for one moment stayed his determination to make progress. Even when his health failed him he did not yield in his determination to see that the country was a greater and better country because he had lived in it. He sought always to do his share, to so use his influence and his vote that justice and righteousness might more generally prevail in the land.

A fighter by instinct, he learned that a little persuasiveness is more effective than the hardest blow in overcoming legislative obstacles.

Himself a Spanish War veteran, he showed his courage and his disinterested devotion to principle by opposing, on grounds of sound public policy, measures in the interest of war veterans, doing so although warned that his action would cost him his political future.

Cut off in the prime of his life at a time when it seemed that he had a long and useful career before him, at a time also when, I believe, he cherished more closely than at any other time in his career the thought of devoting the remainder of his life to his family and to their interests, there can be no doubt that he gave his life as truly and as fully to the service of his country as many of the boys who have just died on the battlefields of Europe.

As he himself was a typical American, so his life was a typically American life, sparing not himself in the service of his country, but giving his all in the hope that by so doing progress might be maintained and liberty and equality more truly prevail in the land.

As one who knew him well and loved him well, I desire to say again that the life of WILLIAM HUGHES was one of sacrifice for ideals which he cherished and revered and in which he believed so earnestly that he was willing to pay the ultimate price of those who claim that a man does not believe in a thing till he is willing to die for it. Senator HUGHES lived for his country and died for his country.

Mr. EAGAN. Mr. Speaker, this is the fourth time during my service in the House of Representatives that it has been my sad privilege to participate in exercises in honor of the memory of a Member of Congress from my native State. During the past six years three Members of the House from New Jersey—Representatives Lewis J. Martin, Robert Gunn Bremner, and John H. Capstick, and the senior United States Senator from New Jersey, WILLIAM HUGHES, have been stricken down during their service in Congress. By a strange coincidence Senator HUGHES represented in the House substantially the same congressional district that was later represented by Congressmen Bremner and Martin. By an equally strange and sad coincidence, this day has been set aside not only for addresses on the life, character, and public services of Senator HUGHES, but it has also been set aside for like exercises in honor of one of his dearest friends, Hon. OLLIE M. JAMES, late United States Senator from Kentucky.

For a good part of their public life BILLY HUGHES and OLLIE JAMES were inseparable. They were elected to the House of

Representatives in the Fifty-eighth Congress and they entered the United States Senate at the same time.

Senator JAMES was one of those who followed the remains of his friend to its last resting place. I was one of the group of Senators and Representatives who attended Senator HUGHES's funeral in company with Senator JAMES. Little did I think that the first of that group to follow Senator HUGHES in death would be his friend OLLIE JAMES, then apparently in vigorous health. But a few months, however, were to elapse before Senator JAMES lay cold in death—a sad commentary on the uncertainty of life.

Born in Ireland in 1872, he came to this country with his parents when a lad of 8. At the tender age of 10 he left school to take a position as a reel boy in the mill of the Barbour Flax Spinning Co. at Paterson. After he had worked two or three months he returned to school, but in a short time resumed his work in a silk mill. He worked in several of the mills of Paterson as a weaver until 1893. He then took a course in stenography and typewriting in a business school, on the completion of which he secured a position as a stenographer in New York City. He remained in this position for a year, leaving it to enter the law office of William M. Rysdyk, of Paterson, and shortly thereafter began the study of law.

At the outbreak of the Spanish-American War, in 1898, he enlisted in Company A, of the Second Regiment of the New Jersey National Guard. During part of his service he acted as stenographer to Maj. Gen. Fitzhugh Lee. He returned to Paterson with his regiment at the close of the war and entered the law office of William Nelson. He subsequently entered the office of former United States Attorney General John W. Griggs, remaining in this office until he was admitted to the bar, in June, 1900.

He was elected to the House of Representatives in 1902, defeating his former employer, Mr. Barbour, the Republican candidate. He was defeated for reelection in 1904, but was again elected to the House of Representatives in 1908 and in 1910. He entered the United States Senate on March 4, 1913.

Senator HUGHES, or, as we all knew him, BILLY HUGHES, was essentially a man's man. He was robust, strong limbed, splendidly proportioned, and a lover of all outdoor sports. He had an unfailing sense of humor and a very ready wit.

In many respects BILLY HUGHES was a contradiction. Under what I might call his rough and ready exterior there beat the gentlest of hearts. He was a keen judge of men, yet his heart was so big and his opinion of his fellow men so generous that he was frequently imposed upon. It was not in his nature to impute unworthy motives to men, and he was always ready to make excuses for a man's shortcomings and frailties. But when he was convinced that a man was not on the level he was quick to tell him so and in language that could not be misunderstood.

He abhorred the demagogue. He had a supreme contempt for the public man who through forced publicity succeeded in keeping himself in the limelight—for the man who, as he frequently expressed it, was "playing to the galleries." Yet none was more sensitive of thoughtless or hostile criticism when he knew it was undeserved; none could be more unhappy when he learned that a friend, no matter how humble, was speaking ill of him. On the other hand, none could do his duty, as he saw it, more courageously; no Member of the House or Senate could take a stand on any public question with less regard for his political future than BILLY HUGHES.

He had a wonderfully clear mind and was a tireless worker. Had he chosen to devote his time and energy exclusively to the practice of the law, he would have achieved very great success as a lawyer. He chose a legislative career, however, and devoted his time, his brain, and energy to it without thought of self. While he achieved notable results in several lines of legislative endeavor, he will always be remembered because of his interest in legislation affecting labor.

He had the faculty of making friends, as well as the rarer faculty of keeping them. He made many friends throughout New Jersey and many friends in the House and the Senate, but the friends who loved him best and those whom he loved best were the friends of his boyhood. Nothing gave him greater happiness than to be able in one way or another, when opportunity afforded, to show his gratitude to the friends of his youth.

His rapid rise in the affairs of his State and of his country never turned his head. Whether as a worker in the mills of Paterson, a Member of the House of Representatives, a judge on the bench, or a Senator of the United States, he was always the same whole-souled, witty, rough and ready, plain BILLY HUGHES.

In his death his city, his State, and his country lost a broad-visioned, courageous, efficient public servant, and his sorrowing wife and children a devoted husband and father.

Mr. DRUKKER. Mr. Speaker, over a year has passed since the unrelenting hand of death claimed WILLIAM HUGHES and took from the Senate and State of New Jersey one of the most energetic and active of men.

"BILLY" HUGHES was a self-made man. At 12 or 14 years of age he was operating a silk loom in Paterson, N. J. He took up stenography and typewriting, and when employed in the law offices of former Attorney General John W. Griggs he determined to study law, and a few years later he was admitted to the bar. His keenness, his ability, and power of observation, working with his ambitions and aspirations, led him to seek bigger opportunities and to grasp the advantages that came within his reach. From a mill hand to a national legislator, step by step he climbed the ladder of success.

In 1902, though young and comparatively unknown, he was chosen by the people of a great manufacturing section to represent them in Congress. He soon became prominent in the House and in his own city; as the years passed evidences accumulated of the respect and confidence in which he was held. From near and far throughout his district the struggling and unfortunate learned to come to him, their Representative, and his ready sympathy and kindness never failed them. A friend of the working people and with a first-hand knowledge and a wise understanding of their problems, he was always the ready sponsor of any legislation that was for their betterment and welfare.

His distinguished career as a Member of Congress was brought to a close by an appointment at the hand of President Wilson, then governor of New Jersey, to the position of county judge of Passaic. He was permitted to serve only a short period on the bench before his elevation to the Senate.

The same qualification which made him a potent factor in the House of Representatives soon brought him a position of responsibility in the upper House. His instincts were for order and voluntary subordination to a common purpose. So, in politics, from first to last, he was always for party organization and party responsibility.

One of Senator HUGHES's most striking characteristics was his gift of making friends. Modest and unassuming, steadfast in his friendships, he was a genial companion and a friend to be depended on. Mourned by a host of friends, it is in the county which saw the beginning of his remarkable career and which was the field of his early struggles and triumphs that his death is felt as a very deep and lasting personal loss.

Mr. HAMILL. Mr. Speaker, I do not know of any announcement which smote so heavily with sorrow the hearts of those who heard it as the one which told us "BILLY HUGHES is dead."

That was on January 30, 1918, over a year ago. The news created a sense of personal loss; all felt that an affectionate and true friend had gone from among us. In knowing BILLY HUGHES we recognized those traits which made him universally popular. He was courteous and genial to all with whom he came in contact. It is not of Senator HUGHES that I would speak.

It is of BILLY HUGHES, the man, the companion, the friend, that I would speak, and whatever simple tribute my tongue or pen can frame shall be laid not at the pedestal of the monument with which a grateful constituency has already commemorated his public virtues, but at the feet of that picture of him that memory has left to those of us who were his closest associates and warmest personal friends during the years of his service to the people of the great State of New Jersey. Gifted to a most remarkable degree, dowered by nature with that peculiar combination that makes a man loved by his fellows, I doubt if any man has served the people of any State in the whole history of our country who was more widely known and more universally loved than was BILLY HUGHES. The finest tribute I can pay his memory to-day is to say that those of his associates who knew him best mourn him most.

He was not of the hypocritical, self-righteous tribe of scribes and pharisees, but was a generous-hearted, warm-natured, red-blooded man, and intensely human and always lovable. Such was the personality we now miss and mourn; fortunate, indeed, will each of us be if when the fight each of us is making shall have finally ended and we stand at last before the Omnipotent Judge we shall leave behind us as many sincere, loving, faithful, mourning friends as BILLY HUGHES has left behind him, at home, in the Halls of Congress, and wherever the currents of his life have touched. To-day, while we are giving this expression of our sorrow at his death, our friend has already lifted the impenetrable curtain that veils eternity. Its time-old mystery is mystery no longer to him. Its unknown shores are no longer chartless for him. He has solved the mystery of human life and mortal death, and to those of us who have a

faith that after death there is life everlasting the hope does not seem vain or ill-founded that our friend, with his lovable personality, his splendid qualities of mind and heart and character, has found favor in the eyes of that Great Judge who never errs.

The life of BILLY HUGHES at home was marked for its frankness and simplicity. His greatness in office erected no barrier between him and the humblest citizen, while, under our theory of Government, he was a representative of the "whole people." His intimate personal acquaintance at home was restricted to no certain portions of the State; he knew the people not casually, but his individual knowledge of them was marvelous. The people did not know "of him"—they knew him. He was the champion of their interests always.

Time has not assuaged this feeling of love we had for our departed friend, and we keenly experience it to-day as we gather here during the busy ending of a momentously important Congress to revive and reverence his memory.

Beneath the flower-decked sod at Cedar Lawn Cemetery lies all that was mortal of BILLY HUGHES. No more shall we gaze upon the familiar form of our friend and associate.

But not even death itself can deaden the power of recollection or curtail the sweep of our affections. While memory shall hold sway over our intellects we shall have before us the kindly smile, the sympathetic speech, the generous act of him who, though now sleeping the last great sleep, yet still liveth in our thoughts and in our emotions.

His was a record of public service which will perpetuate his fame as long as the history of this great Republic shall be known to mankind.

Mr. EAGAN. Mr. Speaker, a number of Members are unavoidably absent to-day who desired to speak at these exercises in honor of the memory of Senator HUGHES. I ask, therefore, that all who wish to do so may have leave to extend their remarks in the RECORD.

The SPEAKER pro tempore. The gentleman asks unanimous consent that Members who wish to do so may extend in the RECORD remarks on the life, character, and public services of the late Senator HUGHES. Is there objection?

There was no objection.

Mr. BIRCH. Mr. Speaker, once more the hand of death has been laid upon one of New Jersey's distinguished citizens, and we are gathered here to-day to pay public expression to the sterling character and the life and public work of our late senior Senator from New Jersey, Hon. WILLIAM HUGHES.

Born in the beautiful Emerald Island, Senator HUGHES migrated to the shores of America at a very early age and took up his residence in the thriving industrial city of Paterson, N. J. He secured employment in the mills of that city, and a singular coincidence in his life is that he was at one time employed in the mills of the late Col. Barbour, whom he afterwards defeated for Congress.

During his spare hours in the evening Senator HUGHES, who was then just plain "BILLY HUGHES," perfected his education; he gave particular attention to the study of stenography and became so proficient that he was appointed as court reporter.

This line of work brought him in close touch with the legal profession, and he soon determined that he would become a lawyer. He entered the offices of the late Gov. Griggs, where he studied and mastered the intricacies of the legal profession and was subsequently admitted to the bar.

He first began to attract notice as a lawyer by his vigorous championing of the cause of the silk strikers of the city of Paterson, and so earnestly did he represent his clients that the late Vice Chancellor Pitney threatened to put him in jail.

He became very popular among the working class for his efforts in their behalf, and when he became a candidate for Congress he had their united support. In his first campaign, which was for the Fifty-eighth Congress, he had as his opponent the late Col. Barbour, of his own city, a man who was well and favorably known and possessed of much wealth. Senator HUGHES was not so well known outside of his own community and he had no other wealth excepting that of ambition and popularity. His defeat of Col. Barbour was a very remarkable achievement and was the beginning of his career in public life.

He was defeated for reelection to the Fifty-ninth Congress by Henry C. Allen, but was reelected to the Sixtieth, Sixty-first, and Sixty-second Congresses. During all of his time in Congress he championed the cause of the laboring man, and was looked upon as one of the strongest friends of labor in the House of Representatives.

During his last term in the House President Wilson, then governor of New Jersey, appointed him to a judgeship of the court of common pleas of Passaic County. He filled this office for about six months, when he again became a candidate for public office, and this time for the United States Senate, opposing former United States Senator Smith in the Democratic primaries. The primary law in vogue in New Jersey at that time was nothing more that a preferential expression on the part of the voters, and it was necessary for the candidates to be elected by the State legislature. Accordingly, having received a greater number of votes than Senator Smith at the general election, and the State legislature being in the control of the Democratic Party, Senator HUGHES was formally elected by the legislature on January 28, 1913. He was the last United States Senator from New Jersey to be elected by the State legislature.

Senator HUGHES was a man of extraordinary physical strength. Always the champion of the "underdog," he was ever willing to do a good turn for a friend and to extend a helping hand to the poorest beggar on the street. He was broad minded and possessed a multitude of friends. He was typically an American, and though he reached the topmost rung of political honors, he always remained "BILLY HUGHES," and he never forgot his friends.

Monetary wealth had no attraction for him and he died a poor man. But he left to his family a reputation for honesty, integrity, efficiency, and service that will long outwear the glitter of gold.

In his death not only has New Jersey lost a distinguished statesman, but the United States has lost an able legislator and a loyal, patriotic, and staunch citizen.

Mr. BACHARACH. Mr. Speaker, we gather here to-day to pay our respect and to express our appreciation and admiration for one who has gone from amongst us. It is a beautiful and time-honored custom of the American Congress to eulogize its Members who have been called to the great beyond, but how much more beautiful would it not be if we were to sing the praises of our colleagues and tell of their wonderful life work if we had the opportunity to do it before they have come to the end of life's journey.

To-day we come to honor one of New Jersey's adopted sons—the late WILLIAM HUGHES, senior Senator from the great State of New Jersey, a man of singular abilities, a typical American, and a distinguished citizen of our State and Nation.

Nowhere in history can there be found a greater or a more realistic exemplification of the opportunities which are offered in this glorious country of ours than in the life, character, and public services of Senator HUGHES.

He was born in Ireland and came to America at a very early age, possessed of little else than the knowledge that America offered wonderful opportunities through her system of government and her institutions, even to the foreign born, provided he was willing to swear allegiance to her laws and become a good citizen. In addition to this knowledge, Senator HUGHES possessed a wonderful store of vitality and ambition and the desire to forge ahead.

Soon after his arrival he accepted humble employment in the silk mills of the city of Paterson, in which community he always retained a residence. He applied himself to the improvement of his education in the night schools, and when he had mastered sufficient knowledge to take up work outside of the factory he began his career in the business world. He mastered the art of stenography and with this as a stepping-stone he became an official court reporter. This seemed to have determined for him his life's work and he took up the study of law and was subsequently admitted to the bar.

Success seemed to follow his ambitions and he soon became a political power in his community. His first appearance in public life was his election to Congress. He served in the House of Representatives for a number of years, and during his last term in the House was appointed to a judgeship by the then Gov. Wilson.

By this time he had become recognized as one of the two or three real leaders of Democracy in the State of New Jersey, and upon the expiration of the term of United States Senator Smith Mr. HUGHES was agreed upon as the choice of the Democratic Party leaders, and he opposed Mr. Smith for renomination in the primaries. He received the highest number of votes and subsequently was elected by the Democratic legislature of the State. Direct primaries for the election of United States Senators was not the law of the State at that time; it was nothing more than a preferential expression. That Senator HUGHES had become a real power in Democratic politics at that time was evidenced by the fact that he was selected by the State leaders and approved by President Wilson to be the pri-

mary candidate over Judge Westcott, who nominated President Wilson at the Baltimore convention.

All during his public career Senator HUGHES was recognized as a friend of the working class, and he always carried a warm spot in his heart for the man who was "down and out."

It was not my good fortune to know Senator HUGHES intimately. We resided in the extreme opposite ends of the State and therefore were not thrown in contact with each other. I consider this a great personal loss, for since coming to Congress I have had an opportunity to know him better and to appreciate what a genial, whole-souled fellow he was.

His death is a great loss to the State of New Jersey and to the Nation as well. He was loved and respected by the thousands who knew him, and in return he loved and respected them.

THE LATE SENATOR JAMES, OF KENTUCKY.

Mr. SHERLEY took the chair as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will read the special order.

The Clerk read as follows:

On motion of Mr. BARKLEY, by unanimous consent,
Ordered, That Sunday, February 23, 1919, be set apart for addresses upon the life, character, and public services of Hon. OLLIE M. JAMES, late a Senator from the State of Kentucky.

Mr. JOHNSON of Kentucky. Mr. Speaker, I offer the resolutions, which I send to the Clerk's desk.

The Clerk read as follows:

House resolution 603.

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. OLLIE M. JAMES, late a Senator of the United States from the State of Kentucky.
Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.
Resolved, That the Clerk communicate these resolutions to the Senate.
Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolutions were agreed to.

Mr. JOHNSON of Kentucky. Mr. Speaker, of those who speak of OLLIE JAMES upon this occasion I knew him longer. When he was only 13 or 14 years of age he went to Frankfort as a page in the Kentucky Legislature, of which body I was then a member. Well do I recall him as a rollicking boy, in knee pants. There, away from the care of father and the watchful solicitude of mother, one might have feared for him lest the seeds of vice be sown in his young mind. But, even then, all his thoughts, as evidenced by his conversations and acts, turned not to youthful frivolities, but to the more serious problems of life. Of evenings my room at the hotel was his customary place. Many, many times I found him closely engaged in studying and asking questions full of thought about pending legislative measures, although he was but little more than in his teens. At that time the opposition to corporate greed, which later was developed into real issue by the lamented Goebel, found serious public expression in Kentucky. I noticed the trend of the thoughts of this mere boy; and, as time went by, I saw the development of his mind. Then, after only a few years, although not yet a man, I saw his mind and heart in their molding. Before he had reached man's full estate I introduced him to a public audience in the courthouse at Bardstown, Ky., the place of my residence, and there heard him make a speech which presaged the orator and statesman to which he grew. Nearly 25 years later I introduced him for a speech to another audience at the same place. On this occasion his well-recognized statesmanship and his fame as an orator preceded him, and filled the town with people, whose faithful champion he ever was. No greater speech has even been made on the hustings than was his of that day. Our country was all but in the throes of a terrible war with the most powerful, the most ambitious, the most savage autocrat that ever came into this world in human form.

Such a word picture of Belgium's horrors; such a vivid description of the destruction of France by the German hordes who were then almost at the gates of Paris; such a detail of danger to the existence of Great Britain; such a placing before the minds of others of the pending menace to our own country and the world no man before or since has presented. His audience knew real intellectual effort when it came along. Bardstown, Ky., where he made that speech, is not the easiest place to be found in the world for a speech. Long before Kentucky was admitted to the Union she was known as the "Athens of the West."

There Jesuits, the best educated of educators in the world, found their way before the Indian had gone; there in the wilderness they erected a great college; there was established the first Catholic bishopric east of the Allegheny Mountains, extending from New Orleans to Montreal and from the upper Ohio River to the Pacific. There hung the paintings of such masters as Rubens and Van Dyck, the gifts of Louis Philippe, King of the French; there, where Foster composed and set to music the soul-stirring strains of "My Old Kentucky Home"; there, where the gifted S. S. Prentice met more than an equal in the renowned Ben Hardin; there where John Rowan, ambassador to Italy, United States Senator, lawyer, and statesman, had left his impress; there where Charles A. Wickliffe, Cabinet officer and profound lawyer, spent his life; there, where William H. Grigsby, eminent jurist, set a high standard for expression of thought; it was there that OLLIE JAMES made one of the most impressive and patriotic speeches of this generation.

I have heard men speak of OLLIE JAMES having climbed the ladder of fame to almost the topmost rung. OLLIE JAMES never had to climb. He simply rose from year to year as occasion came for an uncovering of his wonderful gifts. To him nature was most prodigal, indeed, in her generosity. He was given size that brought attention; a personality most pleasing; a voice heavy and strong, yet musical; a manner most engaging and prepossessing; always gentle and kind; ever charitable; never envious nor detractive; and, still more, an intellectuality that challenged the admiration of all.

In the common acceptation of the word OLLIE JAMES is dead. That of him which was only clay is dead; but as long as Americans may be able to read his mental achievements will live.

We are taught that in the beginning God molded a form out of clay, a form which became that of man. But, when it had been so molded, it was inanimate. It could neither move, speak, think, nor in any way acknowledge even its own Creator.

God leaned over that form of clay and breathed into it. Then it arose, endowed with the Heavenly attributes of justice, charity, mercy, and the other qualities so generously given OLLIE JAMES.

That form of clay has been given back to earth whence it was taken. But those splendid endowments will survive on earth, while that soul, given of God, has but been taken back to God.

With the "golden rule" as the test, his sojourn here was most beautiful, indeed. Those who shared his generosity and received his charity are countless, while no one can be found whom he ever wronged. Such as OLLIE JAMES live always.

Mr. FORDNEY. Mr. Speaker, the State of Kentucky has no bronze or marble in Statuary Hall, but her sons need no monument to perpetuate their fame. We of the Northwest owe to the Pioneer State a debt of historical and political magnitude that we can never repay. Had it not been for the daring of Daniel Boone and David Harrod and George Rogers Clark, and men of their kind, the Northwest territory would in all probability now be a part of Canada, and we of Michigan and Ohio, and Indiana, Illinois, Wisconsin, and Minnesota would be going with the members from Ontario and Manitoba to sessions of the Dominion Parliament at Ottawa, instead of coming to Washington to the Congress of the United States. There is no page of our history brighter than the story of the first of our bursting buds of empire, the first chapter of the Winning of the West. Before the Revolution the sons of Virginia began going over the top of the forest-darkened Alleghenies in a stream of home builders, whose progress has never stopped. God made the North Temperate Zone for the home of the white race, and he put Kentucky in the center of it. Forest and prairie, river and rock, soil of eternal fertility, climate mild yet bracing, its landscape and its people are pure American, and we, the neighbors of Kentucky, are proud of every minute of her history. It was the men of Kentucky, headed by George Rogers Clark, who waded through miles of icy spring floods, surprised and defeated the British forces under Hamilton at Vincennes, sent him a prisoner to Virginia, and dealt the death blow to British dominion south and west of the Great Lakes. If Kentucky had done no more than that her place in the history of American independence and American development would be forever secure.

But every student of our early days must realize that while the Revolution passed the bill, the War of 1812 was a motion to reconsider; and it was not until Andrew Jackson and his riflemen from Kentucky and Tennessee mowed down Pakenham and his British regulars at New Orleans that the motion to reconsider was laid on the table. Again all glory to the wild men of the blue grass.

I love to think of the battle of New Orleans, because its diplomacy and its shooting were so characteristic of Americans,

Pakenham, scorning the backwoods general and disdaining ordinary courtesy, wrote:

Jackson, surrender New Orleans!

Jackson wrote back:

Pakenham, come and take it.

Pakenham wrote:

Jackson, I expect to take my breakfast in New Orleans Sunday morning.

Jackson responded:

Pakenham, if you do, you will take your supper in hell Sunday night.

And the tradition of all good Kentuckians is that the Kentucky riflemen were in the front rank that fired the fatal first volley, which blasted Wellington's veterans like chaff in a blaze. That was American diplomacy and American shooting, both straight and to the point. It was that battle, the ending of the War of 1812, which made possible the treaty that put the United States of America beyond the experimental stage, and made permanent our dominion from the Atlantic to the Pacific. Because in the negotiations about Oregon and Texas later Great Britain dealt with a nation she could not fail to respect.

Meantime from the limestone soil of Kentucky there was springing up a race of giants, sons of those long Scotch-Irishmen, improving the breed with every generation. In 1808, 16 years after Kentucky was admitted to the Union, was born a boy destined to lead the South in the great Civil War, and a year later there saw the light in that State the boy who, as sixteenth President of the United States, was to do more than any other man to save the Union and live to see our Nation preserved. It is a remarkable fact that Jefferson Davis and Abraham Lincoln were born within a year of each other in the same State, which about half a century later furnished to each Army, the South and the North, thousands of its best sons, and which again became, as it had been once before, the dark and bloody ground.

Into this State, with this history, with these inspirations, there was born in 1871 the man whose memory we honor to-day; the son of a lawyer, who at the age of 20 was admitted to the bar, and whose personal qualities brought him almost at once into prominence. Other speakers here to-day will give the details of his early life. He was chosen a delegate to Democratic national conventions for 20 years, beginning, when only 25 years of age, in 1896, and in 1900, 1904, 1908, 1912, and 1916. He was permanent chairman of the conventions of 1912 and 1916. For 10 years he was a Member of this House; and beginning March 4, 1913, was one of the Senators from his State, an honored Member of the illustrious company of great men who have held that office, of whom Henry Clay and John G. Carlisle are only two of many who might be recalled.

Perhaps Senator JAMES attained his greatest prominence in 1912, when he was permanent chairman of the Baltimore nationed convention, which nominated Woodrow Wilson for his first presidential term; and later was chairman of the committee that formally notified him of his nomination. In his speech as permanent chairman Mr. JAMES said:

The Civil War is over, and that flag—the brightest, dearest colors ever knit together in a banner of the free—waves above a united people, where it is loved by every heart and would be defended by every hand. And coming from the South as I do, I can say that if Abraham Lincoln were alive this night there is not a foot of soil under Dixie's sky upon which he might not pitch his tent and pillow his head upon a Confederate soldier's knee, and sleep in safety there.

That this is one united country has been shown again, more gloriously than anyone could have dreamed seven years ago, by the history of the great war since April, 1917.

Mr. Speaker, for many years the joint sessions of the Senate and House were held only once in four years, to count the electoral votes for President. But in the last six years there have been many joint sessions; and every time I see the Members of the Senate march into this hall and take their places in the front rows reserved for them I think of the power and greatness of the States they represent. Why, such has been the increase in the efficiency of men in war that if the troops raised from the little State of Rhode Island, with their rifles, machine guns, and field artillery, could be turned upon the Persian hosts that thronged the field of Marathon, there would be no battle, but only a massacre of the barbarians. In the small State of Delaware there was made last year enough of high explosives to have destroyed all the armies of all the wars of antiquity. And the advance that has been made in methods of destruction has been equaled in the arts of construction and production as well. To be a Senator now from one of the States of this Union is a prouder privilege, a far worthier place in the procession of human progress, than to have been any tyrant or monarch of old. Our dead friend was chosen by his State to be one of her Senators. It is honor enough for any man.

Mr. Speaker, when one gets to talking about Kentucky, he never knows when to stop. Her pioneers, her warriors, her statesmen are an inspiring topic. The great Speaker of this House is one of her illustrious sons. In literature and song, as well as in sterner things, Kentucky has an immortal place. Who does not love Stephen C. Foster's "Old Kentucky Home" and "'Way Down Upon the Suwanee River"?

It was Kentucky's heroes in the Mexican War who called forth from Theodore O'Hara, one of her own people, what is probably the most perfect memorial poem ever written in any language, and which will be repeated over soldiers' graves as long as the English language is spoken. And with that immortal poem I close this eulogy:

THE BIVOUAC OF THE DEAD.

The muffled drum's sad roll has beat
The soldier's last tattoo;
No more on life's parade shall meet
That brave and fallen few.
On fame's eternal camping ground
Their silent tents are spread,
And glory guards, with solemn round,
The bivouac of the dead.

No rumor of the foe's advance
Now swells upon the wind;
No troubled thought at midnight haunts
Of loved ones left behind;
No vision of the morrow's strife
The warrior's dream alarms;
No braying horn nor screaming fife
At dawn shall call to arms.

Their shivered swords are red with rust;
Their plumed heads are bowed;
Their haughty banner, trailed in dust,
Is now their martial shroud.
And plenteous funeral tears have washed
The red stains from each brow,
And the proud forms, by battle gashed,
Are free from anguish now.

The neighing troop, the flashing blade,
The bugle's stirring blast,
The charge, the dreadful cannonade,
The din and shout are past;
Nor war's wild note, nor glory's peal,
Shall thrill with fierce delight
Those breasts that never more may feel
The rapture of the fight.

Like the fierce northern hurricane
That sweeps his great plateau,
Flushed with the triumph yet to gain,
Came down the serried foe.
Who heard the thunder of the fray
Break o'er the field beneath,
Knew well the watchword of that day
Was "victory or death."

Long had the doubtful conflict raged
O'er all that stricken plain,
For never fiercer fight had waged
The vengeful blood of Spain;
And still the storm of battle blew,
Still swelled the gory tide.
Not long, our stout old chieftain knew,
Such odds his strength could bide.

'Twas in that hour his stern command
Called to a martyr's grave
The flower of his beloved land,
The Nation's flag to save.
By rivers of their fathers' gore
His first-born laurels grew,
And well he deemed the sons would pour
Their lives for glory, too.

Full many a norther's breath has swept
O'er Angostura's plain,
And long the pitying sky has wept
Above its moldered slain
The raven's scream, or eagle's flight,
Or shepherd's pensive lay,
Alone awakes each sullen height
That frowned o'er that dread fray.

Sons of the dark and bloody ground,
Ye must not slumber there,
Where stranger steps and tongues resound
Along the heedless air.
Your own proud land's heroic soil
Shall be your fitter grave;
She claim's from war his richest spoil—
The ashes of her brave.

Thus 'neath their parent turf they rest,
Far from the gory field,
Borne to a Spartan mother's breast
On many a bloody shield;
The sunshine of their native sky
Smiles sadly on them here,
And kindred eyes and hearts watch by
The heroes' sepulcher.

Rest on, embalmed and sainted dead!
Dear as the blood ye gave;
No impious footstep here shall tread
The herbage of your grave;
Nor shall your story be forgot,
While fame her record keeps,
Or honor points the hallowed spot
Where valor proudly sleeps.

Yon marble minstrel's voiceless stone
In deathless song shall tell,
When many a vanished age hath flown,
The story how ye fell;
Nor wreck, nor change, nor winter's blight
Nor time's remorseless doom,
Shall dim one ray of glory's light
That gilds your deathless tomb.

Mr. ROUSE. Mr. Speaker, the great sovereign State of Kentucky has been represented in the Senate of the United States by forty-four of her citizens, OLLIE M. JAMES being the forty-second Senator. To John J. Crittenden belongs the honor of the longest years of service, he having served 18 years. Joseph C. S. Blackburn served 17 years and Henry Clay served 15 years. The remarkable part of the senatorial history is that the service of two of the ablest statesmen, Henry Clay and John J. Crittenden, extended over the same period of years but not at the same time. It was 44 years from the time each entered the Senate until his last term expired. Eight of these men so honored served less than one year, and one was expelled.

OLLIE M. JAMES was born in Crittenden County, Ky., on July 27, 1871. From the beginning his career was notable though humble, and with only the education that he acquired from the common and academic schools of his county he rose in a very short period of time from a page in the Kentucky House of Representatives to the highest position in the gift of the people of his native State, and this he accomplished without the means of a political machine but with the confidence of the people.

He was a firm believer in the principles of the Democratic Party in its best and broadest definition. He always believed and declared in the supremacy of the people. When at the age of 25 he was elected a delegate to the Democratic convention in Chicago which nominated Mr. Bryan and afterwards campaigned for the nominee, his devoted friend and admirer, in many of the States. He was a delegate from the State at large to the Democratic convention held in Kansas City in 1900, to the St. Louis convention in 1904, the Denver convention in 1908, to the Baltimore convention in 1912, and to the St. Louis convention in 1916. At the conventions of 1900, 1904, and 1908 he was elected chairman of his State delegation. He was defeated for the chairmanship of his State delegation in 1912, but was elected permanent chairman of the national convention a month later, which was a higher honor and one sought by many of the able men of the party. His fairness and ability was so demonstrated that at the convention of 1916 the President insisted that he be made the permanent chairman of the convention, which was done by acclamation, and which convention renominated Mr. Wilson for his second term.

Well do some of us remember the happenings of the State convention held in Louisville in June, 1912, when Senator JAMES resorted to the unusual. He made one of his able speeches, and concluded by placing himself in nomination for the chairmanship of the convention. He was defeated in this ambition, and it was with great regret that some of us were compelled, for the sake of party organization, to cast our vote against the beloved Senator. However, though defeated for the chairmanship of his State convention, he was chosen a delegate to the national convention at Baltimore, and it was here that he was elected by acclamation permanent chairman of the great convention which gave to the people Woodrow Wilson. JAMES was one of the leaders of Speaker CHAMP CLARK for the Democratic nomination in Baltimore in 1912, but after his candidate was defeated he supported the nominee of his party, and was at once the leader and spokesman of Mr. Wilson, and soon became the mouthpiece of the present administration in the Senate of the United States. His last speech made in the Senate, a little more than a year ago, was a masterpiece in defense of the President and his policies in the conduct of the war.

OLLIE JAMES rendered more distinguished service to the party which he loved and gave more time to the success of his party in the State and Nation than any other public man during our time. He took a leading part in the last six Democratic conventions, was the foremost man to enunciate the principles of the party, and with his towering figure and wonderful voice was seen and heard in a majority of the States of the Union during the campaigns, both State and national, during the past 25 years.

He was elected to each Congress from the Fifty-eighth to the Sixty-second, inclusive, and left the House to enter the Senate, where many of his friends predicted that he would be when the death angel called him to his final reward. He was a conscientious legislator of the Congress, a powerful debater, and one who possessed the oratorical ability to meet any speaker of his day. He was a giant in physique and possessed a striking personality, always attracting attention no matter what the gathering. At all Democratic meetings in the State and Nation he was one of the most prominent figures and wielded a powerful influence. The public knew OLLIE JAMES as an orator and statesman. As a speaker in a political campaign he had no superior, and but a very few equals. No person in public life of the age of OLLIE JAMES, in Kentucky or elsewhere, has ever contributed to the history of his State a more distinguished career, not having reached the age of 50. He had served five terms in the House of Representatives and had been chairman of two Democratic national conventions and was rounding out a term in the United States Senate and renominated by a tremendous majority for a second term, receiving the indorsement of the people as no other candidate ever received in Kentucky, and this renomination was honored him while he was near the end of his career and on his death bed in the hospital in Baltimore.

His attention to his duty, his fidelity to his trusts, his ability and his integrity made a deep and lasting impression upon those he served, and the announcement of his passing away brought from the people throughout the entire country the deepest regret and expressions of heartfelt sympathy such as has been rendered to but few who preceded him to the great beyond.

No one of his acquaintances could accuse the Senator of being a politician; so far as I knew, he made no attempt to build for himself a political organization, always relying upon the people, and his faith was never misplaced. He was a power in the Democratic Party and used his influence freely and ably in all the campaigns. However, his purpose was solely for the good of the party he loved and of the policies for which it stood and in which he was a firm believer.

Senator JAMES passed away at Johns Hopkins Hospital in Baltimore on the morning of the 28th of last August, where he had made a brave and hard fight against a disease that had claimed him as one of its victims, and only surrendered when his feeble nature was overcome by the inevitable. The familiar figure of Kentucky's Democratic giant will for many years be missed among those who loved the party and the people and until another is found who can take his place in the hearts of those who love what the poor man is entitled.

To be admired is an honor which many public men experience, but to be loved and admired by nearly all of one's acquaintances is an honor and distinction that but few men attain. Our friend was one of the rare creatures of God who could claim this distinction.

Mr. HEFLIN. Mr. Speaker and gentlemen of the House, the life of a conspicuously able and faithful public servant is an inspiration and help to the youth of the country and a blessing to his race. The most interesting and helpful history is that which tells the story of success achieved in spite of the hardships and hindrances born of ill fortune. The greatest intellects and benefactors of the race have come from the moderately well-to-do and from the ranks of the world's struggling poor. These, by their example, inspire and encourage those who purpose in their hearts to succeed in spite af adverse circumstances.

The House of Representatives is assembled to-day to pay a tribute of love and reverence to the memory of a truly great American, born in Kentucky amidst the hardships and privations of the reconstruction period that followed the War between the States. His parents were poor in the things that make up the sum of this world's goods. His father was a Union soldier and his mother had four brothers in the Confederate Army. At the end of the war his father, like many other soldiers on both sides, had to start life over again amidst hard and trying circumstances.

OLLIE JAMES as a boy worked upon the farm and cut wood and made fires and did other work about the home. During spare time he worked for neighbors needing help, making a little money whenever he could. He told me of one of his first experiences, that of carrying brick up a ladder to the workmen on a building for 10 cents a day. He was appointed to the position of page in the Kentucky Legislature when a youth of 14. He was educated in the common schools of Crittenden County and the high school at Marion. He studied law with his father, who had become a splendid lawyer, and was admitted to the bar when 20 years old. It was not long until he was recognized as one of the ablest and best young lawyers in Kentucky. Older lawyers who knew him in those days told me that he acquainted himself with the law and with every detail of his case and presented it to court and jury in such masterful fashion that he soon became one of if not the greatest trial lawyers in the State.

OLLIE JAMES was born for public service. When 29 years old he was elected chairman of the Democratic State convention of Kentucky, and every four years, from 1896 to 1916, he was elected a delegate from the State at large to the national Democratic convention. In 1912 he was elected chairman of the national Democratic convention at Baltimore, and he presided over its deliberations when Woodrow Wilson was nominated to

the office of President. His speech before the convention at Baltimore had so thrilled and electrified the delegates and the country that in 1916 he was the unanimous choice of the President, the national Democratic committee, and the delegates to the national convention, and when the convention assembled at St. Louis he was made its chairman by unanimous vote. His speech on that occasion was the greatest treat and triumph in American oratory that I have ever witnessed. His speech there was even greater than his great speech at Baltimore. When he left the convention at St. Louis, the idol of Democrats from every section, he was acclaimed by all who heard him as the greatest orator in America. Delegates from all over the country told him at St. Louis that he was their choice for President in 1920, and if he had lived I believe that he would have been nominated and elected.

From his youth he cherished the ambition to be a Member of Congress, and when 31 years old he was unanimously elected to the House of Representatives from the largest Democratic district in Kentucky. When I came to Congress in 1904 he was serving the last half of his first term. Mr. Speaker, the first time that I ever heard him speak in the House I was drawn to him and wonderfully fascinated by his frank manner, his splendid argument, and pleasing eloquence. Before he had served three terms in the House he had become a leader, a member of the Ways and Means Committee, and the ablest and most powerful debater on either side. He was magnetic, courageous, brilliant, and fascinatingly eloquent, and in his service of 16 years in the House and Senate he was the able and faithful friend of the masses and was always the champion of fair and honest government. The people—the plain people, as Lincoln used to call them—never had a better friend in Congress than OLLIE JAMES. He wanted to see everybody have a fair chance in the struggle of life, and no man in my day has done more to bring justice, prosperity, and happiness to the great masses of our people than this big-hearted and brilliant son of Kentucky. At the age of 41 he was elected to the United States Senate from the great State of Kentucky—a State that points with pride to her illustrious Senators, Clay, Bibb, Crittenden, Beck, Carlisle, and Blackburn—great men, all of them, but none greater than he. Mr. Speaker, I do not believe that Kentucky ever elected a United States Senator so greatly esteemed and dearly loved by the people of all classes as was her big, brave, and brilliant son, OLLIE JAMES. He loved Kentucky. Every throb of his big heart beat loyal to her. He recounted with pride her loves, traditions, and patriotic incidents and illustrated in his own great life and character the magnificent and enduring qualities of her people.

In the debates in the House and in his speeches on the hustings he had already made a national reputation, and when he took his seat in the Senate Kentucky had in him the ablest and most popular Democrat in that distinguished body. During the first year of his service in the Senate he became the mouthpiece of the Wilson administration, and from that time on until stricken down with illness the President leaned on his strong arm for support.

In February, 1918, when German propaganda was rampant in our country and thoughtless critics in high places were attacking and belittling our Military Establishment, Senator JAMES arose and in a brilliant and powerful speech arraigned a Senator in terrific fashion for certain unwarranted criticisms that he had made. It was a great speech—his last speech—and made in support of the administration and in the interest of his country and humanity. He silenced the thoughtless critics, and from that day on till the end of the war no one else over there dared to attack the country or the country's program for the prosecution of the war. For 16 years he had been the pride and idol of the Democrats of Kentucky, and at the time of his death he was the pride and idol of the democracy of America. His great qualities of mind and heart made him the ideal public servant and won for him the admiration and love of the American people. Like Lincoln, he sympathized with the poor and unfortunate, and, like Clay, he pleaded their cause on the hustings in the House and Senate of the United States. In presenting the doctrine of his party of equal rights to all and special privileges to none, I have seen him sway the multitude by the power of his great eloquence and convincing logic. I have seen the House and Senate thrilled and stirred by his wonderful speech, and I have seen President Wilson sit pleased and charmed under the spell of his mighty eloquence. His speeches reflected the splendid genius and brilliancy of his big brain and the sympathy and love of his big, brave heart. In the stormy days of 1910 and 1912 no one man contributed quite so much as he toward electing a Democratic House and Senate and a Democratic President. He was in deed and in truth a great leader of men and a man of the people, one that they loved, honored, and trusted. He was the friend of every honest man and the foe of every crook. He loved his country and gave the best years of his life to her service. He was a terror to those who would use public office to pillage and plunder the people. His ideal government is found in these words that he used to quote from Christy's proverbs: "That is the best government in which an injury to one is the concern of all." In his ideal government the welfare of the citizen is the highest concern of all. He fought governmental favoritism and special privilege, and to the day of his death contributed to good government and the welfare of our people. In pleading for the perpetuity of the Republic, he said: "The Government must be so fair and square and just to all its people that every heart will love it and every hand defend it." I never knew a man with a keener sense of justice or one who would do and dare more to see justice done in all the walks of life. Mirabeau rendered signal service to his country when in the French assembly. He defied a proud and haughty nobility and denounced a powerful and unscrupulous clergy, and with the battle-ax of truth broke down the idols that corruption had erected in the temple of liberty. In 1910, when the agents of special privilege infested the Capitol and a Cabinet officer was aiding predatory interests in robbing the Government of its coal lands in the West, OLLIE JAMES preached a crusade against the evil and with the battle-ax of truth drove Ballinger from the Cabinet, prevented the plunder of the Government's coal fields, and prepared the way for the coming of Woodrow Wilson and the regeneration of the Federal Government. He helped to frame and pass the great constructive measures that now adorn the statutes of our country and bless and benefit the American people.

When the war with Germany threatened and his country called this brilliant son of Kentucky was at the forefront, with head erect and the light of perfect loyalty upon his face—a 100 per cent American. He was for his country in heart, mind, and purpose. His last speech in the Senate was in defense of Americanism and in behalf of human liberty. In that great speech he predicted the overthrow of Germany and the triumph of American arms. He said that our troops would return victorious and amidst the applause of a happy Nation march in triumph down Pennsylvania Avenue. The war ended as he said it would, and our brave boys are going to march down Pennsylvania Avenue, as he predicted. The pity is that he could not live to witness the victory achieved, the home-coming of our boys, and the triumphant march of the American Army. But he has passed from the scene of a busy, brilliant life. He lived up to the full measure of duty and destiny, and at the noontime of life, in the midst of an active, successful, and useful career, he fell asleep, with the blessings and benedictions of the Nation upon him. He was an able, courageous, and conscientious public servant. He devoted his whole time and attention to the duties of his high office. The prosperity and happiness of Kentucky and America constituted the great end and aim of his public career, and no man in my knowledge has contributed more to the strength and glory of his State and Nation than he did during his service in the American Congress. Besides being a great patriot, a great Democrat, and a great orator and statesman, he was a commanding figure, a unique and picturesque character.

He was a man of great personal magnetism and was wonderfully blessed with a fine sense of humor. All in all, I have never known a more attractive and pleasing personality or a better, braver man. There was nothing mean nor little in his life. He was the essence of sincerity and the soul of honor. Truly can it be said of him, to know him was to love him. His big heart was a veritable treasure house of the noblest traits and sentiments of the human heart. He was an optimist and always looked upon the bright side of life. To him every cloud had a silver lining. He was of a genial and happy disposition. Life was beautiful to him. He loved it and enjoyed it to the full.

He possessed a big, generous, and sympathetic heart, and no one in distress ever called on him in vain. If all those for whom he has done some act of kindness since he has been in public life in Washington could speak to-day, a multitude of witnesses would rise up and bear testimony to the generosity and goodness of his big and loving heart.

Three years ago on Christmas eve, late in the afternoon, he walked down Pennsylvania Avenue. Close up by a show window where "Santa Claus" and Christmas toys of every kind were displayed were three little boys whose dress and general appearance told the story of their poor surroundings. The Senator from Kentucky stopped and for a moment looked on with keen

interest as the three little boys talked about "Sandy Claus" and the toys in the window.

He could remain silent no longer. The memory of Christmas eve in his boyhood days came vividly back to him, and he said, "Boys, old 'Santa Claus' will be coming to see you tonight, will he not?" They looked up quickly and shook their heads. He then said, "Do you see anything in the window that you would like to have?" And they all answered quickly and with enthusiasm, "Yes, sir." And he said, "Well, let us go in and see what they have got." They followed, and their little faces were wreathed with smiles of perfect joy. He told them to select the toys that they wanted. They did so, and thanked him from the depths of their grateful, happy hearts, and then went running home.

This is only one of the many kindly and beautiful things that this big and noble hearted man did in his day. He loved and honored his father and mother and was warmly devoted to his brother and sisters. For 14 years of happy, uninterrupted friendship I shared his love and blessed comradeship, and he was by most intimate and best-loved friend. During the fatal illness that took him away I visited him at the Johns Hopkins Hospital in Baltimore twice a week as long as the physicians would permit anyone to visit him. He was cheerful and brave to the last. The summons came in August, 1918, and Kentucky's big, brave son fell asleep as sweetly and as peacefully as a little babe in its mother's arms. His devoted brother Edgar had watched with him and ministered to him till the end came. Mr. Speaker, during his long illness the constant and tender devotion and watchful care of his loving wife was one of the most beautiful and sublime things that I have ever witnessed. She who had been the pride and idol of his heart, his inspiration and joy in health, and had made his home and life supremely happy was now his good angel, keeping vigil at his bedside, speaking words of cheer, praying for his recovery, and blessing him with her love. Happy pair! God never blessed a woman with a better husband or a husband with a better wife, and I know that up yonder, where God's angels' faces smile, she will see again this princely man that she has loved long since but lost awhile.

Mr. Speaker, the Bible tells us that in the midst of life we are in death, and this is true. "The finger of the destroying angel is at every latchstring. His foot tracks are in every path."

I have seen a rosebud in its freshness and beauty bursting into bloom. Then in all its beauty and glory I have seen the full-blown rose basking in the sun and filling the air with its fragrance. And just as I was praising its beauty and enjoying its perfume a gust of wind came. I looked again and the rose was gone. I have seen the meadow, the field, and wood, with carpet of green and buds and blossoms and leafy foliage, stripped of their beauty and verdure in a single night. And I said the rose is like the charm and glory of a beautiful life—just as we bask in its sunshine and are happiest in its presence, death calls and the adored one is gone. The buds and blossoms and leafy foliage that bless and adorn the earth every year are like youth, middle life, and old age. Once a year nature sends the frost god to call the buds and blossoms and leaves back to mother earth, and every year death invades the ranks of our friends and loved ones, and from the plains of youth, middle life, and old age God calls His children home. There are broken links in the chain of every family circle, and death has placed crêpe on the doorpost of every home. No one escapes his sad visitation. The old and the young, the high and the low, the rich and the poor must all pass muster at the portals of death. Is death the end of our earthly joys and the final end of us, or is it God's gateway through which we pass into another state of existence, where, freed from the ills of the flesh, we shall enter upon the joys of the life eternal. Is death a thing to be dreaded? Is it the enemy of mankind, or is it as Plutarch said, "God's greatest gift to man"? At the entrance upon the journey of life is the glorious awakening at the luminous dawn. At the other end is the sunset and the gloaming, where twilight deepens into darkness and we sleep through the night of transition. Death is but the castle at the end of the road, where we pause for a moment to shake off the raiment of the mortal and put on the robes of immortality. In the time that is to come we shall know and understand.

> Oh, blindness to the future kindly given,
> That each may fill the circle marked by heaven.

I believe in the resurrection of the dead, as he did, and in the life beyond the grave. My friend OLLIE JAMES is not dead. He has passed into the higher life, and we shall meet again. He was a distinct blessing to his day and generation, and the world is better and brighter because he has lived. America has lost one of her ablest and most faithful sons. Peace to his ashes. God rest his great soul.

Mr. KINCHELOE. Mr. Speaker and gentlemen of the House of Representatives, when the immortal spirit of OLLIE JAMES, at the Johns Hopkins Hospital the latter part of August, 1918, winged its flight back to the God who gave it, one of the most brilliant stars that ever shed its luster upon the intellectual firmament of Kentucky went out.

Prodigious of stature, endowed with a brilliant mind, unexcelled oratorical powers, and a magnificent voice, he, like Saul, towered above his brethren.

He was born in Crittenden County, Ky., maintained his residence there through life, and his remains were interred beneath a wilderness of flowers in the beautiful little cemetery in the suburbs of Marion.

He was admitted to the bar in early manhood and practiced law extensively for many years, participating in some of the most important and sensational cases ever tried in Kentucky, notable among which was the celebrated contest case of Gov. William Goebel for governor of the State of Kentucky.

When a mere youth he became interested in politics and arose with unparalleled rapidity to distinction in the councils of his party by the force of his own genius. He was always a partisan Democrat, believing in the cardinal principles of the Democratic Party, but at the same time he was always fair and courteous to a political adversary.

He was a delegate to the Democratic national convention in 1896 and a delegate from the State at large from Kentucky to every Democratic national convention since that time. He was elected permanent chairman of the Democratic national convention in 1912 at Baltimore, which nominated Woodrow Wilson for President, and was unanimously elected again permanent chairman of the Democratic national convention at St. Louis in 1916, which renominated President Wilson, and was selected by both of the conventions to deliver the speeches of notification of his nomination and renomination. These two honors which came to him are without a parallel in the political history of this Republic. The speeches which he made at those two conventions are political masterpieces and electrified and aroused the delegates of both conventions.

At the age of 31, in 1901, he was elected a Member of Congress from the first congressional district of Kentucky, and served in this capacity for 10 years. He arose to prominence almost immediately after beginning his service, was for several years a member of the Ways and Means Committee, and was one of the ablest leaders on the Democratic side.

In a State-wide primary in July, 1911, he was nominated by the Democratic Party of Kentucky for United States Senator, and was elected by the Kentucky Legislature to this exalted position the following January. Like in the House, he arose immediately to distinction in the Federal Senate. No Senator was more in the confidence of our great President than he, and the President had no more able champion and defender of his administration than OLLIE JAMES.

It was my good fortune to know OLLIE JAMES intimately, having lived within half a square of him here in Washington ever since I have been in Congress. Every impulse of his being was in sympathy with struggling humanity. He had a heart that was capacitated for an ocean of human love and for human sympathy as boundless as the fathomless depth of space. His motto always was that the helpless are the ones that need help, and he was continually exerting his best endeavors to alleviate the sufferings of those who needed it. I never knew a public servant more diligent, proficient, and faithful in serving his constituents. Every constituent, however humble, could always get an audience with him, and his plea was patiently heard. He not only rendered service to those who needed it, but he did it in a quiet and unassuming way and without the blare of trumpets. As an evidence of his sympathy for those in distress, the following incident occurred here in Washington. It was never told by Senator JAMES, but by his secretary, Mr. Vernon Richardson, who witnessed it. About three years ago Mrs. James visited her good friends Mr. and Mrs. Post Wheeler, at Tokyo, Japan. On one Sunday morning she was to meet them in Philadelphia to start on their trip, and Senator JAMES accompanied her as far as Philadelphia on that day. When they arrived at the Union Station here in Washington he saw a lady in mourning sitting in the depot sobbing and apparently in distress. He approached her and asked her the trouble. She replied that she had recently lost her husband, and that she was just returning from Lynchburg, Va., where she buried her only daughter, on her way to her home at Jersey City, and on arriving at the station she had lost the balance of her ticket to Jersey City and her pocketbook containing $6, which was the last cent she had. Senator JAMES, without telling anyone, went to the ticket agent and bought her a ticket to Jersey City and gave it to her, together with a $10 bill. When he did this the good woman asked

him who it was that was bestowing this great favor upon her and he replied as he bade her good-by, "It is just a sympathetic friend," and the good woman never knew who it was.

No man was ever more strongly attached to his friends. It was well known, not only in Washington but throughout the country, that he and my good friend Congressman J. THOMAS HEFLIN, of Alabama, were not only devoted to each other but were at times inseparable. Miss Julia O'Donaghue, of Philadelphia, a sister of Mrs. Nancy Doyle, of Washington, who is a very dear friend of Mrs. James, expressed very aptly the devotion of Senator JAMES and Congressman HEFLIN in the beautiful poem which she wrote, entitled, "My Comrade," and dedicated it to the memory of Senator JAMES, which poem is as follows:

Last night, as in a sepulcher of thought
I paced in silent anguish my lone room,
Bemoaning my friend OLLIE; he that fought
To conquer the inevitable doom
That waits on man; he, the proud statesman, bold,
And of gigantic structure, tow'ring height,
Cut off ere his bright gems of thought were told
To man from that rare intellect of might;
Dismember'd in the zenith of his prime
And at a crisis when his word might sway
The hand of tyranny, dissolving crime,
The grief in fields of wretchedness allay,
I asked why death should claim him for its own
And chill a heart all generous and true.
Thus, while I catechized the great unknown,
A spirit presence closely to me drew.
I shudder'd not, but wept with joy. 'Twas he.
We met; ah, not in fear but ecstasy.

Then, slowly, and with deep and res'nant tone,
He spoke: "My Comrade, you whom I have known—
Friend of all friends—oh, do not for me grieve.
Draw near and hearken to me and believe.
Death cut the branches of a withered tree
That it might bloom in immortality.
When I embark'd from out my shattered urn,
I claimed one great request, that I return
To clasp your hand and speak one word with you.
My time is brief; my words, they must be few.
There is not a dissev'rance of true souls,
Each renders unto each the love it holds.
Great is my love for you, dear Comrade. Trust
That in th' celestial regions of the just
My spirit feels your invocation sent
For justice and your country's betterment.
Submerg'd in darkness are the pow'rs of state,
Soon shall His hand—the great, just Potentate—
Quell the grave madness that o'ershadows earth.
All shall be changed, as in the bow'r of mirth
Man shall abide with man in faith and peace,
Wars amid pestilence forever cease.
I can not tell thee more. I must away.
Adieu! The spirit mandate I obey.
When next we meet—ah, not in life's abyss—
We'll quaff the chalice of eternal bliss.

This beautiful poem aptly expresses the fidelity of this great man, not only to TOM HEFLIN, but to all of his legion of friends.

I was at his bedside several times in the beginning of his last illness and saw him at the hospital in Baltimore shortly before the end. He suffered intensely, but was always cheerful and faced the inevitable in the same spirit in which he faced the problems of life, coolly and bravely.

He was one of the most epideictic and panegyric orators of his time. On the political hustings he could arouse the enthusiasm of his audiences as no other man. He was one of the ablest champions of the principles of the Democratic Party that this Nation had. Struggling humanity never had a more devoted and competent leader.

I have often thought since his death that his old father, stooped with the load of years and bending under the burden of sorrow and grief, should take some consolation in the fact that his life was spared long enough to see his boy reach the exalted position in life which he did. The pages of Kentucky and American history will be made brighter by the endeavors of OLLIE JAMES.

I shall cherish his memory and the intimate associations with him in the sentiment of the poet, when he said:

Long, long be my heart with such memories filled,
Like a vase in which roses have long been distilled;
You may shatter, you may break, the vase if you will,
But the scent of the roses will hang round it still.

His life was a benediction to all of those who were fortunate enough to possess his friendship and enjoy his association.

Mr. JOHNSON of Kentucky took the chair as Speaker pro tempore.

Mr. MADDEN. Mr. Speaker, OLLIE JAMES was a great American. His name is known from ocean to ocean. He was a great Democrat; but while a great Democrat and advocating Democratic policies, he was still a greater American. His political beliefs were based on fundamentals, but his Americanism was based on the heart that believed that no men in all the world were such friends to humanity as is afforded here.

It was my privilege to know Senator JAMES long before he dreamed of becoming a Senator. We came here together, I think, and served together during his service in the House.

Notice that OLLIE JAMES was going to speak always brought an audience to the floor. Sometimes—in fact, frequently—it happens that notice that a certain Member is going to speak clears the House of all but those who are ashamed to go, but OLLIE JAMES was always an attraction as an orator. He was clean of habit; he had a logical mind; he was a good speaker, a profound reasoner, and he had the ability to express his thoughts more forcibly than any other man with whom I have associated during my term in this House.

He was physically and mentally great. His mentality was not less great than his physical powers. He was a man of simple habits. His treatment of all questions was frank. He was truthful in his dealings with men. His integrity was well understood everywhere. He had a model character, of which everyone who knew him was proud. He lived a life that everyone could afford to emulate. He had a great record as a public servant. That record will stand in history for all time to come. It will be an inspiration in the future for those who are to act upon questions similar to those involved in the activities that Senator JAMES was called upon to indulge in.

Senator JAMES was a true lover of America and her institutions. He was devoted to everything that bore the name "America." He believed that the word "American" should mean more as the result of our participation in this war than it ever had before. He wanted to see the American flag respected in every land and upon every sea, and he wanted America to give all she had and all that she was to preserve her honor. He wanted the institutions of America to be preserved and protected. He wanted them handed down without stain to the generations that are to people this continent in the ages to come. He believed in the kind of patriotism that loves the country; that is loyal to the well-being of the country. He believed that patriotism should be as strong as the love of a son for a mother; that we should make any sacrifice for the Nation that gave us birth and which we have the honor to serve without hope of reward. His was a public life devoted to America's cause. His life was inspired by a desire to do the thing that would best promote the welfare of our country and our people. He was not only willing to have the country make any sacrifice to that end, but was willing to make any sacrifice himself for his country. I have always had the greatest admiration for the Americanism of Senator JAMES as exemplified in word and deed.

No man in the history of my experience was better qualified to express his beliefs in the spoken language than was OLLIE JAMES. No audience could listen to him without being convinced of his sincerity. No audience could sit at the feet of such an orator without being inspired by his eloquence.

OLLIE JAMES, like other boys who started without hope of success, is but another evidence that America is the land of opportunity; that here, and here alone, such a thing as the success achieved by OLLIE JAMES and men of his ability and eloquence could be possible, because here alone the people rule. Here the power comes up from the people to the State, and while the people elect men to office for a temporary period and give them power, the people themselves always remain the governing authority, and it is because men rise from poverty and obscurity and can understand the trend of the thought of the people with whom they associate that they reach the high places in the life of our Government. In no other land can such a thing be possible, because in other lands the rights of the people heretofore have come down from the State to the people. OLLIE JAMES realized that in other lands they depend upon the sword and the cannon for the maintenance of the government, while here in America he realized full well, and practiced what he realized, that our Government is maintained by the citizen's respect for the law. OLLIE JAMES was not only a good lawmaker, but he understood how these laws should be enforced. He understood that laws should not be oppressive. He knew how to sympathize with the common mass. His mind met the mind of the common man.

He was a great man. He was simple, as all great men are. It is only the man who thinks himself great and refuses to come in contact with the masses, lest they might understand that he is not so, who fails to understand the masses. OLLIE JAMES was not one of these. He understood them as few men do. His record, his life, the words that he had uttered, will live to inspire those who are yet to follow. I am proud to have known him, to have understood him, to have been permitted to associate with him, to have loved him, as I did, for his integrity of purpose, for his honesty, for his high character, for his Americanism, for

his devotion to his country's cause, for his unselfishness, for his sacrifice in behalf of others.

I believe, too, that this is not the end of life; that we are yet to meet in another place. I believe that when the soul is separated from the clay of the body it moves onward to perform other and more important functions, and that we who have been proud in days gone by to have associated with OLLIE JAMES and to have participated with him in the work of government will meet again to separate no more, forever.

Mr. SHERLEY. Mr. Speaker and gentlemen of the House, Kentucky has always been a State made up of men of marked characteristics. Their faults and their virtues are obvious, outstanding, and of their virtues the greatest lies in their individuality, an individuality that makes them act from a free, untrammeled standpoint, and as a result Kentucky has been the forum ever since it was a part of this great Union, a forum for the settlement of the great issues that have vexed the people of this Nation. And it is a forum where they settle issues in a forensic way. There are fought out before the people the issues of the day and of the time. Flowing from this habit, during Kentucky's entire history there have always arisen great leaders, great orators, but, even more than orators, great debaters, men who were able to present their view of those questions.

For 25 years in Kentucky's recent history one man stood out foremost as the orator and debater of Kentucky in the highest sense of those terms. OLLIE JAMES came into prominence in Kentucky before he held office. He was a power in political conventions before he was old enough to vote. He helped to influence and determine party complexion, party platform, long before he spoke with the advantage of position and the power that flows from position.

In 1896 he became a national figure, as he had been a State figure for many years before. No one who attended that memorable Democratic convention in Chicago, who remembers the stormy scenes, who knows, as all of us who have had some part in public life know, that underneath the speech making, underneath the routine of the convention, is being done much of the great work that determines the result of a convention, can forget the figure of OLLIE JAMES, his heroic size, his determination, his zeal. His was the zeal of a crusader for a cause that he believed in and for a man that he believed in, and that made him one of the dominating figures of that remarkable convention. From 1896 on there was no great national scene of his party in which he was not a prominent, and frequently the most prominent, figure. In the four succeeding conventions he had a leading part and in the past two was chosen permanent chairman, and, as such, delivered speeches that will live as models of convention eloquence.

OLLIE JAMES and I came into public national life together in the Fifty-eighth Congress, he representing a rural constituency, I a city one, with the necessary differences of local viewpoints that grow out of different environments, but during all of these years that service only brought us closer together, and to-day I feel like speaking of him, not so much as a statesman—others can more splendidly portray his achievements than I—but as a friend. I saw his growth.

Men who come into public life, particularly into the Congress of the United States, either grow very much or they deteriorate very much. No man stands still in the Congress of the United States. The forces that here meet and contend are too dynamic for men to remain in fixed positions. Either they are moved forward to broader, bigger, deeper things, or they fall back into obscurity from which by chance they may have come. From the hour that he came here he was an influence—an orator, yes; but I think of OLLIE not as an orator as we usually use that term, but as a debater. I know no man who had a more ready adaptability to meet an issue as it might be presented on the moment; and no man had more capacity to sum up, at the end of a debate, and present the real factors that should determine judgment.

And so he grew constantly here, broadening his viewpoint. He was always sympathetic, always in touch with the real aspirations of the people of the country, the everyday sort of folk. As his horizon broadened, as his opportunity grew, so grew his knowledge of need and of cause and of complex conditions that confront men who really endeavor to solve the problems of a great empire like this.

Placed always on important committees, he never needed them. They were simply a medium for him, but not a necessity to him. The House of Representatives and the Committee of the Whole were his forum. Here he could command an audience and a result, not because he spoke as a member of some committee having the matter in charge, but because he brought to the consideration of the question judgment and thought and information that were of value to the House.

It was inevitable from the beginning that he should go from here to the Senate. It was inevitable that Kentucky should give to him the highest honor that she could. And from the very day he sought her favor, not for himself, but in order that he might serve her, she never faltered in her loyalty to him. When OLLIE JAMES offered himself for the Senate no one ever questioned that he would be nominated, no one ever questioned that he would be elected. Yet the State is one of doubtful political allegiance.

As a Senator he immediately took first rank, and on many occasions proved himself there as he had so often in the House, the peer of all his opponents. He became the foremost champion of the administration, but he was more than this. He was the champion of his country, in a sense broader than a mere party champion, and in her days of stress his voice was ever raised to fan into whiter heat the flame of the people's patriotism. An American whose devotion to country had no qualifying factor, his love of the right, his sympathy for the weak and oppressed, caused him literally to dedicate himself to the furtherance and success of a war that he knew was waged only for righteousness' sake. His fine scorn of those who sought to temporize with great fundamental issues, through fear of political results, burst forth again and again in words of scathing denunciation.

It was in the midst of this intense activity that illness overtook him. He chafed at an enforced idleness that denied him the opportunity of further service when service meant so much. Kentucky followed day by day the news of his health, hoping and praying for his recovery. Had he been spared, how gladly she would have given him again to the service of his country. He could have continued as a Senator of the United States as long as he desired, and he would have continued adding to his fame and to the fame of his State if the end had not come so suddenly and so tragically for him and for us.

No man ever gave more generously of himself than he did. Few except those who knew him intimately knew to what extent he gave of his vitality, of his time, of his thought, to help those who were his friends and those whose cause he believed in. Perhaps beyond any other man whom I can recall he has lifted his voice on behalf of his party and his party's candidates, not only at home, not only where it might be thought to be worth while to himself, but everywhere, at any time that he thought he might be of real service. The day was never too disagreeable, the journey never too long or difficult, and nothing caused him to refuse. It was because of that continuous outpouring of himself, that giving of all that was in him that perhaps the end came when it did come.

He died while yet a young man. And yet length of life is not all. We like to think of men living their full span of life, their threescore years and ten. And yet when men are judged, they are not judged by length of life, but by achievement. OLLIE JAMES compressed within the forty-odd years of his life more of service to humanity, more of achievement for his country, more that makes life worth while, than is given to many men who live twice that long. To those of us who knew him and loved him his loss means something more than the passing of a great national figure. It means something more than a realization that it is difficult to fill his place and to carry on his work. It means the loss of the sympathy, the friendship, and the personal help that will always be to us the most cherished memory of a splendid, loving friend, a man of noble heart.

Mr. KINCHELOE took the chair as Speaker pro tempore.

Mr. BARKLEY. Mr. Speaker, death claimed a shining mark when OLLIE M. JAMES crossed the silent river which divides us from the broad eternity that stretches out beyond. If one short year ago I had been asked to name those public men whose careers would be prematurely shortened in the next 12 months, his name would have been absent from the list. So strong and vigorous he appeared, so full of life and boyish zest he was, so sure of long tenure of office and distinguished service he had a right to feel, that we never associated him with thoughts of death.

Yet it but illustrates the truth, which is as old as humanity, that—

> The boast of heraldry, the pomp of power,
> All that beauty, all that wealth e'er gave,
> Await alike the inevitable hour;
> The paths of glory lead but to the grave.

The death of no man in recent years has produced more genuine and universal sorrow in Kentucky than that of Senator JAMES. When the sad news, not wholly unexpected, was flashed across the wires to the people of Kentucky, men and women of all shades of political belief paused to mourn the loss of their most distinguished public servant. The rich, the poor, the ignorant, and the lettered alike mingled their tears in a grief which all men felt but none could express. The banker, the merchant, the

professions, the plowman, the fireman in his cab, the blacksmith at his anvil, the carpenter at his bench, the schoolboy at his desk, the mother whose son had gone to fight and die for the land he loved and honored, all turned their thoughts to the stalwart and familiar figure now fallen and to be seen no more.

I shall not attempt to review at length his public career. That is the task of the historian, who by the nature of his calling and equipments can do fuller and more complete justice to the subject. But I can not refrain from reciting a few of the characteristics which made OLLIE JAMES one of the most beloved and popular men of his time.

I am not old enough to recall the time when he was not a commanding figure in the politics of Kentucky. When the great Bryan campaign of 1896 was gathering force and strength, though but 25 years of age, OLLIE JAMES had been chairman of the Kentucky delegation at the convention which nominated him. Mr. Bryan once told me that one of the impressive things which he always remembered about that convention was the massive figure of OLLIE JAMES leading the Kentucky delegation in starting the famous "march of States," which had much to do with the Nebraskan's nomination for President. It was entirely fitting that Mr. Bryan should remember this incident, for from that day forward he had no more loyal or devoted follower than the man from Marion.

The first time I ever saw Mr. JAMES was during this famous campaign. I can never forget the impression he made on my boyish mind. It was on a train, and he had been somewhere to make a Democratic speech. I thought I had never seen a man so large, or one who filled so completely my ideas of what a Congressman ought to look like. At that time he had never held a public office. But it was inevitable that sooner or later he would enter public life, for he was fitted by nature, equipment, and inclination for the political leadership which he afterwards enjoyed.

In 1902 he was elected from the first congressional district of Kentucky, known as the Gibraltar district on account of its great Democratic majority, to a seat in the House of Representatives of the United States. By reason of his great size, which always made him a central figure, his magnificent voice, his powers of keen and quick repartee, he soon became recognized as one of the leading debaters in Congress. His support was welcomed by those with whom he agreed and feared by those whom he opposed. During the 10 years of his service in the House his personality was so impressed upon the people of Kentucky and his abiilty was so universally recognized that he was elected to the Senate practically without opposition, and while his service in the House had been marked by a constant growth in experience and broadening of vision, I think it may be truthfully said that his greatest services to democracy and to the Nation were rendered as a Member of the United States Senate.

In the Democratic convention which met in Baltimore in 1912 Mr. JAMES favored the nomination of CHAMP CLARK for President. He had been largely instrumental in swinging Kentucky into line for Speaker CLARK. While this was well known by all the opposing candidates, such was the esteem in which he was held by them that he was made the permanent chairman of the convention. This convention ultimately nominated Woodrow Wilson for President, and from that time until the day of his death no President and no administration ever received more constant or unswerving support than President Wilson received from OLLIE JAMES. He became not only his trusted spokesman on the floor of the Senate, but his adviser in many matters of which the public did not always hear, and his advice and counsel were always held in great esteem by the President.

His last public appearance in the Senate was in response to what he believed to be his duty, when the President and the whole Government were viciously attacked in regard to the conduct of the war, around which revolved our hopes as a Nation, if not the welfare of civilization itself. While others might seek to destroy the people's confidence in their chosen leaders in a great crisis, he chose to hold aloft the banner of his country. While others might seek, for selfish and political purposes, to tear down the miraculous achievements of a peace-loving Nation called to arms, he chose to uphold the President in his great task as leader of a free Nation and Commander in Chief of its Army and Navy. This speech was one of the greatest of his career. It revealed him more clearly than ever, not as a politician, nor as a self-seeker after the plaudits of the moment, but as a statesmen, a patriot of vision and imagination in whose heart burned the fires of devotion to the ideals for which millions were ready to die.

During the nearly 16 years in which OLLIE JAMES was a Member of the House and Senate he never forgot whom he was sent here to serve. He knew that he was elected by the people to represent them and their interests. He knew that the people had confidence in him, and he knew, as all men knew, that he would never knowingly violate that confidence nor betray their interests. Neither the temptations of wealth nor the seductive voice of flattery could wean him from his interest in the common man; and I have seen his indignation rise like a menacing storm when he discovered the strong and powerful seeking to fasten some form of injustice upon the poor and the weak. It is not strange that he was the idol of the rank and file of his party in Kentucky and the Nation. He was their friend. He represented them whenever they needed a spokesman or defender.

He looked beyond the domes of capitols, beyond the surging pit of selfish, grasping greed, which sought special favors not enjoyed by all, and saw the force and caught the inspiration of what President Wilson so recently described as "the strong tide running in the hearts of men."

Kentucky has throughout her history been known as the home of statesmen and orators. Not only has she sent to the forum of national life a long and illustrious list of great men; she has poured her rich blood into every State of the Union. History, tradition, and romance have mingled to make the true Kentuckian a little different from other types of men. Mental and physical courage, chivalry, a strong sense of justice, pride in ancestry, and love of native land have combined to form in that fair State the nearest approximation of the typical man. Historians have wondered at and sought to explain the mystery which seems to be fused from soil and air and stream and sky into the men and women of our State. But we need not tarry long in attempting to analyze it. The inspiration of such a history, of such romantic traditions, of such sacrifices, of such devotion to the highest ideals of our race, of such beauty of face and character and landscape, sweeps us on and up toward the goal of human perfection. The life stories of her great men and women accumulate to enrich the experience and inspire the hopes of each succeeding generation; and each generation adds its towering figure to shed light upon the groping footsteps of the next. Such a figure was OLLIE JAMES.

Among all the names which have made Kentucky a household word throughout the Nation, none could catch with more unerring judgment the throbbing heart of the masses. He knew the people, because he had grown up with them and had endured with them and shared their hardships. His heart was big and full in sympathy with them.

And this trait, Mr. Speaker, is one that lingers in our memory when we think of Mr. JAMES. We can not forget his bigness of heart. In his sympathies he was as tender as a woman. He never became calloused to the griefs and sorrows of humanity. I stood with him once at the railroad station in Lexington when a poor woman alighted from the train in mourning and in tears. Senator JAMES looked on for a moment, then turned to me, with tears in his own eyes, and said, "Isn't it terrible to see a woman weep like that?" This touch of humanity softened and sweetened his outlook upon life and drew to him a host of devoted and admiring friends.

So, whether we measure him as statesman, as lawyer, as citizen, as son, brother, husband, or friend, he measured up to the full stature of greatness. His name will be entwined in the deepening memory of the people of his native State; and when men foregather to dwell upon the richness and fragrance of our historic men and traditions their minds will turn to the name of OLLIE JAMES. He will be missed in the Senate; he will be missed in Washington, where every man, woman, and child knew him by sight; he will be missed in national conventions, where his voice and figure inspired the enthusiasm of delegates; he will be missed on the stump in Kentucky and throughout the Nation; he will be missed in the councils of his party, where his judgment and wisdom were acknowledged.

He will be missed in the great Gibraltar district of west Kentucky, which he honored and which delighted to honor him. He will be missed in many a courthouse in Kentucky, where anxious and enthusiastic crowds surged and clamored to hear his voice. He will be missed in the hearts of all who knew and loved him. We honor his memory, and thus we honor ourselves. We honor him as statesman, as citizen, as friend. We honor him for his great gifts of mind; but we honor him more for his great gifts of heart. We honor him for his work as legislator and orator; but we honor him more for the knowledge that he held firm to the principles instilled into his heart at his mother's knee, which made him incorruptible in every relationship of life. We honor him as public servant and as man. Nature will soon carpet his grave with green, and loving hands will journey there to lay sweet flowers upon it. But in our hearts his memory will live

forever fresh and sweet, until the trumpets shall call us to the shores of that land beyond the stars.

A man,
Too little to count in the plan,
I do my destiny day by day,
I live my life and I go my way,
And what does it matter? And yet—and yet—
The child or the deed which I beget
May alter the course of human history.
A man? Ah, yes; but a mystery.

A man,
A being of briefest span.
Just one of the myriad millions spawned
Who have fluttered a moment and swept beyond
Into seeming nothingness. Yet, ah, yet,
Some word I may utter and half forget
May echo along to eternity's portal.
A man? But perhaps an immortal.

A man,
Whose race, since time began,
Nadir to zenith and brink to brink,
Is hardly more than the hasty wink
Of a deity's eyelid. And yet—and yet—
In this infinitesimal self is set
This boundless thought we have called infinity.
A man? But why not a divinity?

And as we think about the passing of Senator JAMES at the noontide of his life, we can but recall that beautiful stanza in the poem "Crossing the Bar":

Twilight and even bell, and after that the dark;
And may there be no sadness of farewell when I embark.
For though from out this bourne of time and space
The waves may bear me far,
I hope to see my Pilot face to face
When I have crossed the bar.

Mr. AUSTIN. Mr. Speaker, we are here to eulogize one of Kentucky's great sons, OLLIE M. JAMES, for 10 years an active, useful, and influential Democratic leader in this House, until a grateful people rewarded him by an election to the United States Senate, where he won by zeal, ability, and worth high rank as a leader among leaders.

Those of us who observed his conduct as a Member of the House of Representatives willingly bear testimony to his unceasing devotion to the interests of his constituents, his usefulness in promoting beneficial legislation for the Nation, and his influence and power as a popular leader.

In debate he was able, eloquent, and convincing; a strong partisan, but a fair and manly opponent; a political gladiator, who fought in the open, scorning to take an unfair advantage and never asking for quarter; a believer in everything Democracy stood for, but, above party fealty, he was, first, last, and all the time, an American. He was genial, whole-souled, and generous. He was as true as steel to his friends, and they were countless in both political parties. His fame was not confined to his beloved State, for he was known and admired throughout the Republic. His eloquent voice was heard North and South in the national campaigns, and his attendance for years at the Democratic national conventions brought him in touch with the leaders of his party from every State in the Union.

In and out of Congress his political advice was sought and followed, and his death was a great loss to the party he delighted to honor and to serve.

He was the idol of the Kentucky democracy, and his hold upon the loyalty and affections of the people was never broken. The people believed in him. They had reasons for trusting him. They had unwavering confidence in his sincerity, his honesty, his courage, and his leadership. They followed him with the same fidelity, loyalty, and enthusiasm as the people of Kentucky had in former years followed their great "Harry of the West"—Henry Clay.

In every position of trust and responsibility, in private and public life, Senator JAMES did his duty—his full duty. His career was one of usefulness—unselfishness—and his busy life full of private and public deeds which will be remembered and cherished.

We were from adjoining sister States, which have much in common, and during our joint service in this body were personal friends. While we were not in political accord, I admired Senator JAMES for his many noble qualities; for his open, frank, manly methods; for always having the courage of his convictions; for his great ability; for his untiring work for his district and State; for his fair and courteous conduct toward his political opponents; for his fealty to party pledges; for his loyalty to the Republic; and for his love and tenderness to his devoted wife.

Mr. Speaker, a Tennessee friend offers this brief but heartfelt tribute of respect to the memory of OLLIE M. JAMES, the brave, generous, and knightly son Kentucky gave the Republic, to whose interest he was ever loyal and devoted.

Mr. CANTRILL. Mr. Speaker, when the Angel of Death took the hand of OLLIE JAMES to lead him into the Great Unknown the State of Kentucky bade farewell to her most illustrious and beloved son and our Nation lost one of her noblest and most patriotic servants.

No word spoken here to-day can add anything to the fame of OLLIE M. JAMES, of Kentucky. His place is secure in the history of our Nation and his memory will be forever cherished in the hearts of our countrymen.

That death loves a shining mark is forcibly illustrated in the early passing of Senator JAMES. Struck down by disease and death at the age of 47, yet he had attained a reputation of national scope and was beloved and trusted by millions of his fellow citizens throughout the length and breadth of our great Republic. To be known, honored, and loved so universally at such an age could mean but one thing, and that was that he was a man of unusual ability and of great force of character. To be loved as Senator JAMES was loved by the American people means that he had in his big heart love of the noblest type for his country and for humanity. No man can be genuinely loved by his people unless the people know and realize his genuine love for them and their interests. In my opinion, the greatest trait in the character of Senator JAMES was his love for his fellow men and his earnest desire at all times to help them onward and upward.

During the last year of his life I have seen him drag himself to the departments here at Washington to speak a word for his friends in trouble—time after time—when it was evident that deadly disease had fastened on him and that his prime duty was to himself. Yet, in disease, he forgot himself, and was always ready and anxious to help others. His heart was so big that there was always a place for the one in trouble, whether friend or stranger. Well do I remember seeing the tears stream down his cheeks when appealing for help for one who had been his loyal friend. Kind of heart as a child yet possessing the courage of a lion to defend his convictions against all comers—and with what great eloquence did he speak his thoughts and convictions. His was the eloquence which swept all before it and brought multitudes to their feet as he pleaded his cause with logic and power of speech that could not be resisted. And be it said always that his power as an orator was used in protecting the interests of the great common people of his country, who by the millions looked to him as their champion in times of stress.

No man in the American Congress during the last 10 years could hold the attention of his colleagues or of the country by his spoken word and magnetic power as closely as did Senator JAMES. Read his speeches during his terms in the House of Representatives and his term in the Senate and you will always find an earnest and eloquent plea for the oppressed or a patriotic appeal for the safety and betterment of his country. His mind and heart were too big for little things, and when he spoke the Nation listened. During his service in the House and Senate Senator JAMES was ever recognized as the spokesman of his party when great questions of party policy were debated, and when his country was assailed party friend and party foe alike looked to him as their leader to voice their sentiments with his characteristic force and natural eloquence, and never once in his career as a public servant did he fail those who believed in him.

When OLLIE JAMES died the poor and oppressed of the land lost their greatest champion. When he passed over the river thousands of homes in this great land of ours felt that a personal loss had befallen them, and the funeral train, as it sped to his home in Kentucky, was met at every station by hundreds and thousands with tears and sympathy. At one station hundreds of miles away from his old home a working woman pushed her way through the crowd, and placing a small coin in the hands of one of the Senator's friends requested that he buy a flower and place it on the grave when the body of the great statesman was laid away in the soil that gave him birth. A tribute like this from a working woman in a distant State would have been prized by Senator JAMES more than tributes from kings and potentates, and this humble woman's tribute to his memory was more eloquent and spoke in greater volume for his great career as a statesman and champion of human rights than we can speak here to-day.

During the 10 years that OLLIE JAMES served in the House of Representatives and his 6 years in the Senate he was assigned to the highest places of leadership and statesmanship, and never a single time did he fail to measure up to the expectations of his friends and of the patriotic citizens of his country. As he lay on his sick bed he was given an overwhelming vote of confidence by his party in Kentucky for its leadership for another six years in the Senate. What a calamity for his native State and his country that death did not permit him to carry out the wishes of his friends and admirers.

Shortly after the election in 1916 I called a conference of some of his friends at Louisville, at which Senator JAMES was present, and suggested that we form an organization to present his name at the proper time to the country as a candidate for President in 1920. The plan was rejected by Senator JAMES over the protest of his friends, but I believed then, and believe now, that had he permitted us to have carried out our plans that in the next election, had he lived, he would have been looked on with favor as the standard bearer of our party. Having been the spokesman of his party in the last two national conventions, where is the man in the Nation to-day who could have had a greater claim to the confidence and love and trust of the American people?

All who knew Senator JAMES loved and trusted him. That love was never betrayed and that trust was never misplaced. Beginning early in life a public career, as the years swiftly passed new honors were rapidly conferred on him, and rapidly his fame grew from that of the idol of his party in his native State to the trusted leader and spokesman of his party in the Nation.

We are proud that Kentucky gave him to the Nation. His last speech was a wonderful oration, defending the honor of his country and worthy of the greatest traditions of that glorious flag of our beloved country.

The body of OLLIE M. JAMES lies in the soil of the country in the old Kentucky home which gave him his birth, but his spirit moves on, inspiring those left behind to higher and nobler things. The great and honorable career of Senator OLLIE M. JAMES will be an incentive to Kentuckians and Americans yet unborn to labor for the highest ideals of democracy and the betterment of humanity. The devoted wife and the idolizing father and brother and sister left behind have the deepest sympathy of all who knew and loved OLLIE JAMES, and if on this occasion they could speak millions of loyal, patriotic American citizens would wish them Godspeed.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that my colleague [Mr. LANGLEY], who is unavoidably detained, may have unanimous consent to extend his remarks in the RECORD upon the life of Senator JAMES.

The SPEAKER pro tempore. The gentleman asks that his colleague [Mr. LANGLEY] be permitted to extend his remarks in the RECORD on the life of Senator JAMES. Is there objection?

There was no objection.

Mr. FIELDS. Mr. Speaker, it is appropriate that we assemble here on this Sabbath day out of respect for and to commemorate the public service of OLLIE M. JAMES, late a Senator from Kentucky; but nothing that we can say will add to the splendid record which he made for himself as a public servant and statesman.

Mr. JAMES was brought up in western Kentucky and first attracted the attention of the State as a page in the Kentucky Legislature when a mere lad.

During the session of the legislature, in which he served as a page, it was learned that he possessed the ability to speak, and members of that body amused themselves by assembling in the hall of the house of representatives each day, or frequently, 30 minutes before the convening of the session to have him address them, the privilege to do so being granted to him by consent of the members and house officials. And in those speeches he convinced all who heard him that he possessed natural ability as an orator, that he was full of courage and fairly ablaze with enthusiasm and possessed the qualities of leadership, which elements destined him to be a great man and a great leader among men.

By the time he had reached the age of 25 he was recognized throughout Kentucky as one of the State's greatest lawyers, its greatest speaker, and as his party's champion.

At the age of 31 he was nominated by the Democrats of the first congressional district of Kentucky and elected to Congress. His election, however, was not regarded as the victory of the first district alone, but as the victory of his party throughout the State, for at that age he had spoken throughout Kentucky from the Mississippi to the Big Sandy and from the Ohio River to the Tennessee line and was, therefore, acquainted with the entire State and was idolized by his own party and respected by his political opponents for his ability and courage.

In Congress he soon became a leader and a national figure. He wielded a dominating influence in the organization of the Sixty-second Congress and was a leader in the measures enacted during that Congress. He retired from the House at the end of the Sixty-second Congress to enter the United States Senate, where he was again recognized as a leader and where he was from the beginning the champion of the policies and measures of the national administration.

Time will not permit me to recount or refer to many of his achievements, but it is sufficient to say that the fact that he was chosen to preside over the Democratic national presidential conventions of 1912 and 1916 is conclusive of the high esteem in which he was held by his countrymen. And, Mr. Speaker, I pause here to say that had he lived he in all probability would have been the nominee of the next presidential convention of his party, instead of its presiding officer, but, alas, the hand of death levied its toll upon him, and the spirit which made him great returned to the God who gave it.

OLLIE M. JAMES was a man of superior mental and physical strength and stern in his dealings with competing forces, but tender-hearted and sympathetic in his dealings with those who needed assistance and apparently never as happy as when administering to the needs of those who were unable to care for themselves.

He was a hard student of national and international questions, but along with these duties it was remarkable how closely he looked after matters of detail. He was always ready to give such time as was necessary to constituents and friends whose interests needed his attention in the various departments of the Government, and the success of his friends in matters of that kind always made him happy.

Mr. Speaker, I shall never forget the last time I ever accompanied him on a departmental errand. It was the day before his mother's death, which occurred only a few months before his death. On that occasion I accompanied him to the Department of Justice in the interest of a constituent in whom we both were interested. As soon as I met him I observed that he was not normal, but that he was apparently greatly disturbed. I had been with him but a few minutes when he told me that he was greatly worried; said he had dreamed the night before that his mother was dangerously ill, and that the family had wired him to hurry to her bedside. "The dream," he continued, "woke me, and I could not go to sleep again, as a result of which I had an early breakfast and went to my office earlier than usual, trying all the time to dismiss and forget the dream that I had had, as I had no word that my mother was ill. But soon after my arrival at the office my wife called me by phone and informed me that she had received a telegram to me from my sister stating that mother was dangerously ill and for me to come at once." He, with Mrs. James, left for Kentucky on the first train at 2 o'clock that afternoon. I accompanied them as far as my home town in Kentucky and talked with him a goodly portion of the afternoon and evening, and many times during our conversations he referred to his dream of the night previous, which seemed to impress him that his mother would not recover, and that he would not reach her bedside before death laid its claim upon her. I read in the Louisville papers the next evening that a telegram had been delivered to him by the conductor in charge of the train announcing the death of his mother. He was hurrying to her bedside, but the guardian angel with its "steeds of wind and chariot of fire" preceded him to the old home and bade her go.

He was then in the prime of life, the vigor of manhood, and apparently in the best of health, and little did I think that my next journey to Kentucky would be to accompany his remains to their last resting place. But who can prophesy against death or foretell its coming, even to the strong and vigorous?

His death, his going, in what seemed to be the middle of an unexcelled career cast a gloom over the Nation and filled the hearts of the men, women, and children of his native State with sorrow and sadness.

After the funeral train which bore his remains and the funeral party crossed the Kentucky line at Big Sandy River, it was met by vast crowds at practically every station, hoping and asking for an opportunity to look once more upon the face of him who until a few hours before had been for many years Kentucky's foremost citizen. There was strong contention from every crowd, from everywhere, that his remains should be interred in the State cemetery at Frankfort; that the State might continue to claim all that was left of him. With that contention I did not agree. He had served his State and the Nation and served them well; but that service having been concluded, I felt, and now feel, that it was fitting and proper that his remains be returned to his family and childhood associates, who had first claim upon him, and be laid to rest, as they were, at the feet of his mother, who gave him to the State and the Nation. But it matters not where rest his remains, his memory will live in the hearts of the people of Kentucky.

Mr. JOHNSON of Kentucky. Mr. Speaker, several of the friends of Senator JAMES who wish to pay tribute to his memory are unavoidably absent at this moment, therefore I ask leave that they may be permitted to extend their remarks in the RECORD.

The SPEAKER pro tempore. Without objection, the request of the gentleman will be granted.

There was no objection.

Mr. CLARK of Missouri. Mr. Speaker, Senator OLLIE M. JAMES was a masterful man. He died while still in the prime of his splendid powers—in the very flower of his years. He was a typical Kentuckian and was therefore very popular in Kentucky—his native State. Since Henry Clay, John J. Crittenden, John C. Breckinridge, and John G. Carlisle, he was probably the most popular man in Kentucky. Yet young as he was, his fame breaking over State lines made him a popular national figure. He served in both House and Senate and stood in the front rank in both. I heard an old farmer say once that no man can be truly denominated popular until he was generally called by his Christian name. If that be the correct test, Senator JAMES was certainly one of the most popular men betwixt the two seas which wash our shores. He was rarely spoken of as Senator JAMES or even as Mr. JAMES. He was known and talked about as "OLLIE" JAMES all over the land. Frequently people left off the JAMES and discoursed about and quoted "OLLIE." The name "OLLIE" seems to have differentiated him from all his fellows. On account of his vast bulk he was known by sight to everybody in Washington. As he walked the streets of the finest Capital in the world even the urchins would say to each other, "There goes OLLIE JAMES!" or "There goes OLLIE!" In a certain sense he had become a sort of national institution. House and Senate guides say that nearly all the visitors and sightseers asked to have OLLIE JAMES pointed out to them.

Being born a Kentuckian myself, and most of my mother's people having lived and being buried in his congressional district, when he came into the House I cultivated him and we became fast friends, and I greatly enjoyed his companionship and highly prized his friendship. His friendships were not lukewarm but intense and enduring. He was simple as a child and he remained to the end a big-hearted boy, although a great Representative and a great Senator.

I am inclined to believe that his unusual stature and physical massiveness were valuable assets in his political career.

He was a strong debater and participated in many hot verbal contests in both branches of Congress. He was neither timid nor half-hearted. There was no trouble to discover on which side he was on. He was either wholly for a proposition or wholly against. He was an enthusiast as to both men and things. He was exceedingly in love with the noblest of quadrupeds and "the sport of kings." He knew the running record of every horse in America worthy of mention. If he had been rich, he would undoubtedly have owned the finest string of horses in Kentucky, which is saying a great deal, as Kentucky is the home of the running horse, and has been always. Next to a splendid man or a beautiful woman Kentuckians love a fine horse most of all animated nature. In love and affection for a horse Kentuckians rival the Bedouins of the desert. That love and affection for the horse remain with Kentuckians who expatriate themselves wherever their feet may wander or under whatever stars they pitch their tents.

I have already stated that Senator JAMES was a strong debater. He was also a most successful stump speaker, as stump speaking is still a favorite recreation in Kentucky. No State in the Union can show a longer roster of distinguished stumpers than Kentucky. Of these John Breckinridge, Mason Brown, Henry Clay, Cassius M. Clay, Richard H. Menifee, Thomas F. Marshall, Edward Marshall, Humphrey Marshall, John J. Crittenden, John Pope, Archibald Dixon, John C. Breckinridge, William C. P. Breckinridge, J. Proctor Knott, John Marshall Harlan, John W. Stevenson, James B. Beck, John S. Williams, Roger Hanson, Elijah Hise, Thomas L. Jones, Leslie Combs, and James A. McKenzie are among the most conspicuous.

In one field of oratory OLLIE JAMES was supreme—the national convention. There is only one nosier place on earth than a national convention—that is a boiler factory. His Brobdingnagian size and his lion's roar compelled both silence and attention. He spoke in sweeping, all-embracing sentences which aroused the convention to wildest enthusiasm, which was largely a personal tribute to the mighty Kentuckian. He enjoyed national conventions to the full and was permanent chairman of two of them—an exceptional honor and compliment to any man. It was no more than he richly deserved, for a more thoroughgoing or a more enthusiastic Democrat never lived. He made no apology for being a partisan, but above and beyond all things he was an American, and love of country was his master passion. He could see no incompatibility in both a partisan and a patriot. He was honest in both and gloried in them. Kentucky has lost a noble son; the Nation a great citizen.

THE LATE SENATOR HUSTING, OF WISCONSIN.

Mr. COOPER of Wisconsin took the chair as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will report the special order.

The Clerk read as follows:

On motion of Mr. COOPER of Wisconsin, by unanimous consent,

Ordered, That Sunday, February 23, 1919, be set apart for addresses upon the life, character, and public services of Hon. PAUL HUSTING, late a Senator from the State of Wisconsin.

The Clerk read the following resolutions:

House resolution 604.

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. PAUL HUSTING, late a Senator of the United States from the State of Wisconsin.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolutions were agreed to.

Mr. VOIGT. Mr. Speaker, we are gathered here to-day to pay tribute to the memory of one who rose from humble beginnings to the high place of the United States Senate, PAUL O. HUSTING. Although Senator HUSTING was a resident of my district, it was my misfortune not to have had an intimate acquaintance with him, and I therefore can not speak of him with the same authority as my colleagues present here, who knew him long and well. I must speak of Senator HUSTING more as one who draws his information from a book which is open to every one, rather than one who gets it from close personal contact and friendship.

The one leading thought which forces itself upon me when I contemplate Senator HUSTING's career is that in this great and glorious Republic a man may achieve practically anything he aspires to, if he is willing to pay the price in preparation and perseverance. He may step from the hovel to the palace, from the plow to the Presidency. We do not ask who were his ancestors, or whether blue blood flows in his veins; we make no artificial distinctions. There are but two qualifications that we recognize—ability and character.

Senator HUSTING was a self-made man. He was born at Fond du Lac, Wis., on April 25, 1866, and on his mother's side was a grandson of Solomon Juneau, founder of the city of Milwaukee, and one of the romantic figures of Wisconsin. He was denied the advantages of a college or even a high-school education. At 16 years of age we find him working as clerk in a general store at Mayville, Wis., which place was to become his permanent home. He became in turn assistant postmaster, railway mail clerk, and clerk in the office of the secretary of state. All these positions gave him an education in the great school of experience. He studied law in the office of a brother-in-law, and also attended the university law school a short period. To illustrate his perseverance, let me quote what he is reported to have said of his early career:

I had only one book—a law dictionary—and little money. I could not make the headway I wanted this way, so I returned to Mayville. My brother-in-law, C. W. Lamereux, and Frank Lawrence were law partners. I told them I would collect accounts and bills due if they would allow me to study in their law library. At the end of a year—I still had but the one book—Lamereux and myself entered into a partnership which continued for 14 years—until he was elected a judge.

In 1902 and 1904 the Senator was elected district attorney of his home county. In 1906 he was elected State senator and reelected in 1910. He rose to prominence in the legislature almost immediately. He stood for the rights of the people and won fame in advocating and fighting for legislation for the preservation of the State's natural resources. It was only natural that with his ability and gift for leadership his party should single him out for its highest honors, and accordingly the Democrats in 1914 nominated him for United States Senator to succeed the late Isaac Stephenson. Although Wisconsin is ordinarily a safe Republican State, after a spirited contest Senator HUSTING was elected by a narrow margin.

The Senator was a man of the people in every sense of the word. He was entirely free from affectation. Indeed to his democratic manners he owed much of his success. Anyone could approach him, and he met the man in overalls with the

same cordiality as those of wealth and fame. He possessed that absolute simplicity which is always the accompaniment of true greatness.

Senator HUSTING had a fondness for outdoor life. His friends tell me that he was never so happy as when he could disconnect himself from the toils and troubles of the world and with a few chosen friends could go on a hunting or fishing trip. His passion for life in the open cost him his life, as he met with a fatal accident on October 21, 1917, while on a hunting expedition. Not only the State of Wisconsin but the whole Nation was shocked to hear of the Senator's tragic death. The funeral in his home city of Mayville was participated in by practically every man, woman, and child, and there were men from all parts of the State and beyond to show their affection and respect.

The career of Senator HUSTING should be an inspiration to every American boy, and especially a poor boy. It proves that in this country a young man may attain fame and fortune if he will apply himself. There are no barriers which can not be overcome by reasonable intelligence and grit. May his example inspire others, and may the opportunities for achievement always remain open to the young men of the country as they were open and seized upon by our deceased Senator.

Mr. Speaker, I ask unanimous consent to have incorporated in the proceedings of this day a eulogy delivered by Circuit Judge Martin Luech, of Wisconsin, at the funeral of Senator HUSTING.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent to print in the proceedings the eulogy delivered by Judge Luech. Is there objection?

There was no objection.

The eulogy is as follows:

EULOGY DELIVERED BY CIRCUIT JUDGE MARTIN L. LUECH, OF WISCONSIN, AT THE FUNERAL OF SENATOR HUSTING AT MAYVILLE, WIS., OCTOBER 24, 1917.

The grim reaper never gathers in anyone, no matter what may be his age or condition, without leaving behind some relative or friend to lament his departure, but the feelings aroused by death are as varied as the circumstances under which it occurs. When a person dies after mortal illness has long preyed upon his vitals, death is regarded as an angel of mercy, a friendly hand that leads from this valley of shadows and tears to the blessings of an everlasting abiding place. If it be one whose whitened locks, dimmed eyes, and stiffened joints inform us that his "race is run," we are prepared for his death; his departure is accepted as the natural consummation of his earthly career; and if he has "fought a good fight and kept the faith," the sorrows of the parting are mingled with the joys of victory achieved and duty finished. When the summons comes to the child before the duties of life begin, we console ourselves with the reflection that pain, suffering, sorrow, and labor have been spared it. But in the sudden call of the Master to a man in the prime of life, in the very morning of usefulness, with what seems to be a bright and beckoning future, full of reward, with unsatisfied desires and opportunities for service, nothing but a faith unquestioned and profound can find anything to dry the tears or relieve the suffering. The visitation of death to one in the roseate hours of hope and promise passes our understanding, disappoints our fondest expectations, and shocks our most loving hopes. However, inquiry as to why cherished ties are thus sundered is useless, because it is not for us to say when the proper time has come to die. It is but an example of the uncertainty of life, and reminds us that—

"Death takes us unawares,
And stays our hurrying feet,
The great design unfinished lies,
Our lives are incomplete."

We have gathered here, filled with emotions of sadness to pay our last tributes of love and respect to one whose tragic end has covered an entire community, a whole State, with gloom, shocked this great Nation, and brought fourth spontaneous and widespread expressions of deep sorrow and regret at his untimely death. The sad privilege has come to me of giving public utterance to the sentiments of sorrow, affection, and esteem that throb in the hearts of myriads of friends and admirers of Senator PAUL O. HUSTING in this sad hour. But what shall I say? What can I say? How can language which, at its best and when skillfully employed is but an imperfect instrument for the conveyance of thought, describe with any degree of accuracy the emotions that overwhelm us? I was stunned by the unexpected news of his quick response to the swift messenger that bore him the summons to quit this earthly existence, and have been unable to calm myself. When I was first told of his death my reply was the common one: "It can not be; it can not be." His rugged nature, his buoyant spirit, everything, pointed to a long, useful, and successful career. Even now it all seems too impossible to be true. But this coffin, as it holds the cold and lifeless form of him who once was all life and action, loving his family and adored them, honored by hosts of admirers and friends, reminds us that he, too, had to bow to the Divine decree; and although it leaves the bitterest cup of grief for the father and mother, the sister and brothers, universal experience is again confirmed that death has no season and no time.

"Leaves have their time to fall
And flowers to wither at the north wind's breath,
And stars to set; but all,
Thou hast all seasons for thine own, O death!"

Senator HUSTING was my friend; he was the friend of thousands in this county and of multitudes in the State and Nation. An acquaintance formed between us in early life soon ripened into a friendship which continued uninterruptedly and unbroken to the day of his death. It is not a part of my purpose to speak of any of the incidents of that long period that was very dear to me. His whole life as it was thus unfolded bears witness to the fact that he possessed in a marked degree those sterling qualities that gather men around him. His friendships were warm and strong. He clung to his friends with tenacity, was faithful to them, and attracted strong friendships to himself. There was in his nature so much of deep and true loyalty, so much of fidelity to the advancement of his friends that this is perhaps one of the most beautiful phases of his life. Next to his family, his friends will miss him most. In his death I feel I have experienced a keen personal loss, and I join with the hosts who enjoyed his friendship in the full chorus of respect and affection for him:

"Friends are in life's exchange the sterling coin,
True tender for all the rarest forms of joy;
The only pauper is the friendless man."

Perhaps a brief reference to his career as a lawyer might not be entirely out of place. He was generally recognized to be a very able lawyer. In the court room, in the trial of cases, he had few superiors. Lawyers who had to appear against him always knew that they had to deal with a formidable opponent. His mind was clear, active, and decisive. A splendid judge of human nature, he was quick to discern the probable effect of every point as it arose upon the trial, and with almost unerring judgment and prompt decision he met it so as to best serve the interests of his client. In his arguments he was direct, earnest, fearless, and convincing. Through him no client ever suffered for want of proper presentation of a case.

PAUL O. HUSTING had received many honors at the hands of the people among whom he lived and among whom he died, and he never occupied a public position that was not deserved and in which he did not reflect credit upon himself. With all his honors he never assumed to elevate himself above the general level of the community of which he was a part. He always associated with all classes and was proud to keep himself constantly enrolled as one of the plain people, as one of the great rank and file. He had a kind and generous heart and was always willing to divide with others and respond to the appeals of those less fortunate. He had that charity which assisted the needy and overlooked the faults of others. But with these kindly qualities there was combined the other more rugged characteristics of determination, self-control, and firmness, which he possessed to a marked extent and which were the predominant elements of his character.

He was always fair, with a mind open to reason, but when once convinced upon any subject he became firm as adamant. He had convictions upon all important questions and was ready to defend them against all adversaries in all places and upon all occasions without regard to the effect upon his personal fortunes. He was governed solely by his convictions, knew no fear, and never turned aside from the path of right or duty as he was given the light to see it. In all of his many contests, whether in the court room, before the people, or upon the floor of the senate of this State or in the United States Senate, he was an open, fair but fearless fighter and in prosecuting his cause never resorted to subterfuge or deceitful tactics.

It can truly be said of the departed that his life fairly illustrates the great possibilities of the American youth in this country of free institutions and equal opportunities. Starting without the aid of fortune, without any early advantages except such as are enjoyed by boys with parents in ordinary circumstances, but with a resolute and resistless spirit, he forged ahead from the beginning and by force of his own ability and industry reached a high plane among his fellow men, occupying at the time of his death a public position second only to that of President of this great Republic. How eloquently that argues for free America and its institutions. What an example, what an inspiration it is to every American boy. His whole life, private and public, his entire career, and all the elements of his character combined to make him what he proved himself to be from the time he represented the great State of Wisconsin in the United States Senate, namely, a true American citizen, an American statesman, and above all an American patriot.

He could not be otherwise than the most loyal citizen because he sincerely loved his country, had an abiding faith in its mission, and a deep sympathy with its institutions. He was a statesman not only because he brought a high order of ability and talent to the discharge of his duties as Senator but because he took a broad view of questions and treated a public office not as an instrument for his own aggrandizement but as a means through which he might serve his country and contribute in some degree to the well-being of his fellow citizens. His patriotism was of the kind that was willing to make sacrifices for the country he loved.

In the present crisis that hovers over the Nation, the gravest since the Civil War, Senator HUSTING, patriot and statesman, adhered with unwearied perseverance to the course that his convictions assured him would best safeguard the liberties and institutions of this Republic. Tried by the severest tests, he was never found wanting, and was to the last a steadfast and fearless advocate of a united America, the outspoken champion of a country unified in sentiment, united in purpose, and undivided in everything essential to intensity of action. His clarion call for unity, delivered in the Senate on the 4th day of April, will live to inspire the generations that are yet to come.

"Let us all," he said, "stand together, united in spirit, purpose, and determination, and let us rise to meet the issue with the same faith, courage, devotion, and resolution that have sustained, inspired, and distinguished the American people always."

In the midst of his greatest usefulness, at a time when he can not well be spared, death called him. To his country the loss is almost irreparable, and in the affection of the people a void is left that can not be filled.

It can truthfully be said of Senator HUSTING that his home life, as well as his private career and public activities, were ideal. He died with the words on his lips that characterized his whole existence, "I did the best I knew how." A good and useful life actuated by noble purpose. No man can do better.

Mr. ESCH. Mr. Speaker, Wisconsin has been called upon to mourn during this Congress the loss of two of her distinguished sons. Last Sunday we eulogized the life and character and public services of our late colleague, James H. Davidson. To-day we eulogize the life, character, and public services of the late Senator PAUL OSCAR HUSTING. In the death of these two distinguished men our State has suffered a distinct loss. So far as their public services are concerned, the Nation has likewise met with a distinct loss.

Senator HUSTING did not have a long service in the Senate of the United States, due to his untimely death, caused by being

accidentally shot by a brother while on a hunting trip on October 21, 1917. There was no relief immediately at hand. The heartbroken brother got the wounded Senator to a near-by farmhouse as rapidly as possible and summoned medical aid, but upon its arrival it was found that death was inevitable.

The Senator knew that his end was near. He did not lose consciousness, but calmy discussed his impending fate, giving directions as to his funeral, insisting that it should be as simple as possible and be held as quickly as possible on account of his mother.

Thus ended the career of Senator HUSTING. His life began in humble surroundings, as my colleague [Mr. VOIGT] has already stated. He had few advantages, but toiled on and got an education in the hard school of experience. His labors as a clerk, as a railway mail clerk, as a clerk in the secretary of state's office, all served as stepping-stones to attain his ambition to become a lawyer.

It was while he was acting as a clerk in the secretary of state's office at Madison that he took a course of reading in law and fitted himself for the bar examination. He was admitted to practice law in 1895. He had little to begin with, no means with which to purchase a library, but he had that which was invaluable to the success of a lawyer—determination and a purpose to win. His career at the bar was eminently successful. As district attorney for Dodge County for two terms he gave to that office a splendid administration. His success commended him to the favorable consideration of the people of that county when they sought a candidate for the State senate. He was triumphantly elected and held that office for a period of eight years. I shall not speak of his experience as a State senator. My colleague, Mr. BROWNE, who was associated with him in the State senate, will give that in detail. Suffice it to say that while he was a State senator he was known as a Progressive Democrat and became the leader of that faction in the State legislature. He was actuated by a desire to conserve the natural resources of our State, and to that end fathered water-power legislation. He was also interested in the income tax, in the popular election of United States Senators, and in the initiative and referendum, and in other matters affecting the interests of our people. His career as a State senator was a successful career, and when in 1914 it became necessary to elect a successor to Senator Stephenson he became the candidate of the Democratic Party for that high office. His opponent was ex-Gov. Francis E. McGovern, whom he defeated by a bare 1,000 majority. Coming to the United States Senate, in this larger forum he was actuated by the same high motives that actuated him while in the State senate. Here he sought to incorporate in our national laws his views as to the conservation of our natural resources. It was here that he made some of his most effective speeches in connection with water-power bills, in connection with the coal and oil leasing bills. These measures were close to his heart, and he gave to their consideration the utmost that was in him.

In April, 1916, the English steamer *Sussex* was sunk by a German submarine in the English Channel. President Wilson sent a note of warning to the German Government to the effect that the United States could not further tolerate such action on the part of Germany. Thousands of people in the United States feared that this note of warning to Germany might lead to ultimate war, and thousands of telegrams were showered upon Members of Congress, and many letters were sent. Senator HUSTING rose in the Senate and declared that the telegrams were evidently the result of a propaganda, and called attention to the similarity of the language used in the telegrams, and later asked that there should be an investigation to determine the source of the funds back of the propaganda.

His bold attitude in this connection made him a national figure and marked the beginning of his strong and consistent support of America as against propaganda of any class, sect, or creed which sought to weaken the hands of the Government. In maintaining this attitude he knew that he was running counter to the views of thousands of citizens of Wisconsin and of the United States, and he received much criticism. But it was characteristic of the man that notwithstanding this criticism he held to his course until death took him from the scene of his activities.

Upon his death there were many messages of condolence received from people, high and low, from all parts of the United States. Among those was a message sent to the Senator's mother by President Wilson as follows:

Your son's death has come to me as a great personal grief. He was one of the most conscientious public servants I have ever known and had entered upon a career of usefulness to his State and to the country which was of the highest promise. I grieve with you with all my heart.

His sudden death was a great shock to the people of our State, for we had come to know him as a man of ability and of fearless conduct and as one who, having convictions, never hesitated to express or defend them. He was in that respect more of the patriot than of the politician. He did not consider the consequence of either word or act. Once reaching a conclusion, he abided by it to the end.

There are many admirable traits of character in the life of Senator HUSTING worthy of our emulation. It can be truthfully said of him as was said by the great author—

To thine ownself be true, and it must follow, as the night the day, thou canst not then be false to any man.

He was a good lawyer, keen and alert, and made the most of his case. He had a keen perception to find the weak spots in an opponent's case. He was strong before a jury in appeal and was clear in argument of law propositions before the court. He was a man who was generous by disposition, open-hearted, and frank. The wants of the needy appealed to him, and he sought to meet these wants to the extent of his ability. Those who knew him intimately had implicit confidence in him, and he never betrayed that confidence. The friends he had were bound to him by bands of steel. His outspoken word, his frankness, may have aroused enemies, but he did not desist from his plan or purpose, once determined upon. When he was shot and knew that the end was near his last words were, "I did the best I knew how," and those who knew him will believe that to be true. He did the best he knew how; and if all of us would do the same, this would be a better world. In thus paying our tribute of respect to a distinguished man we are doing but justice to ourselves. Wisconsin and the Nation mourn the loss of Senator PAUL O. HUSTING.

Mr. BROWNE. Mr. Speaker, Congress has convened this Sunday morning to commemorate the memory of Senator PAUL O. HUSTING, of Wisconsin.

Few United States Senators have ever attained a higher place in the Senate or entered upon a public career that gave more promise than Senator PAUL HUSTING in his two years in the United States Senate.

I had the good fortune to become acquainted with Senator HUSTING in the year 1906, when we both entered the State Senate of Wisconsin. I served in that body with Senator HUSTING for over six years and loved and highly respected him. Senator HUSTING was a Democrat and I a Republican, yet in State matters we frequently conferred and in a majority of cases supported the same measures.

It is interesting to review in some detail the lives and antecedents of those public men who show such splendid traits of character and such marked talents as Senator HUSTING.

PAUL O. HUSTING was born in 1866 at Fond du Lac, Wis. He was the son of John P. Husting and Mary M. Husting (née Juneau), the latter being one of the 16 children of Solomon Juneau.

In the city of Milwaukee, overlooking Lake Michigan, stands the figure of a man fashioned in bronze. This heroic statue, that attracts the notice of the passer-by, is that of the rugged old pioneer, Solomon Juneau, the first white settler and founder of the city of Milwaukee, in 1814.

Leaving his home in the valley of the St. Lawrence, at the age of 21, Solomon Juneau took to his canoe and singing the songs of the Voyageurs followed the course of Father Pere Marquette by river and land through the trackless forests and uncharted waters of Wisconsin, making his way to Green Bay, from thence farther south to Lake Michigan, where he founded the city of Milwaukee.

I will not digress further, only to say that Solomon Juneau, the grandfather of Senator HUSTING, was a man of sterling character, revered and loved by all who knew him, including the various tribes of Indians, who called him "Friend Solomon" and who advised and counseled with him.

He was a philanthropist and gave churches, public buildings, parks, and the first courthouse to the city of Milwaukee. He represented the Government in many of its negotiations with the Indians, and his accomplishments along these lines alone would perpetuate his memory. He lived to see Milwaukee a flourishing city and was its first mayor.

PAUL O. HUSTING finished the public schools of Wisconsin at the age of 17. He became clerk in a general store, railway postal clerk, and bookkeeper in the office of the secretary of state. He attended the law school of the University of Wisconsin, passed the State bar examination, and began the practice of law in his home city in 1895; was elected district attorney in 1902, which office he held until he was elected to the State senate in 1906. He was recognized by the judges and bar

of Wisconsin as a well read and very successful lawyer, who carefully prepared his cases, as well as a strong advocate, who could present his case in a forceful, logical way to a court or jury.

His direct, incisive style of argument, his use of the homely, trite phrases of the common people, made him popular with juries and in demand as a campaign speaker.

Senator HUSTING was a student, a great reader, with an accurate and retentive memory. When he entered the State senate he soon became prominent throughout the State as one of the leaders of that body.

During the period Senator HUSTING was in the State senate and largely through his aggressive championship, Wisconsin wrote more progressive legislation in the statute books than in any like period of time in the history of the State. Most of this legislation has stood the test of the highest courts and remains on the statute books of Wisconsin to-day as it was first written. Among the important acts of legislation which will always be associated with Senator PAUL O. HUSTING are laws conserving the natural resources of the State, State income tax, initiative and referendum, election of United States Senators by direct vote of the people, workmen's compensation laws, laws protecting woman and child labor, 2-cent railroad-rate fare law, and the corrupt practices act.

Senator HUSTING took his seat in the United States Senate in 1914, being the first Senator from Wisconsin to be elected to the United States Senate by popular vote. Wisconsin is a strong Republican State, and at the time Senator HUSTING was elected to the Senate no other Democrat on the ticket was elected, which attests the popularity and high regard in which Senator HUSTING was held by the people of his native State. Senator HUSTING is one of the six Democrats that the people of Wisconsin have honored by electing to the United States Senate in the history of the State.

Entering the United States Senate a few months before the beginning of the European war, Senator HUSTING did not go through the probationary period which has almost become traditional in that dignified body but at once took an active part in the important legislation pending before the Senate. His speeches on the conservation of our water powers and other national resources, his speeches on the first revenue bill, and his ringing patriotic speeches in support of the President in all legislation leading up to and after war was declared gave him a high standing with his colleagues in the Senate.

He knew when he voted in favor of the declaration of war that he would antagonize many of his lifelong friends and political supporters, yet this did not swerve him in the least from doing what he believed to be his duty. Senator HUSTING'S speeches on war measures were quoted and commented favorably upon by the press of the country and brought him into national prominence.

The splendid career of Senator PAUL O. HUSTING came to a sudden end October 21, 1917, by an unavoidable accident. While hunting he was killed by the accidental discharge of a gun in the hands of one of his companions.

In the death of Senator PAUL O. HUSTING the State of Wisconsin lost a courageous, manly son and the United States Senate a talented, fearless legislator.

In the brief time allotted me, I have only touched on a few of the many interesting events in the remarkable life of Senator HUSTING.

He was domestic in his tastes and made the parental home his abiding place, and the hearthstone ties were as endearing and bound him as closely when he reached manhood's estate as when he was a little child. His mother, father, brothers, and sisters idolized him, and he found it the greatest pleasure of his life to be with them.

When he was elected to the United States Senate he purchased a home in Washington, where he lived surrounded by the members of his family.

PAUL HUSTING, as he was known by his friends, was a man of the highest ideals, who possessed as great and as splendid a type of courage as any man I have ever met. At all times and on all occasions and on all questions, PAUL HUSTING had the courage of his convictions. He was an original thinker and possessed a strong, logical mind. He respected precedent and authority, but if it did not square with his conscience and stand the test of his logic he was not afraid to advocate ideas that were new or to stand for or prevent the discarding of ideas that were old, no matter if he stood alone and was opposed by an array of talent that impressed upon others absolute infallibility.

Senator HUSTING always had the self-confidence and courage to champion the thing he believed to be right. I once heard him quote after a fight in the legislature when he and his friends were outvoted these words from Lincoln:

"I am not bound to win, but I am bound to be true. I am not bound to succeed, but I am bound to live up to what light I have. I must stand with anybody that stands right; stand with him while he is right, and part with him when he is wrong."

When Gen. Grant lay upon his death bed a friend asked him what, in these final and suffering days as he looked back over his career, brought the greatest satisfaction to his mind. The friend may have expected the old commander to mention something he had done—his plan for the capture of Vicksburg, his scheme for reducing Richmond, his plea for the purely secular conduct of the public schools—but the reply went deeper; not any one deed but the lifelong purpose now sustained him, and he said: "I take chief pleasure in the fact that I have always had the will to do my duty."

PAUL HUSTING took pleasure in the fact that he always had the will to do his duty. He was a man such as the poet describes in these lines:

> His life was gentle, and the elements
> So mix'd in him, that Nature might stand up
> And say to all the world, "This was a man!"

Mr. ESCH. Mr. Speaker, I ask unanimous consent that Members desiring to do so may be permitted to print in the RECORD remarks on the life, character, and public services of Senator HUSTINGS.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that Members be permitted to extend in the RECORD remarks on the life, character, and public services of the late Senator HUSTING. Is there objection?

There was no objection.

ADJOURNMENT.

The SPEAKER pro tempore. In accordance with the order heretofore entered, the Chair declares the House adjourned until to-morrow at 11 a. m.

Accordingly (at 3 o'clock and 30 minutes p. m.) the House adjourned until to-morrow, Monday, February 24, 1919, at 11 o'clock a. m.

SENATE.

MONDAY, *February 24, 1919.*

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, as we face the most serious problems that ever confronted mankind, the most difficult problems that were ever put with their tremendous burden upon the heart and mind of the lovers of Thy law, we pray that we may have the grace that cometh from Thee, that we may have the vision that only Thy power can open to us, that the spirit of truth and of righteousness may prevail in the earth, that we may be found among those who have the conscious leadership of the spirit of God. We bless Thee that our Nation is seeking the path of peace. We bless Thee that we are united in an effort to establish justice and righteousness in the earth. Do Thou lead us. Preserve us by Thy grace. Correct and change and mold and shape the public opinion of mankind that we may come at last upon the final conclusion that is in harmony with the will of God. For Christ's sake. Amen.

The Journal of the proceedings of Saturday last was read and approved.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Hardwick	Myers	Smith, Ga.
Calder	Henderson	Nelson	Smoot
Chamberlain	Johnson, Cal.	New	Spencer
Colt	Jones, N. Mex.	Norris	Sterling
Culberson	Jones, Wash.	Nugent	Sutherland
Curtis	Kellogg	Overman	Swanson
Dillingham	Kendrick	Owen	Thomas
Fernald	Kenyon	Page	Thompson
Fletcher	Kirby	Poindexter	Townsend
France	La Follette	Pomerene	Trammell
Frelinghuysen	Lewis	Ransdell	Walsh
Gay	McCumber	Reed	Warren
Gore	McKellar	Robinson	Williams
Gronna	McLean	Saulsbury	
Hale	McNary	Shafroth	
Harding	Moses	Sheppard	

Mr. ROBINSON. The Senator from Arizona [Mr. SMITH] is unavoidably detained on account of illness.

Mr. SUTHERLAND. The senior Senator from West Virginia [Mr. GOFF] is absent on account of illness.

Mr. LEWIS. I wish to announce that the Senator from Mississippi [Mr. VARDAMAN] is detained from the Senate by illness.

Mr. POMERENE. I desire to announce that the Senator from Maryland [Mr. SMITH] is detained on account of illness.

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

ESTIMATE OF APPROPRIATION (S. DOC. NO. 412).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Acting Secretary of State, submitting a supplemental estimate of appropriation in the sum of $6,666.68 required by the Department of State for salaries of envoys extraordinary and ministers plenipotentiary to Bulgaria and Serbia, etc., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the bill (S. 5627) to fix the time of holding court in the Amarillo division of the northern district of Texas.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 15796. An act to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder;

H. R. 15834. An act to extend the time for the construction by Kratka Township of a bridge across the Red Lake River, in Pennington County, Minn.; and

H. R. 15950. An act granting the consent of Congress to the county of Halifax, in the State of North Carolina, to construct a bridge across the Roanoke River.

PETITIONS AND MEMORIALS.

Mr. WALSH. I send to the desk a resolution of the Legislature of the State of Montana sent by wire. I ask that it be read.

The Secretary read as follows:

HELENA, MONT., *February 22, 1919.*

Hon. THOS. J. WALSH,
United States Senate, Washington, D. C.

I am directed by resolution of the Montana State Legislature now in session to transmit to you the following resolution:

"Whereas the Congress of the United States passed a law enabling the President of the United States to carry out the guaranteed price for wheat produced in the year 1919 and to protect against undue enhancement in price; and

"Whereas the Committee on Agriculture of the House of Representatives have reported an amendment to the guaranteed wheat-price bill providing that the guaranteed price shall be effective only until the 31st day of October, 1919, instead of until December 31, 1919, as the original law provides; and

"Whereas by the reduction of this limit of time of the guaranteed wheat price it will work great injustice and irreparable injury to the wheat producers of the State of Montana and that the producers of wheat in the State of Montana can not harvest and market their crops for the year 1919 within the limit now sought to be placed for the guarantee of wheat prices; and

"Whereas the limit of time, to wit, October 21, 1919, will enable wheat producers of the States situated in warmer climates to dispose of their wheat within the time limit proposed and thus receive the benefit of the guaranteed wheat price, and it will result in further unjust discrimination in favor of the States more favorably located as to climate conditions to the injury of the wheat producers in the State of Montana: Now, therefore, be it

"*Resolved*, That the Senate of the State of Montana, the House of Representatives concurring, do protest against the changing of the time limit for guaranteed wheat prices to October 31, 1919, as being an unjust discrimination against the wheat producers of Montana; and be it further

"*Resolved*, That we most respectfully urge upon the Senators and Representatives of the State of Montana that they use every effort to defeat the reducing of the time limit of the guaranteed prices to the end that the wheat producers of the State of Montana and of the Norhwest be given a fair and equal opportunity to compete with the wheat producers of other sections of the United States; be it further

"*Resolved*, That the secretary of the State of Montana be directed to transmit by wire the resolution to the Senators and Representatives of the State of Montana at Washington and to the Speaker of the House of Congress and to the legislative assembly of the States of Washington, Idaho, Oregon, North and South Dakota, and Minnesota."

C. T. STEWART, *Secretary of State.*

Mr. WALSH. I present a further resolution of the Legislature of Montana, which I ask may be printed in the RECORD.

The resolution is as follows:

House joint memorial 5.

Memorial to Congress of the United States to enact such legislation as may be necessary to permit the honorably discharged soldier, marine, or sailor to retain in his possession such clothing as, under the provisions of paragraph 1165, Army Regulations, he is permitted to take to his home.

To the honorable Senate and House of Representatives in the Congress of the United States of America:

Your memorialists, the members of the Sixteenth Legislative Assembly of the State of Montana, the senate and house concurring, respectfully represent:

Whereas under the provisions of paragraph 1165, Army Regulations, an enlisted man honorably discharged is permitted to wear one suit of uniform outer clothing from the place of termination of his active service to his home, which clothing will be returned within four months after termination of his active service, by mail under a franked label;

Whereas the soldiers, marines, and sailors who have been or are now in the service of the United States that the world might be made safe for democracy willingly went forth to defend the principles of freedom and right, knowing that they might at any time be required to make the supreme sacrifice;

Whereas these soldiers, marines, and sailors have taken much pride in their uniforms and wish the privilege of keeping them in their possession: Now, therefore, be it

Resolved by the house (the senate concurring), That we, the members of the Sixteenth Legislative Assembly of the State of Montana, do hereby petition and earnestly pray the Congress of the United States to enact such legislation as may be necessary to change the provisions of paragraph 1165, Army Regulations, and make it possible for an honorably discharged man to retain one suit of uniform outer clothing.

Resolved further, That a copy of this memorial be forwarded by the secretary of state of Montana to the Senate and to the House of Representatives of the United States, and that copies hereof be transmitted by the secretary of the State of Montana to the Senators and Representatives of Montana in Congress.

(Signed) O. W. BELDEN,
Speaker of the House.

(Signed) W. W. MCDOWELL,
President of the Senate.

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of the State of Montana, do hereby certify that the above is a true and correct copy of house joint memorial No. 5, relating to honorably discharged soldiers, sailors, and marines retaining their uniforms after discharge, enacted by the sixteenth session of the Legislative Assembly of the State of Montana and approved by S. V. Stewart, governor of said State, on the 11th day of February, 1919.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Montana at Helena, the capital, this 12th day of February, A. D. 1919.

[SEAL.] C. T. STEWART.

Mr. JONES of Washington. I am receiving a great many telegrams with reference to the failure to appropriate for the Federal Employment Service. As a sample of those telegrams and as indicating the sentiment of a great many of our people, I ask that there may be read the telegram which I send to the desk, representing as it does a great many different organizations in my State.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

SEATTLE, WASH., *February 20, 1919.*

WASHINGTON DELEGATION IN CONGRESS,
Care of Hon. Wesley L. Jones, United States Senate,
Washington, D. C.:

Seattle Soldiers' and Sailors' Placement Bureau, composed of representatives of following organizations, viz: Chamber of Commerce and Commercial Club, War Parents' Association, War Camp Community Service, County Council of Defense, Y. M. C. A., Elks, Jewish Welfare Board, Red Cross, Knights of Columbus, City Council, County Commissioners, Central Labor Council, Building Trades Council, Maritime Council, the Employees' Association American Legions of Liberty, the last named having membership of 7,500.

Returned soldiers and sailors are informed movement on foot to prevent appropriation by Congress of funds with which to operate Government Employment Service. We are sure failure of appropriation would be most unfortunate; in fact, would be a public calamity. We are in close touch with workers of Seattle Government employment office. It has accomplished and is accomplishing good work, and its continuance is necessary in the public interest. Our work of helping to place ex-service men in employment is done through the Government employment office. That branch of the employment work we know to be efficiently performed. We know of no available substitute for it. The records of the employment office show that the Seattle office has in the year 1918 found jobs for 124,000 men. Our work covers last 42 days. In that time 4,000 discharged soldiers and sailors have been placed in employment through the Seattle Government employment office. We respectfully urge you to use your best endeavors to insure the necessary congressional appropriation. Please submit this telegram to Appropriations Committee.

SEATTLE SOLDIERS' AND SAILORS' PLACEMENT BUREAU.
By HAROLD PRESTON, *Chairman.*

Mr. STERLING. I have here a number of telegrams relating to the same subject as the telegram just read at the desk. The telegrams are from State officials, farm bureaus, chambers of commerce, and chairmen of commercial organizations. I send them to the desk and ask that the telegram of the governor of the State be read, and that all the telegrams be referred to the Committee on Appropriations.

The VICE PRESIDENT. Without objection, it is so ordered.

The Secretary read as follows:

PIERRE, S. DAK., *February 23, 1919.*

Senator THOMAS STERLING,
Washington, D. C.:

Mr. McCaffree, our immigration commissioner, has learned the Employment Bureau appropriation may fail. He feels this would have serious consequences. Our cooperation with the Federal Government in the Employment Service was in the main very satisfactory during war times, and it seems to me that it would be unfortunate to have the services discontinued at this time.

PETER NORBECK, *Governor.*

Mr. TOWNSEND. I send to the desk a telegram which I have received from the secretary of the Michigan State Senate relative to continuing the appropriation for the Federal Employment Bureau. I wish to state that I have received many other telegrams, one from the Detroit Chamber of Commerce, in favor of the continuation of this appropriation, and I have also received, I think, as many as a hundred telegrams in opposition to it. I present this as it comes from the State senate, and ask that it be read.

The telegram was read, as follows:

LANSING, MICH., *February 21, 1919.*

Hon. CHARLES E. TOWNSEND,
Washington, D. C.:

Michigan Senate to-day adopted resolution unanimously urging favorable action by Congress for Employment Service, which includes returning soldier boys' working reserve and junior section.

D. E. ALWARD, *Secretary.*

Mr. WARREN. Noting the telegrams that have already been filed, I desire to say that I have received a dozen such. There seems to be a propaganda of that kind. I have also received many letters from those who take the other side of the question. I ask that the letter, which I send to the Secretary's desk, may go into the RECORD, as it comes from the Business Men's Clearing House Co. and takes the other side of the question.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DENVER, COLO., U. S. A., *February 4, 1919.*

Senator FRANCIS E. WARREN,
United States Senate, Washington, D. C.

DEAR SIR: We note that you are a member of the Senate Committee on Appropriations, and as we are advised that the United States Employment Service is asking an appropriation of several million dollars, you are are no doubt investigating fully matters regarding the service. Accordingly we take the liberty of writing you in reference to same, and especially inasmuch as Wyoming is such a close neighbor to Colorado, and as our company has been serving numerous Wyoming firms for many years past.

We understand that one of the reasons that the United States Employment Service asks such a very large appropriation is in order that they may establish additional offices for the placing of technical, educational, and commercial employees, instead of devoting themselves largely to laborers, as heretofore. We have been placing technical and commercial employees throughout western United States for the past 16 years, and would like to draw your attention to the fact that in this particular field the work is to a small extent only the securing of employment for the unemployed. The work is almost entirely securing better positions and financial advancement to men already fairly well employed. Do you think it is a proper function of the Government to maintain bureaus at public expense the purpose of which will be largely to secure salaried advancement to employees?

Do you think the public would long approve of the Government spending several million dollars annually to maintain offices through which, for instance, a bookkeeper earning $100 per month can secure, free of charge, assistance toward securing a position with some other employer paying say, $140 per month, or through which a mine superintendent earning a salary of $200 can secure a similar position with a larger company paying, say. $250 per month? We know, from our long experience in the employment field, that a Government employment agency handling technical, educational, and commercial employees would necessarily become just such a bureau for securing advancement for men already employed, because, except for a small percentage, our applicants in these lines who are out of employment are either beginners or relatively undesirable employees. If the bureau were to endeavor to serve only the unemployed it could not at all meet the demands of employers in the technical and commercial field, who require experienced, capable men, already demonstrating their ability with some other employer.

We would also like to draw your attention to the fact that if the Government employment offices were to branch out in the field of technical, office, and commercial employees it would be necessary to operate the bureaus at a very heavy expense, and it would cost the Government a large amount for each man placed, as employees of this class can only be secured positions by the bureau submitting to the prospective employer complete typewritten reports upon the applicant's experience and qualifications, together with copies of reference letters which the bureau must have secured by writing to each of the applicant's previous employers. The bureau must employ to handle this work, at high salaries, trained technical men who can pass upon employees of this caliber and comprehend employers' needs. Expensive classification and investigation systems must be employed, as every employee in the technical and professional field has different qualifications and every position different requirements. Heavy telegraphic expenses are often necessary to negotiate the position. Will the public approve of these large expenditures to give employees such assistance?

We understand that the United States Employment Service asks the enormous appropriation that they have requested on the strength of the extraordinary numbers of men whom they state they are placing in positions monthly. May we respectively suggest the advisability of your committee having a thorough check made to verify the results which the Government Employment Service claims to have accomplished?

For instance, we note in daily press statements that 44 State Government employment agencies report the placement of 99,077 men during one week in January. We can not but believe that this is a gross exaggeration. That would be an average of 2,251 per week per State, or 9,752 men placed in positions in one month by each State office. As stated above, we have had long experience in the employment business, have been serving large employers throughout the West, and have an office force of four department managers and seven clerks—nearly as large a force as the Government employment office has here—and if we place 125 to 150 men in definite, permanent positions in one month we have done well. To be sure, we are placing bookkeepers, salesmen, and technical men, while the Government agency has been heretofore handling laborers; still the variance between 150 placements a month and 9,752 is out of proportion.

We question very much if it would be physically possible for the present working forces of the Government Employment Service, in the State of Colorado at least, to approximate the placement of 9,752 employees in definite positions in one month. What is more, with a large percentage of leading companies reducing their forces because of the end of the war, and employers endeavoring in every case possible to reemploy their former men who have been released from military service, we do not believe that anything like 9,752 engagements could have been negotiated in one month in Colorado at this time, and we understand that similar conditions prevail throughout the country.

We understand that the United States Employment Service bases its especial need for $14,800,000 to continue its existance on the grounds of securing employment for returning soldiers, but may we respectfully draw to your attention the fact that an employment agency, either operated by the Government or by private firms, can only secure employment for returned soldiers or others if there is general prosperity—if the mines, mills, and factories are operating full force. If measures were adopted which would tend to increase industrial activity and thereby create a demand for employees, we venture to say that returning soldiers would not have any difficulty in securing employment without requiring the assistance of the Government or any other employment office, because employers everywhere are very anxious to reemploy their previous employees returning from military service if they can possibly do so, newspapers all over the country are running free want ads for returning soldiers, and many colleges, fraternal societies, and civic associations are maintaining free employment exchanges for soldiers. If the demand is created the soldiers will find employment quickly enough.

Yours, truly,

BUSINESS MEN'S CLEARING HOUSE,
S. S. NEWBURY, *President.*

Mr. KELLOGG. I ask permission to present to the Senate petitions urging the maintenance of the wheat guaranty for the 1919 crop, which I wish to have referred to the Committee on Agriculture and Forestry. In this connection I should like to call the attention of the chairman of the Committee on Agriculture and Forestry to the present condition.

There is a guaranty by the President, under a law of Congress, for the crop of 1919, which renders it absolutely impossible for private capital to handle the wheat crop of 1919. There is no appropriation or legislation authorizing it to be handled as it was during the last year by the Wheat Corporation or by the Government. With this Congress adjourned without taking any action on that question, the wheat crop will begin to be marketed in June, and there will be no one to buy it. I merely wish to call the attention of the chairman of the Committee on Agriculture and Forestry to that condition. Petitions are coming in from all over the country. People do not know what to do about making arrangements to handle the crop, as it can not be handled under present legislation.

Mr. GORE. Mr. President, I should like to say to the Senator from Minnesota that on Saturday last the House passed a bill designed to carry out the President's guaranty with respect to the wheat price established for 1919. The Senate Committee on Agriculture and Forestry will meet at 3 o'clock this afternoon to consider that measure, and hopes to make an early report. I have no doubt of the enactment of the legislation at this session of Congress.

The VICE PRESIDENT. The petitions will be referred to the Committee on Agriculture and Forestry.

Mr. LODGE. I present a memorial of the Board of Trade of Williamstown, Mass., remonstrating against the United States entering into any agreement for a league of nations which will surrender in any degree our right and power of self-defense, which I ask may be printed in the RECORD.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

WILLIAMSTOWN, MASS., *February 20, 1919.*

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.:

The Williamstown Board of Trade urges upon Senators and Representatives of Massachusetts in Congress that America should enter into no treaties which surrender in any degree our right and power of self-defense. No nation ever long maintained its freedom which trusted its defense to others. In particular we are unwilling to commit the safety and independence of our country to the decisions of a league of nations made up of our debtors and competitors. Free American has always been one of the greatest influences for world peace and our influence for peace will grow with our wealth and power, provided we maintain our freedom. If we give up our right and our ability to defend ourselves, our growing wealth will be a growing invitation to aggression and will tend toward war, not toward peace. Moreover, Congress has no constitutional right to abandon any part of its jurisdiction or to make a permanent cession of its power to other authorities, either foreign or domestic. The lesson of the war is that the old saying is untrue that it takes two to make a quarrel. One nation made a great war and many nations were needed to restore peace. Our greatest duty now is to strengthen the hands of peaceful nations.

E. PARMALEE PRENTICE, *President.*
VANDERPOEL ADRIANCE, *Vice President.*
E. HERBERT BOTSFORD, *Secretary.*
FREDERICK E. MOORE,
L. G. TREADWAY,
P. J. DEMPSEY, *Directors.*

Mr. CHAMBERLAIN. I present a resolution adopted by the Legislature of the State of Oregon, which I ask to have printed in the RECORD.

The resolution was ordered to be printed in the RECORD, as follows:

House joint memorial 12.

Whereas there is now pending before Congress a measure known as the Kenyon bill, being Senate bill 5397, the intent of which is "To provide for the commencement or prosecution of public works in order to provide increased opportunities for employment during the period of demobilization and industrial readjustment, and for other purposes"; and

Whereas there is proposed the creation of a Federal board with power to cooperate with all Federal, State, and municipal agencies intrusted with the execution of any public work, and thereby endeavor to stabilize industrial and employment conditions during periods of extraordinary unemployment; and

Whereas the measure appropriates the sum of $100,000,000, from which the proposed Federal board may make loans at a low rate of interest to begin or continue such Federal, State, or municipal works that may be temporarily embarrassed for want of funds; and

Whereas we believe such opportunities for immediate relief will materially assist in bringing about more uniform industrial and labor conditions: Now therefore be it

Resolved, That our Senators and Representatives in Congress be memorialized and urged to use all honorable means to secure the enactment of Senate bill No. 5397.

Adopted by the house February 6, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate February 15, 1919.

W. T. VINTON,
President of the Senate.

I hereby certify that house joint resolution No. 12 is a true copy as passed by the house and senate on the dates indicated.

W. F. DRAYER,
Chief Clerk of the House.

Mr. CHAMBERLAIN. I also present a resolution adopted by the Legislature of the State of Oregon, which I ask to have printed in the RECORD.

The resolution was ordered to be printed in the RECORD, as follows:

House joint memorial 11.

Memorializing the Congress of the United States for the passage of an amendment to the bill introduced by Senator BANKHEAD in the United States Senate on December 4, 1918, known as S. 5088, also the same amendment to a bill introduced in the United States Senate by Senator SWANSON on December 5, 1918, known as S. 5098, also the same amendment to a bill introduced by Mr. SHACKLEFORD in the House of Representatives of the United States on December 12, 1918, known as H. R. 13354, and also to any other similar bills introduced in Congress, in order to provide a more equitable application of Federal aid for post roads in the sparsely settled States, and to provide a more reasonable time limit for the availability of such Federal aid.

We, your memorialists, the House of Representatives and Senate of the State of Oregon, respectfully represent that,

Whereas there are pending in the Congress of the United States, bills known as S. 5088, S. 5098, and H. R. 13354, all of which provide for additional Federal aid for post roads under the terms of the act of Congress approved July 11, 1916, and commonly known as the Federal aid road act; and

Whereas section 6 of said Federal aid road act provides that the United States shall not cooperate in any road project in an amount greater than 50 per cent of the total estimated cost thereof; and

Whereas, although additional Federal aid for road building at the present time is highly desirable, nevertheless those States having large areas and relatively small populations will be unable to avail themselves of the benefit of this act as amended to provide additional Federal aid without a disproportionate burden of taxation;

Now, therefore, your memorialists urgently request that the said bills, and any other similar bills which may be introduced in the Congress of the United States, be so amended that section 6 of the said Federal aid road act will provide that in those States where the average population per square mile of area is 100 persons or more, based upon the census of 1910, the United States shall not cooperate in any road project in an amount greater than 50 per cent of the total estimated cost thereof; and that in those States where the average population per square mile of area, based on the census of 1910, is less than 100 persons, the share of the United States shall be increased one-fourth of 1 per cent for each person, or major fraction thereof, less than 100 per square mile; and furthermore

Whereas section 3 of said Federal aid road act provides that so much of the appropriation apportioned to any State for any fiscal year as remains unexpended at the close thereof shall be available to such State only until the close of the succeeding fiscal year; and

Whereas on account of the said provision of section 3 of said act local conditions existing in some States render it practically impossible to comply with the terms of the act;

Now, therefore, your memorialists also request that said bills now pending in Congress, and any other similar bills which may be introduced, be amended so that section 3 of the said Federal aid road act will provide that so much of the appropriation to any State for any fiscal year as remains unexpended at the close thereof shall be available to such State until the close of the second succeeding fiscal year; and, be it

Resolved, That a copy of this memorial be sent to each of the congressional delegation from the State of Oregon to the Congress of the United States, and to each body of said Congress.

Adopted by the house February 6, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate February 15, 1919.

W. T. VINTON,
President of the Senate.

I hereby certify that house joint memorial 11 is a true copy as passed by the house and senate on the dates indicated.

W. F. DRAYER,
Chief Clerk of the House.

Mr. CHAMBERLAIN. I present a resolution adopted by the Legislature of the State of Oregon, which I ask to have printed in the RECORD.

The resolution was ordered to be printed in the RECORD, as follows:

SALEM, OREG., *February 22.*

Senator GEORGE E. CHAMBERLAIN,
Washington:

The following memorial was to-day adopted by both houses of the Oregon Legislature:

"*To the honorable Senate and House of Representatives of the United States of America in Congress assembled:*

"We, your memorialists, the Senate of the State of Oregon, the House of Representatives concurring, respectfully represent that—

"Whereas there are now thousands of idle and unemployed men in the State of Oregon, who are anxious for work, but who can not find anything to do for the reason that the Shipping Board has canceled the contracts for wooden ships, thus closing down the shipyards, logging camps, and lumber mills, which, in normal times in this State, furnished employment directly for 62 per cent of our labor and indirectly affect many of our collateral industries; and

"Whereas there is an urgent demand for wooden ships and schooners suitable for the lumber trade, which the wooden ships heretofore constructed are not fit for; and

"Whereas there is a good market and demand for lumber overseas, if ships adapted to that purpose could be secured in which to transport the same; and

"Whereas the north Pacific coast of the United States of America has the largest body of standing timber available to the markets of the Temperate Zone, and lumber manufacturing now is and always will be, by proper conservation, the greatest industry of this section of the United States; and

"Whereas if it is to be the policy of the Shipping Board to construct or own the great ocean tonnage of the United States, then we earnestly submit and rightfully demand that it provide means of transportation, suitable for lumber as well as other products; and

"Whereas we believe it to be more economical to change the specifications for wooden ships to lumber carriers, which are urgently needed, than to pay damages for cancellation of contracts for wooden ships, which can not be economically used; and we are assured that immediate use will be made of said lumber-carrying ships, when completed and thus keep our lumber industry in operation; and

"Whereas if this course were adopted at once, the serious unemployment problem of the North Pacific States would be solved and justice done to this part of the United States; and

"Whereas the timber of this section of the country has been found most desirable for wooden-ship construction and that particular industry rightfully belongs to the North Pacific States; and

"Whereas from 50 years' experience the Legislative Assembly of the State of Oregon confidently asserts that wooden ships are not only the most available but also economical for use as lumber carriers: Now, therefore, be it

"*Resolved by the Senate of the State of Oregon (the House of Representatives concurring)*, That the Senate of the State of Oregon urges the Congress of the United States to take such action and provide such means as will carry into effect the purposes of the foregoing resolution in order that idle labor be reemployed and reconstruction facilitated; and be it further

"*Resolved*, That the chief clerk of the Senate of the State of Oregon be directed to forthwith transmit by wire a copy of this memorial to the President, the Speaker of the House of Representatives, to our Senators in Congress, and to the United States Shipping Board."

JOHN W. COCHRAN, *Chief Clerk.*

Mr. CHAMBERLAIN. I also present a resolution adopted by the Legislature of the State of Oregon, which I ask may be printed in the RECORD.

The resolution was ordered to be printed in the RECORD, as follows:

SALEM, OREG., *February 22, 1919.*

Senator GEORGE E. CHAMBERLAIN,
Washington, D. C.:

The following memorial was to-day adopted by both houses of the Oregon Legislature:

"*To the honorable Senate and House of Representatives of the United States of America in Congress assembled:*

"We, your memorialists, the House of Representatives of the State of Oregon, the Senate concurring, respectfully represent this, that

"Whereas during the month of October and November, 1918, special Government purchasing agents, including the purchasing agent of the Southern Pacific Railroad, visited the different mills of the Western Oregon Tie & Lumber Association and requested them all run to their full capacity until June 1, 1919, as ties were vitally needed, either in war or in peace, and that the United States Railroad Administration would pay therefor the respective prices set forth in posters then issued and published: And

"Whereas said millmen responded to this appeal in good faith, and many of them contracted for logs and other material at then existing high prices to operate until June 1, 1919: And

"Whereas since said date said poster prices have been withdrawn and many orders issued have been canceled, and by order of the United States Railroad Administration said mills can only accept orders from the purchasing agent of the Southern Pacific Co., and said agent is now offering orders only at $3 less per 1,000 feet than said original poster prices, and said mills, not being allowed to solicit or accept orders from other railroad companies, must now accept said price or close their mills: And

"Whereas at a meeting of said Western Oregon Tie & Lumber Association held at Albany, Oreg., on Saturday, February 15, 1919, at which were present over 60 owners of said tie mills, representing a daily production of 14,500,000 feet, board measure, ties, it

was unanimously decided that under the present system it was impossible to operate without a loss, hence resolved that all mills of said association should cease operation at once: And

"Whereas there are already thousands of unemployed men in the State of Oregon by reason of the cancellation of Government contracts, which is creating a serious State problem to contend with and fostering the formation of organizations with Bolsheviki ideas, and this new tie condition will add many thousands more to the fast increasing army of unemployed: Now, therefore, be it

"*Resolved by the House of Representatives of the State of Oregon (the Senate concurring)*, That the Congress of the United States be requested to take such action at once as will put an end to United States Government action that continually adds to our serious condition of unemployment and provide some means by which the affairs of this Nation may approach reconstruction without such disastrous results.

"The State of Oregon is now considering a large bond issue to provide employment for idle labor caused by the condition hereinbefore enumerated, and earnestly feels that Congress should do the same: And be it further

"*Resolved*, That the secretary of the State of Oregon be requested to transmit by wire at once a copy of this memorial to the President, the Speaker of the House of Representatives, and the Senators of Oregon in Congress, with the request that some action be taken at once.

W. F. DRAYER, *Chief Clerk.*

Mr. ASHURST. I present a joint memorial of the Legislature of Arizona, relative to additional pay and allowances to honorably discharged soldiers and sailors, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

House joint memorial 1.

To Hon. HENRY F. ASHURST,
Hon. MARCUS A. SMITH, and
Hon. CARL HAYDEN,
Arizona Representatives in Congress:

To the honorable the SECRETARY OF WAR, GENERAL MARSHAL, and CHIEF OF THE GENERAL STAFF OF THE UNITED STATES ARMY,
Washington, D. C.:

Your memorialist, the Fourth Legislature of the State of Arizona, respectfully represents that—

Whereas the majority of soldiers and sailors discharged from the United States Army and Navy are left penniless and without means of subsistence shortly after their discharge, and during this period of unemployment a majority of said soldiers and sailors can find no remunerative employment;

Wherefore your memorialist, the Fourth Legislature of Arizona, respectfully but urgently prays that upon their discharge all soldiers and sailors be given their uniforms, including overcoats, and that a check for $200 be mailed within one week of said discharge to said soldiers and sailors at their home address.

Your memorialist further prays that the Congress of the United States pass legislation providing for an ocean-to-ocean highway along a route most suitable for military purposes, said highway to be constructed under the supervision of the Engineering Corps of the United States Army.

The governor of the State of Arizona is directed to mail an engrossed copy of this memorial to the parties concerned and a telegram setting forth in brief the objects herein shall be sent by the president of the Senate and Speaker of the House of Representatives of the Fourth Arizona Legislature to every State legislature now in session in the United States.

And your memorialists will ever pray.

February 10, 1919: Read first time and laid over one day.

Passed the house February 10, 1919, by the following vote: 31 ayes, —— nay, —— absent, 4 excused.

(Signed) A. C. PETERSON,
Speaker of the House.
(Signed) SAM B. BRADNER,
Chief Clerk of the House.

February 11, 1919: Read by number and title and referred to the committee on militia of P. D.

Passed the senate February 13, 1919, by the following vote: 16 ayes, —— nays, —— absent, 3 excused.

(Signed) A. A. JOHNS,
President of Senate.
(Signed) L. F. SWEETING,
Secretary of Senate.

Bill received in governor's office February 15, 1919, at 1.37 p. m.
(Signed) P. R. MILNES,
Secretary to Governor.

Approved February 18, 1919.
(Signed) THOMAS E. CAMPBELL,
Governor of Arizona.

Filed in the office of the secretary of the State of Arizona this 19th day of February, A. D. 1919, at 9.45 a. m.

MIT SIMMS,
Secretary of State.
(Signed) By R. E. MCGILLEN,
Assistant Secretary.

Mr. ASHURST presented a petition of John F. Davidson, of Kingman, Ariz., praying for an appropriation for the reclamation and improvement of lands, which will provide employment for returning soldiers and sailors, which was referred to the Committee on Public Lands.

He also presented a petition of sundry citizens of Tucson, Ariz., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HARDING. I present a resolution adopted by the General Assembly of the State of Ohio, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

House joint resolution 15.

Joint resolution relative to good roads for Ohio.

The senate committee in charge of the investigation of labor conditions asks for $400,000,000 to prevent idleness by expending it upon public works. The master of industry states that he expects an era of industrial depression in the United States. The secretary of the American Federation of Labor says there will be bread lines in every industrial center before May 1; and the statesmen declare "the cloud of unemployment in a few months may engulf this country." The governors of the various States have expressed a willingness to cooperate in securing work for the unemployed. Gov. Cox has said: "I am ready to cooperate with any plan along lines which may be suggested by the Federal Government."

America needs roads. Ohio needs roads. The United States is paying a penalty of one-half billion dollars a year in the excessive cost of transportation of agricultural products alone because of this neglect of highways. At our present rate of work, two centuries will be required to improve our roads and a lifetime will not witness the improvement of more than 20 per cent. Roads are the life of a nation. Let us have roads. Let us stop working at this task in a "jitney" way. Let us stop working among the stars and get down to where the mud is.

America spends money for waterways. We built the Panama Canal. The Federal Government will spend $1,000,000,000 for railroad improvements this coming year. We spent $25,000,000,000 to lick the Huns. Why not spend some on ourselves?

Illinois has voted $60,000,000 for roads. New York and Pennsylvania are each spending more than $10,000,000 a year on road improvements.

Be it resolved by the General Assembly of the State of Ohio:

First. That we are for lifting Ohio out of the mud.

Second. That we are willing to cooperate with the United States Government on a large plan for road improvement.

Third. That we request the United States Government to appropriate $1,000,000,000 to be expended during the next five years on the roads of this country in a manner similar to the present plan for Federal aid.

Fourth. That a copy of this resolution be sent to each Member of the Ohio delegation in Congress.

CARL R. KIMBALL,
Speaker of the House of Representatives.
CLARENCE J. BROWN,
President of the Senate.

Adopted February 11, 1919.

UNITED STATES OF AMERICA,
STATE OF OHIO,
OFFICE OF THE SECRETARY OF STATE.

I, Harvey C. Smith, secretary of state, of the State of Ohio, do hereby certify that the foregoing is a true and correct copy of house joint resolution No. 15, as adopted by the General Assembly of Ohio on the 11th day of February, 1919, and filed in the office of the secretary of state on the 19th day of February, 1919, and is now on file in this office and in my official custody.

Witness my hand and official seal at Columbus, Ohio, this 20th day of February, A. D. 1919.

HARVEY C. SMITH,
Secretary of State.

Mr. WARREN. I present a joint memorial of the Legislature of the State of Wyoming, favoring legislation to authorize the immediate construction of the Goshen Hole or High Line Canal, in the State of Wyoming, which I ask to have printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

The memorial was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, W. E. Chaplin, secretary of state of the State of Wyoming, do hereby certify that the annexed copy of enrolled joint memorial No. 2, senate, Fifteenth Legislature of the State of Wyoming, being original senate joint memorial No. 2, has been carefully compared with the original filed in this office on the 19th day of February, A. D. 1919, and is a full, true, and correct copy of the same and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 20th day of February, A. D. 1919.

[SEAL.]

W. E. CHAPLIN,
Secretary of State.
By H. M. SYMONS,
Deputy.

Senate joint memorial 2.

Memorial to the Senate and House of Representatives of the United States, requesting Congress to provide for the immediate construction of the Goshen Hole Canal.

Whereas the construction of the Goshen Hole Canal, known also as the High Line Canal, in the Fort Laramie unit of the North Platte irrigation project, will place 180,000 acres of excellent farming land in Goshen Hole, Wyo., under irrigation, and the cultivation of such area will greatly assist in the production of food at a time when increased food production by the United States is made necessary by the unsettled conditions elsewhere; and

Whereas the construction of the Goshen Hole Canal will give an opportunity for employment to many of our returning soldiers, sailors, and marines, and the settlement and cultivation of the area to be reclaimed by the Goshen Hole Canal will give many veterans of the great war an opportunity to secure good homes and farms on the public domain; and

Whereas the United States Reclamation Service have determined and fixed the line of the Goshen Hole Canal and the acreage which will be reclaimed thereby, and have the plans for the necessary diversion dam at or near Guernsey, Wyo., completed, and only congressional action is needed to immediately start the construction of the Goshen Hole Canal; and

Whereas the honorable Secretary of the Interior of the United States has and is recommending to Congress the reclaiming of arid lands on the public domain for the purpose of giving and furnishing homes to returning soldiers, sailors, and marines: Therefore be it

Resolved by the Senate of the State of Wyoming (the House of Representatives concurring), That the Congress of the United States be memorialized to authorize and direct, by proper and appropriate legislation, the immediate construction of the Goshen Hole Canal; be it further

Resolved, That a copy of this memorial be sent to Hon. FRANCIS E. WARREN, Hon. JOHN B. KENDRICK, and Hon. FRANK W. MONDELL, Representatives in Congress from the State of Wyoming.

T. G. POWERS,
President of the Senate.
E. J. SULLIVAN,
Speaker of the House.

Approved.

ROBERT D. CAREY,
Governor.

FEBRUARY 19, 1919—12 noon.

Mr. MOSES presented petitions of the congregation of the First Congregational Church of Alton; of the Woman's Council of National Defense, of Milton; of Local Grange No. 204, Patrons of Husbandry, of Charlestown; and of Local Grange No. 1, Patrons of Husbandry, of Gilman, all in the State of New Hampshire, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

Mr. NELSON presented resolutions adopted by Local Lodge No. 7, Switchmen's Union of North America, of Minneapolis; of Local Lodge No. 8, Commercial Telegraphers' Union of America, of Minneapolis; of the League of Catholic Women (Inc.), of Minneapolis; of the Political Equality Club, of Minneapolis; of the Men's Club of the Church of the Redeemer, of Minneapolis; of the Twentieth Century Club, of Duluth, all in the State of Minnesota, and of the Church Peace Union of the Federal Council of the Churches of Christ in America, favoring the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

Mr. COLT presented resolutions adopted by the Sunday School of the Church of the Mediator, of Providence, R. I., of the Rhode Island Woman Suffrage Party, and of the Rhode Island Branch National Congress of Mothers and Parent-Teachers' Association, favoring the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

Mr. BANKHEAD. I present a resolution adopted by the Legislature of the State of Alabama, relative to the nitrate plant at Muscle Shoals, in that State, which I ask to have printed in the RECORD and referred to the Committee on Commerce.

The resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

THE STATE OF ALABAMA,
DEPARTMENT OF STATE.

I, William P. Cobb, secretary of state, do hereby certify that the pages hereto attached contain a true, accurate, and literal copy of senate joint resolution No. 55, adopted by the senate on February 14, 1919, and adopted by the house on February 17, 1919, as the same appears on file and of record in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State at the capitol, in the city of Montgomery, this 19th day of February, 1919.

[SEAL.]

WM. P. COBB,
Secretary of State.

Senate joint resolution 55.

Whereas no more important industrial activity or business enterprise of more far-reaching significance has ever been projected than the plants at Muscle Shoals designed for the production of nitrate from the air for use in agriculture and industry; and

Whereas the work has called for large expenditures in the construction of transportation facilities, the purchase of locomotives and other railway equipment, and the erection of modern and up-to-date buildings of the latest design and provided with the latest types of machinery; and

Whereas the demand for the product to be manufactured by the said plant is now more than ever in demand throughout the entire country, particularly by the agricultural interests; and

Whereas nitrate secured through artificial agencies can be supplied to consumers at a lower price than has heretofore been possible, thus enabling the production of larger crops and the reduction thereby of the high cost of living; and

Whereas the active operation of the plants at Muscle Shoals will afford an opportunity for the employment of thousands of skilled and unskilled laborers, and will thereby serve materially to reduce the problems of unemployment following demobilization of the armies of the United States: Now, therefore, be it

Resolved by the Senate of Alabama (the House concurring), That the President and the Secretary of War and the Congress of the United States be memorialized not only to continue the nitrate development at Muscle Shoals in this State but also to make provision for all necessary enlargement and further development of such industry as may be necessary to the large interests involved.

2. That a copy of this resolution be forwarded by the governor, under the great seal of the State of Alabama, to the President, the Secretary of War, and to the United States Senate, and the House of Representatives.

3. That copies also be forwarded separately to the United States Senators and Representatives in Congress from Alabama.

Adopted by the senate February 14, 1919.
Adopted by the house February 17, 1919.

Mr. BANKHEAD. I also present a resolution adopted by the Legislature of the State of Alabama, which I ask may be printed in the RECORD.

The resolution is as follows:

House joint resolution 49.

Whereas inasmuch as in normal times cotton is the one staple of commerce which brings more gold from foreign countries to America than any other one commodity, thereby turning the balance of the world's trade in favor of the United States, and giving cotton a national importance; and

Whereas the mills of Europe are the largest consumers of low-grade cotton, but, owing to war conditions, the spindles of those countries are practically without a supply; and

Whereas President Wilson in his last message to Congress declared "the war is over," and therefore there is no longer any necessity for retaining the restriction on exports and imports of commerce; and

Whereas the American merchant marine is now an established and assured fact and the slogan should be "American bottoms controlled by American citizens for American commerce": Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That we insist that our senatorial representatives in Congress take immediate steps to see that all embargoes on cotton be instantly removed; be it further

Resolved, That Congress be urged to provide immediately for the enlistment of American steel steamship lines between the Gulf and South Atlantic ports and all foreign ports for the promotion of American commerce, and at reasonable standardized rates; be it further

Resolved, That a cable to this end be sent to President Wilson; that a copy be also sent to the chairman of the United States Shipping Board and to the chairman of the War Trade Board and to each of our Senators and Representatives from Alabama.

Adopted by the house and senate February 7, 1919.

[SEAL.]

Mr. BANKHEAD. I present a resolution adopted by the Legislature of the State of Alabama, which I ask may be printed in the RECORD.

The resolution is as follows:

THE STATE OF ALABAMA,
DEPARTMENT OF STATE.

I, William P. Cobb, secretary of state, do hereby certify that the pages hereto attached contain a true, accurate, and literal copy of house joint resolution 27, by Mr. Faulk, adopted by the house and senate January 31, 1919, as the same appears on file and of record in this office.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State at the capitol, in the city of Montgomery, this 4th day of February, 1919.

WM. P. COBB,
Secretary of State.

House joint resolution 27.

Whereas Government ownership of railroads and other public utilities is contrary to the traditions and principles of our Government and people; and

Whereas experience has shown that the Government can not operate such public utilities as economically or as efficiently as private corporations; and

Whereas we believe that the interest of the people will be better subserved by a restoration of the railroads and other public utilities to their private owners: Therefore be it

Resolved by the House of Representatives of the State of Alabama (the Senate concurring), That the Congress of the United States take prompt action looking to an immediate return of the railroads and other public utilities now operated by the Government to their owners, reserving such Government control thereof as may be necessary.

Resolved further, That a copy of this resolution, certified by the secretary of state, be sent to each the Vice President of the United States, the Speaker of the House of Representatives in Congress, and to each Senator and Member of the House of Representatives in Congress from the State of Alabama.

Adopted by the house and senate January 31, 1919.

Mr. BANKHEAD. I also present a resolution adopted by the Legislature of the State of Alabama with reference to an appropriation to combat and investigate the causes of "flu," which I ask to have printed in the RECORD.

The resolution was ordered to be printed in the RECORD, as follows:

THE STATE OF ALABAMA,
DEPARTMENT OF STATE.

I, William P. Cobb, secretary of state, do hereby certify that the pages hereto attached contain a true, accurate, and literal copy of senate joint resolution No. 30, adopted by the senate and house of representatives on February 14, 1919, as the same appears on file and of record in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State at the capitol, in the city of Montgomery, this 17th day of February, 1919.

[SEAL.]

WM. P. COBB,
Secretary of State.

Senate joint resolution 30.

Whereas our country and the known world are being visited by an awful and death-dealing disease commonly called the "flu"; and

Whereas the medical world admits its ignorance of the causes and the cure for the "flu": Therefore be it

Resolved by the Senate of Alabama (the House concurring), That the Congress of the United States be asked to appropriate the sum of $250,000 to investigate and, if possible, to perfect a specific for the elimination of "flu."

Resolved, That a copy of these resolutions be sent to our Senators and Representatives in the Congress of the United States.

Adopted by the senate February 14, 1919.
Adopted by the house February 14, 1919.

Mr. KING. I present a telegram in the nature of a memorial from the Utah Associated Industries, of Salt Lake City, Utah, which I ask to have printed in the RECORD and referred to the Committee on Appropriations.

There being no objection, the telegram was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

SALT LAKE, UTAH, *February 10, 1919.*

Senator WILLIAM H. KING,
Senate Chamber, Washington, D. C.:

Utah Associated Industries protest against continuation of United States Employment Bureau. Believe the purpose for which it was created no longer exists. Trust you will use your influence against allowing appropriation of $15,000,000, which, we understand, they ask for. Pat Moran, State chairman employment bureau, agrees with us that bureau should close. Letter follows.

UTAH ASSOCIATED INDUSTRIES.
A. C. REES,

Mr. KENDRICK. I present resolutions adopted by the Industrial Club of Cheyenne, Wyo., which I ask to have printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

The resolutions were referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

Whereas our National Government, as a war measure, has seen fit to take over the telephone, telegraph, and cable system; and

Whereas without further legislation these systems will be turned back to private ownership at a time and under conditions inimical to the best interests of patrons and owners alike: Now, therefore, be it

Resolved by the Industrial Club of Cheyenne, That it is the sense of this organization that our Senators and Representative in Congress be urged to use their best endeavors to procure by congressional action the continuance of governmental control for such reasonable time as will enable Congress to pass remedial legislation; and be it further

Resolved, That while neither commending nor criticizing public ownership, we feel that careful investigation should be undertaken in order that fair legislation may prevail; and be it further

Resolved, That an expression of our views be forwarded to our Representatives in Congress.

Mr. GAY presented a petition of sundry citizens of Monroe, La., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

LEAGUE OF NATIONS.

Mr. WILLIAMS. I ask unanimous consent to have inserted in the RECORD a statement proceeding from Ex-President Taft, dated Stockton, Cal., February 21, on the subject of the league of nations.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

WILLIAM HOWARD TAFT SAYS PUBLIC MIND FAVORS LEAGUE—DECLARES IT WAS THE HOPE OF STEP TO PREVENT FUTURE WARS THAT BUOYED UP PEOPLES DURING AWFUL STRAIN OF FIGHTING—POINTS TO SUCCESS OF CONGRESSES OF LEAGUE TO ENFORCE PEACE.

[By William Howard Taft.]

STOCKTON, CAL., *February 21.*

Six of the congresses of the League to Enforce Peace out of the nine projected have been held. At the New York congress there were registered from New York, Pennsylvania, New Jersey, Delaware, West Virginia, and Maryland 2,935 delegates, who attended the half dozen sessions of the congress and took part in the proceedings. At the Boston congress there were 3,740 registered delegates from the six New England States. New Hampshire sent 200 and Connecticut 200. At the Chicago congress there were 3,200, and at the Minneapolis congress there were 2,400 from Minnesota, the two Dakotas, and Montana.

The two congresses on the Pacific coast, one at Portland and the other at San Francisco, have been even better attended than the first four. Audiences of from 3,000 to 4,000 attended constantly upon the six sessions, culminating in a labor meeting in the great auditorium of San Francisco with at least 10,000 enthusiastic listeners. The delegates were a fine body of men, representing all classes in the community. There were clergymen and other professional men, bankers and business men, farmers, and an excellent representation of organized labor.

HALF MILLION FOR PROPAGANDA.

The attendance of the delegates at the sessions was constant and continued throughout. At State caucuses organization of active propaganda by the State associations was perfected. Each State was asked to contribute a fixed quota toward a fund or $500,000 to spread propaganda. The league officers think the full sum will be secured.

In addition to sessions of the congress, chamber of commerce luncheons, meetings of women's clubs, and clerical conventions have been addressed by speakers of the league. The newspapers of each city have devoted much space to the sessions, and the speeches and everything has been done to challenge the attention of the people to the league of nations and the critical importance to this country and the world that we shall enter and make effective the great covenant of Paris for world peace.

FAVORED IN PUBLIC MIND.

Observation justifies the belief that the public mind favors the plan and does not recoil at the proposal that this country shall bear its share of the burden needed to give a bite to the league. Explanations of the proposed plan and operation of the league, especially in the execution of the treaty of peace, the stabilizing of the new republics and the prevention of war between these republics and the countries out of which they have been carved, as well as between one another, are listened to and followed with an attention that shows intense interest.

Everywhere the inquiry is, "What is the league of nations?" The man in the street thinks it is something to prevent war without knowing how. He is in favor of it without knowing why, except for its object. He is glad to hear of its proposed machinery.

Labor is in favor of it without qualification. The American Federation of Labor has declared in favor of a league of nations in several successive annual conventions. The labor commissions sent abroad have brought back to the wage earners on this side of the Atlantic knowledge of the attitude of their brethern in England, France, and Italy toward a league of nations. The labor groups of those nations demand a real league, one that shall furnish a substantial defense against future wars.

It was the hope of this which buoyed them up in the awful strain of the war. It was the promise of this in the addresses and speeches of the President during the war that stiffened their morale. It was this promise repeated by the American labor and socialist commissions sent abroad under Government auspices that confirmed the feeling that America would be found the most insistent on a real league with "a bite" in it.

REGARDED AS BEST COMPROMISE.

It is this confidence thus engendered which has led the plain peoples of our allies to welcome the President with such heartfelt enthusiasm. The definite announcement of the covenant of Paris has given greater zest to the congresses. The League to Enforce Peace has given its whole-hearted support to the covenant as agreed upon by the 14 nations. The league does not contend that the covenant is perfect, or that it might not be made stronger and more effective, but it accepts it as the best compromise that could be secured by unanimous agreement.

It believes that if the covenant can be incorporated in the treaty of peace it will serve to clinch the great purpose of the war and will be the greatest step forward toward the maintenance of peace ever taken in recorded history. It believes that the burdens assumed by each nation in the league are light and infinitesimal as compared with the losses to be sustained in another war.

MONROE DOCTRINE STRENGTHENED.

The league believes that the Monroe doctrine instead of being endangered is strengthened by the covenant, one of whose great purposes is to extend the doctrine to the whole world. If the restriction of that doctrine that foreign nations shall not buy their way into new territorial and political power in the Western Hemisphere is not sufficiently prescribed in the covenant, the league believes it can easily be secured as an addition to the treaty before it is signed.

The league believes that the covenant creates no supersovereignty and that it does not restrict the just sovereignty of the United States. That just sovereignty is the same sovereignty it should accord to other nations, to wit, complete freedom of national action limited by international law and international morality and international justice. The covenant is a mere partnership agreement by which united action is secured to maintain this kind of national sovereignty for each member of the league and prevent the sovereign power of lone nations from being used to impose its arbitrary will upon another.

HAVE SMALL VISION, HE SAYS.

The league believes that those who oppose this league of nations on the ground that we should maintain the now impossible attitude of isolation from the rest of the world and avoid so-called entangling alliances have a small vision of the proposed place for our great Republic in the family of nations. They may be properly said to be small Americans in the narrow view that they take of America's world responsibilities with her enormous opportunities for helping mankind and the small risk and burden she will assume in entering the league and covenant now proposed. The league believes it to be a perversion of the purpose of the Federal Constitution, which, as John Marshall, its great interpreter, adjudged, was framed to make a nation with all the usual national powers to prevent its concert with other members of the family of nations to avoid war and secure peace.

The league believes that the covenant is not the mere consummation of an academic theory in normal times of peace which may be rejected to be taken up leisurely in some future time, but that it is the condition precedent of any satisfactory ending of the war. It believes that without this covenant for peaceably settling differences between the defeated peoples and the dozen new nations now to be carved out of the old empires to hem in Germany from future schemes of conquest the present chaos in the sphere of war will be worse confounded.

WOULD LACK WORLD PRESTIGE.

The league believes that unless the United States with its pure and acknowledged democracy, its disinterested purposes and its great potential power, does not join the covenant, the concert of the other powers will not have the world prestige and strength needed to clinch the purpose of the war and preserve peace and keep Germany down, and that the result will be a recurrence of the old balance of power and its disappointing results.

The league believes that it would be a tragedy in the history of civilization if the Senate can be induced by the protests and narrow views of a small number of Senators who have expressed themselves to defeat this grand covenant of peace, the unanimous agreement of the representatives of 14 nations, facing not a theory, but a real and a fateful crisis for the world.

Mr. WILLIAMS. I also ask to be permitted to insert in the RECORD a statement, entitled "America Should Back Wilson," against the proposition of the letter of Mr. George Bernard Shaw.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

AMERICA SHOULD BACK WILSON.

"The influence of party politics and balance of power diplomacy on the peace conference is producing a reactionary combination of the present European war governments with the American republican opposition against the American democratic government and the European oppositions; and as, in view of the electoral weakness of the latter, Mr. Wilson, as a great man, standing for a great idea, must depend on sheer intellectual and moral superiority without regard to election figures, it is important that America should wake up to this situation, and not leave her President in the position of a prophet with less honor in his own country than in Europe, on which he has made a tremendous impression."

REPORTS OF COMMITTEES.

Mr. KENDRICK, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 5305) to stimulate the production, sale, and distribution of live stock and live-

stock products, and for other purposes, reported it with amendments and submitted a report (No. 754) thereon.

Mr. KING (for Mr. SHAFROTH), from the Committee on Public Lands, to which was referred the bill (S. 4479) for the protection of the water supply of the town of Sunnyside, Utah, reported it with amendments and submitted a report (No. 755) thereon.

EXHIBITION OF RED FLAG.

Mr. WALSH. From the Committee on the Judiciary I report back favorably, with an amendment in the nature of a substitute, the bill (S. 5207) to declare unlawful the exhibition of a red flag, and to fix a penalty therefor; and I submit a report (No. 753) thereon. As the subject matter is deemed exceedingly urgent by a number of Senators, I shall ask unanimous consent for the present consideration of the bill. First, however, I ask that the report may be read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read the report, as follows:

The Committee on the Judiciary, to whom was referred the bill (S. 5207) to declare unlawful the exhibition of a red flag, and to fix a penalty therefor, having considered the same, report favorably with the following amendment and recommend that the bill as amended do pass:

Strike out all after the enacting clause and insert the following:

"SECTION 1. It shall be unlawful for any person to advocate or advise or to write or with intent to forward the purpose hereinafter mentioned to print, publish, sell, or distribute any document, book, circular, paper, journal, or other written or printed communication in or by which there is advised the overthrow, by force or violence, or by physical injury to person or property, or by the general cessation of industry, of the Government of the United States or of all government.

"SEC. 2. That the display or exhibition at any meeting, gathering, or parade, public or private, of any flag, banner, or emblem symbolizing or intended by the person or persons displaying or exhibiting the same to symbolize a purpose to overthrow, by force or violence, or by physical injury to person or property, or by the general cession of industry, the Government of the United States or all government is hereby declared to be unlawful.

"SEC. 3. Every document, book, circular, paper, journal, or other written or printed communication in or by which there is advocated or advised the overthrow, by force or violence, or by physical injury to person or property, or by the general cessation of industry, of the Government of the United States or of all government, or in or by which there is advocated or advised the unlawful use of force or violence or physical injury to or the unlawful seizure or destruction of persons or property as a means toward the accomplishment of economic, industrial, or political changes, is hereby declared to be nonmailable and shall not be conveyed in the mails or delivered from any post office or by any letter carrier: *Provided*, That nothing in this act shall be so construed as to authorize any person other than an employee of the Dead Letter Office, duly authorized thereto, or other person upon a search warrant authorized by law, to open any letter not addressed to himself.

"SEC. 4. It shall be unlawful, with intent to forward the end in or by the same advocated or advised, to import or cause to be imported into the United States or any place subject to its jurisdiction any matter declared by section 3 of this act to be nonmailable, or with such intent to transport or cause to be transported any such matter from one State to another or to any place subject to the jurisdiction of the United States.

"SEC. 5. Whoever shall use or attempt to use the mails or the Postal Service of the United States for the transmission of any matter declared by section 3 of this act to be nonmailable or who shall otherwise violate any provision of this act shall be fined not more than $5,000 or imprisoned not more than five years, or both."

Mr. WALSH. Mr. President, while this is a report on the bill introduced by the Senator from Indiana [Mr. NEW], and generally referred to as "the red-flag bill," it is intended as well to meet the evil to redress which a bill was some few days ago introduced by the Senator from Washington [Mr. JONES], and it may be considered as a report upon both of those bills. Briefly, Mr. President——

Mr. GORE. Mr. President——

Mr. WALSH. I yield to the Senator.

Mr. GORE. I wish to make an inquiry. My attention was called to the report after the reading of it had begun. Is this a bill that has just been reported from a committee?

Mr. WALSH. Yes; from the Judiciary Committee.

Mr. GORE. Has any request been preferred with respect to its consideration?

Mr. WALSH. I want to ask unanimous consent for the immediate consideration of the bill.

Mr. GORE. I did not hear the entire reading of the report at the desk, and I will have to object to the consideration of the bill to-day, because I wish to examine the report.

Mr. WALSH. Then I give notice that at the conclusion of the morning business to-morrow morning I shall ask unanimous consent for the consideration of the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

LANDING OF THE PILGRIMS.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, without amendment, the joint resolution (S. J. Res. 227) creating a committee to consider arranging for the celebration of the three hundredth anniversary of the landing of the Pilgrims. I call the attention of the Senator from Massachusetts [Mr. LODGE] to the joint resolution.

Mr. LODGE. I ask unanimous consent for the immediate consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read as follows:

Resolved, etc., That a joint commission, consisting of two Senators, Members of the Sixty-sixth Congress, to be appointed by the President of the Senate, and four Members elect to the House of Representatives of the Sixty-sixth Congress, to be appointed by the Speaker of the House of Representatives of the Sixty-fifth Congress, is hereby created, whose duty it shall be to confer with officials of the Commonwealth of Massachusetts, or any political subdivision thereof, and with officers of any organizations or societies, and with individuals, relative to any contemplated observance of the three hundredth anniversary of the landing of the Pilgrims at Plymouth, Mass. Said commission shall report within 60 days after the Sixty-sixth Congress convenes, with its recommendation as to appropriate legislation for participation by the Government of the United States in the celebration of this historic event.

The expense of said commission shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COURT ACCOMMODATIONS IN SACRAMENTO, CAL.

Mr. JOHNSON of California. I report back from the Committee on Public Buildings and Grounds the bill (H. R. 204) for fitting up quarters in the Federal court building in the city of Sacramento for the accommodation of the northern district court of California and its officers, and I ask unanimous consent, because it is an emergency measure, that it may be at once taken up.

Mr. POMERENE. Will it likely lead to any discussion?

Mr. JOHNSON of California. Not at all. It is the endeavor to provide quarters for the district court in the city of Sacramento. They have absolutely none at the present time. They sometimes meet in a hotel, sometimes in the court room of the superior court, sometimes in the capitol. The United States grand jury that recently indicted the I. W. W.'s there had to meet wherever they could at different places at different times.

Mr. POMERENE. If it does not lead to discussion, I will not object.

Mr. JOHNSON of California. I report back the bill favorably without amendment and ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

Be it enacted, etc., That the Secretary of the Treasury of the United States be, and he is hereby, authorized, empowered, and directed to cause to be provided and constructed in the post-office building in the city of Sacramento, Cal., quarters such as he may deem necessary and proper for the district court of the northern district of California, and its officers, at a cost not to exceed the sum of $60,000.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 5658) to authorize the acquisition and operation by the United States of the Cape Cod Canal; to the Committee on Commerce.

By Mr. STERLING:

A bill (S. 5659) granting an increase of pension to William C. Markward (with accompanying papers); to the Committee on Pensions.

THE MERCHANT MARINE.

Mr. RANSDELL. I send to the desk a joint resolution which I ask to have read, after which I ask for its immediate consideration. I invite the attention of the Senate to this joint resolution. It is quite important.

The VICE PRESIDENT. The joint resolution will be read.

The joint resolution (S. J. Res. 228) amending a provision of the urgent deficiency appropriation act, approved June 15, 1917, extending the time in which the authority granted the President of the United States thereunder may be exercised, was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That the paragraph of the emergency shipping fund provision of the urgent deficiency appropriation act approved June 15, 1917, which reads "All authority granted to the President herein or by him delegated shall cease six months after a final treaty of peace is proclaimed between this Government and the German Empire" be, and the same is hereby, amended so as to read as follows: "All authority granted to the President herein, or by him delegated, shall cease 18 months after a final treaty of peace is proclaimed between this Government and the German Empire."

Mr. RANSDELL. Just one word of explanation to the Senate.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Louisiana if this is a report from the committee this morning?

Mr. RANSDELL. No, sir; it is not a report from the committee. The matter was discussed in the committee, and we all agreed that there should be some extension of time for the President to dispose of the great fleet, costing about two and a half billion dollars, that we are now constructing. Under the law all of his authority to manage or dispose of this fleet under the provisions of the emergency deficiency appropriation will cease six months after the declaration of peace; and the joint resolution is simply to extend the time for a further period of 12 months, so that Congress will have ample opportunity to legislate.

Mr. SMOOT. I wanted to get the legislative situation. I understand that the joint resolution has not been reported from the committee.

Mr. RANSDELL. It has not been referred to the committee, I will say.

Mr. SMOOT. Then I do not think it is in order. If this is a joint resolution, I will say to the Senator, under the rules it must go to a committee first. If it were a concurrent resolution or a Senate resolution, the Senator could ask for its consideration; but a joint resolution is the same as a bill, and it ought to be introduced and referred to a committee.

Mr. RANSDELL. We sometimes consider even bills without referring them to committees. If the Senator thinks this must be referred, I do not object to its going to the Committee on Commerce. I am sure they will report it out immediately. I believe the Senator from Washington [Mr. JONES] knows how important this matter is.

Mr. JONES of Washington. Mr. President, the Senator from Washington wanted to interrupt the Senator to say that he had no recollection of this being discussed in the committee with a view to acting upon it. I probably was not there when the matter was up. I have no recollection that it was so discussed.

Mr. RANSDELL. I do not think the Senator was there. It was discussed rather fully in an executive session when Mr. Whipple, the attorney for the Shipping Board, was there; but if there be any objection to considering it now, it can be referred to the Committee on Commerce. I do not want to press its consideration without giving the committee a chance to consider it.

Mr. SMOOT. Let it go to the committee.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. KELLOGG submitted an amendment proposing to appropriate $60,000 to enable the Secretary of the Interior to pay the amounts assessed against tribal and allotted lands of the Indian reservations of Minnesota, etc., intended to be proposed by him to the Indian appropriation bill, which was ordered to lie on the table and to be printed.

Mr. WALSH submitted an amendment proposing to appropriate $1,200 to pay Dennis M. Kerr for extra services to the Committee on Pensions during the third session of the Sixty-fifth Congress, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Pensions and ordered to be printed.

SEIZED ALIEN PROPERTY.

Mr. THOMPSON. I submit a resolution asking for information from one of the departments, and ask unanimous consent for its immediate consideration.

The resolution (S. Res. 462) was read, was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Alien Property Custodian be directed to furnish for the information of the Senate a description of the different kinds of property taken into custody by him, its estimated value, the names and addresses of the former owners of the property seized, and the disposition made of said property.

THE EXECUTIVE JOURNAL.

Mr. HITCHCOCK submitted the following resolution (S. Res. 464), which was referred to the Committee on Printing:

Resolved, That the entire Executive Journal from the end of the last session of the Fifty-seventh Congress, the date to which said proceedings have already been printed and published by order of the Senate, to the end of the Sixty-fourth Congress, be printed and published under direction of the Secretary of the Senate, with a suitable index to each volume, and that 250 copies be printed.

Resolved further, That the injunction of secrecy be removed therefrom.

TRADING WITH THE ENEMY.

Mr. CALDER submitted the following resolution (S. Res. 463), which was considered by unanimous consent and agreed to.

Resolved, That the Alien Property Custodian be, and is hereby, directed to transmit to the Senate of the United States the following information as provided for under section 6 of the act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917: A detailed report of all proceedings had under such act up to and including February 15, 1919; such report shall contain a list of all persons appointed or employed, with the salary or compensation paid to each, and a statement of the different kinds of property taken into custody and the disposition made thereof. Said report shall recite the name and address at the time of their designation or appointment of such persons as clerks, investigators, accountants, attorneys, auctioneers, salesmen, or administrators, and all persons employed or designated to in any manner represent him in any capacity whatsoever, either with or without pay, and shall further recite the fact as to whether such person or persons were selected from list of eligibles supplied by the Civil Service Commission. Such report of said custodian shall give the item of moneys received both at private and public sales in such detail as to identify each separate parcel of property so sold and a list as of the above date of such other properties as shall have been formally surrendered to him or seized by him.

AMENDMENT OF WAR-RISK INSURANCE ACT.

Mr. THOMAS. Mr. President, I ask unanimous consent for the immediate consideration of the bill (S. 5555) to amend the war-risk insurance act. It involves a matter of very urgent and immediate necessity. If it provokes debate, I shall, of course, withdraw it.

The VICE PRESIDENT. The Senator from Colorado asks unanimous consent for the immediate consideration of the bill named by him. Is there objection?

Mr. POMERENE. Is this matter going to require some discussion?

Mr. THOMAS. If it does, I shall withdraw it. It is to amend the war-risk insurance act, which is very necessary, as outlined in a letter from the Secretary of the Treasury, which I thought I would have read for the edification of the Senate. I was requested by the director of the bureau to bring this matter up to-day, if possible. If it takes any discussion, I will withdraw it.

Mr. POMERENE. With the understanding that it is not going to take any discussion, I shall not object.

Mr. THOMAS. As I have stated, if it does I will withdraw it.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That section 402 of the war-risk insurance act is hereby amended to read as follows:

"SEC. 402. That the director, subject to the general direction of the Secretary of the Treasury, shall promptly determine upon and publish the full and exact terms and conditions of such contract of insurance. The insurance until converted shall be payable only to a spouse, child, grandchild, parent, brother, or sister, and also during total and permanent disability to the injured person, or to any or all of them: *Provided*, That in the case of converted insurance, the permitted class of beneficiaries shall include in addition to the foregoing an uncle, aunt, nephew, or niece. The insurance shall be payable in 240 equal monthly installments. Provisions for maturity at certain ages, for continuous installments during the life of the insured, or beneficiaries, or both, for cash, loan, paid-up, and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. All calculations shall be based upon the American Experience Table of Mortality and interest at 3½ per cent, except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than 240 months. Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries of such insurance without the consent of such beneficiary or beneficiaries, but only within the classes herein provided. If no beneficiary within the permitted class be designated by the insured, either in his lifetime or by his last will and testament, or if the designated beneficiary does not survive the insured, the insurance shall be payable to such person or persons within the permitted class of beneficiaries as would under the laws of the State of the residence of the insured be entitled to his personal property in case of intestacy. In the case of converted insurance, if no person within the permitted class survive the insured, there shall be paid to the estate of the insured an amount equal to the commuted value of the installments remaining unpaid, calculated at the rate of 3½ per cent interest; but, if one or more such persons shall survive the insured and shall have died before receiving all of the installments payable, there shall be paid to the estate of the last surviving person within the permitted class an amount equal to the commuted value of the installments remaining unpaid, calculated at the rate of 3½ per cent interest."

SEC. 2. That a new section is hereby added to Article IV of such act to be known as section 405 and to read as follows:

"SEC. 405. That the Bureau of War Risk Insurance is hereby directed to set aside out of the premiums collected on the insurance converted under this article such a reserve fund, calculated on the basis of 3½ per cent interest, as may be required, under accepted actuarial principles, to meet all liabilities under such insurance; and the Secretary of the Treasury is hereby authorized to invest the said reserve fund, or any part thereof, in farm-loan bonds issued by the Federal land banks or in interest-bearing securities of the United States."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. THOMAS. I ask that the letter from the Secretary of the Treasury concerning the bill be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

TREASURY DEPARTMENT,
Washington, February 7, 1919.

MY DEAR SENATOR: I am inclosing herewith a tentative draft of a bill amending the war-risk insurance act. It provides for the enlargement of the permitted class of beneficiaries of converted insurance and directs the setting aside of a reserve fund for such insurance.

In my opinion, the early passage by the Congress of a bill similar in effect to that inclosed is of such vital importance to the success of the bureau in administering the provisions of the war-risk insurance act authorizing the conversion of insurance heretofore granted that I earnestly request that you give it the earliest possible attention. The reasons for requesting the legislation proposed may be thus briefly stated:

1. The setting aside of an insurance reserve: Section 402 of the act authorizes the inclusion in the insurance contract of provisions for "dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable." This and other provisions of the act make it clear that Congress expected that the contracts of converted insurance to be issued should make provisions for dividends substantially similar to those usually found in life insurance policies issued by private companies. It is also reasonable to infer that Congress expected that the gains and savings out of which these dividends were to be paid should, as in the case of private insurance companies, be realized from interest on reserve and savings in mortality. Hence, the Secretary of the Treasury should invest the reserve fund obtained from premiums on converted insurance in such a manner as to realize interest in excess of the basic rate of 3½ per cent upon which the reserve is calculated. This action could probably be taken by the Secretary without receiving additional authority from the Congress, but the importance of the proposed action is so great, affecting as it must the work of the bureau through half a century, and the sums involved are so large that it would be unwise to proceed without receiving the express direction of the Congress. I am advised that the success of the plan to continue the insurance of our soldiers in converted form depends largely upon the step proposed to be taken.

The considerations which lead me to think that the Congress should direct the establishment and maintenance of such a reserve fund may be set forth more specifically as follows:

(a) In receiving level-rate premiums for converted insurance from the soldier in the earlier years of the insured's life the Government takes from him more money than necessary to cover the cost of the protection granted to him during those years. This excess or reserve morally and equitably belongs to the insured and is held by the Government for his benefit. It is in a sense a trust fund, which the Government should use not for its own expenses but for the benefit of the insured. Moral obligation, as well as sound insurance practice, requires the Government to invest this reserve fund in such a way as to secure the highest interest obtainable consistent with safety.

(b) By using such a reserve fund for the purchase of farm-loan bonds issued by the Federal land bank an interest return substantially equal to 4½ per cent could be secured with perfect safety. At the same time one of the Government's most admirable economic agencies would be aided.

(c) The history of fraternal insurance organizations which failed to provide in early years a reserve fund shows what would be the effect of a failure on the part of the Government to set aside a reserve to support the converted insurance granted under the war-risk insurance act. If premium receipts should be applied in payment of current claims under matured insurance, with no setting aside of a reserve, the amount of the appropriations that would be required of Congress would at first, relatively speaking, be misleadingly small and would later become inordinately large, in short, sound economic theory, as well as the considerations of simple justice mentioned in (a) above, require the maintenance of a reserve.

2. Enlargement of permitted class of beneficiaries: Section 402 provides that in case the permitted beneficiaries of the insured die before the insured, or before they have received all of the 240 installments payable after his death, the installments remaining unpaid shall be forfeited to the Government, only the reserve value, if any, being payable to the estate of the insured. This was a wise and fair provision in the case of war-time term insurance. As the Government was giving to the insured the extra cost of insurance due to war hazards, there was no unfairness in declaring that it would not pay if the soldier's immediate dependents should have failed, but the same considerations do not apply to the converted insurance carried by the soldier under peace-time conditions, and for which he pays in full. It is only reasonable that the soldier who pays in full for his insurance should be given a wider selection of beneficiaries among his relatives, and it is but simple justice that he should receive in full the insurance he pays for without fear of forfeiture in case no person within the permitted class survives him. The proposed bill attached hereto enlarges the class of permitted beneficiaries so as to include uncles, aunts, nephews, and nieces of the insured. It further provides that if no such person within the enlarged class of beneficiaries survives the insured, the commuted value of the installments remaining unpaid shall become a part of the estate of the insured, but if the surviving beneficiaries within that class die before receiving all of the installments payable, then the commuted value of the unpaid installments shall become payable to the estate of the last surviving member of the permitted class. It is to be noted that the amount payable in such cases to the estate of the insured or of the last surviving beneficiary is the commuted value of the unpaid installments, and not merely the reserve of the policy, which alone is payable under the existing provisions of the act.

I am satisfied that the legislation proposed is entirely consistent with the purpose of the act and essential to the successful administration of those provisions requiring the conversion of the annual-term insurance into other forms of insurance suitable to the peace-time needs of insured soldiers and sailors. This opinion is supported by the advice of the best insurance experts in this country, who, after careful study during many weeks of all the problems involved, and having special regard for the best interests of the men in the military and naval service, have incorporated some of the provisions of the proposed legislation in the recently completed policy forms for converted insurance. If these policies are to be issued as drawn and the work of conversion thereunder to begin, it is necessary for the Congress to pass the legislation proposed, and it is respectfully requested that this be done at the earliest possible day.

Sincerely, yours,

CARTER GLASS, *Secretary.*

HON. F. M. SIMMONS,
Chairman Committee on Finance,
United States Senate.

AMERICAN FIELD OF HONOR.

Mr. SPENCER. I ask unanimous consent for the immediate consideration of Senate bill 5313, being calendar No. 667, which gives the Secretary of War the authority to acquire and maintain a cemetery in France for the reception of bodies of American soldiers who have died there and whose parents or relatives do not desire their bodies brought home.

Mr. POMERENE. I ask whether the bill is likely to lead to any discussion?

Mr. SPENCER. I think not. If there is any discussion, I will withdraw the request. I believe there will be no objection to the consideration and passage of the bill.

Mr. SMOOT. I ask that the bill be read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on Military Affairs was to strike out all after the enacting clause and to insert:

That, subject to the laws relative to national military cemeteries within the United States, so far as such laws may be applicable and subject to the permission of France by treaty or otherwise, a commission shall be, and is hereby, authorized and directed to acquire, in the name of the United States, a suitable plot of land in France, preferably on or near one of the important battle fields where American troops were conspicuously engaged, and there to establish a national cemetery, to be known as the American field of honor, and to properly prepare said plot of land for use as such, and thereafter to care for, preserve, and maintain the same.

SEC. 2. That in said field of honor, in section 1 of this act provided for, may be buried, and shall only be buried, the remains of officers and members of and persons accompanying or serving with the United States Army, Navy, or Marine Corps who have died or hereafter shall die while serving with the overseas forces during the present war with Germany or during any period of occupation immediately subsequent thereto; and the Secretary of War is hereby directed to cause the remains of each of the persons aforesaid to be buried in said field, or in such other place in the United States, as he shall select, unless the nearest relative of the deceased shall otherwise request, when he will dispose of said remains in accordance with the provisions of existing law.

SEC. 3. That for the purchase of the land and the original cost of the preparation thereof for use as a national cemetery as in the first section of this act provided, and for the cost of transfer of remains and the interment thereof in said cemetery or elsewhere as in the second section of this act provided, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $, or so much thereof as may be necessary therefor.

SEC. 4. The commission referred to in section 1 of this act shall consist of three Members of the Senate and three Members of the House of Representatives appointed, respectively, by the Vice President and the Speaker of the House, who will become the permanent board to administer the cemetery and its maintenance. Vacancies shall be filled as in its original organization.

Mr. SPENCER. Mr. President, I move to strike out section 3, concerning the appropriation, which is entirely unnecessary. All that is intended is to give the Secretary of War the power to arrange for such a cemetery, and no appropriation is necessary at this time.

The VICE PRESIDENT. The question is on the motion of the Senator from Missouri.

Mr. REED. Mr. President, before we vote on that, I do not quite understand the situation. How can the Secretary of War procure real estate in France without some money with which to do it?

Mr. SPENCER. If I may answer the Senator, the bill provides that the Secretary of War, subject to the permission of the Government of France, by treaty or otherwise, may take up the question of the acquisition of the cemetery. Of course we can not get any land in France without the consent of the Government of France.

Mr. REED. We can get land in France in which to bury our soldiers if the French Government consents, but it does not follow that they will donate the land. Is there any arrangement for donation?

Mr. SPENCER. I will answer the Senator. It has been intimated that the French Government will donate the land. A communication from France to that effect would seem so to show; but if the land is not donated, all that this bill would do would be to allow the Secretary of War to take up the question of obtaining land for a cemetery in France; and if money was needed to purchase it, then further legislation would be necessary. This bill carries no appropriation.

Mr. REED. It will carry no appropriation if the Senator's motion is agreed to.

Mr. SPENCER. I understand that the amendment has been agreed to striking out section 3, providing for the appropriation.

The VICE PRESIDENT. No; that is the pending question.

Mr. REED. That is the pending question.

Mr. SPENCER. I understood it had been agreed to.

Mr. REED. Mr. President, I do not wish to delay this matter a moment. I want this ground secured. I want some spot sacred to this cause to be procured. I do not think we ought

to expect a donation. If France should donate the land we will not then have paid out our money; but if France should give her permission, and it should be necessary to buy the ground, I think the money ought to be on hand.

The dead ought to be provided for. They ought not to sleep in Flanders fields in unknown graves. I intended to introduce and had written a bill providing for a cemetery in France, but I learned that one had been prepared and introduced; and I see no reason for cutting out this appropriation. I take it the money will not be spent unless the ground is obtained.

Mr. LODGE. Mr. President, what amount is proposed?

Mr. REED. The amount in the bill is $500,000; is it not?

Mr. LODGE. No; it is left blank.

Mr. THOMAS. The original bill provides for that.

Mr. REED. What is the motion of the Senator?

Mr. SPENCER. The motion that I made was to strike out section 3, concerning the matter of appropriation. No definite appropriation is included in the bill as reported by the committee. If I may say to the Senator, there is a large appropriation for cemeteries in the general military bill. It may well be that that will be available and for preliminary purposes entirely sufficient; and it was for that reason that it did not seem to me necessary at this time to insert the appropriation. I did want to get the authority for the Secretary of War to commence proceedings for the acquisition of this cemetery.

Mr. REED. Mr. President, I want to get the authority for the Secretary of War to commence the proceedings and to commence them in a practical way. To send a man out to acquire land, and give him nothing to acquire it with, seems to me a very peculiar proceeding.

Mr. SHAFROTH. Mr. President, may I suggest to the Senator that at this time it is impossible to know how many soldiers will likely be buried there? Nine-tenths, if not more than that, of the soldiers' relatives will want their bodies shipped here; and it seems to me to be very appropriate that no amount should be specified now, because we do not know how many will be buried there. It may be that none of the relatives will want to have the soldiers buried in foreign territory. For that reason, I do not believe the Senator's position is sound.

Mr. THOMAS. Mr. President, I have no official information upon the subject; but I am credibly informed that the French Government, or some high French officials speaking for the Government, have made the announcement that a cemetery for the burial and care of the American dead will be furnished by the Government of the French Republic.

Mr. REED. If that is the settled fact, I have nothing to say.

Mr. THOMAS. Of course, I could not go that far. I have been informed that such is the case, and I saw a statement in the press dispatches sometime last week to that effect.

Mr. REED. Mr. President, I take it that this money will not be used unless it is necessary. There is a motion pending, I believe. The motion is to strike out the section.

The VICE PRESIDENT. The Senator's motion would have precedence.

Mr. REED. I move to amend, then, by inserting in the blank the sum of $500,000.

The VICE PRESIDENT. The question is on the amendment of the Senator from Missouri.

Mr. TOWNSEND. Mr. President, I was not able, owing to the confusion, to hear all of the bill as it was read. Do I understand that this interferes in any way with the order which I understand has been issued, or at least the information which has been sent out, to the effect that the friends or relatives of the boys who were killed in France may have the bodies of those boys returned here?

Mr. SPENCER. It does not interfere with that. The bodies of those who died in France, and whose relatives desire those bodies to be brought back home, will be brought back home, under the provisions of this bill.

The VICE PRESIDENT. The question is on the amendment of the Senator from Missouri [Mr. REED] to the amendment of the committee. [Putting the question.] There seems to be one "aye" and one "no." The Chair votes "aye," and the amendment to the amendment is agreed to.

The question is on the amendment of the Senator from Missouri [Mr. SPENCER] to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing a commission to acquire and maintain a cemetery in France in the name of the United States for the reception and interment of the bodies of American officers and men who lost their lives in connection with the European war, and for other purposes."

Mr. REED subsequently said: A few moments ago, I am sure, the Senate acted inadvertently. Section 3 of the bill called up by the Senate by the Senator from Missouri [Mr. SPENCER] to authorize the Secretary of War to acquire a cemetery in France was before the Senate. The Senate amended section 3 by practical unanimity, and then immediately the Chair put the vote on the motion which was pending of the Senator from Missouri [Mr. SPENCER] to strike out section 3, after it had been amended. There were only a few votes, and I am sure the Senators who voted "aye" did not understand that they were voting to strike out the section. I ask unanimous consent to reconsider the votes by which the bill was ordered to a third reading and passed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and all the votes are reconsidered back to the consideration of the bill in the Senate.

Mr. REED. Now the Senator from Missouri [Mr. SPENCER] can withdraw his motion to strike out section 3.

Mr. SPENCER. I do withdraw it.

The VICE PRESIDENT. Is there objection? If not, the motion is withdrawn.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEAGUE OF NATIONS.

Mr. HARDWICK. Mr. President, I desire to give notice that on Saturday next, March 1, at the conclusion of the remarks of the Senator from Pennsylvania [Mr. KNOX], I shall address the Senate on the proposed league of nations and the foreign policy of this Government.

Mr. CUMMINS. Mr. President, I desire to give notice that on Wednesday of this week I shall seek an opportunity to address the Senate upon the proposed league of nations.

ARMY COURTS OF APPEAL.

Mr. LEWIS. Mr. President, I ask to have printed in the RECORD an article taken from the New York World of yesterday, Sunday, the 23d instant, relative to a provision in the pending Army bill.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

The joint resolution introduced by Senator MCKELLAR providing for the appointment of as many reviewing boards as may be necessary to examine the records and revise the judgments of 22,000 courts-martial ought to receive the approval of Congress without delay. It is a tardy recognition by Congress itself of its own shortcomings.

These boards will constitute Army courts of appeal. They will be made up of officers who have not acted at any of the trials. Their members will be named by the President, and with him will remain the power to set aside or mitigate their findings, "to the end that even and exact justice shall be done in each case."

Convictions have been the rule with general and special courts-martial and most of the sentences have been severe. In 14 months these courts acquitted only 2,900 defendants out of 27,000. Outside of the death penalty, prescribed in many cases, but, it is said, not inflicted, punishments have ranged from imprisonment at hard labor for 40 years downward, the average being extremely high. In addition, there were dishonorable discharges and loss of citizenship.

Such reviews as there have been of these trials have been altogether perfunctory and in most instances prejudiced. Senator MCKELLAR'S resolution provides for appeals as a matter of right and gives assurance that they will be heard by disinterested officers. Civil law protects the accused at every stage of his prosecution. If we forget its precepts in our relation with the soldier, no matter what his offense may be, we enroll ourselves with the despots of militarism.

RECREATION ASSOCIATION OF AMERICA.

Mr. SMITH of Georgia. Mr. President, I ask unanimous consent for the present consideration of Senate bill 3219, to provide a charter for the Recreation Association of America.

Mr. KING. I object.

Mr. SMITH of Georgia. If I had seen the Senator from Utah, I would not have asked unanimous consent. [Laughter.]

Mr. KING. I regret that the Senator did not see me.

Mr. SMITH of Georgia. I am sorry that the Senator was present. I think he is the only person who objects to the consideration of the bill.

VENTILATION OF SENATE CHAMBER.

Mr. OWEN. Mr. President, I desire to call the attention of the Senate to a matter which I think is of importance to the Members who sit in this Chamber.

The air which we breathe comes through a dark, damp tunnel, three or four hundred feet long, and is brought into this Chamber, I am satisfied, filled with impure bacterial life. I believe it has contributed to the mortality of men in this body during the last 10 or 12 years that I have been a Member here. I want to put into the RECORD the number of those deaths. Thirty-six Senators have died, since I have become a Member

of this Chamber, while in the service; 23 others have died shortly after retiring from their Senatorial service; making altogether 59 Senators who have died since I became a Member of this body. I think it is very striking and very significant.

I believe that the health of the Members of this body is seriously affected by the air we are compelled to breathe. It would be perfectly easy to have a small pipe go into the open air, with a high-pressure fan, and run by an electric current, which would furnish all of the air this Chamber needs. It would not require a 10-foot tunnel but merely a 2-foot pipe under a high-pressure fan to furnish all the air that is necessary, and clean air, dry air, and air free from infection.

I ask for the adoption of the following:

Ordered, That the Superintendent of the Capitol be, and hereby is, directed to take under advisement the question of the ventilation of the Senate Chamber, and to take such steps as in his judgment may be necessary and adequate to provide at all times an equable temperature and a sufficient supply of pure, fresh air, directly from the outside air, avoiding the use of the present tunnel.

Mr. THOMAS. Mr. President, I think the chief thing from which we suffer in the Senate is "hot air," and it does not come from very long pipes, either.

Mr. KENYON. May I ask the Senator from Oklahoma what has become of the committee which was appointed some years ago on that very subject? Does the Senator know?

Mr. OWEN. I suppose they are all dead.

I should like to have inserted in the RECORD a list of Senators who have died and to whom I have referred, if there be no objection.

The VICE PRESIDENT. Without objection, it is so ordered.

The list referred to is as follows:

SENATORS WHO HAVE DIED DURING THEIR TENURE OF OFFICE SINCE DECEMBER 16, 1907.

Stephen R. Mallory, Florida, December 23, 1907.
Asbury C. Latimer, South Carolina, February 20, 1908.
Redfield Proctor, Vermont, March 4, 1908.
William Pinkney White, Maryland, March 17, 1908.
William James Bryan, Florida, March 22, 1908.
William Boyd Allison, Iowa, August 4, 1908.
Martin N. Johnson, North Dakota, October 21, 1909.
Anselm J. McLaurin, Mississippi, December 22, 1909.
Samuel Douglas McEnery, Louisiana, June 28, 1910.
John Warwick Daniel, Virginia, June 29, 1910.
Jonathan P. Dolliver, Iowa, October 15, 1910.
Alexander Stephen Clay, Georgia, November 13, 1910.
Stephen B Elkins, West Virginia, January 4, 1911.
Charles A. Hughes, jr., Colorado, January 11, 1911.
William P. Frye, Maine, August 8, 1911.
Robert L. Taylor, Tennessee, March 31, 1912.
George S. Nixon, Nevada, June 5, 1912.
Weldon B. Heyburn, Idaho, October 17, 1912.
Isidor Rayner, Maryland, November 25, 1912.
Jeff Davis, Arkansas, January 3, 1913.
Joseph F. Johnston, Alabama, August 8, 1913.
Augustus O. Bacon, Georgia, February 14, 1914.
William O. Bradley, Kentucky, May 23, 1914.
B. F. Shiveley, Indiana, March 14, 1916.
Edwin C. Burleigh, Maine, June 16, 1916.
James P. Clarke, Arkansas, October 1, 1916.
Harry Lane, Oregon, May 23, 1917.
Paul O. Husting, Wisconsin, October 21, 1917.
Francis G. Newlands, Nevada, December 24, 1917.
James H. Brady, Idaho, January 13, 1918.
William Hughes, New Jersey, January 30, 1918.
Robert F. Broussard, Louisiana, April 12, 1918.
William J. Stone, Missouri, April 14, 1918.
Benjamin R. Tillman, South Carolina, July 3, 1918.
Jacob H. Gallinger, New Hampshire, August 17, 1918.
Ollie M. James, Kentucky, August 28, 1918.

SENATORS WHOSE TERMS OF SERVICE EXPIRED SINCE DECEMBER 16, 1907, AND WHOSE DEATHS OCCURRED SINCE THE TERMINATION OF THEIR SERVICE.

T. C. Platt, New York, March 6, 1910.
A. B. Kittredge, South Dakota, May 4, 1911.
J. M. Terrell, Georgia, November 18, 1912.
James Gordon, Mississippi, November 27, 1912.
Frank O. Briggs, New Jersey, May 8, 1913.
Henry M. Teller, Colorado, February 24, 1914.
W. A. Massey, Nevada, March 5, 1914.
John Kean, New Jersey, November 4, 1914.
W. S. West, Georgia, December 22, 1914.
William M. Kavanaugh, Arkansas, February 21, 1915.
Nelson W. Aldrich, Rhode Island, April 16, 1915.
J. W. Stewart, Vermont, October 29, 1915.
J. C. Burrows, Michigan, November 16, 1915.
William Warner, Missouri, October 4, 1916.
H. E. Burnham, New Hampshire, February 8, 1917.
J. B. Foraker, Ohio, May 10, 1917.
John W. Kern, Indiana, August 17, 1917.
J. R. Thornton, Louisiana, December 28, 1917.
C. W. Fulton, Oregon, January 27, 1918.
Isaac Stephenson, Wisconsin, March 15, 1918.
J. B. McCreary, Kentucky, October 8, 1918.
Eugene Hale, Maine October 28, 1918.
George T. Oliver, Pennsylvania, January 22, 1919.
Total, 23.

Mr. OWEN. Mr. President, I ask that the order which I have submitted be agreed to.

The order was agreed to.

LEAGUE OF NATIONS.

Mr. REED. Mr. President, I send to the desk and ask to have read a very short news item contained in the Washington Star of Saturday, February 22. I ask to have it read as part of my remarks.

The PRESIDING OFFICER. If there is no objection, the Secretary will read as requested.

The Secretary read as follows:

OKUMA DISCUSSES "RIGHTS"—JAPAN, HE SAYS, AS OF BIG FIVE, SHOULD DEMAND "EQUALITY."

TOKYO, *February 21.*

Count Okuma, speaking in the House of Peers in reference to the league of nations to-day, said:

"The United States and Great Britain are conjointly the leading nations of Angle-Saxon civilization. For consummating the league nothing more important is to be done than the removal of racial discrimination. Japan is now among the five great powers and fully entitled to demand equality in all respects.

"Much will depend upon Japan's delegates at the peace conference to give practical efficiency to this most important problem, not only for Japan but for the practicability of the league."

Mr. REED. Mr. President, I hope the Members of the Senate will simply be advised by this.

Mr. WILLIAMS. Mr. President, I ask to have inserted in the RECORD an article from the New York Times of February 24, entitled "A league of despots." It is an article upon the general subject of the league of nations, and particularly upon the subject of the speech made by the Senator from Missouri [Mr. REED].

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the New York Times, Feb. 24, 1919.]

A LEAGUE OF DESPOTS.

Senator REED sounds high and clear the note of alarm. Little attention did he give in his Senate speech to miserable interrogatories about the fate of the Constitution and the Monroe doctrine under the league of nations. His mind was fixed upon the all-embracing and awful menace of the league as a conspiracy of monarchs and despots against this land of liberty. "Shall we surrender with the pen what Washington gained by his sword?" Shall we accept government "partly by the people and partly by kings and emperors?" A victor in the war, shall we emerge from the strife "a mere constituent State of a league dominated by European monarchies and Asiatic despots"? Great Britain is an empire, Italy a monarchy, Japan "a monarchy of despotism," France a republic, the United States a republic. "Three monarchies and two republics. Who will control it, I ask again?"

When Senator REED concluded his speech Senators from both sides of the Chamber crowded around him for handshaking and congratulations. Applause upon the floor was redoubled in volume by the enthusiasm of the galleries. Five minutes of tumultuous demonstration set the seal of senatorial and popular approval upon the Missouri Senator's impassioned denunciation of President Wilson's attempt to put the United States in vassalage to the kings of effete Europe and the despots of burnt-out Asia. We should despair of our country if such a speech as this, an eloquent warning against the forfeiture of our liberties, delivered in the Senate on the anniversary of Washington's birth, and adorned with the customary invocation of the memories of Concord Bridge, Lexington, and the coon-skin caps of the embattled farmers, should call forth only that cold and perfunctory applause which might mark the conclusion of an expository address upon the Post Office appropriation bill.

If this be in fact a league of despots that Mr. Wilson has helped to contrive, every American will feel that something ought to be done about it. But does Mr. REED believe in his heart that the American people will be much moved by his speech against the league of nations? Will they take his word for it that the league is compounded of European kings and Asiatic despots, or will they calmly consider the facts? There is a British Empire, made up of self-governing dominions. The United Kingdom is a monarchy where the people's rule is as little hampered as it is in our own Republic. Mr. Lloyd George is the despot we have to fear there. France as a sister Republic gets exceptional treatment from Mr. REED. Italy, however, is a monarchy, and Sonnino is the man against whom suspicion must be directed. The Asiatic despot must be the Emperor of Japan. He would be astounded, and his people with him, to hear himself so described. But stay. There is a despot, a real one, if we mistake not the sole relic of feudal absolutism on earth—the Negus of Abyssinia.

If that fierce African potentate is to be reckoned with, then there is point and force in Senator REED'S speech against the league—otherwise not, decidedly not. Respect due to the senatorial toga forbids us to describe this speech as fustian, but in solemn truth was it not, for all the applause it received from its Washington audience, where all audiences are proverbially "against the administration," was it not a pompous battering down of an open door? Mr. REED'S picture of the league of nations shows this Republic helplessly enmeshed in the snares of a hostile band of monarchical conspirators. But Missouri schoolboys know that in every one of the countries that will be our fellow members—we make exception of Abyssinia and her illustrious Negus—the affairs of Government are in the hands of a Parliament and a ministry. The peoples of those lands are self-governing. Do we stand in such fear of democracies that we must refuse to join them in an earnest effort to establish the reign of peace and justice on earth?

If this be a true picture that Senator REED holds up to our view, if the nations who are to be our partners in this undertaking are harboring those covert designs against our rights and liberties as a sovereign State which he imputes to them, then their ill will and their knavish plots will be an imminent peril to us whether we form a league or not, and obviously a far greater peril without the league than with it. A covenant with them would give us some protection. If we must beware of that as a dangerous entanglement, then we should cease our demobilization and make instant preparation for creating and maintaining a permanent military establishment of not less than 4,000,000 men, and instead of a paltry Navy equal to England's, we must have three times

her sea power. With all the world plotting our overthrow, masking malignant designs behind a pretended friendship, we must put ourselves in readiness for defense. The next gale that sweeps from Missouri will bring to our ears the clash of resounding arms.

The American people are an uncommonly sensible folk. We take occasion to record here our firm belief that they will refuse to be scared by Senator REED'S horrendous conjuration of anointed European Kings and whiskered Asiatic despots. But let the Senator beware of misjudging the sentiments of his countrymen upon one important matter. They have a horror of war. They are going to accept the league of nations unless he and Mr. BORAH and Mr. POINDEXTER have a better guarantee of peace. What do they propose?

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. PITTMAN. Mr. President, I rise to a parliamentary inquiry. On Saturday the Chair sustained the point of order to the conference report on Senate bill 2812. Having charge of the matter on behalf of the conferees on the part of the Senate, I requested at that time that it be recommitted to the conferees. I ask whether an order is necessary requesting a further conference with the House on the matter. The House having acted upon the conference report and having approved it, a situation has arisen under the rule of the Senate which requires some action apparently on behalf of the Senate, so that the report may be again considered by the House.

I ask unanimous consent that the matter be corrected by the Senate by having the report referred back to the managers on the part of the Senate and that they ask the House for a further conference upon Senate bill 2812.

Mr. SMOOT. The Senator from Wisconsin [Mr. LA FOLLETTE], who made the point of order, is not in the Chamber.

Mr. PITTMAN. I am sure the Senator from Wisconsin intended exactly what I do.

Mr. SMOOT. I do not doubt it. I have no reason to think otherwise.

Mr. HARDWICK. I suggest to the Senator that the proper procedure is that he move that the Senate insist on its disagreement to the amendment of the House to the bill and ask for a further conference, and that the Chair name the conferees on the part of the Senate.

Mr. PITTMAN. Under the rule apparently it was referred back to the same conferees. The rule is peculiar to this body. I simply ask unanimous consent that it be corrected in that way.

The VICE PRESIDENT. The Chair thinks this is the proper procedure as a new one, that the Senate request a further conference with the House and respectfully request the House to recede from its agreement to the conference report and to appoint, if necessary, conferees.

Mr. PITTMAN. In view of the ruling of the Chair, I move, with the permission of the Senate, that the Senate further insist upon its disagreement to the amendment of the House and ask for a further conference and that the Chair appoint the conferees on the part of the Senate.

Mr. SMOOT. There was no disagreement to the amendment of the House. The Senate bill and the House bill had the same identical wording as to the provision of the conference report that went out on a point of order.

The VICE PRESIDENT. The Senator from Nevada did not quite catch the opinion of the Chair. If this is satisfactory, the Chair will put it this way, that the report be rereferred to the same conferees on the part of the Senate. We have no right to ask the House to do anything, and we will just stop at that. Let the House take such steps as it will.

Mr. PITTMAN. I certainly do not desire this measure to fail in conference by reason of the peculiar rule of this body, and unless some message is sent to the House there will be no basis for action there.

The VICE PRESIDENT. There will be the order of the Senate that requests a further conference with the House. That will go to the House. Without question, the Chair does not think the Senate could ask the House to take any step. It must determine for itself what it will or will not do.

Mr. PITTMAN. Then that course will be agreed to by unanimous consent if there is no objection.

The VICE PRESIDENT. Without objection, it will be so entered, and the Chair appoints the Senator from Nevada [Mr. PITTMAN], the Senator from California [Mr. PHELAN], the Senator from Colorado [Mr. SHAFROTH], the Senator from Utah [Mr. SMOOT], and the Senator from New Mexico [Mr. FALL] conferees at the further conference on the part of the Senate.

DISCHARGED SICK AND DISABLED SOLDIERS AND SAILORS.

Mr. FRANCE. I ask to be relieved from serving upon the conference committee on the disagreeing votes of the two Houses on House bill 13026, to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines. I find it impossible to serve, and I ask that the Senator from Wisconsin [Mr. LENROOT] be substituted in my place, and that the House be so notified.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered. Is there further morning business? [After a pause.] It is closed.

SENATOR FROM MICHIGAN.

Mr. POMERENE. I ask unanimous consent to proceed to the consideration of Senate resolution 415, referring the petition of Henry Ford, contesting the election of Truman H. Newberry as a Senator from Michigan, to the Committee on Privileges and Elections, and authorizing said committee to take possession of the ballots, pool books, tally sheets, and documents, and to make investigation and take all necessary proceedings relating to said contest.

Mr. TOWNSEND. I object, Mr. President.

Mr. POMERENE. I move that, notwithstanding the objection, the Senate proceed to consideration of the resolution.

Mr. TOWNSEND. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, Cal.	New	Smoot
Beckham	Jones, N. Mex.	Norris	Spencer
Chamberlain	Jones, Wash.	Nugent	Sterling
Culberson	Kellogg	Overman	Sutherland
Cummins	Kendrick	Page	Thompson
Curtis	King	Penrose	Townsend
Dillingham	Knox	Pollock	Trammell
Fernald	La Follette	Pomerene	Underwood
France	Lenroot	Ransdell	Wadsworth
Frelinghuysen	Lewis	Reed	Walsh
Gay	McCumber	Robinson	Warren
Hale	McKellar	Shafroth	Watson
Harding	McLean	Sheppard	Weeks
Hardwick	McNary	Simmons	Wolcott
Henderson	Martin, Va.	Smith, Ga.	
Hitchcock	Moses	Smith, S. C.	

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. There is a quorum present.

Mr. SMOOT. Mr. President, I make a point of order against the motion of the Senator from Ohio, under Rule VII. Paragraph 3 of that rule reads as follows:

3. Until the morning business shall have been concluded, and so announced from the Chair, or until the hour of 1 o'clock has arrived, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar shall be entertained by the Presiding Officer, unless by unanimous consent; and if such consent be given the motion shall not be subject to amendment and shall be decided without debate upon the merits of the subject proposed to be taken up: *Provided, however,* That on Mondays the calendar shall be called under Rule VIII, and during the morning hour no motion shall be entertained to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar, except the motion to continue the consideration of a bill, resolution, report of a committee, or other subject against objection as provided in Rule VIII.

Then Rule VIII provides the order of business.

The VICE PRESIDENT. What has the Senator from Ohio to say?

Mr. POMERENE. Mr. President, of course I assume the Senator from Utah has the right to make the point of order, if he desires, on account of Calendar Monday, but we have been going on, and, notwithstanding that rule, on several Mondays have proceeded to the consideration of other matters. I am not entirely clear in my own mind as to the point which has been raised, whether or not we are entitled to proceed at this time. This is a matter which has been before the Senate from time to time. It represents in its present form the unanimous opinion of the Committee on Privileges and Elections, which reported it out, and I have been hoping we could get it disposed of. If the Chair is of opinion that the point is well taken, of course there is nothing for me to do. I recognize the fact that the rules are made to prevent business rather than to expedite business.

The VICE PRESIDENT. The Chair sees no way to avoid the rule. It seems to be perfectly plain that when Senators want to call it into effect it can be used. The Chair has knowledge that on at least half a dozen Mondays no attention has been paid to it, but it is the rule, and the Chair will have to sustain the point of order.

Mr. POMERENE. Then I give notice that I shall call up the resolution to-morrow morning, and I hope we will proceed with the calendar.

Mr. JONES of Washington. I call for the regular order.

Mr. BANKHEAD. I move that the Senate proceed to the consideration of the conference report on the Post Office appropriation bill.

PENSIONS AND INCREASE OF PENSIONS—CONFERENCE REPORTS.

Mr. WALSH submited the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12211) granting pensions and increase of pensions to

certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, 7, 9, 12, 14, 15, 16, 18, 19, 20, 21, 23, 24, 27.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 6, 8, 10, 11, 13, 17, 22, 25, 26, 28, and agree to the same.

T. J. WALSH,
REED SMOOT,
Managers on the part of the Senate.
J. A. KEY,
SAM R. SELLS,
Managers on the part of the House.

The report was agreed to.

Mr. WALSH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4723) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1, 2, 5, 6, 7, 8, 10, 11, 12, 13, 15.

That the Senate recede from its disagreement to the amendments of the House numbered 3, 4, 9, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 14, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"The name of Robert J. Erwin, late of Company H, Eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving."

And the House agree to the same.

T. J. WALSH,
REED SMOOT,
Managers on the part of the Senate.
J. A. KEY,
SAM R. SELLS,
Managers on the part of the House.

The report was agreed to.

HOUSE BILLS REFERRED.

H. R. 15796. An act to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder was read twice by its title and referred to the Committee on Agriculture and Forestry.

The following bills were read twice by their titles and referred to the Committee on Commerce:

H. R. 15834. An act to extend the time for the construction by Kratka Township of a bridge across the Red Lake River, in Pennington County, Minn.; and

H. R. 15950. An act granting the consent of Congress to the county of Halifax, in the State of North Carolina, to construct a bridge across the Roanoke River.

THE CALENDAR.

Mr. JONES of Washington. I ask for the regular order, which, I understand, under the rule is the calendar under Rule VIII.

The VICE PRESIDENT. The regular order being called for, the Chair is of the same opinion as that rendered by the Senator from Arkansas [Mr. ROBINSON], that the right to the immediate consideration of a report of a committee of conference only rises at the time of its presentation to the Senate, when, if there is objection, the question shall be immediately put and decided without debate. That is what the presentation means. If it is not then put and then decided, it is subject to all the other rules of the Senate. This being Calendar Monday, the Chair holds that until the hour of 1 o'clock to-day the calendar must be called.

Mr. SMOOT. I ask unanimous consent that in the consideration of the calendar under Rule VIII, we proceed with the bill which was under consideration when the Senate passed from that order of business the last time the calendar was up for consideration.

Mr. SMITH of Georgia. Will the Senator state where that was?

Mr. SMOOT. I have just asked the Secretary if he could name the number. My old calendar has been misplaced. I think it is order of business 554.

Mr. SMITH of Georgia. Unless I can obtain unanimous consent to consider order of business 549, which will only take a moment, I must object.

Mr. SMOOT. Then we had better begin at the beginning.

The VICE PRESIDENT. The first business on the calendar will be announced.

The joint resolution (S. J. Res. 39) to appropriate $3,000,000 to enable the Secretary of Agriculture to prosecute the work of eradicating the southern cattle tick was announced as the first business on the calendar.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The joint resolution (S. J. Res. 53) authorizing the President to appoint two additional Assistant Secretaries of Agriculture, and for other purposes, was announced as next on the calendar.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 1725) to stimulate the production of food upon private and public lands within reclamation projects, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The next business on the calendar was (S. Res. 91) extending the authority of and provision for the committee appointed under S. Res. 92, Sixty-third Congress, first session, to investigate the charges of alleged attempts to influence legislation.

Mr. SMITH of Georgia. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 23) granting to the State of Nevada 7,000,000 acres of land in said State for the use and benefit of the public schools of Nevada and the State university of the State of Nevada was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

The joint resolution (S. J. Res. 90) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. KING. Let that go over, Mr. President.

The VICE PRESIDENT. The joint resolution goes over.

The bill (S. 3311) to increase and expedite the supply of munitions of war was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

The bill (S. 1795) to relieve Congress from the adjudication of private claims against the Government was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill goes over.

The bill (S. 951) to provide for the sinking of artesian wells, and for other purposes, was announced as next in order.

Mr. OVERMAN. Let that go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

The bill (S. 758) to increase the productive agricultural area of the United States by the reclamation of arid and swamp lands was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The bill goes over.

The joint resolution (S. J. Res. 132) to amend section 14 of the food-control act by increasing the guaranteed minimum price of wheat for the crop of 1918 from $2 to $2.50 per bushel was announced as next in order.

Mr. KING. Let that go over, Mr. President.

The PRESIDING OFFICER. The joint resolution goes over.

The bill (S. 4185) to require the Commissioner of Education to devise methods and promote plans for the elimination of adult illiteracy in the United States was announced as next in order.

Mr. SMITH of Georgia. I ask that that bill be indefinitely postponed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMOOT. Mr. President, I ask that calendar numbers from 332 to 368, both inclusive, be passed over.

The PRESIDING OFFICER. Being objected to, they will be passed over.

The bill (S. 3260) to remove the charge of desertion from the record of Wilbur F. Lawton was announced as next in order.

Mr. KING. I ask that that bill go over.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 4459) to amend an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, was announced as next in order.

Mr. LA FOLLETTE. I ask that that bill go over.

The PRESIDING OFFICER. The bill goes over.

The resolution (S. Res. 249) to print the article entitled "The Electoral College and presidential suffrage" as a Senate document was announced as next in order.

Mr. HARDWICK. Let that go over, Mr. President.

The PRESIDING OFFICER. The resolution goes over.

PHILIPPINE SCOUTS.

The bill (S. 2933) for the relief of the Philippine Scouts was announced as next in order.

Mr. KING. Mr. President, I ask that that bill go over.

Mr. CUMMINS. Did any Senator object to the consideration of that bill?

Mr. KING. I objected to its consideration, but I will withdraw my objection if the Senator from Iowa desires that I shall do so.

Mr. CUMMINS. The bill has already once passed the Senate, has it not, Mr. President?

The PRESIDING OFFICER. It has.

Mr. KING. I withdraw my objection.

The PRESIDING OFFICER. The objection of the Senator from Utah is withdrawn. The question is on proceeding to the consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2933) for the relief of the Philippine Scouts.

The PRESIDING OFFICER. The bill has been heretofore read.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 4221) for the relief of private owners of lands within or near the Bitter Root National Forest, Mont., was announced as next in order.

Mr. LA FOLLETTE. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 4366) to amend section 5 of an act entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913 (38 Stat. L., pp. 4, 75), was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 3269) to remove the charge of desertion from the military record of John H. Armonstrong was announced as next in order.

Mr. THOMAS. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

AMERICAN SHIPPING PROBLEM.

Mr. RANSDELL. Mr. President, in accordance with the announcement made by me several days ago, I wish briefly to discuss the American shipping problem.

Mr. THOMPSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Kansas?

Mr. RANSDELL. Yes; for a question.

Mr. THOMPSON. I do not want to object to the Senator proceeding under the rules, but the Senator is proceeding to address the Senate during the morning hour, and I wish to inquire if he can not wait until we get through with the calendar, so far as is possible before the hour of 1 o'clock, in order that some important bills on the calendar may come up for consideration? Under the rule a Senator, I presume, will only be permitted to speak five minutes on each bill. I do not wish to make an objection of that character, but I thought the Senator might take the floor on any other bill after 1 o'clock.

Mr. WILLIAMS. Mr. President, when the Senator has spoken for five minutes under the rule, I shall call for the regular order.

The PRESIDING OFFICER. The Senator from Louisiana has several minutes left.

Mr. RANSDELL. Mr. President, in order to be accommodating to my colleague, I will yield the floor now and resume at the end of the morning hour. I do that with the understanding that I may be recognized at that time. If that is agreeable, I will yield the floor, as I desire to be accommodating. I wish to say, however, before withdrawing, that the Senator from Illinois [Mr. LEWIS] gave notice on Saturday that he would address the Senate on the league of nations this morning, and I understand that when I conclude my brief address on the shipping problem he will speak on the subject to which he has referred.

DISTRICT PROBATION SYSTEM.

The bill (H. R. 10891) to amend and reenact "An act for the establishment of a probation system for the District of Columbia" was announced as next in order, and the Senate, as in Committee of the Whole, resumed its consideration.

The PRESIDING OFFICER. When this bill was last under consideration the Senator from Utah [Mr. KING] offered an amendment, which is now pending, and which the Secretary will state.

The SECRETARY. On page 1, line 10, after the word "each," it is proposed to insert "one of which assistant probation officers shall serve for one year only"; and on line 11, after the words "per annum," to insert "who shall serve for one year only."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

Mr. KING. Mr. President, it was agreed by the proponents of the measure that the amendment just read should be accepted. On the following page are two other amendments of the same character, made necessary in order to make the bill conform to the amendments just named. I shall offer those amendments.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah, which has been stated.

The amendment was agreed to.

Mr. KING. I offer the amendment which I send to the desk.

The SECRETARY. On page 2, line 8, after the word "each," it is proposed to insert "one of which assistant probation officers shall serve for one year only"; in line 9, after the words "per annum," to insert "who shall serve for one year only"; and in line 12, after the word "years," to insert "with the exception of one assistant probation officer and one stenographer and typist, who shall be appointed for one year only," so as to make the bill read:

Be it enacted, etc., That an act for the establishment of a probation system for the District of Columbia, approved June 25, 1910, be amended and reenacted by striking out of section 1 of said act the following words: "and one assistant probation officer at a salary of $1,200 per annum," and in lieu thereof insert the following: "and two assistant probation officers at a salary of $1,200 each, one of which assistant probation officers shall serve for one year only, and one stenographer and typist at a salary of $1,200 per annum, who shall serve for one year only," so that section 1 of said act when so amended shall read:

"That the Supreme Court of the District of Columbia in general term may appoint one probation officer, at a salary of $1,800 per annum, and as many volunteer assistant probation officers, male or female, as occasion may require; and that the police court of the District of Columbia may appoint one chief probation officer at a salary of $1,500 per annum, and two assistant probation officers at a salary of $1,200 each, one of which assistant probation officers shall serve for one year only, and one stenographer and typist at a salary of $1,200 per annum, who shall serve for one year only, and as many volunteer assistant probation officers, male or female, as occasion may require.

"All such probation officers and assistants shall be appointed for a term of two years, with the exception of one assistant probation officer and one stenographer and typist, who shall be appointed for one year only, and may be removed by the respective courts appointing them. All such volunteer probation officers shall serve without compensation, and shall have such powers and perform such duties as may be assigned to them by said courts."

That section five of said act be amended by striking out of said section the words "five thousand dollars" and by inserting in lieu thereof the words "eight thousand dollars," so that said section when so amended shall read:

"SEC. 5. That the chief probation officer of each court shall be entitled, for himself and his assistants, to a room in the building occupied by that court, and all necessary stationery and supplies for the transaction of the business of his office; and all the probation officers except volunteer officers shall be entitled to their necessary expenses in performing the duties of their office, under the direction of the court, the amount of the expense for such stationery, supplies, and expenses to be fixed and allowed by the court upon proper vouchers submitted to it by the probation officers, and accounts duly verified by their oaths; and for the purpose of this act there is hereby appropriated the sum of $8,000, one half to be paid out of any money in the Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia."

The PRESIDING OFFICER. The question is on the amendments offered by the Senator from Utah.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER.

The bill (S. 3379) to authorize the Secretary of the Interior to exchange public coal lands for private coal lands in certain cases was announced as next in order.

Mr. LA FOLLETTE. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2898) to provide for the erection of a public building at Knoxville, Knox County, Tenn., was announced as next in order.

Mr. THOMAS. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1930) for the relief of Elizabeth T. Wells was announced as next in order.

Mr. THOMAS. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1857) for the relief of Patrick McMahon was announced as next in order.

Mr. KING. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3602) for the relief of John L. O'Mara was announced as next in order.

Mr. THOMAS. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 121) creating a commission to report a plan for the adoption of the national budget system was announced as next in order.

Mr. SMOOT. Let that joint resolution go over. Nothing can be done with it in the House at this stage of the session.

The PRESIDING OFFICER. The joint resolution will be passed over.

APPOINTMENTS TO STAFF CORPS.

The bill (S. 4891) making certain officers of the Army eligible for appointment as chief of staff corps and departments was considered as in Committee of the Whole.

Mr. SMOOT. Mr. President, I will inquire if there is a member of the Committee on Military Affairs present?

Mr. HITCHCOCK. What is the bill?

Mr. SMOOT. It is the bill making certain officers of the Army eligible for appointment as chief of staff corps and departments. I desire to have some member of the committee briefly state what change in existing law is provided for in the bill.

Mr. WARREN. Mr. President, as I understand, under the old system chiefs of the staff corps were limited to permanent members of the respective staff corps, and this bill makes eligible additions to the Staff Corps, which has been so far exhausted that the chance for selection is limited.

Mr. THOMAS. I understand it is a war measure.

Mr. SMOOT. I notice the Secretary of War, in a letter to the chairman of Committee on Military Affairs, dated August 29, 1918, states as follows:

In the application of present statute, which limits the field of selection for the heads of staff corps or departments to permanent members of that department and officers of the Army with rank above that of major who shall have served creditably for not less than four years by detail in the staff corps or department, the President finds himself embarrassed by the small number of officers from whom to select the heads of the staff corps and departments.

The successful prosecution of this war demands that he should be not hampered or limited in his choice of the most efficient agencies to carry on the war.

I should like to ask the Senator from Wyoming if there is really any need of this legislation now that the war is over?

Mr. WARREN. There was a necessity for it and there will be again, provided there is not some reorganization; but the plan now is to provide for an entire reorganization. I think no harm would come from allowing the bill to go over, and I will object to its passage.

The bill was reported to the Senate without amendment.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

Mr. HITCHCOCK. I understood the Senator from Wyoming objected to the bill.

Mr. WARREN. I asked that it be passed over for the present.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER.

The bill (S. 4892) to amend section 4 of chapter 5 of an act making appropriations for the support of the Army for the fiscal year ending June 30, 1919, approved July 9, 1918, and to make said amendment retroactive, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The PRESIDING OFFICER. The bill will go over.

TRANSFERS OF LAND BETWEEN DEPARTMENTS.

The bill (S. 4893) transferring the tract of land known as Craney Island from the jurisdiction of the War Department to the jurisdiction of the Treasury Department and transferring the tract of land known as Fishermans Island from the jurisdiction of the Treasury Department to the jurisdiction of the War Department was considered as in Committee of the Whole.

The Secretary read the bill, as follows:

Be it enacted, etc., That the military reservation known as Craney Island, now under the control and jurisdiction of the War Department, lying on the western side of the Elizabeth River in Norfolk County, Va., and bounded by the waters of the Elizabeth River, Craney Island Creek, Thoroughfare Creek, and James River, be, and the same hereby is, transferred to and placed under the control and jurisdiction of the Treasury Department for the use of the Public Health Service; and that the sandspit or island called Fishermans Island or Linen Bar, now under the control and jurisdiction of the Treasury Department, situate, lying, and being in the county of Northampton off the point of Cape Charles, between the Atlantic Ocean and Chesapeake Bay, in the eastern district of Virginia, about 12 miles south of Cape Charles City and about 1¾ miles from Cape Charles Light, containing 225 acres, more or less, above high-water mark, be, and the same hereby is, transferred to and placed under the control and jurisdiction of the War Department for use for military purposes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 4852) to create an executive department in the Government to be known as the department of aeronautics, and for the appointment of a secretary of aeronautics and an assistant secretary, and providing for appropriations for said department, was announced as next in order.

Mr. HITCHCOCK. I ask that that go over. It is only intended as a war bill, and for one year thereafter.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4637) for the retirement of employees in the classified civil service was announced as next in order.

Mr. KING. Let that go over.

Mr. McKELLAR. Mr. President, I move that the Senate proceed to the consideration of Senate bill 4637.

The PRESIDING OFFICER. Notwithstanding the objection?

Mr. McKELLAR. Notwithstanding the objection; and I desire to say a few words about this bill. As I understand, we proceed under the five-minute rule in such cases.

Mr. WALSH. Mr. President, a parliamentary inquiry. Is a motion to proceed to the consideration of a bill under these circumstances debatable?

Mr. KING. It is not debatable.

The PRESIDING OFFICER. It is not debatable. The question is on the motion of the Senator from Tennessee to proceed to the consideration of the bill just named. [Putting the question.] By the sound, the "noes" seem to have it.

Mr. McKELLAR. I call for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4472) providing for the sale of public lands for the purpose of using the proceeds arising therefrom in the construction of roads and other permanent improvements in national parks was announced as next in order.

Mr. LENROOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

SURVEY, ETC., OF UNENTERED PUBLIC LANDS.

The bill (S. 4947) to provide for a survey and classification by the Secretary of the Interior of all unentered public lands of the United States and all unused, cut-over, logged, and swamp lands and other unused lands of the United States, with a view to disposing thereof to honorably discharged soldiers and sailors and others, and for other purposes, was considered as in Commitee of the Whole.

The bill had been reported from the Committee on Public Lands with amendments.

The PRESIDING OFFICER. The bill has been heretofore read in full. The Secretary will state the amendments of the committee.

Mr. SMOOT. Mr. President, I want to ask a question in relation to this bill. My calendar has not the bill in it. Does it provide an appropriation for the survey of these lands?

The PRESIDING OFFICER. One million dollars.

Mr. SMOOT. One million dollars for the survey?

The PRESIDING OFFICER. The amendment is to reduce it from $2,000,000 to $1,000,000.

Mr. SMOOT. I wish we had more time to consider it.

The PRESIDING OFFICER. The Secretary will state the amendments of the committee.

The amendments were, on page 2, line 11, after the words "privately owned," to strike out the comma; in the same line, after the word "cut-over," to strike out the comma; on page 3, line 7, after the word "owned," to strike out the comma; in line 8, after the word "logged," to strike out the comma; and on page 4, line 22, to strike out "$2,000,000" and insert in lieu thereof "$1,000,000," so as to make the bill read:

Be it enacted, etc., That, with a view to providing legitimate avenues of sustenance and maintenance for the soldiers and sailors of the United States who shall return to the United States and to private life

at the end of the present war in which the United States Government is engaged, and with a view to maintaining in a stable condition the economic interests of the United States and encouraging food production, agriculture, industry, and commerce and affording employment for the millions of returned soldiers and sailors and no longer needed munitions workers and shipbuilders and others employed in war industries at the conclusion of the aforesaid war, and for the general welfare and development of the country, the Secretary of the Interior is hereby authorized and directed forthwith to make or cause to be made a comprehensive survey and classification of all unentered public lands of the United States Government, and of all irrigable, as well as unirrigable, lands of the public domain, and of all privately owned cut-over and logged lands in the United States which are now idle, unoccupied, and unproductive, and of all privately owned swamp or overflowed lands in the United States now unused and unproductive, and of all other totally unused and unprofitable lands of the United States privately owned or a part of the public domain which, in the opinion of the Secretary of the Interior, might be reclaimed and put to productive use, with a view to ascertaining the area, location, nature, and possibilities of all such lands and any other waste lands susceptible of reclamation, settlement, and cultivation, in order to determine what may be necessary to bring them under cultivation and to put them to productive uses, and the amount of money and what methods may be necessary therefor; and he is further authorized and directed to make careful investigation of possible plans and methods of bringing the different classes of all such lands under settlement by returned soldiers and sailors of the United States and industrial laborers out of employment at or before the conclusion of the aforesaid war, and the best methods and terms of making public lands of the United States available therefor, and the best methods and terms for acquisition by the United States of all such privately owned cut-over, logged or overflowed lands or other unused privately owned lands, and what would be proper, appropriate, and generous terms of disposition of any or all thereof to returned and honorably discharged soldiers and sailors of the United States and to former munitions workers and others employed during all or any part of said war at war industries, and to citizens of the United States in general. That the Secretary of the Interior shall investigate thoroughly all of the aforesaid subjects and everything connected therewith and the policy of encouraging all such persons to settle on some of such lands and to engage in agriculture, horticulture, farming, and live-stock raising, and to ascertain what amount of capital it would take therefor and how it should be furnished and upon what terms. In doing so the Secretary of the Interior shall use and have at his disposition and under his control the General Land Office and all of its officials and employees, the Reclamation Service and all of its officials and employees, the Geological Survey and all of its officials and employees, and any other agency of the United States Government which, upon his request, the President of the United States may designate or direct to aid him in any of the aforesaid work, and in addition thereto the Secretary of the Interior may employ for such length of time as he may see fit any person or persons, agencies, or instrumentalities not connected with the United States Government, and such other employees as he may deem necessary; and upon the completion of all thereof, which is hereby directed to be done as soon as reasonable and possible, the Secretary of the Interior shall, as soon as feasible, make full report of all thereof and of all of his work thereunder to the Congress of the United States, which report shall be accompanied by such recommendations as may be proper and as he may see fit to make, and by the submission of any scheme or plan for the disposition, settlement, and cultivation of such lands as aforesaid that he may devise and recommend, together with an estimate by him of the probable cost thereof.

SEC. 2. That for the purpose of carrying out the provisions hereof there is hereby appropriated, out of any moneys in the Treasury of the United States otherwise unappropriated, the sum of $1,000,000, or so much thereof as may be necessary, to be expended under the direction and control of the Secretary of the Interior and under rules, regulations, and plans to be by him made and promulgated. With the aforesaid report to the Congress the Secretary of the Interior shall make to the Congress report of how much money herein appropriated was expended and how expended.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 4894) to amend the one hundred and eighteenth article of war and to authorize the calling into service of dismissed or discharged officers was announced as next in order.

Mr. SMOOT. Mr. President, I should like to ask the Senator reporting this bill if that is not a war measure pure and simple; and, if so, what is the use of enacting it into law, now that the war is over?

Mr. FLETCHER. Mr. President, the object of the bill is shown by the communication from the Secretary of War. It is stated, at the conclusion of it, that the War Department is anxious that the immediate consideration of this bill be had, as it is of the utmost importance that such men be kept with the oversea forces rather than returned to this country. I think the importance of it has very largely disappeared. At the same time, I do not believe that it will do any harm to pass it.

Mr. SMOOT. I notice that the Secretary of War makes this statement in the report:

The War Department is anxious that a speedy consideration of this bill be had, as it is of the utmost importance that such men be kept with the oversea forces rather than returned to this country. The commanding general of the American Expeditionary Forces has requested that the War Department exercise as much haste as possible in order to prevent the returning of these men.

Evidently there is no reason now why those men should not return; and if that is the case it seems to me it is useless to pass the legislation.

Mr. FLETCHER. I do not think it is very important now.

Mr. SMOOT. Does the Senator object to having it go over?

Mr. FLETCHER. I think it may just as well go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4946) to permit organizations, units, and detachments of the military forces to sell kitchen by-products, waste, and garbage from their messes and to permit the Government to be the purchaser thereof was announced as next in order.

Mr. THOMAS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 829) to authorize the employment of Federal prisoners on public roads within the State was announced as next in order.

Mr. LA FOLLETTE. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4931) to insure a supply of coal for munition works, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4990) to repeal a proviso of paragraph 3, section 1, of an act entited "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and further amending said act, was announced as next in order.

Mr. LA FOLLETTE. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4857) authorizing an Army account of advances for Army appropriations, and for other purposes, was announced as next in order.

Mr. THOMAS. Mr. President, that is emergency legislation. Let it go over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF ARTICLES OF WAR.

The bill (H. R. 13037) to amend the fiftieth article of war was considered as in Committee of the Whole. It proposes that article 50 of section 1342 of the Revised Statutes of the United States, as amended by the act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916, be amended to read as follows:

ART. 50. Mitigation or remission of sentences: The power to order the execution of the sentence adjudged by a court-martial shall be held to include, inter alia, the power to mitigate or remit the whole or any part of the sentence.

Any unexecuted portion of a sentence adjudged by a court-martial may be mitigated or remitted by the military authority competent to appoint, for the command, exclusive of penitentiaries and the United States Disciplinary Barracks, in which the person under sentence is held, a court of the kind that imposed the sentence, and the same power may be exercised by superior military authority; but no sentence approved or confirmed by the President shall be remitted or mitigated by any other authority, and no approved sentence of loss of files by an officer shall be remitted or mitigated by any authority inferior to the President except as provided in the fifty-second article.

When empowered by the President so to do, the commanding general of the Army in the field or the commanding general of the territorial department or division may mitigate or remit, and order executed as mitigated or remitted, any sentence which under these articles requires the confirmation of the President before the same may be executed.

The power of remission and mitigation shall extend to all uncollected forfeitures adjudged by sentence of a court-martial.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 4605) to protect the insignia of the Young Men's Christian Association, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4523) to transfer the tract of land known as the Lighthouse Reservation, at North Point, Md., from the jurisdiction of the Department of Commerce to the jurisdiction of the War Department, was announced as next in order.

Mr. McKELLAR. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF CIVIL-RIGHTS ACT.

The bill (S. 4970) to amend the first paragraph of section 302 of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved March 8, 1918, was considered as in Committee of the Whole. It proposes to amend paragraph 1 of section 302 of the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war," approved March 8, 1918, so as to read as follows:

That the provisions of this section shall apply only to obligations of a person in the military service, originating, as to those who were in the military service on March 8, 1918, prior to the said date, and, as to those

entering military service subsequent to the said date, prior to the date of entry into the military service, and secured by mortgage, trust, deed, or other security in the nature of a mortgage, upon real or personal property owned by such person at the commencement of the period of the military service and still owned by him.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RECREATION ASSOCIATION OF AMERICA.

The bill (S. 3219) to incorporate the Recreation Association of America was announced as next in order.

Mr. WILLIAMS. Let that go over.

Mr. LODGE. Mr. President, I hope the Senator will not object to the consideration of that bill. It is simply to give to this Recreation Association the right to incorporate in the District of Columbia. They can not be given a charter under the general law.

Mr. WILLIAMS. If that is the case, I withdraw the objection.

Mr. LODGE. It is a purely charitable organization.

Mr. WILLIAMS. I understand it to be a District of Columbia charter.

Mr. SMITH of Georgia. That is it, exactly.

Mr. LODGE. That is all.

Mr. KING. Mr. President, this morning I objected to this bill being taken up for consideration because, as I understood, it was a direct charter from the Federal Government. I know that a number of efforts were made to secure such charters for various proposed corporations, and I objected to those measures. If this is a mere application of the District law, I have no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That Grenville Clark, New York City; Henry P. Davidson, New York City; Mrs. E. P. Earle, Montclair, N. J.; Mrs. Thomas A. Edison, West Orange, N. J.; Robert Garrett, Baltimore, Md.; C. M. Goethe, Sacramento, Cal.; J. M. Hankins, Birmingham, Ala.; William Kent, Kentfield, Cal.; Gustavus T. Kirby, New York City; G. M. Landers, New Britain, Conn.; Joseph Lee, Boston, Mass.; J. H. McCurdy, Springfield, Mass.; R. D. Maury, Memphis, Tenn.; Walter A. May, Pittsburgh, Pa.; John T. Pratt, New York City; Harold H. Swift, Chicago, Ill.; Robert Lassiter, Charlotte, N. C.; together with such persons as they may associate with themselves, their successors, are hereby created a body corporate of the District of Columbia, by the name of the Recreation Association of America.

SEC. 2. That the objects of the corporation shall be to promote play, playgrounds, and public recreations; but it is not authorized to acquire, either by purchase or lease, any place or property for use for play, playgrounds, or public recreations for which it receives any net profits for admission thereto or participation in the privileges thereof.

SEC. 3. That the corporation hereby formed shall have perpetual succession, shall have a common seal, shall maintain an agent at Washington, D. C., upon whom process may be served, and shall have power to sue and be sued in its corporate name. It shall have power in its corporate name to take and hold by bequest, devise, gift, purchase, or lease, either absolutely or in trust for any of its purposes, such real and personal property as shall be necessary for corporate purposes; to convey or encumber such property, and to invest or reinvest any principal, and deal with and expend any part thereof or the income therefrom; to have officers and conduct its business and hold its meetings within and without the District of Columbia and in the several States and Territories of the United States. The persons named in the first section of this act, or a majority of them, shall have power to adopt a constitution and by-laws for the government of the corporation and to fix thereby the quorum necessary for the transaction of corporate business at such number as they shall see fit, and generally to do all such acts, including the establishment of regulations for the election of associates and successors, as may be necessary to carry into effect the provisions of this act and promote the purposes of such corporation.

SEC. 4. That a meeting of the incorporators, their associates, or successors shall be held once in every year after the year of incorporation at such time and place as shall be prescribed in the by-laws, when the annual reports of the officers and executive boards shall be presented and members of the executive board elected for the ensuing year. Special meetings of the corporation may be called upon such notice as may be prescribed.

SEC. 5. That a copy of the constitution and by-laws and of all amendments thereto shall be filed with the Congress when adopted, and on or before the 1st day of April each year said corporation shall make and transmit to the Congress a report of its proceedings for the year ending December 31 preceding, including in such report the names and residences of its officers and a full and itemized account of all receipts and expenditures.

SEC. 6. That the corporation may acquire by gift all the assets of the existing Playground and Recreation Association of America and defray and provide for any debts or liabilities to the discharge of which said assets shall be applicable. The corporation shall have no power to issue certificates of stock or declare or pay any dividends or otherwise distribute to its members any of its property or the proceeds therefrom or from its operations. On dissolution of the corporation otherwise than by act of Congress, the property shall escheat to the United States.

SEC. 7. That all members and officers of the corporation and of its governing body may reside in or be citizens of any place within the United States.

SEC. 8. That Congress reserves the right to repeal, alter, or amend this act at any time.

Mr. KING. Mr. President, I see that this bill is subject to the objection which I had in mind, and I object to its consideration.

Mr. LODGE. Mr. President, I hope the Senator will not make that objection. As I started to say before, this is a bill to allow these people to incorporate in the District of Columbia. The bill is rendered necessary only to enable them to avoid the provisions of the District of Columbia general act requiring residence. The association that it is proposed to incorporate is for purely charitable purposes. It is engaged in the work of establishing municipal playgrounds and recreation places for the poor of the country. It is in every State, and when the war came there was turned over to it the work of the camp community recreation. It did a great deal of that work, entering into every State for this very beneficent purpose. It is an advantage to have a charter from the District of Columbia, but the officers and directors are not all residents of the District of Columbia. In fact, it is necessary to have them in other States. This is to enable them to incorporate here and get rid of the provision of the general incorporation act of the District of Columbia by removing the qualification of residence.

Mr. KING. Mr. President, will the Senator yield?

Mr. LODGE. Certainly.

Mr. KING. Why could we not amend the general incorporation act of the District so that the directors would not be limited to the District but could be selected from any part of the country?

Mr. THOMAS. I think it would not be wise to enact such a provision into the general law.

Mr. LODGE. That would not be wise as a general law. These exceptions have been made before for other associations formed exclusively for charitable and beneficent purposes. There are also some real Federal charters, such as the one granted to the National Academy of Sciences. It seems to me that an organization for such beneficent purposes as this deserves this slight encouragement—for that is what it is—and this slight assistance to the prosecution of its work at the hands of Congress.

Mr. WILLIAMS. We have had experience with this sort of thing. There was a recreation society, an improvement society, which enabled the German Alliance to slip through. I object to the bill and bills of its character.

Mr. SMITH of Georgia. I move that the Senate proceed to the consideration of the bill, notwithstanding the objection.

The PRESIDING OFFICER. The question is on the motion of the Senator from Georgia. [Putting the question.] The ayes seem to have it.

Mr. WILLIAMS. I make the point that there is no quorum present.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Hardwick	Martin, Va.	Smith, Ga.
Bankhead	Henderson	Moses	Smoot
Beckham	Hitchcock	New	Spencer
Borah	Jones, N. Mex.	Norris	Sterling
Calder	Jones, Wash.	Nugent	Sutherland
Chamberlain	Kendrick	Overman	Swanson
Colt	Kenyon	Page	Thomas
Curtis	King	Poindexter	Thompson
Fernald	Kirby	Pollock	Trammell
Fletcher	La Follette	Pomerene	Wadsworth
France	Lenroot	Ransdell	Walsh
Frelinghuysen	Lewis	Robinson	Warren
Gay	Lodge	Saulsbury	Watson
Gore	McCumber	Shafroth	Weeks
Gronna	McKellar	Sheppard	Williams
Hale	McNary	Sherman	Wolcott
Harding	Martin, Ky.	Simmons	

The PRESIDING OFFICER. Sixty-seven Senators have answered to the roll call. There is a quorum present. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 13277.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13277) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, which had been reported from the Committee on Appropriations with amendment.

Mr. HARDWICK. I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered and disposed of before other amendments shall be in order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE AMERICAN SHIPPING PROBLEM.

Mr. RANSDELL. Mr. President, I desire to present to the Senate a problem so vast in its extent and importance, and so urgently demanding solution, that I do not hesitate to take a

little time to discuss it, even in these hurried days of an expiring Congress. If I can do no more than to impress on my colleagues the supreme importance, the extraordinary difficulty, and the pressing urgency of this problem my time will have been well spent.

The problem which I wish to present to you is this: What shall we do with the great and constantly growing Government-owned merchant marine under the control of the Shipping Board?

The Shipping Board now owns 44 per cent of the ocean-going merchant marine of the United States over 500 gross tons. In a few months it will own half. When the ships already launched and now being completed in the wet basin have been delivered, it will own 54 per cent. When the ships now on the ways have been launched and delivered, it will own 67 per cent. When all the ships now under contract by the Shipping Board have been delivered—assuming that in the meantime there is no further private construction—more than 70 per cent of the ocean-going tonnage under the American flag of more than 500 gross tons will be owned by the Shipping Board.

In order that the Senate may have the figures before it, I beg leave to submit some tables which the Shipping Board has within a few days furnished me. (See Table A.) In brief, they show that the Shipping Board owned on February 12, 1919, 657 ships of an aggregate dead-weight tonnage of 3,582,900 tons. They show that there have been launched but not yet delivered 1,784,800 dead-weight tons, and that there are on the ways under construction 3,874,093 dead-weight tons. They show that if the present building program is carried out, even taking into account cancellations during the past few weeks of approximately two millions and a quarter of tonnage found unsuitable for commercial needs, the Shipping Board will own in 1920 a total of 14,525,522 dead-weight tons of merchant shipping. These figures compare with a total American merchant marine (excluding the Great Lakes fleet) in 1914 of 5,045,766 tons gross register, or approximately 7,000,000 dead-weight tons. In addition to the ships which the Shipping Board will own, there are now approximately 1,049 ships under the American flag of 500 gross tons or over, with an aggregate dead-weight tonnage of 4,473,338, making a grand total under the American flag in 1920, exclusive of Great Lakes ships and ships under 500 gross tons, of 18,998,960 dead-weight tons—practically 19,000,000.

Mr. FLETCHER. Mr. President——

Mr. RANSDELL. I yield to the Senator from Florida.

Mr. FLETCHER. I merely wish to get clear in my mind the Senator's statement that there were American-owned ships in 1914 of something like 7,000,000 tons. I think it ought to be made clear that that was coastwise shipping under our flag, but that our overseas shipping at that time did not surely amount to much over 1,000,000 tons.

Mr. RANSDELL. The Senator is entirely correct. That included the coastwise shipping, but did not include the very large and important shipping on the Great Lakes. We had a very, very small number of ships in the overseas service in 1914. We actually carried at that time a fraction under 10 per cent of our commerce under the American flag. I am glad to have the suggestion made by the Senator from Florida.

Mr. CALDER. Mr. President——

Mr. RANSDELL. I yield to the Senator from New York.

Mr. CALDER. The Senator's statement would seem to indicate that our total increased tonnage would be somewhere in the neighborhood of 11,000,000 tons.

Mr. RANSDELL. A total of about 11,000,000 tons; that is, exclusive, I will say, of the Great Lakes commerce. Including the tonnage on the Great Lakes, it would be considerably more.

Mr. CALDER. I am speaking now of our new tonnage.

Mr. RANSDELL. As to new tonnage, the figures furnished to me by the Shipping Board are as follows:

Owned by the Shipping Board, 657 ships of 3,582,966 tons; under contract for the Shipping Board, in the wet basin, 367 ships of 1,784,800 tons; on the ways, 679 ships, aggregating 3,874,093 tons; under contract, 1,069 ships, aggregating 7,525,263 tons, making a total in the wet basin, on the ways, and under contract of 13,188,156 tons. But from that we must deduct the cancellation of 271 ships, aggregating 2,245,600 tons.

So we have now under contract, on the ways, and in the wet basin a balance of 1,844 ships, aggregating 10,942,556 tons. If we add to this the tonnage now owned by the Shipping Board, assuming that there will be no more cancellations and that we will go ahead with the ships now building and now under contract, the Shipping Board will have a total at the end of 1920 of 14,525,522 tons.

I should like to add that the total steam tonnage under the United States flag not owned by the Shipping Board is estimated at 1,049 ships, with an aggregate dead-weight tonnage of 4,473,338 tons; so that the estimated tonnage in 1920, aside from possible private construction in the meantime, is 3,550 ships, aggregating 18,998,960 dead-weight tons.

Mr. CALDER. That is exclusive of the Great Lakes?

Mr. RANSDELL. Yes, sir.

Mr. CALDER. Does that equal the total ocean-going shipping that Great Britain had prior to the war?

Mr. RANSDELL. Not quite. England had about 20,000,000 gross tons at the outbreak of the war. I have the exact figures.

The total steam tonnage owned by the United Kingdom at the outbreak of the war, as shown by a report on Ocean Shipping, Document 2112, Sixty-fourth Congress, second session, was 19,235,705 gross tons.

Mr. CALDER. So that when this shipping is completed in the United States we will have within 300,000 tons the same tonnage Great Britain had before the war.

Mr. FLETCHER. I think we must keep in mind the difference in classification. Under our estimates we used dead-weight tons.

Mr. RANSDELL. Theirs is gross tons.

Mr. FLETCHER. Theirs is gross tons.

Mr. RANSDELL. The Senator from Florida is entirely correct. The British tonnage would be considerably greater if we calculated it in dead-weight tons rather than in gross tons.

Mr. CALDER. The excess is about 25 per cent, I believe.

Mr. RANSDELL. Something more than that; somewhere in the neighborhood of 30 to 40 per cent.

Mr. CALDER. Will the Senator's remarks to-day deal with the question of surplus ocean-going vessels when this program is completed?

Mr. RANSDELL. I do not intend to cover that point. I shall try to explain what ships we have, the necessity for those ships, and what we are to do with them. I wish to invite the attention of the Congress to the very important problem before us of $2,500,000,000 worth of ships without any program to handle them—man them—for at this time we have nothing that would be called a real program.

I wish further to say that within six months from the declaration of peace there will be no authority in anyone to manage and dispose of this great fleet unless the resolution I introduced this morning be adopted, because under the law as it now exists the President, who has sole authority to construct ships, to commandeer ships, to build new ones, to operate them, to dispose of them, will be shorn of all his power within six months after the declaration of peace with Germany.

The figures which I have read to you lead to two startling conclusions. The first is that from the purely quantitative point of view, looking only at the objective of securing an aggregate amount of tonnage under our flag commensurate with the maritime interests of the United States, the problem of the American merchant marine is solved. In the year immediately preceding the European war—the fiscal year ending June 30, 1914—less than a tenth of the water-borne foreign trade of the United States was carried in American vessels; more than 90 per cent was carried in foreign vessels. Soon after some shipping experts made a calculation of how large a merchant marine the United States would require in order to carry on its own vessels 60 per cent of its water-borne foreign trade. It was estimated that from six to ten million gross tons—8,500,000 to 14,000,000 dead-weight tons—would be required. The figures seemed far beyond the widest range of possibility. The National Foreign Trade Council, in a report published early in 1916, made this not too sanguine forecast:

> At a time when predictions are freely made that the United States will become the world's banker and acquire the greatest share of the world's foreign trade, a shipping in the foreign trade of from 6,000,000 to 10,000,000 gross tons would appear not an excessive goal to be attained 10 or 20 years hence.

Ten or twenty years! Within five years from the day on which this hesitating prediction was ventured, we will have under our present program a Government-owned merchant marine larger than the outside limit set by the National Foreign Trade Council, to say nothing of the privately owned merchant marine under the American flag.

I said that the figures which I read to you lead to two startling conclusions. The first I have given you—that from the purely quantitative point of view the problem of the American merchant marine is solved. The second conclusion is, that the problem of what to do with the Government-owned merchant marine of the United States has now become the dominating factor affecting the future of the whole American merchant marine. In solving it let us remember that our magnificent Navy can never prove a real success in war without the cooperation of a large number of merchant ships manned by loyal, well-trained seamen.

As we deal wisely or unwisely with this problem, so will we determine the future of America upon the seas. We have proven during the past year that we as a Nation have the resources and the energy, and that our workmen have the perseverance, to create a fleet of 14,000,000 dead-weight tons of shipping. Have we as a Nation—have our statesmen and our business men, our merchants, our seamen, our trained officers—the patience and the expert knowledge to turn this emergency fleet, this powerful and triumphant instrument of war, into a serviceable and permanent instrument of American commerce? The fleet will be there for our use. Are we going to let it rust and decay for lack of ability to use it? Are we going to be compelled to sell it to foreigners who know how to use it better than we do? Or will we rise to this great national occasion? It is a question which challenges the Nation as it has seldom been challenged before.

In bringing this question before the Senate I do not wish to exaggerate the potency of a governmental policy. I do not believe that a mere act of Congress can create a merchant marine. Why is it that England and the Scandinavian countries and Holland have been able to people the seas with their ships, while France, Italy, and the United States have been relatively second-rate maritime powers, and their merchant ships strangers in the ports of the world? What is it that determines the size of a nation's merchant marine? Not money; not population. The United States is more populous than Great Britain and wealthier than Norway and Denmark and Sweden and Holland combined. Not subsidies. France has subsidized her merchant marine for years, and it has hardly grown. By spending between two or three billion dollars we can build 14,000,000 tons of ships, but merely building ships does not give us a merchant marine. The limit of a nation's merchant marine is not the number or wealth of its population, not the billions its government is willing to devote to subsidy or construction. The limit of a nation's merchant marine lies in the number of trained, alert, resourceful shipping men whom it can call to its service—the number of men, from manager to clerk, from captain to deck hand, on whose watchful, persevering, and competent work the success of a shipping venture depends.

That is the secret of a nation's maritime greatness. That is why England could successfully operate, before the war, nearly 20,000,000 gross tons of shipping, while we, who had the greater population, including our Great Lakes and river tonnage, could only operate about 8,000,000 gross tons. That is why Norway has a merchant marine of nearly 2,000,000 gross tons, while Italy, with 14 times the population, has only a million and a half. Unless men of ability and character and perseverance go into the shipping business, and unless they devote their energies to operating ships rather than to appealing for subsidies and special privileges, nothing that Congress can do will ever build up a merchant marine.

I am not asking, therefore, for a legislative panacea, a governmental substitute for the skill and knowledge and perseverance of the expert shipping man. My point is that the Government is now the principal shipowner of the United States, and that it can not shift the responsibility of deciding what it shall do with its ships. What shall we do with the 14,000,000 tons of shipping we shall own in 1920? If we adopt a policy that deters men of ability and character from going into the field, our investment of two to three billion dollars will have been largely wasted. If we adopt a policy that attracts such men to enter the field, our future as a great maritime nation is assured.

It was the thought that these problems in all their magnitude were before us, that they required not only the expert attention of specialists but the sound, informed judgment of our men of commerce, industry, and labor, and that so far as appeared no concerted thought was being applied to their solution, that induced me to issue a call for a national merchant-marine conference, to be held in Washington on January 22 and the days immediately following, at which the future of our merchant marine could be fully and freely discussed. The meetings were successful beyond our best expectations. Leaders in the shipbuilding and shipping world, representative merchants, bankers, labor leaders, and public officials gave the conference the benefit of their experience and judgment. More than that, a permanent organization, to be known as the National Merchant Marine Association, was formed, with the stated purpose to "advocate the establishment and upbuilding of an American merchant marine." This association, at its organization meeting, created a council, to consist of representative men from agricultural, commercial, and labor circles, and broadly representative of all classes of our citizenship.

The enthusiasm and patriotic purpose displayed at this conference were most gratifying. Those who attended the conference will, I believe, agree with me, however, that the recommendations made by the speakers were for the most part general rather than specific. They dealt—and I say this in no spirit of criticism—with principles rather than with concrete programs. There were a great many more questions put to the conference than there were answers given. Even the address of the representatives of the Shipping Board merely enumerated, in a manner that was most enlightening, the difficult problems that confronted the board, but did not offer any definite manner in which they could be solved. I will enumerate a few of the unanswered questions that were put to the conference. How large a merchant marine shall we build? Shall it be large enough to carry not less than two-thirds of our foreign commerce? Is it worth while to continue our present policy of building two and a half billion dollars' worth of ships, under contracts made during the stress and rush of war emergency, at present high prices for labor and material, or shall we endeavor to cancel some of these contracts and stand the contractor's claim for damages? How shall we operate this merchant marine? Shall we keep it, or sell it, or lease it? If private initiative does not establish permanent lines of fast cargo and passenger ships where our commerce requires them, shall the Government establish such lines and operate them at a loss until the trade is built up, or shall the Government subsidize private lines to carry on these lines?

Shall the Government lease its ships under a form of charter in which the wages of crews are paid by the Government, so that the private owner is not prejudiced by the higher level of American wages? Or shall private companies be allowed to man the vessels, paying only the wages of our foreign competitors, the Government making up the difference by enrolling the seamen in the Naval Reserve and paying them as much as is necessary? How shall we administer whatever policy is necessary? Shall the executive functions of the Shipping Board—the construction and operation of ships—be taken away from the board and placed in a department of transportation, with a Cabinet officer at its head, this department to have jurisdiction over transportation on land, by water, and in the air? None of these questions has yet been satisfactorily answered.

Nevertheless the conference has had one important result, a result to which I hope my remarks to-day will contribute. It has encouraged those who have the welfare of our commercial life at heart to focus their minds intensively on this subject. Before long I hope the council of the association may be in a position to present to Congress and to the Shipping Board the result of its study on the subject. I hope it will not be the only body that will do so. Chambers of commerce, associations interested in foreign trade, organizations representing farmers, workingmen, consumers, representatives of seamen and their officers, students of transportation and foreign trade, writers in the press and the magazines, men representing every possible interest and every conceivable point of view should be giving this problem constant study. Congress will need all the light it can get. And more important yet, the country needs light and information and education, for without popular support no shipping policy can successfully endure.

I think it may assist the study and discussion, which I hope will ensue, to enumerate, briefly, some of the possible solutions of the problem of the disposition of the Government-owned merchant marine. But first I want to clear up several points on which I fear there is a rather widespread misunderstanding.

In the first place, I want to point out to you an extremely serious aspect of the situation, and one which I fear the public hardly realizes. We have not much time in which to seek a solution of the problem. We will soon be forced to legislate. There is a general impression in many quarters that the shipping act extends the power of the Shipping Board to operate ships until five years after the end of the war. This is a complete misapprehension. The shipping act passed on September 7, 1916, authorized the formation of one or more governmental corporations whose life was limited to five years after the termination of the war, and these corporations were, under certain very limited conditions, authorized to operate ships. But the merchant fleet which the Shipping Board has built up is not being and can not be operated under this act. The restrictions are so numerous as to render operation under this act impracticable. The ships which have been built since the outbreak of the war have been operated under the emergency shipping fund section of the deficiency appropriation act of June 15, 1917, which provides that—

all ships constructed, purchased, or requisitioned under authority herein or heretofore or hereafter acquired by the United States shall be managed, operated, and disposed of as the President shall direct.

In managing and operating these vessels the Shipping Board is acting under authority delegated by the President by Executive order under this act, and not under authority conferred

by Congress in the shipping act. And the emergency shipping fund section of the act of June 15, 1917, provides that—

all authority granted to the President herein or by him delegated shall cease six months after the final treaty of peace is proclaimed between this Government and the German Empire.

Six months after the proclamation of ratification of the peace treaty—perhaps nine months from now, almost certainly within a year—the Shipping Board will have a merchant fleet of from five to six million tons on its hands, with no power to operate it and no power to dispose of it, unless the Congress has by that time adopted further legislation or unless the ships have by that time been disposed of.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Louisiana yield to the Senator from Florida?

Mr. RANSDELL. I yield to the Senator from Florida.

Mr. FLETCHER. The Senator from Louisiana is discussing a very important phase of the shipping situation. The condition of the legislation and the statutes to which he has referred of course have an important bearing on the problem which confronts us in the determination of our shipping policy. Those laws must be first considered, as the Senator has suggested. I want to put, however, this inquiry: The ships have been built and are now operated, so far as they are operated, and controlled in pursuance of the provisions of the appropriation act to which the Senator has referred. I think it is true at the same time that the shipping act provides for the creation of a corporation; and the corporation, which is known as the Emergency Fleet Corporation, has been formed in pursuance of the shipping act.

Now, inasmuch as the President must dispose of these ships, and his power ceases under the act within six months after the declaration of peace, would there be any reason why, if the ships have not been disposed of, or if the joint resolution which the Senator has introduced this morning is not enacted into law and no steps are taken to handle these ships, the President could not transfer all the ships then in the possession of the Shipping Board, all contracts, all yards, and everything that has been built up under the appropriation to which the Senator refers, to the Emergency Fleet Corporation, and that corporation be empowered to function as the shipping bill provides?

If it comes to that, if we in the meantime do not decide upon a policy, and if there is no further legislation, it seems to me that the President would have authority under the appropriation act to transfer all shipping facilities, all ships, and everything that has been built up under the appropriation act to the Emergency Fleet Corporation, which would then, having certain powers and authority granted by the shipping act, be able to operate, charter, and otherwise manage ships for the period mentioned in the shipping act, to wit, for five years after the declaration of peace.

I merely suggest that thought as a possible way out of the difficulty in case we are unable to get further legislation. I do not mean, however, to minimize the importance of Congress taking some definite steps, either by the adoption of the joint resolution which the Senator from Louisiana has submitted or by some other legislative process, in order that we may determine fully just what course we are to pursue with reference to continuing the building of ships and with reference to the handling, disposition, and operation of the ships, if necessary, which we shall have in the meantime built.

Mr. RANSDELL. Mr. President, the Senator from Florida has raised a very interesting question. One difficulty with his suggestion occurs to me at once. Assuming that it is possible to turn the ships and property over to the Emergency Fleet Corporation, and then to have the Fleet Corporation control them under the shipping act, the problem would by no means be solved. The shipping act gives authority to operate ships only under very limited conditions, so limited as to render operation under the act impracticable. And it gives no authority at all to dispose of ships. So that the Shipping Board would be seriously hampered in its management of the fleet. Moreover, under section 5, subsection a, corporations, under the act, are forbidden to acquire ships "then engaged in the foreign or domestic commerce of the United States" unless the owner intended to withdraw them from such trade. That seems to exclude acquisition of the ships now operated by the Shipping Board. But there is, I think, a broader answer to the Senator's question. I doubt if a correct interpretation of the intent of Congress would justify turning this emergency fleet over for management under the shipping act.

The Senator will recall that the shipping act, which was approved on September 7, 1916, was really not a piece of the emergency war legislation. It was very carefully thought out and a very wise attempt on the part of Congress to make at least a start in building up an American merchant marine. In section 13 an appropriation was made of $50,000,000 for starting the program. Section 11 authorized the Shipping Board to organize one or more corporations in the District of Columbia "for the purchase, construction, equipment, lease, charter, maintenance, and operation of merchant vessels in the commerce of the United States."

Then it provided, as I have already said, that—

At the expiration of five years from the conclusion of the present European war the operation of vessels on the part of any such corporation in which the United States is then a stockholder shall cease and the said corporation stand dissolved.

It was intended that we should go ahead under that law and produce really beneficial results toward building up an American merchant marine; but when we entered into the great war Congress deemed it wise to enlarge the power, not of the Shipping Board directly, but of the President, and in the urgent deficiency appropriation act approved June 15, 1917, appeared this provision:

The President may exercise the power and authority hereby vested in him, and expend the money herein and hereafter appropriated—

That was money for building, requisitioning, and acquiring ships in any way he could—

through such agency or agencies as he shall determine from time to time: *Provided*, That all money turned over to the United States Shipping Board Emergency Fleet Corporation may be expended as other moneys of said corporation are now expended. All ships constructed, purchased, or requisitioned under authority herein, or heretofore or hereafter acquired by the United States, shall be managed, operated, and disposed of as the President may direct.

Under the terms of this act, which I believe appropriated directly $250,000,000, and under the terms of other appropriation acts carrying out the provisions included therein, the Shipping Board, appointed by the President to carry out the authority herein and subsequently conferred, has expended or obligated itself to expend about $2,500,000,000; and my information from the Shipping Board and its attorneys is that this board and the Emergency Fleet Corporation have been functioning, not under the original shipping act, but under the authority of the provisions of the urgent deficiency appropriation act of June 15, 1917.

Paragraph 10 of this provision of that act reads as follows:

All authority granted to the President herein, or by him delegated, shall cease six months after a final treaty of peace is proclaimed between this Government and the German Empire.

If the board is functioning under this act and subsequent appropriation acts and has obligated this country to an expenditure of $2,500,000,000, and if all this power and authority is going to cease six months after the declaration of peace, it seems to me imperative that we should extend the time within which the President can operate.

Let me remind you, sir, that in the administration of the railroads the Director General is given 21 months after the declaration of peace in which to close up the affairs of the Government's operation of the railroads. It is possible that the suggestion of the Senator from Florida is correct, and that if the President should turn over to the Shipping Board the management, control, and disposition of this great fleet it could function under the original shipping act; but I do not believe it. I do not think that act ever contemplated such a thing as a fleet of $2,500,000,000 worth of ships. Bear in mind that it carried an appropriation of only $50,000,000, and we never intended it to go the extent of acquiring, operating, or disposing of a great fleet costing $2,500,000,000. The only wise thing for us to do, Mr. President, is to pass, and pass speedily, the joint resolution I introduced this morning, extending the time for the President to exercise his authority from 6 months to 18 months, and to some extent place our great merchant marine on terms of parity with the Railroad Administration.

For the railroads Congress has under existing law 21 months after the peace treaty in which to frame a policy, and even this the Director General thinks is not enough. For shipping we have only 6 months. I have this day introduced a joint resolution extending this period for 18 months and shall urge its immediate adoption.

In the second place—and this remark is addressed especially to the shipowners of the United States—we must rid ourselves of the delusion that the merchant-marine problem of the United States can be solved by merely repealing the seamen's act. The impression has been sedulously fostered that the seamen's act is responsible for all our maritime woes.

This is an important business matter when we have $2,500,000,000 worth of property and no one is giving the least attention to it; no one is trying to legislate for it; no one is trying to prepare for taking care of that wonderfully valuable asset. We should give it attention; it is ridiculous that we have not done so before now, and I insist that the country shall know

that this matter is being brought before the Senate, at any rate. I will do my part if some of the other Senators will not do theirs; but the country shall understand that this matter ought to be legislated upon.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Massachusetts?

Mr. RANSDELL. I will be glad to yield.

Mr. WEEKS. Perhaps the Senator from Louisiana will recall that something more than six months ago a proposition was made for a general reconstruction policy, in which the shipping matter was specifically considered. An attempt was made at that time to get Congress to take up this subject, but the resolution providing for doing so is still in the committee with an impossibility of getting it out.

Mr. RANSDELL. I believe the Senator from Massachusetts did attempt something of that kind; and I wish for one to say that I am very sorry Congress did not take it up. I think we have been very remiss in not doing so, but it is not too late to make a start now. Simply because we have not done it in the past is no reason why we should not do it now. We can pass the joint resolution I have introduced giving the President a longer period in which to operate through the Emergency Fleet Corporation and the Shipping Board. Instead of having all functions cease in 6 months let them operate for 18 months, if necessary, and that will still be 3 months less than the Railroad Administration has been given in which to operate the railroads.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from New York?

Mr. RANSDELL. I will be delighted to yield.

Mr. CALDER. I will ask the Senator from Louisiana if it is not the business of the Shipping Board to make some recommendations on this subject? Are they not required to do so under the law?

Mr. RANSDELL. I rather think that they should have made their recommendations; and I know that a resolution was passed not so very long ago by the Committee on Commerce, of which the Senator from New York is a distinguished member, requesting the board to submit to us plans. But I wish to say, in defense of the Shipping Board, that I have talked to a great many people about this question. To allude to a matter to which I referred awhile ago I invited all patriotic Americans to attend a conference in this city to discuss this very subject and suggest plans to Congress. We had about 150 of the most thoughtful men of this Nation at that conference, but not a single man there suggested anything that seemed to me like a real wise, thoroughgoing solution of the problem. I will say we are studying it, but no one as yet has worked out a plan, and therefore I do not like to criticize the Shipping Board for not having developed a plan when no one else seems to have been able to develop one. I believe they are going to present their ideas before very long; I have understood they were; and I sincerely hope they will.

Mr. CALDER. Mr. President, let me ask the Senator, is it not their business to do that? Was not the Shipping Board created for that purpose?

Mr. RANSDELL. Yes; they were created very largely for the purpose of trying to build up the American merchant marine; but the Senator must bear in mind that when that act was passed in 1916 we were not in this great world war, and we gave the Shipping Board only $50,000,000. No one contemplated at that time that we would take on this enormous shipbuilding program of $2,500,000,000.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Washington?

Mr. RANSDELL. I yield.

Mr. JONES of Washington. I wish to suggest to the Senator that this large amount of money that we have appropriated, and to which he has referred, was not given the Shipping Board, but was given the Emergency Fleet Corporation. As a matter of fact, the Shipping Board has had very little, if anything, to do with this expenditure or the use of it. They have had abundance of time to study the problems in connection with shipping and planning for American shipping; they have had an opportunity to do that during the last two or three years and to determine what would be a wise policy for this country. It is the Emergency Fleet Corporation that has been building the ships we have now.

Mr. RANSDELL. The suggestion of the Senator is largely correct. It was brought out here, while he was absent from the Chamber, that this money was all turned over to the President under the urgent deficiency appropriation act of June 15, 1917, and that he had authorized the Shipping Board and the Emergency Fleet Corporation to expend the money; but, with all due deference, I think the Shipping Board has had a most difficult problem. It has done, I believe, the very best it could do; and I do not think we ought to criticize it. I know that, as one humble Senator, I have been trying very hard for a year or two to study this problem; I have tried as hard as I ever tried to do anything in my life, and I have not been able to reach any conclusion which is at all satisfactory to myself. I have talked to a great many people. Now, in further answer, I should like very much to see the Shipping Board suggest a program, and I believe they will suggest one; but do not let us be too hard upon them.

Mr. CALDER. Mr. President——

Mr. RANSDELL. I yield to the Senator from New York.

Mr. CALDER. I trust the Senator will pardon me for saying that I believe he has given more study to this subject than almost any man in the country——

Mr. RANSDELL. Oh, I do not know about that.

Mr. CALDER. And I know that he has tried very hard to work out a solution; but it has seemed to me, I will say to the Senator, that the trouble with the Shipping Board comes from the fact that not a single member of the Shipping Board has had any experience in these great transportation problems, and therefore they do not bring to the subject a knowledge of the whole problem. If we had men on the board who had knowledge of the shipping business, perhaps we would have had some plan here before this time.

Mr. RANSDELL. Commissioner Donald, the acting chairman of the board for the past several months, has done nothing but attend to shipping all his life. He is an experienced shipping man. They have as the director of operations Mr. Rosseter, who, I understand, is one of the finest shipping men in the United States. He is certainly one of the brightest men I ever met. They had associated with them for a good while Mr. P. A. S. Franklin, of New York, who is also a very able shipping man. I do not mean that these two men, Rosseter and Franklin, were members of the board, but they were certainly associated with the Shipping Board. The Shipping Board have had the benefit of their advice and assistance; and they have had the assistance of other shipping men, let me say.

Mr. CALDER. I will say that there is no doubt about Mr. Franklin's capacity. He has had nothing whatever to do, however, with the Shipping Board, except to help operate the fleet during the war out of New York. Mr. Rosseter is, indeed, one of the best-equipped men in the country on this subject; but he is only a subordinate, and has been with the Emergency Fleet Corporation but a very few weeks. Mr. Donald knows something about shipping, but in a very small way. Indeed, he has seemed to lack really great capacity in its most important work, which, I agree with the Senator from Louisiana, is the most important problem facing this Nation to be solved at the present time.

Mr. RANSDELL. The Senator has made a very wise criticism. He has suggested that much better men might have been gotten, men who knew far more about shipping. But would it be amiss if I were to ask him whom he would have put on that board, whom he would have gotten that knew so much about shipping, when it is borne in mind that we have so few shipping men in this Nation? We have not been a maritime people. The Senator must admit that it is quite difficult to get trained shipping men who are also first-class business men.

Mr. CALDER. I would have appointed Mr. Ferguson, president of the Newport News Shipbuilding Corporation, who, I think, would have gladly accepted the job if he could have had the authority. I would have appointed Mr. Franklin. I would have appointed Mr. Rosseter. I would have appointed those three men—one a great shipbuilder and two great transportation men—and then I believe by this time we would have had a plan that was working.

Mr. RANSDELL. I am very glad to have the benefit of the Senator's suggestions. They seem wise, and if any vacancies occur in the board I have no doubt that they will have due weight in filling the next vacancies.

When I was interrupted, Mr. President, I was preparing to say that some people think the seamen's act is responsible for all our maritime woes. Those who are taken in by this propaganda generally forget what the seamen's act is about. It abolishes that form of involuntary servitude known as arrest and imprisonment for desertion. It requires that 65 per cent of the crew must be able seamen. It requires that 75 per cent of the crew must be able to understand the orders of the officers. It establishes standards of safety at sea recommended by the international convention of safety at sea. Are not these reasonable and meritorious provisions? As a practical question,

we must accept the seamen's act. Members of both parties in this body have expressed the opinion to me that it can not be repealed without a struggle that would carry us far beyond the time during which we must reach a solution of the problem, perhaps never.

The third point to which I wish to call your attention is that under statutes now in force the Shipping Board itself has complete power to adopt a policy for the disposition of two and a half billion dollars' worth of ships and contracts without even consulting Congress. The emergency shipping fund legislation of 1917 authorized the President not only to manage or operate ships acquired by the United States, but to dispose of them, and this authority the President has delegated to the Shipping Board without reservation. One word in an appropriation act, that single word "dispose," gives a body of five men power over two and a half billion dollars' worth of property and contracts, a power they can exercise without even consulting Congress. I mention this without at all implying that I have any reason to believe that the Shipping Board will attempt to exercise this power. I am certain that they must appreciate, as we all appreciate, that the question what we shall do with the Government-owned merchant marine of the United States is a national question, one which Congress, as representative of the people, must decide. I mention it merely to show how unsatisfactory is our legislation on the subject at present, and how important it is that permanent legislation of a satisfactory character be soon adopted.

What then are the possible alternatives before the country today? They range all the way from complete Government ownership and operation, through various stages and forms of joint ownership or control, to complete and untrammeled private ownership and operation. I will enumerate as many of them as have come to my attention.

First. Complete Government ownership and operation. This means that not only the ships, but docks, wharves, and terminals, are owned by the Government; that the Government employs the crews, equips and repairs the ships, buys the ships' stores and bunker fuel, books the freight and passengers, loads and discharges the cargo—in short, substitutes itself in every sense for the private shipping company. This is the method by which the Roumanian Government and the Belgian Government, in connection with their national railroad systems, operated ships before the war. It means Government operation in the same sense that the Government is operating the post office. The Shipping Board has never in its history gone into the shipping business in this sense.

Second. Ownership and operation through a public corporation controlled by the Government, with or without minority representation of private interests. This is the method by which the War Department operates the Panama Railroad & Steamship Co.; it holds almost all the capital stock, appoints the directors, and thus controls completely the management of the corporation. The Lloyd Brasiliero, controlled by the Brazilian Government, and the Russian volunteer fleet, controlled before the war by the Government of the Czar, are further examples. The United States Shipping Board Emergency Fleet Corporation is a corporation of this character; all its stock is held by the United States and is voted by the Shipping Board. It has not, however, operated ships, even during the war, in the complete sense above described, since it has not itself booked freight or passengers or handled cargoes, but has employed private agencies for that purpose.

Third. The vessels may be owned by the Government and manned and equipped by it, but private shipping agencies may be employed on a commission basis to operate the vessels; that is, to book the freight, handle the cargo, arrange for bunkering and docking, and perform the other duties incidental to commercial ship operation for Government account. This means that the private shipping agency bills the Government for all expenses and losses of the voyage, and accounts to it for all earnings. This is really operation for Government account, but it has the advantage of utilizing the existing shipping companies and placing their expert knowledge in particular trades at the Government's disposal. The Shipping Board was itself manning and operating in this sense at the beginning of the year close to a hundred ships, with an aggregate dead-weight tonnage of over 600,000 tons.

Fourth. The Government can retain the ownership of the vessels and employ the private companies, not only to attend to the commercial management of the ships but to man and victual them. Under this arrangement the operating agent acts as "ship's husband," to use a technical shipping term. He employs the crew, buys the stores, keeps the ship in repair—subject, of course, to the owner's supervision as to major repairs—buys the bunker fuel, finds employment for the ship, directs her movements, and collects the freight money. But he acts in all these matters solely as agent of the Government; all expenses are charged against the Government, and all earnings go to the Government. The operating agent gets a fee for his services in manning the vessel and a commission on the freight as compensation for the commercial management of the ship. At the same time the Government reserves the right to direct the voyage and to specify the cargo.

Fifth. The Government can retain the ownership of the ships and man and victual them and keep them in repair and time charter them to shipping companies at a fixed monthly rental. This is technically known as a "time charter, Government form." The charterer under this form of charter pays for the bunkers, port charges, loading and discharging of cargo, while the Government pays crews' wages and stores. The charterer books the freight and all earnings of the vessel go to him. If the voyage is profitable, he gains; if it is unsuccessful, he loses. In either case he pays the fixed rate of hire to the Government. In this respect this arrangement is fundamentally different from the method of operation for Government account described above. On the other hand, the charterer is freed of all concern with the cost of labor and supplies, since the Government pays and feeds the crews.

Sixth. The Government can retain the ownership of the vessels, but turn them over to private companies under what is known as a bare-boat charter. Under this form of agreement the charterer pays all the expenses of operation and maintenance of the vessel—he employs the crew, feeds them, pays for bunkers, insures the vessel; in short, acts in every respect as if he were the owner of the vessel. He of course pays a monthly rental to the Government for the use of the vessel, but keeps whatever the vessel earns above this rental to meet his operating expenses and for profits.

Under either of the last-mentioned plans the difficult question will arise for decision, What is to be the rate of hire under the charter? Shall the Government lease the vessels in the open market for what they will bring, or shall it fix each year or from month to month an arbitrary rate, depending upon the freight market and the costs of operation, accurately determined? Shall it retain any degree of control of operation, or over voyages, cargoes, and freight rates, or shall it leave these to the operation of the law of supply and demand? Shall it carry the insurance in its own fund, or shall it leave the charterers to place insurance with marine insurance companies? Shall it restrict the lease to American companies, or shall it dispose of some of the vessels to foreign firms?

Seventh. Title to all the vessels could be placed in a large corporation, which would issue stock to private individuals, in order to obtain the proceeds for the purchase, the Government guaranteeing a minimum return on the stock and participating in any profits above a certain figure; or, as a modification of this plan, smaller corporations could be formed under similar guaranties to specialize in particular trades or to engage in the tramp shipping business.

Eighth. The vessels could be sold on terms of payment and at prices sufficiently low to attract purchasers, and be permitted to operate without Government participation. Under this heading could be included all the projects that have been suggested by which the operation of American ships in competition with foreign ships could be assisted by the Government. It includes schemes of direct subsidy, of preferential tariff duties on goods imported in American bottoms, of preferential railroad rates for goods exported in American bottoms, of special exemptions from taxes, tonnage dues, canal tolls, and so forth, and postal and admiralty subventions. Or, again, it has been suggested that the vessels be sold to private companies at such low prices and easy terms as to amount virtually to a subsidy. The ideal underlying this group of plans is the one so persuasively urged by Commissioner Donald, of the Shipping Board—a number of small shipping companies, not concentrated in New York and San Francisco, but distributed among the smaller communities, especially the South Atlantic and Gulf ports, so that the sense of ownership among these communities should develop a sentiment favorable to shipping.

Ninth, and finally. Combinations could be made of several of the above plans. For instance, an ingenious proposal has been made that as many vessels should be sold at, say, the present British cost of construction as will find a market among American purchasers, and that the remainder be assigned to such companies as purchase ships, and in proportion to their purchases for operation the companies pooling the earnings of their own ships with the earnings of the Government's ships assigned to them and paying the Government a share of the aggregate earnings of the pool proportionate to the amount of tonnage which the Government contributes. In this way the

same incentive for efficient management would exist in the case of ships operated for the Government as in the case of ships privately owned.

This enumeration will serve to show that the problem is not a simple one. It can not be solved by debating the abstract merits or demerits of Government ownership or private ownership. Those who believe in Government ownership must stand ready to say what form of Government ownership they desire. Those who are in favor of disposing of the ships to private companies must make up their minds under what kind of arrangement such disposition would be practicable. We need programs, not speeches. We need facts, not theories. And we need them soon. I repeat what I have already said, the problem is immensely difficult, it is pressingly urgent, and as yet almost no progress has been made in arriving at a reasonable and practicable solution.

No physician ever treated a disease successfully until it was first diagnosed correctly. I have tried faithfully to diagnose the case of American shipping. All true patriots who love their own country best and wish it to have a genuine United States merchant marine are cordially invited to join hearts, brains, and hands in a sincere, earnest effort to find and apply the remedy.

TABLE A.—*United States merchant marine.*

[Excluding tugs and all Great Lakes ships as of Jan. 31, 1919.]

	Ships.	Tons dead-weight.
Owned by Shipping Board	657	3,582,966
Under contract for Shipping Board:		
In wet basin	367	1,784,800
On ways	679	3,874,093
Contracts	1,069	7,525,263
Total	2,115	13,188,156
Less cancellations	271	2,245,600
Balance	1,844	10,942,556
Total Shipping Board tonnage at end of 1920	2,501	14,525,522
Total steam tonnage under United States flag not owned by United States Shipping Board	1,049	4,473,338
Estimated tonnage in 1920 (aside from possible private construction)	3,550	18,998,960
DETAIL OF SHIPS OWNED BY SHIPPING BOARD.		
New steamers	556	3,067,927
Ex-German steamers	58	340,976
Ex-Austrian	6	35,236
Great Lakes and others	37	138,827
Total	657	3,582,966

Mr. LEWIS obtained the floor.

Mr. ROBINSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Arkansas?

Mr. LEWIS. Yes, Mr. President; I yield to the Senator from Arkansas, knowing that he understands certain Senators desire to be present, as I expect to refer to them, and the Senator desires to conform to that custom.

Mr. ROBINSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Henderson	Martin, Va.	Simmons
Baird	Hitchcock	Moses	Smith, S. C.
Beckham	Johnson, Cal.	New	Smoot
Borah	Jones, N. Mex.	Norris	Spencer
Calder	Jones, Wash.	Nugent	Sterling
Chamberlain	Kellogg	Overman	Sutherland
Colt	Kendrick	Page	Thomas
Culberson	Kenyon	Pittman	Thompson
Cummins	King	Poindexter	Townsend
Curtis	Kirby	Pollock	Trammell
Dillingham	Knox	Pomerene	Underwood
Fernald	Lenroot	Ransdell	Wadsworth
France	Lewis	Reed	Walsh
Frelinghuysen	McCumber	Robinson	Watson
Gay	McKellar	Saulsbury	Weeks
Gore	McLean	Shafroth	Williams
Hale	McNary	Sheppard	Wolcott
Harding	Martin, Ky.	Shields	

The PRESIDING OFFICER. Seventy-one Senators have answered to their names. There is a quorum present. The Senator from Illinois [Mr. LEWIS] has the floor.

LEAGUE OF NATIONS.

Mr. LEWIS. Mr. President, I first express my very great appreciation of the messages sent to me by a number of Senators stating that they are necessarily engaged in committees this Monday afternoon and can not return to the floor of the Senate at this moment but will later do me the compliment of their personal presence. I appreciate this, yet I can not say that they lose anything, as much as I would be glad to have them hear all my views. I am wholly conscious of the result of a malady that occasionally seizes me, and of late has been very merciless to me, leaving me physically where I can be of little entertainment. I can but present in a rather dry manner a few facts on the grave subject before us. These I hope will serve as a suggestion of views of one Senator to his colleagues.

Mr. President, we have, sir, at this time entered upon a discussion of the document termed the constitution of the league of nations. Sir, at the outset one would think that at a time like this any man in America could advance to a discussion of that grave question in a spirit qualifying him impartially to judge the thing as it is and to refrain from coloring it with personal animosity or political prejudice. But, sir, I deplore to have to confess that had there been a stranger from another world whose spirit in spectral form in the gallery of this Senate could have heard the attacks made on the project, he could have believed that he had returned to the Roman forum, to the senate of that imperial country, and that some Cataline by the name of Taft or Wilson was being arraigned by a Cicero on the charge of betraying his country to its enemies and for delivery of his native land to its foreign foes.

What, sir, is the thing of which we speak? It is, as we understand it, the presentation of a plan that has for its professed object the devising of some system of universal peace to mankind. Does that suggest an offense against civilization? Has there ever been a time when that holy dream has not been the consummation prayed for by all mankind? Was there ever a theme nobler or one note in the music of patriotism more sublime? Can we not chant the joyful refrain:

"Long have I sought this day."
And prayed to know the way,
To take calm peace by the hand
And lead it to a bleeding land.

If, sir, by any fair method the result may be had, shall we spurn it because the path to the mansion is not paved as we would have chosen? Let us concede that neither the steps leading to the result, nor the final work can appeal to all men alike nor find favor in every mind. Also let it be understood that the supposed weakness or error in a design may not be due to any inherent vice in the proposal, nor, sir, owing to any frailty in the completed proposition. Differences presenting themselves against any proposal can be due to the varying attitude of each human mind as it presents a standard to itself of a specific remedy which it sees most appropriate for that particular felt evil. Each devised solution, though appearing just to its authors, may be most unfit to the situation. Our individual view is as likely to be wrong by the standard of another mind as the joint proposal before us is to any mind.

Therefore, sir, let us at the outset dismiss the feeling that because we may differ from the wisdom of a document that this difference in itself establishes that the document must be wrong, and we unquestionably must be right.

The question before us ever repeats itself—what is the thing sought to be done? What is it all for? Sir, we have seen from the panorama of present time the greatest war civilization has recorded in all its annals. To the horror of the contemplation there arises the startling fact that 7,000,000 of earth's men have been sent to their graves by the shot and stroke of mortal brother, and 14,000,000 more hobble through life but a shattered part of their former selves, while those who depend upon them for bread and sustenance lean now upon a broken staff, and that sinking to earth hopeless. All through the world now will be seen these miserable victims dragging their way on life's road, their legless bodies leaning painfully on crutch or staff, and their pitied fellows just beyond who now are to catch at life's existence by their armless sleeves. Then to the horror of our sight we behold those whose blindness will forever gaze darkened to the skies; those sightless ones who will have to feel with trickling fingers the faces of their beloved to know their own. This legion of dying, helpless, useless, and suffering millions are to be a charge on the Christianity and charity for generations yet unborn.

Does not this in itself suggest the justice and the morality of some effort on the part of mankind for a remedy that such curse and desolation might not ever be repeated again?

If we shall advert to the material losses, to the money waste, then, sir, know that there is $180,000,000,000 of the earnings of 10 generations of mankind gone to ashes in the nowhere. All melted in the fires lighted by men for the consuming of their fellows—in the name of war!

We need not pause to moralize from the standard of war upon the right or wrong of the issues which justify these unholy

sacrifices. We speak of the condition. We are now told by proclamation that this present horror is at an end; that the war of devastation of lands and destruction of humanity has been halted, and that we are to make peace.

Mr. President, the great Webster, when beholding his country moving to secession of States, seeing the deluge of blood that was to gush from the bleeding wounds of the sons of the States and reflecting upon what the flag of the Union meant in all the sacrifices made to establish it and hold it up as an ensign of freedom and justice, exclaimed his prayer to God that no future children of the Union should ever be brought to where they would ask the miserable interrogatory, "What is it all for?"

Yet here in this assembly that man of but Christian belief, that man of but humane emotion, that man of but the throb of brotherly kindness must, as he broods on the horrors and destructions of world war, ask in the name of all we speak of as God, "What is at all for?" Where has civilization been benefited or improved, where mankind elevated or advanced, justice vindicated in her temple, or the laws of God or the creeds of Christ fulfilled in this bloody inheritance?

Sir, if there are those who be moved to overcome such monster evil, shall they be held here or elsewhere as offensive to the wisdom of man or statesmanship of country? "The head and front of their offending" is but that they seek the fulfillment of the celestial proclamation of the Master, "Peace on earth, good will to men."

Mr. President, in different forms at different times the compact we speak of as treaties for peace have been undertaken by those who sincerely sought some avenue through which there could be an escape from holocausts which all of us have lately beheld and no tongue can adequately describe. These efforts have produced no peace nor brought us deliverance from wars.

Each age has but added increased machinery for dealing death and multiplied inventions for destruction of communities. This proclamation before us is to offer relief—to at last pledge men to preserve mankind from murder done in the name of civilization and liberty. We have listened, sir, to many speeches upon this floor on the subject of the contents of the document, particularly since the proclamation of the so-called constitution. Despite the desire of the President that debate be deferred for reasons of his own, eminent Senators felt they owed the obligations to their constituencies and to themselves to express their opposition. This they did with expressions of ridicule and condemnation. Such naturally justified others in bringing forth reply. I am one of those who, to do justice to the truth of the situation, speak of the thing as I see it, and this in opposition to the views of many.

These Senators who have assumed, sir, to oppose this proposition have invariably placed their opposition upon the ground that this remedy proposed as the league for peace would involve us in the affairs of Europe; also entangle us with nations of the Asiatic world, and thus withdraw us forever from the integral sovereignty of our independent Republic. Sir, I appreciate the meaning of the Republic of the United States. It has been the pride of its fathers and remains the glory of its sons.

I heard my distinguished friend, the eminent Senator from Missouri [Mr. REED], in a speech yesterday, to be referred to by his friends with admiration and by his opponents with confusion, speak opposing this design. In the long line and progression of matter presented by him he recited fifty and more of the European wars which have transpired since the foundation of this country. At the conclusion of each description the able Senator would exclaim, "And not an American in it." I ask, has it come in this era of life that there exists a man who could contemplate the loss of all those lives, the devastation of all those lands, the demolishment of all their homes, the widowing of all those wives, the bereaved mothers without children, and not feel that the "dam'd manner of their taking off" is not of concern to civilization and feel that if we could lay our hands against it ever being repeated we owe to do so not only unto ourselves but unto the thing we profess and call religion? Surely these slaughtered are our fellow mankind. In their death and agony they are our brothers in misery and war.

Mr. President and my fellow Senators, you will recall where Victor Hugo in Les Miserables, tracing the movement of Jean Valjean, locates him where he seeks refuge in a little church from the pursuing Inspector Javert.

The little worship house is hidden in the brushes. Nothing can be seen but the gleam of the altar light upon the sacred place where this little curé counts his rosary in the shadowed precincts. Jean Valjean is seen as he crouches behind a pew in the rear. The holy man, beholding the image, says: "Come up. Come in." Jean, shrinking, replies: "You say for me to come up and come in your house, not knowing me nor how wretched is my condition?" Then the holy man of God says: "This is not my house; this is the house of Christ, and, besides, before you spoke, I knew you." "Knew me?" asks Jean. "Yes," replies the priest; "when I saw that you were wretched I knew you were my brother."

And shall we in America—

> Light again the fires of hell to weld anew the chain
> On that red anvil where each blow is pain.

Sir, unto these of every land in such wretchedness we feel their misery as we must feel the agonies of those of our brothers. I say to my eminent friend from Missouri that these agonizing brutalities and this unmeasured result of misery to Europe brought unto this our land two things—their fleeing descendants who sought refuge to us as an asylum and the misery of their poor forced them to be dependents upon us. For that if there were not another reason, it can be seen how their interest is ours, and for the cause which they suffer we may speak.

Mr. President, because of every effort in the form of an individual treaty for peace with separate countries having failed, there has been resort to an association of ideas, and in this resort some formation of a plan designated "a league of nations." It is this constitution for a league, sir, that is being here at this time presented. It is this that is assailed, condemned, abhorred—indeed, sir, as though it were a compact for the dissolution of the Union and a decree for the ostracism of its men and the death of its children.

Mr. President, we must pause to note that this constitution was not the work of Woodrow Wilson individually. If there be a man who fancies that for partisan reasons or personal perversity mere opposition to it is justified because it was from the hand of Woodrow Wilson, let him recall wherever he is that this work appears to have been the work of representatives of 14 great countries. That there were 14 represented in the deliberations, and that when the result came forth it carried that which is not borne by many documents of the whole world—the unanimous vote and acclaimed decision of all the convention of delegates.

Now, sir, the judgment of these men that some of us impeach by our opposition may be wrong, but we flatter our vanity and lay proud unction to our soul when we conclude that any individual here is superior in wisdom or higher in patriotism than all those combined who there were the representatives of the political intelligence of the earth.

Then, sir, we move at once to the specific objection urged by the eminent Senators opposing the policy expressed in the constitution of the league. Meaning, of course, no invidious distinction as against others who have spoken, I choose the eminent Senator from Idaho [Mr. BORAH] and the equally eminent Senator from Missouri [Mr. REED] as pronouncing more fully the viewpoints of the objectors and as comprehensively sufficient that we may allude to them, sir, in their analysis as the representatives of the attack, particularly so in the position taken by them personifying the fundamental objections urged.

It is first contended, sir, that the constitution, so called, and the doctrine on which it is based violates the fundamental theory of the fathers of our Government. To sustain that contention the Senators bring forth the declarations of George Washington. On Saturday, a most appropriate and sacred day, the memorial of George Washington, February 22, the Senator from Missouri, voicing that which was also spoken with great capacity by the Senator from Idaho, took refuge for his attack in the provisions of that great message known as Washington's Farewell. From this he assumed a justification for his condemnation of the plan now before the Senate.

Time and time again there has been presented to this body all that Washington has said on the point urged. Equally time and time again it has been pointed out what he meant, each contending side differing from the other in the construction claimed.

We need not pause, sir, to remark the difference in time and condition of the then and the now, nor observe on how isolated we were, how separate we were, how weakened was our State. We can, however, note that the admonition of Washington was against an arrangement with foreign lands that would be political. A relation by which the identity of our country at home would be merged in the political relations and obligations politically of the land abroad.

He likewise, sir, inveighed against coalitions by our country with some one country in Europe. This, if done, could awaken the animosities of the other countries of Europe and turn them against us for that we had combined against them by joining some one either as an exhibition of our favoritism to one country of Europe or as our expression of our enmity to the other. But there never is any expression from the Nation's first

master of Government against this Nation taking any course anywhere for the peace of itself or of the world, nor for both in harmony with the relations of men. To the contrary, he specifically invited his countrymen to contemplate those relations that would produce the "harmony of intercourse of the world."

Former Secretary of State Richard Olney, in the Atlantic for May, 1898, produced a letter of Washington to his friend defining his own meaning of the clause in his Farewell Address. Says Mr. Olney (p. 9582 of the article entitled "International Isolation of the United States"):

That Washington was of the opinion that the regimen suited to the struggling infancy of a nation would be adapted to its lusty manhood is unsupported by a particle of evidence. On the contrary, there is authority of the highest character for the statement that he entertained an exactly opposite view, and "thought that a time might come when, our institutions being firmly consolidated and working with complete success, we might safely and perhaps beneficially take part in the consultation held by foreign States for the common advantage of the nations."

Mr. President, then Thomas Jefferson is resorted to. Jefferson, who is the author of the expression "entangling alliances," which frequently is imputed to Washington. We are constantly advised that Jefferson admonished us against alliances which were entangling. This is true, and if such, sir, were contemplated in the plan before us, in the spirit that Jefferson and Washington opposed, there would be no man of any political party on this floor advocating this measure.

I respectfully assert that the eminent Senators have in many instances in their condemnation been wrong in their premises. In other instances wrong in the conclusions they drew from right premises. I charge that in other instances, where their premises were correctly stated from the documents, the conclusions they drew were violent and unjustified by any just judgment that should follow the expression and definition of terms in the instrument. I make bold, first, to declare the situation and position of both Washington and Jefferson on the fundamentals of our Government involved in the construction of the document.

Mr. President, I ask your consideration a moment as to what Washington and Jefferson really meant and what each would have done under conditions like these controlling us. If the eminent Senators, Mr. BORAH and Mr. REED—for whom we have so great a respect that we hesitate to differ from them and so great an affection that we find it painful at any time to oppose them—shall really seek to know what Washington or Jefferson would have done, in order that they may follow at this time their guidance, I beseech their attention and that of their allies in this body.

I invite consideration to expressions of Thomas Jefferson, that all may see that he was not encrusted against advance. I am anxious that all may know that this apostle of democracy was not a worshiper of a fetish in the doctrine of *non movere*. He was for change upon changed conditions. I assert it never could have been the idea of Thomas Jefferson that the country would not develop, or that in its advancing conditions new remedies would be found for new arising evils. I deny that he was such a slave of the ancients that he would have denied the progress of the modern.

No man respects the fathers, I hope, more than I. I recall the admonition of the prophet in the Holy Scripture proclaiming, "Remove not the ancient landmarks thy fathers have set." But I condemn the thought there shall ever be decreed that we must ever be "ruled by the ashes from their sceptered urns." I speak for the Government of the sons as well as for the creed of the fathers. I demand advanced government for advanced people. I call down condemnation on those who put tombstones and sepulchers as blocks in the path of growing progress. Hear what Mr. Jefferson said in writing to Elbridge Gerry January 26, 1799:

I am not for raising hue and cry against progress—to go backward instead of forward, to look for improvement, to believe that government, religion, morality, and every other science were in the highest perfection in ages of the darkest ignorance, and that nothing can ever be devised more perfect than what was established by our forefathers.

Apropos, sir, of the change of our institutions, says the same philosopher writing to Samuel Kerchinal July 12, 1916:

Some men look at constitutions with sanctimonious reverence and deem them, like the Ark of the Covenant, too sacred to be touched. They ascribe to the men of the preceding age a wisdom more than human and suppose what they did to be beyond amendment. I knew that age well. I belonged to it and labored with it. It deserved well of its country. It was very like the present, but without the experience of the present, and 40 years of experience in government is worth a century of book reading, and this they would say themselves were they to rise from the dead. I am certainly not an advocate for frequent and untried changes in laws and constitutions. I think moderate imperfections had better be borne with, because, when once known, we accommodate ourselves to them and find practical means of correcting their ill effects. But I know also that laws and institutions must go hand in hand with the progress of the human mind.

Now, sir, I have asserted, and I wish to vindicate my assertion, that neither of these eminent fathers would have been opposed to a policy that would have made for peace—not even opposed an alliance to secure such blessing—and I dare say, and offer here my thought, that neither would have been against the proposition such as that now brought before this body under the conditions surrounding us.

I call attention, sir, in reading from Prof. Latané—his review of American foreign policy—page 10—where he makes clear the real meaning of Washington, when he called attention to what Washington said in the declaration:

"Our detached and distant situation invites and enables us to pursue a different course * * *," says Washington—

Quotes Prof. Latané.

Speaking of what Washington said in his farewell message on alliances:

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Continues the professor:

It will be observed that Washington warned his countrymen against permanent alliances. He expressly said that we might "safely trust to temporary alliances for extraordinary emergencies." Further than this, many of those who are continually quoting Washington's warning against alliances not only fail to note the limitations under which the advice was given, but they also overlook the reasons assigned. In a succeeding paragraph of the farewell address he said:

"With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes."

When, Mr. President, in the order of any evolution of government has a land ever reached where it was in the "command of its own fortunes" so supremely, so sublimely, as this land of Washington's, this our United States of to-day!

The eminent Senator from Missouri drew an inspiring picture by an epic of oratory in his peroration of Saturday describing the glory with which this country had endowed itself in the service it had done to other countries. He recited how it was our American soldiers and marines that saved England and rescued France when those lands were at the mercy of the German invader. Sir, there never could be greater proof of what command she has of herself, the thing that Washington sought to acquire, than that she could contribute such force of salvation to save the wreck of the Old World. That our Republic in her own strength crossed 3,000 miles of sea carrying her soldiers and equipment, and with these sons of the New World saved the fathers of the Old World to their children and gave to civilization a democracy for their future preservation.

Then, Mr. President, we pause to see, sir, what would the Washington and Jefferson of the olden day have done in this day? Sir, during the brief interval of peace following the treaty of Amiens in 1801, Napoleon undertook the establishment of French power in San Domingo. Fortunately for America the expedition failed. It was Mr. Jefferson who then wrote and then said:

The day that France takes possession of New Orleans fixes the sentence which is to restrain her forever within her low-water mark. It seals the union of two nations, who in conjunction can maintain exclusive possession of the ocean.

What two nations, I ask, does the writer then mean? Says Mr. Jefferson:

From that moment we must marry ourselves to the British fleet and Nation.

Surely, if there were an entangling alliance to make an arrangement for peace, Jefferson could never have been the first to suggest such an "alliance" and such a "marriage with England," with her navy, and this for the preservation of this our new America. Yet, he continues:

We must turn all our attentions to a maritime force, for which our resources place us on very high grounds.

Then, sir:

Monroe was later sent to Paris to support Livingston, and he was instructed by Jefferson, "in case there was no prospect of a favorable termination of the negotiations," to avoid a rupture [with France] until the spring, and "in the meantime enter into conferences with the British Government, through their ambassador at Paris, to fix principles of alliance and leave us in peace until Congress meets." Jefferson had already informed the British minister at Washington that if France should, by closing the mouth of the Mississippi, force the United States to war, "they would throw away the scabbard." Monroe and Livingston were now instructed, in case they should become convinced that France meditated hostilities against the United States, "to negotiate an alliance with England and to stipulate that neither party should make peace or truce without the consent of the other." Thus, notwithstanding his French proclivities and his warning against "entangling alliances," the author of the immortal Declaration of Independence was ready and willing in this emergency to form an alliance with England.

We, too, well know that "the unexpected cession of the entire Province of Louisiana to the United States" was the only thing that avoided the culmination of that project.

I do not bring these things to the attention of eminent Senators who do me the flattering compliment to attend me, on the theory that it is all new to them, or can now be first information. I do so to invite their attention to the fact that in cases like the one we have before us, the exceptional condition which is now ours and commands or calls for the action we contemplate, would have been the rule of action with them. I ask, sir, that you note that the rule which we see that they would have had in their day for peace, is but the rule we now in our day invoke. Then, I ask the able Senators who call up the spirits of Washington and Jefferson, does the present plan proposed by Wilson run counter to the theory which the fathers would have had, under the same circumstances, to that now proposed? We must answer, no; not at all, sir.

Where, now, I ask the Senators, do they find their justification for their very first contention that there is in this league a violation of the Monroe doctrine? What do eminent Senators mean when they present this theory as being one which Mr. Jefferson approved in the conduct of Mr. Monroe, but which would be violated by the proposal of President Wilson?

Stated in terse terms, the doctrine known as the Monroe doctrine—much misunderstood generally, but, of course, in a body like this, with much information upon the subject, perfectly comprehended—had no further or other purpose than to say to the European monarchies, "You shall not establish your governments upon the Western Continent." Let thoughtful men dismiss from their minds that this was a solicitude only for the people of South and Central America. If, sir, we find a fire lighted in these galleries above and surrounding us and we know the chance is that it may be readily extinguished, it may be that we will have no concern for the fate of those who will sit here below. But if we know it will leap its barriers and consume these walls and lick up this parquet, we turn at once to extinguish it by any means at our hand. Sir, it was out of fear for this Government of the United States that were governments established to the south of us that were monarchies, and supported by their imperial armies and navies, they soon could move their batteries upon us, to the extinguishment of the Republic we had founded here.

Secretary Hamilton Fish, in a report to President Grant, as to a European nation taking Cuba, said that the United States "opposes the creation of European dominion on American soil, or its transfer to other European powers." It is unnecessary to multiply examples, for all are applications of the foundation principle of the Monroe doctrine, that we must provide for our peace and safety. "It is doubtless true," said Mr. Webster in his speech on the Panama mission, in April, 1826, "that this declaration must be considered as founded on our rights, and to spring mainly from a regard to their preservation."

The theory was that we should do everything to help prevent the success of these kingly forces establishing their form of government upon this continent, which we felt and believed had been dedicated to the experiment of free republics. The holy alliance of Prussia, Austria, and Russia then threatened its domination in the South American lands. It was then that Britain, through George Canning, her premier, in his interposition with Rush, our United States minister, proposed the possible peril and got the declaration of opposition. The danger was forced to the attention of our own President. Then the doctrine was promulgated as one for our own self-preservation, which we call the Monroe doctrine, after the name of our then President—nomen venerabile et gentibus clarum.

Mr. President, we pause here to reflect, Why should we, the democracy, wish to abandon the Monroe doctrine? What in the world has the United States to gain by any conception of a spirit of surrendering this doctrine? Why should the present Democratic administration wish to do so? Sir, it has been the theme of our discourse in speech; it has been the delight of our praise in platform; it was the creature of our doctrines; it has been the charge and trust of our keeping. Under Polk and Lincoln we advanced to its maintenance with the lives of our sons; under Cleveland we asserted it successfully as against Britain; and from Wilson there will not be found a declaration that was opposed to it. All to the contrary. What purpose would Wilson have to violate it? The man who would voluntarily destroy the principle of it and establish the privilege of monarchies to slay Republics, kill liberty, and overthrow freedom would go down to such ignominy and odium that no tongue could describe, no charity palliate. Sir, there are those who impute to this man Wilson a pride of conduct and a conceit of personality so overweaning that he will neither hear advice nor listen to counsel. Surely these will not then regard him such a fool as to visit upon himself a fate so far removed from what they say he harbors—of being renowned in the esteem and perpetuated in the hearts of his countrymen—as to do the thing that strikes his political death knell. Will he do such a thing? Should he be accused of it? His reply must be, in the words of the prophet to the Lord, "Is thy servant a dog, that he should do such a thing?"

We turn to see, sir, what Wilson said, and we find his address to this body on January 22, 1917, at which time, it will be recalled, he suggested the propositions that have now culminated in some form of peace proposition. Then said the President:

> I am proposing, as it were, that the nations should with one accord adopt the doctrine of President Monroe as the doctrine of the world; that no nation should seek to extend its polity over any other nation or people, but that every people should be left free to determine its own polity, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful.
>
> I am proposing that all nations henceforth avoid entangling alliances which would draw them into competitions of power, catch them in a net of intrigue and selfish rivalry, and disturb their own affairs with influences intruded from without.

Continuing, he said to the Senate:

> There is no entangling alliance in a concert of power.

This seems the view Mr. Jefferson held when he proposed a concert of powers—for peace. Now, then, Mr. President, we can understand what is meant by article 10 of this convention for a league of peace; sir, if I mistake not, we can summon from our now directed thought the spirit that penned it. It reads:

> ARTICLE 10.
>
> The high contracting parties undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all States members of the league. In case of any such aggression, or in case of any threat or danger of such aggression, the executive council shall advise upon the means by which the obligation shall be fulfilled.

Will eminent men whose profession has been the comparison of statutes and decisions fail to observe that almost the exact language of the distinguished President to the Senate on January 22, 1917, is incorporated in the spirit of article 10? And I ask any Senator who shall with reflection read these articles if he will not see that that article has more than all other the object of the Monroe doctrine as its care and solicitude?

Now, how stand we? Heretofore, Senators, our country alone has constituted the sponsor of the doctrine, pledging its honor, and time and time again tendering its power to enforce it—against whom? Against those who now have agreed to become parties by literal word to its enforcement. Instead now, sir, of having America alone as the sponsor of the doctrine we call the Monroe doctrine, by the genius of the mind that directed our affairs, we have the world as a guarantor of the Monroe doctrine.

Mr. President, let me ask the able Senators, for their contemplation—would this question, Senators, have been left open? Do you fancy, Senators, that Britain would have left it open, or even in doubt, and this even were we to concede that our own land had not protected with the safeguard prohibiting external aggression? Would Britain have allowed the nations of the earth to possess the balance of power in commerce and in colonies in the Western Hemisphere through seizing any part of Central or South America? It was Canning, her minister, who delighted to exclaim that he "called in the New World to balance the old"; he, the British premier, took credit to himself as being one of the authors of the system. What object would Britain have, sir, in not preserving the Monroe doctrine, when, were she to open the gates to its violation, every rival of hers in Europe would colonize their people and governments in South America to her loss, which she must pay?

I propound to you the next query—the corollary to the first: Would Spain and Italy and France, with the children of their hearts' blood and bone and life of their nations making up the nationalities of these South and Central American lands, sitting at this council table, be content to surrender them to the inroads and invasion of their commercial rivals—once their military conquerors? Ah, what profit, eminent Senators, can you conceive that any nation in council at the European peace table could have for yielding the Monroe doctrine? Sir, I am unable to contemplate a theme upon which such thought could be predicated. Let us dismiss the haunting as "a thing on which dreams are made."

Then, Mr. President, we turn to treat the form of this document—the form so violently denounced or so satirically ridiculed. Having referred to the fundamentals upon which the eminent Senators made their arguments opposing the principle of this constitution, I now, sir, turn to note the comments on the composition.

I know, sir, that here and there we hear that this was a product of Gen. Smuts, of South Africa, or Lord Cecil of England. Mr. President, I only mention this that I might parenthetically advert to one thought. We observe, sir, that Britain is so proud of this document that she delights to have it advertised that one of her sons was one of its creators. Along comes Italy and professes that Cavour, in his first fulmination for a united Italy, is really the sponsor of much of the phrase that brings these nations together in some harmonious compact. Still more interesting it is to find that Germany steps up and claims, in behalf of her fathers of the revolution of 1848, the theory as one born in the compact for the confederation of the South German States. It is only here in America that we note the absence of a spirit willing to give credit to its own for the splendor of his contribution. I know not what motives animate the heart of the man that can be content to discredit his own countryman, that he may give the credit elsewhere, merely that it might tend, sir, in some way to detract from the greatness the world accords to one of his own public servants. I only know I can not envy his standard or praise his envy.

But I heard the eminent Senator from Idaho [Mr. BORAH], as he closed a feature of his general comment, condemn the whole document. "Among other things," said the able Senator, "it savors of the odor of Trotzky"—Trotzky, the contemptible, because of the means he has adopted for government, of murder and destruction. The eminent Senator would have us know that such in itself to his mind produced a suggestion, sir, of internationalism. He read a treatise of Trotzky that approved a plan of this spirit. Because of such, the Senator would have us believe the document unworthy; two features being sufficient to the able Senator from Idaho. One was the enforced peace; the other was the combination with the world to enforce it. These were malodorous because approved in principle by Trotzky, as the Senator affirms.

Senators, hear me. I trust the senior Senator from Massachusetts [Mr. LODGE] pays me now particular audience. If my eminent friend from Idaho shall tender Trotzky and his low standing to make contemptible any of the elements of this compact, I tender the senior Senator from Massachusetts, the Hon. HENRY CABOT LODGE, and his high standing, to give it respectability. I read the speech of the Hon. HENRY CABOT LODGE, the Senator from Massachusetts, the now leader of the opposition, on this compact very early in its age. Indeed, it is when it was literally in its chrysalis, before it took its full shape and wings of life. I beseech you to hear me. I read the speech of Senator LODGE, delivered in the city of Washington on May 16, 1916.

I quote from the proceedings of the League to Enforce Peace, a gathering at the Capital.

Said the Senator:

It is well, in understanding any great work—and the work of this league is a very great work, indeed—to know precisely where we stand, and I have been glad to learn that the league has laid down as a principle that it is not engaged in attempting to bring the war in Europe to an end; that its work lies beyond that war, for I have a somewhat deep impression that when the peace we all hope for comes it will not be brought about by expeditions from the United States nor by mass meetings and resolutions, no matter how admirable such resolutions may be. The United States has led the world in the matter of arbitration. From the day of the Jay treaty of 1794 and the Pinckney treaty of 1795 down to 1912, 84 arbitration treaties had been negotiated by the Executive of the United States, 83 had been ratified by the Senate, and only 1, the treaty of 1897 with England, rejected. I think that is a remarkable record. We have carried the principle of voluntary arbitration to its limit, and it is well to recognize that it has a limit, because when we undertake to put into treaties for voluntary arbitration questions which no nation, when the stress comes, will submit to arbitration, we do not advance the cause of peace, but quite the reverse, for we do vast mischief by making treaties which we know in our hearts we are not prepared to carry out when the time comes.

The limit of voluntary arbitration has, I think, been reached. Much has been achieved by it. It has taken out of the range of arms a large mass of questions which once were causes, frequently of war, constantly of reprisals, and by the general consent of civilized mankind has put them before a tribunal and had them there decided. If we have reached the limit of voluntary arbitration, what is the next step? I think the next step is that which this league proposes, and that is to put force behind international peace.

We may not solve it in that way, but if we can not solve it in that way, it can be solved in no other.

* * * * * * *

I trust that we have entered on the path that will lead us to the upbuilding of our national defense both in the Army and in the Navy. I hope this not only to make our peace secure, but because we as a Nation shall find it very difficult to induce others to put force behind peace if we have not force to put behind our own peace. I know—and no one, I think, can know better than one who has served long in the Senate, which is charged with an important share of the ratification and confirmation of all treaties—no one can, I think, feel more deeply than I do the difficulties which confront us in the work which this league undertakes. But the difficulties can not be overcome unless we try to overcome them. I believe much can be done. Probably it will be impossible to stop all wars, but it certainly will be possible to stop some wars and thus diminish their number. The way in which this problem is to be worked out must be left to this league and to those who are giving this great question the study which it deserves. I know the obstacles. I know how quickly we shall be met with the statement that this is a dangerous question which you are putting into your agreement; that no nation can submit to the judgment of other nations—

One would imagine that were one of the orations of the last week, Mr. President—

and we must be careful at the beginning not to attempt too much. I know the difficulties which arise when we speak of anything which seems to involve an alliance. But I do not believe that when Washington warned us against entangling alliances he meant for one moment that we should not join with the other civilized nations of the world if a method could be found to diminish war and encourage peace.

Continuing, said the Senator:

It was a year ago that in delivering the chancellor's address at Union College I made an argument on this theory: That if we were to promote international peace at the close of the present terrible war, if we were to restore international law as it must be restored, we must find some way in which the united forces of the nations could be put behind the cause of peace and law. I said then that my hearers might think that I was picturing a Utopia, but it is in the search for Utopias that great discoveries have been made. "Not failure, but low aim, is the crime."

This league certainly has the highest of all aims for the benefit of humanity, and because the pathway is sown with difficulties is no reason that we should turn from it.

I say, "Plato, thou reasonest well."

Mr. President, it is an interesting thing at this time, sir, to find in a speech of the very able Senator from Massachusetts as complete a defense of this constitution of the league as could be given from anyone, anywhere. So, sir, from his eminent intellectuality we can draw much confidence and great consolation. Every objection which has been put forth by eminent Senators opposing it—and for the first, that it would be an alliance which violates the precept of Washington—is denied by the eminent and learned Senator who now opposes it. Every objection upon the ground of using force to establish peace is opposed and controverted by the able Senator. Every opposition to our lending ourselves to other nations to enforce peace for all the world is met by the Senator and overcome, while he advocates the cooperation of force as a thing wholly just. Finally, the theory of the league of nations is the acme of his splendid oration so late as only 1916; and to the youth of the great college which had honored him, and which he honored by his learning, teaching them of the lessons of government; he there proposed, as the *ultima thule* of human aspirations for peace and happiness, this league of nations. Therefore, Mr. President, I am not moved seriously by the mere fact that there may be something in it which my eminent friend, the Senator from Idaho, thinks meets the approval of Trotzky. I appeal from Trotzky to Lodge!

Mr. President, this brings us then, sir, to the detailed objections; and only a few of them will I take up, sir. Only those of large pretension—those on which Senators opposing say the document can not stand and by which it must fall. I fancy that the President of the United States will set forth with great clearness the reasons for many of the provisions. None are perfect. None can be. That there will be many emendations, many changes from the composite and individual minds which will assemble around this conference table, we must expect. The Constitution of the United States came forth finally—as Gladstone said, "the greatest work struck off at one time by the mind of men"—but seven years elapsed before it reached the point that the country would take it as acceptable, and then but by a real minority, instead of a majority, of its countrymen, and the meaning of its terms disputed over ever since.

Yet we know how it was brought about and finally how only it was accepted. It will not be presumed that a document such as this before us—with its importance, its significance—could have come forth in a state of absolute perfection, and thus bear within itself the exception to every rule of human conduct of a similar kind that has prevailed since life wrote its records.

But we take first the position, made much of and with great force by the Senators and lately advanced by the eminent Senator from Missouri, referring to the voting strength.

The able Senator from Missouri laid his hand upon what he felt was a defenseless weakness in the document—one which, according to his heart's conviction, involved us in a consequence of surrender and destruction. The Senator called attention to the fact that the executive council is made up of five, and that in this council of five the United States had but one vote.

Mr. President, if this executive council had for its authority the privileges of the league, and it could pass wholly and completely upon the destinies of the United States so far as she will have then ventured in this arrangement, I, too, would pause to consider what would be the effect of the numerical majority. The eminent Senator from Missouri says this clause puts us in the peril of the power of kings. That we would be under the dictate of kings—kings!—and that these emperors and monarchs, with all of their natural aversion to our institu-

tions, would be inimical to our welfare, and enemies to our interests, and for the baleful power of kings we must be on guard and beware their edict in this league.

Kings, sir? I pause. Where are they? Yonder in Britain the thing called the Crown is as impotent as the picture of it upon the sands, sir, that is washed by a receding and incoming tide. As little voice has the King to his people in direction as the smallest infirm mayor of a city in our land. The royal prerogative which was once a thing before which we quailed, and finally disdained, has ceased of its existence. More of democracy, in justice let it be admitted, than is found in the land of Britain, we know not of in America!

Italy? So impotent was her King that when he dared utter a voice against a mere commanding general of the army marching against the German Emperor a revolution surrounded his gates. For an hour it seemed as if his life would be hazarded to the fury of the mob, and there were not found any of his people who would lift an arm to preserve the King at such moment.

In Greece a humble citizen from a small island, called Venezilos, overthrew the royal power and blocked its mouth to silence; while in Russia we have beheld what has happened to one called the Czar. Truly we can exclaim as to monarchs Shakespeare's apostrophe to the rose—

> What's in a name;
> A rose by any other name would smell as sweet.

A king by any other name would be as useless.

Kings! How we glorify our spirit of proud democracy of republican America, from whence came the edict that hurled kings at the feet of the peasant and melted their scepter before the eyes of their countrymen, who beheld it with joy, and rejoiced over it in praise!

We remember Richard II, replying to the question asking "Where is the Duke with his power?" says:

> For God's sake let us sit upon the ground
> And tell sad stories of the death of kings—
> How some have been deposed;
> Some poisoned by their wives; some sleeping killed;
> All murdered.
>
> * * * * * * *
>
> Cover your heads, and mock not flesh and blood
> With solemn reverence. Throw away respect,
> Tradition, form, and ceremonious duty;
> For you have but mistook me all this while.

Why, sir, we would not wish them dead as men but as kings; and I wish my eminent friends to contemplate for a moment how impotent they are. We heard the able Senator from Missouri, in one of his characteristic and magnificent outbursts in this body a short time ago, contending against the plan of the league, offer the fact that every monarch was cousin by blood; another an uncle by relation; others bearing so close affinity that we could never hope for them to be otherwise than in conjunction with each other, as against republics and our country. Yet, in the face of that, he saw one uncle topple another from the throne, another uncle turn his batteries upon his relation, and how five went down to nothingness; how, as against their own blood, not the kings spoke, but their people against and over them. Then the people's war overthrew crowns, toppled emperors, and by their will, their voice, their decree, drove royalty to hiding, as refuge from death or salvation from the fury of revolution. Democracy, like justice, is at last abroad in the land. It is from the United States it speaks its warning and extends its power.

Oh, sir, we need not fear the name of a king; we need not be afrighted. The mere suggestion of a scepter need not alarm the soul of the quiet. And the American in the presence of kings is now the tranquil monarch.

Then, Mr. President, we pause to reflect, that if the able Senator from Missouri be correct in assuming that there is a disposition on the part of those who make up this council to be inimical to the welfare of the United States and its justice, or that they wait in the end to execute some vengeance which the Senator fears lurks within them and could all be executed within the power granted in this particular clause, then, sir, I say we are undone now. For if these nations are in this disposition and mettle for our destruction, we destroyed our land when we entered into the conclave with them in the allied council of war with only one vote to their five. Or we are now trembling in the balance of destruction when we sit in the allied council of peace with the same proportion—of voice and authority.

Surely, it must be apparent to all that if their attitude of heart be such as the eminent Senator feels then there is nothing we can do or undo that could avoid the vengeance which their hearts brood against us and now hangs like a fate to descend upon our head. It does not require a voting trust to give them the disposition, and no lack of it would relieve them of their inclination. They have the power jointly there to outvote us in everything now, and had it while the war proceeded, under the allied control. If their actions have not invited confidence or do not justify it, let us cease all intercourse with them as being unworthy and dangerous.

Mr. President, I ask the able Senators who have assailed this document to contemplate this thought: If the Senator from Missouri and the Senator from Idaho be correct in their construction, what think they of France and of Italy and the other nations sitting down and adopting a system which as against each of them in its voting proportions could be equally as destructive in operation as the Senators assume could operate against us? As this is plainly true, would these trained diplomats have put themselves in such a trap? Would they have adopted it? Would they have entered into it? Therefore you must see that the construction is not a probable one. That the danger summoned up as possible for us must be impossible for any.

I now ask you who is it has a right to vote? The able Senators are correct when they use the expression taken from the definition of those who are to be represented in the council—"self-governing countries," colonies, dominions. What is the meaning of the word? Evidently Britain had in mind India as a colony; Canada is known by the name "Dominion"; and Britain herself designated as "country." But our able friend, the Senator from Idaho, reads in this document where every country or a colony which in itself merely governs itself would have a right to cast its individual vote. The able Senator from Missouri, complimenting the Senator from Idaho—and rightfully well he might—paid tribute to the alacrity of his genius in bringing forth an article from the London Times, in which article it is assumed that it is the contention of Britain that each of these little independencies is to be treated as a country, and as such have the right of a vote. Of course were this true the majority of voting powers would appear with Britain. I beg to say to the able Senator from Idaho he misread the article. If he will but look at it, he will see that neither his own construction nor that of the Seantor from Missouri is at all justified. Let me invite him to his correction. Says the London Times:

> It is again a source of legitimate pride to Englishmen that article 19 in the covenant might almost be taken as an exposition of the principle animating the relations of Great Britain with India and the Dominions.

Then, says the Senator from Idaho, seeking to accent this provision, "Listen to this language"—

> That the dominions are in this document recognized as nations before the world is also a fact of profound significance in the history of these relations.

My able friend, in the haste of his investigation, or possessed so completely by his opposition to the document in general, neglected to note what is article 19, referred to by the Times. Article 19, which the Senator from Missouri and the Senator from Idaho would have you believe conveyed this separate vote as "nations" to these colonies of Britain, has nothing whatever to do with votes, nor, indeed, with the lands to be included in the league. Article 19 refers to those countries from the enemy, not from the allies, those who are not in the league now. We see what article 19 means when we read it:

> ARTICLE 19.
>
> To those colonies and territories which as a consequence of the war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in the constitution of the league.

Surely, Mr. President, I hope there will be applied some principle to these colonies that will recognize them as self-governing when it can be done; and to their people the right of human beings deserving of the care and the charity of mankind. But it must be quite apparent, sir, that the fear both eminent Senators had that the expressions of the London Times meant to give a construction to this document to mean that those who are to have individual votes which would, as Senators assumed, have given a majority of votes against the United States in every possibility is all based on a wrong assumption of premises. It is now seen that the reading by both Senators and construction was the result of a complete misapprehension.

Sir, who are those who really have the vote? I come to the position taken by the Senator from Missouri—most effective, if true; most alarming, if right; most convincing, if just. It is that in the final vote of the league this Nation would stand in the league from the beginning in the minority, and, as such, would be impotent. I will pass the phase of the preliminary construction of the league. I now assume for basis of argu-

ment that the league is formed. Will it be assumed that the United States of America will ever tolerate this league to be formed without also incorporating in it the countries—the "self-governing countries"—of South America? Will it be possibly assumed that we could ever think of having them omitted? Is it not obvious that as we protect them under the doctrine called the Monroe doctrine we would as a first step in the course of that guaranty place them where by their voice and vote they could protect themselves? Would not this be our first act as a benefit to them and service to ourselves? Even were we indifferent to them being in, they would come in on their own situation under the constitution of the league as "self-governing countries," within the definition of "countries, dominions, and colonies." This is plainly without a doubt. Sir, is there an American who would assume that our President could even concede in thought, far less by vote, that such a possibility of their being omitted ever could exist? We need only answer by recalling his pledges to them made in his Mobile (Ala.) speech.

Yet, I will accept the view expressed by both eminent Senators—Mr. BORAH from Idaho and Mr. REED of Missouri—wrong, as I think I am able to manifest them, in this reading of the constitution, to be—I will accept it as though the reading were correct. I will assume that Britain voted each of the nations in the council, or if not, then each of her colonies; yet there stands the United States of America, and the 11 countries upon her own continent, with all of their destinies wrapped and intertwined with the fate of this American Hemisphere—I ask where would their vote be, sir? With everything that Britain could command in the main council, we would, with these countries of our hemisphere, have nine to five on every European policy. The United States, Argentina, Brazil, Bolivia, Chile, Peru, Uruguay, Paraguay, Cuba, against Britain, France, Italy, Spain, Japan, or against Britain, India, Canada, Australia, and South Africa, or as against all in any unit against the Western Hemisphere—they 10 to the United States, South and Central America, 15.

Mr. REED. Where from?

Mr. LEWIS. The South American countries. I assume, sir, it would not be possible to bar them from admittance to the league.

Mr. REED. They are not in the league now.

Mr. LEWIS. Ah, sir, I call the able Senator's attention to the fact that it is not the council, as he has assumed in all his arguments, that sits upon these admissions and destinies of countries. They are the mere board of directors, now arranging for the first stockholders of the concern. After that primary organization the company as formed is to admit the applying members. The eminent Senators made their error of conclusion in assuming that it was the council who settled the destinies and the fates of admission or rejection of States. I reply, read the document; it provides that it is the league which votes the policies, not the committee on first membership—the executive council. It is only the league, as we shall see in a moment. I will not concede for a moment that our country would sit in the council or the league and, admitting members of the league, omit the South American countries, "self-governing," under the very stable standard they have prescribed, of allowing "any self-governing State to the league by two-thirds vote of the league members." Therefore it must be apparent, sir, that we need only consider the Western Hemisphere as being true to itself, for us to know that every vote of such country will be for its own preservation; certainly never for its destruction.

It is the old royalties of Europe that have threatened to overrun these lands. It was these old kingdom lands that tried to capture and conquer South America. Shall it be ever presumed that these countries would now vote to surrender themselves to their ever ancient foes? Certainly impossible. When this, then, brings us justly to contemplate their number—eleven—and then the number of the colonies which Great Britain could bring in under the definition—six—there is not one instance where the majority would not be so great and overwhelmingly in our behalf that there could not be a possibility of the danger of our being ever outvoted by the British Empire on any question of our prime concern that the Senators from Missouri and Idaho so deeply fear.

Now, sir, we take the second test proposed by the contending Senators. The Senator from Missouri and the Senator from Idaho say, "Now, here sits Japan, here is the policy of the United States of Japanese exclusion as against Japanese immigration. These countries of the league council—England, France, Italy, and Spain—say the Senators, could vote with Japan, could vote out the policy of exclusion by the United States of citizens often necessary for her welfare—is at once voted away."

Why, Mr. President, apart from the interest that the continents of the Western Hemisphere, including all South and Central American lands, would have in protecting themselves against the invasion of the Asiatic millions, behold the colonies of Great Britain, which opposing Senators say will vote as units in the league. There are the four Australias, South Africa, British Columbia—all by their laws declared for the same policy of exclusion as that prevailing in the United States. All these, as "in all beseeming ranks march one way." Sir, will these be found voting against the laws and policies they have passed and which to-day are the preservation of their existence, the policy of their sovereignty? Will their mother, Britain, be found voting against her children on so vital a necessity and drive them to a severance from the Empire and in commercial union with America? It would hardly be conceived that such mad course can be presumed. Only by indulging these phantoms of imagination, so far from possible realities, can we entertain the fears of the alarmed Senators. And now I turn for a moment to another theme of great anxiety to the opposing Senators.

The able Senators say, in the voice of the Senator from Missouri [Mr. REED]: "These nationalities, who can not speak our tongue, will sit in judgment as to the size of our Navy and our Army." "The Constitution provides such privilege," says the Senator, and on this charge calls down perfidious damnation on its presumed operation. Where is the evidence for such verdict; where the fact for such judgment? Why, the prescription is that the armaments are to be reduced or are to be established according, sir, to the necessity of each State, as that State shall manifest such—I prefer to read the exact words:

The high contracting parties recognize the principle that the maintenance of peace will require the reduction of national armaments—

First—

To the lowest point consistent with national safety—

Sir, who determines that? The country itself knows what is consistent with its own national safety. It is the sole and only judge. We would be the sole and supreme judge of what was consistent with our national safety, and the voice to express and assert it.

And—

Second. To the enforcement, by common action, of international obligations, having special regard to the geographical situation and circumstances of each State.

The State itself is the judge of its special "geographical situation" and of its particular circumstances. Only when each State has determined this status for itself does the action of the league begin. First, the State's own people must approve, or, as the constitution says, "when adopted." That is when the limitation suggested is adopted by the country to which the limitation is proposed, and the adoption only follows the fullest home consideration and decision. Then, only then, can the league enforce the decision of each State made with each other. This reciprocal and interdependent relation brings each to a common point of reduction proportionate to each other and to the necessity of each.

Now, I propound to the Senators this query for their contemplation: If I am not right, Britain has given her navy up to the other four countries of the executive council to limit and control. This you know she would never do. These lands have been her ancient foes; may be again. If I am not right, America can destroy the British Navy with the votes of South America alone, or with six votes in addition to her own. If the Senators be right in their contention that Britain and France and Italy and Japan could sit alone in their sovereign judgment and decide on our Navy and our Army, then Spain, with a memory of the days of Wellington; Italy, with the history of her conflict with England; France, with the specter of Napoleon and Waterloo and lately Fashoda—these Governments, with our one vote, could destroy the British Navy by reducing it by their votes as against hers, to such a minimum as to make it useless to her necessities. All this could never be, and could never be thought in the mind of any. That is why you find in this expression the specific language that I have very little doubt, Mr. President, was the word of Britain. If I may assume to use the colloquial yet very expressive term of the Senator from Missouri, this was where Britain was "on the job." The apt words of the Senator apply here, I fancy, more than to any other phrase found in this whole document, for we read—

Having special regard to the geographical situation and circumstances of each State.

Then, sir, you will see that each State is, under this document, specifically its own judge as to its circumstances and peculiar situation, and only by that construction, sir, will Britain be able to have the navy of such supremacy that she feels necessary to her welfare and one that we present to our people concerning our Navy as necessary for their adoption. The construction of the able Senators who have opposed this document, if well taken, would mean the death of the navy of any one of the countries of the executive council at the vote of the other four. Can any of us think that the trained diplomats of the Old World would have allowed language, far less provisions of agreement, that could be construed to do such a thing? Do you think the United States, with her late experiences, would have tolerated a document of that kind, or a construction that was possible of that nature? The United States is not represented by men who would commit national murder of their land and political suicide of themselves. So the able Senators must see that the charge they have made and the danger they express—that this league, by the specific votes of this council, could dictate our Army and Navy by their voice, without ours—was without foundation in the document itself; is without reason in any declaration of words or paragraph of authority. To these fears we cry "Avaunt."

Now, sir, say the Senators, there is the feature of arbitration, which, as they charge, compels us to arbitrate those things to which a sense of honor and a sense of right ought never to yield. I beseech the Senators to recall that the specific words of arbitration are very much after the form of words which have been debated here on this floor in connection with arbitration treaties tendered in the administration of President Taft. We find, Mr. President, that arbitrable questions are wholly left as follows:

> The high contracting parties agree that whenever any dispute or difficulty shall arise between them which they recognize to be suitable for submission to arbitration and which can not be satisfactorily settled by diplomacy.

Reserving, sir, that thing which has been discussed, and which the eminent Senator from Pennsylvania who listens to me [Mr. KNOX], as the late great Secretary of State, has so often had occasion to recur to here in his arguments, because of his own experience. That question that was discussed on the floor of the Senate so often, and no doubt was in the mind of the writer of this document, that there were certain questions of national honor or sovereign policy which could not be arbitrated. Others which should only be submitted to arbitration by the voluntary will of certain nations of the world. Therefore, sir, instead of the fear expressed by the eminent Senator, that this arbitration of our difficulties will be left perforce to our common enemies, and those of antagonism to dictate to us, the fact appears clearly upon the document that it is left by the words, by the terms of the bond, to the honor and the sense of the Nation itself as to whether it shall choose the method of arbitration or some other disposition for that particular grievance or dispute. It is a voluntary arrangement, except as to matters that could bring on war. As to the latter the league offers solution to prevent war, by prescribing a court for the solution of the dispute.

This whole paragraph we take from The Hague treaties:

Mr. President, it must be plain, sir, that the eminent Senators have read this document in a mystifying light that has greatly confused them.

The able Senator from Missouri strikes a responsive chord and makes a severe impress by his emphasis on the charge that he would have you accept that this league, under the terms of this document, could enter with its power and interfere in local contests. He cites two possible illustrations most commanding at the present time to the attention of two very kindly great people of our own land. One, the Pole who was striving for liberty for his country; the other, the noble, patriotic Irishman that has dreamed of an Irish republic since the foundation of his generation. Sir, the able Senator asserts that under this document, lands such as these, Poland and Ireland, in their struggle for political equality, could be set upon, overreached, overrun by the league forces on the charge of internal disputes, and because of such little lands, struggling within, could be made the victims of force. That by such power of the league these little lands could be throttled to silence against their revolt. If this charge is apparently justified I confess the evil, and one to be a cause of veto of the league. If there is in all the document one clause, yea, one word, to summon this accusation I will surrender my defense. I now ask the able Senators to reflect on the language that the specific words in the document are "external aggression." Only under external aggression can the league have any jurisdiction. Does any man of reflection pause for a moment to ask himself why the word "external" was added? If any form of aggression without or within was to be the privilege of the jurisdiction of this league the word "aggression" alone would have been there. It would have covered all. The word "external" was added to make it impossible that there should ever arise, in the mind of any living man, the apprehension that the internal conflicts of a people however aggressive should ever be the subject or privilege of the jurisdiction of these powers.

And, Mr. President, in the clause of the paragraph that the able Senator from Missouri attacked so fiercely, reading that in any matter that gave promise of war was a "subject of concern to the league," in which he saw evils from his vision, I invite the lawyers to the consideration of the construction. When it came to that the league reserved no power at all, no privilege of active conduct. They say to themselves that it is a matter of concern upon which they assume to offer counsel. This, as we in the United States have done time and time again to any land on the Western Continent and to many lands in Europe, yet in so doing we never have assumed to intrude our force in order to execute our friendly counsel, and we can readily appreciate what effect the counsel of this body would have with its suggestions. Let us reflect on them and their operations in the course of human action among nations. It suggests the possibility of friendships with the interceding friend or the commercial or political opposition of the interceder. The expression or reservation, sir, that war is a matter of concern to it, the league, and that it would seek to ameliorate and avoid it by accessible means, is as natural as that we would seek to extinguish a light conflagration advancing toward us, which might mean, sir, ultimately a fire of universal destruction. But the fear expressed by the able Senator that it meant that these great nations would forcibly seize these little ones and literally throttle their life and suppress their existence by the despotism of their power, I respectfully urge, has no foundation in any line or letter of the document now before this assemblage. "Beware of the wraith sent to the stage to frighten the players."

Now, Mr. President, I offer proof of my construction. I offer proof that my learned friend from Missouri will have to accept as conclusive. I commend the test I present to the Senator from Idaho, and call up his historical information, to say nothing of his acumen, to justify the illustration I tender. I say that if it be true that anything in this document—anything in the paragraph read—would allow any land—America, France, or Britain—or any combination of lands to suppress the internal dissensions in Ireland or Poland or elsewhere, then by the same authority, Britain would have realized that such power also would have meant the privilege of Russia or Japan to enter into India and interfere in her internal revolts, and summons all the forces of the league. That France, long with her eye "avaricious with hope" in the dream of eastern possession, would have had the privilege to enter into England's colony of Egypt. Do you fancy that Britain ever would have had a document here, sir, that would have allowed any outside nations to enter into any colony of hers for the purpose of suppressing revolts and lending themselves to the dispute one way or the other—on ground of maintaining order? This she knows might mean, sir, the destruction of her sovereignty over them. For the new intruder could by its presence convert them to itself and appropriate them to its own uses, as England did with Egypt, under privilege of "restoring order," France in Algiers, the United States in the Philippines. The answer springs to our lips—never!

Well, sir, as it would not be allowed to apply to colonies of Britain against her, it can not apply to any country, by Britain or France, against us. It does not give, sir, to any the power to do that with any land which Britain could not in our land, and which Britain would not allow from us or any other in her land. So let us have done with this invented terror. Sir, common logic and common sense advise us of its impossibility. In the document not a line or a sentence can be read by the flicker of imagination to justify the accusation.

Mr. President, I must move on. I know that this long analysis of the charter is burdening, but of that I must take the responsibility. The necessity is that two industrious, able assailants in two days' occupation thundered against its walls. I must expose how invincible it is even after assault.

Mr. President, in the concluding features of this analysis I have but this following thought to offer on this section: It is to say that it must have been in the minds of those who framed this provision of this document that wherever it was apparent to those directing or about to threaten an unjust war that they would bring upon themselves the collective forces of those who would suppress their unjust attacks; these would restrain themselves nor dare proceed further upon it. Let me

ask, Does anybody imagine that Germany would have entered upon the war—unholy invasion—she did, had she known that these forces that finally overcame her were ready to combine to vanquish her if she ventured upon the course of universal destruction? The hasty yielding by her when she felt the unconquerable power of their combination answers the question. This applies to explain the provision. It is the text of Job, saying—

How forcible are right words.

Mr. President, after all, sir, it is public opinion. Public opinion, stimulated by public conscience, will guide the construction of the document. Public opinion, inspired by public virtue, will sustain this league in what it shall undertake, or it will overthrow and defeat it in any attempt against the equities of men or the rights of countries. It will appeal to public opinion before ever it assumes to execute any policy, and on this judgment it will advance or withdraw.

You will remember, Senators, that Joseph Alison, writing in 1840 from Possel House, Glasgow, dilating upon Guizot and his history of European civilization, says:

The one great error of Napoleon was in assuming that government could be conducted by prescription, forgetful after all that it is the opinion of mankind—first through the intellectual man and then by restraining the thoughtless or defiant man, which, after all, is the director of all actions on earth—that make for the true advance of men.

So here, too, sirs, as to this, as to all other great tasks, it will be the public opinion of mankind in which all of this will be construed and executed, or judged and defeated. On this rock must we build our house, if the storm is not to destroy it.

Mr. President, I now advert to the text advanced by the Senator from Idaho [Mr. BORAH], which I regard of such great significance that I can not permit it to remain in the state he left it. The able Senator from Idaho concluded his masterly oration by creating the issue of "nationalism." He would have left the country to understand that there was now an issue against the democracy, of "nationalism" created by those who oppose this covenant, and that those who espouse it in the spirit of democracy were opposed to home nationalism. Of course, the Senator knew that no issue can be so fascinating to the creator of ideals, or so fitting to popular appeal, as one's own country. We still refrain:

Breathes there a man with soul so dead,
As never to himself hath said.
This is my own, my native land.

Mr. President, I will draw no political party line here in this discussion. Yet, sir, I can not allow my eminent friend, the Senator from Idaho, to leave that discussion where it drew one—one to be designated "internationalism," or world citizenship, against nationalism or home citizenship. Yet if there is to be such, democracy shall not be charged with being guilty of home abandonment. I must remind the Senator that it was not democracy that hurled this country into Asia and in the name of "world duty" and "trustee for civilization" took possession of the Philippine Islands and established an American government there, and thus gave Asia the right to demand reciprocity to come into America with her citizens for that we had gone into Asia with our people. It was not democracy that went into China and put its army at the demand of a foreign nation there for their protection, having our Americans killed by murderous Chinese. Then later assumed jurisdiction over the railroads of China to divide them among American and English financiers under the name of the "open door," more justly designated as the "dollar diplomacy," and by such arousing the hatred of China against the United States and creating the suspicions of Japan against anything American. It was not democracy that plunged the United States into the affairs of Europe at Algeciras in the European convention of 1905 and for the first time in our career as a Nation brought the United States to the hazard of war with Spain, France, and Germany—for the vanity of the United States, establishing the "balances of the Old World," and the right of kings to filch the little land of Morocco. Sir, we, the democracy endured it. We raised no voice against our Government in matters with foreign nations after the acts were done. Like patriots our theory again was that of Decatur, "My country, may you be right; but right or wrong, my country." The democracy, in common with all our land, is now paying the price of these violations in billions of lost money and in the death of thousands of her children.

Let not the able Senator from Idaho fancy he can delude the public mind in drawing that issue against the spirit of democracy. The people remember—and ever will they be reminded "Lest we forget." Still, sir, less justified was the eminent Senator in the effort to conjure up by the name of Roosevelt the issue "nationalism." I invite my learned friend to recall his history. I rejoice in the exquisite apostrophe he paid to the man—the distinguished ex-President. Its language was of beauty which will not be excelled, and in tribute, let none desecrate by denying its deserts. But I will not allow him to summon Roosevelt dead and raise up his valiant spirit in this historic shade as a justification of the doctrine of nationalism, nor to cast him upon a pedestal as the apostle statue that stood for America only, and by that make the issue of homeland only—as creed of Republican Roosevelt as against "world citizenship"—to be charged as the aspiration of a democracy. I dare assert that the returning spirit of Theodore Roosevelt would exclaim, as he would have in life—in the words of the human to the royal artist—"paint me as I am."

I recall to every one sitting around that it was Theodore Roosevelt who demanded in behalf of his country and to the ear of the whole world that our United States, merely because the neutrality of Belgium was violated, and before a citizen of this land was ever assailed or a dollar of property attacked, should send our armies in millions and our navies in squadrons and rush ourselves, unprepared as we were, in the war of Europe, that we might avenge what he denounced as the brutalizing of Belgium.

Nationalism—the issue for Roosevelt? Let it not be forgotten that the character of his life, as extending itself into the world affairs, and ever summoning the United States as avenging angel in behalf of Christianity and justice for mankind everywhere, was voiced by his historian in the exquisite eulogy of Senator LODGE upon the dead patriot when he closed his epitome in behalf of that distinguished scholar, soldier, and statesman—patriot and President—saying—

In all his last days the thoughts which filled his mind were to secure a peace which should render Germany forever harmless and advance the cause of ordered freedom in every land and among every race.

See what it was the ex-President said as his view, his hope, his demand, as to a league of peace of the world. On that great project he spoke and wrote more than once with no uncertain sound. On the 1st of January, 1915, he published a book entitled "America and the World War." He had been thinking closely and carefully over the problems created by the war, and he presented the results of his reflection for the serious consideration of his fellow countrymen. In the chapter significantly headed "An International Posse Comitatus," he says, at page 123:

I earnestly hope that we shall ourselves become one of the joint guarantors of world peace under such a plan as that I in this book outline, and that we shall hold ourselves ready and willing to act as a member of the international comitatus to enforce the peace of righteousness as against any offender, big or small. This would mean a great practical stride toward relief from the burden of excessive military preparation. It would mean that a long step had been taken toward at least minimizing and restricting the area and extent of possible warfare. It would mean that all liberty-loving and enlightened peoples, great and small, would be free from the haunting nightmare of terror which now besets them when they think of the possible conquest of their land.

Again, in the same volume, in his chapter on "Preparedness Against War," while denouncing Mr. Bryan's peace treaties with fierce emphasis and almost "a damnable reiteration," he proceeds to say, at page 202, that—

international peace will only come when the nations of the world form some kind of league which provides for an international tribunal to decide on international matters, which decrees that treaties and international agreements are never to be entered into recklessly and foolishly, and when once entered into are to be observed with entire good faith, and which puts the collective force of civilization behind such treaties and agreements and court decisions, and against any wrong-doing or recalcitrant nation.

In the chapter headed "Utopia or Hell?" he concedes that the project of a league of nations may for a time be a Utopian vision, but suggests the hopeful possibility that "after the war has come to an end the European contestants will be sufficiently sobered to be willing to consider some such proposal, and that the United States will abandon the folly of the pacifists and be willing to cooperate in some practical effort for the only kind of peace worth having, the peace of justice and righteousness."

My proposal—

He says—

is that the efficient civilized nations, those that are efficient in war as well as in peace, shall join in a world league for the peace of righteousness. This means that they shall by solemn covenant agree as to their respective rights which shall not be questioned, that they shall agree that all other questions arising between them shall be submitted to a court of arbitration, and that they shall also agree—and here comes the vital and essential point of the whole system—to act with the combined military strength of all of them against any recalcitrant nation, against any nation which transgresses at the expense of any other nation the rights which it is agreed shall not be questioned, or which on arbitrable matters refuses to submit to the decree of the arbitral court.

In his final chapter, summing up the argument, at page 253, he says:

It is because I believe our attitude should be one of sincere good will toward all nations that I so strongly feel that we should endeavor to work for a league of peace among all nations rather than trust to alliances with any particular group. * * * The prime necessity is that all the great nations should agree in good faith to use their combined warlike strength to coerce any nation, whichever one it may be, that declines to abide the decision of some competent international tribunal. Our business is to create the beginnings of international order out of the world of nations as these nations actually exist. We do not have to deal with a world of pacifists, and therefore we must proceed on the assumption that treaties will never acquire sanctity until nations are ready to seal them with their blood.

More than a year after the publication of this volume the ex-President produced another, taking his title from a phrase used by the heroine in George Borrow's "Lavengro," "Fear God and take your own part." At page 410 of this book he reproduces the following passages from his address before the Noble Prize Committee, May 5, 1910:

Something should be done as soon as possible to check the growth of armaments, especially naval armaments, by international agreement. No one power could or should act by itself, for it is eminently undesirable from the standpoint of the peace of righteousness that a power which really does believe in peace should place itself at the mercy of some rival which may at bottom have no such belief, and no intention of acting on it.

Finally, it would be a master stroke if those great powers honestly bent on peace would form a league of peace, not only to keep the peace among themselves, but to prevent, by force if necessary, its being broken by others.

The supreme difficulty in connection with developing the peace work of The Hague arises from the lack of any executive power, of any police power to enforce the decrees of the court. Each nation must keep well prepared to defend itself until the establishment of some form of international police power competent and willing to prevent violence as between nations. As things are now, such power to command peace throughout the world could only be assured by some combination between those great nations which sincerely desire peace and have no thought themselves of committee agressions. * * * The combination might at first be only to secure peace within certain definite limits and certain definite conditions, but the ruler or statesman who should bring about such a combination would have earned his place in history for all time and his title to the gratitude of all mankind.

This volume was published in February, 1916.

Here, sir, as to the creed of the Republican masters—and of the Roosevelt as he spoke, we have the law and the prophets—and as he spake he will be judged.

Mr. President, I have done with this analysis. Feebly have I performed the task assigned me. Yet I have assumed to point out the particular peaks upon which Senators mounted and the promontories upon which they stood from which they proclaimed to the valleys below the desolation and destruction of their land. I have assumed to show that their foundation was not mountain tops of truth, but hills of false echo.

I dare assume that I have demonstrated, if not to the conversion of men about me, then to the satisfaction of public conscience how infinitely wrong the able Senators were in their construction. Wrong in their premises when right in conclusions, and wrong in the conclusions when right in premises. On that false foundation all their baleful philosophy of opposition was built.

Mr. President, the Senator from Idaho demands that the people be given the opportunity to decide. I answer yes, it will be so; the people shall decide. This document will not be approved nor brought here in any form for verdict without the voice of the people being heard upon it and of it. I will have the eminent Senator from Idaho understand that there never can be permitted by me, that through his great force, the impression to go abroad, that the democracy intended this as a secret charter to be forced in a star-chamber proceeding. It will be before the Senate. Before this it will receive the consideration and audience of the people. The people will pass on the merits of this project for peace as they pass on every similar document of its purport heretofore presented in the form of a treaty. This will be through and by their Senators speaking on this floor, the voice of their constituents. But, sir, this undertaking and covenant will have that superior advantage of the voice of the distinguished champion of its birth who will do as he has done in every other measure he has found in his heart to advocate for the welfare of his countrymen. He will go to his people with the proofs of his sincerity, with the truth of his cause, with the result that has ever followed his appeal to his fellow citizens—the approval of his undertaking, as they have ever approved whenever he has gone to them with that which he has demanded in the name of humanity for mankind and justice for country.

Knowing that He cometh as one
To serve the broken—they ever cry:
"Make way for the friend, He cometh
For the cause of truth and the righteousness of men."

Senators, it is now for our country to make her decision. It is to the white paths of peace or the black plains of war. And when my country comes to the final judgment, let her not come blindfolded with the scarf of delusion. Let her behold herself in her now new relation to the world. The to-morrows greet her as the accepted friend to each or as the enemy of all. This, my beloved land, with her brow crowned with the glory of her unparalleled achievement, her body radiant with the blaze of fame's immortal star, is now never again to be the separated land from all the world's conflicts. This America is now an island with the Bering Sea at the north, with maddened Russia frenzied in hatred of us threatening at its icy doors. The Atlantic on the east, whose tides boom the summons to every ancient European grudge or national rivalry to sate itself at first advantage. On the Pacific the mysterious lands of the mystic East brood in silent meditation as to their course in retaliation for the long affront against their people and indignity of years against their nation. At the south the Panama Canal and the Gulf that widens to a sea, echo in their every singing wave the doubt and suspicions of South and Central America against the professed friendships of the United States.

Mr. President, our to-morrows approach heavily upon us with the burdens of uncertainty. Let us not be deceived in the security that we are exempt from the inheritances which from the dawn of time have befallen those who march in rivalry to overcome by superiority their rival nations. For us there is but one of two fates decreed. It is to be victor or victim. We will live in the brotherhood of peace, tranquil in the family fraternity of nations through interchange of benefits and blessings; or we will live the life of one threatened by the powerful, hated by those who fear us, and the object of hoped-for destruction by those who long for the day of power to execute their hidden vengeance. Sir, Japan and China can be one in common grievance on the east, while the new Russia and the Germanic lands may be a union of purpose with a kindred hatred waiting revived strength to avenge it upon us. In Europe abides those commercial rivalries that can leave our former battle field allies indifferent to the results that our avowed enemies may attempt upon us. Our America is now more imperiled in her future than has been her lot since her Republic sprung to life. Only to herself can she look with sure confidence. Only within herself can she find complete security. She must choose to trust herself wholly and abide in her own strength without aid and without friends, or trust herself wholly to abide in the friendships of Christian people and in the protecting love of godly nations.

If, sir, we are to be wholly alone and separate from the earth's companionships, then our country must prepare for armies and navies of a volume that shall make us supreme against any land and every foe. But these shall swell the debt of the Nation to where it will exhaust the rich and beggar the poor, and awaken a discontent to burst forth in internal daily dissensions, provoking in the end civil revolutions. We must dwell on our new changed conditions; we must measure with the fleets of the sea knitting us to every shore of every land; the air woven into a canopy of death or in curtains of life by the shuttle weavings of the aeroplane. We must reckon with the depths of the sea knotted into traps of destruction by the gyrating maneuvers of the submarine, and sight with new vision the engines of destruction encompassing us about from every hidden vantage. From all this we must see that the peace our country seeks of the earth for mankind is not for others only. It is also for ourselves.

Let our country behold itself as the light of truth reveals us—in danger! True, we can overcome it all and be victors through all. We can prepare now to empty every home of its first born; we can smite the tears from every mother's heart and wring with agony the soul of every wife. More, we can consign every boy to the fate of a cripple—and many to the horrors of sightless eyes and a hopeless life. We can empty the treasuries of the cities and make barren the farms. We can leave our country a graveyard for her dead children—stricken by her own hand—and turn our churches of God into the mourning houses where the wails of the desolate will cry unto Heaven to consign the creators of their desolation to the depths of hell. All this we can have, that we may boast of military glory and the vanquishing by world murder of every foe.

Or, sirs, we can salute the regenerated earth in the new spirit with which our children reincarnated it with their sacred bodies, still sanctifying the soil that is their distant grave. We can join in friendship that surrenders no right nor yields one privilege of a just people. We can proclaim that so long as mankind will be true to us we can covenant to be just and fair to it. That we submit every national grievance to the adjustment of a Christian spirit by the balances of right and

wrong among honest people. That we will join all who equally join us in casting aside the iron instruments of death which murder men and pauperize lands—and in their place put the pulpits of Christ and the world courts of justice. Then we can declare, by the sacred memory of the dead who fell that their loved ones should live, that war and death shall end and love of man and the life of the world begin—all consecrated anew to justice on earth and God in heaven.

Which shall it be? The holy voice again proclaims to mankind in the morn of the twentieth century as it cried out in the night of the first, "Choose ye this day whom ye will serve." We reply, "For us and our house we serve the Lord." So, sir, when we are gladdened by the sight of the new army bearing banners, streaming with the ensign, "Peace on earth, good will to men," our hearts will be quickened to joy and our lips break in praise that the first evangel to bring the glory of the newborn age and lead the rejoicing processions of the redeemed earth was our United States of America—thank God!

At the conclusion of Mr. LEWIS's speech there was prolonged applause on the floor and in the galleries.

The VICE PRESIDENT. A final word from the Chair. The occupants of the galleries are acting like Bolsheviki. They have been acting in that way for two or three days. The Chair has let you applaud those who point with pride and those who view with alarm. It is over. The rules of the Senate are going to be enforced. Orders are going to be issued by me that the next time there are manifestations of either approval or disapproval to clear the galleries, and I will see whether there is any law in America at least.

Mr. REED. Mr. President, this is no time to attempt any extended discussion, and I invoke the attention of the Senate for just about two minutes.

If the Senator from Illinois is correct in his diagnosis of this document, then the chief thing the world has hoped to obtain from it is not in it. The chief thing the world has been told we would get from this league is the disarmament, or to a large extent the disarmament, of nations. The Senator from Illinois, who assumes to be the spokesman for the administration, tells us there is not a word in this document to limit the size of any army, that that is left to the judgment of the Nation. In other words, it is left exactly where it is now. If that is the case, the chief argument for the league has been withdrawn and the chief reason for its existence does not appear to exist.

There are many things I could call attention to, but let it not be forgotten that is the construction now given.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. HARDWICK. I ask that the reading of the District of Columbia appropriation bill be proceeded with.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 13277) making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 1, after line 2, after the enacting clause, to strike out:

That the following sums are appropriated out of the revenues of the District of Columbia to the extent that they are sufficient therefor and the remainder out of any money in the Treasury not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, except amounts to pay the interest and sinking fund on the funded debt of said District, of which amounts one-half is appropriated out of any money in the Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia, namely:

And to insert:

That one half of the following sums, respectively, is appropriated, out of any money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, namely:

The amendment was agreed to.

The next amendment was, under the head of "General expenses," on page 2, line 13, before the word "each," to strike out "$6,000" and insert "$5,000," and, in line 15, after the word "salary," to strike out "$6,000" and insert "$5,000," so as to make the clause read:

Executive office: Two commissioners, at $5,000 each; engineer commissioner, so much as may be necessary (to make salary $5,000); secretary, $2,700; 3 assistant secretaries to commissioners at $1,600 each; clerks—1 $1,500, 3 at $1,400 each, 1 $1,200, 1 (who shall be a stenographer and typewriter), $1,200, 1 $840, 2 at $720 each; 2 messengers at $600 each; stenographer and typewriter, $1,200.

The amendment was agreed to.

The next amendment was, on page 2, line 22, after the word "Government," to strike out "$1,200" and insert "$1,500," so as to make the clause read:

Veterinary division: Veterinary surgeon for all horses in the departments of the District government, $1,500.

The amendment was agreed to.

The next amendment was, on page 3, line 10, after the word "necessary," to strike out "$1,500" and insert "$1,800," so as to make the clause read:

Building inspection division: Inspector of buildings, $3,000; assistant inspectors of buildings—principal $2,000, one $1,500, one $1,400, 10 at $1,200 each; fire-escape inspector, $1,400; temporary employment of additional assistant inspectors for such time as their services may be necessary, $1,800; civil engineers or computers—one $2,000, one $1,500; clerks—chief $1,800, one $1,050, one $1,000, one (who shall be a stenographer and typewriter), $1,000, one $900; messenger $600; assistant inspector, $1,500.

The amendment was agreed to.

The next amendment was, on page 4, line 13, after the words "Executive Office," to strike out "$126,190" and insert "$124,790," so as to make the clause read:

In all, Executive Office, $124,790.

The amendment was agreed to.

The next amendment was, on page 4, line 22, after "$600," to insert "storekeeper, $900," and in line 25, after the words "in all," to strike out "$39,450" and insert "$40,350," so as to make the clause read:

Care of District Building: Assistant superintendent, $2,000; chief engineer, $1,600; three assistant engineers, at $1,000 each; electrician, $1,400; two dynamo tenders, at $875 each; four firemen, at $840 each; three coal passers, at $600 each; electrician's helper, $840; eight elevator conductors, at $600 each; laborers—two at $660 each, two at $500 each; two chief cleaners (who shall also have charge of the lavatories), at $500 each; 33 cleaners, at $240 each; matron, $600; storekeeper, $900; chief watchman, $1,000; assistant chief watchman, $660; eight watchmen, at $600 each; pneumatic-tube operator, $600; in all, $40,350.

The amendment was agreed to.

The next amendment was, on page 5, line 25, after "$900," to strike out "inspector, $1,200" and insert "two inspectors, at $1,200 each," and on page 6, line 3, after the words "in all," to strike out "$13,100" and insert "$14,300," so as to make the clause read:

License bureau: Superintendent of licenses (who shall also be secretary to the automobile board without additional compensation), $2,000; clerks—two at $1,400 each, two at $1,200 each, one $1,000, one $900; two inspectors, at $1,200 each; inspector of licenses, $1,200; assistant inspector of licenses, $1,000; messenger, $600; in all, $14,300.

The amendment was agreed to.

The next amendment was, on page 6, after line 3, to insert:

Section 1 of the act of Congress approved June 19, 1878, entitled "An act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes," be, and the same is hereby, amended so as to read as follows:

"That there shall be levied a tax of $5 each per annum upon all dogs owned or kept in the District of Columbia, said tax to be collected as other taxes in said District are or may be collected."

The amendment was agreed to.

The next amendment was, on page 6, line 16, before the word "bailiffs," to strike out "three" and insert "four," and in line 20, after the words "in all," to strike out "$48,420" and insert "$49,620," so as to make the clause read:

Collector's office: Collector, $4,000; deputy collector, $2,000; chief clerk, arrears division, $2,000; cashier, $1,800; two assistant cashiers, at $1,500 each; bookkeeper, $1,600; four bailiffs, at $1,200 each; clerks—four at $1,400 each, eleven at $1,200 each, four at $1,000 each (including one transferred from assessor's office), five at $900 each, one $720; clerk and bank messenger, $1,200; two messengers, at $600 each; in all, $49,620.

The amendment was agreed to.

The next amendment was, on page 7, line 6, after "$1,500," to insert "inspector of claims, $1,800," and in line 9, after the words "in all," to strike out "$21,420" and insert "$23,220," so as to make the clause read:

Office of corporation counsel: Corporation counsel, $4,500; assistants—first $2,500, second $2,500, third $2,000, fourth $1,800, fifth $1,500, sixth $1,500; inspector of claims, $1,800; clerk and stenographer, $1,400; stenographer and typewriter, $1,200; two stenographers, at $900 each; clerk, $720; in all, $23,220.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the Office of Superintendent of Weights, Measures, and Markets, on page 8, line 4, after the word "markets," to insert "and offices," so as to make the proviso read:

Provided, That the commissioners each year in the annual estimates shall report to Congress the assignment of the foregoing market masters, assistant market masters, watchman, and laborers to the various markets and offices.

The amendment was agreed to.

The next amendment was, on page 9, after line 20, to strike out:

Public Utilities Commission: For salaries (including inspector of gas and meters, $2,000; assistant inspectors of gas and meters, one $1,200, two at $900 each; messenger, $600); in all, $33,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $4,000 per annum;

And insert:

Public Utilities Commission: Executive secretary, $4,000; accountant, $3,000; traffic engineer, $3,000; assistant accountant, $2,000; statistical clerk, $2,000; inspectors—one $1,800; one $1,600, one $1,400; inspector of gas and meters, $2,000; inspector of electric meters, $1,800; assistant inspectors—one $1,200, two at $900 each; clerks—two at $1,400 each, two at $100 per month each for seven months; two messengers, at $720 each; in all, $31,240.

The amendment was agreed to.

The next amendment was, on page 10, line 14, after the word "commission," to strike out "$53,000" and insert "$51,240," so as to make the clause read:

In all, Public Utilities Commission, $51,240.

The amendment was agreed to.

The next amendment was, on page 11, line 4, after the word "hire," to strike out "$300" and insert "$600"; and, in the same line, after the words "in all," to strike out "$11,340" and insert "$11,640," so as to make the clause read:

Department of insurance: Superintendent of insurance, $3,500; deputy and examiner, $2,000; statistician, $1,700; clerks—one $1,200, two at $900 each; stenographer, $840; temporary clerk hire, $600; in all, $11,640.

The amendment was agreed to.

The next amendment was, on page 12, line 4, after "$1,000," to strike out "one $900, seven at $840 each" and insert "eight at $900 each"; in line 6, before the word "each," to strike out "$720" and insert "$840"; in line 7, before the word "each," to strike out "$600" and insert "$720"; in line 8, after the word "copyist," to strike out "$600" and insert "$720"; in line 9, after the word "cataloguers," to strike out "one $840, one $720, two at $600 each" and insert "four at $840 each"; in line 10, after the word "one," to strike out "$900" and insert "$1,000"; in line 11, after the word "one," to strike out "$720" and insert "$840"; in the same line, after the word "one," to strike out "720" and insert "$900"; in the same line, after "$900," to strike out "6 at $600 each, 5 at $540 each," and insert "11 at $720 each"; in line 12, after the word "collator," to strike out "$600" and insert "$720"; and, in line 18, after the words "in all," to strike out "$64,620" and insert "$69,460," so as to make the clause read:

Free Public Library, including Takoma Park branch: Librarian, $4,000; assistant librarian, $1,800; chief circulating department, $1,500; director of children's work, $1,500; children's librarian, $1,000; supervisor of school work, $1,200; librarian's secretary, $1,000; Takoma Park branch librarian, $1,000; chiefs of divisions—order and accessions $1,200, industrial $1,200; reference librarian, $1,200; chief, catalogue department, $1,200; assistants—1 $1,000, 1 in charge of periodicals $1,000, 8 at $900 each, 7 (including 1 for the Takoma Park branch) at $840 each, 6 (including one for Takoma Park branch) at $720 each; copyist, $720; classifier, $900; shelf lister, $1,020; cataloguers—4 at $840 each; stenographers and typewriters—one $1,000, 1 $840; attendants—1 $900, 11 at $720 each; collator, $720; 4 messengers, at $600 each; 10 pages, at $420 each; 4 janitors, at $600 each, one of whom shall act as night watchman; janitor of Takoma Park branch, $480; engineer, $1,200; fireman, $720; workman, $600; library guard, $720; 2 cloakroom attendants, at $360 each; 6 charwomen, at $240 each; in all, $69,460.

The amendment was agreed to.

The next amendment was, on page 12, line 21, after the word "buildings," to insert "and playgrounds"; and, in line 22, after the word "librarian," to strike out "$2,500" and insert "$5,000," so as to make the clause read:

For substitutes and other special and temporary service, including the conducting of stations in public-school buildings, and playgrounds, at the discretion of the librarian, $5,000.

The amendment was agreed to.

The next amendment was, under the head of "Contingent and miscellaneous expenses," in the item of appropriation for printing, checks, books, law books, books of reference, periodicals, stationery, etc., on page 14, line 7, after the word "cement," to increase the total appropriation from "$42,500" to "$45,000."

The amendment was agreed to.

The next amendment was, on page 16, line 5, after the word "division," to insert "assistant superintendent of the street-cleaning division," and, in line 8, after the words "health officer," to insert "chief of the bureau of preventable diseases," so as to make the clause read:

Telephones may be maintained in the residences of the superintendent of the water department, sanitary engineer, chief inspector of the street-cleaning division, assistant superintendent of the street-cleaning division, inspector of plumbing, secretary of the Board of Charities, health officer, assistant health officer, chief of the bureau of preventable diseases, chief engineer of the fire department, superintendent of police, electrical inspector in charge of the fire-alarm system, one fire-alarm operator, and two fire-alarm repair men, under appropriations contained in this act. The commissioners may connect any or all of these telephones to either the system of the Chesapeake & Potomac Telephone Co. or the telephone system maintained by the District of Columbia, as in their judgment may be most economical to the District.

The amendment was agreed to.

The next amendment was, on page 16, line 18, after the word "matter," to strike out "$18,000" and insert "$14,000," so as to make the clause read:

For postage for strictly official mail matter, $14,000.

The amendment was agreed to.

The next amendment was, on page 17, line 8, after the word "District," to strike out "$5,000" and insert "$6,000," so as to make the clause read:

For judicial expenses, including procurement of chains of title, the printing of briefs in the Court of Appeals of the District of Columbia, witness fees, and expert services in District cases before the Supreme Court of said District, $6,000.

The amendment was agreed to.

The next amendment was, on page 17, line 16, after the word "bodies," to strike out "$5,000" and insert "$6,225," so as to make the clause read:

For purchase and maintenance, hire or livery, of means of transportation for the coroner's office and the morgue, jurors' fees, witness fees, removal of deceased persons, making autopsies, ice, disinfectants, telephone service, and other necessary supplies for the morgue, and the necessary expenses of holding inquests, including stenographic services in taking testimony, and photographing unidentified bodies, $6,225.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, perhaps some Senators are interested in this bill who probably are not aware that it is being considered. There are very few Senators here.

Mr. HARDWICK. The bill is the unfinished business, if the Senator please.

Mr. JONES of Washington. I know it is, but I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	France	McKellar	Sheppard
Bankhead	Hardwick	Martin, Ky.	Sherman
Beckham	Henderson	Myers	Smith, S. C.
Borah	Johnson, Cal.	Nelson	Smoot
Calder	Jones, Wash.	New	Spencer
Chamberlain	Kendrick	Norris	Sterling
Colt	Kenyon	Nugent	Sutherland
Cummins	Knox	Overman	Trammell
Curtis	La Follette	Pomerene	Weeks
Dillingham	Lewis	Shafroth	

The PRESIDING OFFICER. Only 39 Senators have answered to their names. There is not a quorum present. The Secretary will call the names of absent Senators.

The Secretary called the names of the absent Senators, and Mr. PAGE, Mr. PITTMAN, Mr. THOMAS, Mr. WADSWORTH, Mr. WALSH, and Mr. WILLIAMS answered to their names when called.

Mr. HITCHCOCK, Mr. FRELINGHUYSEN, Mr. ROBINSON, Mr. SIMMONS, Mr. SMITH of Georgia, Mr. REED, Mr. KING, Mr. MCNARY, Mr. TOWNSEND, and Mr. KIRBY entered the Chamber and answered to their names.

Mr. KING. I desire to announce the absence of the Senator from Massachusetts [Mr. LODGE], the Senator from Virginia [Mr. SWANSON], the Senator from Pennsylvania [Mr. PENROSE], the Senator from Ohio [Mr. HARDING], the Senator from Washington [Mr. POINDEXTER], and the Senator from Maine [Mr. HALE], all of whom are engaged in the Committee on Naval Affairs.

Mr. TOWNSEND. I wish to announce the unavoidable absence of my colleague [Mr. SMITH of Michigan]. He is paired with the senior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. POMERENE. I desire to announce that the Senator from Delaware [Mr. WOLCOTT] is detained on official business.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. A quorum of the Senate is present.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 19, line 25, after the word "labor," to strike out "not to exceed $4,000," so as to make the clause read:

District Building: For fuel, light, power, repairs, laundry, mechanics, and labor and miscellaneous supplies, $35,000.

The amendment was agreed to.

The next amendment was, on page 20, line 5, after the word "measure," to strike out "$100" and insert "$200," so as to make the clause read:

Office of Superintendent of Weights, Measures, and Markets: For purchase of small quantities of groceries, meats, provisions, etc., including personal services, in connection with investigation and detection of sales of short weight and measure, $200.

The amendment was agreed to.

The next amendment was, on page 20, after line 5, to insert:

Office of the assessor: For lithographing and binding office maps, $2,000.

The amendment was agreed to.

The next amendment was, on page 20, line 10, after the word "market," to strike out "$1,500" and insert "$1,800," so as to make the clause read:

For maintenance, repair, and lighting of fish wharf and market, $1,800.

The amendment was agreed to.

The next amendment was, under the head of "Improvements and repairs," on page 21, line 20, after the word "available," to strike out "for the same purposes and under the same conditions, respectively," and in line 21, after "1920," to insert "and for such items of work as can be completed within the total amount herein reappropriated," so as to make the clause read:

Construction of suburban roads: Any unexpended balance of the appropriation contained in the District of Columbia appropriation act for the fiscal year 1919 for "Construction of suburban roads" is reappropriated and made available during the fiscal year 1920, and for such items of work as can be completed within the total amount herein reappropriated.

The amendment was agreed to.

The next amendment was, on page 22, line 5, after the word "Georgetown," to strike out "$40,000" and insert "there is appropriated such sum as is necessary for said purposes," so as to make the clause read:

To carry out the provisions contained in the District of Columbia appropriation act for the fiscal year 1914 which authorizes the commissioners to open, extend, or widen any street, avenue, road, or highway to conform with the plan of the permanent system of highways in that portion of the District of Columbia outside of the cities of Washington and Georgetown, there is appropriated such sum as is necessary for said purposes, to be paid wholly out of the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 23, line 13, after the word "vehicles," to insert "used in connection therewith," so as to make the clause read:

Repairs to suburban roads: For current work of repairs to suburban roads and suburuban streets, including maintenance of motor vehicles used in connection therewith, $250,000.

The amendment was agreed to.

Mr. FRELINGHUYSEN. Mr. President, I do not want to interrupt the reading of this bill, but I must return to my office on some other matters; and the chairman of the committee has very kindly consented that I might at this time present, or notify the committee that I intend to present, an amendment to the bill and say a few words.

Mr. HARDWICK. Mr. President, if the Senator will pardon me a moment, I did not intend to convey that impression; but, of course, I shall be glad to make any arrangement that the Senator wishes. We have a general agreement that amendments other than committee amendments are not to be offered until we complete the consideration of the committee amendments.

Mr. FRELINGHUYSEN. Under those circumstances, if the Senator will permit me simply to make an explanation of what I intend to propose——

Mr. HARDWICK. Why, certainly.

Mr. FRELINGHUYSEN. I will not urge a consideration of the amendment at this time.

Mr. HARDWICK. The Senator might offer it and let it be pending.

Mr. FRELINGHUYSEN. Yes; that is what I shall do.

I think in appropriations that we have made for hospitals throughout the country for the Army and the Navy—very elaborate expenditures involving millions of dollars—we have, in a large measure, lost sight of the needs here at home. There are in this city a number of private hospitals, among which are the Providence Hospital, the Garfield Hospital, and the Emergency Hospital; and only recently the situation in regard to the support of these hospitals by the Government has been brought to my attention in a very tragic way.

A member of my family, only on Sunday, was taken to one of these hospitals, and an operation which was wonderful and magical was performed at that hospital. Had it not been for the accommodation which that hospital afforded there would have been a very sad result. I was somewhat interested in the fact that that hospital was available, and made some inquiry as to what the Government gave toward its support; and I found that each year we made an appropriation of $26,000 for maintenance—I refer to the Emergency Hospital—and that already there is a deficit of $100,000. I investigated further, and I found that the Providence Hospital, an excellent institution, and the Garfield Hospital, another large hospital here, only receive $19,000 each.

This city has increased largely in population during the war. There are estimated to be about 200,000 employees of the Government here. These hospitals take care of the indigent and charitable cases; and here, right in the home of the Government, the seat of the Government, where we live, we are only appropriating a few paltry thousands of dollars for the maintenance of the hospitals, notwithstanding the increase in the population; and yet we are building sanatoriums and hospitals all over the country for the Army.

Surely, Mr. President, we can at least appropriate an additional few thousand dollars this year for the assistance of our city hospitals. I am going to offer an amendment, which I hope will be considered by the chairman of the committee and accepted, increasing the annual appropriation for maintenance of the Providence Hospital from $19,000 to $30,000, an increase of $11,000; increasing the appropriation for the Garfield Hospital from $19,000 to $30,000, an increase of $11,000; and increasing the appropriation for the Emergency Hospital from $26,000 to $40,000, an increase of $14,000.

I have no exact basis for these increases. I have simply made them even figures; but I do know that in increasing the present appropriations 50 per cent we are only in a small measure making provision for the increased expenses of those hospitals by reason of the increase of salaries, cost of food, and other maintenance.

I offer the amendment and ask that it may be printed and considered by the committee when that item is reached.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. FRELINGHUYSEN. Certainly.

Mr. SMOOT. I should like to ask the Senator if these hospitals have not also increased their charges for operations and for rooms within the last two or three years?

Mr. FRELINGHUYSEN. I do not know. I paid the bill that I had to-day and it was a very small charge for the conveniences afforded and what was accomplished on last Sunday.

Mr. SMOOT. I asked the question because I have been told that the increases in the charges of the hospitals here have been on the same basis as the increased expense of supplies and labor. I do not know, of course, as to that.

Mr. FRELINGHUYSEN. I can not inform the Senator of the comparison; but I do know that on the floor that I visited there are several wards where there are charity patients, and that there are very few pay patients in that hospital, although there are conveniences for private patients; and I am very glad there are, because for the protection of our own families, the citizens here who can afford to pay, they should have those conveniences.

Mr. SMOOT. Perhaps the Senator having the bill in charge can tell whether there has been an increase in the charges of these hospitals.

Mr. HARDWICK. The clerk of the committee informs me that he thinks not.

Mr. DILLINGHAM. Mr. President, I have made some inquiry about that; and I think it is true that the charges for rooms and attendance have increased somewhat, but not in proportion to the increase in the expenses.

Mr. HARDWICK. If the Senator will pardon me for a minute, the clerk of the committee misunderstood my question; and I think perhaps there have been some increases in the charges of the hospitals. Let me say to the Senator, for his own consideration while his amendment is pending, that if he will examine the provisions of this bill he will find that we gave an increase of a million dollars to the Gallinger Hospital, which is for the poor people of this city.

Mr. FRELINGHUYSEN. The Gallinger Hospital is not yet built. I am simply asking for a 50 per cent increase in the appropriations for maintenance of these three very worthy hospitals.

Mr. HARDWICK. We will consider it when we get to the part of the bill which deals with hospitals.

SENATOR FROM MICHIGAN—CORRECTION.

Mr. ASHURST. Mr. President, I have here a copy of the New York World of February 24, which has an editorial which I think does great injustice to the chairman of one of the Senate committees, the Chairman of the Committee on Privileges and Elections. The article is entitled, "No show for Henry Ford." It reads as follows:

Through lack of vigor in pressing the matter upon the attention of the Senate Senator POMERENE, of the Committee on Privileges and Elections, has directly helped to defeat an investigation of the senatorial election last November in Michigan. Prompt action was imperatively demanded for the safeguarding of the ballots, if nothing more, in the Ford-Newberry contest.

It is now too late to preserve intact the records upon which a thorough and conclusive investigation must be based. In some counties they have already been destroyed. It was to be foreseen that this would happen. Ample warning was given when the grounds for Henry Ford's contest were first laid before the Senate.

To the specious plea that the present Senate had no right to conduct an investigation into the election of a Member of the next Senate it should have been sufficient to insist that at least the integrity of the ballots should be safeguarded for later inspection. This has not been done, and the blame is with Mr. POMERENE and his committee.

Mr. President, I am an humble member of the Committee on Privileges and Elections, and I wish to say that I am sorry to see that a paper as able and accurate as the New York World really is would fall into such a grievous error.

The chairman of the committee, Mr. POMERENE—and I am an humble member, as I said, of that committee—proceeded in the matter of the Ford-Newberry contest with all the celerity that the chairman of a committee could, and it is a great injustice to him and to the committee to say that injustice is about to be done because the committee failed to proceed.

I wish to say here that the chairman of the committee showed as much energy in this matter as any chairman has shown in any matter since I have been a member. In fact, Mr. President, the chairman continually assembled the committee, and when a majority did not appear he would telephone and send notes and messages to the Members of the Senate who are members of the committee urging them to come before the committee and hold a meeting.

If any Member of the Senate or any chairman has ever shown diligence on any matter, it has been the chairman of the Committee on Privileges and Elections with respect to the Ford-Newberry contest. I trust this will be sufficient, because I do think an injustice has been done to the chairman of the committee. He moved with all the celerity, promptitude, and dispatch that one man could possibly display.

Mr. SMOOT. Will the Senator yield?

Mr. ASHURST. I am through. I will yield the floor.

Mr. SMOOT. I wish to say that there is also a correction which ought to be made in the statement found in the World, wherein it says that the ballots have not been preserved. There is no one in the Senate who does not understand that the ballots are preserved. They are now in the charge of the court. I think a great metropolitan paper ought to know that fact which has been stated here in the Senate.

LEAGUE OF NATIONS.

Mr. SHERMAN. Mr. President, I wish to announce that a week from to-day, if I can obtain the floor, I shall submit some observations on the constitution of the league of nations.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13277) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes.

The reading of the bill was continued.

The next amendment was, under the head of "Sewers," on page 25, line 7, after the word "sewers," to insert "including the purchase of one motor field wagon at not to exceed $2,000, and the maintenance of motor vehicles," so as to make the clause read:

For suburban sewers, including the purchase of one motor field wagon at not to exceed $2,000, and the maintenance of motor vehicles, $100,000.

Mr. SMOOT. I notice under the head of "Sewers" there is a provision for the purchase of a motor truck not to exceed $2,000. Here the Senate committee inserted for the purchase of one motor field wagon, not to exceed $2,000, and the maintenance of motor vehicles, and the amount appropriated is not changed. I ask the Senator from Georgia if that is necessary. It was considered by the House committee; after an estimate had been made for this particular item the House decided that it was not necessary.

Mr. HARDWICK. The District Commissioners insisted that it was necessary. I think I can find the testimony. I think possibly they insisted on $3,000, and we cut the amount a little.

Mr. CURTIS. They estimated $3,000 and said that that amount was necessary; that it would save a great deal of time, and they would substitute this motor wagon for horses and wagons.

Mr. HARDWICK. They claimed that it would be right economy and asked to have it inserted, and we thought it better to put it in.

Mr. SMOOT. Does the Senator from Kansas say that for the suburban sewers there has not been an automobile in the past?

Mr. CURTIS. The testimony was that they are using horses and wagons now on most of the work.

Mr. SMOOT. If they are, I think it is more than likely that they ought to change, because that is a very expensive way of carrying both men and material to the suburban sewers of the District. If that is the case I think the House made a mistake in not putting it in.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, under the head of "Streets," on page 27, after line 6, to insert:

For disposal of city refuse during the fiscal year ending June 30, 1919, in addition to any amounts now available, $50,000, or so much thereof as may be necessary, to be immediately available: *Provided*, That the Commissioners of the District of Columbia are hereby authorized to investigate conditions affecting the existing contract for the collection and disposal of ashes in the District of Columbia during the fiscal year ending June 30, 1919, with a view to determining whether any adjustment should be made in the compensation paid, or to be paid, thereunder and to adjust the same if the facts disclose the necessity for such adjustment: *Provided further*, That additional compensation, if any, paid as authorized herein shall not exceed the sum of $22,000 for the year. And the said commissioners are further authorized, if in their opinion such action shall be to the best interests of the District of Columbia, to hereafter conduct any or all of the operations involved in the collection and disposal of city refuse of every kind as municipal functions, and for that purpose to purchase or lease the necessary plants, buildings, and land, to purchase or hire horses and horse-drawn vehicles, passenger-carrying and other motor-propelled vehicles, equipment, and machinery, and to employ expert and other personal services, and labor, and to pay traveling, maintenance, incidental, and contingent expenses: *Provided*, That products arising from such operations conducted as authorized herein may be sold and the proceeds arising therefrom shall be repaid to the then current appropriation for the collection and disposal of city refuse: *Provided further*, That any or all operations herein authorized to be conducted as municipal functions may be put into effect as such upon the expiration of any of the existing contracts for the collection and disposal of city refuse or upon the failure of any of the present contractors to properly perform the work covered by their contracts: *Provided further*, That it shall be unlawful for any employee of the District of Columbia engaged in the removal of garbage, ashes, miscellaneous refuse, dead animals, or night soil, or for any employee of a contractor doing such work for the District of Columbia, to accept any gift, except from his employer, in money or any other thing of value for any service performed in connection with the removal of city refuse as hereinbefore described; and it shall be unlawful for any person, firm, or corporation, except such employer, to pay or offer to pay, any money or to make any gift to any such employee for such service; that any person violating the provisions of this paragraph shall be deemed guilty of a misdemeanor, and shall, upon conviction, be fined in a sum of not less than $5 nor more than $40 for each such offense.

Mr. SMOOT. I should like to say to the Senator having the bill in charge that when it gets into conference I trust that he and the other conferees on the part of the Senate will insist upon this appropriation remaining in the bill. It is a perfect disgrace to the District of Columbia the way the refuse and the ashes have been handled under the contract system. It got so bad here in the District that ashes would not be removed and refuse would not be called for unless a person telephoned, and in many cases it was distinctly intimated that hereafter if they were to be removed at all the men who called were to have some kind of remuneration for doing it, or, in other words, it has been intimated unless they were well paid by tips the ashes and refuse would remain in the back yards of the houses in the District until the owners or occupants of those houses changed their minds as to the past policy.

If there is anything that needs remedying it is the handling of ashes and the city refuse in the District of Columbia. I trust that the Senator having the bill in charge and the conferees on the part of the Senate will insist that this provision shall remain in the bill, and if the House conferees do not agree to it let us have it brought back to the Senate.

Mr. HARDWICK. I will say to the Senator that the subcommittee which investigated this question and the District Commissioners are in thorough accord with the view expressed by the Senator from Utah, that this is an absolutely necessary reform in District affairs. While, of course, the Senate conferees must go in free, I think I can assure the Senator, as far as my personal attitude is concerned, that I shall be inclined to insist upon the amendment very strongly.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HARDWICK. I offer an amendment to the text of the bill.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 26, beginning with line 25, the Senator from Georgia, on behalf of the committee, moves to strike out that line and lines 1, 2, and 3 on page 27, and strike out the word "*further*" after the word "*Provided*," in line 4, in the following words:

Provided, That any proceeds received from the disposal of city refuse or garbage shall be paid into the Treasury of the United States to the credit of the United States and the District of Columbia in equal parts.

The amendment was agreed to.

The next amendment was, on page 29, line 25, after the word "months," to strike out "twenty-two" and insert "twenty-four"; on page 30, line 12, after the word "month," to insert "storekeeper, at $100 per month"; and in line 16,

after the words "in all," to strike out "$45,980" and insert "$48,680," so as to make the clause read:

For salaries: Supervisor, $2,500; inspector of playgrounds, $1,200; clerk (stenographer and typewriter), $1,200; to be employed not exceeding 10 months—24 directors of playgrounds or recreation centers at $75 per month each, assistant director at $60 per month, general utility man at $60 per month; to be employed not exceeding seven months—three assistant directors at $60 per month each, four assistant directors at $50 per month each; to be employed not exceeding four months—five guards or swimming teachers at $60 per month each; to be employed not exceeding three months—four assistant directors at $60 per month each, 22 assistants at $50 per month each; to be employed 12 months—22 watchmen at $50 per month each, clerk (who shall be a bookkeeper) at $75 per month, storekeeper, at $100 per month; for services of extra directors at not exceeding 35 cents per hour, $800; for services of extra watchmen at not exceeding 25 cents per hour, $600; in all, $48,680.

The amendment was agreed to.

The next amendment was, on page 30, after line 16, to insert:

For necessary expenses to keep open school playgrounds and athletic fields not otherwise provided for during the summer months, and on days when there was no school sessions, including toilet facilities in school buildings adjacent thereto, all of which during such time are hereby placed under the jurisdiction of the Commissioners of the District of Columbia, including pay for services, which shall not exceed in any case $3 per diem, $20,000.

The amendment was agreed to.

The next amendment was, on page 31, line 3, after the word "pools," to strike out "$3,000" and insert "$5,000," so as to make the clause read:

For supplies, installing electric lights, repairs, maintenance, and necessary expenses of operating five swimming pools, $5,000.

The amendment was agreed to.

The next amendment was, one page 31, line 4, after the word "playgrounds," to strike out "$83,980" and insert "$108,680," so as to make the clause read:

In all, for playgrounds, $108,680, to be paid wholly out of the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the head of "Electrical Department," on page 33, line 21, after the word "items," to strike out "$5,000" and insert "$7,000," so as to make the clause read:

For extension and relocation of fire-alarm system, including purchase of new boxes, purchase and erection of necessary poles, cross arms, insulators, pins, braces, wire, cable, conduit connections, posts, extra labor, and other necessary items, $7,000.

The amendment was agreed to.

The next amendment was, under the head of "Public Schools," on page 34, line 3, after the word "one," to strike out "$3,000" and insert "$3,250;" and in line 10, after the words "in all," to strike out "$62,520" and insert "$62,770," so as to make the clause read:

Officers: Superintendent, $6,000; assistant superintendents—1 $3,500, 1 $3,250; director of intermediate instruction, 13 supervising principals, supervisor of manual training, and director of primry instruction, 16 in all, at a minimum salary of $2,200 each; secretary, $2,000; financial clerk, $2,000; clerks—1 $1,600, 1 $1,400, 1 $1,200, 3 at $1,000 each, 1 (to carry out the provisions of the child-labor law) $900; 2 stenographers, at $1,000 each; messenger, $720; in all, $62,770.

The amendment was agreed to.

The next amendment was, on page 34, line 19, after the word "School," to strike out "$1,800" and insert "$2,000;" and in line 21, before the words "per annum," to strike out "$1,800" and insert "$2,000," so as to make the clause read:

Assistant principal of the Central High School, $2,000: *Provided*, That said assistant principal shall be placed at a basic salary of $2,000 per annum and shall be entitled to an increase of $100 per annum for 5 years.

The amendment was agreed to.

The next amendment was, on page 35, line 2, after the word "School," to strike out "$1,800" and insert "$2,000;" and in line 3, before the words "per annum," to strike out "$1,800" and insert "$2,000," so as to make the clause read:

Assistant principal, who shall be dean of girls of the Central High School, $2,000: *Provided*, That said assistant principal shall be placed at a basic salary of $2,000 per annum and shall be entitled to an increase of $100 per annum for 5 years.

The amendment was agreed to.

The next amendment was, on page 35, line 13, before "$1,400," to strike out "Assistant director of primary instruction" and insert "Director of primary instruction for the colored schools"; and in line 15, after the word "the," to strike out "assistant director of primary instruction" and insert "director of primary instruction for the colored schools," so as to make the clause read:

Director of primary instruction for the colored schools, $1,400: *Provided*, That the director of primary instruction for the colored schools now in the service of the public schools, or hereafter to be appointed, shall be placed at the basic salary of $1,400 per annum, and shall be entitled to an increase of $50 per annum for 5 years.

The amendment was agreed to.

The next amendment was, on page 35, line 21, before the word "of," to strike out "Assistant directors" and insert "Directors for the colored schools"; in line 24, after the word "the," to strike out "assistant director of penmanship" and insert "director of penmanship for the colored schools"; and on page 36, line 1, before the word "director," to strike out "an assistant" and insert "a," so as to make the clause read:

Directors for the colored schools of music, drawing, physical culture, domestic science, domestic art, kindergartens, and penmanship, 7, at $1,300 each: *Provided*, That the director of penmanship for the colored schools, who shall be an instructor in the normal school and a director in the grades, shall be placed at a basic salary of $1,300 per annum, and shall be entitled to an increase of $50 per annum for 5 years.

The amendment was agreed to.

The next amendment was, on page 36, line 5, before "$1,300," to strike out "assistant supervisor of manual training" and insert "supervisor of manual training for the colored schools," so as to make the clause read:

Supervisor of manual training for the colored schools, $1,300.

The amendment was agreed to.

The next amendment was, on page 37, line 2, after the word "teachers," to strike out "$1,738,950" and insert "$1,739,350," so as to make the clause read:

In all, for teachers, $1,739,350: *Provided*, That no part of said appropriation, or any appropriation herein, shall be used for the payment of any teacher to give instruction in the German language, or for the purchase of any books for use in such instruction.

The amendment was agreed to.

The next amendment was, on page 37, line 22, after the word "schools," to insert "and playgrounds"; in the same line, after the word "and," to insert "directors, officers"; in line 23, after the word "schools," to insert "and playgrounds"; and in line 24, after the word "be," to insert "directors, officers," so as to make the clause read:

Vacation schools and playgrounds: For the proper care, instruction, and supervision of children in the vacation schools and playgrounds, and directors, officers, supervisors, teachers, and janitors of vacation schools and playgrounds may also be directors, officers, supervisors, teachers, and janitors of day schools, $14,000.

The amendment was agreed to.

The next amendment was, on page 38, line 6, after the word "principals," to strike out "supervisor and assistant"; in line 7, after the word "training," to insert "supervisor of manual training for the colored schools"; in line 12, after the word "departments," to strike out "director and assistant"; in line 13, after the word "instruction," to insert "director of primary instruction for the colored schools"; in line 14, before the word "directors," to strike out "assistant"; and in line 15, after the word "directors," to insert "for the colored schools," so as to make the clause read:

Longevity pay: For longevity pay for director of intermediate instruction, supervising principals, supervisor of manual training, supervisor of manual training for the colored schools, principals of normal high and manual training high schools, the assistant principal of the Central High School, the assistant principal (who shall be dean of girls) of the Central High School, principals of grade manual training schools, heads of departments, director of primary instruction, director of primary instruction for the colored schools, directors and directors for the colored schools of drawing, physical culture, music, domestic science, domestic art, kindergartens, and penmanship, teachers, clerks, librarians and clerks, and librarians, to be paid in strict conformity with the provisions of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia," approved June 20, 1906, as amended by the acts approved May 26, 1908, May 18, 1910, and June 26, 1912, $450,000.

The amendment was agreed to.

The next amendment was, on page 39, line 6, after the word "For," to insert "officers"; in line 8, after the word "and" where it occurs the second time, to insert "officers"; and in line 9, after the word "be," insert "officers," so as to make the clause read:

Night schools: For officers, teachers, and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and officers, teachers, and janitors of night schools may also be officers, teachers, and janitors of day schools, $50,000.

The amendment was agreed to.

The next amendment was, on page 45, line 14, after the word "schools," to insert "and the chief medical and sanitary inspector for the schools," so as to make the clause read:

For contingent expenses, including furniture and repairs of same, stationery, printing, ice, purchase and repair of equipment for high-school cadets, and other necessary items not otherwise provided for, including an allowance of not exceeding $300 per annum for livery of horse or not exceeding $360 per annum for garage for each the superintendent of schools, the superintendent of janitors, the two assistant superintendents, the director of primary instruction, the school cabinet-maker, the general secretary of community centers, the supervising principal in charge of the white special schools, and the supervising principal of the colored special schools, and the chief medical and sanitary inspector for the schools, and including not exceeding $3,000 for books, books of reference, and periodicals, $75,000.

The amendment was agreed to.

The next amendment was, on page 48, line 3, after the word "facilities," to strike out "$25,000" and insert "$50,000, of which sum $3,000 shall be available for the removal and reerection of portable schools," so as to make the clause read:

Buildings and grounds: For the construction and erection of portable schools, including necessary grading, improvements, and toilet facilities, $50,000, of which sum $3,000 shall be available for the removal and re-erection of portable schools.

The amendment was agreed to.

The next amendment was, on page 48, after line 5, to insert:

For the purchase of additional ground adjoining the Dunbar High School, $99,000.

The amendment was agreed to.

The next amendment was, under the head of "Policemen and firemen's relief fund," on page 54, after line 2, to strike out:

To pay the relief and other allowances authorized by law, a sum not to exceed $218,724.36 is appropriated from the policemen and firemen's relief fund.

And to insert:

To pay the relief and other allowances authorized by law, including $68,410.87, due pensioners of the police and fire departments which was duly authorized during the fiscal years 1911 to 1915, inclusive, by the Commissioners of the District of Columbia in accordance with law, a sum not to exceed $287,135.23 is appropriated from the policemen and firemen's relief fund: *Provided*, That no person shall directly or indirectly take, receive, or agree to receive, at any time any money, property, or other valuable consideration whatever, from any person for obtaining, procuring, or aiding to obtain or to procure, any back pension under the provisions of this act or any previous act, and every person who directly or indirectly offers to give or gives any money, property, or other valuable consideration whatever for procuring or aiding to procure any such back pension under the provisions of this act or any previous act, shall be guilty of misdemeanor, and upon conviction thereof in police court shall be punished by a fine not exceeding $1,000, or imprisonment in jail not exceeding 12 months, or both such fine and imprisonment, in the discretion of the court.

The amendment was agreed to.

The next amendment was, under the head of "Fire department," on page 55, line 19, after the word "engine," to strike out "house" and insert "houses," so as to make the clause read:

Miscellaneous: For repairs and improvements to engine houses and grounds, $16,000.

The amendment was agreed to.

The next amendment was, on page 56, line 11, after the word "halyards," to insert "cost of installation and maintenance of telephones in the residences of the fire marshal and the superintendent of machinery," so as to make the clause read:

For contingent expenses, horseshoeing, furniture, fixtures, oil, medical and stable supplies, harness, blacksmithing, gas and electric lighting, flags and halyards, cost of installation and maintenance of telephones in the residences of the fire marshal and the superintendent of machinery, and other necessary items, $25,000.

The amendment was agreed to.

The next amendment was, on page 56, after line 23, to insert:

For one concrete and frame drill tower to be erected adjacent to No. 8 engine house, on North Carolina Avenue, between Sixth and Seventh Streets SE., on land owned by the District of Columbia, to be immediately available, $10,368.

The amendment was agreed to.

The next amendment was, on page 57, line 4, after the words "in all," to strike out "$72,150" and insert "$82,518," so as to make the clause read:

In all, $82,518.

The amendment was agreed to.

The next amendment was, under the head of "Health Department," on page 61, line 3, before the words "per month," to strike out "$25" and insert "$30"; in line 4, before the words "per month," to strike out "$25" and insert "$35"; and, in line 11, after the word "expenses," to strike out "$7,500" and insert "$8,500," so as to make the clause read:

For necessary expenses of inspection of dairy farms, including amounts that may be allowed the health officer, assistant health officer, chief medical inspector in charge of contagious-disease service, and inspectors assigned to the inspection of dairy farms, for maintenance by each of a horse and vehicle at not to exceed $30 per month, or motor vehicle at not to exceed $35 per month, for use in the discharge of his official duties, and allowances for such other inspectors in the service of the health department as the commissioners may determine, of not to exceed $15 per month for maintenance of a motorcycle each, or of not exceeding $25 per annum for the maintenance of a bicycle each, for use in the discharge of their official duties, and other necessary traveling expenses, $8,500, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 61, after line 21, to insert:

For one motor ambulance at a cost not exceeding $2,500, and for equipping, maintaining, and operating the same and keeping it in good order, $600; in all, $3,100.

The amendment was agreed to.

The next amendment was, at the top of page 62, to insert:

To aid indigent persons who are suffering from tuberculosis to obtain adequate sanitarium and hospital care, $10,000.

The amendment was agreed to.

The next amendment was, on page 62, after line 3, to insert:

For the enforcement of the provisions of an act entitled "An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes," approved March 1, 1899, as amended by an act to provide for the abatement of nuisances in the District of Columbia by the commissioners of said District, and for other purposes, approved April 14, 1906, $6,000.

The amendment was agreed to.

The next amendment was, on page 62, after line 21, to insert:

For clinical examination, advice, care, and maintenance of children under 6 years of age, under a contract to be made with the Washington Diet Kitchen by the health officer of the District of Columbia, $15,000.

The amendment was agreed to.

The next amendment was, under the head of "Emergency fund," on page 66, line 25, after the word "commissioners," to strike out "$8,000" and insert "$10,000," so as to read:

To be expended only in case of emergency, such as riot, pestilence, public insanitary conditions, calamity by flood or fire or storm, and of like character, and in all cases of emergency not otherwise sufficiently provided for, in the discretion of the commissioners, $10,000.

The amendment was agreed to.

The next amendment was, under the head of "Courts and prisons," on page 68, after line 11, to insert:

Courthouse, District of Columbia: For fitting up the top story and basement of the courthouse of the District of Columbia suitable for occupancy by the office of the recorder of deeds, including expenses of moving said office, and material and labor, and for each and every item incident thereto, to be immediately available, $19,800, said work and the expenditures authorized hereunder to be under the direction and supervision of the Superintendent of the Capitol Building and Grounds.

Mr. HARDWICK. I offer an amendment to the amendment reported by the committee to correct a mistake in the name of the building.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment, on page 68, in line 12, it is proposed to strike out the word "courthouse" and insert in lieu thereof the words "court of appeals building," and in line 13, after the words "of the," to strike out the word "courthouse" and insert "court of appeals building."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Charities and corrections," on page 70, after line 3, to insert:

For purchase and equipment of motor ambulance, $2,000.

The amendment was agreed to.

The next amendment was, on page 70, after line 5, to strike out:

For the maintenance of one motor ambulance, $600.

And to insert:

For the maintenance of two motor ambulances, $1,200.

The amendment was agreed to.

The next amendment was, under subhead "Reformatories and Correctional Institutions," on page 71, after line 17, to insert:

For purchase of apparatus for operating room, including Lumbard's airway, gas oxygen apparatus, and electric ether suction apparatus, $350.

The amendment was agreed to.

The next amendment was, on page 72, line 16, after the word "harness," to strike out "$2,000" and insert "$3,000," so as to make the clause read:

Transportation of prisoners: For conveying prisoners to Washington Asylum and Jail, including salary of driver, not to exceed $840, and purchase and maintenance of necessary horses, wagons, and harness, $3,000.

The amendment was agreed to.

The next amendment was, on page 72, line 17, after the word "Jail," to strike out "$194,475," and insert "$195,825," so as to make the clause read:

In all, Washington Asylum and Jail, $195,825.

The amendment was agreed to.

The next amendment was, under the subhead "Medical Charities," on page 74, line 24, after the word "Charities," to strike out "$40,000" and insert "$45,000," so as to make the clause read:

For care and treatment of indigent patients, under a contract to be made with Freedmen's Hospital by the Board of Charities, $45,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 75, after line 10, to insert:

Provided, That in case the National Homeopathic Hospital, with its present facilities, is unable to enter into a contract with the Board of Charities for the care of indigent patients, said board is authorized to spend so much of the amount appropriated in this paragraph as may be necessary to provide for the care of indigent patients in other existing hospitals in the District of Columbia.

So as to make the clause read:

For care and treatment of indigent patients, under a contract to be made with National Homeopathic Hospital Association by the Board of Charities, not to exceed $10,000: *Provided*, That in case the National Homeopathic Hospital, with its present facilities, is unable to enter into a contract with the Board of Charities for the care of indigent patients, said board is authorized to spend so much of the amount appropriated in this paragraph as may be necessary to provide for the care of indigent patients in other existing hospitals in the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 76, line 12, after the word "Charities," to strike out "$6,000" and insert "$7,000," so as to make the clause read:

For care and treatment of indigent patients under a contract to be made with Georgetown University Hospital by the Board of Charities, $7,000.

The amendment was agreed to.

The next amendment was, on page 76, line 15, after the word "Charities," to strike out "$6,000" and insert "$7,000," so as to make the clause read:

For care and treatment of indigent patients under a contract to be made with George Washington University Hospital by the Board of Charities, $7,000.

The amendment was agreed to.

The next amendment was, on page 77, line 17, after the word "to," to strike out "$603,590" and insert "$1,500,000: *Provided*, That the Commissioners of the District of Columbia are authorized to enter into contracts and otherwise incur obligations for the purposes above mentioned within the limit of cost hereby fixed," so as to make the clause read:

GALLINGER MUNICIPAL HOSPITAL: For continuing the construction of the Gallinger Municipal Hospital in accordance with the provision for that purpose in the District of Columbia appropriation act for the fiscal year 1918, $100,000; and the limit of cost of said hospital and accessory buildings is increased from $500,000 to $1,500,000: *Provided*, That the Commissioners of the District of Columbia are authorized to enter into contracts and otherwise incur obligations for the purposes above mentioned within the limit of cost hereby fixed.

The amendment was agreed to.

The next amendment was, under subhead "Child-caring Institutions," on page 78, after line 15, to insert:

For temporary shelter, including maintenance and rent, $7,000; resident superintendent, $1,200; resident trained nurse, $800; resident matron, $900; clerk, $1,000; and janitor, $720; in all, $11,620: *Provided*, That the money herein provided for rent shall be used for renting a building from the Government if practicable.

The amendment was agreed to.

The next amendment was, on page 78, line 22, after the word "Guardians," to strike out "$207,200" and insert "$218,820," so as to make the clause read:

In all, Board of Children's Guardians, $218,820.

The amendment was agreed to.

The next amendment was, under subhead "Temporary Homes," on page 81, after line 23, to insert:

NATIONAL LIBRARY FOR THE BLIND: For aid and support of the National Library for the Blind, located at 1729 H Street NW., to be expended under the direction of the Commissioners of the District of Columbia, $5,000.

The amendment was agreed to.

The next amendment was, on page 82, after line 3, to insert:

COLUMBIA POLYTECHNIC INSTITUTE: To aid the Columbia Polytechnic Institute for the Blind, located at 1808 H Street NW., to be expended under the direction of the Commissioners of the District of Columbia, $1,500.

The amendment was agreed to.

The next amendment was, on page 85, line 1, after the words "Assistant superintendent," to strike out "$2,000" and insert "$1,800," and, in line 6, after the words "in all," to strike out "$30,900" and insert "$30,700," so as to make the clause read:

Reformatory: Assistant superintendent, $1,800; chief clerk, $1,200; assistant clerk and stenographer, $1,000; steward, $1,500; captain of day officers, $1,200; 6 instructors, at $1,200 each; 10 day officers, at $900 each; captain of night force, $1,080; 6 night officers, at $720 each; parole officer, $1,200; overseer, $1,200; in all, $30,700.

The amendment was agreed to.

The next amendment was, on page 85, line 21, after the words "in all," to strike out "$152,900" and insert "$152,700," so as to make the clause read:

In all, $152,700, which sum shall be expended under the direction of the commissioners.

The amendment was agreed to.

The next amendment was, under the head of "Water Service," subhead "Water Department," on page 91, line 2, after the word "work," to strike out "not to exceed $400,000 of the amount" and insert "so much as may be," so as to make the clause read:

For continuing the extension of and maintaining the high-service system of water distribution, laying necessary service and trunk mains for low service, and purchasing, installing, and maintaining water meters on services to such private residences and to such business places as may not be required to install meters under existing regulations as may be directed by the commissioners, said meters at all times to remain the property of the District of Columbia; to include all necessary land, machinery, buildings, mains, and appurtenances, and labor, and purchase and maintenance of horses, wagons, carts, and harness necessary for the proper execution of this work, so much as may be available in the water fund during the fiscal year 1920 after providing for the expenditures hereinbefore authorized.

The amendment was agreed to.

The next amendment was, on page 91, after line 5, to insert:

That on and after July 1, 1920, all users of water furnished through the water supply and distribution system of the District of Columbia, including all departments, branches, and agencies of the United States and the Government of the District of Columbia, shall be required to pay for all water so furnished, at rates determined by the Commissioners of the District of Columbia and approved by Congress. Payments for said water shall be made by officers of the United States and the District of Columbia, respectively, in charge and control of all buildings and plants of the United States and the government of the District of Columbia from any appropriations available for said purpose. All such payments shall be made to the collector of taxes of the District of Columbia, who shall deposit same in the Treasury of the United States to the credit of the water fund. Said commissioners shall submit with their estimates to Congress at the beginning of its session December, 1919, and annually thereafter, a schedule of proposed water rates.

The amendment was agreed to.

The next amendment was, at the top of page 92, to insert:

That from and after July 1, 1919, jurisdiction over and control of the Washington Aqueduct and its appurtenances in the District of Columbia, State of Maryland, and State of Virginia, including land, reservoirs, structures, and all water rights, water power, and flowage rights appurtenant thereto; over the Conduit Road; over the filtration plant and its appurtenances, and over all United States water mains in the District of Columbia, shall be vested in the Commissioners of the District of Columbia, who are hereby created agents of the United States for said purpose, and who are hereby granted all the powers in connection therewith now exercised by the Secretary of War and the Chief of Engineers of the United States Army. The Secretary of War and the Chief of Engineers of the United States Army shall, on said date, transfer to said commissioners all property and records now in their possession connected with said works, together with all appropriations and balances of appropriations on that date available for said works, which said appropriations and balances shall be expended under the direction of said commissioners for the purposes for which they were made.

Mr. RANSDELL. Mr. President, I wish to make a point of order to this provision. It proposes general legislation on an appropriation bill. I have discussed the matter with the chairman of the subcommittee, and I understood that he considered the point good.

The VICE PRESIDENT. Is there a general law on the subject of the aqueduct?

Mr. RANSDELL. There is. I have it before me.

Mr. HARDWICK. There is a general statute of the United States fixing the control of the aqueduct.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. HARDWICK. The point of order is good.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in section 2, page 93, line 12, after the word "exceed," to strike out "$100,000" and insert "98,200," so as to make the clause read:

That the services of draftsmen, assistant engineers, levelers, transitmen, rodmen, chainmen, computers, copyists, overseers, and inspectors temporarily required in connection with sewer, street, street cleaning or road work or construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations may be employed exclusively to carry into effect said appropriations when specifically and in writing ordered by the commissioners, and all such necessary expenditures for the proper execution of said work shall be paid from and equitably charged against the sums appropriated for said work; and the commissioners in their annual estimates shall report the number of such employees performing such services, and their work, and the sums paid to each, and out of what appropriation: *Provided*, That the expenditures hereunder shall not exceed $98,200 during the fiscal year 1920.

The amendment was agreed to.

The next amendment was, in section 7, page 97, line 21, after the word "receipt," to insert:

Provided, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office material, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

So as to make the clause read:

SEC. 7. That the commissioners and other responsible officials, in expending appropriations contained in this act, so far as possible shall purchase material, supplies, and equipment, when needed and funds are available, from the various services of the Government of the United States possessing material, supplies, and equipment no longer required because of the cessation of war activities. It shall be the duty of the commissioners and other officials, before purchasing any of the articles described herein, to ascertain from the Government of the United States whether it has articles of the character described that are serviceable. And articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such articles to the municipal government under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt: *Provided*, That this section shall not be construed to amend, alter, or repeal the Executive

order of December 3, 1918, concerning the transfer of office material, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

Mr. SMOOT. Mr. President, will the Senator allow that amendment to be passed over for a moment, until I can see just the connection it has with the section?

Mr. HARDWICK. Certainly.

The VICE PRESIDENT. The amendment will be passed over temporarily.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 99, after line 8, to insert:

SEC. 8. The Secretary of War is authorized and directed to appoint a commission of five members, three of whom shall be selected from the Corps of Engineers of the United States Army and one from the Washington Suburban Sanitary Commission and one from the engineering department of the District of Columbia, whose duty it shall be, under the direction of the Secretary of War, to make full investigation of the sources of water supply from rivers and streams in the proximity of the city of Washington, with the view to increasing the water supply of the District of Columbia, and to furnishing hydroelectric power, and to report their findings and recommendations to the Secretary of War at the earliest practicable time, said report to be accompanied by data and other information as to such sources of supply, together with estimates of the probable cost of a project or projects for the transmission of water sufficient to augment the present water supply of the District of Columbia commensurate with present and future needs, including the territory embraced within the jurisdiction of the Washington Suburban Sanitary Commission and Federal military reservations contiguous to the District of Columbia. Such report shall be submitted to Congress by the Secretary of War with his recommendation. And for the purposes herein authorized there is hereby appropriated the sum of $15,000, or so much thereof as may be necessary, to be expended by and under the direction of said commission upon vouchers to be approved by the Secretary of War, and a detailed statement thereof shall accompany the commission's report.

The amendment was agreed to.

The next amendment was, on page 100, after line 11, to insert:

SEC. 9. That all of the provisions of the act of Congress approved September 7, 1916, entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," are hereby extended to employees of the Government of the District of Columbia so far as they may be applicable, except to those members of the police and fire departments of the District of Columbia who are pensioned or pensionable under the provisions of the District of Columbia appropriation act approved September 1, 1916; and there is hereby appropriated the sum of $5,000, said amount to be set aside as a separate fund in the Treasury to be known as the District of Columbia employees' compensation fund, which fund, including all additions that may be made to it, is hereby permanently appropriated for the payment of such compensation under the terms of said act of Congress approved September 7, 1916, that the commission provided for in said act shall award to employees of the Government of the District of Columbia, which awards shall be paid in the manner now provided by law for the payment of the general expenses of the Government of the District of Columbia. And the Commissioners of the District of Columbia shall submit annually to Congress, through the Secretary of the Treasury, estimates of appropriations necessary for the maintenance of this fund.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. HARDWICK. Mr. President, I ask that we return now to the committee amendment that we passed over just a moment ago.

Mr. SMOOT. Mr. President, I asked that the committee amendment, on page 97, go over. After reading the section itself, I think the amendment is a proper one. On reading the amendment alone, without the section, it seemed to me that it had just the reverse effect of what was intended; but I find, on reading the section, that it is all right.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. PENROSE. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Senator from Pennsylvania offers an amendment, which will be stated.

The SECRETARY. On page 36, line 14, it is proposed to strike out "$1,000" and to insert in lieu thereof "$1,200."

Mr. PENROSE. That is for teachers' salaries. I think it ought to be explained.

The SECRETARY. Also, in line 15, strike out "$950" and insert in lieu thereof "$1,150"; in line 17, strike out "$800" and insert in lieu thereof "$1,000"; in line 18, strike out "$750" and insert in lieu thereof "$950."

Mr. CURTIS. Mr. President, I should like to have the Senator modify that amendment by changing the "$950" to "$1,000," in line 8 of the amendment, and the same in line 10, and in line 12, so as to make those salaries $1,000 in classes 1, 2, 3, 4, and 5. It simply changes the $950, that has just been read by the Secretary, to $1,000.

Mr. PENROSE. Mr. President, the Senator from Kansas has talked to me about amending the amendment in that way. I entirely concur with his views about the matter and will accept that alteration of the amendment.

The SECRETARY. On line 18, where it reads "class 3, 543 at $750 each," it is now proposed to make it "$1,000"; and, on line 19, strike out "$750" and insert in lieu thereof "$1,000"; and, on line 20, "class 1, 90 at $750 each," strike out "$750" and insert "$1,000."

Mr. JONES of Washington. And on line 17, too.

The SECRETARY. On line 17, the Senator from Pennsylvania moved to strike out "$800" and insert in lieu thereof "$1,000."

Mr. JONES of Washington. That is all right, then—and in line 15.

The SECRETARY. On line 15, the Senator from Pennsylvania moved to strike out "$950" and to insert in lieu thereof "$1,150."

Mr. JONES of Washington. I think, myself, that ought to be $1,000, so as to make it the same as the others.

Mr. PENROSE. Yes; I will accept that.

The SECRETARY. On line 15, strike out "$950" and insert in lieu thereof "$1,000."

Mr. PENROSE. And even that is less than the estimates, I understand.

The SECRETARY. Also, on page 37, line 1, strike out "$900" and insert in lieu thereof "$1,100," and, on line 2, change the total in accordance with the amendments.

Mr. PENROSE. Mr. President, I do not intend to detain the Senate at this unseasonable hour by speaking in behalf of this meritorious amendment. My attention has been forcibly called to the situation in Pennsylvania, outside of the District of Columbia. Unless some measure of justice is accorded to the school-teachers, we will not have any school-teachers left. As is well known, they are now earning very much less than a number of people in occupations requiring very much less intelligence; and I ask to have inserted in the RECORD the statement of the Grade Teachers' Union as to why teachers' salaries should be raised. I do not ask to have the chart printed, but only the brief.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

GRADE TEACHERS' UNION—WHY TEACHERS' SALARIES SHOULD BE RAISED.

1. Because the future of America depends upon efficient education. Efficient education depends not upon the school building, the textbook, nor the equipment, but upon the teacher. Do we realize what the school-teacher means to the country? Are the fruits of victory to slip away because we are niggardly? Dou you expect to get more than you pay for in any other market? The future of America depends upon her education. It was an inspiring message that Commissioner Finley, of the New York Department of Education, brought back from France less than a year ago, "The advice which France out of her physical anguish but unabated aspiration sends to us from her 'scholastic front'":

"Do not let the needs of the hour, however demanding, or its burdens, however heavy, or its perils, however heartbreaking, make you unmindful of the defense of to-morrow, of those disciplines through which an individual may have freedom, through which an efficient democracy is possible, through which the institutions of civilization can be perpetuated and strengthened. Conserve, endure taxation and privation, suffer, and sacrifice to assure those whom you have brought into the world that it shall be not only a safe but also a happy place for them."

2. Because she earns it.

3. Because she should be self-supporting. She can't do this on less than a living wage. This is shown by summary of expense budgets:

60 per cent of teachers in debt (debts incurred through illness).

30 per cent receive financial help.

50 per cent do extra work.

50 per cent support or partially support dependents. Jennie Doe pays $44 board, $30 room rent; total $74 a month, or $888 a year. This does not allow for wash, carfare, doctor's bills, dentist's bills, travel, books and magazines, or college work. How can the present minimum be made to cover these expenses? School-teachers are not living on their salaries. They are obliged to do night work, odd jobs on Saturdays, and work during the summer. A teacher must be an inspiration. Can drudgery plus worry equal inspiration?

DATA FURNISHED BY THE UNITED STATES NAVY DEPARTMENT.

TABLE 4.—*Salaries paid in the navy yards.*

Trade:	Annual salary.
Blacksmiths	$2,396.16
Radio electricians	2,321.28
Masons, stone and brick	2,146.56
Carpenters	2,059.20
Welders	2,046.72
Plasterers and plumbers	1,996.80
Electricians	1,996.80
Canvas workers	1,896.96
Mechanics	1,722.24
Upholsterers	1,697.28
Chauffeurs	1,372.80
Gardeners	1,297.92
Common laborers	1,297.99 / 1,148.16
Sewers	1,148.16
Charwomen	873.60
Teachers [1]	630.64
Washington's minimum for teachers	750.00

[1] Salary of teachers used for comparison is the average annual salary of all teachers, urban and rural, based on data gathered in 1918 by the Bureau of Education.

The minimum-wage commission for industrial workers has found $16 a week ($832 per year) the minimum that a single woman can live on.

4. Because other more remunerative occupations are depleting the teachers' training schools and drawing from the rank and file of trained teachers. Data from the whole country prove this. The Washington Normal School has enrolled one-third of the usual number this year. About 250 new appointments have been made in the schools since October. Ninety per cent of these vacancies occurred because teachers resigned to accept better-paid positions.

5. Because men are not attracted to the profession and men are needed.

6. Because teachers have always been underpaid. Even raising salaries 100 per cent is not paying for value received. Comparing teachers' pay in Washington with teachers' pay in other cities is not fair. They should be compared to other employments. Teachers everywhere are underpaid. Because under normal conditions salaries such as asked for in this amendment should be paid. This is only just. At the present time a bonus should be added to this increased basic to meet the emergency in living conditions.

"Autocracy may pin its faith to the enlightenment of its favored classes, but democracy stands or falls with the intelligence of all the people."

Estimates for the fiscal year to end June 30, 1920—Public schools.

TEACHERS.

For.	Appropriated, 1919.	Estimated, 1920.
For 2,635 teachers at minimum salaries, as follows:		
For 2,163 teachers at minimum salaries, as follows:		
NOTE (by board of education).—This is an increase of 128 teachers.		
Principal of the Central High School		
Principal of the Central High School		
Provided, That the principal of the Central High School now in the service of the public schools or hereafter to be appointed shall be placed at a basic salary of $3,500 per annum and shall be entitled to an increase of $100 per annum for 5 years.	$3,000	$3,500
NOTE (by board of education).—An increase of $500. The great responsibilities resting upon this official justifies the increase requested. The provision restores to the principal of the Central High School the right to longevity pay for service. This privilege is enjoyed by all other teachers in the school system of the District of Columbia and was enjoyed by the principal of the Central High School previous to the fiscal year 1916-17.		
Assistant principal of the Central High School	1,800	
Provided, That said assistant principal shall be placed at a basic salary of $1,800 per annum and shall be entitled to anincrease of $100 per annum for 5 years.		
Assistant principal of the Central High School		2,800
Provided, That said assistant principal shall be placed at a basic salary of $2,800 per annum and shall be entitled to an increase of $100 per annum for 2 years.		
NOTE (by board of education).—An increase of $1,000. The importance of this position demands that an increased salary be available to secure the services of the best qualified person for the work. The longevity period is shortened from 5 to 2 years.		
Principals of normal, high, and manual-training high schools, 8, at $2,500 each	20,000	
Principals of normal, high, and manual-training high schools, 8, at $3,000 each		24,000
Provided, That the principals of normal, high, and manual-training high schools, other than the Central High School, now in the service of the public schools, or hereafter to be appointed, shall be placed at a basic salary of $3,000 per annum, and shall be entitled to an increase of $100 per annum for 5 years.		
NOTE (by board of education).—An increase of $4,000. The work performed by these school officers justifies the basic salary of $3,000 requested. The provision restores to the principals of high and normal schools longevity pay for service. This privilege is enjoyed by all other teachers in the school system of the District of Columbia and was enjoyed by these principals previous to the fiscal year 1916-17.		
Assistant principal, who shall be dean of girls of the Central High School	1,800	
Provided, That said assistant principal shall be placed at a basic salary of $1,800 per annum and shall be entitled to an increase of $100 per annum for 5 years.		
Assistant principal, who shall be dean of girls of the Central High School		2,800
Provided, That said assistant principal shall be placed at a basic salary of $2,800 per annum and shall be entitled to an increase of $100 per annum for 2 years.		
NOTE (by board of education).—An increase of $1,000. The importance and responsibilities of this office justify the increase requested. The longevity period is shortened from 5 years to 2 years.		
Directors of music, drawing, physical culture, domestic science, domestic art, kindergartens, and penmanship, 7, at $1,500 each	10,500.00	
Provided, That the director of penmanship, who shall be an instructor in the normal school and a director in the grades, shall be placed at a basic salary of $1,500 per annum, and shall be entitled to an increase of $100 per annum for 5 years.		
Directors in charge of white schools and directors in charge of colored schools of music, drawing, physical culture, domestic science, domestic art, kindergartens, penmanship, and assistant supervisor of manual training, 15, at $2,000 each		30,000.00
Provided, That the directors in charge of white schools and directors in charge of colored schools of music, drawing, physical culture, domestic science, domestic art, kindergartens, penmanship, and assistant supervisor of manual training shall be placed		

Estimates for the fiscal year to end June 30, 1920—Public schools—Contd.

TEACHERS—continued.

For.	Appropriated, 1919.	Estimated, 1920.
at a basic salary of $2,000 per annum and shall be entitled to an increase of $100 per annum for 5 years.		
Provided, That for the year ending June 30, 1920, the directors in charge of the white schools and directors in charge of the colored schools of music, drawing, physical culture, domestic science, domestic art, kindergartens, penmanship, and assistant supervisor of manual training shall each receive the salary of his class next above his present salary.		
NOTE (by board of education).—Seven directors are increased in basic salary $500 each. Seven assistant directors are given the title directors in charge of colored schools, which is more descriptive of the character of their work, and are increased in basic salary $700 each.		
Assistant director of primary instruction	$1,400.00	
Provided, That the assistant director of primary instruction now in the service of the public schools, or hereafter to be appointed, shall be placed at the basic salary of $1,400 per annum, and shall be entitled to an increase of $50 per annum for 5 years.		
NOTE (by board of education).—It is proposed by the board of education to include this school officer in the group with the supervising principals, and it has been so requested previously in these estimates.		
Assistant directors of music, drawing, physical culture, domestic science, domestic art, kindergartens, and penmanship, 7, at $1,300 each	9,100.00	
Provided, That the assistant director of penmanship, who shall be an instructor in the normal school and an assistant director in the grades, shall be placed at a basic salary of $1,300 per annum and shall be entitled to an increase of $50 per annum for 5 years.		
NOTE (by board of education).—It is proposed by the board of education to include this group under the title of directors in charge of the colored schools and assistant supervisor of manual training with the group of directors, and it has been so requested previously in these estimates.		
Assistant supervisor of manual training	1,300.00	
NOTE (by board of education).—This officer is included in the group of directors as indicated in the note immediately preceding.		
Heads of departments in high and manual-training high schools in group B of class 6, 12, at $1,900 each	22,800.00	
Heads of departments in high and manual-training high schools in group C of class 6, 14, at $2,800 each		$39,200.00
NOTE (by board of education).—An increase of $16,400. A new group (group C) with a salary of $2,800 is proposed for heads of departments. Two additional heads are requested, at $2,800 per annum each.		
Normal, high, and manual-training high schools, promoted for superior work, group B of class 6, 21, at $1,900 each	39,900.00	
Normal, high, and manual-training high schools, promoted for superior work, group C of class 6, 28, at $2,800 each		78,400.00
Provided, That teachers shall be promoted from group B of class 6 to group C of class 6 under the same condition hitherto provided for in promotion from group A, class 6, to group B, class 6. Teachers now in group B of class 6 are hereby placed in group C of class 6.		
NOTE (by board of education).—An increase of $38,500. A new class (class C) is proposed for teachers promoted for superior work at a salary of $2,800 per annum. Seven additional teachers are requested in this group in accordance with authority granted by existing legislation.		
Teachers of normal, high, and manual-training high schools promoted for superior work, group B of class 6, 150, at $2,300 each		345,000.00
Provided, That teachers promoted from group A to group B of class 6 shall be placed at a basic salary of $2,300 per annum and shall be entitled to an increase of $100 per annum for 3 years.		
Provided, That promotion from group A, class 6, to group B, class 6, shall be without examination from the group of teachers who have reached the maximum of group A, class 6, upon the recommendation of the superintendent of schools, approved by the board of education.		
NOTE (by board of education).—The establishment of a group B with a minimum salary of $2,300 is requested.		
Group A of class 6, including 7 principals of grade manual-training schools, 334, at $1,000 each	334,000.00	
Group A of class 6, including 7 principals of grade manual-training schools and 5 assistants to the director of primary instruction in the white schools, and the director of primary instruction in the colored schools, 208, at $1,400 each		291,200.00
Provided, That teachers of group A, class 6, including 7 principals of the grade manual training schools, and 5 assistants to the director of primary instruction in the white schools and the director of primary instruction in the colored schools now in the service of the public schools or hereafter to be appointed, shall be placed at a basic salary of $1,400 per annum, and shall be entitled to an increase of $100 per annum for 8 years.		
Provided, That for the year ending June 30, 1920, teachers of group A, class 6, including 7 principals of grade manual-training schools, and 5 assistants to the director of primary instruction in the white		

Estimates for the fiscal year to end June 30, 1920—Public schools—Contd.

TEACHERS—continued.

For.	Appropriated, 1919.	Estimated, 1920.
schools, and the director of primary instruction in the colored schools, shall each receive in his class the salary next above his present salary. *Provided*, That an employee transferred from another position in the service of the board of education to the position of principal of grade manual training school shall not suffer a decrease of salary by such transfer. NOTE (by board of education).—An increase of the basic salary of group A from $1,000 to $1,400 is requested. It is proposed to include in class 6, the assistants to the director of primary instruction in the white schools and the director of primary instruction in the colored schools.		
Class 5, 136, at $950 each, including vocational and trade instructors	$129,200.00	
Class 5, 292, at $1,400 each, including vocational and trade instructors, teachers of seventh and eighth grades, model teachers in grades below the seventh grade, and in kindergartens, teachers of manual training, drawing, physical culture, music, domestic science, domestic art in the graded schools		$408,800.00
NOTE (by board of education).—A basic salary of $1,400 per annum is requested for the teachers of this class. Seventh-grade teachers, model teachers, are included in this class. This class is also opened to teachers of manual training, drawing, physical culture, music, domestic science, and domestic art in the graded schools by promotion from other classes.		
Class 4, 507, at $800 each	405,600.00	
Class 4, 428, at $1,200 each, including teachers of the fifth and sixth grades, kindergarten principals, teachers of manual training, drawing, physical culture, music, domestic science, domestic art in the graded schools, and teachers not otherwise provided for		513,600.00
NOTE (by board of education).—A basic salary of $1,200 per annum is requested for the teachers of this class. Kindergarten principals, teachers of manual training, drawing, physical culture, music, domestic science, and domestic art in the graded schools, are included in this class. This class is also opened to teachers not otherwise provided for by promotion from other classes.		
Class 3, 543, at $750 each	407,250.00	
Class 3, 542, at $1,200 each, including teachers of third and fourth grades and teachers not otherwise provided for		650,400.00
NOTE (by board of education).—A basic salary of $1,200 per annum is requested for the teachers of this class.		
Class 2, 364, at $750 each	273,000.00	
Class 2, 379, at $1,200 each, including teachers of the first and second grades, and teachers not otherwise provided for		453,800.00
NOTE (by board of education).—A basic salary of $1,200 per annum is requested for teachers of this class.		
Class 1, 90, at $750 each	67,500.00	
Class 1, 95, at $1,200 each, including kindergarten assistant teachers, and teachers not otherwise provided for		114,000.00
NOTE (by board of education).—A basic salary of $1,200 per annum is requested for the teachers of this class. *Provided*, That all teachers herein provided for shall be entitled to the full amount of any increased compensation granted for the fiscal year 1919, regardless of the increase herein made. *Provided*, That all teachers herein provided for shall be entitled to the full amount of any increased compensation granted for the fiscal year 1920, regardless of the increase herein made.		
Special beginning teacher in the normal school	800.00	1,200.00
NOTE (by board of education).—A change of the basic salary of this teacher to $1,200 is requested, in order that the salary may be in keeping with the new salaries requested for class 4, with which class this position has heretofore been equal.		
In all, for teachers	1,728,950.00	2,958,700.00
Provided, That no part of said appropriation or any appropriation herein shall be used for the payment of any teacher to give instruction in the German language or for the purchase of any books for use in such instruction		Repeat for 1920.
The salaries appropriated herein for teachers of classes 1, 2, and 3 during the fiscal year 1919 shall be in lieu of the present basic or initial salaries for such classes, and the present rates of longevity increases of pay for the said classes shall apply to the basic or initial salaries appropriated herein: *Provided*, That for the year ending June 30, 1919, each of the teachers in said classes shall receive placing in the class to which assigned so that each teacher shall receive in addition to the basic salary herein provided a longevity increase which shall be equal to the longevity increase which is next above that received June 30, 1918. The salaries appropriated herein for teachers, clerks, and librarians in all classes during the fiscal year 1920 shall be in lieu of the present basic or initial salaries		

Estimates for the fiscal year to end June 30, 1920—Public schools—Contd.

TEACHERS—continued.

For.	Appropriated, 1919.	Estimated, 1920.
for such classes, and the present rates of longevity increases of pay for the said classes shall apply to the basic or initial salaries appropriated herein: *Provided*, That for the year ending June 30, 1920, each of the teachers, librarians, and clerks in said classes shall receive placing in the class to which assigned, so that each teacher shall receive in addition to the basic salary herein provided a longevity increase which shall be equal to the longevity increase which is next above that received June 30, 1919. The first year of service for all teachers hereafter appointed in the graded schools shall be probationary		Repeat for 1920.

VACATION SCHOOLS AND PLAYGROUNDS.

For the proper care, instruction, and supervision of children in the vacation schools and playgrounds, and directors, supervisors, teachers, and janitors of vacation schools and playgrounds may also be directors, supervisors, teachers, and janitors of day schools	$12,000.00	$18,000.00

NOTE (by the board of education).—An increase of $6,000 is requested to continue work already begun and to enlarge the scope of the vacation schools.

	Estimated, 1920.	Expended, 1918.
Salaries	$18,000.00	$6,285.25

Librarians and clerks at minimum salaries, as follows:		
10 librarians in high and normal schools in class 5, at $840 each; 28 clerks in class 4, at $720 each; in all	28,560.00	
10 librarians in high and normal schools in class 5, at $1,400 each; 38 clerks in class 4, at $1,200 each; in all		59,000.00
NOTE (by board of education).—An increase of $31,040. It is recommended to place the 10 librarians in class 5, at $1,400 each. This recommendation is made because these employees perform services of the greatest value to the school system, and act practically in the capacity of teachers in the directing of the study of pupils in the high and normal schools. 10 additional clerks at $1,200 are requested for assignment to the offices of the supervising principals and to assist in the general offices. The increased demand for clerical employees, owing to the extension of the Federal departments, makes it necessary for the board of education to be able to offer better salaries than those now at its command, in order to secure competent clerical assistance. The fact that the board of education transacts a great volume of business with a small clerical force makes it important that the individuals employed shall be efficient.		

LONGEVITY PAY.

For longevity pay for director of intermediate instruction, supervising principals, supervisor and assistant supervisor of manual training, principals of normal, high, and manual training high schools, the assistant principal (who shall be dean of girls) of the Central High School, principals of grade manual training schools, heads of departments, director and assistant director of primary instruction, directors and assistant directors of drawing, physicalculture, music, domestic science, domestic art, kindergartens, and penmanship, teachers, clerks, librarians and clerks, and librarians, to be paid in strict conformity with the provisions of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia," approved June 20, 1906, as amended by the acts approved May 26, 1908, May 18, 1910, and June 26, 1912	$400,000.00	
For longevity pay for director of intermediate instruction, supervising principals, supervisor and assistant supervisor of manual training, principals of normal, high, and manual training high schools, assistant principal of the Central High School, the assistant principal (who shall be dean of girls) of the Central High School, principals of grade manual training schools, heads of departments, directors of primary instruction in the white schools, and director of primary instruction in the colored schools, directors in the white schools and directors in the colored schools of drawing, physical culture, music, domestic science, domestic art, kindergartens, and penmanship, teachers, clerks, librarians and clerks, and librarians, to be paid in strict conformity with the provisions of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of		

Estimates for the fiscal year to end June 30, 1920—Public schools—Contd.

LONGEVITY PAY—continued.

For.	Appropriated, 1919.	Estimated, 1920.
Columbia," approved June 20, 1906, as amended by the acts approved May 26, 1908, May 18, 1910, and June 26, 1912, $400,000		$500,000.00
NOTE (by board of education).—An increase of $100,000. The amount appropriated for 1919 will be inadequate for the proper demands upon this fund. The amount given is the result of a computation based upon the longevity now in force. The amount appropriated for 1918 was $500,000.		

	Estimated, 1920.	Expended, 1918.
Longevity payments	$500,000.00	$467,868.79

ALLOWANCE TO PRINCIPALS.

For allowance to principals of grade-school buildings for services rendered as such, in addition to their grade salary, to be paid in strict conformity with the provisions of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia," approved June 20, 1906	$35,000.00	$38,000.00

	Estimated, 1920.	Expended, 1918.
Allowance to principals	$38,000.00	$35,844.00

NIGHT SCHOOLS.

For teachers and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and teachers and janitors of night schools may also be teachers and janitors of day schools	$40,000.00	$50,000.00
NOTE (by board of education).—An increase of $10,000 is requested for the extension of this most valuable work.		

	Estimated, 1920.	Expended, 1918.
Salaries teachers and janitors	$50,000.00	$47,660.01

For contingent and other necessary expenses, including equipment and purchase of all necessary articles and supplies for classes in industrial, commercial, and trade instruction	3,000.00	6,000.00
NOTE (by board of education).—An increase of $3,000 is requested owing to the extension of the work and the increased cost of materials.		

	Estimated, 1920.	Expended, 1918.
Hauling	$100.00	$24.54
Equipment and material	5,900.00	2,742.88
Repairs		110.29
Total	6,000.00	2,867.71

The VICE PRESIDENT. The question is on the amendment of the Senator from Pennsylvania.

Mr. HARDWICK. Mr. President, I am not opposed to liberal pay for any public servant, least of all for the school-teachers; but in behalf of the committee I must submit that we have already made as liberal increases as we felt the condition of the Treasury justified.

Mr. PENROSE. Why does the Senator stop at the school-teachers?

Mr. HARDWICK. If the Senator will bear with me a moment, I will state that I think the salaries of the teachers are at least commensurate with the other salaries in all other departments of the Government. Last year we increased the salaries in the lower grades; in class 3 from $650 to $750; in class 2 from $600 to $750; in class 1 from $550 to $750 each, a total increase for 936 teachers of $124,000. Besides that we gave them $120 a year flat increase. Then we have increased this year the figures still further so that these three lower classes are increased up to $800 from $750.

Mr. CURTIS. No.

Mr. HARDWICK. I am mistaken.

Mr. CURTIS. There has been no increase.

Mr. HARDWICK. But we gave $240 increase last year to each one of these, and that is the same rate of increase we have given Government employees in every bureau and every division. Two hundred and forty dollars is the basis established, and I understand that exactly the same rule is applied to all other departments of the Government. Besides that, these teachers share in the longevity fund with a maximum of $125 a year, which costs the District government in round numbers $500,000 a year.

I concede that the teachers of the District—in fact, the teachers of the United States—are not paid in comparison with other professions and vocations what they ought to be paid, but the District teachers, I believe, are better paid than the school-teachers of any other city of its size in the country. We feel like we have provided for them as liberally as the conditions of our finances would permit.

Personally I am in sympathy with the Senator from Pennsylvania or any other Senator who thinks that these teachers ought to have more liberal pay; but we also must remember there is some obligation we owe to the Treasury, and it will not do to dispose of those obligations by saying we have been liberal even to the point of lavishment in other matters, and therefore we ought to be a little more liberal in this matter.

Mr. PENROSE. Will the Senator permit an inquiry?

Mr. HARDWICK. Yes, sir.

Mr. PENROSE. I should like to ask him whether the teachers are not underpaid to an extent more than any other class of Government employees?

Mr. HARDWICK. I will answer the Senator in two ways. I think all over this country very few teachers, taken as a rule, get as much as bricklayers and carpenters throughout the United States. I am not speaking of the pay in the District of Columbia. I believe that if the Senator will compare what the teachers receive in the District of Columbia with what they receive in Philadelphia, for instance, or Pittsburgh, he will find that they are liberally paid.

Mr. PENROSE. I stated when I rose that my attention was originally called to this matter by the efforts being made in Pennsylvania to raise the salaries of school-teachers, throwing an additional burden on the State of many millions of dollars.

Mr. HARDWICK. I think there is merit in the Senator's proposition.

Mr. CURTIS. May I call the Senator's attention to the fact that there is a shortage of over 100,000 school-teachers in the United States because of the low salaries paid?

Mr. HARDWICK. And a less shortage in the District than almost anywhere else.

Mr. CURTIS. They are a good many short in the District.

Mr. HARDWICK. No; I think the District schools are pretty well supplied.

Mr. CURTIS. The superintendent of schools stated to the committee that a great many teachers have left the service here during the last year and others would have left but for the fact that they had families here that they were helping to support. Some of the teachers who are getting $750 with $240 added and with $125 for longevity have been teaching for 20 years or more.

Mr. HARDWICK. Let me ask the Senator from Pennsylvania or the Senator from Kansas, either one, if they have estimated how much additional expense it would entail on the Government?

Mr. PENROSE. I do not care how much it costs.

Mr. HARDWICK. We ought at least to know that.

Mr. PENROSE. In an act of justice like this the cost is a minor matter. I should like to read, if the Senator will permit me, a statement from the Commissioner of Education, Mr. Claxton. He says:

> Teachers are now paid less for their work than any other class of workers, and the increase in their pay in the last few years has in no wise been in keeping with the increase in pay of other workers or with the increase in the cost of living. While the cost of living has increased approximately 80 per cent, the salaries of teachers have increased only about 12 per cent.
>
> Many of the better teachers are leaving the schools, and their places are taken by men and women of less native ability, less education and culture, and less training and experience.
>
> Many of the places are not filled at all. As an inevitable result, the character of the schools is being lowered just at a time when it ought to be raised to a much higher standard. The only remedy is larger pay for teachers.

Mr. HARDWICK. I am in thorough sympathy with the proposition, but I am trying to draw a distinction. While that is true about the country as a whole it is less true about teachers of the District than almost anywhere else. The teachers of the District of Columbia are getting exactly the same increase that we are giving other employees of the Government.

Mr. PENROSE. The Senator asked me how much this would cost. I discover that I have a memorandum here. It would cost less than $400,000. We squander that amount on some ridiculous project in a few seconds here almost any morning.

Mr. HARDWICK. I am afraid the Senator is all too correct about that, but that is hardly a justification for other expenditures.

Mr. PENROSE. It is a redeeming feature.

Mr. POMERENE. I hope the Senator having charge of the bill will withdraw his objection to the amendment. The compensation of those who are doing common labor on the streets and elsewhere in various sections of the country is higher for what they do than the pay of the teachers in our public schools. There is not anyone who comes nearer to the child than the teacher save perhaps the mother, and it often happens that the teachers are the only mothers some of the children have, and I think——

Mr. HARDWICK. If the Senator will pardon me just a moment, so that the Senator may not misunderstand this matter, of course the Senator knows we have already increased these salaries just as much as any other employees.

Mr. POMERENE. I understood that, and I am not finding any fault with the committee on account of that.

Mr. HARDWICK. We have not felt authorized to go beyond that.

Mr. POMERENE. I think you are authorized to go beyond that. I have such a very high regard for the work the teachers are doing and the influence they have on the children of the several communities, I think we ought to make these salaries so large as to make it attractive to the best young women and young men we have in the country. I am in entire accord with the amendment which the Senator from Pennsylvania has proposed and I hope it will be accepted.

Mr. JONES of Washington. I wish to make a suggestion.

Mr. HARDWICK. I yield to the Senator.

Mr. JONES of Washington. As a member of the committee and as a member of the subcommittee that had charge of this bill, in view of what has been said in reference to the action of the committee heretofore I do not think it is out of place for me to say that the subcommittee was divided three to two in reference to a proposition along this line, the two being for the raise and three being against it. I hope the amendment offered by the Senator from Pennsylvania will be agreed to. I think the teachers ought to have more. It is true we may be raising the pay of these teachers a little more than we have raised others, but the trouble is their compensation has been much lower than that of other employees in the District of Columbia, and this is bringing them more upon a parity with the other employees, though it will not bring them to a parity with other employees.

I hope that the amendment will be accepted.

Mr. PENROSE. Will the Senator from Georgia permit me on that point?

Mr. HARDWICK. Certainly.

Mr. PENROSE. These boys, who are so useful to us in our labors, under the present legislative appropriation bill, if the Senate is in continuous session, will receive $1,140 a year, more than many of these deserving teachers. All of us have had our attention called to cases where pupils out of school during the war began to earn much larger salaries than the teachers were receiving who taught them. Yet it seems to me to be a most commendable feature of the situation that the most of these men and women have stuck to their post notwithstanding the temptation of larger salaries in the work of the War Department and other departments. They have continued in their profession of teaching and were not induced by larger salaries to abandon their post of duty.

Mr. JONES of Washington. There is very little hope held out to teachers in the way of advancement here. There was one teacher who appeared before the committee and made one of the most intelligent statements which was presented to the committee. She has been in the service for 18 years, and she gets $1,000 and can not get any more as long as she stays in that class of work.

I think the provision with reference to school-teachers ought to be changed, and while it is too much to hope, the District of Columbia really ought to be a model and furnish an incentive to the other sections of the country by paying this class of employees what their services are reasonably worth. In my judgment there is no class of employment that deserves better compensation than the school-teachers of the country.

Mr. FLETCHER. May I suggest to the Senator that those who train the mind and character of the youth of the country surely ought to get somewhere near approaching the salary paid to the dog catcher in the District of Columbia?

Mr. JONES of Washington. I do not want to take any further time.

Mr. HARDWICK. I do not feel like accepting the amendment in behalf of the committee, especially as my associates who voted with me are not present. In their absence I do not feel authorized to accept it. In justification of the action of the committee I want to say that this is exactly the same increase in the District of Columbia that we gave every other employee of the Government, and while teachers as a rule in this country are very much underpaid, personally I believe as a rule in the District of Columbia they are much better paid than they are in most other places.

Mr. LA FOLLETTE. If the Senator will permit me, from the hearings before the Senate subcommittee——

Mr. HARDWICK. What year?

Mr. LA FOLLETTE. This year, page 127, I find a list of salaries filed.

Mr. HARDWICK. Filed by the superintendent?

Mr. LA FOLLETTE. Filed by the superintendent, Mr. Thurston. I find that the elementary minimum salary in Washington is $750. That takes no account, of course, of——

Mr. HARDWICK. No; not of the longevity pay or of the $240 bonus.

Mr. LA FOLLETTE. There is longevity pay in many of the other cities.

Mr. HARDWICK. I do not know.

Mr. LA FOLLETTE. But it takes no account of the $120 bonus.

Mr. HARDWICK. Not the $240 carried in this bill, which is $240 above the basic salary referred to by the Senator.

Mr. LA FOLLETTE. Nor does it take into account all the probable increases that have been made due to the same conditions in the other cities with which comparisons were instituted. I merely wanted to call attention——

Mr. HARDWICK. I am familiar with the statement.

Mr. LA FOLLETTE. I wanted to call the attention of other Senators to it if the Senate will give me the time to do it.

Mr. HARDWICK. I have no objection.

Mr. LA FOLLETTE. The elementary minimum salary in Washington is $750; in Cleveland, Ohio, $920; in Jersey City, N. J., $900; in Berkeley, Cal., $900; Butte, Mont., $1,000. I had occasion just a day or two ago to note the salaries paid in 1916 to the men who swept the streets in New York City. Their salaries were raised that year to $880, that being more than the minimum salary which we pay to the teachers here. I hope the Senator will accept the amendment.

Mr. HARDWICK. I am not going to argue it any further.

Mr. SMITH of South Carolina. I wish to ask the Senator a question.

Mr. HARDWICK. I yield.

Mr. SMITH of South Carolina. Is the $240 provided for as a bonus to be added to the salaries as they appear here?

Mr. HARDWICK. The $240 is to be added to the figures here, which would make the salaries here much more liberal than they appear on a casual investigation.

Mr. PENROSE. Will not the Senator accept the amendment and let it go to conference?

Mr. HARDWICK. All right; I will do that.

The VICE PRESIDENT. The question is on the amendment.

The amendment was agreed to.

Mr. LODGE. I offer the following amendment.

The SECRETARY. On page 21, after line 15, insert:

Damages and payment for ground on account of condemnation proceedings: To pay Thomas W. and Alice M. Keller for ground taken and damages on account of condemnation proceedings in square No. 2838 in the city of Washington, $3,820.

Mr. HARDWICK. The Senate has passed on this item a good many times, always favorably, and therefore I am authorized to accept it.

The amendment was agreed to.

Mr. FRELINGHUYSEN. I offer the following amendment.

The SECRETARY. After line 2, page 76, the item reads:

For emergency, care, and treatment of and free dispensary service to indigent patients under a contract or agreement to be made with Eastern Dispensary and Casualty Hospital by the Board of Charities, $25,000.

The Senator from New Jersey moves to strike out "$25,000" and insert "$40,000."

The amendment was agreed to.

Mr. FRELINGHUYSEN. I offer a further amendment.

The SECRETARY. On page 75, beginning in line 18, the clause reads:

For care and treatment of indigent patients, under a contract to be made with Providence Hospital by the Board of Charities, $19,000.

In line 20 the Senator from New Jersey moves to strike out "$19,000" and insert "$30,000."

The amendment was agreed to.

Mr. FRELINGHUYSEN. I also offer the following amendment.

The SECRETARY. On page 75, line 23, strike out "$19,000" and insert "$30,000," so as to read:

For care and treatment of indigent patients under a contract to be made with Garfield Memorial Hospital by the Board of Charities, $30,000.

The amendment was agreed to.

Mr. PENROSE. I have an amendment to offer. I offer the following amendment relating to the two-platoon system in the fire department.

The SECRETARY. On page 55, after line 17, insert:

Provided, That from and after the passage of this act the officers and members of the fire department of the District of Columbia shall be divided into two bodies, or platoons, by the Commissioners of the District of Columbia, which shall be designated as a day force and a night force. The said day force and night force shall alternate on tours of duty once or more every two weeks.

That one force shall be at liberty at all times except as otherwise provided in section 4 of this act.

That the Commissioners of the District of Columbia are directed to appoint a sufficient number of men and officers in addition to the existing force to carry out the objects of this act.

That in case of serious conflagration or other great emergency to protect public safety, the chief engineer or other officers having charge of such fire-fighting force shall have full authority to summon and keep on duty any or all members of such fire-fighting force while such condition continues.

That, except as herein provided, the provisions of this act shall not act as a repeal of any act or acts, or part or parts of any act or acts, and shall not annul, modify, or affect any city ordinance, or part or parts thereof, relating to the salaries, annual leave, or vacation, sick or disability leave of absence of the officers and members of the fire-fighting force of the District of Columbia.

Mr. HARDWICK. I make a point of order against the amendment.

The VICE PRESIDENT. The point of order is sustained.

Mr. STERLING. On page 3, line 1, I move to strike out the figures "$1,200" and insert in lieu thereof "$1,800," so as to read:

Storekeeper, $1,800.

Mr. HARDWICK. I make the point of order against the amendment. It is not estimated for.

Mr. STERLING. I think the Senator from Georgia is mistaken in that respect. It is estimated for. The estimate is not as high as the amendment, but still the estimate is higher than the amount provided in the bill.

Mr. HARDWICK. I make a point of order on the amendment.

The VICE PRESIDENT. What is the estimate?

Mr. HARDWICK. The estimate is $1,500 and the amendment $1,800.

The VICE PRESIDENT. The point of order is sustained.

Mr. STERLING. I wish to offer another amendment. In line 1, page 3, after the word "storekeeper," I move to strike out "$1,200" and insert in lieu thereof "$1,500."

On a division, the amendment was rejected.

Mr. CALDER. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from New York will be stated.

The SECRETARY. On page 101, after line 11, it is proposed to insert:

That for the purpose of examining into the question of the adoption of a zone system for the construction of buildings in the District of Columbia a commission, to be composed of three citizens of the District of Columbia to be selected by the President of the United States, the officer in charge of public buildings and grounds of the District of Columbia, and the Engineer Commissioner of the District of Columbia be, and is hereby, authorized and constituted; and there is hereby appropriated, payable one-half from the revenues of the District of Columbia and one-half out of any money in the United States Treasury not otherwise appropriated, the sum of $5,000 for the purpose of carrying out the said examination and for the employment of all necessary personal services in connection therewith, which said sum is to be disbursed, on vouchers approved by the commission, by the officer in charge of public buildings and grounds, who shall be the secretary and act as the executive of said commission; and said commission shall report the result of its work, together with its recommendations, to Congress at its next session at as early a date as possible.

That a commission advisory, to be composed of three Members of the Senate to be selected by the President of the Senate and three Members of the House of Representatives to be selected by the Speaker of the House, is hereby authorized and constituted to counsel and advise the commission constituted by section 1 hereof, at the request of said commission.

Mr. HARDWICK. I make the point of order on the amendment.

Mr. CALDER. I hope——

The VICE PRESIDENT. The point of order is sustained.

Mr. PENROSE. Mr. President, I think, perhaps, the acting chairman of the Committee on Appropriations labored under a misapprehension as to the character of my amendment in regard to the platoon system. I understand that that system is in force now, and it is simply desired that the matter shall be regulated by law. The amendment does not propose to increase the appropriation bill one penny. I was going to appeal to the Senator's better instincts at this late hour of the evening to allow the matter to go to conference.

Mr. JONES of Washington. Let me suggest to the Senator in charge of the bill that my recollection is that we had a law passed only a year or two ago providing for this system, but leaving it to the discretion of the District Commissioners.

Mr. HARDWICK. But this amendment will change the law, and is, therefore, subject to the point of order.

Mr. JONES of Washington. I know that; but we have appropriated every dollar of the money that will be required for this purpose. The only difference, as I understand, between this amendment and the law is that the amendment makes it obligatory upon the Commissioners of the District to carry out the double platoon system, while the present law leaves it discretionary, and yet we appropriate the money which would enable it to be carried out.

Mr. PENROSE. They have enough men for this purpose, and it is the system in every first-class fire department in the country.

Mr. HARDWICK. I have no doubt this is a good proposition and has all the merits for which the Senator from Pennsylvania contends, and will be certain and easy of adoption; I know very little about the amendment, and, personally, I should like to oblige the Senator; but, acting on behalf of the committee, I must insist upon the point of order.

Mr. JONES of Washington. Mr. President, I desire to correct the statement I made a moment ago. I have since been informed that the matter to which I referred has not actually been enacted into law. The House of Representatives, however, has passed a provision which made it mandatory on the commissioners to provide for the double-platoon system, while the Senate has provided that it be made discretionary. The matter has now been in conference for several months. It has not yet, however, become a law. I was mistaken in reference to that.

Mr. President, I think it is due that I should say to the conferees with reference to the school-teachers' amendment, which was adopted, in view of my support of that amendment—and I know other Senators feel the same way, and they are very earnest about the matter—that I hope the conferees will strenuously insist upon the amendment.

Mr. HARDWICK. The conferees will do their very best about each one of these matters.

Mr. JONES of Washington. The matter will be considered when it comes in from the conference.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. HARDWICK. I ask unanimous consent that the Secretary have authority to correct the totals in the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HARDWICK. I move that the Senate request a conference with the House on the bill and amendments, and the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. HARDWICK, Mr. SMITH of Arizona, and Mr. CURTIS conferees on the part of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House further insists upon its amendments to the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FERRIS, Mr. TAYLOR of Colorado, Mr. RAKER, Mr. LA FOLLETTE, and Mr. SINNOTT managers at the further conference on the part of the House.

POST OFFICE APPROPRIATIONS—CONFERENCE REPORT.

Mr. BANKHEAD. Mr. President, I move that the Senate proceed to the consideration of the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The motion was agreed to.

Mr. BANKHEAD. I desire to make a very short statement with reference to the conference report. The conferees have reported the Post Office bill back to the Senate substantially as it was passed by the Senate, with one exception: The Senate

inserted in the bill during its pendency in the Senate a provision that the Postmaster General might in his discretion contract for certain tube service in the city of New York, and added a provision that he should not remove the machinery of the tube company, that is, the heavy machinery, such as boilers, engines, and compressors that were in the basement of the building. I thought this a very reasonable provision, and the Senate conferees insisted upon it as long as it appeared that there was a possibility of getting an agreement.

I am sorry that the Senator from Massachusetts [Mr. WEEKS] is not present. He has no objection whatever to the report, but he did desire to make a brief statement to the Senate with reference to the provision to which I have alluded. As I have already stated, the bill otherwise is substantially as it passed the Senate without any changes, except in very minor matters, such as correcting the phraseology of the bill. That is all I care to say now about the report and I hope the Senate will adopt it.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Alabama if he will not allow this report to go over as the unfinished business? I will assure the Senator that the Senator from Massachusetts [Mr. WEEKS] has no desire to speak at length upon the report; but, as the Senator from Alabama has stated—and I know it to be a fact—the Senator from Massachusetts desires to make a statement upon this report touching the pneumatic-tube question.

Mr. LODGE. My colleague has just telephoned me that he is coming right over from his office.

Mr. BANKHEAD. I am very glad to hear the Senator from Massachusetts will be here.

Mr. SMOOT. The Senator from Alabama will remember that I promised him I would try to get in touch with the Senator from Massachusetts after he left the Chamber.

Mr. BANKHEAD. I am sorry that the Senator from Massachusetts is not present, but I understand he will be here in a moment.

PATENTS AND PATENT RIGHTS.

Mr. KIRBY. Mr. President, while the Senator from Alabama is waiting, may I ask him for a moment's time in order that I may ask unanimous consent to report a bill and have it considered?

Mr. BANKHEAD. I have no objection.

Mr. KIRBY. From the Committee on Patents I report back favorably without amendment the bill (S. 5265) authorizing the Federal Trade Commission to accept and administer for the benefit of the public and the encouragement of industry, inventions, patents, and patent rights, and for other purposes. I should like to have the bill considered at this time. I do not think there will be any opposition to it.

This is the purpose of the bill: Certain persons in the different departments of the Government have made inventions or have perfected inventions while they were at work for the Government. Nobody is authorized to administer such patents or really to take out the patents. Under this bill, as proposed, the Federal Trade Commission can take out such patents, which are voluntarily transferred by the inventor—there is no compulsion about it—to the Federal Trade Commission, and can administer them, if it seems to be for the public good, and give the inventor whatever seems to be right or such amount as may be agreed upon with him for his invention. It is entirely a voluntary arrangement.

The Federal Trade Commission is mentioned because under the administration of the patent law as affecting the rights of aliens it has developed that a great many things have been administered to advantage by the Federal Trade Commission. They have an organization in that commission under which they can handle this matter satisfactorily. The Commissioner of Patents thinks it is all right; the Bureau of Standards thinks it is the proper thing to do; the Secretary of the Interior has recommended the bill; and the Committee on Patents have recommended it. I therefore ask unanimous consent for the immediate consideration of the bill.

Mr. LODGE. Mr. President, I should like to ask the Senator a question. The bill applies, as I understand the Senator, to patents and inventions made during the war for war purposes?

Mr. KIRBY. Yes; by persons in the departments. It will also apply to other patents. The bill is not limited to patents growing out of the war, although that is the chief purpose of it.

Mr. LODGE. Does it apply to patents of all kinds?

Mr. KIRBY. It could apply to outside patents.

Mr. SMOOT. I object to the consideration of the bill.

Mr. THOMAS. I suggest that the bill be read.

The VICE PRESIDENT. Objection having been made, there is no use in having the bill read. The bill will go to the calendar.

POST OFFICE APPROPRIATIONS—CONFERENCE REPORT.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. JONES of Washington. Mr. President, I wish to suggest to the Senator from Alabama that the Senator from Massachusetts [Mr. WEEKS] made known his desire that if the conference report came up he wanted to have a little time to make a statement in regard to it.

Mr. BANKHEAD. I understand he is coming right over.

Mr. JONES of Washington. Very well. I was absent for a few moments and was not aware of that fact.

Mr. BANKHEAD. I think perhaps it is well for me to state that the Post Office appropriation bill as it came over from the House contained provisions making certain advances in salaries and reclassifications permanent. The conferees struck out the permanent feature of that provision and made the advances temporary. That is about the only change that has been made in the bill in addition to those to which I have already called attention.

Mr. WEEKS entered the Chamber.

Mr. OVERMAN. Mr. President, I have an appropriation bill ready for consideration, and I ask the Senator if he will not allow me to make that the unfinished business, and then when the Senator from Massachusetts returns to the Chamber I will move to lay it aside in order that the Senator from Alabama may take up the conference report on the Post Office appropriation bill?

Mr. WEEKS obtained the floor.

Mr. LODGE. Will my colleague yield to me for a moment before he proceeds?

Mr. WEEKS. Certainly.

Mr. PENROSE. Mr. President, the Senator from Massachusetts has been absent from the Chamber——

Mr. THOMAS. The Senator from Massachusetts is right behind the Senator from Pennsylvania.

Mr. PENROSE. Yes; he has just come in. I understood that there was a tacit agreement that when the Senate passed the District bill we would adjourn.

Mr. THOMAS. I do not know anything about a tacit agreement.

Mr. PENROSE. I was assured by some gentleman in authority to that effect.

Mr. THOMAS. I am not an authority at all, but——

Mr. PENROSE. Apparently not.

Mr. THOMAS. The Senator says "apparently not." I do not know who is in authority, but I do know that I am one who voted in a Democratic caucus—not a conference, but a caucus—to hold night sessions and stay here to make up a quorum, and tacit agreements are not sufficiently binding on me to overcome my sense of obligation to that agreement. We may not be able to get a quorum, but we have only seven days remaining of the session, and I think some of us ought to try to do a little business.

Mr. PENROSE. I am sorry the Senator from Colorado has introduced partisanship at the close of a harmonious session, during which we have been treating these public questions according to the high standards of patriotism.

Mr. THOMAS. I know the Senator has—he always does—but I am incapable, perhaps, of that.

Mr. PENROSE. I am surprised to know that we have to invoke a Democratic caucus to spur on our deliberations, particularly before the arrival of the President in Washington. It seems to me ordinary courtesy would have required that the caucus should have been postponed until conference could be had with him.

There is no quorum here, certainly; a number of Senators on this side of the Chamber were told that we would adjourn; some of them have gone; and now to compel the Senator from Massachusetts—he can speak for himself, but I wish to hear him, and I can not remain—to speak at this late hour is cruelty.

Mr. THOMAS. I do not wish to inflict any cruelty upon either men or animals.

Mr. PENROSE. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLETCHER in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, Wash.	New	Smith, S. C.
Calder	Kendrick	Nugent	Smoot
Chamberlain	Kenyon	Overman	Spencer
Fletcher	King	Owen	Sutherland
France	Kirby	Page	Swanson
Gay	La Follette	Pomerene	Thomas
Hardwick	Lewis	Sheppard	Wadsworth
Henderson	Martin, Va.	Simmons	Weeks

Mr. LEWIS. I wish to announce that the Senator from Maryland [Mr. SMITH], the Senator from Arizona [Mr. SMITH], and the Senator from Mississippi [Mr. VARDAMAN] are detained by illness.

The PRESIDING OFFICER. Thirty-two Senators have answered to their names. There is not a quorum present.

Mr. MARTIN of Virginia. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 25, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 24, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God, our Heavenly Father, without whom nothing is strong, nothing holy, increase our faith and confidence in Thee, that Thou being our ruler and guide we may fulfill all the duties and obligations of the hour to the best of our knowledge and ability; and Thine be the praise, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, February 22, 1919, and the Journal of the proceedings of Sunday, February 23, 1919, were read and approved.

AMENDING FEDERAL RESERVE ACT.

Mr. PHELAN. Mr. Speaker, I desire to file a conference report on the bill S. 5236, an act amending sections 7, 10, and 11 of the Federal reserve act, and section 5172 of the Revised Statutes of the United States, to be printed under the rule.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13366) permitting any person who served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditions.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 222. Joint resolution extending until July 1, 1920, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914.

The message also announced that the Senate had passed with amendment the bill (H. R. 13306) to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued, in which the concurrence of the House of Representatives was requested.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 222. Joint resolution extending until July 1, 1920, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914; to the Committee on the Judiciary.

RIVERS AND HARBORS BILL.

Mr. SMALL. Mr. Speaker, I present a conference report on the river and harbor bill.

The Clerk read the title of the bill, as follows:

H. R. 13462. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SMALL. Mr. Speaker, I may ask unanimous consent to consider it this afternoon, if it meets with the approval of the House.

The SPEAKER. But there are two or three other conference reports that have now been printed under the rule,

FIXING TIME FOR HOLDING COURT IN AMARILLO DIVISION, TEX.

Mr. JONES. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 15675) to fix the time for holding court in the Amarillo division of the northern district of Texas.

The SPEAKER. The gentleman from Texas asks unanimous consent to consider the bill H. R. 15675.

Mr. JONES. And I also ask, Mr. Speaker, unanimous consent that the bill S. 5627, a similar bill, be considered in lieu of the House bill.

The SPEAKER. The gentleman asks unanimous consent that the Senate bill be considered in lieu of the House bill.

Mr. MANN. Let the Senate bill be reported.

The Clerk read as follows:

A bill (S. 5627) to fix the time of holding court in the Amarillo division of the northern district of Texas.

Be it enacted, etc., That hereafter the terms of the district court of the United States in the Amarillo division of the northern district of Texas shall be held at Amarillo, Tex., on the third Monday in April and the second Monday in September of each year.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. Is there objection to the Senate bill being substituted for the House bill?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The bill H. R. 15675 was laid on the table.

On motion of Mr. JONES, a motion to reconsider the vote whereby the bill was passed was laid on the table.

PAYMENT OF DISCONTINUED ALLOTMENT OF SOLDIERS.

Mr. SAUNDERS of Virginia. Mr. Speaker, the House bill providing for the payment of allotments to soldiers where allotments are to be continued was unanimously reported by the committee, unanimously passed the House, unanimously reported by the Committee on Military Affairs in the Senate, unanimously passed the Senate, has come over here this morning with one or two immaterial amendments, and I ask unanimous consent that we take it up this morning, unanimously agree to the amendments, and unanimously pass it. [Laughter.]

The SPEAKER. The gentleman from Virginia asks unanimous consent to take the bill H. R. 13306 from the Speaker's table and agree to the Senate amendments. The Clerk will report the Senate amendments.

The Clerk read the Senate amendments.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, what is the meaning of the first amendment?

Mr. SAUNDERS of Virginia. I thought it was corrected at the time, but the House bill misspelled the word "rescision," and the Senate spells it properly, "rescision."

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Senate amendments were agreed to.

On motion of Mr. SAUNDERS of Virginia, a motion to reconsider the vote whereby the Senate amendments were agreed to was laid on the table.

DAM ACROSS SAVANNAH RIVER.

Mr. VINSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill I send to the Clerk's desk.

The Clerk read the bill, as follows:

A bill (H. R. 13394) to extend the time for the completion of the dam across the Savannah River by authority granted to Twin City Power Co. by an act approved February 29, 1908, as amended by act approved March 1, 1916.

Be it enacted, etc., That the consent of Congress is hereby granted for the extension of the time allowed to the Twin City Power Co. to construct its dam across the Savannah River authorized by an act of February 29, 1908, as amended by act approved March 1, 1916, until three years from the date fixed in the amending act for its completion, to wit, February 28, 1922.

SEC. 2. That the right to amend, alter, or repeal this act is hereby expressly reserved.

The Clerk read the following committee amendments:

Section 1, line 4, after the word "tension" insert the words "to February 28, 1922."

Section 1, line 5, after the word "construct," strike out the words "its dam" and insert in lieu thereof the word "dams."

Section 1, line 7, after the word "by," change the word "act" to the word "acts."

Section 1, line 7, after the word "approved," insert the words "June 3, 1912, and."

Section 1, line 8, after the word "sixteen," strike out remainder of said line and also line 9, up to the word "February."

Amend the title to read as follows: "A bill to extend the time for the completion of the dam across the Savannah River by

authority granted to Twin City Power Co. by an act approved February 29, 1908, as amended by acts approved June 3, 1912, and March 1, 1916."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended.

On motion of Mr. VINSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

HOSPITAL FACILITIES FOR DISCHARGED SOLDIERS AND SAILORS.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent that the bill H. R. 13026 be taken from the Speaker's table, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

The Clerk read the title, as follows:

H. R. 13026. An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged, sick, disabled soldiers, sailors, and marines.

The SPEAKER. Is there objection?

Mr. CANNON. For the present, Mr. Speaker, I object.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. BYRNES of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16104.

The SPEAKER. The gentleman from South Carolina moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16104.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 16104, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16104, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, including personal services in the District of Columbia and elsewhere, printing and binding to be done at the Government Printing Office, law books, books of reference, and periodicals, $1,500,000, which shall be in addition to the sum of $2,000,000 appropriated in the said act: *Provided*, That no person shall be employed hereunder at a rate of compensation in excess of $5,000 per annum, not more than 20 persons shall be employed at rates of compensation in excess of $3,000 each per annum, and not more than 30 persons shall be employed at rates of compensation from $2,500 to $3,000, inclusive, per annum.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to amend——

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order.

Mr. WALSH. Mr. Chairman, I would like to ask the gentleman a question. Of course, this is necessarily a great increase in the appropriation. It is in addition to the $2,000,000 appropriation made in June, 1918. But what about this transfer of funds the other day by act passed through the House? Is this in addition to that?

Mr. BYRNES of South Carolina. It is in addition to that.

Mr. WALSH. Can the gentleman state how much that will place at the disposal of the board?

Mr. BYRNES of South Carolina. I can. If $2,000,000 is appropriated, as contemplated by my amendment, they will have $3,750,000. If it remains as the bill now stands, it will amount to about $3,000,000. They estimate that by July 1 they will spend $1,500,000 of their balance of $1,750,000. I do not believe that they will do it, and they should not do it, and I intend to make a statement in reference to the amendment which I have offered whenever the gentleman has argued the point of order.

Mr. TOWNER. Mr. Chairman——

Mr. BYRNES of South Carolina. I would like to ask the gentleman from Massachusetts what his point of order is.

The CHAIRMAN. Will the gentleman from Massachusetts state his point of order?

Mr. WALSH. Well, I do not know that this appropriation here is authorized by the act of June 27, 1918. That act was to provide vocational rehabilitation, and so forth, and carried an appropriation; but, pending the point of order, I want to ask the gentleman if this will not give this board practically $3,750,000 at their disposal to spend during the next fiscal year?

Mr. BYRNES of South Carolina. It authorizes this. They had $2,000,000.

Mr. WALSH. Yes.

Mr. BYRNES of South Carolina. If this is given it will mean they will have a total of $3,750,000. If the amendment which I offered is accepted by the committee, it would mean that for this purpose they would have a total amount of $3,750,000.

Mr. WALSH. But, if the gentleman will recall, we passed a bill here the other day transferring to this board some funds.

Mr. BYRNES of South Carolina. I see the purpose of the gentleman's question. We did not add to the total amount available for this purpose. When the act was passed originally it segregated these funds. It provided, for instance, that a certain fund was available for the payment of tuition. When the board started to place boys in the schools of the country it placed them in State institutions, the mechanical colleges, and high schools; and, to the credit of those State institutions, they told the board they regarded those boys as their own boys and would not accept from the Federal Government any tuition. As a result, that fund was unexpended. In their administration expenses they have had a deficit.

They asked the Appropriations Committee to make available for expenditure immediately as a lump sum all of their unexpended funds, and while the committee was considering that estimate the House passed about 10 days or a week ago a Senate bill which gave to them that which they asked of the Appropriations Committee—the right to spend as a lump sum their unexpended funds. So to-day they have available as a lump sum $1,750,000, or that was the figure available at the time the board was before the committee. Then their estimate is that they will spend of that $1,750,000 $1,500,000 up to July 1. I disagree with them and do not think they can expend it unless they continue to expend money as unwisely as they have in the payment of high salaries to the men at the top of that organization. But even taking that into consideration, it is undoubtedly true that they will need a greater part of that. My own estimate is that they will expend $1,250,000 or $1,000,000, which will leave them a surplus to carry on to next year. That surplus, in addition to the fund provided, can care for this work during the next fiscal year. Their estimate is that the peak of their load—which is a phrase the gentleman is familiar with in recent days, "allocation" and "peak of the load" we have been introduced to—the peak of their load will be taken care of about October or November. In view of the expenditures made by this organization for salaries from $2,400 to $10,000, the director receiving a salary of $10,000, one $7,000 salary, one $5,000 salary, 20 salaries at $4,000, 28 salaries at $3,500, 2 at $3,400, 29 at $3,000, 62 at over $3,000, 49 from $2,400 to $3,000, inclusive, making a total of 111 between $2,400 and $10,000——

Mr. WALSH. And a noticeable scarcity of dollar-a-year men?

Mr. BYRNES of South Carolina. It makes an inexcusable and indefensible expenditure for salaries at the top of an organization.

Mr. WALSH. Now, is it the intention of this proviso to get those salaries down?

Mr. BYRNES of South Carolina. This committee offers this proviso as the only hope——

Mr. WALSH. The proviso does not apply to the $2,000,000 appropriated. They will again pay these high salaries out of the $2,000,000 already appropriated.

Mr. BYRNES of South Carolina. Yes; out of the $2,000,000 which is carried by the bill introduced by Mr. BANKHEAD. This will only apply to the appropriations carried in this bill for the next fiscal year.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

Mr. BYRNES of South Carolina. I offer an amendment to strike out the figures "$1,500,000" on line 16 and insert in lieu thereof "$2,000,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: Page 38, line 16, strike out "$1,500,000" and insert "$2,000,000."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. BANKHEAD. Mr. Chairman, I offer an amendment by striking out the figures "$2,000,000" carried by that amendment and inserting "$3,500,000."

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amend the amendment by striking out "$2,000,000" and inserting in lieu thereof "$3,500,000."

The CHAIRMAN. The question is on the amendment to the amendment.

Mr. MONDELL. Mr. Chairman——

Mr. BANKHEAD. Mr. Chairman, I want to be heard on that amendment.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. BANKHEAD. Mr. Chairman, this is a matter that is of considerable importance, and I do not think it is a subject that can be covered in five minutes, and therefore I ask the generous permission of the House to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BANKHEAD. Mr. Chairman and gentlemen of the committee, I confess when I secured a copy of the pending sundry civil bill I was very much astounded and disappointed to see the enormous reduction that had been recommended by the committee from the estimates made up and submitted to the committee upon the hearings by the director and other officials of this board for the rehabilitation of disabled soldiers.

The committee will recall when this original bill was passed, as explained here a few days ago in the argument as to coalescing of the funds carried in the original act, it was almost impossible to make an intelligent estimate of the items to be expended the first year. Although $2,000,000 was appropriated it was not known definitely what those items were to be spent for. I am sorry the members of the committee have not had an opportunity to examine the hearings held before the Committee on Appropriations on this proposition. They are very full and complete, and although, if you examine these hearings you will find, it seems to me, an antagonistic sentiment in that committee against the board on these appropriations, nevertheless every item of the estimates covered by Dr. Prosser, the director of the board, as found on page 1252, for the necessities of the board for the fiscal year 1919–20 are thoroughly, and, it seems to me, completely explained on the basis of conservative estimates. It will be remembered, gentlemen of the committee, that by the very nature of the case, for the first few months of the operation of this law a large amount of the energies of the board and a large amount of the appropriations necessarily had to be used for the purpose of promoting an organization and getting the benefits of the bill placed into the machinery of operation. The board was deprived of an opportunity of coming in contact with all of the disabled soldiers who have been discharged from the hospitals.

The chairman of the committee, the gentleman from South Carolina [Mr. BYRNES], stated that it was estimated that practically all of the original appropriation of $2,000,000 would be expended by the 1st of July, and that is undoubtedly true. I do not doubt that, on account of the number of disabled soldiers who are being put into actual training under the provisions of this bill, it will all be expended. So that if the committee's recommendation is adopted, the amendment proposed by the gentleman from South Carolina will only provide $2,000,000 for carrying on the enormously enlarged activities of this great enterprise, which was the amount allowed by Congress for the first year when they did not have any men under training at all.

Now, up to the present time there are over a thousand men in actual training. A little over a month ago the board only had 227 men in actual training, and if you will take the testimony before the committee, it is estimated by them that by the ratio of increase as shown within the last 30 days by the 1st of July of this year the board will have in actual training over 7,000 of these disabled soldiers and sailors.

Now, gentlemen, it seems to me a rather peculiar discrimination against the activities of this great humanitarian enterprise, that the Committee on Appropriations should have in mind the purpose, admittedly, of making an inadequate appropriation, with the idea of the deficiency being taken care of at a time later on. The gentleman from South Carolina [Mr. BYRNES] very frankly admits to the committee that the amount suggested by the appropriation will not be sufficient to carry on the activities of the board for the fiscal year 1919–20. What will that result in? If the amount of the appropriation suggested by his amendment is agreed to and the activities of the board enlarged, as they will be by this constant flow of unfortunate soldiers who are being discharged from the hospitals and who are displaying an eagerness and anxiety to take advantage of this great act we have passed for their benefit, and suppose as a matter of fact the appropriation should be absolutely exhausted, as it no doubt will be, what will be the position of the Federal board with these soldiers on their hands? Out of this fund must come the maintenance in case of dire and extreme necessity.

Mr. WALSH. Will the gentleman yield for a question?

Mr. BANKHEAD. If it is brief.

Mr. WALSH. Is it the gentleman's information that these returning soldiers are eager to take advantage of this?

Mr. BANKHEAD. The statistics show to-day that there are over a thousand of them under actual training by the activities of this board, and from the estimate based upon it there will be over 7,000 by the 1st of July.

Mr. FESS. Will the gentleman yield?

Mr. BANKHEAD. For a brief question.

Mr. FESS. Was there not an application of nearly 1,000 to enter training in one month?

Mr. BANKHEAD. Yes; more than that. If you will look at the figures on page 1228 of the hearings you will find them very illuminating on that proposition. They show what is being done.

Here are some of the figures: Number of new cases in which placement in employment has been made by the board and other agencies, 2,455; number of cases in process of placement in training, 2,331, and other statistics showing the activities of this board.

Now, gentlemen, I appeal to this committee upon the proposition of the absolute necessity of making this appropriation. Why should we discriminate in a bill of this sort? This very bill carries $660,000,000 for building new ships, and yet this committee wants to deprive these wounded soldiers of this little meager opportunity to remake themselves and establish new opportunities for their hopeless lives after they have been discharged from the service.

Neither I nor any other member of the Committee on Education would make this contention if it were not justified by the evidence before the committee, which I recommend to your perusal before you vote on this bill if you have any doubt as to the propriety of the vote you should cast.

Mr. HARRISON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. HARRISON of Mississippi. Do I understand they are cutting the appropriation for this work?

Mr. BANKHEAD. They are cutting the appropriation under the estimate of the amount required for the coming fiscal year. As shown by the hearings, $4,000,000 will be required to carry on the work for the next fiscal year. The committee originally cut it down to $1,500,000, but now the gentleman proposes to amend, raising it to $2,000,000. That would still leave a deficiency of $2,000,000 under the estimates made by the board for their requirements.

Mr. HARRISON of Mississippi. It seems to me that if ever it was needed it is now when they are coming back.

Mr. BANKHEAD. Yes. Now is the time when the board should exercise its full activities.

A good deal has been said by the chairman of the subcommittee in charge of the bill about the large salaries paid. If you will look over the hearings it will appear at first glance that some of these salaries are exorbitant, but they were all made under civil-service examinations. The very nature of this work requires men of discrimination and ability and capacity and experience, and in order to fill these places it was necessary for them to give them adequate monetary inducements. These men who have accepted these positions have had to go to new fields at a sacrifice in many instances and make arrangements for the maintenance of their families at home. But the committee have put into this bill a provision limiting the salaries to suit what the committee thinks should be the maximum limit, so that there can be no argument on that proposition.

Mr. CANDLER of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. CANDLER of Mississippi. Is it not a fact that there are in sight at least 10,000 soldiers who come under the provisions of the act?

Mr. BANKHEAD. The estimate is based on the calculations and the experience of the Canadian and British Armies and upon those of our own Army up to this time that there will be at least 15,000, and most probably 20,000, discharged soldiers who will claim the benefits of this act in the next fiscal year.

Mr. WELLING. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. WELLING. I understood the gentleman, in discussing the matter last week, to say that almost the entire cost of the rehabilitation of these men was borne by the institutions in the States.

Mr. BANKHEAD. That is true, as it relates to their tuition. A very small amount of the appropriation will be used for that purpose.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BANKHEAD. I trust, Mr. Chairman, that the committee will adopt the amendment and give the board the amount of their estimate. [Applause.]

Mr. MONDELL. Mr. Chairman, I think it was Madame Roland who lamented the crimes that were committed in the name of liberty. It is high time that some one should call attention to the crimes of extravagance being committed under appropriations made by Congress for the benefit of our wounded soldiers.

Congress in its wisdom provided liberally for the rehabilitation of the wounded soldiers, and Congress and all its committees will provide liberally for that work. But I suggest to the gentleman that we had better pause before we are carried away with claims for appropriations which are really based on a desire to rehabilitate the fortunes of every broken-down civilian who is trying to obtain a place at the public pie counter under the pretense of doing something for the soldier.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield for a question?

Mr. MONDELL. I do.

Mr. BANKHEAD. Does not the gentleman know that all these appointments were made under the provisions of the civil-service law?

Mr. MONDELL. I know that these appointments were made in a way under the civil-service law; in other words, this board prepared the questions, laid down the rules, fixed the inquiries, and, of course, the folks who passed that kind of an examination were in the main people who had been selected by the board. Of course, they went through civil-service forms, but it was a sham. There is no doubt about that.

I am not calling into question the character of the people who were employed under this appropriation, and I am not complaining about any particular employments. I simply want to call the attention of the House to what has been done under the claim and pretense of doing something for the soldier. When this board came before our committee they had 157 soldiers under their charge. The gentleman from Mississippi [Mr. HARRISON] is interested. They had 157 soldiers under their charge, and they had at the same time 344 employees, every one of whom was receiving a goodly salary. One of them was receiving $10,000, 1 was receiving $7,000, 1 was receiving $5,000, 20 were receiving $4,000 a year, 28 were receiving $3,500 a year, over 62 were receiving more than $3,000, and 49 were receiving from $2,500 to $3,400.

This committee has had a good many cases of scandalous misuse of public funds brought to its attention, but never a case as indefensible as this.

This board was organized to do a good work, and went forth apparently with the principal purpose to give employment at high salaries to everyone they could find who would take employment.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I will.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. TOWNER. The committee has taken care of the question of the amount of salaries in the bill.

Mr. MONDELL. The committee has. The salary list was so indefensible that the committee felt it was necessary to limit it, but I am calling attention to the fact that the $4,000,000 appropriation which was asked—and I would like to have the attention of the gentleman who offered the amendment—the $4,000,000 estimate includes $2,745,000 for salaries and incidental administrative expenses. Now, if the gentleman wants to make provision for the soldiers by providing that kind of a pay roll, well and good.

Mr. TOWNER. The gentleman, I think, is mistaken. The item he refers to is for lodging, subsistence, and travel of disabled men.

Mr. MONDELL. The gentleman is not at all mistaken, and if the gentleman from Iowa will take the pains to add the various figures of administration and salaries contained in the list that has been handed him, as it has been handed other Members, he will find I am right.

Mr. TOWNER. I have it.

Mr. MONDELL. He will find that of the total of $4,000,000 asked and $2,000,000 heretofore granted, $2,745,000 is asked for the rehabilitation of the broken fortunes of the pie-counter hunters.

Mr. TOWNER. The gentleman is entirely mistaken.

Mr. MONDELL. Well, Mr. Chairman, I am not mistaken; that is the sum I have named—for salaries and expenses.

Mr. TOWNER. If the gentleman will pardon me, I do not want to dispute the proposition. I want to call the gentleman's attention to how and why he is mistaken.

Mr. MONDELL. But I am not mistaken.

Mr. TOWNER. The item that the gentleman refers to in regard to salaries and traveling expenses, instructors and professors——

Mr. MONDELL. Unless I can have more time I can not have the gentleman using my time.

Mr. TOWNER. I see that the gentleman does not desire to be instructed, and therefore I desist.

Mr. MONDELL. Will the gentleman endeavor to get me more time?

Mr. TOWNER. I will.

Mr. MONDELL. If so I will analyze the figures, and I call his attention to the page of the paper which he has. Let me call his attention to item 2: "Probable expenditures for salaries and traveling expenses of employees, $1,195,000." That is up to July. "Additional appropriation needed for that purpose, $650,000." Then if the gentleman will go down to the next to the last item, item 8, "Miscellaneous expenditures—administration," he will find $550,000 as the item up to the 1st of July, and $350,000 as the anticipated expendture after that time, all of which makes the sum of $2,745,000, without including certain general administration expenses in item 7 under the head of "Miscellaneous," which amounts to $900,000 more, or $3,645,000 in all, for salaries and traveling and other expenses of employees, leaving for purposes which have more or less to do with the rehabilitation of soldiers——

Now, we want to do everything we can for our soldiers, and we are going to do it. We are going to take care of them. We are going to provide for them as soldiers have never been provided for in the history of the world. We want to do everything on earth for them except to rob them of their self-respect; and one of the activities of this bureau, if carried out as they suggest they propose to carry it out, is to hunt out, locate, find, visit every soldier who received a scratch at any time during the war, and try to persuade and cajole him to come onto the pay roll of this bureau. That is a part of their plan. If you will read carefully the statement they have handed to Members you will see that it conflicts with itself in almost every line and paragraph. It is not possible that there will be the number of men or half the number of men they suggest requiring their services; and the amount given by the committee, in addition to the amount which will be available the 1st of July, is more than they can possibly use, unless they spend it for salaries at the very high rates at which they have fixed them. The gentleman from South Carolina [Mr. BYRNES], out of abundance of liberality, has suggested an increase of $500,000. That, in my opinion, is not absolutely needed, but out of abundance of caution I shall be glad to have the House adopt it. If you accept the high estimate of the bureau, by so doing the House puts the stamp of its approval upon the indefensible conduct of the board in hiring a great many more people than they needed, at very high salaries, and on the plans they are proposing, of hunting out soldiers who received minor injuries and who do not need or desire the services of the board.

Mr. DONOVAN. Mr. Chairman, it is not necessary for me to undertake to speak of the necessity for this appropriation. Congress having put upon the statute books the right of these disabled men to be taken care of, it is now up to Congress to see that they are taken care of.

There have been extravagant statements made in the heat of debate that I think no one here subscribes to; for instance, the reference to "pie counters," and the statement that these men are going around the country finding every soldier with a scratch or a blemish on his body. In other words, there is laid against the Department of Education of this great country the venal charge that it is not only incompetent, but that it is absolutely disobeying the law. If that is so, a resolution is in order to investigate that body and to impeach its officers, to change its

administration, and to go to the root of it and correct it. Flights of oratory will not do that.

But let us regard this situation as it is presented to us in a cold, conservative way. The War Department report that there are 200,000 men disabled and diseased—100,000 disabled and 100,000 diseased. It further says that the Vocational Education Board reports that in the hospitals in France there have been recorded already applications of 11,000 disabled soldiers asking for the opportunities of this greatest humanitarian legislation.

There are 40,000 disabled soldiers in the United States hospitals, and it is regarded that the great majority of them will want the advantage of this legislation. Need I ask, need I dilate, when you see a youth of 20 or thereabouts with one leg off, some with two, some with both arms, some with an eye out, some with a shell-shock suffering, which is worse than all, to say that we should give them the advantage that is recommended by whom? By me? No.

Gentlemen, I am nothing but a kindergarten Member of this House, youthful in my experience and my membership, but I have laid down a rule that when a thing of a technical character comes before this great body for consideration, I have had the general experience of a man in middle life and I am mature enough to know that when a technical subject, when a special subject, is offered for my consideration I will take the advice of those men who have given their lives in training and education to it, and I will decide, with the discretion that is in me, in favor of the contentions they raise.

And so we find here this situation: Twenty-odd thousand men who are now loose throughout the country, who have been dismissed by the War Department and left to go to their homes, their hamlets, their boroughs, their towns, and their municipalities throughout the United States never having called to their particular attention the great advantage of this act. Now, it was supposed that it was planned by the administration of the Vocational Education Board and it was almost tacitly understood between the War Department and it that the demobilization of these disabled men would take place at large consolidated centers and very few in number. What is the result? The result is that the War Department, for reasons which may be justified—and I make no criticism of it—has decided that the distribution of these men to their homes, turned back into civil life, will take place at 200 points, and these twenty-odd thousand men who got away from the hospitals were not permitted to have the advantage of this act. [Applause.]

The gentleman from Wyoming [Mr. MONDELL] has claimed that the Federal board is asking for $2,745,000 for salaries for the one-year period ending June 30, 1920. He has attempted to prove it by figures submitted by the board and printed on page 1252 of the hearings on the sundry civil bill for 1920. I am sorry to say that the gentleman has not read the heads of the columns. Column 3 gives the total probable expenditures for the full two years ending June 30, 1920, and column 4 gives the expenditures from July 1, 1919, to June 30, 1920, which are the expenditures asked for in the sundry civil appropriation bill now before the committee. Assuming that items 2, 6, and 8 were all for salaries, which is not true, the total amount to be used for salaries for the one year, July 1, 1919, to June 30, 1920, would be $1,050,000. But the facts are that the gentleman from Wyoming [Mr. MONDELL] added together column 3 and column 4. In other words, to get his figures he doubled the request made by the board for the period July 1, 1919, to June 30, 1920, and, moreover, added the expenditures from July 1, 1918, to June 30, 1919. In this way he has made a great mistake and thoroughly misrepresented the request and the expenditures of the Federal board.

The facts are that the board has asked for an appropriation of $4,000,000, of which at least $2,500,000 will be required to pay for the lodging, subsistence, and traveling expenses of disabled men in connection with training; for $250,000 to pay the expenses of placing disabled men in employment, including necessary lodging, subsistence, and traveling expenses; for $200,000 for special contingencies, including mechanical appliances and special care, including medical attention in emergencies. In other words, $2,950,000 would be used on the disabled men themselves. Yet the Appropriations Committee has proposed to cut this in two, and cripple the work. Fifty-seven billion dollars to fight the war, but cheeseparing for those wrecked in winning it. How soon we forget!

When the gentleman from Wyoming complains that the board is seeking every soldier, sailor, or marine injured or diseased in the war, he is paying the board the highest possible compliment. What else would Members of Congress desire than that some Government agency should undertake the solemn duty of seeing that the Nation's obligations to the wounded and diseased from the war were met fully, carefully, but at the same time generously? Is it not better that the body charged with this duty should err, if at all, which I do not believe is true of the board, by being overanxious to reach every man in possible need of help than that by a barbed-wire policy of the old pension system a worthy disabled soldier, sailor, or marine should be neglected? What policy would the gentleman from Wyoming suggest that the board should adopt in meeting the anxious inquiries from his district? Should a representative be sent to see them if, unable to travel, they should request this service?

If able to travel, should the board provide transportation to a central point for interview? These are vital questions relating to the care of disabled men, and I hope the board will spare no effort and no reasonable expense to achieve their declared aim of making contact with every disabled victim of the war whom they could possibly help.

This country, through the Congress of the United States, has committed itself to the proposition of providing for its disabled men a means of training and subsistence which would relieve them of the necessity of appealing to charitable assistance for their education and support. The Federal board is the instrument designated by Congress to carry out this declared intention. The Federal board has undertaken this task in good faith. It has set up an efficient organization for discharging it and has made its plans on the assumption that adequate support for such a program would be provided by Congress. While this work has been going on Members of Congress have severely criticized certain other governmental agencies for neglect of disabled soldiers. If in the future criticism does arise from neglect in the training and support of these men, the blame will be squarely fixed where it belongs should Congress fail to provide ample funds for the work.

Mr. TOWNER. Mr. Chairman, in the estimate made by the board for expenditures necessary for the ensuing year it was found unnecessary to increase the item of $250,000 now made available. For salaries and traveling expenses, instructors and supervisors, and other experts, the estimate of the board, not for the time, as the gentleman from Wyoming said, up to the 1st of July of this year, but for the time up to the 1st of July, 1920, the year we are appropriating for, was $1,195,000, of which sum there is available under the original act $545,000. So to take care of the salaries and all these items up to the 1st of July, 1920, the sum of $650,000 only is asked for. A large amount of the total increase is in another item. It is for lodging, subsistence, travel, and for care of these men during the time, and prior to the time, that they are taking this instruction.

Gentlemen of the committee, there are now 22,000 men already discharged from the hospitals. They are subject to and ought to receive this training, and 13,000 of them were discharged before the board had an opportunity to reach them or to submit the proposition to them for their consideration. They are now increasing at the rate of over 1,000 a month. Last month over 1,100 applied for admission for training under the board. The peak of admission for training will be reached about June of this year. Then the men will be discharged from the hospitals and applying for admission, and the peak of training will not be reached until the 1st of October. The estimate of the department was that in addition to the $250,000 already available they would need $2,750,000 more, but they have scaled the amount down to $2,500,000, and that is the largest item of expenditure asked for by the board.

Now, gentlemen, why this condemnation of the board? Why this talking about "soldiers that do not want it and do not need it, and these fellows that are hanging around the pie counter in order to get places." You can have no idea of the difficulty of obtaining men of the necessary character, education, and ability for this work. You can not get them even at the price they pay. The board had extreme difficulty in finding men with the necessary education and training to take care of this emergency work. You have limited the salaries of these men, and that is eliminated from consideration. No excessive salaries after the 1st of July can be made, and that settles that matter. Now, gentlemen, it is with you to say whether or not you are willing at this time to discredit these estimates of the board for the wounded soldiers of the United States. Are you willing to take that responsibility? Are you willing to let these men go upon the streets of New York City, as they are now doing, begging for bread, and that is what they are doing, because they did not know and their attention had not been called to the fact that they could be taken care of and educated for an honest living and an independent existence as citizens of this country?

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. TOWNER. Yes.

Mr. LAGUARDIA. The gentleman does not want to be misinformed. There is no begging in New York City. We do not permit it; we look after the poor.

Mr. TOWNER. There was begging in New York City on the streets of the city. It is true that these men were selling shoe strings—they were selling little trinkets and various things on the street. But they were in their uniforms, to the disgrace of the city of New York and to the disgrace of the United States of America, and in reality they were asking alms under the guise of selling shoe strings.

Mr. LAGUARDIA. The gentleman is entirely misinformed.

Mr. DYER. Had they been discharged?

Mr. TOWNER. Yes.

Mr. DYER. Probably they had not been paid.

Mr. TOWNER. I suppose, of course, that they could not have been paid. They had nothing. They were apparently saying to the people of the world, "I am begging because the United States will not take care of me."

Mr. LAGUARDIA. Will the gentleman yield? The gentleman is always correct in his statements——

Mr. TOWNER. I hope so.

Mr. LAGUARDIA. These men are being paid before they are discharged. That has been said so many times that I personally investigated it. There are no soldiers begging in New York City now—nobody begging in New York City.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BENJAMIN L. FAIRCHILD. Mr. Chairman, will the gentleman yield to me for a moment?

Mr. TOWNER. Yes.

Mr. BENJAMIN L. FAIRCHILD. Just to say that I have myself seen begging in New York City.

Mr. LAGUARDIA. Of soldiers in uniform?

Mr. TOWNER. Yes. Of course, the gentleman is technically correct when he says they were not begging; but what difference is there when they appeal to the charity of the people and ask them to buy their shoe strings and little trinkets?

Mr. BENJAMIN L. FAIRCHILD. When I saw them they were not selling these shoe strings; they were asking for alms on the streets of New York.

Mr. TOWNER. I thank the gentleman for the information.

Mr. LAGUARDIA. On the street?

Mr. BENJAMIN L. FAIRCHILD. I saw them in a room in a bank, where they came.

Mr. LAGUARDIA. But not on the streets?

Mr. TOWNER. What is the difference? Gentlemen, when you hear the appeals that have been made on the floor of this House against the educational board that is established for the purpose of taking care of these conditions, I want you to remember that it is your board. You established it. They have a right to complain of you if it is not paid. Are you going to take away from this board the necessary funds for going on with their work because you say you do not like the board, that they are not the right kind of men, that they are men who are seeking the pie counter? If that is the case your true remedy is not to take away the necessary appropriations. Your remedy is to see to it that we have the right kind of a board and the right kind of employees, and when any gentleman will come before this House and say that an improvement can be made in this necessary—almost supremely necessary—service for the soldiers, if he can show any method by which it can be improved, then I for one stand ready to give him my hearty approval and say that he is a very patriotic Member of this House.

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. TOWNER. Yes.

Mr. BURNETT. What salaries have you been paying, and what is the necessity for limiting the salaries at all?

Mr. TOWNER. I will say this to the gentleman: You must look at this in a common-sense way. The board had to organize this work and organize it quickly. They had, as I said, the extremest difficulty in getting men at all who were qualified for this kind of work, as the gentleman can easily see. It is not ordinary employment. It takes a man who must have special qualifications.

Mr. BURNETT. But the gentleman has not answered the question about the salaries that they have been paid. How many have been receiving these big salaries?

Mr. TOWNER. The gentleman heard the statement. The statement is that 62 are receiving over $3,000.

Mr. BYRNES of South Carolina. The statement was at the time that they came before the committee that they had put 277 men in training, and they were paying 257 men——

Mr. TOWNER. The gentleman by that statement endeavors to discredit this work, but he knows just as well as anybody that the work has just been organized, and that there are applications now coming in at the rate of 1,000 a month. The gentleman knows that, because his committee was informed about it, and yet he tries to discredit it by saying that these men, these necessary employees, these experts, who had to be hired before the work could be carried on, were hired before the men were there. Of course, necessarily they were.

Mr. BURNETT. If they were getting excessive salaries, that is the thing that I am interested in.

Mr. TOWNER. We will take care of that, if the salaries are excessive, and I will say to the gentleman that I think now it will perhaps be easier to obtain qualified men at reasonable salaries.

Mr. BURNETT. How many were getting more than $5,000 a year?

Mr. BANKHEAD. Two.

Mr. BURNETT. How many more than $4,000 a year?

Mr. TOWNER. I do not know.

Mr. BYRNES of South Carolina. Twenty at $4,000.

Mr. BURNETT. Then how can the gentleman talk about it when he does not know?

Mr. TOWNER. If it was necessary for the purpose of organizing the board to pay $4,000, then we ought to pay it.

Mr. BURNETT. The gentleman may talk about the soldiers, but what is the reason these men, these very patriotic men, who want to do something for the soldiers, all want exorbitant salaries? If they wanted to do something in the interest of the wounded soldiers——

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close, if no one else desires time——

Mr. DYER. I wish five minutes.

Mr. LAGUARDIA. I want five.

Mr. BYRNES of South Carolina. In 20 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate upon this paragraph and all amendments thereto close in 20 minutes. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, does that include five minutes for me?

Mr. BYRNES of South Carolina. If the gentleman desires five minutes, I have no doubt the Chair will recognize him.

Mr. DALLINGER. Mr. Chairman, reserving the right to object, I think this is a very important matter, and I shall object to 20 minutes. If the gentleman will make it 30 minutes——

Mr. BYRNES of South Carolina. We have been discussing it, I will say to the gentleman, for about 45 minutes.

Mr. DALLINGER. I shall object.

Mr. BYRNES of South Carolina. I certainly should like to make some headway with the bill.

Mr. STAFFORD. Make it all day, for the benefit of the members of the Committee on Education.

Mr. WALSH. Mr. Chairman, I object.

Mr. BYRNES of South Carolina. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 25 minutes.

Mr. FESS. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman will state it.

Mr. FESS. I have the floor, and I refuse to yield for that motion.

The CHAIRMAN. The gentleman declines to yield.

Mr. FESS. Mr. Chairman, I regret that my friend from Wyoming is not here——

Mr. MONDELL. He is, and is listening to the gentleman.

SEVERAL MEMBERS. The gentleman from Wyoming is here.

Mr. FESS. I want to pay him a compliment in that he is always here whenever a bill of this kind is up for consideration, but I had not seen him at the time I mentioned it. I share in the concern that the gentleman from Wyoming [Mr. MONDELL] mentioned a moment ago when he spoke of the efforts to reduce unnecessary expenditure, and especially at this time; especially at this time I sympathize with such efforts. I also sympathize with the effort not unduly to increase salaries, and I think the suggestion made of the effort to hunt out these people to be rehabilitated would generally be disapproved, and yet that is a phase with which I must take issue with him, for the reason that unless these persons are solicited to take advantage of the provisions of this bill the Government will not perform its mission to the wounded soldiers.

Mr. MONDELL. Will the gentleman yield?

Mr. FESS. For a question.

Mr. MONDELL. There are perhaps 10,000 men who were severely wounded. Of course a large proportion of those men will entirely recover, and are in no wise rendered unable to follow their occupations by reason of such wounds. There are a great many thousands of men who are very slightly wounded. Does the gentleman think that this board should hunt out at their homes every man who had a scratch and was reported as being slightly wounded and find out whether or not he wants this vocational rehabilitation? They talk about 100,000 men; in one case of 200,000 men.

Mr. FESS. The failure that, I think, is so apparent to the House is to deal in exaggerations, and I sincerely regret that we have gotten in the habit of denouncing a good effort by saying we are hunting up everybody who has a scratch in order to rehabilitate him. That is beneath the dignity of the discussion of this question. The truth about the matter is—and I want to call attention to it for just a minute—it costs $275, according to the estimate, to rehabilitate a soldier; think of it, $275 in taking a wounded man and putting him on his feet and making him self-supporting and self-respecting, so that he does not become a charge upon the Government, but can look the world in the face and not feel that he is a pensioner, a subject of charity, and yet we educate in the universities under private management students at a cost of from $1,000 to $2,000 per year, and we send to the Naval Academy and to West Point Academy our own choice and educate them at the rate of $18,000 to $25,000 per student for the four years. All that is asked in this bill is to take $275 to educate and train a wounded man who otherwise might be a charge and subject to charity in this country. We here propose at this meager figure to train him, put him on his feet, and let him be able to look the world in the face as a self-respecting man because he can do this work. [Applause.] Two hundred and seventy-five dollars only, and if there are 15,000 soldiers to be trained at the minimum, as is submitted by the board, it means $4,125,000. It is a shame to cripple this work as is proposed by this bill to do in this way. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in 15 minutes.

The question was taken, and the motion was agreed to.

Mr. DYER. Mr. Chairman, I was going to ask if I might——

The CHAIRMAN. The motion has been agreed to.

Mr. DYER. Mr. Chairman——

The CHAIRMAN. Does the gentleman from South Carolina desire recognition.

Mr. BYRNES of South Carolina. No; I thought the gentleman from Missouri desired to ask a question.

Mr. MANN. Mr. Chairman, I will confess my ignorance of what the Vocational Education Board is doing. I have not heard any gentleman say what they were doing. I do not know what vocations are being taught or anything about it. I do not know whether anybody else does; but if he does, he has carefully concealed it from the House. But I have no doubt that they will do a good work; but here is the situation that confronts Congress: There is not a bureau of the Government, not one, which, if its appropriation is cut or its estimate is cut in an appropriation bill, can not get some very intelligent and estimable gentleman on the floor of this House to urge, when the appropriation bill comes up, that it be increased, and give very good reasons for it. Every Member of the House is in favor of economy on some item that he does not care anything about. He is in favor of cutting the appropriation which somebody else wants and in favor of increasing the appropriation which he wants. And that is proper; it is proper to bring these matters before the House; but you can not have economy without cutting estimates of appropriation and keeping appropriations down, and you can not make all of these appropriations without increasing taxation.

This bureau has been before a fair committee of the House. It has submitted, more fully than can possibly be submitted here on the floor, its case to the Committee on Appropriations. One gentleman said he would take the opinion of experts, and hence takes the opinion of the experts connected with vocational education, but not the opinion of the experts connected with appropriations in this House. If he would take the opinion of the experts on appropriations here—from the Appropriations Committee—he would not increase the appropriation; but if he will take the opinion of the experts outside, who want to get more money from the Treasury, he will increase the appropriation.

It may be it is idle to hope that this Congress will adopt any practice of economy. I am not sure but it is idle to hope that the next Congress will do any better, but somewhere the line will have to be drawn, because you can not keep increasing appropriations in the times of peace that are coming without increasing the taxes, and the men who vote to increase the taxes will mostly in a few years be outside in private life endeavoring to raise the money with which to pay the taxes. [Applause.]

Mr. DYER. Mr. Chairman, I intend to support the amendment of the gentleman from South Carolina [Mr. BYRNES], in charge of the bill from the Appropriations Committee. I believe that it is better policy to follow the Committee on Appropriations on these matters than it is to take up something sprung suddenly upon us wihout an opportunity for the committee to present its judgment concerning it. This Congress will expire, but the Sixty-sixth Congress will be in session, and an opportunity will be had, and the Committee on Appropriations, I am sure, will give every assistance that is needed for this work if more money is required.

Mr. Chairman, I would vote freely and willingly every dollar that is necessary for the carrying on of this work, as I believe every Member of this House will vote for it, when it is really needed and the time is appropriate. I disagree with some of the gentlemen, especially the distinguished gentleman from Wyoming [Mr. MONDELL] in decrying this appropriation and saying that it will be wasted and ill spent. No doubt some of it has been spent in that way and some of it probably will be; but, Mr. Chairman, this war for which we have expended millions of dollars was won largely by the very boys that this appropriation is intended to help, and any public official who would knowingly ill spend this fund would be as bad as a traitor.

Mr. HARRISON of Mississippi. Will the gentleman yield?

Mr. DYER. I yield to the gentleman.

Mr. HARRISON of Mississippi. I notice in this bill that they appropriate thousands of dollars for monuments to the dead in Cuba and China. Does the gentleman think it is more important to appropriate for that purpose than to take care of these boys who are returning and who are disabled?

Mr. DYER. I believe, Mr. Chairman, that every sensible Member of Congress—and I think every man here is in that class—is in favor of helping these boys to be wage earners and to be able to take care of themselves. We had up here, Mr. Chairman, some time ago a bill to open the soldiers' homes in this country to the soldiers of this war. I opposed it and prevented consideration of it, because I want to see the soldiers of this war given the advantage of this very law that we are appropriating for—the opportunity that Congress is providing for them to enable them, disabled and crippled as they are, to go out and earn a living for themselves, instead of putting them in the soldiers' homes, shut off from the world, shut off from every opportunity to work and to support themselves and to raise families and be citizens in the various avenues of business. The soldiers' homes are all right for the old disabled soldiers, who no longer have the vitality or the ability by reason of age and debility to earn a livelihood, but to take these young men and say, "We will take care of you in the soldiers' homes; we will provide compensation for you," is not the way to treat men nowadays in this advanced age when we have the opportunity through this vocational educational training to equip them and put them in the world, where their help and influence will aid so greatly. Mr. Chairman, that they may have an opportunity to earn money for themselves and live honorably and peaceably is my great desire. They will be more than willing to do this and will be better citizens by reason of it.

Mr. FESS. Will the gentleman yield?

Mr. DYER. I yield to the gentleman.

Mr. FESS. The gentleman knows that this bill can not operate until after the soldier is out of the hospital. Most of them are in the hospital and the work will increase from now on very rapidly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARRISON of Mississippi. Mr. Chairman, may I ask if there are only five minutes remaining?

The CHAIRMAN. There are only five minutes remaining.

Mr. BYRNES of South Carolina. Mr. Chairman, the members of the Appropriations Committee are just as anxious as every Member of this House to provide a sufficient sum to carry on this work. The Congress originally passed this act. The gentleman from Alabama [Mr. BANKHEAD] himself reported to this House a bill appropriating only $2,000,000 for this purpose. The war was then on, and he thought $2,000,000 sufficient. Before the armistice the board filed an estimate for $4,000,000. Based upon what? On the belief that the war would continue, and that a great many more men would be disabled as the result of the war. Then, after the armistice, when they came before the committee about three weeks ago they made this statement to the committee—that from the organization of the board they had spent but

$250,000 of the total appropriation of $2,000,000. They had a balance on hand of $1,750,000. They asked that that be made available for all purposes of the board. By the action of the Congress in passing the Bankhead bill last week it is made available, so that to-day they have $1,750,000. If my amendment is adopted they will have $3,750,000.

Mr. BANKHEAD. Will the gentleman yield?

Mr. BYRNES of South Carolina. I can not.

And, gentlemen who have spoken, with tears in their voices, present to the Congress the horror that would result by reason of not appropriating still more money to pay for the training of these disabled soldiers. What is the fact? The money that is provided for here is not paying for the training of the soldiers.

These soldiers on their return are being trained in the institutions which appear listed on the back of Document 743—in Amherst, in the Massachusetts Institute of Technology, in the Colorado University, in the mechanical and agricultural colleges of the States of the Union—and the truth is, and to the credit of this country I am glad to say it is true, when they sent these disabled soldiers to the colleges of the country and to the State universities and offered to pay their tuition not one institution would accept the pay from the Federal Government. [Applause.] They said, "They are our boys, and we will take care of them." And so this money is not going for tuition of the boys in institutions where they are receiving training. Where is it going? What is not being spent in these excessively high salaries is being spent for the subsistence of the boys when they are in training.

The organic act authorizes the board in special cases to pay subsistence and lodging. I do not know that it was the intention of Congress to pay it in every case, but the board, in its liberality—and I make no criticism of it—has construed it to authorize them to pay to every man who takes the benefit of this act, in addition to $30 provided by the War Risk Bureau, $35 out of this fund for his lodging and subsistence, making a total of $65 per month. In addition to that, they are furnishing clothing and shoes as long as a man stays in training, and they furnish books. That is what is being done with it.

Now, gentlemen say that the criticism of the action of the board in paying these high salaries is irrelevant because of the limitation proposed, but the gentlemen who made the estimate of $4,000,000 before the armistice was signed are the same gentlemen who fixed the excessive salaries, and if they were so liberal in their ideas as to salaries we can assume that they were equally liberal in this estimate, which they say is but a guess.

At the time they came before the committee they had 277 boys in training, and it cost about $275,000 in salaries to put them there, or about $1,000 for every man in training, while the State universities are paying for the training. In the payment of salaries they said they followed the rule of not paying a man more than $500 in excess of the salary he previously received. In other words, they said to the world, "Bid for this man's services, and when you do we will raise you $500."

I say the amount recommended by the committee is enough to carry them through the year if any wisdom is exercised in the expenditure of the money. Certainly, it will carry them to the next Congress. If there is a deficiency, they can report to the next Congress, and if they have a good case Congress will provide it. If you give the full amount they asked for last October while the war was on, and the same spirit of extravagance shown in large salaries asserts itself in some other form, you have no remedy. I want the Congress to appropriate every dollar needed for the vocational rehabilitation of the soldiers, but do not want money appropriated for this purpose wasted, and $3,750,000 is ample for their needs.

The CHAIRMAN. The time of the gentleman from South Carolina has expired. The question is on agreeing to the amendment to the amendment.

Mr. BANKHEAD. Mr. Chairman, let us have the amendment reported again.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BANKHEAD and Mr. HARRISON of Mississippi demanded a division.

The CHAIRMAN. A division is demanded. The question is on agreeing to the amendment offered by the gentleman from Alabama [Mr. BANKHEAD] to the amendment offered by the gentleman from South Carolina [Mr. BYRNES].

The committee divided; and there were—ayes 30, noes 52.

Mr. HARRISON of Mississippi. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed Mr. BANKHEAD and Mr. BYRNES of South Carolina to act as tellers.

The committee again divided; and the tellers reported—ayes 31, noes 56.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FEDERAL TRADE COMMISSION.

For five commissioners, at $10,000 each; secretary, $5,000; in all, $55,000.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. LAGUARDIA. Mr. Chairman and gentlemen, if this amendment had been for the appointment of people to some jobs that are noncompetitive or no examination required, there would have been no opposition to it, regardless of the salaries. I have persistently opposed large appropriations. I remember in 1917 when gentlemen came before the House with a bill for the appointment of explosive inspectors I urged that the positions be placed under civil service, but I was overwhelmingly voted down, and the reason given was that certain experts were required and needed because they were men with specialized training and skill, and they could not come under civil service. At that time I was told that it would be undignified and humiliating to subject these men to civil-service examination, and I was voted down. After the bill was passed, men selected by petty politicians in every congressional district, men unlettered and illiterate, were appointed at salaries ranging from $3,000 to $3,500.

Now that you need men of experience and education and men of training you come here and try to practice economy. The very fact that you reduce these salaries will make it impossible to get good, able men, and it will make it possible to employ a lot of unemployed petty politicians. I do not know what the State of Wyoming pays its school-teachers, but I know that in New York, where we employ thousands of people for educational purposes, we pay decent salaries.

Now you can not get good men for this kind of work unless you pay them good salaries, because the office-seeking, job-grabbing types are not the kind of people who will fill positions of this kind and do the work we have at hand.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. FESS. One of the richest States in the Union pays its school-teachers on an average $71 a month; one of the richest States in the Union.

Mr. LAGUARDIA. It is not New York.

Mr. FESS. No; it is not New York. That indicates the appreciation in a monetary way in which education is held.

Mr. LAGUARDIA. Yes. Men on the floor of this House constantly preach about keeping away bolshevism, and the one thing that will keep this country free of bolshevism is education.

Mr. FESS. You are right. If the gentleman will further yield, I want to say that only last week a strike got under way in a Government shipyard where they were getting $64 a week, and they were striking for $70 a week—just $1 short of the wages paid to the teachers per month.

Mr. LAGUARDIA. Yes.

A great deal has been said about soldiers begging. Gentlemen, you must understand we had 4,000,000 men in uniform, and they are being discharged, and there are bound to be individual cases where a man will go out and take advantage of the fact that he was in the Army. But I resent statements that soldiers are begging on the streets of New York. That is absolutely untrue and incorrect. Nobody begs on the streets of New York. We do not permit it. We take care of our poor in New York, and everyone who has been in the Army who is out of work will be cared for as long as he is in New York.

When you come here with a bill to "rehabilitate" the bank account of some disappointed profiteer, asking for a billion dollars, we hear but a feeble protest.

I believe we should have granted every cent the bureau asked. It is a great work, and should be directed and controlled by big men—educators of the first rank. I am certain the work is needed. All seem to agree on that; and yet the committee boasts that it reduced the salaries and placed a limitation. There is not a committee in the House would dare to limit the pay of a hod carrier. Then why limit pay here? I hope the men who are carrying on this work will not become discouraged,

but will continue in the service. Perhaps a good many of the Members and, let us hope, the gentlemen of the committee will better understand the purpose and scope of the work and make necessary and adequate provision for its continuance next session. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. What has become of the rest of the personnel of the Federal Trade Commission?

Mr. BYRNES of South Carolina. If the gentleman has in mind the employees carried in the last bill, I will say to him that by reason of our withdrawing from the Federal Trade Commission the right to rent buildings in the city of Washington there remained no necessity for the carrying of the messengers boys, general mechanic, watchmen, elevator conductors, skilled and unskilled laborers who were formerly employed.

Mr. WALSH. Do they go into the legislative bill?

Mr. BYRNES of South Carolina. They go out entirely, because the Federal Trade Commission will have to give up its rented buildings and go into Government buildings, which will be maintained by some central authority, perhaps the custodian of public buildings and grounds. They will certainly have to go into a Government building, so that there will be no necessity for the employees who formerly looked after the building.

Mr. WALSH. They will have to have clerks, will they not?

Mr. BYRNES of South Carolina. The only clerks that were carried they will have to provide for out of their lump sum.

Mr. WALSH. There were about 50 or 60 clerks carried in the current law. Each commissioner has a clerk, and then in the current law there are 4 clerks of class 4, 5 of class 3, 10 of class 2, 17 of class 1, and 21 at $1,000 each——

Mr. BYRNES of South Carolina. Yes; I have the law before me. In addition to those the gentleman has stated there are 21 at $900 each. The rest are messengers, general mechanics, watchmen, elevator conductors, laborers, and telephone operators.

Mr. WALSH. I was inquiring to see if the hope that was in my mind was being realized that we were cutting out some of the force of the Federal Trade Commission, in order to prevent them from committing further depredations upon the business of the country.

Mr. BYRNES of South Carolina. Last year we gave them a lump sum and we required them to file with us a statement of every employee and the salary paid, and after most careful consideration of it the committee must say that the Federal Trade Commission kept faith with the Congress. They showed in a statement the name of every employee of the commission and the salary received, and they had not increased the compensation of employees except in a few instances. We determined that it would be better to have them all on one list, instead of having a conflict by having some clerks on the statutory roll and some listed under the lump sum.

Mr. WALSH. The only difficulty with that is, the committee may have before it some day some other commission or board that will come in with a tabulated list and be able to show that they have not increased salaries, and the committee will then follow the precedent set in this case and give them a lump sum, and not give them a specific authorization for the number of clerks and other employees that they can have. Now, I think it is rather a poor precedent to establish in relation to a commission whose activities are going to be continued to wipe out the statutory personnel and give them a lump sum of $1,000,000, which is $500,000 less than they had last year, and let them employ anybody they please, and then bring in a tabulated list next year and say, "While we have employed so many clerks, we have not increased their salaries," but yet they may have increased the number of employees.

Mr. BYRNES of South Carolina. The reason for giving the lump sum last year was that this commission very naturally could not estimate as to the employees necessary to carry out the duties imposed upon them by the various departments.

Mr. WALSH. The duties as they viewed them.

Mr. BYRNES of South Carolina. Yes; and it would be unfair to put on the statutory roll the large number of employees who have been carried and make them permanent employees. Now, we are further confronted with this situation, that many of these investigations are being carried on; many of them are incomplete and should be completed. There is the coal investigation, for instance, the cost of production, and others which will be of great service to the industries of the country. Some of the economic investigations should not be carried on, and the committee has reduced the lump sum from $1,500,000 to $1,000,000. That necessarily reduces the amount that they can expend. We took $500,000 out of their appropriation for next year.

Mr. WALSH. They can do damage enough with $1,000,000, and I think some of the activities they have undertaken which are not completed ought not to be completed but they ought to terminate the inquiries they are making along those lines at once. I think they have gone far afield from the original purposes of the law providing for that commission.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for four minutes out of order.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for four minutes out of order. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to quote some eloquent words delivered yesterday within the shadow of Independence Hall by a foremost American. He said:

"My friends, there is liberty in the air. The nations of the earth are clamoring for liberty. And why should not freedom-loving Ireland join in the general cry. Yes; Ireland wants freedom to breathe the air of heaven. She wants freedom to stretch her brawny and sinewy arms. She wants freedom to develop her resources. She wants freedom to develop the riches of her soul. She wants freedom to carve out her own destiny.

"And we are here to-day to plead the cause of Ireland's sons and daughters, that they may stand erect, redeemed, regenerated, and disenthralled on their own sacred soil."

These words were uttered by His Eminence Cardinal Gibbons at one of the most remarkable conventions ever held in the city of Philadelphia. That convention adopted resolutions which the cardinal himself presented. I ask unanimous consent to extend my remarks by including those resolutions.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

There was no objection.

THE RESOLUTIONS.

The resolutions are as follows:

"We, the delegates to the convention of the Irish race in America, assembled in Philadelphia, the city in which the immortal declaration of American liberty was given to the world, and speaking for many millions of American citizens, call upon the President and Congress of these United States of America to urge the peace conference now in session at Paris to apply to Ireland the great doctrine of national self-determination, and to recognize the right of the people of Ireland to select for themselves, without interference from any other people, the form of government under which in future they shall live.

"We urge this claim, in the first place, in the name of justice, recognizing and insisting on the truth set forth by the founders of our Republic, that all governments derive their just powers from the consent of the governed.

"We urge this claim in the name of America, insisting, as we have just shown in the case of France, that we are not an ungrateful people, and recalling that no other people have contributed more than those of Irish blood to the creation, the upbuilding, the developing, and the preservation and defense of our great country.

"We urge this claim in the name of Ireland because of the unparalleled struggle for now seven and a half centuries that Ireland has carried on for national existence and liberty; because all efforts to break down and destroy that existence have failed, and because of the extraordinary majority by which less than two months ago the people of Ireland declared not alone their dissatisfaction with the government of their land by England, but also their determination to govern themselves without interference from any outside influence or power.

"We urge this claim in the name of humanity because we believe that war can not be ended and a just and permanent peace can not be brought about unless the doctrine of self-determination be applied to Ireland and the people of that country be permitted to decide for themselves the form of government under which they shall live.

"We point out that England has tried in every way to coerce or to persuade or to cajole the people of Ireland to give up their devotion to their national aspirations and tried them all in vain. Lloyd George within the last few months has been compelled to assert that Ireland is at present as much opposed to British rule as in the days of Cromwell.

"The industries of Ireland have been destroyed; her trade and commerce wiped out; her population cut in two; her leaders deported and held in English jails without indictment or trial, and yet within the last two months the people, with a unanimity never before attained, have again declared their utter dissatisfaction with English rule and their determination to be free. England refuses to listen to the voice of Ireland, but

we point out that England likewise refused to listen to the voice of the American colonies. England was compelled less than a century and a half ago to recognize the independence of the colonies, and within the last year the efforts of our country saved England and her allies from total defeat at the hands of the central powers.

"The land to which England was thus compelled to do justice has just saved England in her hour of need. Let England now realize that justice to Ireland which she has so long denied, with grievous loss to Ireland, but also with great loss to herself, will now remove from her path the bitterest hostility which she has to encounter all over the world and will convince mankind in general of the sincerity of her declarations when she says that she believes in liberty and justice for others as well as for herself.

"Finally, we urge this claim that peace and order may be brought out of the chaos with which the whole world now seems to be threatened. In this great hour, when governments are being re-formed and when peoples long opposed by tyranny are emerging again into the sunlight of liberty, let there be sincerity and unselfishness upon the part of those who are controlling the peace conference, to the end that the mistakes of the Congress of Vienna may be avoided and a peace made that will be lasting and permanent because it will be just and right.

"Upon the shoulders of our President and Congress rests in the last analysis the responsibility of the peace that shall be made. We urge them to act in accordance with the doctrines laid down on our behalf when we entered the war and in accordance with the resolution recently adopted, almost unanimously, by the Foreign Affairs Committee of the House of Representatives to the end that autocracy and militarism may be forever destroyed, and that the right of self-determination shall be given to all the peoples of the earth."

DECLARATION OF PRINCIPLES.

With the adoption of the cardinal's resolutions, Michael J. Ryan, of Philadelphia, read the declaration of principles, which, he said, had been drawn up by a committee representing every section of the United States.

The declaration, in part, follows:

"As American citizens we uphold the honor and interests of the United States as our race has done during all the years that have elapsed from the start of the revolution to the present day. That we are proud of the splendid record our people have made in the fighting forces of the Republic in the war which has just closed and are ready to perform any duty and make any sacrifices our Government may, in the future, demand.

"We heartily approve the principles of justice, liberty, and peace for all mankind proclaimed by President Wilson in his declarations of America's objects in the war. These had the approval of the entire American people and were the chief cause of their enthusiastic support of the war. They were indorsed by the spokesmen of the British Government while hostilities were in progress; and the whole world was led to believe that the achievement of the purposes proclaimed by the President was the sole object of the war. Among those declarations the one that 'all peoples are entitled to self-determination' received universal support and became the war cry of the peoples who were fighting Germany. Our Government and those of the countries associated with us in the war are therefore bound in honor to apply the principle of self-determination to Ireland, as well as to the other submerged nations which have been granted their freedom as a result of the war. If it is not applied to Ireland the United States will be placed in a most unfavorable light before the civilized world, and President Wilson's solemn declarations will be made a mockery."

ENGLAND'S "CONSPICUOUS FAILURE."

After stating that Ireland is clearly entitled to self-determination and that she has asserted that right for 750 years, the declaration continues:

"Aside from Ireland's inalienable right to govern herself in her own way, without interference by any people outside her own shores, the attempt of England to rule her against the consent of her own people is the most conspicuous failure in all history. It has failed in every essential thing for which governments exist—the promotion of the welfare of the governed, the protection of their natural rights and interests, the development of their resources, and their contribution to the sum of human happiness and the world's prosperity.

"Even if conquest be acknowledged as giving one people the right to rule another, England has forfeited that right by centuries of continuous misgovernment and injustice, which are practiced by the English Government to-day as relentlessly as at any time in the past, and in utter disregard of the opinions, wishes, and protests of the Irish people.

"The condition of Ireland, which is the direct result of the deliberate action of the English Government, is an international scandal and a constant menace to the world's peace. Three times during the last 300 years her soil has been invaded by foreign armies to aid her people to overthrow English rule. So long as England holds Ireland by military force and denies her the right to govern herself, the Irish people will continue to assert their rights by every means in their power.

"In 1916 they rose in rebellion, and on January 21, 1919, their elected representatives, supported by the overwhelming majority of the people, met in the national capital, issued a declaration of independence, and proclaimed an Irish republic. This action was followed by an appeal for recognition to the free peoples of the world. They elected 3 delegates to plead their case at the peace conference, 2 of whom, with 39 other elected representatives of the people, are held in English prisons without trial and with no charge formulated against them.

"A state of war therefore exists between England and Ireland, which, in the interests of the peace of the world, the peace conference can not ignore, and President Wilson's great task of establishing a permanent peace will not be completed until the Irish question is settled on the principle of self-determination, to which he has unequivocally committed himself and the United States.

"We, therefore, in the name of the many millions of American citizens of Irish birth or lineage, who have contributed their full share to the winning of the war, and with the approval and sympathy of the overwhelming majority of the American people, now demand that President Wilson place before the peace conference and support with all his powerful influence Ireland's right of self-determination and secure for the elected delegates from her constituent assembly to the peace conference the same status and recognition which have been accorded to those of other small nations.

"We remind our fellow Americans of the farewell address to the American people of George Washington, and particularly that portion thereof embodying his advice to avoid all entangling alliances with European powers. These words are as true to-day as when he first uttered them. * * *

"We demand, therefore, if any league of nations be made, that all features of it which may infringe on the traditional American policy, including the Monroe doctrine, shall be eliminated, and that in any such league the right of self-determination of all peoples and the American doctrines of freedom of the seas, so often and earnestly advocated by President Wilson, shall not be overlooked, forgotten, or abridged."

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. WATSON of Virginia having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolution:

Resolved, That the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, and sodium on the public domain be recommitted to the committee of conference on the disagreeing votes of the two Houses thereon.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 4723) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had passed without amendment the bill (H. R. 204) to provide for the fitting up of quarters in the post-office building at the city of Sacramento, Cal., for the accommodation of the district of California and its officers.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12211) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

Mr. MANN. Mr. Chairman, may I ask the gentleman from South Carolina a question in reference to the Federal Trade Commission?

Mr. BYRNES of South Carolina. Certainly.

Mr. MANN. Under the provision of this bill making a lump-sum appropriation for salaries of the employees, how much does the gentleman have an idea the chief clerk will get? He

now gets $2,000. The disbursing clerk now gets $2,000, and a clerk to each of the commissioners now gets $1,800. How much does the gentleman imagine they will be receiving under this lump-sum appropriation?

Mr. BYRNES of South Carolina. I will say frankly to the gentleman that based on the action of the commission this year, they will not be receiving one cent more.

Mr. MANN. I hope the gentleman will not, in correcting his remarks for the RECORD, change that statement, because I would like to have it in the RECORD when this matter comes up next year, when they submit a tabulated statement of their employees.

Mr. BYRNES of South Carolina. I will not, and I shall remember, if I am here, and ask for an accounting. The action of the committee now is based on the act that the statement furnished by the commission as to salaries paid out under the lump-sum roll did justify the action.

Mr. MANN. It may be that the gentleman's statement on the floor here, which will go in the RECORD, will have its weight with the commission; but it is perfectly certain that if such a statement had not been made these gentlemen who now get $2,000 a year would get $3,500, and the private secretaries to these commissioners, hunting for something to do, would get $2,500 or $3,000 each.

Mr. BYRNES of South Carolina. I will say that if I am here and they abuse the lump sum, and the gentleman does not make an effort, if I am here I shall personally make the effort to investigate it.

Mr. MANN. I probably will make no effort about it. I should say, as a rule, the most useless body we have at present is the Federal Trade Commission as now constituted. I heard some gentleman say a while ago that no one seeks the job except the job hunter, and I believe all of them were job seekers when appointed.

Mr. MONDELL. Mr. Chairman, the committee proposes to give the Federal Trade Commission another chance to prove that given an opportunity to increase salaries it will not do so unduly. I do not know that the committee was entirely justified in its action. Gentlemen understand, of course, that it is difficult to provide a proper statutory roll for this sort of a service, so difficult that the committee concluded that it would be better, if the sums are economically expended, to appropriate in a lump sum, with the hope, expectation, and at least the implied promise that there would be no increases of salaries.

We took that action, still remembering what occurred not so long ago in connection with the appropriation for this same governmental activity. There had been carried in their appropriations a limitation of $5,000 of salary that might be made to any employee. Members of the commission came before the committee and said that they frequently had very important cases coming before them in connection with which it was necessary for them to employ, at least temporarily, professional people or experts, and pay them a sum in excess of $5,000 per annum, or at the rate of $5,000 per annum. They asked the committee to put them on trial and give them an opportunity to show what they would do, without limitation, and the committee did so, with this result, that almost immediately, or very soon after that appropriation became available, the Federal Trade Commission employed a certain gentleman, more or less known throughout the country, at the rate, as I recall it, of $17,500 per annum, with some per diem on top of that. In all, if my memory serves me right, that active, persistent—I was going to say distinguished—gentleman pulled down, I think, about $27,000 of the public money. And the echoes of the activities that arose out of that expenditure, far in excess of what the commission said they would make, have been ringing through the corridor of Congress ever since, and have led to the introduction of various bills and to hearings at each end of the Capitol, going on for some time now.

We hope that the Federal Trade Commission will do better, will come nearer adhering to its present good resolutions in this case than it did in the case that I have already referred to.

Mr. STAFFORD. Mr. Chairman, I do not recall, and the gentleman may refresh my memory, of another instance where Congress has abolished the statutory roll and granted a lump-sum appropriation to a Government activity so that it might increase salaries as it deemed fit.

Mr. MONDELL. I do not think the Congress did that or intended to do that. There was certainly no intent on the part of the committee to grant a lump-sum appropriation in order that salaries might be increased.

Mr. STAFFORD. That is what you are doing here; you are granting that privilege in this case.

Mr. MONDELL. I hope my friend from Wisconsin, who is an economist, will not make that statement, which may be held somewhere by some one as authorizing an increase of salary. We are insisting that this action is not taken with a view or for the purpose or intent or with the expectation that the salaries will be increased, but rather on the promise implied, if not direct, that the salaries will not be increased.

Mr. STAFFORD. There is no limitation or qualification in the bill. You abandon the statutory roll and I do not recall another instance where Congress abolished the statutory roll and provided a lump sum. It leaves it to the discretion of the commission or the department to raise the salaries at will.

Mr. MONDELL. I do not know or recall a case of that kind.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. That may not be the purpose, and I ask the gentleman why the statutory roll as carried in existing law was not continued and a lump sum carried for temporary employees. If the gentleman will permit, he has stated that there are instances where they wish to increase the salaries beyond the $5,000 limit. In a prior paragraph, the committee in good judgment has placed a limitation upon the amount of salary that could be paid out of a lump-sum appropriation of $3,700,000, which has just been voted. Here you abolish the statutory roll and allow increases without limit to be paid out of this million dollars.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. LEVER. Could such a situation be possible, coming from the Committee on Appropriations?

Mr. STAFFORD. That is what I am calling to the attention of the committee. I do not know of another instance where the Committee on Appropriations has abandoned a statutory roll and permitted a commission to fix the salaries.

Mr. LEVER. I am absolutely shocked.

Mr. STAFFORD. I would not be shocked if it had come from the Committee on Agriculture, because they pursue that practice frequently.

Mr. MANN. And the gentleman also recalls various instances where members of the Committee on Appropriations have attacked the agricultural appropriation bill because it carries lump-sum appropriations.

Mr. STAFFORD. I confess that I have been guilty on more than one occasion of that vicious practice, but I am surprised that the subcommittee on the sundry civil appropriation bill has seen fit to follow the established practice of the Committee on Agriculture. I am waiting for some explanation as to why they have done it.

Mr. MONDELL. Will my colleague on the committee be good enough to prepare and present a statutory roll covering these activities, in order that we may see whether it is proper to enact it.

Mr. STAFFORD. Why, it is in last year's bill.

Mr. MONDELL. The statutory roll of last year's bill very clearly was not a proper one to continue. The committee was of the opinion that if this board would have due regard for the public funds, which we hope they will, they could better allocate, to use a now useful word, the appropriations among the employees in an economical and useful and workable way than the committee could do.

Mr. HARRISON of Mississippi. Mr. Chairman, I move to strike out the last word. I wanted to get five minutes when the provision was under consideration making appropriation to take care of the soldier boys and rehabilitate them for life work, but I could not do it. The amendment to increase the appropriation as offered by the gentleman from Alabama [Mr. BANKHEAD] was voted down. I was curious to see what the Appropriations Committee, after turning down the estimate for this very just and necessary work, had made appropriations for, thereby giving preference over this item which proposed to take care of these boys. I have been looking through the bill. I want to cite a few items that they have given preference over this appropriation. I notice that they make provision to take care of the Commission of Fine Arts, which includes "the purchase of periodicals, maps, and books of reference." They provide for the National Advisory Committee on Aeronautics. The committee was willing to have advice given on aeronautics and make appropriations for it—it was very important—but not advice given to these boys that they might be fitted and trained for life's work. Then there is a large appropriation made, and it is made available immediately, "for the observation of the total eclipse of the sun that may be visible in Bolivia." How important! Then there is the "astrophysical observatory." It had to be provided for——

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Mississippi. Not yet. I have only five minutes, and I am very anxious to finish this statement. I want to see just how the mind of the gentleman from Montana——

Mr. GALLIVAN. Wyoming.

Mr. HARRISON of Mississippi. Wyoming—I apologize to Montana—worked in failing to take care of these boys.

Mr. MONDELL. Why does the gentleman charge a member of the minority with the items in this bill? Has he fallen into the error of believing that we have already on this side of the House taken control of the Congress?

Mr. HARRISON of Mississippi. Oh, yes; you will soon take charge, and I suppose you, too, will follow the estimates of the various departments on some of these matters, but not when it comes down to providing money for the soldiers to be trained. Members on your side are just as guilty as those on this side. Then here is an appropriation "for an international catalogue of scientific literature," a large appropriation "for American ethnology," and "for the National Zoological Park" out here, where people may go and look at the monkeys and see the wild beasts and other curiosities, and the committee is most generous in appropriating "for work of furnishing headstones for unmarked graves" and "for the roadways in national cemeteries." It is quite necessary to do that, but not necessary to fit these boys that they might be trained to go out and get good positions after they have served their country. Then there is an appropriation "for the expenses of burying, in Arlington Cemetery." It is quite necessary to bury a man, to provide for that, but not necessary to try to cure him and train him so that he can live and make a living.

Mr. LAGUARDIA. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Mississippi. Not yet. Let me read further—"Antietam battle field, for repair and preservation of the monuments and tablets" there. Likewise a large appropriation is made "for the disposition of the remains of officers, soldiers, and civilians." You want to provide for burying soldiers, after they are dead, but not for taking care of them and training them so that they can go and get a job while living. I yield to the gentleman from New York.

Mr. LAGUARDIA. Is it not true that a distinguished gentleman on the Democratic side of the House argued against the amendment to provide money, while many gentlemen on the Republican side of the House voted for it?

Mr. HARRISON of Mississippi. I am afraid the gentleman to whom you allude was just mistaken in his argument, but opposition, I am sorry to say, has arisen on both sides.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Mississippi. I have only five minutes.

Mr. WALSH. I wanted to ask if the gentleman was going to move to strike out these items?

Mr. HARRISON of Mississippi. No; I am not. I am for them, but I am going to give the gentleman from Massachusetts and others an opportunity to say whether they are in favor of taking care of these boys, so that they can be trained for their life work, by making this appropriation on a motion to recommit this bill, and we are going to have a roll call on it.

Mr. WALSH. I shall be delighted to take advantage of that opportunity.

Mr. HARRISON of Mississippi. To see whether you believe it is more essential and more necessary to appropriate money "for tablets in China" than it is to take care of these brave, disabled soldier and sailor boys. Then, again, Mr. Chairman, there is an appropriation made in this bill for "burial of deceased indigent patients out in Arkansas," and all through this bill similar items are found. For instance, here is an appropriation to provide "for trees and shrubs and plants and skilled labor for the grounds of the Capitol and the Senate and House Office Buildings." Willing to appropriate money to make the Capitol Grounds and the House Office grounds beautiful, but not willing to appropriate sufficient money to take care of these disabled boys so that they can go ahead and make a living. And, again, here is an appropriation "for the reindeer in Alaska." Oh, it is very important to appropriate money for the "reindeer" and "for the protection of game" in Alaska—very important—but not important to appropriate a sufficient sum, such as estimated by the department, for these boys.

Mr. JOHNSON of Washington. Will the gentleman join in an effort to strike out some of these appropriations?

Mr. HARRISON of Mississippi. I am for all of these items, but I am for a greater preference being shown these disabled soldiers and sailors than for the reindeer and other things I have enumerated. [Applause.] I do not yield further.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARRISON of Mississippi. I would like to have two or three minutes.

Mr. WALSH. Oh, that paragraph has been passed.

Mr. GALLIVAN. Mr. Chairman, I ask that the gentleman's time be extended for five minutes.

Mr. HARRISON of Mississippi. I shall not insist on it.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a speech delivered by my colleague, the gentleman from Connecticut [Mr. TILSON], in Boston on Saturday night.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that he may be permitted to extend his remarks by printing a speech delivered by Mr. TILSON, of Connecticut, in Boston last Saturday night. Is there objection? [After a pause.] The Chair hears none.

Mr. WALSH. Mr. Chairman, I rise to oppose the amendment offered by the gentleman from Mississippi.

Mr. HARRISON of Mississippi. I have withdrawn that motion.

Mr. WALSH. Then I renew it, merely to express my regret to the distinguished gentleman from Mississippi, who will soon leave our midst to take up duties in a higher forum [applause]—for a long career, I assume—that in the closing days of his service in this House he should have expressed an opinion such as we have listened to in the last five minutes after the amendment which he had favored had been decisively defeated by the committee.

Mr. HARRISON of Mississippi. Will the gentleman yield?

Mr. WALSH. If the gentleman wishes me to add to my regrets, I shall be glad to yield.

Mr. HARRISON of Mississippi. I would like to say that if I could in the slightest degree before I leave this body help the soldiers to be trained, so that they could do something in life—if I could help them in any way—I would be satisfied in the thought I had done them a good stunt. [Applause.]

Mr. WALSH. Oh, yes; of course, that is the sentiment of all of us; but to take the gentleman's remarks as made, one would think we had stricken from this appropriation bill the item carried for that very purpose, and because we did not increase it by over a million dollars, as was asked by gentlemen who are interested on the Committee on Education, the gentleman seeks to convey the impression that the majority party are appropriating money for a lot of useless work and refusing to appropriate money for the soldiers. Now, Mr. Chairman, we have taken the estimates of this Federal Vocational Educational Rehabilitation Board and we have taken the manner in which they have expended the money given to them last session, and the Committee on Appropriations has reduced the amount that they ask for to be appropriated for the ensuing year, and the gentleman knows that if this amount is insufficient for the year 1921 there will be no difficulty in getting a further appropriation; but this trouble is that when you get a body of experts, particularly educational experts and scientists and scientific men and men drawn from the great institutions of learning throughout this country, and turn over to them vast appropriations, they are not always practical in its expenditure; they go upon theoretical lines, and on this work they begin spending money for large salaries. They had more salaried men upon the pay roll at one time than they had men who were being treated.

Mr. BANKHEAD. Will the gentleman yield?

Mr. WALSH. Now, with the amount made available for them for the ensuing year, plus the amount that was turned over by the act we passed the other day, it certainly ought to be sufficient for them to start out with and embark upon this program. There is nobody opposing this work. There is nobody opposing giving the wounded soldiers every benefit and advantage that they can get, and there is nobody here seeking to appropriate money for Rock Creek Park and erecting monuments to soldiers who have fallen in the battles of the Republic heretofore, and to withhold aid from the soldiers who have been wounded in this struggle across the seas. The gentleman is verging, I regret to say, upon the field of demagogy when he seeks to make that sort of an argument, and that only adds to my regret that he is about to depart from our midst, because I know that where he is about to go he may find a great many more opportunities to indulge in that practice than he would if he retained his membership in this body, where that kind of stuff does not go. [Applause.] I trust that the gentleman, upon further reflection, will be constrained to admit further in the debate upon this measure that we have done pretty well as to initial appropriations for the increased activities of this board by giving them nearly $3,000,000 to be available for their work.

Mr. HARRISON of Mississippi. I congratulate the gentleman on his plea of confession and avoidance.

Mr. WALSH. I thank the gentleman for his congratulations.

Mr. FESS. Mr. Chairman, I rise in opposition to the amendment.

Mr. BYRNES of South Carolina. I understood the gentleman withdrew the pro forma motion.

Mr. FESS. He renewed it.

Mr. WALSH. I do not like to withdraw it; I would rather have the gentleman defeat it by his eloquence and logic.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection? [After pause.] The Chair hears none.

Mr. FESS. Mr. Chairman, I do not want to attempt the duty of lecturing the membership of the committee as some Members have attempted, but I want to call attention to this paragraph, upon which we have had a good deal of comment, where instead of limiting the salary to be paid as done in the preceding paragraph the limitation has been taken off so it can be increased. The comment is simply this, that on matters which have monetary value that are measured in materialism there is always a keen interest to extend or expand the opportunity of expenditure.

But upon matters which are not material, but which are spiritual, or more especially educational, there is always a desire to place a limitation. And the desire has been beautifully expressed by our friend, our colleague from Massachusetts [Mr. WALSH], when he specifically states that those who have had academic training are unfitted for the expenditure of money, and therefore the clamp ought to be put upon them. Now, the crime of having an academic training some Members of the House will neither deny nor palliate. They are not going to apologize for it; and, while it might be true that there is an impractical trend among theoretical teachers or teachers of theory, I think that my friend will respect the fact that without the training there would be no accomplishment in the material lines, as there would not be in the spiritual line. And the mere fact that some men have committed the error of taking time to train themselves ought not to be a disqualification for a position on the floor of this House or anywhere else where legislation is proposed.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. FESS. For a short question.

Mr. JOHNSON of Washington. I have here a book that is gotten out by the Bureau of Education, in cooperation with the United States Food Administration, entitled "Lessons in Community and National Life. Series A. For the upper classes of the high school." I find this question:

Note in the title of the bill the different objects at which Congress aimed and show in each case what Mr. Hoover's interpretation of the different tasks is.

Is that a question for a highly educated man to ask of a pupil in a school?

Mr. FESS. I would say that that question would likely be suitable for a pupil in a school.

But, Mr. Chairman, what I have in mind is this: That in matters of business, where you are keeping a going concern going, there is no limitation on the expenditure, but you lift the limitation to give the latitude. But where, instead of keeping a going concern going, you are going to take a broken-down man who has been taken by the authority of the Government without his will and placed in the line, and he is wounded, and when we want to put him on his feet and make him creative and recreative and productive, you limit the amount to be paid for fear that they are going to take advantage of it. I say that it is a comment upon this body. The soldier rehabilitated is not material. It is to give him some ability to stand on his feet and use the powers that God gave him and that the Government took away from him by wounding him, and put him in shape to be himself again. [Applause.] I do not want to appear to be lecturing anybody. But I do not like to see this discrimination, simply because these men are trained academically and are experts. The fact that a man is an expert ought not to disqualify him for a position.

The CHAIRMAN. All time has expired. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

INTERDEPARTMENTAL SOCIAL HYGIENE BOARD.

The unexpended balances on June 30, 1919, of the appropriations for the fiscal year 1919 contained in section 5, 6, and 7 of Chapter XV of the Army appropriation act, approved July 9, 1918, are reappropriated and made available for the same purposes for the fiscal year 1920: *Provided*, That the unexpended balance of the sum of $100,000 in section 7 to be used under the direction of the Interdepartmental Social Hygiene Board shall be available for personal services in the District of Columbia and elsewhere, books of reference and periodicals, printing and binding, traveling, and other necessary expenses of the board in the administration of the provisions of Chapter XV of the said act.

Miss RANKIN. Mr. Chairman——

Mr. WALSH. I reserve a point of order, Mr. Chairman.

Miss RANKIN. I have an amendment I wish to offer.

The CHAIRMAN. The Chair will state that no amendment can be offered unless the point of order is withdrawn.

Mr. WALSH. I would like to hear the amendment.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the amendment be read for information.

The CHAIRMAN. Without objection, the amendment will be reported.

The Clerk read as follows:

Amendment offered by Miss RANKIN: Page 39, after the word "act," line 25, strike out the period, insert a colon and the following: "*Provided*, That no part of the unexpended balance shall be made available for any State which permits the physical examination of females suspected of venereal diseases to be made by male physicians."

Mr. WALSH. Mr. Chairman, if the lady from Montana will permit, I would like to ask the chairman of the committee a question. How much money is available to be reappropriated?

Mr. BYRNES of South Carolina. I can not answer as to the exact figures. It is something under that $100,000. May I state to the gentleman from Massachusetts this——

Mr. WALSH. There was a million dollars appropriated under section 5.

Mr. BYRNES of South Carolina. There is a fund providing $1,400,000 to be appropriated by State boards of health in 1919 and $1,400,000 for similar purposes in 1920. That was carried in the Army bill. The $1,400,000 it was estimated would be entirely spent during the year 1919. This $100,000 is included here for the reason that the language of the original act, while seeking to authorize the expenditure of this fund for the administration of the act, did not do so, because of defective language, and no part of this fund had been spent—that is, the $100,000 fund for administration. There was a fund of $1,000,000—this act had about four different funds—which was appropriated for the purpose of cooperating with the States in the isolation and detention of women with venereal diseases. Now, of that fund there is a balance remaining, unencumbered, of $549.866. It remains because of their inability to carry out their obligations with the States. That fund is used, I will say, in cooperating with the States in the construction of homes for girls, homes for women—State prisons, in other words. The board was anxious to have a large appropriation for this purpose and to secure authority to construct buildings.

The committee has not carried any appropriation for it, but simply authorizes the expenditure in the next fiscal year of the unexpended balance, for the reason that the board has already obligated itself to make these appropriations; and having obligated itself, we wanted to give them the authority during the next fiscal year to expend the unexpended balance.

Mr. WALSH. You want to reappropriate the $500,000 which is carried in section 5 of that act for the purposes set forth in section 2 of the act?

Mr. BYRNES of South Carolina. That is right.

Mr. WALSH. Now, the $100,000 that you carry here, the unexpended balance, you want to make available for personal services in the District of Columbia and elsewhere?

Mr. BYRNES of South Carolina. It is for the purpose of administering these funds.

That is the purpose for which it was appropriated in the act, but the act was not correctly worded, and the comptroller held that they could not spend any of that fund. It is to enable them to spend the money for the purpose for which Congress made the appropriation.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. McKENZIE This is to take care of the board provided for in a law which was enacted as a rider on the Army appropriation bill last year?

Mr. BYRNES of South Carolina. Yes; it refers to the unexpended balance of this appropriation.

Mr. McKENZIE. Put on by the Senate, and as a matter of fact the law was never considered by a committee of the House or in Committee of the Whole. Is not that true?

Mr. BYRNES of South Carolina. That is true.

Mr. McKENZIE. It is just one of those things that went through as a rider, and it provides that the States shall make appropriations to meet the appropriations made by the Federal Government and that they shall act jointly in the suppression of this disease or for social reform.

Mr. BYRNES of South Carolina. Exactly.

Mr. McKENZIE. Now, what I want to ask the gentleman is, How many of the States of the Union have made appropriations to meet the Federal appropriation?

Mr. BYRNES of South Carolina. On page 1327 of the hearings it is shown that about 25 States have.

Miss RANKIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The lady from Montana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Miss RANKIN: Page 39, line 25, after the word "act," strike out the period and insert a colon and the following:

"*Provided*, That no part of the unexpended balance shall be made available for any State which permits the examination of females suspected of venereal disease to be made by a male physician."

Mr. BYRNES of South Carolina. Mr. Chairman, I reserve a point of order on the amendment for the present.

The CHAIRMAN. The gentleman from South Carolina reserves a point of order.

Miss RANKIN. Mr. Chairman, you have just heard this paragraph explained. This paragraph provides that the unexpended balance of the appropriation for the fiscal year 1919 contained in section 5, which provides for a million dollars; section 6, which provides for $1,400,000; and section 7, for $300,000, of the Army appropriation act, is reappropriated and made available for the fiscal year 1920.

As you will notice, this does not make the appropriation for 1920, as the act approved provided for an appropriation for two years. Every Member of this House appreciates the fact that much legislation was passed during the war that would not have been passed except for the emergency. We know that during that time the Member of this House, the gentleman from Illinois [Mr. MANN], who keeps the House advised of such questions as this was ill and was not here to guard the people against such legislation. I feel confident that when you understand the power carried with this appropriation you would not wish to reappropriate this balance without the proviso that I have offered.

Section 5 provides, as I said, for an appropriation of a million dollars to carry out the provisions of section 2. Section 2 contains provisions that I believe should be explained to the House. I have talked with many women about this provision, and the only group of women I found that approved of it did so because they believed the "end justified the means" during war.

Section 2 reads as follows:

That the Secretary of War and the Secretary of the Navy are hereby authorized and directed to adopt measures for the purpose of assisting the various States in caring for civilian persons whose detention, isolation, quarantine, and commitment to institutions may be found necessary for the protection of the military and naval forces against venereal disease.

This section gives blanket authority to the Secretary of War and the Secretary of the Navy to adopt measures—any measure, all measures, any measure they see fit—to assist the various States in caring for "certain civilian persons," regardless of the methods used in the various States. "Civilian persons" is a very innocent term, but when it means civilian persons dangerous to the military and naval forces in regard to venereal disease we know that for all practical purposes it means women. This provision gives blanket authority to the States and to the Secretary of War and the Secretary of the Navy to set up any regulation, to adopt any means they see fit, to determine when and how it shall be deemed necessary for women to be detained, isolated, quarantined, or committed to an institution for the protection of the military and naval forces against venereal disease.

Are they going to submit every woman to a physical examination? They say no; they are going to examine only the prostitutes. How do they know who the prostitutes are? Do they mean to include in this item all the young girls that are floating about the streets? They are a greater menace than the so-called professional prostitutes. Is there an organized body of women different from other women who can be classified as prostitutes who are licensed and legalized? Are they only going to examine those who have been convicted in the courts as prostitutes? Or are they going to examine any woman who is brought into the court as a suspect liable to prosecution? In the hearings the process of finding out when it was necessary was not mentioned.

Over 10 years ago I studied this question very carefully. For a time I worked in the night court in New York. I was very familiar with the handling of prostitution in some of the Western States, especially Montana and Washington. I know the type of man, the plain-clothes man and the policeman, whose business it is to hunt down prostitutes, and I also know that there is an opportunity for the most flagrant injustices. The man on the Council of National Defense who justified and instigated this section tried to convince me that in the past 10 years the moral standards of the individuals who would be responsible for the practical administration of this act had so changed and improved that there would be no danger of abuse. We must talk common sense. We know that there has been no such great change in 10 years, and that we are dealing with human nature.

This section is vicious in that it gives blanket authority both to the Secretary of War and the Secretary of the Navy not only to adopt a measure but to assist any State regardless of the methods used by that State. They can assist States that are using the most inhuman procedure, and can ride over any regulation that has been made for the protection of women. It gives broad authority under which physical examinations of women might be made without requiring any evidence that the woman is diseased or guilty of prostitution.

The CHAIRMAN. The time of the lady from Montana has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent that the lady from Montana may have an additional five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the lady from Montana yield for a question?

Miss RANKIN. Yes.

Mr. MOORE of Pennsylvania. I have just examined the amendment at the Clerk's desk, and I would like to know whether we or the States have a sufficient number of women physicians to meet the requirements?

Miss RANKIN. There have been a great many women released by the ending of the war. We have many more women physicians than would be required to do this work. It may be that they will have to offer inducements for women to come and do this work. But whether they do or not, I think it is better to have the work undone than to pass legislation that would permit some of the injustices resulting from this legislation.

Mr. MOORE of Pennsylvania. Sympathizing with what the lady from Montana has in mind, I wonder whether the adoption of this amendment might not be regarded as coercive in certain States where they do not have a sufficient number of women physicians to meet the requirements of the situation?

Miss RANKIN. It might be.

Mr. MOORE of Pennsylvania. Suppose in a State like Nevada or Montana there were no women physicians. What would the situation be?

Miss RANKIN. Then a woman physician would have to be brought from some other State.

Mr. MOORE of Pennsylvania. Meanwhile the patient might be left suffering or the disease might spread.

Miss RANKIN. But this does not have anything to do with the woman who is diseased. It says "a woman suspected of having venereal disease." After it has been found that she has a venereal disease, if she wishes to have a man physician, that is all right. She may have any physician she prefers; but I object to having women examined by men physicians when they have not been proved to be subject to the disease or to being prostitutes.

Mr. MOORE of Pennsylvania. For one I want to compliment the lady for bringing this question up and for her courage in discussing it; but it did occur to me on reading the amendment that it was open to the objection I have stated, that, so far as those States may be concerned where there are no women physicians available, it might be regarded as in a measure coercive, compelling the State to employ women physicians when it did not have them.

Miss RANKIN. I much prefer to compel the States to employ women than to compel women to be subjected to this abuse.

Mr. FLOOD. Will the lady from Montana yield for a question?

Miss RANKIN. Certainly.

Mr. FLOOD. Suppose some woman should prefer to have her family physician examine her rather than to be examined by a lady physician. Your amendment would not permit that.

Miss RANKIN. Oh, yes.

Mr. FLOOD. No; your amendment provides that where a State permits the examination by a male physician no part of this appropriation shall be available.

Miss RANKIN. A woman suspected of venereal disease—a woman who is brought up under this act.

Mr. FLOOD. You would not permit a woman to be examined by her own physician, if she preferred to be, if her own physician was a man?

Miss RANKIN. If a woman prefers to have an examination of her own, that has nothing to do with this; but this bill will not permit money to be used to hire physicians where the State hires only men.

Mr. McKENZIE. Will the lady from Montana yield for a question?

Miss RANKIN. Certainly.

Mr. McKENZIE. I would like to ask if it is not possible under this law that anyone who might desire could circulate the report about any woman in a community that she was suspected of being diseased, and she might be haled before a physician and compelled to submit to examination whether she was diseased or not and in that way be branded in the community as being a disgraced woman?

Miss RANKIN. What the gentleman says is true. I have not finished my remarks on that point.

Mr. LAGUARDIA. The lady has had experience with the night court in New York. At that time we had women physicians doing the work there.

Miss RANKIN. That has nothing to do with this bill.

This section is vicious in that it gives blanket authority to the Secretary of War and the Secretary of the Navy not only to adopt any measure but to assist any State regardless of the methods used by that State. They can assist States that are using most inhuman procedure, and can override any regulations that have been made for the protection of women. It gives authority under which a physical examination of a woman may be made without requiring any evidence that the woman is diseased or found guilty of prostitution.

It is unnecessary for me to talk to Members of this House about the evils of such legislation. Your sense of justice and your sense of precaution will not permit you to give to a group of people blanket power to take any woman they see fit and submit her to a physical examination made by men without any more protection than this section gives.

The next insidious evil in this bill is that it will give to men the false sense of security that comes from the belief that women who are diseased are locked up. Therefore, they reason, women who are out are free from disease.

Authorities in Europe admit that their system of physical examination and lock hospitals is a failure. The United States has been looked up to as the Nation which has handled its problem of prostitution with more intelligence and humanity than any other country—not that we have by any means solved the problem, for we can never hope to approach the solution of any problem that involves men and women by using wisdom of men only. Under the pretext of war are we going to revert to the practice in Europe?

This section has been in force for a short time. You say nothing has happened. Do you know what has happened? Let me give you a few instances which I know are typical of what is happening. Regardless of what may be said in defense of this section on the floor, I know these things and worse are true, because I know human nature, and I know prewar conditions in various States. In one camp, I think it was Newport News, a reliable woman, a personal friend of mine, was sitting in the Public Health Service office. A man came into the office and talked with one of the officials. The official became very angry, and when the man left he came over to my friend and excused his anger by explaining that the man who came in tried to bribe him. The man wanted his wife's red ticket changed to a white ticket so that she might ply her trade. This shows that at this place it was the practice to make a physical examination of the prostitutes and issue a white ticket to the well one and a red ticket to the diseased one. A white ticket was a notice to all men who came that she was free from disease, when, as a matter of fact, within the next hour she might contract the most virulent type and from then on infect every man who came. I reported this to the Division of Venereal Disease of the Bureau of Public Health Service last November. I was told that it would be looked into. I have heard nothing since.

Another incident that shows the method by which this section was carried out is probably known to every one of you. You are all aware of the practice in the Army of punishing men who failed to report when they contracted a disease and of merely giving medical care without punishment to those who reported. One instance came to me of where a man reported to the authorities that he had contracted a venereal disease. One of the questions asked him was, "Do you know where you contracted this?" The man gave the name of a young woman. That was ground enough for the authorities to force that woman to submit to a physical examination made by a male physician, without any other evidence than the word of one man. It means that no woman is safe if some man wishes to give in her name as a suspect. The women of the Pacific coast are already complaining of the operation of this section.

I want to say this, that no political party can go to the women of this country and defend this section, and no individual can ask the women for their vote and defend his vote for an appropriation which will make it possible for women to be dragged in and examined by a man, to be so humiliated, disgraced, and marked, while there is the slightest chance that the woman is innocent. It is against every principle of decency and humanity to have such examinations and lock hospitals as this section permits.

The women are sensitive on this subject. The women of Australia voted down conscription because of the manner in which the authorities handled venereal diseases.

I received a letter from a man in one of the camps in France saying that they were allowed only three-hour furloughs because of the prevalence of venereal disease. When these men come home they are going to tell what happened. When the men who were kept on this side are out of their uniforms the women will know more.

I was through with talking about curing venereal diseases 10 years ago. We can never rid the world of this plague as long as we try to cure half of those infected and let the other half go free, or while we refuse to look for the cause of the trouble. We will never make any headway until we recognize the fundamental principles. We must see that all feeble-minded persons, males and females, have permanent custodial care, that all the rest of the men and women have education in the processes of life and right living, and that every woman has the training and opportunity to earn an adequate living by her own efforts.

I ask the adoption of this proviso that many young women may be spared needless humiliation. [Applause.]

The CHAIRMAN. Does the gentleman from South Carolina insist on his point of order?

Mr. BYRNES of South Carolina. I make the point of order on the ground that this is a limitation on the expenditure of a fund provided by legislation in the last sundry civil bill. In the form in which it is now presented, I make the point of order.

The CHAIRMAN. On the ground that it is not a limitation?

Mr. BYRNES of South Carolina. Mr. Chairman, the position I take is that it is a limitation upon a fund that was provided by the Army act of the last session, if it is a limitation on anything.

Mr. MANN. But this is a reappropriation of the fund. The appropriation is exhausted. The item in the bill provides that certain unexpended balances are reappropriated and made available for the same purposes for the fiscal year 1920. No one would, in fact, claim that when we reappropriate an unexpended balance it is not exactly the same as appropriating the money originally, except that we evade adding it as an amount in the appropriation bill.

Mr. BYRNES of South Carolina. While it is a limitation, is it not a limitation requiring the States to do certain things?

Mr. HUMPHREYS. No.

Mr. MANN. What is the gentleman's question?

Mr. BYRNES of South Carolina. Is it not legislation, in that it directs what the States shall do?

Mr. MANN. No; it is a mere limitation upon the expenditure of the money, precisely on all fours with the proposition about the appropriation for the benefit of soldiers' homes controlled by States. That is probably the leading case on the subject where a proposition was made that no portion of the money appropriated for the benefit of soldiers' homes owned by States should be given to the States if they permitted the sale of intoxicating liquor of any kind, including wine, beer, and so forth. Now, here is a provision appropriating the unexpended balance and a limitation upon the unexpended balance. It is clearly a limitation. The only provision that is subject to a point of order is the proviso that is in the bill.

Mr. CRISP. Is the Chair ready to rule?

The CHAIRMAN. The Chair is ready to rule. Does the gentleman desire to be heard?

Mr. CRISP. No; I think it is clearly a limitation; but if the Chair has his mind made up, I do not care to say anything.

The CHAIRMAN (Mr. FOSTER). The Chair is ready to rule. The Chair thinks that the point made by the gentleman from South Carolina that this is not an appropriation is not well taken. It does reappropriate the balance for the year 1920. So far as the amendment being a limitation, there was a decision by Judge ALEXANDER on January 16, and also a decision by the gentleman from Texas, Mr. GARNER, and also one by the gentlemen from Virginia, Judge SAUNDERS, all of them able parliamentarians in this House, who decided that a similar amendment to this was a limitation, and the Chair is justified in overruling the point of order. The Chair overrules the point of order.

Mr. BYRNES of South Carolina. Can we have the amendment read again?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk again read the amendment.

Mr. BYRNES of South Carolina. Mr. Chairman, I desire to amend by adding the words "when there is a female physician available." I want to say that I am in sympathy with the purposes of the lady from Montana. There was a request from the department for a permanent establishment with activities along the same line, but the committee did not see fit to include it in the bill. I made some inquiries through the Health Department of the manner in which this work was carried on. I was informed that under the regulations whenever an examination is made that it is made by a Red Cross nurse, who has been at the office of the clinic for the purpose.

But they say that in some States no women physicians are available; and as this work has to be carried on around the various camps all over the country, that it is essential that they be permitted to carry it on where no woman physician is available. For that reason I offer the amendment, so as to provide that where women physicians are not available male physicians can be used.

Miss RANKIN. Mr. Chairman, the amendment offered by the gentleman from South Carolina entirely nullifies the amendment I have offered. They do use women physicians where they are available and convenient and at hand. The Red Cross nurse can not make the examination. It has to be done by a medical person. It is a difficult examination to make, and they are using men all over the country to make these examinations of women who have not been found to have the disease, who have not been found guilty of prostitution, and that is in the testimony given before the committee. Women who have not been found guilty of any sexual offense are held for examination, and these examinations are conducted by men in the great majority of cases.

There is a possibility that there may not have been enough women physicians when there were so many women physicians in France, but now that the women physicians have returned there are plenty to do the work if they will make the inducements to get women to do it. I believe that the humiliation and disgrace, not only to the woman who submits to the examination, but to all those who participate in the examination, is a greater evil than the evil that will come from allowing a few suspects to go free. [Applause.]

Mr. BYRNES of South Carolina. What objection would there be to providing that it shall be made by a male wherever the female physician is not available?

Miss RANKIN. Because it nullifies the whole amendment.

Mr. BYRNES of South Carolina. Take a State like North Dakota, for instance; there you would not have female physicians available.

Miss RANKIN. They use women anywhere where they can. It absolutely nullifies my amendment and it would have no effect whatever.

Mr. BYRNES of South Carolina. The result would be that unless there was a woman physician the work could not be carried on. That is the reason why I say "when a woman physician is not available."

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amendment to the amendment: Amend the amendment by adding, after the word "physician," the words "when there is a female physician available."

Mr. MANN: Mr. Chairman, I want to compliment the lady from Montana on the bravery and intelligence she has shown in presenting the woman's side of this matter to the House. [Applause.] The amendment now proposed by the gentleman from South Carolina, if adopted, would mean that the entire amendment offered by the lady from Montana would amount to very little. It rests then wholly with the department to say whether a female physician is available or not, while it is just as easy as rolling off a log for the department to have a female physician available at any camp where it is sought to make any examination whatever. [Applause.] They can put a female physician there if they want to, and that will be the case if the amendment of the lady from Montana prevails. But if the amendment proposed by the gentleman from South Carolina [Mr. BYRNES] is agreed to, then the department is without any obligation to have a female physician anywhere, and here is the situation: Do not think for a moment that these examinations are confined to prostitutes. Probably no one cares very much how the examination of a prostitute would be made, whether by a man or a woman; but under this broad provision of the law the Secretary of War or the Secretary of the Navy can arrest any woman anywhere and submit her to an examination, and while the chances are that they will not walk into your home or into mine or arrest anyone connected with our families or our acquaintances, yet it is extremely probable that there will be, as there certainly have been in the past, many arrests for this purpose of young girls, probably improperly hanging around camps, who have not yet reached the point of prostitution. The moment such a girl is arrested and examined by a male physician her respect is gone. You might as well turn her on the street and tell her to make her living by prostitution. I am opposed to taking any innocent girl anywhere in the country and aiding in sending her to prostitution. [Applause.]

The CHAIRMAN (Mr. FLOOD). The question is on the amendment offered by the gentleman from South Carolina to the amendment of the lady from Montana.

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the lady from Montana.

The amendment was agreed to.

Mr. MANN. Mr. Chairman, I ask unanimous consent to insert in the amendment just adopted, after the word "provided," the word "further."

The CHAIRMAN. Without objection, it is so ordered.

The Clerk read as follows:

To enable the Interstate Commerce Commission to keep informed regarding and to enforce compliance with acts to promote the safety of employees and travelers upon railroads; the act requiring common carriers to make reports of accidents and authorizing investigations thereof; and to enable the Interstate Commerce Commission to investigate and test block-signal and train-control systems and appliances intended to promote the safety of railway operation, as authorized by the joint resolution approved June 30, 1906, and the provision of the sundry civil act approved May 27, 1908, including the employment of inspectors, and per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, $313,600.

Mr. BYRNES of South Carolina. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FLOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 16104, the sundry civil appropriation bill, and had come to no resolution thereon.

OIL-LEASING BILL—CONFERENCE REPORT.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to call up the bill S. 2812, to encourage and permit the mining of coal, phosphate, oil, gas, and sodium on the public domain, with Senate amendments thereto, and that the House further insist on its disagreement to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection?

Mr. CANNON. Mr. Speaker, I wish the gentleman would tell us why he asks this.

Mr. FERRIS. A point of order to the conference report, on the ground that the conferees had exceeded their authority in providing for the leasing of coal in Alaska, was made and sustained in the Senate on the consideration of the conference report, and it is the thought of the conferees to go back and cut out the objectionable part.

Mr. WALSH. Mr. Speaker, will there be something printed to show what is going back to conference?

Mr. FERRIS. As I understand it, the adoption of the conference report in the House discharged the conferees.

Mr. WALSH. Certainly.

Mr. FERRIS. So it is a question of going back to conference again.

Mr. WALSH. Yes; but it goes back with the part eliminated that went out on the point of order.

Mr. FERRIS. It does not have that effect. It has the effect of rejecting the conference report, and we are now where we were at the start. The whole matter goes to conference.

Mr. ELSTON. And then comes back to the House for consideration?

Mr. STAFFORD. Just as a new conference report.

Mr. FERRIS. Exactly. It comes back for consideration in the event the conferees agree.

Mr. STAFFORD. Subject to points of order and all other privileges in the House.

Mr. MANN. Then the gentleman is moving to insist upon the disagreement of the House to the Senate amendments?

Mr. FERRIS. Mr. Speaker, I ask unanimous consent that the House further insist upon its disagreement to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection?

There was no objection.

The Chair announced the following conferees: Mr. FERRIS, Mr. TAYLOR of Colorado, Mr. RAKER, Mr. LA FOLLETTE, Mr. SINNOTT.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. BYRNES of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee on the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill, with Mr. FLOOD in the chair.

Mr. WALSH. Mr. Chairman, will the gentleman having the measure in charge tell us the reason for the $63,000 increase, apparently, in this block-signal and train-control system investigation?

Mr. BYRNES of South Carolina. In the last session of Congress, Congress increased the salaries of inspectors and other employees from $1,800 to $3,000, and this increase is simply due to the necessity of carrying out the law as it now stands. It is the exact amount of the increase made necessary by the legislation.

The Clerk read as follows:

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof," by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities, approved March 1, 1913, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and including not exceeding $15,000 for rent of buildings in the District of Columbia, $2,500,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word in order to obtain some information. How far has the work of valuing the property of carriers proceeded?

Mr. BYRNES of South Carolina. The information given the committee was that on January 1 they had received engineering reports on 25,000 miles of roads, and that they would, at the end of the year, receive reports on 25,000 miles more; that the field work in connection with the valuation of railroads would be completed by January 1, 1920; that the work in the office, the compilation of the information, will not be completed for two years. The opinion of Judge Prouty, who has been in charge of this work, is that from this time on they will be able to make much greater progress because during the war they have been somewhat hampered.

Mr. MOORE of Pennsylvania. Will the gentleman state how much money has been expended in valuing the railroads up to date?

Mr. BYRNES of South Carolina. Fifteen million eight hundred thousand four hundred and sixty-two dollars was appropriated and $13,706,197 has been spent in the valuation of both railroads and telegraph and telephones—$499,366 having been expended in the valuation of telegraph and telephone lines, the balance in railroads.

Mr. MOORE of Pennsylvania. When was the work commenced?

Mr. BYRNES of South Carolina. The first appropriation was in the year 1915. My recollection is——

Mr. MOORE of Pennsylvania. It was before that.

Mr. BYRNES of South Carolina. That the fiscal year of 1915 was the first appropriation.

Mr. MOORE of Pennsylvania. It has been running four years and has cost up to date over $13,000,000, is that correct?

Mr. BYRNES of South Carolina. Fifteen million dollars appropriated and it cost $13,706,000.

Mr. JOHNSON of Washington. And now they are selling off the private cars, are they not? Are they not offering the private cars at auction in which they used to go around and value these physical properties of the railroads? Are they not selling them at auction?

Mr. BYRNES of South Carolina. I have no information about that, I never heard——

Mr. JOHNSON of Washington. If the gentleman will look in the newspapers in Virginia he will find they are advertising them. Now, why not lop off some of these unnecessary expenses——

Mr. MOORE of Pennsylvania. Now, I am making this inquiry of the gentleman, because for several years it seemed to some of us this appropriation ought to be curtailed, that their work ought to be finished. It will probably run on as long as we continue to make appropriations.

Mr. BYRNES of South Carolina. Now, the gentleman from Pennsylvania knows it was a special act of Congress which directed this work to be done. Three years ago the gentleman in charge of the work guessed that it would cost in all not more than $20,000,000, and to-day, notwithstanding the increased cost of everything and the increased salaries, his opinion of it is in the same amount of $20,000,000 that he prophesied three or four years ago. This work is to be completed, and his guess is that it will be entirely completed in two years.

Mr. MOORE of Pennsylvania. The opinion of many men, some of them railroad men, is that this is a valueless work, and that it is a waste of public money. That is the opinion that many men hold. I am inclined to think they are right and would like to see this business wound up some day. How many men are employed on this particular branch of the service now?

Mr. BYRNES of South Carolina. I will try to give that to the gentleman in a moment. So far as the work is concerned this Congress directed the commissioners to do it. They have now spent $13,766,000. Their field work is almost completed, and the whole work will be completed in a year and a half or two years. The total expenditure, according to those having to do with it, is that it will not exceed their original estimate of $20,000,000. Therefore it seems to me the wise thing is for us to wind it up, so that if it is of any value we will not have wasted $15,000,000 of appropriation.

Mr. MOORE of Pennsylvania. How does the commission get jurisdiction as to telephone and telegraph companies?

Mr. BYRNES of South Carolina. Why, the original act directed the valuation of telephone and telegraph supplies, and they have already completed the valuation of the Western Union line.

Mr. MOORE of Pennsylvania. And that was included in that of railroads?

Mr. BYRNES of South Carolina. Yes.

Mr. MOORE of Pennsylvania. May I ask the gentleman, whether there was any argument on behalf of the commission in favor of the continuation of this work?

Mr. BYRNES of South Carolina. The commission takes just this position, that Congress directed them to do it, and they make no special plea for its continuation. They believe as it has been commenced it ought to be completed, in view of the fact that we have spent $15,000,000, and if all this work is not to be thrown away we should complete it, but they make no special plea for it.

Mr. MOORE of Pennsylvania. And they have submitted to the committee that the work can be completed and ought to be completed in the year 1920?

Mr. BYRNES of South Carolina. By January, 1920, they say their field work will be completed. This year the estimate is for little less than 800 employees.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. JOHNSON of Washington offers an amendment: Page 41, line 22, after the word "Columbia," strike out "$2,500,000" and insert "$1,500,000."

Mr. JOHNSON of Washington. Mr. Chairman, right in line with the argument which was presented in the discussion in reference to the physical valuation of railroads here is a chance for this House to lop off $1,000,000 and do no harm. The statement was recently made on the floor that an effort will be made to recommit this bill in order to get a larger appropriation for the rehabilitation of soldiers—an additional million. If you want to pay that extra $1,000,000, you can save it right here in the bill. It is agreed that this physical valuation is running out very thin. In my opinion it will amount to nothing more than a great mass of books and statistics of doubtful value. Right now the valuation commissioners are selling some of the cars that they used to go around to make these valuations. The valuations have been run down and there can not be much left to do. All they need is to have sufficient money to wind up and make reports on it. Here $1,000,000 can be cut off. Save it. Here is your chance.

Mr. BYRNES of South Carolina. Mr. Chairman, in reply to the gentleman from Washington, I desire to say that the appropriation for the current year was $3,500,000——

Mr. JOHNSON of Washington. And could be cut without——

Mr. BYRNES of South Carolina. This appropriation is for $2,500,000. The only result of the adoption of the amendment offered by the gentleman from Washington would be that less work would be done and the work stretched out over a long period of years.

Mr. JOHNSON of Washington. Did not the gentleman in his argument say that they were doing this work just as Congress directed they should go ahead with the work——

Mr. BYRNES of South Carolina. No; the gentleman misunderstood me then. They have an organization which, according to their plans, will enable them to complete this field work by January, 1920.

Mr. JOHNSON of Washington. What about these private cars which have become more or less unpopular which were formerly used to haul a lot of experts around to make and remake this valuation? Let the House of Representatives show its authority and lop off $1,000,000 and no harm will be done, I can assure the gentleman.

Mr. BYRNES of South Carolina. But the adoption of the amendment would simply mean a prolongation in the time of the work and delay the time in which it can be completed and would be uneconomical in my opinion.

Mr. JOHNSON of Washington. But would save a million and a half dollars, nevertheless.

Mr. WALSH. I move to strike out the section.

Mr. Chairman, this work has been going on for several years, and, as the gentleman says, Congress first recommended it, and it has continued for such a length of time that I do not see and neither have I been able to find out from any testimony that has ever been given before any committee, how the work when it is completed will be of any value to the authorities, the Interstate Commerce Commission having some jurisdiction over the railroads, or to any other department of the Government, or to the Congress in legislating in the future touching the railroads. All they pretend is that they have got some scheme whereby they can take valuations made in 1914 and bring them up to standard wages paid in 1921, when the work is hoped to be completed, and increased prices and cost of materials and equipment.

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. WALSH. But I do not see how, if we are going to continue this appropriation of millions of dollars year after year upon the plea that, "Well, we are almost finished now, and if you do not let us have $2,000,000 this year or $3,000,000 next year all we have spent heretofore will have been wasted."

I yield to the gentleman from Washington.

Mr. JOHNSON of Washington. Just a statement to the effect that this physical valuation has never yet been able to keep up with the wear and tear of railroad ties alone, to say nothing else.

Mr. WALSH. I submit, Mr. Chairman, it is better to charge off the $13,000,000 or $14,000,000 that have already been expended and to cease making appropriations of $2,000,000 or $3,000,000 annually to continue this work, when the end of it is not yet in sight, and particularly in view of the situation which now confronts the Treasury of the United States.

Mr. FESS. Will the gentleman yield?

Mr. WALSH. Yes, sir.

Mr. FESS. What is going to be the substantial value of the report when it comes in?

Mr. WALSH. I have just stated that I have not been able to ascertain from either the testimony of Mr. Prouty or any other member of the Interstate Commerce Commission what the value of this report is going to be when it is completed, if it ever is completed.

Mr. FESS. Could it be used as a basis for rate fixing?

Mr. WALSH. I certainly do not see how it could be used as the basis for rate fixing. It started in 1913 and 1914. The gentleman thinks it was in 1915, but I think he will find that a part of the work began in 1914, from a lump-sum appropriation. And I would like to ask the gentleman under what authority they undertake to value the telephone and telegraph property?

Mr. BYRNES of South Carolina. Under the original act.

Mr. WALSH. Under the basic act of February, 1887. Well, they have hitched that on as another alluring feature.

Mr. BYRNES of South Carolina. It was a special act authorizing this valuation.

Mr. WALSH. I was of the opinion that the special act authorizing railroad valuation did not comprehend telephones and telegraphs. But I trust that the House here will quit appropriating money by the millions annually for a work the nature of which seems to keep just a lap ahead of us year after year. Last year we were given to understand, if I recollect aright, that by 1920 we would have the end so near that we could almost grasp it. Now it has gotten up to 1921; next year it will be 1922, and so on.

I recall that in the State which I have the honor to represent in part, on the program of publishing the old Province laws, they started out with a modest appropriation and with an assurance that next year would see the completion of it, and that continued for 14 or 15 years, and every year they cut the appropriations, because the end would probably be reached in the next year. And this is parallel to that. They are trying to value the railroads, and they will have a part of the valuation based upon 1914 prices and values, and part of it in 1921, and after we have got it it will be of no particular use. I trust we will just eliminate this $2,500,000 and give the gentleman from Mississippi [Mr. HARRISON] an opportunity to use that for his rehabilitation purposes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH] to strike out the section.

Mr. STAFFORD. It has never been reported, Mr. Chairman.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The Clerk read as follows:

Amendment by Mr. WALSH: Page 41, line 11, strike out the section.

Mr. MONDELL. Mr. Chairman, I rise to oppose the amendment offered by the gentleman from Massachusetts [Mr. WALSH]. It is not because I consider it necessary to do so, but because I think we owe it to the House to have a few words said to counteract some portion of the very considerable amount of misinformation which the gentleman has proceeded to give us in the last few moments.

As to the ultimate value of the work that is being done in the matter of valuation of the railroads of the country, that is a matter of opinion. There are folks who think that the information will be of little value. There are others who believe it will be of great value. I belong to the latter class. And while when the work was undertaken I had some doubts about its value, my belief in the value of the work has increased as time has passed and as I have familiarized myself with the work, and as I have tried to study and forecast the effect of it.

This work has been carried on systematically, energetically, in the main not extravagantly, and is nearing a conclusion. And great as the work is it will be concluded approximately within the sum originally estimated by the more intelligent of those who favored the appropriation in the beginning and had the courage to declare how much they thought it would cost. Of course there were some gentlemen who, approving the work, did not have the courage, or possibly the foresight or the judgment, to say what the cost would be. The work will cost somewhere between $20,000,000 and $21,000,000.

We have appropriated heretofore $15,800,000. We are appropriating in this bill $2,500,000, or in all, $18,300,000 in round figures. The work in the field is very nearly completed. The work on the larger railway systems of the country is practically all completed in the field. The valuation figures are made with regard to quite a number of them. They have been submitted to the roads in some cases, and it is hoped that the work may be completely finished some time in 1921, possibly early in the year. In my opinion, while this work has cost much money, it is worth all that it has cost and more, providing we continue the work, and by continuing, keep pace with the changes and modifications and improvements and extensions, so that we may have for reference and information an estimate of the value of the railways of the country at any given moment of time.

Now, those values will be serviceable in fixing rates. They will be one of the useful factors in fixing rates; not the only factor. They will be of value locally in fixing assessments. Their value will be utilized in many lines. In my opinion we were well justified in entering upon the work, although I was not enthusiastic about it in the beginning. It has been carried out faithfully and well. It has been done intelligently and thoroughly. It is about to be completed. About one more appropriation and we shall see the work wound up, and shall have the benefits of the work, which I hope will be considerable.

The CHAIRMAN. The time of the gentleman from Wyoming has expired. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman, I ask that my amendment be again reported.

The CHAIRMAN. Without objection, the amendment will again be reported.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For all authorized expenditures under the provisions of the act of February 17, 1911, "To promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," and amendment of March 4, 1915, extending "the same powers and duties with respect to all parts and appurte-

nances of the locomotive and tender," including such stenographic and clerical help to the chief inspector and his two assistants as the Interstate Commerce Commission may deem necessary, and for per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, $288,000.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Washington moves to strike out the last word.

Mr. JOHNSON of Washington. Mr. Chairman, I did not ask for a division on the amendment to reduce the great sum asked for physical valuation of railroads. It was an effort to save a million dollars, and I felt it would be useless, for the reason that nearly all the paragraphs in the items in the sundry civil bill are the result of special appeals, pulls, and drags from the departments, the bureaus, and the commissions, which are the arms of the Government, that never weaken when it comes to reaching into Uncle Sam's money sack. That is their main business. I have no doubt whatever but that the House in appropriating $2,500,000 to carry on this physical valuation of railroads is wasting a large sum of money. The valuations made in my part of the country some years ago were made on material that is now in the junk pile, and yet the valuations are going to appear in the figures and statistics some day.

It is the same way all through this bill. I feel the same as the gentleman from Mississippi [Mr. HARRISON], that there is something the matter with a great many of these items. We should all speak plainly, but we do not. There is a popular song that should be sung as this bill weaves its way through the House, and the title of that song is "Do Not Forget Me." [Laughter.] Why, the bureau chiefs themselves are around these doors singing that song—whispering, lobbying, and begging either to hold on the old appropriations or to get a little more. That is the trouble with regard to most of the items in the sundry civil bill. Deny it if you can. We are shortly to come to an item for money to buy more land for Potomac Park. That scheme should be cut in half. But it will not be. Somebody will be around here singing the song, "Do Not Forget Me."

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. MONDELL. Has the gentleman examined the Book of Estimates and the particular information that this committee has had to deal with, and the amounts they have cut out? Has the gentleman examined how much the committee have reduced the estimates?

Mr. JOHNSON of Washington. Oh, yes. I give the committee full credit for making some reductions in the face of tremendous pressure. But as we increase departments and bureaus and commissions, we know how that pressure is bound to increase. Really, I am surprised that Members of the House are willing as committee men to work on this bill. As the bureaus and commissions continue to grow and continue to work their press agents and their pull, the work will be harder year after year. Too many people on the pay roll of the Government; too many bureau chiefs with fads and notions. Too much desire to have Uncle Sam do everything for everybody. Too much for Uncle Sam to do in the way of philanthropy, uplift, education, and reform for us ever to hope for governmental economy. I offer these amendments, but what is the use? But wait until the revenue bill begins to get in its work. Then there will be a change.

The CHAIRMAN. The gentleman from Washington withdraws his pro forma amendment. The Clerk will read.

The Clerk read as follows:

LINCOLN MEMORIAL COMMISSION.

For expenses of dedicating the Lincoln Memorial, and for each and every purpose connected therewith, $5,000, to be available immediately.

Mr. HUDDLESTON. Mr. Chairman, I reserve a point of order on that item.

The CHAIRMAN. The gentleman from Alabama reserves a point of order on the item.

Mr. HUDDLESTON. Mr. Chairman, I would like to ask the gentleman in charge of the bill if that item is authorized by law?

Mr. BYRNES of South Carolina. The Lincoln Memorial was authorized by law, and the money here is intended to provide for its dedication.

Mr. HUDDLESTON. What is the money to be spent for? For the completion of the building? It may be spent for feeding the witnesses to the dedication. It might be expended for wine, if we did not have a dry law here. It might be expended on seats for somebody to see the spectacle.

Mr. BYRNES of South Carolina. As a matter of fact, that is true. The Members of Congress, and the gentleman himself, will be invited, along with others. The Congress has expended that much money, and it is the custom to invite Members of Congress and the Supreme Court and other officials of the Government to see it dedicated.

Mr. HUDDLESTON. I do not know if the Chair heard what was said by the gentleman from South Carolina.

The CHAIRMAN. The Chair understood what the gentleman said as to the reason for the appropriation.

Mr. HUDDLESTON. The gentleman from South Carolina said that the purpose of the appropriation was to build seats, so that the spectators might view the ceremonies of the dedication. He also said it was not a part of completing the building, and had nothing to do with the building. The Lincoln Memorial is a public building and, as is suggested, was authorized by law, and anything which tends to the completion of the building, of course, is entirely appropriate in this bill. But I want to call the attention of the Chair to the fact that this item provides for an expenditure of money in connection with the dedication of the memorial and "for each and every purpose connected therewith."

It is quite clear that the appropriation has nothing to do with completing the building. It seems to me that as a matter of principle we ought not to be spending public money to provide spectacles for people. It would be just as legitimate to provide costumes for somebody to take part in a spectacle, or to perform a play or something else that would portray some incident in the life of Lincoln. I do not think it is proper.

Mr. MONDELL. Will the gentleman yield, Mr. Chairman?

Mr. HUDDLESTON. Certainly.

Mr. MONDELL. The gentleman knows that it is customary to have ceremonies in the dedication of these great buildings. This is a building constructed out of a special appropriation, costing a very great deal of money, in honor of a very great man.

Mr. HUDDLESTON. Yes; but is this spectacle that is proposed to be presented in honor of Lincoln, or is it just to afford pleasure to a lot of people, to go there and see it. It is not for the benefit of those who are going to be spectators, instead of being in honor of the great man who is gone? Are we not doing this for ourselves instead of for Lincoln? If we are, we ought not to do it. I make the point of order, Mr. Chairman, that it is not authorized by law. It is not a part of completing the building, and it is not contemplated by the original statute.

The CHAIRMAN. The Chair overrules the point of order.

On motion of Mr. KITCHIN, the committee rose; and Mr. CRISP having taken the chair as Speaker pro tempore, Mr. FLOOD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, had come to no resolution thereon.

VICTORY LOAN.

Mr. KITCHIN, from the Committee on Ways and Means, reported a bill (H. R. 16136) to amend the liberty-bond acts and the War Finance Corporation act, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union and, with the accompanying report (No. 1131), ordered to be printed.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order on the bill.

Mr. MOORE of Pennsylvania. Mr. Speaker, I desire to reserve all points of order on the bill.

The SPEAKER pro tempore. The gentleman from Pennsylvania reserves all points of order on the bill.

Mr. KITCHIN. I should like to state to the Members of the House that the report is printed and can be found on the desk by the door. I would be glad if Members would get copies and read it this afternoon or to-night.

Mr. BUTLER. When does the gentleman expect to call it up?

Mr. KITCHIN. I expect to call it up about 4 o'clock to-morrow afternoon.

SUNDRY CIVIL APPROPRIATIONS.

On motion of Mr. BYRNES of South Carolina, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill, H. R. 16104, with Mr. FLOOD in the chair.

The Clerk read as follows:

For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; traveling expenses of members and employees; office supplies, printing, and other miscellaneous expenses, including technical periodicals and books of reference; equipment, maintenance, and operation of research laboratory and wind tunnel, and construction of additional buildings necessary in connection therewith; not to exceed $1,500 for the purchase, maintenance, and operation of one motor-propelled passenger-carrying vehicle; personal services in the field and in the District of Columbia: *Provided*, That the sum to be paid out of this appropriation for clerical, drafting, watchmen, and messenger service for the fiscal year ending June 30, 1920, shall not exceed $43,000; in all, $175,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. I have gone over the hearings, but I could not find any reference to the authorization for the purchase of motor-propelled passenger-carrying vehicles.

Mr. BYRNES of South Carolina. That request was made last year, and I know it was discussed this year in the hearings, and I do not know why the gentleman can not find it. I can tell the gentleman the necessity for this. Langley Field is located 8 or 9 miles from a town. There is no street-car connection and no other public-vehicle service. During the war these men have been using an Army automobile as a general thing to go back and forth. They can do that no longer, and there is no way of getting out to the field except to walk. Their desire was that we authorize them to spend this amount for the purchase and maintenance of a machine, which would make it possible for them to get to that field.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 42, beginning with line 15, strike out the entire paragraph ending with line 6, page 43.

Mr. LAGUARDIA. Mr. Chairman and gentlemen, there is no necessity for this appropriation at this time. What I am trying to do, as I stated when the Army appropriation bill was before the House, and the naval appropriation bill, and the Post Office appropriation bill, is to concentrate the aviation activities in one department.

I want to point out to you on what information the committee brings in this appropriation. Mr. Walcott testified, on page 95 of the hearings:

During the war the development of aeronautics has been very rapid, and we have probably in America to-day as high-grade fighting machines and engines as any country in the world.

Gentlemen, that witness is from now on entirely discredited, because that statement is absolutely incorrect.

The next witness, Col. Jesse G. Vincent, says:

I am very much afraid that the future of aeronautics is going to be jeopardized by a wholesome attempt to use the war machines, which are now available, for air-transport work. These machines have been built strictly for fighting and bombing purposes, and, while some of the larger day and night bombers can be adapted to certain kinds of commercial use, they will never be ideal; or, in other words, the best of these machines will fall far short of what could be accomplished by designing machines especially for commercial purposes.

Col. Vincent is the gentleman who has been telling you for the past 18 months that we had solved the problem of aerial navigation, because the Liberty motor was created and produced—the great miracle—a motor which was good for all purposes. Now that he is through with the Liberty motor, now that he has been exonerated by the President for any crimes committed by him, he comes in and says it is not advisable to use these war machines with his same motor, and so on. Was he telling the country a falsehood during the war, or is he right now? Col. Vincent, according to the investigation of Judge Hughes, was charged with misconduct and went pleading to the President in the last few days before the President sailed, when the President must have been extremely busy with other important matters, and he goes home with an exoneration. If he was innocent, why did he not go to trial before a court-martial? Of course the President has the power to pardon any person committing a crime, and he had the right to exercise that power in the case of Col. Vincent.

Then we have the Navy Department coming in, and the Navy admits that it is conducting its own experimental work, but says that they might make out of this a bureau.

The Smithsonian Institution and the Bureau of Standards have enough to do with their own work, and they can not properly develop aviation by just dabbling in it from time to time.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman know whether Col. Deeds will have anything to do with the expenditure of this money?

Mr. LAGUARDIA. If he has anything to do with it, we had better cut it out.

Mr. MOORE of Pennsylvania. Does the gentleman know that Col. Deeds is regarded by the War Department as a very able man in aviation?

Mr. LAGUARDIA. Col. Deeds has received the clemency of the administration.

Mr. MOORE of Pennsylvania. The gentleman is using harsh terms, harsher than I should want to use. Col. Deeds was recommended for court-martial by Justice Hughes, and the Department of Justice recommended that Col. Deeds be court-martialed, but the Secretary of War concluded that Col. Deeds was all right and said so at an interesting function in New York where Col. Deeds was present. I was wondering if we make this appropriation whether Col. Deeds will have anything to do with it.

Mr. LAGUARDIA. Because the House believed that Col. Deeds would do all that he said he would do it appropriated a billion dollars for aviation.

Mr. MOORE of Pennsylvania. That which Col. Deeds had to do with amounted to $640,000,000, and he never put a fighting plane into France, yet the Secretary of War appeared delighted.

Mr. LAGUARDIA. The Secretary of War is too honest and intelligent to be really delighted.

Mr. MOORE of Pennsylvania. The Secretary of War is an intelligent man and seems to know the business of the department.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAGUARDIA. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from New York asks to extend his time five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. In other words, the gentleman will not forget in discussing a matter of this kind, and which comes up from the Bureau of Standards, which is really doing efficient work for the Government, that when we were in the midst of a great war, when we had thousands of young fighters and aviators in France waiting for American machines for which Congress appropriated $640,000,000, the boys did not get the machines.

Mr. LAGUARDIA. The Hughes report, subsequently approved by the Attorney General, should have caused Col. Deeds to do one of two things—to waive immunity, go before a grand jury and tell all he knows or blow his brains out.

Mr. MOORE of Pennsylvania. The gentleman is still harsh. The Secretary of War whitewashed Col. Deeds, holding him to be a very creditable officer.

Mr. LAGUARDIA. Let us not whitewash this item.

Mr. BUTLER. Who is Col. Deeds?

Mr. LAGUARDIA. He is the head of the Delco Lighting system, I believe.

Mr. KNUTSON. Will the gentleman yield to me?

Mr. LAGUARDIA. Yes.

Mr. KNUTSON. Is the company that Col. Deeds is interested in the same company that Secretary of War Baker's brother was interested in, or are they two different companies?

Mr. MOORE of Pennsylvania. I think the gentleman will find that Secretary Baker's brother was exonerated. He is eliminated from this discussion. The gentleman from New York [Mr. LAGUARDIA] attained a record in aviation of which he should be proud, and all Congress was proud of him while he was fighting in an Italian machine over in Austria, and I thought it fair to consider in his statement of facts, that Congress had performed its duty toward the aviators, that it had appropriated $640,000,000 to provide for the American boys, and that it was lost largely through mismanagement.

Mr. LAGUARDIA. Congress was generous, but the Packard Co. got the fruits of the generosity. [Laughter.]

Mr. HARDY. Will the gentleman yield?

Mr. LAGUARIA. Yes.

Mr. HARDY. Was the commendation of the Secretary of War after the investigation of Col. Deeds?

Mr. LAGUARDIA. It was.

Mr. HARDY. The gentleman does not know whether the Secretary of War was cognizant of all the facts?

Mr. LAGUARDIA. I am confident that the President was not cognizant of all the facts when he granted executive clemency. It was hardly fair to ask the President in those trying days. He was the busiest man in this country.

Mr. MOORE of Pennsylvania. I can answer the gentleman from Texas in a few words. A gentleman by the name of Borglum presented certain charges to the President of the United States which the President did not fully indorse. The President apparently did not want to involve the Nation in any scandal. But Mr. Borglum was a very persistent person, and insisted that there were certain gentlemen concerned in aviation who were working for their own benefit. The President appointed Justice Hughes——

Mr. HARDY. I know all those facts.

Mr. MOORE of Pennsylvania. The President appointed former Justice Hughes as the head of a committee to investigate——

Mr. HARDY. The gentleman is not answering my question.

Mr. MOORE of Pennsylvania. And that committee discovered that a vast amount of money had been expended, but not for combat planes in France.

Mr. HARDY. Oh, I think the gentleman has told us that himself three or four times.

Mr. MOORE of Pennsylvania. Then Justice Hughes came along with his report, in which he recommended that Col. Deeds be court-martialed. That report went to Mr. Gregory, the Attorney General, and the Attorney General sustained the report of Justice Hughes and said yes, Col. Deeds ought to be court-martialed——

Mr. HARDY. Has not the gentleman told us that before?

Mr. MOORE of Pennsylvania. And that went to the War Department, and the War Department finally whitewashed Col. Deeds, with the sanction of the Secretary of War. Subsequently they gave Col. Deeds a dinner, and they all got around the table and sang "For he's a jolly good fellow," and that was the end of our $640,000,000. [Laughter.]

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I want to say this in reply to the gentleman's amendment, that the purpose of this board is to continue the scientific investigations in connection with aviation. The result of the continuance of that simply means this: That instead of the Army having an investigation of its own and the Navy having an investigation of its own, and the Bureau of Standards a scientific investigation, under this board which has been appointed, representatives of each of these services being on the board, this investigation will be continued. The board asked for an appropriation of $325,000 for the next year, and the committee has recommended in the bill an appropriation of $175,000. That will enable the board to go on with this investigation in order to devise means which will best adapt aeroplanes to civil purposes.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. McKENZIE. Can the chairman of the committee give us any assurance that by the adoption of this section of the bill providing for this appropriation, it will cut off the experiment in the War Department and in the Navy Department and in the marine department? The gentleman will remember that in the military appropriation bill they asked for $10,000,000 for just this character of work.

Mr. BYRNES of South Carolina. Not for this character of work, because that question was specifically asked of the officials, Admiral Taylor and other representatives of the departments, and it is in connection with scientific investigation of air currents and things of that kind, which should be investigated, if we are to develop this particular branch of the service. It is in the line of concentrating this work instead of having money spent by each bureau and in line with what the gentleman from New York [Mr. LaGuardia] desires.

Mr. LaGUARDIA. The gentleman knows that I am entirely in sympathy with concentrating this work.

Mr. BYRNES of South Carolina. Yes.

Mr. LaGUARDIA. This is a good start. To do the work that the gentleman indicates $175,000 is not a drop in the bucket. They need at least $5,000,000 to carry out this work. We have given $15,000,000 to the Navy——

Mr. BUTLER. How many millions to the Navy?

Mr. LaGUARDIA. Fifteen million dollars.

We took ten off, and $15,000,000 to the Army. They are going to do this work. As I said the other day, when the postal bill was under consideration, we have got to starve these people into reason, and by cutting out the appropriation they will get together and stop this opposition that exists between the Army and the Navy and the Post Office Department.

Mr. BYRNES of South Carolina. The appropriations to which the gentleman refers were not for this specific purpose—scientific investigation—and the result of defeating this would simply mean that in addition to these appropriations now provided for the Army and the Navy and the Post Office Service we would have an additional bureau for scientific investigation in each one of them, and this is really in line with economy.

Mr. LaGUARDIA. Does not the gentleman think that out of $30,000,000 they could devote a part to carrying on that work, at least $175,000?

Mr. BYRNES of South Carolina. It would not be done, because it was not asked for that purpose. It is not included in their request.

Mr. BUTLER. Mr. Chairman, I do not want to heckle the gentleman, but I desire him to answer me this question. Will this enable the two military forces to do away with their appropriations for such purposes? Will these people be able to do that work?

Mr. BYRNES of South Carolina. For scientific investigation. There is no reason why this board should not concentrate this work, but it would not enable them to do away with investigation under the $10,000,000 or $15,000,000, which may have been for constructive purposes.

Mr. BUTLER. But for the purpose set out in this paragraph?

Mr. BYRNES of South Carolina. The purpose of it is to do that.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. TILSON. Is not the purpose of this appropriation for scientific investigation that is common to all branches of the service, whether the Army, or the Navy, or the Post Office Department, or commercial, or any other?

Mr. BYRNES of South Carolina. Exactly, the gentleman has correctly stated the proposition.

Mr. SHERLEY. Mr. Chairman, I desire to say just a word about this. I hold no brief for the National Advisory Committee for Aeronautics, but the reason given by the gentleman from New York [Mr. LaGuardia] for striking this out seems to me not to be one which would justify that action. He says he is very anxious to create a unified air service, and, therefore, he wants to hitch all of the various air services which may exist in the Government in order to force them some day to accept his viewpoint—a viewpoint as to the wisdom of which there has been a great deal of controversy, not only here but in England and other countries where they have air service. For my part I am not very much concerned about creating an independent, additional service to grow to be as big and as expensive as the Army and the Navy service.

But this particular work of this board, which was created in order to deal with scientific matters that related to air navigation, did not pertain particularly to the Army or the Navy or any special phase of air navigation, but the whole problem. Now, it may be that its work does not justify its existence. If that be so the committee can strike it out, but to say you want to strike it out for the purpose of forcing somebody to come to a conclusion that we ought to have a unified air service seems to me to be following a predilection instead of a reason. These people are in touch with scientists in regard to a great many developments in connection with the air service and with the knowledge of the air and the currents of air, with problems that are truly scientific as contradistinguished from problems of construction and of type. That is the reason they came into existence; that is the reason they are urging for continuing in existence.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. LaGUARDIA. Can the gentleman give one specific scientific problem that was solved by this board during the time of its existence?

Mr. SHERLEY. I do not know that I could give it offhand, but I think they could give quite a few; but if the gentleman is opposing it on the ground that the work is inefficient and therefore they have no reason to exist, all right; but when a gentleman states his reason is because he is going to take a crack at everything related to aviation until he can force what he believes to be an ideal unified air service I disagree with him.

Mr. LaGUARDIA. But the gentleman will agree that we want to stop waste and produce something?

Mr. SHERLEY. Well, I think I have spent some little time since I have been a Member of the House in trying to stop waste.

Mr. LaGUARDIA. Can the gentleman inform me if this committee has constructed a wind tunnel as yet?

Mr. SHERLEY. They have not, I think——

Mr. LaGUARDIA. Have they absolutely anything to show in two years——

Mr. SHERLEY. They are now building that wind tunnel. They have been doing work, they have got a very small one, and they are building a large one, but they have done work with the small one. Now, we have the hearings and reports, and if the gentleman wants it I will be glad to turn them over to him so he can go into the report of the details as to their expenditures. Then after the gentleman has read that carefully, knowing he is an authority on the matter, if he will come back and say their work is absolutely worthless, I, for my part, will vote with him.

Mr. LaGUARDIA. I will say this, we have more reports and more papers on aviation in this country and less to show for it than any country in the world.

Mr. SHERLEY. That is probably true, and probably one reason is that people do not read them. I suggest that the gentleman read this particular one and give it the benefit of

his special knowledge on the subject, and I am perfectly sincere in saying to him that if he says the work they are doing and have done is worthless I will agree with him to vote to strike it out. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. LAGUARDIA) there were—ayes 4, noes 17.

So the amendment was rejected.

The Clerk read as follows:

ROCK CREEK AND POTOMAC PARKWAY COMMISSION.

To enable the commission created by section 22 of the public buildings act approved March 4, 1913 (37 Stats. L., p. 885), to continue proceedings toward the acquisition of lands required for a connecting parkway between Potomac Park, the Zoological Park, and Rock Creek Park, $250,000, to be available until expended and to be payable one-half out of the Treasury of the United States and one-half out of the revenues of the District of Columbia: *Provided*, That the total area of lands finally to be acquired for said parkway shall not exceed the area and parcels described and delineated in the map No. 2, contained in House Document No. 1114 of the Sixty-fourth Congress, first session: *Provided further*, That the expenditure of the funds appropriated herein shall be subject to all the conditions imposed by the sundry civil appropriation act approved July 1, 1916.

Mr. JOHNSON of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 43, line 14, after the word "Park," strike out "$250,000" and insert "$150,000."

Mr. JOHNSON of Washington. Mr. Chairman, there is a chance for the House to save a few cents.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. JOHNSON of Washington) there were—ayes 8, noes 22.

So the amendment was rejected.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the subcommittee where this land is to be acquired?

Mr. BYRNES of South Carolina. It connects Rock Creek Park with Potomac Park, following and going under the Connecticut Avenue Bridge up to Georgetown, and joins the Potomac Park there.

Mr. GRAHAM of Illinois. Well, is there any particular street or road involved? It speaks of a connecting parkway. I would like to know whether there is any particular street there?

Mr. SHERLEY. If the gentleman will permit, he will recall that several years ago there was a detailed report made as to the area to be embraced in this connecting link of the two parkways, and that was approved by the Congress and a small appropriation made. From year to year the commissioners and the people in Washington have urged that this work ought to be more rapidly pushed and this desirable connection be had at an earlier date, but the committee has felt that while it was desirable to go forward and not abandon a project that meets the approval of Congress and of those acquainted with it, that we ought not to go forward too rapidly, and we have carried a small sum from year to year with the idea that as fast as the property could be properly acquired at the figures set in the report that the money might be available. It is not a new scheme. I will say to the gentleman; it is one that has been thoroughly thrashed out and authorized, and it is simply a part of the general park scheme of the city of Washington.

Mr. GRAHAM of Illinois. I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. JOHNSON of Washington. Is there any reason on earth why we could not wait a few years when we are appropriating all this money? Have not these people got enough parks?

Mr. SHERLEY. I think there is no good reason why we should refuse to make any sort of appropriation. The matter was authorized a number of years ago. The advocates of it believe we have been very slow as it is. And this commission has been making very careful inquiries into values and securing options within the price that was fixed in order to avoid condemnation proceedings. It is simply a question of policy. If the Congress wants to stop all sort of park work, this as well as other park work could stop. But I do not think the committee has been extravagant in its recommendations. I think we have been very conservative in connection with it, and after five years the extent of expenditure on this work seems to me to have been very moderate.

Now, that is simply a matter of judgment. The gentleman can say whether he believes we ought to stop any part of the development or not.

Mr. JOHNSON of Washington. I say this, that I doubt if we will ever be able to give the people of the District of Columbia anywhere near enough parks to satisfy them as long as they have real estate to sell.

Mr. SHERLEY. I think that may be true; but I do not think because you can not satisfy the unreasonable people that you should not satisfy the reasonable ones. I am not being controlled in my judgment because somebody wants to do something that is extreme and absurd. The park problem has been carefully considered and approved by Congress.

Mr. TILSON. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. TILSON. Are we protected in any way from abnormal rise in the price of this land we must have, or is there any assurance that we shall be able to get hold of all this land that is necessary in due time except at an exorbitant figure?

Mr. SHERLEY. There is a limit of cost, as I recall it, of $1,300,000, and the purchases that have been made have been made on the average lower than the assessment and estimate upon which that limit of cost was made.

Mr. TILSON. Is there anything to prevent a holdup on any part of this line up and down Rock Creek that would prevent us from paying an exorbitant figure for it?

Mr. SHERLEY. We have a right to condemn, and I have to assume that the gentlemen who were carrying out the authorization in the act of Congress are protecting the Government, and each year when they make purchases out of the moneys that have been appropriated for it we make careful inquiries as to the price at which they have taken the options and the money that has been spent.

Mr. TILSON. I think that we ought to have it, and I was just wondering if we were protected against exorbitant prices.

Mr. SHERLEY. The Secretary of War, the Secretary of Agriculture, and the Secretary of the Treasury are on the commission, and while it is true that they necessarily rely on Col. Ridley, or who happens to be the Superintendent of Public Buildings and Grounds, I do not know anything that would warrant the belief that this money is not being spent for property at its fair and proper value.

Mr. TILSON. How much has been appropriated?

Mr. SHERLEY. In 1917, $50,000; in 1918, $100,000; in 1919, $150,000. That would make $300,000.

Mr. TILSON. And this would make $550,000?

Mr. SHERLEY. Yes.

Mr. KNUTSON. Can the gentleman inform the House the average price per acre for this land in the past?

Mr. SHERLEY. I wish we could buy it on an acre basis.

Mr. KNUTSON. It is not fit for building purposes or agricultural purposes. All it is good for is park purposes.

Mr. SHERLEY. I think the gentleman is mistaken as to a part of that. A part of it is fit for building, and it was because it was not wanted to have it built up that this parkway plan was approved.

Now, I simply submit to the House that here is a project that had the very careful consideration of a previous Congress. The price that it should cost was determined upon after a very elaborate investigation. I personally made two fights against including in this area land which I did not think was necessary, and which the commission voted against, but which various people wanted to put in. They have not succeeded. Whether they will in the future or not I do not know. But I do believe in the Nation's Capital it is proper to connect the Potomac Driveway with Rock Creek Park; and while I am not willing ever to spend any money for any property at a false value, I think the history of park development in the cities of America will bear out the general statement that the mistakes that have been made in acquiring park areas have been mistakes because of the refusal of a community to go forward, and if they had gone forward in a bolder way in the beginning the cost would have been very much less to the community. I am personally in favor of parks for cities. I favor this driveway.

Mr. KNUTSON. The gentleman will admit that a great deal of this——

The CHAIRMAN. The time of the gentleman has expired.

Mr. KNUTSON. Mr. Chairman, I ask unanimous consent that the gentleman have five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. KNUTSON. I dare say that 75 per cent of the land in Rock Creek Park would be designated as waste land out in the West. I do not know about the East.

Mr. SHERLEY. That may be.

Mr. KNUTSON. It is fit for nothing but park purposes.

Mr. SHERLEY. It might be perfectly proper to condemn it as waste land situated there, but not proper to designate it as waste land situated here.

Mr. KNUTSON. The gentleman will agree that land that is not fit for anything but park purposes is partly waste land.

Mr. SHERLEY. I say that land that is fit for park purposes in a community is far from being waste land. It is a question as to what the gentleman considers waste. I do not believe man lives by bread alone, and I believe there is scriptural warrant for that belief.

Mr. MONDELL. Mr. Chairman, the discussion just had indicates how easy it is to criticize the committee with limited or partial knowledge of a subject. Six years ago the Congress determined to buy more of the land between the Zoo and the Potomac River along Rock Creek, with a view of extending the Rock Creek Park to the Potomac and improving that parkway, so that there would be a continuous park from the head of Rock Creek to the end of the peninsula of East Potomac Park. One million three hundred thousand dollars was placed as the limit of cost. That is six years ago.

Of course when Congress determined to take those lands over they were no longer useful; they were no longer salable for ordinary purposes. For six years we have been holding the owners of those lands in a position where they could not dispose of their holdings. We certainly are not likely to secure the lands any more cheaply by reason of holding them year after year out of use. Some of the lands are usable for residence purposes, and some of them have been used for those purposes. But having entered upon the development of this park we should carry it forward as rapidly as may be consistent with the interests of the Treasury and other activities. We have gone very slowly up to this time. In six years we have appropriated $300,000.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. GRAHAM of Illinois. Have you bought in occasional tracts or have you tried to buy as you go?

Mr. MONDELL. The commission handling the matter has bought tracts as they could buy at what they considered reasonable prices, and up to date they have purchased what they have purchased for something less than the assessed value; a little below the assessed value. Of course the commission has not started at one end or the other end and refused to buy any property that was offered unless they could buy all of the property in the section. That would not be a wise policy. We are obliged to purchase all that property. We can condemn all or any part of the property at any time, but it is not wise to condemn unless it becomes necessary. In the meantime it is wise to buy here, there, or elsewhere any tract that is offered at what is considered a reasonable price within the limit of cost.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. TILSON. What are the prospects of our getting a sufficient amount as would make a physical connection between Potomac Park, so that we can get a road between them in the near future?

Mr. MONDELL. I think we could buy most of the property now at a reasonable price if we were to appropriate the money for it. A million dollars was asked for this work this year.

That is for the purchase of land and improvement. The committee limited the amount to $250,000, and yet certain gentlemen who are not fully informed on the subject think the committee is subject to criticism for having gone that far.

Mr. TILSON. I should rather think it would be the other way.

Mr. MONDELL. I think perhaps the committee should be criticized for not having gone further in this matter.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. PARKER of New Jersey. Has not the gentleman noticed that that park road is already marked on the map and needs only to be reworked in order to make connection between the two points?

Mr. MONDELL. We can not, of course, make any improvements on the park until we have acquired all the land. The gentleman will realize that, and after the sum contained in this bill is appropriated, $750,000 will have to be appropriated before we begin to improve the park. If we appropriate further at the rate in this bill it will take four years to secure the land. It seems to me we are not moving along too rapidly. As a matter of fact we are subject to some criticism that we are not moving more rapidly, in view of the fact that only half of this money is to come out of the Federal Treasury, the other half coming out of the revenues of the District of Columbia.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SHIPPING BOARD.

For five commissioners, at $7,500 each; secretary, $5,000; in all, $42,500.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. Mr. Chairman, no subject is so fraught with concern for the United States at the present time as that of the construction of ships and the transportation of troops and supplies. We want to get our boys home. Therefore we ought to have ship bottoms in which to bring them. We want to transport American products. Therefore we ought to have sufficient ships.

But one of the difficulties at this time arises from the fact that we are not yet ready with American ships to do our business as it ought to be done. That is one reason why our boys are lingering on the other side when they ought to be home. Another reason for delay is that much space that might be utilized in carrying this human freight is devoted to carrying supplies for the people on the other side of the water.

We passed an appropriation here recently evincing the friendly disposition of the Congress of the United States toward the people in distress abroad. It carried $100,000,000 for food supplies. I presume Mr. Hoover will be authorized to spend that money. A few days ago we passed another bill, which proposed to make good the President's guaranty of the food price that involved, or is supposed to involve before we get through with it, a billion dollars—certainly an evidence of our desire to do the right thing—and this apart from the fact that we have involved ourselves more deeply in obligations and indebtedness than the people of the United States have ever been involved before, in order to show good faith with the people on the other side.

I hope Mr. Hurley may be able to make good on his shipping program. Sometimes I question whether he will. There is a controversy now between Mr. Hurley and the marine insurance companies of the United States. While some of us have been thinking for a long time that the preference was in favor of foreign bottoms as against American shipping, Mr. Hurley, who was abroad and fraternizing with our allies and their shipping masters, appears to have come to the conclusion that some preference has been given by marine insurance companies to our foreign competitors. That controversy is now pending.

Mr. Chairman, I believe in protecting the United States. I believe in protecting the industries of the United States. I wish we had shipping enough on our own account to take care of the business of the United States, but notwithstanding our expenditures it appears we have not. We have appropriated millions, hundreds of millions, yea, billions of dollars to build ships during the war. We do not yet have the ships. We are making all kinds of dickers with foreign nations concerning ships. We have been told that our shipping expenses have grown so great that rather than account for them in ships the president of the Shipping Board is going to wipe out $1,000,000,000 that we have appropriated for the purpose of constructing ships. That may have gone into the "know-how," it may have gone into wasteful fields, it may have been extravagantly spent, it may have been spent under pressure of war without the results that we have expected in peace times. I know not, but the story is that we are wiping out $1,000,000,000 of the money we have appropriated for this purpose by mere departmental edict.

On Washington's Birthday in Paris there was a dinner attended by a number of Americans, some very distinguished men. They were over there speaking for us, telling the people on the other side of the water what they thought we ought to do, notwithstanding the chairman of the Committee on Appropriations recently brought in a very large deficiency bill, and notwithstanding that we shall come in from the Ways and Means Committee to-morrow with another bill to provide for another $7,000,000,000 to take care of our friends on the other side of the water as well as ourselves. These Americans on the other side, some of them official and some not—what do they say by

way of pledging the Congress of the United States to do certain things? Oh, they get very philanthropic. They have broad ideas. They visualize the world. There are no limitations to their eloquence nor to their promises.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent that my time may be extended five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. One of the gentlemen at this dinner was Mr. Herbert Hoover, a gentleman who normally lives in England, whose home is in Kensington, London, but who has been given great credence by the President of the United States and who has attained a world-wide celebrity because of his charitable and philanthropic disposition. He is a man of extraordinary ability. We concede all that; but he is like a number of other gentlemen who, when they have the power to dispense other people's money, are extremely liberal. Hence $100,000,000 for food-supply administration in the United States. And another $100,000,000 to keep up the work and another $100,000,000 to spend in Europe. And, incidental to it all, but greater than it all, $100,000,000,000 to guarantee the food prices in the United States, which in the last analysis means we must either keep up the price to the consumer in the United States, when the price is reduced one-half abroad, or the Treasury of the United States, which means taxes paid by the people of the United States, must make up the difference. We passed that billion-dollar bill the other day. It is hung up in another body. It may stay there indefinitely. I do not know. But here is what Mr. Hoover, in the exuberance of after-dinner oratory, suggests that we of the United States should do:

Before the war—

he says—

the supply of food in Europe was sufficient to last six months. But European production was never at such a low ebb as at present.

He presents a beautiful picture for us.

It has practically stopped. The situation, however, is not desperate.

Oh, it may be that some people are begging for food in New York, as was stated on this floor a little while ago. It may be that returning soldiers in uniform who have reached New York are penniless and without food, but Mr. Hoover says the situation in Europe is "not desperate."

Conflicting ideas, we hope, will be removed, and that the good, common sense which helped the father of our country to conduct the destinies of our country through troublous times will enable his successor—

That is our present President, who is coming home to-day——

Mr. BUTLER. He is home already.

Mr. MOORE of Pennsylvania. He is home already. I accept the amendment—

will enable his successor—

Woodrow Wilson—

to help guide the world out of its present predicament.

Get the full force of that. George Washington, the Father of his Country, is applauded by Herbert Hoover, but equal or greater applause goes to that modern President of the United States who is "to help guide the world out of its present predicament." That is the job set for the Congress of the United States if it supports the President of the United States as Mr. Hoover interprets it. We are to "help the world out of its predicament." We have got into a pretty big predicament ourselves, and we will be generations, aye, centuries getting out of the predicament in which we find ourselves now, and into which we will go deeper to-morrow when we pass this new $7,000,000,000 bond bill. But the Hoover picture comes in from Paris and is spread abroad over the world to illustrate the altruism of our people, who are to labor and starve in order that the whole world, which has had trouble from the beginning, is to be helped out of its predicament. That is the job Mr. Hoover sets down for us.

But he is not the only one. Our returning ambassador, Mr. Sharp, formerly a Member of this House, for whom we all have high personal respect, followed Mr. Hoover in this discussion. What did he say? Ah, here is the feeling that is being spread over Europe as to the duty of the United States with regard to this foreign situation:

All jealousy—

says Mr. Sharp—

should disappear between nations. Food is needed badly in certain countries. The question which should be uppermost in the statesmen's minds should be to carry food where it is needed. No feelings—

That is, no feelings about this future indebtedness, no feelings of our predicament, no feelings about the soldier boys we have contributed—

should be expressed because certain countries, owing to circumstances and transportation facilities—

Referring to our shipping which we have not got—

are able to float foodstuffs more promptly, thereby reaping quicker benefits than the others.

That is to say, that if England can float foodstuffs quicker than we can and profit thereby we are not to complain. No; they are to have their way and we are to bear the burden.

The end alone—

Continues the ambassador—the American ambassador—

must be considered, and this is helping needy brothers.

Yes; go on, ye men at the hoe, ye men at the harrow, ye men at the plow, ye men at the mill, ye men at the factory in the United States, go on. It is your duty to plod forever and forever, to tax yourselves with burden upon burden, in order that this altruistic dream may be made good.

We are to go on striving to help our needy brothers—those from every clime, of every color, of every race, no matter how many centuries they have fought with each other nor how intricate and difficult their problems. We must all strive. Our Americans are striving through the ambassador toward a better world, without envy or jealousy. It is the duty levied upon us. And such is the dream of several of our great leaders, several of our great national figures, and supporting them are headlines on the front pages of metropolitan newspapers teaching us to be patient, to be generous, to pursue our daily labors, in order that the world may be relieved of it troubles.

Just how does it work in practice? Here is an everyday letter from a practical everyday business concern, the N. & G. Taylor Co., of Philadelphia, which sets out that the War Industries Board of the United States, made up of dollar-a-year men during the war, fixed the price of tin plate in the United States at somewhere about 72½. The world price has gone down to 54, and we are holding the price up against our own people. Shall we continue to permit our competitors to make tin plate, while we attempt to keep in the running at extravagant figures and furnish them food besides. Mr. Chairman, I ask unanimous consent to insert some of these letters in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to insert letters in the RECORD. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. We passed a billion-dollar food-guaranty bill the other day.

Mr. FESS. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will yield to the gentleman from Ohio.

Mr. FESS. Is not the gentleman aware that he is inviting and subjecting himself to the charge of being a little American because he is speaking of American rights?

Mr. MOORE of Pennsylvania. Yes; but I have no fear of being called a little American when I stand on the Declaration of Independence and the Constitution of the United States. [Applause.]

Mr. BUTLER. But will they hold you up?

Mr. MOORE of Pennsylvania. I think they will. I think enough people remain in the United States to sustain American principles. I think when we show them that the hand of every other fellow is down to his elbow in our pockets, taking away from us to enrich themselves, we can make them understand it. I think when we come to show that our house has been invaded, our domesticity has been disturbed, our homes and factories have been gutted, and that others are reaping the benefit of it we can bring them back to their senses.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent to proceed with the reading of this letter.

The CHAIRMAN. The gentleman asks unanimous consent to finish the reading of the letter.

Mr. JOHNSON of Washington. Reserving the right to object, how long is the letter.

Mr. MOORE of Pennsylvania. It will not take over five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARDY. Can not the gentleman save time by putting it in the RECORD?

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to insert these letters in the RECORD. That is what I want to do. They will speak for themselves.

The CHAIRMAN. The gentleman already has that permission.

The letters are as follows:

TIN-PLATE MEN COMPLAIN.

N. & G. TAYLOR CO. (INC.),
MANUFACTURERS OF TIN PLATE,
Philadelphia, January 9, 1919.

Hon. J. HAMPTON MOORE, Representative,
Washington, D. C.

Subject: Arbitrary action of War Industries Board in connection with the pig tin situation.

DEAR SIR: The pig tin committee of the War Industries Board arranged in an interallied agreement for the purchase of a quota of pig tin for this country. All arrangements were distinctly a war measure, and a quantity of pig tin was bought, on the authority of the War Industries Board, for American consumers, and the medium through which this pig tin was brought to this country was the Steel Products Co. (the export end of the United States Steel Corporation).

We are led to believe that the questionnaire sent out by the War Industries Board, and the data secured by them, were neither complete nor thorough, and, based on certain incomplete figures which they procured, they proceeded to buy for this country from 10,000 to 12,000 tons of Straits pig tin at a Government cost to the consumer of 72½ cents per pound. With the cessation of hostilities—in fact, prior to that—the open-market price of pig tin started to fall, and the present open-market price is something less than 54 cents, as against a Government monopoly price of 72½ cents.

The War Industries Board insists that the American consumers be forced to use this 72½-cent pig tin, and consume the entire quantity before they will allow the American consumers to benefit by the open-market price of the world. In other words, the consumer has to carry the burden, and it is this very un-American plan of forced monopoly, insisted on by Mr. Armsby, that we wish to call to your attention as a serious menace to our industry.

We are asked to compete with the tin-plate markets of the world for export trade. The British manufacturers have access to lower costs of pig tin; the American manufacturer has not. When pig tin was being bought at 72½ cents the fixed price of finished tin plate was $7.75. The Government insists on holding up the cost of the raw material to 72½ cents, and has allowed the price of the finished tin plate to go to $7.35.

We believe that the purchase of these 10,000 tons of pig tin through the United States Steel Products Co. should be looked on as a war measure. No longer is need evident for tin regulation, and the sooner a free market is established the better. The logical solution is to let down at once the bars on imports. The loss incurred on the tin now held by the Steel Products Co. should be charged to profit and loss account of the war, and not be borne as a burden by the American manufacturer.

No redress is seemingly to be secured through the War Industries Board, who naturally are loath to go to Congress and ask for the assumption on the part of the Government of the four or five million dollars represented by the difference between the cost of the pig tin they bought and the present market. We have had letters from a number of tin-plate manufacturers agreeing with our position, and we urge you to give your attention to this situation, which has been given considerable publicity in the trade papers, noticeably, the authority on the subject, the American Metal Market, published by Charles S. Trench, editor, New York City, who would be very glad to give you such further data as you might require.

The injustice of the situation is so apparent that we beg your careful consideration and action.

Very truly, yours,

N. & G. TAYLOR CO. (INC.),
WILLIAM W. JUSTICE, Jr.,
Vice President.

—

COMPETITION IN WHEAT PRODUCTS.

Operating the only automatic pretzel plants in the world. Capacity 16,000,000 pounds per annum.

AMERICAN PRETZEL COMPANY,
Philadelphia, Pa., February 10, 1919.

Congressman J. HAMPTON MOORE,
Washington, D. C.

DEAR SIR: On behalf of myself and others among your constituents I am writing to call your attention to the guaranteed price on wheat and sugar obtaining in this country and the injury this may bring to the American manufacturers brought in competition with South America and Europe.

Unless the Government places a high tariff on the imported product and allows a draw-back on exporting, the baker can not hope to compete with European manufacturers. Under normal conditions the cracker bakers of England were able to sell large quantities of crackers in this country. Under present conditions they could come over here and undersell any cracker baker in the United States.

This alone is a most serious matter but when combined with the high taxes proposed for 1918–19 would tend to be disastrous to the cracker baking industry.

Flour and sugar are the principal raw materials used by the cracker bakers and if they are forced to pay a minimum price as high as existed during war times they will have difficulty in carrying on their business when the price of other foodstuffs is permitted to be responsive to the laws of supply and demand.

Asking that you give this your serious consideration, we are,

Yours, very truly,

AMERICAN PRETZEL COMPANY.

—

CAPTURING THE AUTO TRADE.

From the Barley Motor Car Co., Kalamazoo, Mich., comes the following letter from its agent in London, England:

"So that you may be absolutely conversant with the situation here and will not expect the impossible, I am going to outline to you just what is happening here at the present moment.

"As you know the Government controls all importations; motor cars are on the prohibited list and can only be imported on special licenses. My customers have been trying now for six weeks to get a license but so far without success. I called at the Government department dealing with the matter myself and found that they were not prepared to make any statement as to when the prohibition on motor cars would be withdrawn. It is strongly rumored, however, that the Government intends to continue this prohibition in force for at least a year and possibly two years, as by law they can control imports for three years after peace is signed.

"The policy of the Government in power is to exclude all American manufactured articles either by absolute prohibition or by a high tariff. While, of course, the regulations are not aimed at America especially, we all know that America is the only country which will be affected, because we are the only people who are in position to supply. Of course you can not blame the British for wanting to give their industries a chance to get on their feet before being subjected to our competition, but, on the other hand, it is mighty poor return for our assistance in winning the war to do everything possible to eliminate us from England and the British colonial markets and this is just what is being done.

"It is not necessary now to get export licenses for practically anything unless they go to countries bordering on Germany. In other words, the whole scheme is 'speed up English exports and block American imports.' This is the policy of the Government as far as I can find out. There is, however, a strong body of opinion in this country, including the Labor Party, which feel that a high protective tariff would be a disaster for the country and I do not think the Government are going to have it all their own way in dealing with the matter. Nobody knows what to do or how to act until the policy of the Government is determined, consequently all propositions which are based on supplies from America are hanging fire for the moment until Parliament meets after the first of the year and we know where we are at. The situation in France is very much the same.

"It is quite possible that we may do a very fine business in England; on the other hand it is equally possible that it will be out of the question to get a single car into this country for some time to come.

"I have followed the situation very carefully and I think the above is a fair outline of the position as it exists at the moment.

"I was told the other day by a manufacturer that he had been approached by a representative of the British ministry of munitions, who submitted to him an article now being made in the United States. He was asked if he could make it, and on his replying that he could he was told that if he would manufacture on a quantity basis the Government would see that none were allowed to be imported from America. As the manufacturer told me this himself, and as it is quite likely they will do it with others if they will do it with one, it gives a better idea of the situation than any other instance I have run across.

"As I said before, if conditions will allow it we are sure to do a good business on Roamer cars and chassis, as the market is starved for cars and could easily absorb all the cars which could be made in this country under the most favorable conditions for the next five years. The British Isles have approximately one-half the population of the United States but they only have one-twentieth as many cars in use. This gives an idea as to the capacity of the market when given full freedom of development.

"I have written you at some length because I do not want you to be disappointed if nothing matures."

—

COAL-TRADE SHIPPING.

THE WHOLESALE COAL TRADE ASSOCIATION OF NEW YORK (INC.),
New York, February 8, 1919.

DEAR SIR: You and your constituents are interested in developing the foreign trade of this country.

This is being restricted by the governmental control of bottoms which may be used for that purpose.

This is true with respect to all lines of business, but especially as to coal.

Will you give your consideration to the inclosed resolution and lend the weight of your influence by indorsing it in a personal interview with or letter to the Shipping Board?

Respectfully, yours,

CHAS. S. ALLEN, *Secretary.*

Whereas the armistice has checked the movement of our armies and munitions across the ocean and has thereby released a large number of vessels for commercial purposes; and

Whereas the past and present restrictions and regulations on shipping present great difficulties to the exporter and have led to the loss of much business in the past, and will continue to do so: Now, therefore, be it

Resolved, That it is the sense of the Wholesale Coal Trade Association of New York that all vessels not actually required for the movement of troops, munitions, and present food supplies be forthwith returned to private ownership and control, to the end that the usual view of supply and demand be given full operation and business be once more reinstated on a normal basis.

Mr. SHERLEY. Mr. Chairman, I want to say a few words in connection with the appropriation made for the Emergency Fleet Corporation, and I do it because the amounts are so large that I am not willing that the House should pass them without consideration. Before undertaking to tell you something of the amounts of money that have been appropriated heretofore for the Emergency Fleet Corporation and the amount of $660,000,000 carried in this bill, I desire to call attention to the situation that confronted the Congress in the past and that now confronts it in connection with the emergency shipping fund.

Members will recall the situation that confronted the world, and confronted America, in connection with shipping as a result of the German submarine warfare, and it is important that we should remember these matters in considering what is reported to the committee now and what has been done in the past.

One great cry that went up all over the world from the leading nations fighting Germany was for ships. There were many anxious weeks and anxious months when men wondered whether the combined energy of the world would be sufficient to produce ships as fast as the submarines of the Germans were destroying them. And unless we could reduce the destruction or in-

crease our output to more than make it good, it was apparent that it was only a question of time when Germany would be successful in her war. Therefore pressure was brought to bear all over the world, and particularly in this country after our entrance into the war, for the building of ships, ships, and more ships. The very large authorizations that were made in connection with the shipping program were made in the last sundry civil bill, although there had been prior to that a sum authorized to be expended in shipping construction that was way beyond anything that this country had ever dreamed of putting into shipbuilding.

Last May the Shipping Board came before the Committee on Appropriations with a program as of date April 30, which called for a very great enlargement of the building and requisition program, a program that contemplated the acquiring of about 18,300,448 dead-weight tons of shipping by requisition, purchase, and construction; this total embracing steel, wood, and concrete ships numbering 3,425, at a cost for the ships only then estimated at $3,423,713,218.

It is well to recall that in March the great German drive started. It continued for many weeks. There were days and days here when we wondered whether the next day's news might not show us a complete breaking of the allies' lines and the taking of the channel ports and the capture of Paris. Everybody realized what either of those events must mean to the allied cause. So it was that the American program for the movement of troops, and consequently for ships, underwent a very great expansion. As a result of that expansion officials of the Fleet Corporation came to Congress and asked for very large additional sums in cash and in authorizations particularly as to troop ships. Congress voted those sums. It voted them without division. There was not a man in Congress as I recall, House or Senate, who ever challenged the wisdom of voting those huge sums, and I doubt if any man who had undertaken to very seriously oppose the appropriation of those sums would have been in very great favor with the people of America. He would likely have been burned in effigy, if nothing worse happened to him, and that was because of a then tremendous, pressing, compelling need that the people of America recognized and proposed to supply, no matter if it did cost billions of dollars. We voted the Emergency Fleet Corporation these huge sums, and it went ahead to carry out that program. How efficiently and how economically it was carried out is another story, and a story that can not be told here in five minutes, or 10 minutes, or in an hour's speech, and a story concerning which we probably have not sufficient data now to fully arrive at a correct conclusion. That there has been great extravagance, and that there has been great waste in many, many particulars, I have not the slightest doubt, and I do not think the country has the slightest doubt. As to how far the costs could have been reduced is a question about which men will differ. There were many things that served to increase the cost. The labor situation in the country was anything but ideal, and we did not have the skilled people to carry out such a program as this. From the standpoint of economy, such a program could not have been justified. The only justification that can possibly be made for the size of the program for shipbuilding that this country undertook was the need from a military and national standpoint that I have tried very briefly to portray. No nation could suddenly undertake to expand its shipbuilding industry to the extent that we undertook to do it and hope to accomplish it economically and efficiently, but there were a lot of things that we had to do in those days of stress when we could not count the cost and this was one of them.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SHERLEY. We have authorized in previous bills an expenditure of $3,903,500,000 in the way of ship construction and those things that were related to it; $2,884,000,000 was for building ships ourselves—I mean as contradistinguished from requisitioning ships that other people were building or had built in the country at the time we entered upon this program; $515,000,000 was for the payment for requisitioned ships, built or building, for which contracts existed, which the Government proposed to take over; $150,000,000 was for the purchase of ships other than those so requisitioned; $55,000,000 was for purchase of ships constructed in foreign yards; $122,000,000 was for the acquisition of establishments or plants in connection with building of ships; $75,000,000 was for housing in connection with the workers in the shipyards; and $65,000,000 was for operation of ships. It was to create a working fund in connection with those operations. Twenty million dollars was to help transportation systems in connection with the movement of workers to the plants engaged in shipbuilding, and $17,500,000 was for recruiting, training, and instructing officers and crews. This makes up the total amount of authorizations, including cash, that was voted from time to time in connection with the shipbuilding program.

As to the construction of ships, we have heretofore appropriated $1,938,451,000, and there is carried as one of the items about to be read in this bill $549,653,254, which will make total appropriations made in what is spoken of as the ship construction item of the program of $2,488,104,254. That is $395,895,746 less than the amount that we have authorized the President to obligate the Government for.

A gentleman said to me, "The Appropriations Committee seems to have been pretty liberal with the moneys it is recommending for the Emergency Fleet Corporation for shipbuilding." I said to him, "The committee has practically no option"; and that is what I want to bring to the attention of the House, so that if the House does not in any way agree with the committee it may indicate its disagreement by its motions and its votes.

We are carrying this money as part of the obligation that we authorized—I say we, the Congress authorized—the President to incur in connection with shipbuilding. Now, the need of this money and the need of some three hundred and odd millions that will have to be appropriated subsequently, if the program goes through as now outlined, is predicated upon the amount of money that we will have to pay for the ships that have been built and are building and those that it is proposed to have the keels laid and to complete and it represents what is the judgment of the Shipping Board and the Emergency Fleet Corporation as the extent to which their shipbuilding program that they have entered upon could be reduced by cancellation. Now, I do not know whether they could reduce economically more by cancellation than they have, and I do not know how I possibly can find out, because I have not the opportunity now nor have I personal information that would warrant me in coming to a judgment as contradistinguished from their own. They testify that they have undertaken to cancel all contracts that they could cancel with a real saving to the Government. You will realize that probably as to every ship that is proposed to be built and where the keels are not laid there has been an expenditure of from 30 to 35 per cent, roughly speaking, in materials that have been assembled and that have been ordered and which must be assembled prior to the laying of the keel.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. GRAHAM of Illinois. It has been said to me that these ships we are building now and for which the keels are being laid and construction started could be bought cheaper if we bought them from English and French shipyards than we can build them ourselves. What does the gentleman think about that?

Mr. SHERLEY. Well, I do not know, except I am satisfied that you could not buy them from England, and I know you could not buy any of them in France, because the French have not the yards and would like to buy ships in America. I doubt very much if England is going to sell us any ships for a number of years to come.

Mr. GRAHAM of Illinois. Is this true, that the construction of these ships is costing a great deal more per ton than it is costing to build like ships in English and French yards?

Mr. SHERLEY. I would say it is unquestionably true it is costing more for us to build ships than in England and always has, except perhaps as to a limited number of a given type of ship that were built on the Great Lakes, where we have standardized to a point that it probably would cost us about what a similar type of an English-built ship would cost.

Mr. GRAHAM of Illinois. Here is the question in my mind——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I would ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

Mr. GRAHAM of Illinois. Here is the question I am trying to get at in all good faith. If it costs so much more to build these ships than it costs the foreign shipbuilders, how can we expect ever to compete with them on equal terms for the world's commerce?

Mr. SHERLEY. If I was able to answer that question, I think my answer would probably be worth a great many millions of

dollars to the Government of the United States. That is one of the problems that is going to be left over to the next Congress that has so few problems to deal with.

Mr. SAUNDERS of Virginia. Will the gentleman permit me to answer that question?

Mr. SHERLEY. I doubt if anyone can answer fully that question, certainly within five minutes. I wish to say to the gentleman I would like to proceed.

Mr. SAUNDERS of Virginia. If the gentleman will not yield——

Mr. SHERLEY. I will yield for a minute, but I do not wish to get into a broad discussion of that question in my limited time.

Mr. SAUNDERS of Virginia. I will not ask for it; I will take my own time and answer the gentleman.

Mr. SHERLEY. Speaking for myself, I question very much whether we are going to be able to compete with foreign nations in a highly competitive market upon successful terms, counting in the cost of those ships during these war times. I think those ships will have to be run on a basis of less capital investment than what they actually cost, but I think it is one of the least of your problems in connection with the operation of ships successfully in a normal competitive market. I think you have a good many problems in connection with the manning of your ships, with your shipping laws, with wages, and a lot of other things. The shipping business is not a simple thing, and I have not the wisdom to think I can settle it briefly here.

Mr. BLACK. Will the gentleman yield for one question?

Mr. SHERLEY. I will.

Mr. BLACK. That is to what extent the Emergency Fleet Corporation has made cancellations of contracts?

Mr. SHERLEY. That is what I am going to try to come to. I did not want, gentlemen, to go into the question of a shipping policy for this Government except to say this: That I think it is of the very highest importance that a policy should be determined and determined at a very early date and that almost any policy would be better than a complete absence of one that exists now and the drifting that has taken place in connection with the whole question of our merchant marine and what we propose to do with it. I know nothing that is more important than that there should be presented to the Congress a real program, one that the Congress in its wisdom may modify or accept as the facts may warrant, but to drift along having what will amount in a last analysis to nearly $4,000,000,000 investment in ships and in plants, without any knowledge of what we are going to do with it, seems to me the height of national folly.

My judgment is that you may practically count off as profit and loss incident to the war 50 per cent of your investment of four billions, and at the end of this building program you will probably have about $2,000,000,000 worth of property in the way of ships and yards, and of the ships a certain percentage of them will be of a type of value in competitive trade and others will be of a type of rather restricted value in restricted trades.

Mr. WHITE of Maine. Will it be agreeable for the gentleman to yield?

Mr. SHERLEY. Certainly.

Mr. WHITE of Maine. I notice on page 4 of the hearings there is given the number of vessels to which we have been committed and the total tonnage, something like 16,196,761 dead-weight tons. Will the gentleman tell us what part of that total tonnage is actually in the water and under control of the Shipping Board as of December 31, to which these figures relate?

Mr. SHERLEY. Those figures relate to a program which is supposed to have been undertaken up to December 31 and were figures that were given last May as to a program. There is in the hearings—and I do not know whether I can find it immediately or not—the tonnage that we would have if the present program is carried through. Unfortunately, I say frankly to the gentleman, I have practically had no opportunity to reread this testimony. I tried to get some condensed tables of ready reference, but I am not sure that they have been put in here in the form that would give me the information. But the gentleman will find in the hearings a letter from Mr. Hurley, head of the Shipping Board, as to the policy that they have proceeded on, on page 218, in connection with this program, and he will also find statements from the division of planning and statistics undertaking to show the number of keels that have been laid between January and February and the number that is proposed to be laid after February 14.

Mr. WHITE of Maine. I had seen figures of that character, but I had not observed anywhere figures showing the tonnage actually in the water and under control of the Emergency Fleet. I was anxious to get that if it was readily available.

Mr. SHERLEY. It is available, but I can not put my hand on it at the moment.

Now, the program that they now are undertaking to complete contemplates a total construction of something under 12,000,000 tons of ships, exclusive of requisition ships. Including all ships it represents a tonnage of about 14,500,000 dead-weight tons. There is to-day supposed to be a deficiency in world tonnage, including that which has been built by us, of 9,750,000 dead-weight tons as against the figure that existed in 1914 prior to the submarine campaign. Excluding what we already have built, we are going forward now with about 10,000,000 tons of shipping. So we are probably not building any more than what would be necessary to replace the tonnage that has been destroyed.

I think Mr. Hurley in his letter states that some 5,000,000 tons are being built by other nations, which would seem to indicate that if we carry out this program and they carry out theirs we will have supplied the tonnage that has been lost by virtue of the war and some 5,000,000 tons in addition; and it is thought that represents about what should have been the normal growth in tonnage between 1914 and 1920.

Mr. LAGUARDIA. Can the gentleman tell us how many tons have been constructed in this country since we entered the war?

Mr. SHERLEY. I was trying to tell the gentleman that we have a plan, with this program of ships purchased, built, and building, representing about 14,500,000 dead-weight tons of shipping.

Mr. LAGUARDIA. How many tons were actually built?

Mr. SHERLEY. I am trying to find that. It is in the hearing. I can not for the moment put my hand on it.

Mr. GREENE of Massachusetts. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. GREENE of Massachusetts. I wanted to ask the gentleman this: I notice he made a reference to the fact that he hoped some definite policy would be defined. I want to state that since the election in November I have been called on to state what definite policy would be pursued by the change of administration that would take place. I said I was not able to disclose it at the present time, because we had not gone so far as even to create committees, and I could not tell what the definite plan would be. Certainly we who have been in the minority have been largely kept in the dark as to what is being done. We are getting only indefinite reports, and not many of them. We are rather at a loss to define a policy, but will endeavor whenever we have the control of the legislative branch of the Government to define some kind of definite policy.

Mr. SHERLEY. If the gentleman will permit, I made no reference in any partisan or party sense.

Mr. GREENE of Massachusetts. And neither did I.

Mr. SHERLEY. I understand you did not.

As to the matter of policy, I simply presented this situation to the House and to the country, that we have invested practically in moneys spent and moneys contracted to be spent something like $4,000,000,000. Now, that was made necessary because of the war, and we went ahead. All of us went ahead.

There was no division and there was no question. There was not 3 per cent of the people in America that questioned the wisdom of building ships at the time these commitments were made in the spring and early summer of last year. But, having done that, I think it is up to the Shipping Board, I think it is up to this administration, I think it is up to the Congress to work out a plan. I do not care whether it is a Republican or Democratic plan if it is the right plan. And I do not think any of us are so sure——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask unanimous consent for five minutes more, and then I will not take any more time.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. I do not think any of us feel warranted in saying that we know the last word on what should be the national program. It has got to be approached from the standpoint of a tremendous ownership by the Government of ships. Shall the Government operate? Shall it sell them or lease them upon the value they are to the Government or upon the value that they think it is necessary to place upon them in order to put them on terms of equality and competition with the rest of the world?

What shall be our navigation laws? How shall we undertake to equalize our operating expense with that of European countries? Those are great problems. They are not going to be settled in a minute by speeches by anybody. All I am trying to do is to show that the Committee on Appropriations have recommended the appropriation of these moneys because there is nothing else it could have done, and that in bringing in this six hundred-odd millions in this bill it is doing it on representations by the Emergency Fleet Corporation as to the amounts

of money they will have to pay on contracts that have been entered into and which they believe they can not properly cancel.

Now, if anybody knows that there can be a cancellation of more of these contracts than they state, then I want that person to suggest the amount and to offer a reduction, so as to bring that about, and to justify it. But I have felt that it was not right that the Committee on Appropriations should recommend these huge sums without stating to the House the basis upon which we made the recommendations.

Mr. GREENE of Massachusetts. I thank the gentleman for the statement he has made. It was not my point to criticize his action or any of the action of the committee as to this large amount. I simply want to say that is a problem that will call for all the wisdom that we can possibly find anywhere on both sides of the House, and we will endeavor, so far as we can in the coming Congress, to arrive at some definite policy.

Mr. SHERLEY. Now, I have found the tables which the gentleman from New York [Mr. LAGUARDIA] inquired about. If the gentleman will look on page 27, of part 3, of the hearings on the sundry civil bill, which relates entirely to the shipbuilding situation, he will find a table which undertakes to show the number of delivered vessels, those that are in the water, those that are on the ways, and those of which the keels have not been laid, and the total amount.

Now, of requisitioned ships there have been delivered 298, with a dead-weight tonnage of 1,931,061. Of contract ships there have been 164 delivered, with a dead-weight tonnage of 968,425; of wood ships there have been 106, with a dead-weight tonnage of 376,400; and 10 composite ships, with a dead-weight tonnage of 37,500; or of wood and composite ships there have been 116, with a dead-weight tonnage of 413,900. The total number of ships which have been delivered, both those requisitioned and those built under contract, amounts to 578, with a dead-weight tonnage of 3,313,386.

Now, without undertaking to separate them into their classes, there are in the water at this time 348 ships, with a dead-weight tonnage of 1,643,475 tons. There are on the ways 774 ships, with a dead-weight tonnage of 3,791,985 tons. There are of keels not laid, which it is expected we can go forward with, because they believe it is uneconomical not to do so, 832 ships, with a dead-weight tonnage of 5,829,365, which would make a total of 2,532 ships, with a total dead-weight tonnage of 14,578,111 tons.

Mr. WHITE of Maine. Mr. Chairman, will the gentleman yield right there?

Mr. SHERLEY. Certainly.

Mr. WHITE of Maine. As to the authorization of the requisitioned use of vessels, as distinguished from the taking of title to the vessels, can the gentleman tell whether of these 348 ships in the water any are ships of which we have only the use?

Mr. SHERLEY. No. These are all ships in which we take title.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. FESS. The actual tonnage we have now completed is something like 3,000,000 tons?

Mr. SHERLEY. Including the requisitioned ships there have been delivered 3,313,000. Those that are in the water are 1,643,000, and those that are on the ways are 3,791,985 dead-weight tons, and those with keels not laid 5,829,365.

Mr. FESS. That amounts to something like 14,000,000.

Mr. SHERLEY. It amounts to 14,578,111 tons. I am not sure now as to the keels not laid. They represent the program as it has been reduced by cancellation. I would want to look at these tables with some little more care than I can do it just on my feet here.

Mr. FESS. If work on the fleet we are obtaining can be continued has the gentleman any idea of when we will have the 14,000,000 tonnage?

Mr. SHERLEY. Well, I think that if we went ahead with this program rapidly we would have it in the course of a year and a half, but I am hoping that we are not going to build ships under the pressure with which we have been building them heretofore, with all the overtime and the waste incident to it, and it is my understanding that they have cut out all overtime, and they are not undertaking building with extra shifts and all the expensive costs which were only justified when time was the most important thing to be considered.

Mr. FESS. I think the gentleman is entirely correct.

Mr. WHITE of Maine. Mr. Chairman, may I ask the gentleman one more question?

Mr. SHERLEY. Yes.

Mr. WHITE of Maine. Then I will subside. I understand we requisitioned a whole lot of ships which were under construction on foreign account. This table is a condensed table of construction. Does it include only those ships, or does it also include those ships which were completed and under charter to Americans?

Mr. SHERLEY. Well, the 298 ships of 1,931,061 dead-weight tons are requisitioned ships that were building or contracted for and which we took over. They were not built. They were ships that were building.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SHERLEY. Mr. Chairman, I regret that I can not give to the committee all the accurate, detailed information that is contained in this hearing of two hundred and odd pages. The committee tried very diligently to get the information, but I have been continuously engaged in work that has been pressing from day to day——

Mr. BUTLER. It is not necessary for the gentleman to make any apologies, because we know he has given us the best he could.

Mr. SHERLEY. I am not making any apologies, but I wanted to call the attention of gentlemen to the hearings, so that they can there find out more fully the facts.

Mr. BUTLER. The trouble is we always wait for the gentleman to give us the information instead of getting it for ourselves.

Mr. SHERLEY. The amounts that we are carrying here represent what these people insist they must have during the next fiscal year, and in point of fact they insist that they need part of the money before the 1st of July—something over $100,000,000—which they submitted as a deficiency estimate. We threw it all together in the sundry civil bill, making that part immediately available; and in the event that the sundry civil bill should not be going to pass it would be my expectation that the Senate would take that part of the amount of these appropriations which are made immediately available and carry them on the deficiency bill, because they unquestionably need something over $100,000,000 in order to pay their bills within the next three months. The balance is moneys that are going to be needed during the next fiscal year, and if this program is not reduced further it means that Congress will have to appropriate $395,000,000 in addition before we are through.

Mr. BUTLER. Before we get our 14,000,000 tons of ships.

Mr. SHERLEY. And when we shall have done that, we shall have appropriated $3,913,500,000, in addition to the $50,000,000 that we appropriated in the original shipping act. Now, with the permission of the committee, I will endeavor to revise my remarks and get these figures accurately stated and arranged for easy consideration.

Under the permission granted, I insert the following data:

Condensed statement of contract commitments for contract ships Dec. 1, 1918, and cancellations or suspensions subsequent.

Ship construction.	Commitments.			Cancellations.		
	Ships.	Dead-weight tonnage.	Value.	Ships.	Dead-weight tonnage.	Value.
Steel:						
Cargo	1,285	8,753,480	$1,761,624,986	110	847,800	$168,558,472
Tankers	88	828,000	202,222,710	5	37,500	9,121,750
Transports	96	898,000	293,462,700	20	160,000	52,407,720
Refrigerators	8	75,200	19,352,406			
Barges	10	31,000	2,930,881			
Tugs, ocean	104		34,060,010	56		17,145,600
Tugs, harbor	8		1,353,920			
Total	1,599	10,585,680	2,315,907,613	191	1,045,300	247,233,542

Condensed statement of contract commitments for contract ships Dec. 1, 1918, and cancellations or suspensions subsequent—Continued.

Ship construction.	Commitments.			Cancellations.		
	Ships.	Dead-weight tonnage.	Value.	Ships.	Dead-weight tonnage.	Value.
Wood:						
Cargo	685	2,494,450	$466,047,488	132	503,350	$93,457,570
Composite	32	116,000	22,034,240			
Barges	43	126,650	9,637,000	2	19,000	688,000
Tugs, ocean	60		14,291,600	15		3,620,300
Tugs, harbor	97		14,309,900	49		7,124,900
Total	917	2,737,100	526,320,228	198	513,350	104,890,770
Concrete:						
Cargo	4	13,500	2,260,000			
Tankers	18	135,000	20,880,000	8	60,000	9,280,000
Total	22	148,500	23,140,000	8	60,000	9,280,000
Total contract construction	2,538	13,471,280	2,865,367,841	397	1,618,650	361,404,312

Condensed statement of suspended or canceled contracts for contract ships.

Kind of vessels.	Ship.	Dead-weight tonnage.	Estimated cost complete ships.	Estimated savings account of cancellation.	Estimated cost of cancellation.
Steel:					
Cargo	110	847,800	$168,558,472	$124,846,778	$43,711,694
Tankers	5	37,500	9,121,750	7,297,400	1,824,350
Transports	20	160,000	52,407,720	31,926,176	20,481,544
Ocean tugs	56		17,145,630	1.,859,200	4,286,400
Total	191	1,045,300	247,233,542	176,929,554	70,303,988
Wood:					
Cargo	132	503,350	93,457,570	74,807,570	18,650,000
Barges	2	10,000	688,000	619,200	68,800
Tugs, ocean	15		3,620,300	2,715,225	905,075
Tugs, harbor	49		7,124,900	5,343,675	1,781,225
Total	198	513,350	104,890,770	83,485,670	21,405,100
Concrete, tankers	8	60,000	9,280,000	8,120,000	1,160,000
Grand total	397	1,618,650	361,404,312	268,535,224	92,869,088

Condensed table of construction Dec. 31, 1918.

Kind of vessel.	Delivered.		In water.		On ways.		Keels not laid.		Total.	
	No.	Dead-weight tonnage.	No.	Dead-weight tonnage.	No.	Dead-weight tonnage.	No.	Dead-weight tonnage.	No.	Dead-weight tonnage.
Requisition ships:										
Cargo—										
Ocean yards	135	1,025,676	17	132,150	22	196,400	23	203,500	197	1,557,726
Lake yards	99	327,200							99	327,200
Tankers	40	400,410	4	35,500	10	85,220	6	53,500	60	574,630
Colliers	9	70,350							9	70,350
Transports	3	14,325	5	36,150					8	50,475
Refrigerators	12	93,100			3	25,000	3	27,000	18	145,100
Total	298	1,931,061	26	203,800	35	306,620	32	284,000	391	2,725,481
Contract ships:										
Steel cargo—										
Ocean yards	74	636,175	78	603,825	218	1,717,365	459	3,592,265	829	6,549,630
Lake yards	89	322,850	29	111,650	70	279,650	158	641,900	346	1,356,050
Tankers			2	17,600	18	173,700	63	599,200	83	790,500
Transports					12	116,000	64	622,000	76	738,000
Refrigerators	1	9,400	4	37,600	3	28,200			8	75,200
Barges					1	7,500	9	23,500	10	31,000
Ocean tugs			4		25		19		48	
Harbor tugs			2		4		2		8	
Total	164	968,425	119	770,675	351	2,322,415	774	5,478,865	1,408	9,540,380
Wood:										
Cargo	106	376,400	173	622,350	236	951,850	8	40,500	553	1,991,100
Composite	10	37,500	11	40,000	11	38,500			32	116,000
Barges			1	3,650	36	102,000	4	11,000	41	116,650
Ocean tugs			10		23		12		45	
Harbor tugs			7		41				48	
Total	116	413,900	202	66,000	377	1,092,350	24	51,500	719	2,223,750
Concrete:										
Cargo			1	3,000	3	10,500			4	13,500
Tankers					8	60,000	2	15,000	10	75,000
Total			1	3,000	11	70,500	2	15,000	14	88,500
Total requisition	298	1,931,061	26	203,800	35	306,620	32	284,000	391	2,725,481
Total contract	280	1,382,325	322	1,439,675	739	3,485,365	800	5,545,365	2,141	11,852,630
Total program	578	3,313,386	348	1,643,475	774	3,791,985	832	5,829,365	2,532	14,578,111

On December 31, 1918, the total number of vessels, both built and on order, under direct contract and requisition by the United States Shipping Board, Emergency Fleet Corporation, was 2,963 ships of 16,482,611 dead-weight tons, including suspension.

As of the same date the Emergency Fleet Corporation had made actual deliveries of 578 ships of 3,313,386 dead-weight tons, excluding Japanese purchased ships.

As of February 4, 1919, it had canceled or suspended subject to cancellation 132 wood ships of 503,350 dead-weight tons. Two wood barges, 10,000 dead-weight tons; 15 wood ocean-going tugs, and 49 wood harbor tugs. In addition, 110 steel cargo ships, 74,800 dead-weight tons; 5 steel tankers, 37,500 dead-weight tons; 20 steel transports, 160,000 dead-weight tons; 56 steel ocean-going tugs; and 8 concrete tankers of 60,000 dead-weight tons, making a grand total of suspended or canceled of 397 ships of a dead-weight tonnage of 1,618,650. This leaves 1,988 ships of 11,550,575 dead-weight tons for delivery after January 1, 1919, provided all ships under suspension are canceled.

As of December 31, 1918, there were under contract and requisition 2,385 ships of 13,169,225 dead-weight tons not delivered, of which number 348 ships of 1,643,475 dead-weight tons were fitting out afloat, 774 ships of 3,791,885 dead-weight tons already had keels laid and practically all of their material assembled and were in advanced stages of completion. This left a balance of 1,263 ships of 7,733,865 dead-weight tons which have not as yet had their keels laid. Out of this balance it has suspended as of February 4, 1919, 397 ships of a dead-weight tonnage of 1,618,650, leaving a balance of 866 ships of a dead-weight tonnage of 6,115,215 on which keels have not been laid.

Emergency shipping fund.

	Authorized.	Heretofore appropriated.	Appropriated in this bill.	Total appropriations, including those heretofore appriated and in this bill.	Remaining to be appropriated.
Construction of ships, etc	$2,884,000,000	$1,938,451,000	$549,653,254	$2,488,104,254	$395,895,746
Requisitioning of ships, etc	515,000,000	415,000,000	100,000,000	515,000,000	
Purchase of ships other than those requisitioned or constructed	150,000,000	150,000,000		150,000,000	
Purchase of ships constructed in foreign yards	55,000,000	55,000,000		55,000,000	
Acquisition of establishments or plants	122,000,000	122,000,000		122,000,000	
Housing for shipyard workers	75,000,000	75,000,000	[1]	75,000,000	
Operation of ships (in addition to revenues)	65,000,000	65,000,000		65,000,000	
Transportation systems in connection with shipyard workers and plant employees	20,000,000	20,000,000	[2]	20,000,000	
Recruiting, training, and instruction of officers and crews	17,500,000	6,250,000	11,250,000	17,500,000	
	3,903,500,000	2,846,701,000	660,903,254	3,507,604,254	395,895,746
Capital stock in original shipping act	50,000,000	50,000,000		50,000,000	
	3,953,500,000	2,896,701,000	660,903,254	3,557,604,254	395,895,746

[1] $5,685,646 of the housing appropriation repealed by this bill.

[2] $8,787,172.93 of the transportation appropriation repealed by this bill.

Mr. MONDELL. Mr. Chairman, during the general debate on this bill on Saturday I discussed at some little length this matter of shipping construction to a large and enthusiastic audience gathered at the other end of the Capitol, listening to a discussion of the league of nations. That is, while I was discussing this matter here, many of the Members were at the other end of the Capitol listening to a speech on the league of nations. As what I said then is immured in the RECORD, where few will ever read it, I feel that I owe it to the House to make at least a brief statement for the minority side with regard to this shipping program.

There is a program of approximately 2,500 ships, of which 876, built and requisitioned, have been delivered, with a dead-weight tonnage of 5,245,447 tons.

Mr. MANN. Will the gentleman yield there for an explanation?

Mr. MONDELL. Yes.

Mr. MANN. I have heard this tonnage business referred to so often——

Mr. MONDELL. Not being a seafaring man, I hope the gentleman will not interrogate me too closely about the details of this matter of tonnage.

Mr. MANN. I know what the ordinary tonnage means, but the Shipping Board in order to conceal the facts, so it is stated—I do not know—have devised a new method of stating tonnage.

Mr. MONDELL. I see the gentleman from Kentucky [Mr. SHERLEY] has delivered to the floor leader of the minority an official explanation of what dead-weight tonnage means.

Mr. MANN. Well, I know, but I think it ought to be in the RECORD.

Mr. SHERLEY. A year ago I undertook to do that, and it was printed in the RECORD. I explained the difference between gross tonnage and dead-weight tonnage and net tonnage. It is a technical thing that I do not like to trust my memory on without rereading.

Mr. MANN. All these things are matters of measurement.

Mr. SHERLEY. Yes.

Mr. MONDELL. These are dead-weight tons.

Mr. MANN. Dead-weight tonnage and gross tonnage and net tonnage are not necessarily related.

Mr. MONDELL. No; they are not.

Mr. MANN. Nearly everybody who has studied tonnage knows about gross tonnage and net tonnage, but very few know what dead-weight tonnage is.

Mr. WHITE of Maine. Dead-weight tonnage is about one-third more than gross tonnage.

Mr. MANN. That is the reason they use it.

Mr. SHERLEY. The reason they use dead-weight tonnage as against either gross tonnage or net tonnage is because dead-weight tonnage does not have to bear a relationship to the particular character of the ship. Now, gross tonnage and net tonnage, and the relationship they bear to each other, vary according to the type of the ship.

Mr. MANN. After all, it does not make a particle of difference what the weight of the ship is. What they want to know is what its carrying capacity is.

Mr. MONDELL. That is what dead-weight tonnage is.

Mr. MANN. They deliberately conceal the carrying capacity in order to make people think they are doing a great deal more by building something that weighs heavily.

Mr. MONDELL. With apologies to gentlemen who know much more about it than I do, I will say that, as I understand it, the dead-weight tonnage more nearly measures the cargo capacity of the ship than any other classification of tonnage.

Mr. TILSON. But does not that refer to the maximum weight that it could carry?

Mr. MONDELL. We have then received of built and requisitioned ships; that is, ships requisitioned on the ways, or the contracts for which were requisitioned, 876 ships of a tonnage of approximately 5,250,000 tons, as against a gross program of approximately 14,000,000 tons, or approximately 2,500 ships. About a third of the program has been completed and delivered. The cost when we have completed the program will be a little less than $4,000,000,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM of Illinois. I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GRAHAM of Illinois. I want to ask the gentleman a question. Would he prefer to finish his statement?

Mr. MONDELL. If the gentleman will just let me finish the statement I have in mind.

The gentleman from Kentucky [Mr. SHERLEY] estimates the loss on the shipping program at about $1,500,000,000. That is a very conservative estimate, in my opinion. I think it will be somewhere between $1,500,000,000 and $2,000,000,000. About 35 per cent must be taken from the first cost of the ships of all sorts.

Then, from the wooden ships there must be taken a considerable larger percentage of cost. There is the cost of the yard, which is not charged against the fabricated ships in estimating their tonnage cost. Sixty-six millions at Hog Island. Mr. Piez says there is no future for Hog Island, and Mr. Piez knows. I estimated the other day that we might get 25 per cent of the sixty-six millions out of Hog Island. I was very optimistic on Saturday. It may be that we will get more than 25 per cent from some of the other fabricating yards, but there is over $100,000,000 invested in yards and many millions for housing, all of which must be greatly reduced before we shall reach the value on which we may ultimately realize.

Mr. GRAHAM of Illinois. Before the gentleman leaves the Hog Island proposition I want to ask a question.

Mr. MONDELL. I will yield to the gentleman.

Mr. GRAHAM of Illinois. I understand these yards are adapted to the building of one, or at most two, types of fabricated ships and that it is not possible and will not be possible to use them for any other type of ship.

Mr. MONDELL. If the gentleman will read the hearings—and they are most interesting—he will find that Mr. Piez discussed that subject at length. These are fabricated yards, assembling yards that have no shops; they take the assembled steel and rivet it together in ships. Hog Island has so many ways that it would not be practicable to maintain it as a shipbuilding establishment with its present number of ways or anything like that number of ways. When you reduce the number of ways for building fabricated ships, then your overhead becomes so high that you can not afford to build the ships; and, furthermore, Mr. Piez says that in time of peace it possibly would not be practicable to build fabricated ships because of the fact that it would be difficult to get industrial plants to agree to fabricate the steel that would be needed for construction.

If an effort was made to remodel these yards into yards for building ships in the ordinary way, there would be an increase of overhead by reduction of the number of ways. There would be a great expense, perhaps 50 per cent of the expenditure already made, for shops and for all the necessary appliances.

What I am saying is not in criticism of the shipbuilding program. I voted for it, and we believed at the time that it was the thing to do, although we voted for that, as we did for many other things, with very serious doubts. But this is true: There has been an enormous and unnecessary waste in carrying out the program.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GRAHAM of Illinois. Will the gentleman yield for another question, and then I will quit bothering him?

Mr. MONDELL. It does not bother me.

Mr. GRAHAM of Illinois. Here is the thing I have in my mind about this bill. It is apparent that we are going to lose about 50 per cent of the cost of constructing the ships, that they will be worth about half of what they cost, and we have 516,000,000 tons to build. Would not that loss be less as a matter of pure finance if we canceled the contracts and pay the shipbuilders the amount of damages under the uncompleted contracts?

Mr. MONDELL. My understanding is that the purpose of the Emergency Fleet Corporation is this: To cancel where the least loss would result through cancellation and build where the greater saving results from building. It is the opinion of the Shipping Board, which the committee must accept because they could not be fully informed on the subject, that we lose much more by not appropriating the sum in this bill than by appropriating it. In other words, that there are ships so far along in construction, there is so much material assembled that can not be used advantageously for other purposes, that unless we go forward with the program the loss will be much greater than if we stopped now.

Mr. GRAHAM of Illinois. We have authorized about 850 ships of which the keels have not been laid.

Mr. MONDELL. While that is true, the material has been assembled and in the matter of fabricated ships the material has been fabricated; it is on the ground and it is apparently of little value for other purposes. Now, there is another matter that must be considered—the ships are not costing us as much now as during the war. The ships we are building now will not be so great a loss as the ships we built during the war. And it is possible, if the price of ships keeps up fairly well, the loss on the ships now building will not be as great as on the ships first built—25 per cent is about the difference in cost between the cost of building ships in American yards and foreign yards at this particular time.

Mr. RAGSDALE. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. RAGSDALE. In view of the fact that we have established a principle, provided a billion dollars to take care of the wheat growers when the spring wheat has not been planted, and we raised a surplus when it is apparent that we are not going to have a surplus of ships, does not the gentleman think that we might establish a precedent that it would be hard to get away from on this proposition?

Mr. MONDELL. I understand we are not building ships purely on the theory that we have contracted to build them. Where we can cancel a contract with less loss than we would suffer otherwise we cancel it, but where we can not cancel it with less loss than we would suffer otherwise we fulfill the contract.

Mr. RAGSDALE. About the only contract that we are carrying out, which the carrying out of will entail a great loss, is the wheat contract.

Mr. MONDELL. We are always good to the farmers, and we always should be. Furthermore, that was altogether a different obligation than a shipping contract.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. HARDY. Mr. Chairman, I ask unanimous consent that he be permitted to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARDY. What I wanted to ask the gentleman is this: Our country is needing every ship that we can build, if we carry out the whole program?

Mr. MONDELL. I think the world's business is; yes.

Mr. HARDY. Is it not altogether probable that the ships under way in the shipyards, whatever the extravagance that has heretofore accompanied their construction, can now be built in those yards as cheaply as they could be built anywhere in the United States.

Mr. MONDELL. I think that may be true.

Mr. HARDY. So that we are up against the proposition, if we want the ships, of building them under the arrangements that have been made or else turning to new quarters?

Mr. MONDELL. I think that is true.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. PLATT. Are these ships being built all under contract or are some of them being built by the Government direct?

Mr. MONDELL. They are all being built under some form of contract.

Mr. PLATT. The Emergency Fleet Corporation is, of course, the Government itself?

Mr. MONDELL. Yes.

Mr. PLATT. And is doing some of it itself?

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to strike out the last word. I wish to undertake to answer one question asked by the gentleman from Illinois [Mr. MANN]. He asked, if the American capitalist had to buy ships that would cost him more than ships cost his foreign competitor, and in addition had to pay more for the operating expenses of those ships than his foreign competitor has to pay for his ships, how would he be able to compete on the high seas for the trade of the world? The answer to that is exceedingly simple, not very difficult, as the gentleman from Kentucky [Mr. SHERLEY] suggested. He can not do it. [Laughter and applause.] Here is the situation that confronts us to-day. We have been building ships at a great rate as a part of our war operations. If we take those ships that the Government has contracted for on Government account and turn them over to the American capitalist at a cost which will match the cost of the ships of his foreign competitor, then the American can enter, so far as the race is concerned, up to that point, on equal terms, but that means, of course, that the Government will bear all loss connected with the transaction of sale. The moment that the Government of the United States is willing to take that action, that very moment we can put American capital into business on the high seas under favorable conditions, so far as his foreign competitor is concerned. But even after you have gone that far, if the cost of operating the ships on the high seas is greater than the cost to the foreigner, you must go one step further. It will be necessary to guarantee out of the Federal Treasury to any capitalist who proposes to go into the shipping enterprise the difference between the cost of maintenance of his operations and the cost of the foreigner's maintenance.

That means again a charge on the Federal Treasury. There is no use of this talk about legislation. We do not need any legislation. What we need are appropriations, not legislation. American capital can to-day buy foreign ships if it wants to do so, for practically all of the restrictive legislation that formerly surrounded mercantile shipping operations on the part of capital in the United States, on the high seas, has been swept away under legislation that this House has heretofore passed, reported out of the Committee on Merchant Marine and Fisheries, of which I happen to be a member. The whole problem is one, not of legislation, but of appropriations. The moment that the Government is willing to launch merchant-marine operations on the high seas on the basis that I have suggested, then at that very moment, so far as private capital is concerned, it can

enter into competition with the foreigner on a fair and equitable basis, but not sooner.

Mr. PARKER of New Jersey. Mr. Chairman, I move to strike out the last two words. The gentleman from Virginia [Mr. SAUNDERS] knows as well as the rest of this House that there was a time when American shipping did compete upon the high seas under a very simple arrangement, as old almost as the Constitution itself. Goods carried in American bottoms entering the United States were given a differential of 10 or 20 per cent, so far as custom duties were concerned.

It has been always urged that we could not return to that system. We lost it in a singular way. By a treaty made with France immediately after the Revolution her ships were given equal rights as to duties with those of America, and gradually in the course of years the most-favored-nation clause was introduced into our treaties and finally in 1854, or about that date, that most-favored-nation clause was extended to England and from that time our shipping fell off. It is always urged that we can not go back to that system. It seems to me that now is the time. The whole world is in a state of upheaval, new arrangements have to be made, England, if she respects her own interests, ought to believe that it is to her advantage that American interests shall be encouraged and American shipping shall furnish a recruiting ground for our Navy and a chance for our being a power upon the seas, and now is the time when those treaties with other nations should be denounced so far as that clause is concerned.

Mr. MANN. Will the gentleman yield?

Mr. PARKER of New Jersey. I do.

Mr. MANN. Of course the gentleman knows that the differential provision is in existing law now?

Mr. PARKER of New Jersey. But subject to those treaties. The treaties must first be denounced, because, though it is not in the law, our Government can not enforce it because of those treaties.

Mr. MANN. I do not remember there is anything in the law about treaties.

Mr. PARKER of New Jersey. Not a word.

Mr. MANN. That is a matter of construction?

Mr. PARKER of New Jersey. That is a matter of construction.

Mr. MANN. And probably of legal construction.

Mr. PARKER of New Jersey. It is a matter of legal construction, I take it, because the treaty being made with other nations has to be obeyed until it is denounced, until the administration of this Government has the courage to say to foreign nations that they order that differential by statute and they desire those treaties should be reformed so as to give a chance to Americans to sail the seas. Now, I believe there are some other ways of encouraging our shipping, which are not really a charge upon the United States Treasury. The United States requires for its defense a Naval Reserve. I have proposed for years that it should be provided by law that any man who has stood a tour of duty of one year in the United States Navy and entered his name upon the Naval Reserve should be entitled to go to any shipowner sailing the seas and say, "You will receive so much toward my wages if you employ me." My proposition was that shipowners should be paid, not a speed subsidy—speed changes from year to year, and what is fair in one year becomes unfair in another—not a tonnage subsidy, the rates of tonnage vary so that any subsidy might become unfair, but a man subsidy, saying, we will pay the shipowner for employing Americans and induce them to go to sea. We have, thank Heaven——

The CHAIRMAN. The time of the gentleman has expired.

Mr. PARKER of New Jersey. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey? [After a pause.] The Chair hears none.

Mr. PARKER of New Jersey. Mr. Chairman, we have that system now to the extent that we have a system of transports that are now manned by the Naval Reserve. Their officers have had to pass through naval examinations. The business the United States carried on during this war has been by men trained and certified by the Navy in the Naval Reserve. This is a system adopted by other countries in the world, the only difference being they subsidize their steamers for carrying the mail, they subsidize their steamers for carrying trade, or for instituting and maintaining a certain line. We can go on the direct plan of saying the reason we can not sail the seas is that it costs more to employ Americans and we will pay to the shipowner the difference of that cost, so that it pays them to sail the seas. Still the cost is not lost or a charge on the Treasury, for it comes back to us in the existence of a Naval Reserve of men ready for service in our Navy.

I proposed this plan years ago to the Naval Board, in which Admiral Dewey sat as chief. It was received with the greatest interest. But the difficulty was that at that time it would have cost $3,000,000 to give $20 a man per month in extra wages to the shipowner to see that Americans were employed, and they thought that ought to be done through the shipping committee or through a shipping appropriation, and would not put it on the naval appropriation. On the other hand, the shipping men said it was not sufficient to get men on ships. And so they let it drop.

I do not want to pay men who go into the Naval Reserve. That has been tried in England. The result is that those men become longshoremen very soon, which the shipping merchants do not want to employ, because they have to go away once a year to take a month's training, and they are not worth so much on the ships. But if the simple plan is adopted providing that they do not require a month's training a year in the Navy, but only require that the man shall have stood his year's training in the Navy before he takes his rating, and then providing besides that whenever he wants to take a place as an officer he shall have qualified with a naval examination and got the right to belong to the Naval Reserve, and that then the shipowner shall be paid for the officer or the man a good proportion of his wages, we can secure a merchant marine such as the national defense requires, without excessive cost to the Government by what are called subsidies, which almost always run into abuses.

Mr. MANN. Mr. Chairman, I want to offer a little contribution on this subject. So far as the shipping is concerned, we are staggering along like a drunken man. I might say that we are like a vessel without compass, rudder, destination, cargo, or captain, tossing on a stormy sea. No one knows whither we are drifting or where we design to land. We have no program except to spend money with prodigality and wastefulness. We propose now to add merrily, with a smile and with no knowledge, $660,000,000 to the amount to be expended by the Government in this fantastical chase. Everyone knows that the ships which we construct in this way, if they are shown to be seaworthy, and I hope we get at least that much, can not be operated by the Government directly without an immense assistance from the Federal Treasury. Everyone knows that they can not be operated by private parties even on easy leases from the Government, without assistance from the Federal Treasury. And while some gentlemen assume that the whole difference of cost of operation is in the difference in wages paid to seamen, still that is far short of the difficulty.

Under the seamen's act which we passed and which I think we are not likely to repeal, we not only would have higher wages, which come though the natural laws, but we require better food, more space per seaman, and a great many other things which add materially to the cost of operation of an American ship over that of a foreign ship. We have made no effort to correct these things. Of course, while the war continued we would have operated ships if we had had them, no matter what it cost, regardless of expense. But gentlemen need not imagine when the war is over and peace is finally concluded the people of the United States will continue to pay taxes in large and onerous sums for expenditure without knowledge of what the money is used for and why.

I am not offering any contribution from a man who knows about these things. I do not. I have listened to the gentleman who talked this afternoon, and before, on the subject. While they give us a few figures, which the Shipping Board supplies, those are misleading, and no one seems to know anything about it except that the Shipping Board wants more money. Therefore, we give them more money. How are you going to get the men to operate these ships? Where are you going to get the sailors, the seamen, from with which to man American ships?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. This bill carries an item of $11,000,000 for recruiting, instructing, and training officers, engineers, and crews for American vessels. Where are they to come from? The Shipping Board can not get them now. The Navy is operating a lot of ships; they can not get men to operate them without holding the men who enlisted for the war in the service and refusing to discharge them. And to say that we need them in our business, that we will not let them go, are we going to come to the point where we are going to draft men throughout the United States to operate ships either owned by the Government

or leased to private parties or owned by corporations and sailing the seas? Are we going to say that we will pay twice as much, either in the form of freight rates or taxes, for the transportation of goods in bottoms, both our own and foreign, coming back to us as we can get goods carried for by other countries?

Are we prepared, in addition to wasting, as the gentleman from Kentucky [Mr. SHERLEY] says, at least half of the $4,000,000,000 already appropriated; in addition to wasting that $2,000,000,000, are we prepared to keep on operating these vessels and paying the expense out of the Federal Treasury? If it is not paid out of the Federal Treasury, who is going to pay it? We can not regulate the freight rates charged by foreign vessel owners, and we can not force our American shippers to use American vessels at higher rates as long as we admit foreign-owned vessels into our ports.

The gentleman from New Jersey [Mr. PARKER] referred to the differential that used to exist, which he says established the American shipping on the high seas. I do not think that was what established it myself. In the days when the ships were sailing vessels and it required courageous and brave and intelligent people to operate the ships Americans could compete with the world. But when it requires at the best but a low order of intelligence you can not force a large share of the American boys on board of these vessels, not even along the coast, not even where they are used to the sea. But the differential which was referred to by my distinguished friend from New Jersey is now the law. We put it—I do not say I had anything to do with it; I made fun of it—into the Underwood tariff law. I said when the bill passed that it either meant nothing or it meant a great deal more than was contemplated. Well, it seems that it means nothing. It is there. It is the law, and now it is proposed and suggested by the gentleman from New Jersey that we change these treaties.

Why, Mr. Chairman, in this day, with the spirit that there is in the world to-day—even acknowledging the extent that a league of nations may be controverted in the United States—with the spirit in the world to-day it is an impossibility to have all the different nations of the world enter upon a warfare, to begin with, that they will not treat vessels of different nations equally with their own. We can not say to England: "We will prefer our own vessels," and then say to England: "You shall not prefer yours." They will be both treated alike or there will be war.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a speech delivered by my colleague [Mr. FORDNEY] in New York last Friday evening on post-war legislation.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD by printing a speech made by his colleague [Mr. FORDNEY] in New York last week. Is there objection?

There was no objection.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For construction of ships authorized by the deficiency appropriation acts approved June 15 and October 6, respectively, 1917, and the sundry civil appropriation act approved July 1, 1918, $549,653,254: *Provided*, That obligations not to exceed $35,000,000 heretofore incurred for the construction of requisitioned ships may be paid out of or charged to the appropriations herein or heretofore made for the construction of ships.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. WALSH. I reserve a point of order on that.

The CHAIRMAN. The gentleman from Illinois is recognized. He reserves a point of order on the paragraph.

Mr. MANN. Mr. Chairman, as to this provision as to the payment of obligations, $35,000,000, for the construction of requisitioned ships, why is that needed in here? Have they spent a lot of money that was not appropriated and was not authorized?

Mr. BYRNES of South Carolina. My recollection of the statement of the Manager of the Fleet Corporation is that as the result of the requisitioning of ships claims were filed for just compensation, many of them by the Norwegian owners of ships under contract, and that while this amount of $35,000,000 is estimated for here the claims go as high as $80,000,000 or $85,000,000; that they have not up to this time paid any of them.

Mr. MANN. That is where the Shipping Board seized the Norwegian vessels?

Mr. BYRNES of South Carolina. That is, where they had a contract for the ships, and the Shipping Board came in and took the ship after it had been sold to an innocent party—took the right to construct after he had actually paid out his money.

Mr. MANN. Where was the ship?

Mr. BYRNES of South Carolina. Sometimes the ships had been started in our yards when we requisitioned the contract in order to proceed to construction, taking them at the original cost, where the contracts had been sold in many instances to a third party, who had a monetary interest and whose claims, according to my recollection, are as high as $80,000,000.

Mr. MANN. Why did they not pay for it? They had the money.

Mr. BYRNES of South Carolina. They are asking for it now.

Mr. MANN. I know they are now seeking to get the money to pay for it. I do not pretend to be very well informed on the subject; but, so far as I know, either they did not have the money, in which case, I think, they were not authorized to obligate it, or else they did have the money and were authorized to pay it out.

Mr. BYRNES of South Carolina. I will say to the gentleman very frankly that the impression made upon my mind at the time of the hearing was that they could not avoid exceeding their authorization by the sum of $35,000,000.

Mr. MANN. I think I will fix this, if I can, so that the Senate will have an opportunity to consider the item. It may be perfectly proper.

Mr. BYRNES of South Carolina. It is proper; but, no doubt, they exceeded their authorization.

Mr. MONDELL. Mr. Chairman, the provision must be carried sooner or later. A certain sum of the appropriation made for the construction of ships was used as a requisitioning fund, or was used as a construction fund under the requisition item, and it is necessary either to make an appropriation under that item or make $35,000,000 of this appropriation available. They did exceed the limit under the other item, although, of course, there is some question as to whether or not they were authorized to use a part of what was strictly a construction fund for requisitioning construction.

Mr. MANN. Mr. Chairman, the item may be perfectly proper. I do not know. Apparently there is not very much information about it here; and without any criticism at all of the Committee on Appropriations——

Mr. MONDELL. We know exactly how it occurred.

Mr. MANN. I do not think anybody knows much about what the Shipping Board is doing, except those who are doing it, and they carefully conceal the information. But I do not think it would hurt any to have this item considered in another body, in the Senate committee, where very likely it would not be very carefully considered if it were put in here, but if they were asking to have it put in over there it would be carefully considered.

Mr. MONDELL. Our committee did carefully consider it, and my idea was to save the honorable gentlemen at the other end the necessity of going into the subject as carefully.

Mr. MANN. The gentleman may have the information. I do not say that he has not. I have not got it, and I have not heard it.

Mr. SHERLEY. If I can help the gentleman any, I shall be glad to do so. I was off the floor when his inquiry came up. The gentleman is inquiring as to why we provide $35,000,000 which can be charged to the construction of ships rather than to requisitioning?

Mr. MANN. I inquired whether they had the authority to incur this obligation when they did it; and if they had, why they did not pay it out of the appropriation that was made.

Mr. SHERLEY. Strictly speaking, I think they did not have the authority to exceed the $515,000,000 that could be spent for requisitioning ships; but they did it. Of course, they did have the authority up to $515,000,000, and to that extent we were obligated to appropriate the money. Now they have gone ahead and requisitioned these ships. The amount of shipping that they requisitioned as such was less than $515,000,000. I think it was about $506,000,000; but they charged against the requisitioning fund expenses in connection with the requisitioning, moving to the seaboard, and reconstruction of vessels from the Great Lakes, and for some other ships that were not figured in when they made their original statement to us last year of the total need of $515,000,000.

Now, this was the problem with which the committee was confronted: They had these obligations, which were Government obligations and which would have to be paid. We did not want to increase the authorizations that had been made for

all purposes for the Shipping Board. There was a leeway of over $100,000,000 in the ship-construction funds, and, without increasing the authorization, it seemed to us wise to authorize $35,000,000 of this to be charged against the ship-construction fund instead of increasing the authorization for requisitioning ships. I think it was that reason that controlled the committee in the matter.

Mr. MANN. The committee had no authority, had it, to increase the amount for requisitioning ships?

Mr. SHERLEY. We did not increase the amount originally, except——

Mr. MANN. No; but the gentleman said he did this in preference to increasing the amount for requisitioning ships. Did the committee have any authority to increase that amount?

Mr. SHERLEY. It would have power to bring it in here subject to the rules of the House. But what I meant was this: There were already obligations incurred which had to be paid unless we were in some way to get the Government out of them or to repudiate them. Now, instead of appropriating $35,000,000 which they need according to their statement to pay their liabilities under action which they had taken in regard to requisitioning, we thought it was better to reduce by $35,000,000 the leeway that still existed in the construction of ships and pay for the requisitioning of them in that form.

Mr. MANN. As I understand, then, they have incurred obligations for $35,000,000 on account of the construction of these requisitioned ships more than they were authorized to incur?

Mr. SHERLEY. In regard to construction and other matters incident to requisitioning.

Mr. MANN. I really do not think it would hurt them any to have to go and explain all that to the Senate committee. Probably it will not be very difficult.

Mr. SHERLEY. I have only tried to give the gentleman the information I have. There is a good deal of information in the hearings, but I am frank to say that I can not, just on the spur of the moment, recall it all for the benefit of the gentleman.

Mr. SNYDER. Will the gentleman from Kentucky yield?

Mr. SHERLEY. I yield to the gentleman from New York.

Mr. SNYDER. A short time ago the gentleman made a statement with regard to certain tonnage that had been built and was to be built. In those figures did the gentleman include the tonnage that had been requisitioned?

Mr. SHERLEY. Yes.

Mr. SNYDER. Then, this $35,000,000 we are now referring to has not been referred to as pertaining to the cost of that tonnage?

Mr. SHERLEY. Oh, yes.

Mr. SNYDER. If that is so, then we must add to any figures that have been given heretofore this $35,000,000?

Mr. SHERLEY. No; I think the gentleman is in error.

Mr. SNYDER. I may be wrong, but I want to have it made clear.

Mr. SHERLEY. I will try to make it clear if I can. Congress authorized obligations to be incurred in the way of requisitioning ships to the extent of $515,000,000. We also authorized certain expenses to be incurred in connection with the construction of ships to the extent of $2,884,000,000. We actually had appropriated considerably less sums than that, but they have incurred obligations in the way of shipbuilding and plants that will require a sum to be paid out of the requisitioning ship fund, instead of $515,000,000, of $35,000,000 additional, or $550,000,000.

Now, the "construction of ship" obligations they have incurred, and which they expect to have to meet, is something under $100,000,000 of what they were authorized to incur. In other words, they went over their limit as to the "requisitioning ships" authorizations, and they went under the limit in the "construction of ships" authorization. They contend that strictly speaking some things were charged to requisitioning ships that ought not to have been so charged, because they were not requisitioned ships in the sense they had spoken of when they got the limit of cost of $515,000,000, but were sums paid out in building ships, where they had canceled private contracts and then built ships, and such sums should have been charged under the construction fund.

In giving the figures I did I gave the figures which represented the amount of ships from all sources that they expected to acquire. I do not know that I stated the amount of money that they would cost in detail, but assuming that all they have been authorized to spend will be spent, and no more than that spent, there will have been spent $3,953,500,000, which would represent the cost of all the ships, plants, and so forth.

Mr. SNYDER. Including the requisitioned ships and those constructed?

Mr. SHERLEY. All ships, whether requisitioned, constructed, or purchased.

Mr. SNYDER. This $35,000,000 is not in addition to the moneys appropriated before?

Mr. SHERLEY. It is a transfer of $35,000,000 now charged against the requisition fund to the construction fund.

Mr. MANN. Does this include all claims in regard to requisitioned ships?

Mr. SHERLEY. They state that then the $100,000,000 carried in this bill will be sufficient to meet all their obligations in connection with requistioned ships.

Mr. MANN. Including claims of foreign owners of foreign governments?

Mr. SHERLEY. Yes, as to requisitioned ships.

Mr. MANN. Does the gentleman know how much the foreign claims are?

Mr. SHERLEY. Yes; they were stated in the hearings. I think they claim the aggregate is about $80,000,000, but they did not think that amount would have to be paid, but the financial estimate was predicated on that amount as I recall.

Mr. MANN. That is included in the $100,000,000 item?

Mr. SHERLEY. In that and what has heretofore been appropriated under requisition. I am advised by my colleague that in the testimony Mr. Page, I think it was, stated that they thought the claims could be settled for about $65,000,000.

Mr. MANN. Mr. Chairman, while I think the gentleman has made a fair explanation, I do not think it will do any harm to go over it again, and I make the point of order on the proviso at the bottom of the page.

Mr. SHERLEY. I concede that it is subject to a point of order.

The CHAIRMAN (Mr. CARAWAY). The point of order is sustained.

The Clerk read as follows:

For recruiting, instructing, and training officers, engineers, and crews for American vessels, and for all expenditures incidental thereto, $11,250,000, of which sum $3,750,000 shall be available immediately.

Mr. WALSH. Mr. Chairman I offer the following amendment.

The Clerk read as follows:

Page 46, line 2, after the word "immediately," insert "no part of the appropriations made in this act for the Shipping Board or Emergency Fleet Corporation shall be expended for the preparation, printing, or publication of any bulletin, newspaper, magazine, or periodical, or for service in connection with the same not including the preparation and printing of reports and documents required to be issued or made by law."

Mr. WALSH. Mr. Chairman, the purpose of this amendment is indicated in the language in which it is submitted. It is rather difficult from the hearings and various tables inserted, furnished by the Shipping Board, to distinguish how much has been expended for publicity, printing of the various bulletins and documents for publicity by the board. They have issued a number of journals in various sections of the country which I think during the war emergency may have succeeded in arousing some interest.

I notice that the board has had an information bureau which costs $9,200 with four employees, an intelligence office costing $9,600 with three employees, a minute division costing $9,190, with an editorial clerk, and has expended some $6,397 for advertising and also has issued in connection with the Boston branch a publication known as the Merchant Mariner at a cost of some $7,000. Of course, these expenditures are insignificant in comparison with the total of the appropriations carried in this measure, but I think the rampant fever for publicity and self-laudation upon the part of many of the departments ought to receive some sort of a temporary check, in the interest of economy.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield for an inquiry?

Mr. WALSH. Yes.

Mr. SHERLEY. I have not a word of complaint to say against all that the gentleman has said. As far as I am concerned I should be glad to see not only in this department but in all the others, a stoppage of all this publicity. It may have had a reason in time of war, though I am not sure of that, but certainly it has none now. I only caught the reading of the gentleman's limitation and I would inquire how far it might interfere with any necessary work in connection with these schools and the training of marine personnel, and the legitimate work of the Emergency Fleet Corporation. So far as all of this publicity is concerned, the gentleman and I are in accord, and I think it ought to be stopped overnight.

Mr. WALSH. I would state that the amendment is confined to bulletins, newspapers, magazines, or periodicals which have been issued, and, in my opinion, the language would not inter-

fere at all with the issuance of the necessary documents for the instruction of these men attending the recruiting service schools or other branches of the service. I think, as the gentleman has so well said, that we ought to stop overnight the issuance of the Merchant Mariner, the Emergency Fleet News, the Shipping Corporation Daily, and these other publications and bulletins that are issued, containing complimentary references to officials and employees and flattering notices as to the accomplishment of some of the chiefs of the various divisions, with pictures of drug stores and other institutions that have assisted in some way in the service. The language that I have used in the amendment would stop this publicity rage that has prevailed, particularly in the Shipping Board. They are not the only branch of the Government service that have suffered from this fever, and some of the other branches have it in equally violent form. I trust that when opportunity presents the committee will adopt similar restrictions and limitations upon appropriations; but this language, in my judgment, would not prevent legitimate publications for the actual work of the Shipping Board.

Mr. SHERLEY. Mr. Chairman, I ask to have the amendment again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Massachusetts.

There was no objection, and the Clerk again reported the amendment.

Mr. SHERLEY. If the gentleman will permit, I think if he would modify his amendment so as to exclude from its prohibition the necessary work in connection with matters required to be carried on, it would be satisfactory. The language, "not required by law," would, perhaps, restrict it to a particular thing for which you could not find definite authorization.

Mr. WALSH. Suppose I substitute the word "authorized" for "required"? I think that would correct it.

Mr. SHERLEY. Very well.

Mr. WALSH. Mr. Chairman, I ask unanimous consent to modify the amendment by substituting the word "authorized" for the word "required."

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MANN. Mr. Chairman, I think the amendment is a good one. It is a good, philosophical amendment, anyway. Will it accomplish anything? I hope so. I remember a few years ago when the House was in a state of hysteria over publications by one branch of the Agriculture Department. Gentlemen said they were seeking to advertise themselves and get enlarged appropriations, and a provision was inserted in the law forbidding money to be used for purposes of publication. Since that time I have watched with interest the course of these publications. A little while ago a gentleman came to me, in the Government service, and asked if I would write a little memorandum telling what a great thing it was to issue a new Government publication, stating that they would publish and give me the credit, advertise me, and showed me one where a lot of other Members of Congress had been advertised. I have not yet done it, and probably will not, though perhaps I need good advertising as much as anybody. There you have it. They have a fad—which seemingly can not be controlled—to advertise themselves.

The Reclamation Service publishes a bulletin which, so far as it has value in it, is merely telling about what some man employed in the Reclamation Service is doing in order to puff him up. Most of the material that is in it is pure stuff. The Agricultural Department issues a lot of bulletins; I do not mean the kind they call Farmers' Bulletins, but publications designed merely to advertise a man connected with that department. Various other departments of the Government do the same thing. I hope this will be effective, but——

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The unexpended balance of the appropriation "for observation of the total eclipse of the sun of June 8, 1918, etc.," is reappropriated and made available immediately for observation of the total eclipse of the sun of May 28, 1919, visible in Bolivia.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. This item was referred to rather disparagingly by the distinguished gentleman from Mississippi [Mr. HARRISON]. I would like to ask how much of this appropriation is available to be reappropriated?

Mr. BYRNES of South Carolina. There was a balance of between $1,300 and $1,400 available for this purpose, and it was stated the purpose of the language was that they have under this heading a station in Chile which the representative of the department has not been able to visit during the war and was anxious to visit on this occasion, not only to perform that duty, but also to look after the work that has been carried on in Argentina.

Mr. WALSH. Well, I am sure, Mr. Chairman, if the distinguished gentleman from Mississippi were here after the information has been given by the chairman of the subcommittee he would not seriously object to spending $1,300 or $1,400 for an opportunity for somebody to go to Chile or South America and exist in total darkness for a few seconds observing this important astronomical event.

Mr. MONDELL. Will the gentleman from Massachusetts yield?

Mr. WALSH. I do.

Mr. MONDELL. I understood the proposition of the gentleman from Mississippi was to restrain himself in regard to objecting to appropriations until he reached the item of nearly $7,000,000 for the Mississippi River, and possibly he may feel then that his insistence for economy would lead him to object and move to strike that out.

Mr. WALSH. I think very likely that may account for the brief absence of the gentleman from the floor. He is fortifying himself in that respect.

Mr. FESS. Mr. Chairman, it is quite a pleasant mental exercise to turn away from the consideration of the publications referred to awhile ago to the publications referred to here under the Smithsonian Institution under the head of International Exchanges, American Ethnology, International Catalogue of Scientific Literature, and so forth. I think our membership quite appreciates the great work that this scientific institution has done and is now doing. I believe I am within the field of certainty when I say that the American Ethnological Association has done, of its kind, the finest scientific work in the way of publications that has been accomplished in any country in the world. I believe also that these international exchanges of catalogues, as well as the other international exchanges, have been the largest accumulation of scientific knowledge with less expenditure of money of any institution of its kind in the world. It is really a source of great inspiration to our country; and when we recall that this institution was started back sometime before the Civil War with a small endowment, and it has now grown to the position of the finest accumulation of scientific authority that can be gathered in any scientific center anywhere in the world, and without a very large expenditure on the part of the Government—an endowment that started with about $500,000, as I now recall it—has reached at least close to $1,000,000 without any undue expenditure on the part of the Government itself. And so, while there has been a ground for rightful criticism of these cheap publications that are very largely self-advertisements, here is a very marked exception. It is one of the evidences that Washington is rapidly becoming the greatest center of scholarship and expert knowledge that to-day is found on the globe.

Mr. PLATT. Will the gentleman yield?

Mr. FESS. I will yield to my friend.

Mr. PLATT. I notice this appropriation for the International Catalogue of Scientific Literature is only $7,500. I would like to ask what can be done with so small an appropriation as that?

Mr. FESS. Nearly all of this is a matter of exchanges, and what we do is to publish something for ourselves and exchange it with other countries for like publications and in that way, with a small output, we get a great accumulation of scientific information. It to me is one remarkable educational scientific movement in the country.

Mr. PLATT. The gentleman's statement is very interesting, but I notice that this item says "including the preparation of a classified indexed catalogue of American scientific publications," and it includes clerk hire, purchase of necessary books and periodicals, and other necessary incidental expenses. It seems to me, even with the explanation of the gentleman, that that is a very small amount for the items which have to be provided.

Mr. FESS. I admit that in this time of great expenditures this small expenditure is rather disturbing to us, but the work is there nevertheless.

The Clerk read as follows:

National Zoological Park: For roads, walks, bridges, water supply, sewerage, and drainage; grading, planting, and otherwise improving the grounds; erecting and repairing buildings and inclosures; care, subsistence, purchase, and transportation of animals; necessary employees; incidental expenses not otherwise provided for, including purchase, maintenance, and driving of horses and vehicles required for official purposes, not exceeding $100 for the purchase of necessary books and periodicals, and exclusive of architect's fees or compensation, $115,000; one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. What is the necessity for architect's fees in connection with the Smithsonian Institution? Are they carrying on alterations?

Mr. BYRNES of South Carolina. The language says "exclusive of architect's fees."

Mr. WALSH. I know; but I say are they carrying on some construction work?

Mr. BYRNES of South Carolina. They were hiring architects to prepare plans, and under the provision here they now have to go to the municipal architect for the drawing of plans for buildings that may be constructed by them, or bridges, or anything else. This excludes them from hiring architects out of this.

Mr. WALSH. I understand the purpose of the language, but I wondered why they excluded it—what the activity was.

Mr. BYRNES of South Carolina. They have been contracting architect's fees for the construction of bridges out in the Zoo.

The Clerk read as follows:

TARIFF COMMISSION.

For salaries and expenses of the United States Tariff Commission, including the purchase of professional and scientific books, law books, books of reference, and periodicals as may be necessary, as authorized under Title VII of the act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916, $300,000: *Provided*, That the disbursing clerk of the Treasury Department shall act in a similar capacity for the United States Tariff Commission.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. There is an increase of $100,000 in this appropriation. I wonder if that is predicated upon the renewed or increased activity in view of the approaching presidential election, when possibly and very likely the complexion of the political atmosphere in this section may be changed?

Mr. BYRNES of South Carolina. I can tell the gentleman the reason for that. Under the act creating the commission the sum of $300,000 was named as its annual expense. That amount was appropriated every year until last year, when the committee recommended that it be reduced to $200,000 in view of the fact that during the war there was additional reason for economy, and then, too, they could not be expected to have as much work to do. Now, with the ending of the war they undoubtedly will be called upon to make many investigations, and Congress, in the consideration of tariff legislation, will want all the information they can get from the commission. Certainly there is no reason why we should not appropriate the sum which has been appropriated for the Tariff Commission from its organization—$300,000—and which was intended to be appropriated by the organic act.

Mr. WALSH. If I understand the gentleman correctly, this is an instance where in getting back to normal we are increasing the appropriation?

Mr. BYRNES of South Carolina. That is true. We are going back to prewar conditions—$300,000. During the war we went below normal, and it is one of the few instances where we did.

Mr. WALSH. Of course, the gentleman is aware that the Tariff Commission has not been dormant during the war. We have all received quite a voluminous and illuminating document on its activities during the past year or 18 months, and if they were able to pursue that inquiry and investigation with a $200,000 appropriation, it seems to me that it might be well to limit them to that amount for the ensuing year. Does not the gentleman think there is merit in the suggestion?

Mr. BYRNES of South Carolina. I am satisfied that the gentleman will conclude that the commission ought to know what force it can depend upon. As originally contemplated, the appropriation was $300,000, and certainly now when they will have more work than ever and when, as a matter of fact, the commission asked for $350,000 or $400,000, the committee's action in fixing this at the sum that was originally contemplated is justified.

Mr. WALSH. Mr. Chairman, I move to amend by striking out, in line 19, page 48, the figures "$300,000" and insert "$200,000."

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. WALSH moves to amend, on page 48, line 19, by striking out "$300,000" and inserting "$200,000."

Mr. DYER. Mr. Chairman, I would like to ask the gentleman from South Carolina why it is the salaries of the members of the commission are not put in this provision? Are they fixed by law?

Mr. BYRNES of South Carolina. They are included in this appropriation.

Mr. DYER. They are not set out as they are in other appropriations.

Mr. BYRNES of South Carolina. They are fixed by statute, and so it is unnecessary to set them out.

Mr. DYER. The gentleman does not follow that in the bill in all particulars. In the Shipping Board and in others the salaries are set out at so much each.

Mr. BYRNES of South Carolina. Certainly it would be a mere duplication to set them out here, inasmuch as the statute provides what the salary shall be.

Mr. DYER. Does the statute provide what salaries the employees shall receive, or does the Tariff Commission fix that?

Mr. BYRNES of South Carolina. It fixes the salary of the Secretary and the commission. That is all.

The CHAIRMAN. The question is on the amendment of the gentleman from Massachusetts [Mr. WALSH].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

WAR TRADE BOARD.

The unexpended balance on June 30, 1919, of the appropriation of $3,500,000 for the War Trade Board for the fiscal year 1919 is reappropriated and made available for the same purposes until the President shall have proclaimed the termination of the war between the United States and the central powers of Europe.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the paragraph.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. BRAND, Mr. HEFLIN, and Mr. SUMNERS rose.

The CHAIRMAN. The gentleman from South Carolina moves to strike out the paragraph, and the gentleman from Massachusetts reserves a point of order.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the paragraph for this reason: This is the only one of the war boards for which an appropriation was carried, and the statement was made that they might need an appropriation to wind up their affairs. Upon consideration I see no good reason why an exception should be made in this case, and I therefore move that the paragraph be stricken out, so that they will have no funds that can be used after July 1.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order on the paragraph. Does the gentleman make the point of order?

Mr. WALSH. Yes.

The CHAIRMAN. What does the gentleman from South Carolina say about the point of order?

Mr. BYRNES of South Carolina. The paragraph certainly is not subject to a point of order, because it provides only for the reappropriation of funds. My motion is to strike out the paragraph, so that there will be no funds at the disposal of the board for its activities.

Mr. CRISP. It is not authorized by law.

Mr. BYRNES of South Carolina. It is authorized by law.

Mr. WALSH. It is a reappropriation. Of course, it makes the appropriation available until the President shall have proclaimed a termination of the war between the United States and the "central powers of Europe." While we have not declared war against the "central powers of Europe," yet it is apparent that that is the war between the United States and the Imperial German Government and the Royal Austrian and Hungarian Government. It makes it available, possibly, beyond the next fiscal year. If that is so, it is clearly subject to a point of order.

Mr. MONDELL. Mr. Chairman, I think the item should remain in the bill, because there may be some work for this board after the 1st of July, although I think it is doubtful. They are very anxious to close out their business. The committee thought we ought to extend their activities beyond the fiscal year, but beyond question the item is subject to a point of order. It is not definitely authorized by law.

Mr. SUMNERS. Mr. Chairman, will the gentleman from Wyoming yield for a question not directly on the point of order?

Mr. MONDELL. Yes.

Mr. SUMNERS. This War Trade Board is now requiring licenses?

Mr. MONDELL. Yes; various licenses.

Mr. SUMNERS. Especially as to exportations to Mexico and to Cuba.

Mr. MONDELL. Yes; to various places.

Mr. SUMNERS. They not only grant the licenses on every application, practically, but it takes days and sometimes weeks, and the only effect of the exercise of the power of this War Trade Board is to interfere with business.

Mr. MONDELL. To interfere with trade and business.

Mr. SUMNERS. Yes. The only effect is to establish interference in trade between our country and foreign countries.

Mr. MONDELL. Yes. In the event they find a consignee to be an alien enemy they do not grant the license. They are still

maintaining an embargo on behalf of the allies, and the result is they are interfering very considerably with the transaction of our business.

Mr. SUMNERS. There is no doubt about it. I make the statement that they are interfering, and interference is practically the only effect of their activities.

Mr. MONDELL. But, Mr. Chairman, to come back to the point of order, while I should like to see this item remain in, because there may be some activities for this board beyond the fiscal year, if the treaty of peace should not be signed before that time—the probability is that the treaty of peace will be signed before that time—the item is not definitely provided for by law, and it is simply submitted to the House for its consideration.

Mr. BYRNES of South Carolina. I ask for a ruling, Mr. Chairman.

The CHAIRMAN. The Chair was desiring to get a little bit of information to settle that question as to whether it was subject to a point of order or not.

Mr. WALSH. Mr. Chairman, I think the gentleman from South Carolina will agree that there is no specific statute creating the War Trade Board; that they were formed as a part of the war activities, and were given an appropriation last year for the first time. The mere fact of giving a war activity an appropriation, that activity having been independently created by the Executive, does not warrant the continuance of that appropriation if the point of order is made against it. I may be in error, but as I understand this is an activity that was created by the President, and last year for the first time the Congress appropriated specifically for it. Apparently they have not used all of their funds, and it is attempted here not only to reappropriate the unexpended balance, but to make it available for a period of time which may go beyond the expiration of the next fiscal year. Therefore it seems to me the item is subject to a point of order. With reference to the point made by the gentleman from Wyoming [Mr. MONDELL] that the War Trade Board is not a product of a specific statute—and I think the gentleman is correct—it certainly is subject to a point of order to try to come in and reappropriate an unexpended balance. Now, I understand that this War Trade Board is about to give up the ghost voluntarily in the near future.

The CHAIRMAN (Mr. CARAWAY). The Chair would like to ask the gentleman from South Carolina a question. Is there an authorization for this appropriation?

Mr. BYRNES of South Carolina. There is no authorization specifically creating the War Trade Board. The War Trade Board was created by the President as a means for carrying out the duties devolving upon him under the trading-with-the-enemy act and the espionage act.

Mr. SAUNDERS of Virginia. May I ask the chairman of the committee a question?

Mr. BYRNES of South Carolina. Certainly.

Mr. SAUNDERS of Virginia. The President did have authority under some act to create the War Trade Board, did he not?

Mr. BYRNES of South Carolina. He did, under the trading-with-the-enemy act and the espionage act.

Mr. SAUNDERS of Virginia. If he had some specific authority to create it, it would be the same as if it had been created by direct act of Congress, if that is the history of it.

Mr. BYRNES of South Carolina. That is the history of it.

The CHAIRMAN. Does the gentleman from South Carolina state that there was authority for its creation?

Mr. BYRNES of South Carolina. I am satisfied that there was authority for its creation, because those acts gave the President the power to enforce certain regulations by such agencies as he might devise.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BYRNES of South Carolina. The motion is to strike out the paragraph, on the ground that there is no necessity for the board during the next fiscal year.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: Page 48, line 23, strike out the paragraph beginning with line 23 and ending with line 4, page 49.

Mr. BRAND. Mr. Chairman, I submit an amendment to perfect the text.

The CHAIRMAN. The gentleman from Georgia offers an amendment to perfect the text.

The Clerk read as follows:

Mr. BRAND offers the following amendment: Page 49, line 4, after the word "Europe," strike out the period and insert a colon and add the following:

"*Provided*, That so long as the embargo on the exportation of American goods and farm products provided for in title 7 of the espionage act approved May 16, 1918, remains in force and effect, and the regulations and orders issued thereon remain effective, no part of the appropriation of said $3,500,000 for the War Trade Board shall be available for the purposes named in this bill."

Mr. DYER. Mr. Chairman, I reserve a point of order.

Mr. MONDELL. I reserve a point of order on that amendment.

Mr. CRISP. I ask that the point of order be made. I call for the regular order.

Mr. DYER. I make the point of order.

Mr. CRISP. We would like to know what the point of order is.

Mr. STEAGALL. I desire to offer an amendment to the amendment.

The CHAIRMAN. There is a point of order now to be determined.

Mr. WINGO. What is the point of order that the gentleman makes?

Mr. DYER. As I caught it, it provides for things not authorized by the act creating the War Trade Board, and this is offered as an amendment to the motion to strike out.

The CHAIRMAN. It is offered as an amendment to the amendment, to perfect the text.

Mr. WINGO. It is a limitation on the expenditure of a public fund, is it not?

Mr. DYER. Oh, yes; it does.

Mr. WINGO. Would it not be in order on that theory?

Mr. DYER. I think not.

Mr. WINGO. There is no question about the germaneness of the amendment in construing the expenditure.

Mr. CRISP. Mr. Chairman, I would like to be heard on the point of order if the Chair has any doubt about it.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. CRISP. The parliamentary proposition pending before the House is the motion of the gentleman from South Carolina to strike out a section of the bill. The gentleman from Georgia has offered an amendment to perfect the text which it is proposed by the gentleman from South Carolina to strike out. The rules of the House are specific in this respect as to the motion to perfect the text being first in order.

The CHAIRMAN. If the gentleman will pause, the Chair has no doubt about that.

Mr. CRISP. Then, Mr. Chairman, as to the other proposition I think it is equally clear that it is a limitation. There is a provision in the bill appropriating money for the War Trade Board and the amendment simply provides that no part of the fund shall be expended as long as any embargo is maintained on the exportation of American goods and products.

Mr. DYER. Is not that legislation, indirectly?

Mr. CRISP. Absolutely not; it is a limitation pure and simple. There is no discretion whatever left with any executive department. They have nothing to determine except to see whether the embargo is enforced against American products and American goods. If any such embargo is in existence, then the limitation applies and says that this fund shall not be used. It is a clear limitation, pure and simple, and such limitations are always in order on an appropriation bill. It is always in order to offer a limitation on an appropriation contained in an appropriation bill, and whether the limitation is wise or unwise is not for the Chair to determine. It is for the committee to determine. The only province of the Chair is to determine whether it is purely and simply a limitation; and if it is, it is in order.

Mr. CARTER of Oklahoma. It does not require that the embargo be raised, but requires that the money shall not be spent if it is not raised.

Mr. CRISP. The gentleman is right. If they raise the embargo the money is available, if they do not the money can not be spent. That is the whole effect of the amendment.

Mr. BYRNES of South Carolina. I want to call the attention of the gentleman to the fact that it is limited to apply only to the expenditure of funds provided for in this bill for the next fiscal year.

Mr. CRISP. That is true.

Mr. BYRNES of South Carolina. Therefore if the amendment is offered to strike out the paragraph they will have no funds and they will have no fund that you will want to limit.

Mr. CRISP. I will not take issue with the gentleman on that proposition. I am arguing that this amendment is clearly in order under the rules of the House.

Mr. BYRNES of South Carolina. If the amendment to strike out is not adopted the War Trade Board would have the right to expend a part of this fund to enforce the blockade as to other commodities not included in the amendment, whereas if the fund is taken from them they could not enforce the blockade on anything.

Mr. CRISP. I am not familiar with the terms of the bill, but I agree with the gentleman that if the fund is taken away they could not use it for any purpose.

Mr. SAUNDERS of Virginia. Mr. Chairman, in reply to the point of order raised by the gentleman from Missouri, I wish to say that I am sure the gentleman from Missouri must have forgotten an amendment which he offered sometime ago to an appropriation bill, and which was sustained as a limitation. This amendment is interesting in this connection because it shows in the most emphatic fashion that the present amendment is a limitation. The gentleman from Missouri offered an amendment to the following effect that "no money appropriated herein shall be used unless all former Government employees who have been drafted or enlisted in the United States in the war with Germany shall be reinstated." After argument that was held out of order, but on appeal it was held that it was a limitation, although there was a direct compulsion on the part of officials to reinstate these men.

Mr. DYER. The law already provided for the reinstatement of these men.

Mr. SAUNDERS of Virginia. Yes, but you provided that the appropriation should not be available unless the soldiers were reinstated. That was a clear case of compulsion upon the officials. That makes the difference between that amendment and this one.

The CHAIRMAN. The Chair is ready to rule.

Mr. MONDELL. Before the Chair rules I would like to be heard.

Mr. SAUNDERS of Virginia. Mr. Chairman, just a word. I am not going to detain the Chair, or the committee but for a moment. This amendment is a pure limitation, dealing exclusively with money. It is an indirect inhibition upon the use of the money. It does not compel directly any action whatever, it does not direct the officials to do anything. It merely says that under the conditions recited in the amendment the appropriations shall not be available. It is as pure a limitation as is possible to be constructed under the rules of the House.

Mr. MONDELL. Mr. Chairman, this is a change of existing law on an appropriation bill, which violates the rules, in the guise of a limitation. It is not a limitation; it is prohibition. It prohibits the use of this money unless certain acts which have been authorized by law are rescinded. It is not a limitation in any sense. It is a prohibition against the use of the money unless certain things occur. It is not on all fours with the amendment referred to by the gentleman from Virginia [Mr. SAUNDERS], offered by the gentleman from Missouri [Mr. DYER]. In that case there was an existing law which calls upon the executive officers to do certain things. They were not performing their duty under that law, and the gentleman's amendment called on them to perform their duty or not expend the money. That was clearly a limitation, but this is a very different proposition. This is an attempt to repeal a law, to make it inoperative, under the guise of a limitation on an appropriation bill.

The CHAIRMAN. If this were a case of first impressions, it is doubtful what the opinion of the Chair might be with reference to the proposed amendment, but in line with repeated precedents handed down by the gentleman from Virginia, Judge SAUNDERS, the gentleman from Texas, Mr. GARNER, the gentleman from Missouri, Judge ALEXANDER, and others, the Chair overrules the point of order.

Mr. STEAGALL. Mr. Chairman, I offer the following amendment to the amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. STEAGALL: Amend the amendment by adding a comma after the word "products" and insert the words "including cottonseed and peanut oils."

The CHAIRMAN. The Chair believes that this is an amendment in the third degree.

Mr. STEAGALL. I understood that this was a motion to strike out the section.

The CHAIRMAN. The Chair thinks this would not be in order at this time.

Mr. STEAGALL. Then I withdraw the amendment for the present.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia to the amendment offered by the gentleman from South Carolina.

Mr. MONDELL. Mr. Chairman, if one wants to start a flurry in this House on the Democratic side all that is necessary is to mention King Cotton, and immediately all the gentlemen are on their feet stampeding the House in their desire to get into the RECORD. I am one of those who are of the opinion that we ought to do away with embargoes as soon as possible and wherever possible. They hamper and restrict trade. There is no doubt about that. They do it even now under conditions where license is ordinarily issued. There is always some delay, although the gentlemen who appeared before our committee and with whom we discussed this matter at length assured us that there was comparatively little delay. They said that we are still under some obligations to the allies over on the other side. We are pledged, they said, to a certain extent to them to maintain an embargo, at least against alien enemies. You may or may not agree with the President about the league of nations, but I do not think the House ought to do anything, even in order that gentlemen may stand well with their cotton constituents, that will not be in keeping with the obligations we are under, whatever they may be, to the allies.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. GORDON. I would like to know how there could be any obligation of the United States to our allies to keep an embargo on American products at any time.

Mr. MONDELL. I give the gentleman the word of the gentlemen who are responsible under the administration. I am not a member of it. I am not under any responsibility in regard to those things, but they do say that so far as trading with the enemy is concerned, they are still obligated to see that such trade is not carried on, and that trade with enemy sympathizers is not carried on.

I know that nothing that I can say will affect the vote upon this amendment, for gentlemen must always go on record as being alive and on the qui vive in defense of cotton, and that is all right; that is commendable.

Mr. CRISP. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Of course, I think they are getting excited over a very small and comparatively unimportant matter, but still it is well always to be on guard when cotton is in danger. I yield to the gentleman.

Mr. CRISP. I had not intended to say anything about cotton, and the amendment does not name cotton, but deals with cotton and shoes and wheat and any other American product or mineral that is affected by the embargo. Does the gentleman contend that it is the duty of this Government, since he has mentioned cotton, to do anything to enable the English spinners to get the cotton of the South below its value, when cotton in normal peace times has been the one American product that has kept the balance of trade in favor of this country?

Mr. MONDELL. Will the gentleman kindly address his inquiry to the President and those in charge of this administration? They are the people who are handling this thing; I am not.

Mr. CRISP. The gentleman and others have addressed inquiries, written and verbal, to the President asking that all embargoes be lifted off exportation of American goods.

Mr. MONDELL. That was before the President came back.

Mr. CRISP. He will receive some more communications when he arrives.

Mr. MONDELL. But, Mr. Chairman, I did not rise for the purpose of discussing the cotton end of this controversy. I realize nothing I could say in regard to it would affect the votes of gentlemen from the cotton States. I do want to remind them, however, that their administration suggests that there is some obligation. I do not know. Personally, I think that we ought to remove all of these bars to trade, but while I am discussing this matter, if the House will bear with me I would like——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. May I have five minutes more?

The CHAIRMAN. The gentleman asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, last spring the woolgrowers of this country were called to Washington, and they were asked to agree to a maximum price for the American wool clip. They are patriotic folks. Wool was then worth about 65 cents a pound in the grease on the average. After a good deal of discussion the price was fixed for the entire American clip on a basis of the price of the year before. It developed, after the clip had been purchased by the Government and graded and classified, that the average price which the purchasers received was a little less than 50 cents—probably about 47 cents—a pound on the average.

Mr. CRISP. Will the gentleman yield for a question?

Mr. MONDELL. Yes.

Mr. CRISP. I would like to know what that same wool brought in 1914?

Mr. MONDELL. Well, it was selling almost as low in proportion as cotton was about that time.

Mr. CRISP. I would like to have an answer to the question how much it brought then. I do not know.

Mr. MONDELL. It brought at that time—1914—I think, about 30 to 35 cents.

Mr. CRISP. Wool in the grease, that same wool that is now 48 cents?

Mr. MONDELL. About 32 to 35 cents.

Mr. CRISP. Of course, I do not know.

Mr. MONDELL. There were times when wool was lower and times when it was higher. There were times when cotton was lower and when cotton was higher. The price fixed was 15 to 18 cents below the market price at the time the price was fixed or the agreement entered into, and the entire American clip was sold at that price. The woolgrower did not receive any benefit of war prices. After that clip had been sold the only possible protection to the Government and the woolgrower was an embargo on foreign shipments. I made inquiry about it, and I was assured by those in position to know that the embargo would not be lifted, and on that assurance I wired my people to that effect, but unfortunately my wire moved a little slow, as wires sometimes do now under Federal control, and another wire sent a few hours later got there ahead of mine and advised my people that the embargo had been lifted. By the lifting of the embargo woolgrowers were left at the mercy of importations from all the world. Now, there was a case where the embargo might properly have been retained. The Federal Government had 300,000,000 pounds of the American wool clip of last year, about 100,000,000 pounds of foreign wool, and stands to lose a great deal of money by reason of the Government taking off the embargo at the time when it was understood and stated by those in authority the Government would retain the embargo.

Mr. RAGSDALE. Will the gentleman yield?

Mr. MONDELL. One sentence more and I will. The only thing that stands between the American woolgrower to-day and a price that is absolutely confiscatory is the English issue price. If it were not for the English issue policy, which does maintain a price above what would probably be the price fixed by supply and demand, the woolgrowers of America, who were not allowed to secure any war benefits, would probably face bankruptcy.

Mr. RAGSDALE. In other words, as the gentleman now knows, the English are cooperating and guaranteeing a price in Australia, as the result of which the American grower is being benefited, and neither England nor the United States is doing anything to-day to protect the cotton grower, whom England is trying to destroy. And the gentleman well knows while the United States Government has an enormous quantity of wool on hand, on which it will lose an enormous sum of money, it has not a pound of cotton on hand on which it will lose a dollar of money.

Mr. MONDELL. I do not know what the English attitude on cotton is, but I know the attitude of the English Government is the only thing that sustains the wool price.

Mr. RAGSDALE. Does not the gentleman know by reading the papers that the Manchester mills and the Liverpool market are daily selling the cotton market short here and that the American producer of cotton is absolutely without any benefit from anybody, while the American Government to-day denies the market of the world to him, and the markets of the world sell here and destroy the producer?

Mr. MONDELL. It seems the administration is neither protecting the woolgrower nor the cotton grower. Neither is the administration protecting the Government against loss on its wool holdings. Who is the administration protecting?

The CHAIRMAN. The time of the gentleman has expired. The vote is on the amendment of the gentleman from Georgia to the amendment of the gentleman from South Carolina.

The question was taken, and the amendment was agreed to.

Mr. STEAGALL. Mr. Chairman, I desire to offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. STEAGALL: Amend the amendment by adding a comma after the word "products" and insert "including cottonseed and peanut oils."

The CHAIRMAN. The vote is on the amendment offered by the gentleman from Alabama [Mr. STEAGALL].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. Does the gentleman from Georgia want to be heard on his amendment?

Mr. BRAND. No. I have expressed my views on the merits of the question involved in my remarks submitted last Friday night.

Mr. BYRNES of South Carolina. Mr. Chairman, I want to say a few words as to my amendment.

The situation is simply this: Gentlemen argue against maintaining a blockade on wool and cotton and on cotton seed and other commodities. The motion I have made to strike out the paragraph means that the War Trade Board will not be in existence after July 1 to maintain a blockade on anything. Now, a limitation upon it means simply this, that these funds which we seek to cover into the Treasury will continue to be at the disposal of the War Trade Board to conduct a blockade on some commodity if they see fit to do so after that time. The adoption of my amendment, which strikes out the paragraph, closes up the War Trade Board so that they can not maintain a blockade on anything, and at the same time covers this money into the Treasury instead of leaving it at the disposal of the War Trade Board.

How can anyone vote to continue an organization when they say they do not want that organization to function any longer.

Mr. BRAND. I would like to know the time when you say this War Trade Board will cease to function.

Mr. BYRNES of South Carolina. July 1. If they have any balance then, it is covered back into the Treasury.

Mr. BRAND. They will not cover it back until then?

Mr. BYRNES of South Carolina. No, sir. As this bill only carries appropriations for the fiscal year beginning July 1, the amendments which are offered to this paragraph limiting appropriations in the bill can not have any effect before July 1.

Mr. BRAND. In the meantime can not the War Trade Board keep this embargo on cotton?

Mr. BYRNES of South Carolina. They can; and nothing offered here in this bill can stop them from doing it. Your limitation is a limitation on the expenditure of funds after July 1.

Mr. BRAND. Why not stop them now entirely?

Mr. STEAGALL. Will the gentleman yield to me?

Mr. BYRNES of South Carolina. Yes.

Mr. STEAGALL. Suppose the motion of the gentleman obtains and the paragraph is stricken out, would not the President still have power under the law already in existence to issue an order by which some other board could reestablish the embargo?

Mr. BYRNES of South Carolina. After July 1 the President will have no $50,000,000 fund. There is no provision in here to give him that fund for next year.

Mr. STEAGALL. I am not speaking of the funds. I am talking about the effect of striking out this paragraph included in the motion of the gentleman from South Carolina. Now, the President, so far as the law or authority conferred upon him is concerned, may issue an order putting this power in the hands of some other bureau.

Mr. BYRNES of South Carolina. Of course, he could. He could do that under your limitation, because you only limit this fund. If he had funds and gave them money, they could maintain a blockade, whether you limited the activities of the board, as you desire, or put them out of business entirely, as I desire.

Mr. STEAGALL. Then I want to ask one other question. Does not the gentleman believe that at this time, the war having closed last fall, this extraordinary power to deny the producers of America the right to ship their products to the world ought to be discontinued? And do you not believe that if the American Congress expresses its will upon the subject in favor of the removal of that embargo, the people of this country having gone to war in defense of their rights to ship their products to all corners of the earth, the President would respect the will of the American people as expressed by their Representatives in Congress?

Mr. BYRNES of South Carolina. The gentleman from Alabama asks about two things. I believe just what he believes, that this blockade should be raised. I believe it, but that does not change the situation, and the facts that he attempts to set forth have absolutely nothing to do with this fund. What I am endeavoring to do is to destroy the agency that the gentleman complains of, and the gentleman's motion aims at the continuation of that agency of which he complains. Why spend the money to continue an organization of which you complain? Why not destroy it?

Mr. SAUNDERS of Virginia. Mr. Chairman, will the gentleman yield for a question?

Mr. BYRNES of South Carolina. Yes.

Mr. SAUNDERS of Virginia. How would this board have any funds next year if this limitation were passed?

Mr. BYRNES of South Carolina. Because the funds are carried by this appropriation. It gives them that much money—the unexpended balance of their appropriations.

Mr. SAUNDERS of Virginia. Well, yes——

Mr. BYRNES of South Carolina. They can use it to maintain a blockade on other commodities.

Mr. SAUNDERS of Virginia. They can not use it for other purposes as long as this embargo remains. They will not have any money to spend.

Mr. BYRNES of South Carolina. That is a limitation only as to certain purposes, and the gentleman knows they can use that money.

Mr. SAUNDERS of Virginia. It says no part of this appropriation can be used so long as the embargo remains.

Mr. BYRNES of South Carolina. If they have not got the money certainly they can not use it, can they?

Mr. SAUNDERS of Virginia. That is another matter.

Mr. BYRNES of South Carolina. Then why object to cutting out the paragraph?

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from South Carolina.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded. The motion is to strike out the section.

The committee divided; and there were—ayes 30, noes 35.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For bar-stock storage shed with necessary facilities, $50,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. Mr. Chairman, I would like to make an inquiry for the purpose of asking why they are using bar stock in the arsenals of the Federal Government?

Mr. BYRNES of South Carolina. That is not the kind of bar the gentleman has in mind.

Mr. WALSH. This is not the stock of the legal fraternity? Does that mean some kind of material?

Mr. BYRNES of South Carolina. Yes; iron.

Mr. WALSH. There is so much prohibition in the air nowadays that I was misled.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Repairs of arsenals: For repairs and improvements of arsenals, and to meet such unforeseen expenditures as accidents or other contingencies during the year may render necessary, including machinery for manufacturing purposes in the arsenals, $1,550,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. Mr. Chairman, here is an appropriation nearly as large as was made last year during the war for repair of arsenals.

Mr. BYRNES of South Carolina. No. If the gentleman will allow me, the appropriation last year was $2,750,000.

Mr. WALSH. Well, only $1,750,000 was carried in the sundry civil bill.

Mr. BYRNES of South Carolina. And $1,000,000 was carried in the deficiency bill. I will say to the gentleman that the estimate filed by the department is $6,200,000, and the committee made it $1,550,000.

Mr. WALSH. The committee runs true to form in the reduction?

Mr. BYRNES of South Carolina. Yes. The gentleman will agree that it is good form.

Mr. WALSH. I wondered what activities were being conducted in these arsenals with the cessation of the prosecution of the war which required $1,550,000 for repairs and improvements and unforeseen expenditures.

Mr. BYRNES of South Carolina. I will state to the gentleman that by reason of the war we have increased our investment. Certainly we can not fail to provide for its maintenance during the next year.

Mr. WALSH. Of course.

Mr. BYRNES of South Carolina. During the war there has been added to the arsenals material to the value of $66,000,000, and in the face of that, as the gentleman will see by looking at the bill there, we are really reverting to the prewar appropriations.

Mr. WALSH. It says "repairs and improvements."

Mr. BYRNES of South Carolina. But there is a good deal more material in those arsenals to-day than there was before. Some of the buildings have been enlarged. They will require some repairs during the year.

Mr. WALSH. If they have all been enlarged and fixed up so as to meet the emergency due to the prosecution of the war, what do you need that $1,550,000 for now when these activities have slowed down?

Mr. BYRNES of South Carolina. It includes repairs to machinery, and the machinery has been run 24 hours a day with three shifts of men. Certainly, in view of the estimate of $6,000,000—an estimate made by the gentlemen who are in charge of this work and who are presumably somewhat familiar with the conditions, and who urged these estimates with great earnestness—the action of the committee in recommending only $1,500,000 is conservative.

Mr. WALSH. The action of the committee is highly commendable. I am willing to grant that, but I can not understand what activities are being conducted there now, when we have ceased, in some measure at least, to turn out large guns.

Mr. BYRNES of South Carolina. The Government has an investment in those arsenals of $95,000,000. This item is a little over 1 per cent for the repair, maintenance, and preservation of $95,000,000 worth of property. That is what it amounts to.

Mr. WALSH. I think they can purchase machinery under this language. The gentleman said it included repairs to machinery.

Mr. BYRNES of South Carolina. It does. Money is spent out of this fund for repairs to machinery.

Mr. MONDELL. Mr. Chairman, I do not know just how much my friend from Massachusetts would have the committee trim these estimates. Here was an estimate of $6,291,835 reduced to $1,550,000, and that would seem to be a pretty fair reduction even on this bill, which is a fair example of the way estimates can be trimmed. During the war we have very greatly enlarged our arsenals and armories. We are now engaged in the work of placing in some of the older arsenals and armories some of the machinery which has been used in the plants temporarily built up for war purposes. The cost of that transfer of machinery will not be borne in the main by this item, but a part of the cost of placing the machinery will be borne by this item. The original item was based on a 4 per cent estimate of cost of repairs on the old arsenals and a 1 per cent estimate on the new. It seems to me the item is as low as it could well be under the circumstances, if we are to appropriate anything at all for the ordinary upkeep of these great properties which have been so extensively added to during the war.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Disposition of remains of officers, soldiers, and civilian employees: For interment, or of preparation and transportation to their homes or to such national cemeteries as may be designated by proper authority, in the discretion of the Secretary of War, of the remains of officers, cadets, United States Military Academy, including acting assistant surgeons and enlisted men in active service; interment, or of preparation and transportation to their homes, of the remains of civil employees of the Army in the employ of the War Department who die abroad, in Alaska, in the Canal Zone, or on Army transports, or who die while on duty in the field or at military posts within the limits of the United States; interment of military prisoners who die at military posts; for the interment and shipment to their homes of remains of enlisted men who are discharged in hospitals in the United States and continue as inmates of said hospitals to the date of their death, and for interment of prisoners of war and interned alien enemies who die at prison camps in the United States; removal of remains from abandoned posts to permanent military posts or national cemeteries, including the remains of Federal soldiers, sailors, or marines, interred in fields or abandoned private and city cemeteries; and in any case where the expenses of burial or shipment of the remains of officers or enlisted men of the Army who die on the active list are borne by individuals, where such expenses would have been lawful claims against the Government, reimbursement to such individuals may be made of the amount allowed by the Government for such services out of this sum, but no reimbursement shall be made of such expenses incurred prior to July 1, 1910, $8,451,000: *Provided*, That during the continuance of the present war the above provisions shall be applicable in the cases of officers and enlisted men on the retired list of the Army who have died or may hereafter die while on active duty by proper assignment.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order on the paragraph.

Mr. WALSH. Can the chairman of the committee state what necessity exists for the interment of alien enemies who may die at military posts?

Mr. SHERLEY. Simply that they have to be buried.

Mr. WALSH. Are they going to be buried in the national cemeteries?

Mr. SHERLEY. I think not. I did not hear the testimony before the committee on this part of the bill. I have reread it hastily, but I do not recall whether anything was said directly

on the subject of alien enemies. We really carry most all of this money for our own soldier dead.

Mr. WALSH. Yes; but the language refers to alien enemies interned?

Mr. SHERLEY. We have had to intern quite a number of alien enemies, some of whom have died.

Mr. WALSH. Died at prison camps?

Mr. SHERLEY. Yes. We have had to bury them. Certainly they are not going to be buried in national cemeteries, so far as I know.

Mr. WALSH. As I followed the reading of this section I understood that this was to cover the expenses of transporting from abroad those who may have been killed in action and those who may die in this country or at military posts.

Mr. SHERLEY. It is largely for the return of the dead officers and soldiers abroad to the United States.

Mr. WALSH. I was just wondering whether we were going to permit these alien enemies to be buried in our national cemeteries.

Mr. SHERLEY. No; I think it is for their burial where they die. We are not supposed to pay for their shipment to any particular place, so far as I know.

Mr. WALSH. If that is not the intention I will withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The Clerk will read.

The Clerk read as follows:

Gettysburg National Park: For continuing the establishment of the park; acquisition of lands, surveys, and maps; constructing, improving, and maintaining avenues, roads, and bridges thereon; fences and gates; marking the lines of battle with tablets and guns, each tablet bearing a brief legend giving historic facts and compiled without censure and without praise; preserving the features of the battle field and the monuments thereon; compensation of civilian commissioner, clerical and other services, expenses, and labor; purchase and preparation of tablets and gun carriages and placing them in position; maintenance, repair, and operation of a motor-propelled passenger-carrying vehicle, and all other expenses incident to the foregoing, $50,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. That is the same appropriation carried last year?

Mr. BYRNES of South Carolina. Just the same.

Mr. WALSH. It is not intended this year to authorize the purchase of motor-carrying vehicles?

Mr. BYRNES of South Carolina. No; that was purposely left out.

Mr. WALSH. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Guilford Courthouse National Military Park: For continuing the establishment of a national military park at the battle field of Guilford Courthouse, in accordance with the act entitled "An act to establish a national military park at the battle field of Guilford Courthouse," approved March 2, 1917, $9,200.

Mr. WALSH. Mr. Chairman, I move to strike out the last word, to ask the reason for the increase of this item of $1,100.

Mr. BYRNES of South Carolina. The appropriation last year was $8,100, and the estimate this year was for $15,700. The committee recommended the sum of $9,200. They requested an appropriation for the purchase of land and to do many other things. My recollection is that the purpose of the increase here was that there was one additional commissioner appointed this year, $100, and the balance of the appropriation was urged on the ground that they wanted to improve this new park.

Mr. WALSH. This is a new park recently authorized to commemorate that event?

Mr. BYRNES of South Carolina. Yes; and they have done a little work on it. If it is to be kept up at all they will have to make some slight improvements.

Mr. WALSH. Does the gentleman know if they have purchased any land that is contemplated to be embraced within the confines of the park?

Mr. BYRNES of South Carolina. They have not purchased any since the original act establishing it. If they received the $15,000 estimated, they would have purchased some land, but the Committee on Appropriations thought they could wait awhile longer for it.

Mr. WALSH. I withdraw the pro forma amendment.

The Clerk read as follows:

For ordinary care of Lafayette Park, $2,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to direct the attention of the gentleman having the bill in charge as to the item just read providing for the ordinary care of Lafayette Park. Last Monday when a bill was up for the establishment of the Lafayette National Park, at Mount Desert Island, it was stated on the floor that the name of this park north of the White House was properly Jackson Park and not Lafayette Park. Has the gentleman any information as to the correct name of the park that sometimes bears the name of Jackson Park and sometimes Lafayette Park?

Mr. BYRNES of South Carolina. I can not inform the gentleman as I have never known of its being called Andrew Jackson Park. The gentleman has been a resident of Washington so much longer than I have and so much more industrious that if that were the fact I think he would have discovered it.

Mr. STAFFORD. I may say for the information of the gentleman that the predecessor of another illustrious gentleman who bears the same name as the gentleman from South Carolina, the Hon. JOSEPH BYRNS, to wit, John Wesley Gaines, who was a great admirer of Andrew Jackson, persisted in saying that the proper name of the park north of the White House was Jackson Park. The park contains in its center the equestrian statue of Andrew Jackson.

Mr. BYRNES of South Carolina. Was that due to the fact that the statue of Jackson is in the vicinity?

Mr. STAFFORD. It is in the center of the park.

Mr. BYRNES of South Carolina. The gentleman has no objection to this being carried as Lafayette Park for another year?

Mr. STAFFORD. There was serious protest on the floor of the House in allowing the name of Lafayette to be attached to any park where the President is burned in effigy.

Mr. BYRNES of South Carolina. I would like to stop the burning in effigy, but I do not know that the change in the name would do it.

Mr. MONDELL. Does the gentleman want the name of Old Hickory attached to that sort of a place?

Mr. STAFFORD. It might have some influence on the fighting qualities of the militant suffragettes who take advantage of that park in close proximity to the White House.

Mr. WALSH. I have been informed by distinguished and very authentic authority that the name of that place where these momentous events and ridiculous capers have taken place is Jackson Square, and that that could be verified by turning to the archives and finding the act establishing that park and granting it as a public place.

Mr. STAFFORD. I think it should bear the name of the illustrious President Andrew Jackson. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For improvement, care, and maintenance of Smithsonian Grounds, $4,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. What has happened down at the Smithsonian Grounds that requires an increase in the appropriation?

Mr. BYRNES of South Carolina. Mr. Chairman, as the gentleman knows, during the past year or two they have constructed new Government buildings there, and in doing so they have torn up the ground surrounding the Smithsonian Institution, and that park, which is visited by nearly everyone who comes to the city of Washington, as a result of the construction of these buildings, is in worse state than almost any other part.

Mr. WALSH. Oh, yes; they have torn up the grounds, but they have covered over a lot of ground, and there is less ground to take care of.

Mr. BYRNES of South Carolina. The gentleman will remember, if he visited that section during the last year——

Mr. WALSH. I certainly have.

Mr. BYRNES of South Carolina. That the Government employees have been out in the park and that the soldiers have used it as a drill ground, and that they have destroyed the grounds. They have to resod the grounds, and they are asking for a much larger sum than the committee has recommended.

Mr. WALSH. Oh, I assume that is so, because that has been almost invariably the rule with reference to appropriations.

Mr. BYRNES of South Carolina. That is true.

Mr. WALSH. And I have taken occasion to commend the committee heretofore; but are there any markers or guides by which you can distinguish the Smithsonian Grounds from the Mall or from East Potomac Park or from Henry Park?

Mr. BYRNES of South Carolina. Yes. I could not direct the gentleman to the exact points—I would not know how to do it—but I am satisfied that the gentleman knows that the park nearest the Botanic Gardens is known as Seaton Park and that the one in front of the Smithsonian Institution is known as the Smithsonian Grounds. There is a Henry Park; and I have no doubt that he really is better informed as to the divisions than I am.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. STAFFORD. I was under the impression that the grounds immediately in front of the Smithsonian Institution and the old National Museum were under the charge of the Superintendent of Public Buildings and Grounds, whereas this

item really applies to the grounds to the south of the Smithsonian Institution and immediate environs.

Mr. BYRNES of South Carolina. This is under the Superintendent of Public Buildings and Grounds.

Mr. STAFFORD. What part of the so-called Mall does this pertain to?

Mr. BYRNES of South Carolina. The ground right out in front of the Smithsonian Institution and the new National Museum. It has been carried here as the Smithsonian Grounds, right where the Smithsonian and the National Museum are.

Mr. STAFFORD. Is there any provision for improving that part of the Mall just immediately west of the Botanic Gardens, which is in a very sorry condition?

Mr. BYRNES of South Carolina. We will strike that in a few minutes. It is in the bill. It is the last item on page 61.

The Clerk read as follows:

For care and improvement of Rock Creek Park and the Piney Branch Parkway, exclusive of building for superintendent's residence, and including personal services in the District of Columbia, $23,200.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph. What authority of law is there for Piney Branch Parkway and for including personal services in the District of Columbia?

Mr. BYRNES of South Carolina. This item was carried in the District bill last year; therefore, it was not necessary to carry the authority for personal services in the District of Columbia. It is now carried in this bill, and it is necessary. Rock Creek Park and Piney Branch Parkway are both authorized by law. The only difference is the authorization for personal services in the District of Columbia. This involves no increase in the amount at all.

Mr. WALSH. Where does the gentleman say it was carried—in the District bill?

Mr. BYRNES of South Carolina. In the District of Columbia appropriation bill last year.

Mr. WALSH. How was it transferred?

Mr. BYRNES of South Carolina. The information I have is that the jurisdiction was transferred under the sundry civil act of last year to the Superintendent of Public Buildings and Grounds, which necessitated its being carried here.

Mr. WALSH. That the jurisdiction of these two parks was transferred by the sundry civil appropriation act of last year to the Engineer Department from the District of Columbia?

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. That is a sufficient reason for its being in this bill.

Mr. BYRNES of South Carolina. That is the only reason.

Mr. WALSH. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

For placing and maintaining special portions of the parks in condition for outdoor sports, $15,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. In putting parks in condition for outdoor sports, does that apply to cleaning up Lafayette Square so the suffragettes can have bonfires there?

Mr. BYRNES of South Carolina. Certainly the gentleman does not refer to that as outdoor sport?

Mr. WALSH. They seem to think it is considerable of a sport to burn speeches of the Chief Executive of the land. It says, "For placing and maintaining special portions of the parks in condition for outdoor sports," and I take it that means all the parks within the jurisdiction of the Engineer Department.

Mr. BYRNES of South Carolina. As a matter of fact, in the construction of buildings, quite a number of the parks heretofore used for out-of-door sports have been destroyed for this purpose, and it really would justify an increase in the appropriation.

Mr. STAFFORD. Is that the reason for the action of the committee in reducing the amount from $20,000 to $15,000?

Mr. BYRNES of South Carolina. The action of the committee was merely in an effort to try and save some money.

Mr. STAFFORD. I think the committee is attempting to save in the wrong place, because from my knowledge of the parks utilized for temporary buildings not one square foot of space was utilized for out-of-door sports.

Mr. BYRNES of South Carolina. Almost the only motion from gentlemen on that side of the House has been to reduce appropriations for parks.

Mr. STAFFORD. We are not seeking to reduce proper provisions that will promote health and are for the pastime of the denizens of the District. I am willing to provide places in our public parks to be used——

Mr. WALSH. I will yield to the gentleman, although I do not understand some of the phrases he is using.

Mr. STAFFORD. When a gentleman comes from Massachusetts I take him to be all wise and I am glad he admits he has not an acquaintance with some recognized phrases.

Mr. BYRNES of South Carolina. Did the gentleman say "wise" or "wild"?

Mr. WALSH. Of course, I do not yield for any abuse or anything of that sort.

Mr. STAFFORD. The gentleman can not even take the encomiums of Members. But has not the committee made a mistake in reducing this estimate to this amount? I suppose this item is used for placing the Mall and the White House grounds in condition for tennis, baseball, and so forth.

Mr. BYRNES of South Carolina. The gentleman will be satisfied when I call to his attention the fact that, prior to last year, the appropriation was $10,000, and last year, in order to do definite, specific work, the appropriation was raised from $10,000 to $20,000, so as to provide some place for outdoor sports that were lost to the people by reason of building construction. Now we recommend $15,000.

Mr. STAFFORD. It may be that increase was due to my calling the attention to the then superintendent, Col. Harts, some years ago to the need of having ponds throughout the District here, where they could be frozen, so that people could enjoy skating, which I must say I enjoy and indulge in when I am home to a great extent.

Mr. BYRNES of South Carolina. I have no doubt that is true, and I hope the gentleman in the future——

Mr. STAFFORD. I will not have any more opportunity in Washington, but I am going to have plenty of opportunity when I return to my old Queen City, where we have skating four months in the year.

Mr. WALSH. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For operation, care, repair, and maintenance of the pumps which operate the three fountains on the Union Station Plaza, $4,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Last year when this appropriation of $4,000 was carried there was a report to be made to find out how they could reduce the expenditures of those fountains. Has that report been made to the Congress or to the department?

Mr. BYRNES of South Carolina. I will tell the gentleman the situation. The report showed that by an investment of $10,000 they could possibly save $700 a year, which the committee thought to be entirely too high, and we were unwilling to recommend the expenditure, and therefore referred it back to the Superintendent of the Capitol Building and Grounds and requested that he furnish to the committee by the next session an estimate as to whether the change can not be made for less than $10,000.

Mr. WALSH. Why, the gentleman does not mean to say he referred it to the Superintendent of the Capitol Building and Grounds, does he?

Mr. BYRNES of South Carolina. I did not understand the gentleman.

Mr. WALSH. He did not refer it back to the Superintendent of the Capitol Building and Grounds? This is within the jurisdiction of the Engineer Department, or else it is erroneously set forth.

Mr. BYRNES of South Carolina. The proposed change is to connect with the Capitol power plant, and we asked the superintendent to take it up with the engineers. The cost at this time is $4,000 a year, and the estimate was that by making the change recommended the annual cost would be $3,264, and that to make that change it would cost $10,000. Gentlemen can figure the interest on the $10,000. And the belief that most of us had was that if the estimate was made at a time when the cost of material was not so high—possibly next year—it could be shown that it was a matter of economy to change it, and then we would do it; but as it stands now it would not be an economical thing to do.

The Clerk read as follows:

For soiling and seeding East and West Seaton Park, $5,000.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. I should like to ask the chairman of the committee how late he expects to continue to-night.

Mr. BYRNES of South Carolina. I hope we can continue for some time, because we have but seven days more of this session, and we have read to-day only about 25 pages of this bill. The best part of the day has been consumed, and I trust we can get along and make some headway now.

Mr. JOHNSON of Washington. I shall not interrupt, but does the gentleman expect to run until half past 10?

Mr. BYRNES of South Carolina. I hope we can run until 10 o'clock, anyway.

Mr. MONDELL. I think the gentleman from South Carolina scarcely intends to run until 10 o'clock.

Mr. GARRETT of Tennessee. Why?

Mr. BYRNES of South Carolina. I hope we can do so, unless we can make some great headway, so that we can wind this bill up to-morrow.

Mr. MONDELL. If we run an hour or two longer we will be doing very well.

Mr. BYRNES of South Carolina. If we can make any headway in the bill, if the gentleman will call my attention to it possibly we can rise.

Mr. JOHNSON of Washington. On page 101 of the bill, "Territory of Alaska," there is an appropriation of $4,000,000 for the Alaskan Engineering Commission in charge of the completion of the railroad. I want a little time to discuss it. I am advised that there are more overhead employees up there than there are railroad men.

Mr. BYRNES of South Carolina. I am satisfied that the gentleman should have the opportunity, and we can arrange it when the item is reached.

The Clerk read as follows:

One half of the foregoing sums under "Buildings and grounds in and around Washington" shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. These items are scattered about here. How much is the total appropriation carried for the care and maintenance of the Executive Mansion?

Mr. BYRNES of South Carolina. It is $72,600. That includes the grounds.

Mr. WALSH. Does that include repairs?

Mr. BYRNES of South Carolina. It includes repairs, lighting, fuel, the maintenance of the greenhouse, and everything else.

Mr. WALSH. Includes the upkeep and maintenance when its occupants are away from here?

Mr. BYRNES of South Carolina. Or here.

Mr. WALSH. No reduction in the estimate on account of the contemplated absences?

Mr. BYRNES of South Carolina. No; it is open to the public each day.

The Clerk read as follows:

Birthplace of George Washington, Wakefield, Va.: For repairs to fences and cleaning up and maintaining grounds about the monument, $100.

Mr. BLAND of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLAND of Virginia: Page 60, line 24, after the figures "$100," strike out the period and add a semicolon, and add the following: "for repairs to Government wharf in Potomac River, at Wakefield, Va., leading to the birthplace of George Washington, and for restoration of said wharf, $20,000."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. BLAND of Virginia. Mr. Chairman, the provision for the repair of this wharf has not been submitted to the committee, and my attention was not brought to it until a few days ago.

I understand that some years ago the wharf was constructed by the Government at Wakefield, costing something like $20,000. The ice of last winter carried away that wharf, and there is practically no wharf there now.

If I had received the information in time, I would have brought it to the attention of the committee, or I would have gotten the necessary information in Washington. The information I have is based entirely upon a letter received by me from a constituent, so that I am not in a position to say to the committee positively that the sum of $20,000 is a reasonable or an unreasonable sum, but I only state the amount suggested in the communication I have referred to.

Mr. BYRNES of South Carolina. Mr. Chairman, as to this amendment, I think the committee will be satisfied that no estimate having been brought to our attention we can not in the absence of an estimate consider making an appropriation. If it is necessary, and the gentleman will call it to the attention of the department, I am satisfied it will do something to remedy the situation.

Mr. BLAND of Virginia. I will bring it to the attention of the War Department and bring it to the attention of the Senate committee.

The CHAIRMAN (Mr. WINGO). The question is on agreeing to the amendment offered by the gentleman from Virginia.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The amendment reads: "For repair to the Government wharf in Potomac River, at Wakefield, Va.," and the Chair overrules the point of order.

Mr. STAFFORD. If the Chair will permit, there is no law authorizing the construction of a wharf at Wakefield, Va. There being no law authorizing the construction of a wharf at Wakefield, and therefore the mere fact that the amendment provides for the repair of a private wharf does not make it in order on this bill.

The CHAIRMAN. The Chair makes his ruling, relying on the statement made by the gentleman from Virginia that the Government formerly had a wharf there and that the ice has destroyed that wharf.

Mr. STAFFORD. Of course, Mr. Chairman, I reserved a point of order.

The CHAIRMAN. If it be true that that was a Government wharf, would not an amendment for the repair of it, although the repair might be in the nature of a restoration, be in order?

Mr. STAFFORD. I hardly think so; not on the sundry civil appropriation bill. I hardly think so. I question whether we have the right, under the circumstances, to provide for the restoration of something that years back was established by the Government. It is admitted by the gentleman that there is no wharf there at the present time.

Mr. BLAND of Virginia. I did not admit that. The amendment itself says, "For the repair of a Government wharf at Wakefield, in the Potomac River, at Wakefield, Va."

Mr. STAFFORD. Has the gentleman any information that at any time it was erected by the Government?

Mr. BLAND of Virginia. Yes; but I can not put my hand on the legislation at this time. But looking over the Congressional Directory, particularly as to the work that was done by my predecessor here, I notice that in his earlier days he introduced a bill for the construction of a wharf at Wakefield, Va., and my general information is that the Government later did authorize the construction of a wharf at that place.

Mr. STAFFORD. When?

Mr. BLAND of Virginia. I could not say just now when it was done, but it was done in consequence of legislative enactment, and I am satisfied that I can put my hand upon the law authorizing the construction of the wharf. My recollection is that it was about $20,000.

The CHAIRMAN. The Chair is ready to rule. The pending item is for repairing and maintaining fences and cleaning up grounds about the monument at the birthplace of George Washington, at Wakefield, Va. The amendment of the gentleman from Virginia provides for the repair of the Government wharf at that place. If there be no Government wharf there, of course the amendment is absolutely void; but the language of the amendment provides for the repair of Government property, and the Chair overrules the point of order. The question is on agreeing to the amendment offered by the gentleman from Virginia.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. BLAND of Virginia. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 11, noes 7.

Mr. BYRNES of South Carolina. I ask for tellers.

The CHAIRMAN. The gentleman from South Carolina demands tellers. Those in favor of ordering tellers will please rise and stand until they are counted. Evidently not a sufficient number, and tellers are refused. The amendment is agreed to——

Mr. JOHNSON of Washington. I make the point of order that there is no quorum present.

Mr. MONDELL. I make the point of order that there is no quorum present.

Mr. BYRNES of South Carolina. Mr. Chairman, how many Members rose in response to the call for tellers?

The CHAIRMAN. On the division there were 11 in the affirmative and 7 in the negative. On the call for tellers only four Members rose.

Mr. WALSH. There is a point of no quorum pending, Mr. Chairman.

Mr. BYRNES of South Carolina. Is it too late to put the question on the demand for tellers?

The CHAIRMAN. No; not if there is any doubt about the count; but the point of no quorum has been made.

Mr. WALSH. We are not going to have any jockeying around on the question of tellers.

The CHAIRMAN. On the division there were—ayes 11, noes 7, or 18 Members voting. Evidently there were not enough Members to sustain the call for tellers; but in view of the suggestion of the chairman of the committee, the Chair is perfectly willing to submit the question again.

Mr. BYRNES of South Carolina. I renew the call for tellers.

Mr. WALSH. And I renew the point of no quorum.

Mr. BYRNES of South Carolina. I will ask the gentleman to let us have the call for tellers submitted again. I want the membership of the committee to have an opportunity to vote on the question.

Mr. MONDELL. If the House has reached a point where amendments are to be agreed to for which no estimates have been submitted and for work that as far as we know the Government never undertook, it seems to me that we should have a quorum here, so that we can legislate intelligently.

The CHAIRMAN. Is the point of no quorum withdrawn?

Mr. WALSH. In view of the statement of the gentleman in charge of the bill that he desires to have the question submitted again, I will withdraw the point, but will not agree not to renew it.

The CHAIRMAN. The gentleman from South Carolina demands tellers.

Tellers were ordered; and the Chairman appointed Mr. BYRNES of South Carolina and Mr. BLAND of Virginia.

The committee again divided; and the tellers reported—ayes 8, noes 17.

Accordingly the amendment was rejected.

Mr. WALSH. In view of the multitude who are present I will not renew the point of no quorum. [Laughter.]

The Clerk read as follows:

Flood control: For prosecuting work of flood control in accordance with the provisions of the flood-control act approved March 1, 1917, as follows:

Mississippi River, $6,670,000, to remain available until expended.

Mr. WALSH. I make a point of order on that paragraph. The provision that this item shall remain available until expended is clearly subject to a point of order.

Mr. BYRNES of South Carolina. It is not subject to a point of order, because there is a statute which says that river and harbor appropriations shall be available until expended.

Mr. WALSH. But this particular item is for flood control.

Mr. HUMPHREYS. What is the point of order?

Mr. WALSH. My point of order is against the words "to remain available until expended."

The CHAIRMAN. Will the gentleman from Massachusetts state his point of order again?

Mr. WALSH. This item is for prosecuting the work of flood control under the flood-control act approved March 1, 1917. There is an appropriation of $6,670,000, and the item contains the following language:

To remain available until expended.

Now, there is no authorization in the flood-control act of March 1, 1917, that appropriations made shall remain available until expended. If there is any such provision in that act, then certainly there is no need for carrying this language in the sundry civil bill.

My point of order to the provision is that it shall remain available until expended. That is legislation.

Mr. BYRNES of South Carolina. The statute provides this:

That from and after the 1st day of July, 1874, and of each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury: *Provided*, That this provision shall not apply to permanent specific appropriations, appropriations for rivers and harbors, lighthouses, fortifications, public buildings, or the pay of the Navy and Marine Corps; but the appropriations named in this proviso shall continue available until otherwise ordered by Congress.

This, by its language, is for the Mississippi River and an appropriation for a river.

Mr. WALSH. I know, but this is the same appropriation, the same sum that was appropriated last year, $6,670,000. The appropriation made last year was not to remain available until expended. It was a flat appropriation to be expended within the limits of the fiscal year. Here is an appropriation for $6,670,000, and you want to spread it out.

Mr. BYRNES of South Carolina. It has always been ruled that it is available as a part of the appropriation provided, but if the gentleman wants to change it I am willing that he should do so.

Mr. WALSH. This is not a river and harbor appropriation.

Mr. BYRNES of South Carolina. The statute says for rivers and public buildings.

Mr. WALSH. That does not include the statute of March 1, 1917. It names rivers and harbors and public buildings, but the act which the gentleman read was passed long prior to the act of March 1, 1917.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. HUMPHREYS. There is nothing in the law that says that it shall be appropriations in the river and harbor bill—it says that money expended on rivers and harbors. This is a part of the river which has been authorized for continuous improvement. The Secretary of War has been authorized and directed to make certain improvements for navigation, for flood control, the only limitation being that he could not expend more on the Mississippi River—or the Mississippi River Commission could not expend more than $10,000,000 annually. It is for the improvement of the river nevertheless; the law does not say that it applies to items carried in the river and harbor bill.

Mr. WALSH. I know; but that act was passed long before the act of 1917. My contention is, Mr. Chairman, that this appropriation is the result of a specific and particular act, approved by the President March 1, 1917, for flood-control work.

We have thrashed out on the floor on one or two occasions the question whether this was river and harbor work. It is the work of another character that does not bring it within the terms of the existing law. This is a subsequent statute and you are attempting to make an appropriation available until it is expended.

Mr. HUMPHREYS. If the gentleman will pardon me, the Mississippi River Commission was created and the project was adopted by Congress and the commission authorized to do the work thirty-odd years ago.

Mr. WALSH. And this appropriation is not made by legislative authority of 30 years ago.

Mr. HUMPHREYS. What Congress did in the flood-control act of March 1, 1917, was simply to authorize the Secretary of War to take this particular stream and complete the project theretofore adopted within the limits prescribed of $45,000,000 provided that the commission did not expend more than $10,000,000 in one year. Under that they have gone along, except in rare instances when there was any money left on the 1st of July, and carried it over into the next year. That has happened ever since the commission was created in 1881, I think, therefore, that the gentleman's point is untenable. This law was passed subsequent to the general statute which the gentleman from South Carolina just read.

Mr. MONDELL. The gentleman from Massachusetts realizes that there will be no difficulty in carrying an amendment with this sum should this go out on a point of order which is not subject to a point of order.

Mr. WALSH. I do.

Mr. MONDELL. Then I did not catch the trend of the gentleman's purpose.

Mr. HUMPHREYS. I understand the gentleman makes the point of order against the language "available until expended."

Mr. WALSH. Yes.

Mr. MONDELL. I understand the only gentleman opposed to the item was the gentleman from Mississippi [Mr. HARRISON], who was criticizing the commission on account of the extravagance. Was this the item?

Mr. HARRISON of Mississippi. This is one of the good items. Mr. Chairman, can I say a word on the point of order? I merely want to state, Mr. Chairman, that this point of order was made to the item of the Mississippi River, $6,700,000 and the provision that it be available until expended. This provision in the law that gives authority to that appropriation does not say for improvement of rivers and maintenance of rivers, but it says that it shall not apply to a permanent specific appropriation for rivers and harbors.

This is an appropriation for the Mississippi River, $6,607,000 to remain available until expended. It could not come any more clearly under that proviso. It has always been carried that way. It is a continuous appropriation. You do not have to expend it within the fiscal year.

Mr. WALSH. Then what is the necessity for the language?

Mr. HARRISON of Mississippi. It is not necessary at all; but it is there, and because it is there does not invalidate the proposition.

The CHAIRMAN. Does the Chair understand the gentleman to state that the words "to remain available until expended" are not necessary?

Mr. HARRISON of Mississippi. I do not think they are necessary, because it is not one of those appropriations that go back to the Treasury.

The CHAIRMAN. Will the gentleman send up the statute?

Mr. WALSH. Mr. Chairman, of course at the time the statute of 1874 was passed the language used, "appropriations for

rivers and harbors," was applicable to river and harbor appropriation bills, which, although sometimes never become a law, we have always with us. This is an entirely new activity and a new class of appropriation. It was not necessary in passing the flood-control act of 1917 to put a clause in there specifically taking it out of the statute of 1874. Last year they appropriated $6,670,000 in the sundry civil appropriation bill, and that appropriation was not to remain available until expended. Nobody ever dreams that an appropriation of $6,000,000 for the Mississippi River will not be expended within the 12 months. Of course it will.

Mr. HARRISON of Mississippi. Of course it will and ought to be.

Mr. WALSH. Then why make this available until expended? Why, if there should be but $1,000,000 expended, should the balance not properly go to increasing the appropriation for vocational rehabilitation of soldiers? If they can not expend this amount within 12 months, it ought to go back into the Treasury so it can be used for that worthy purpose, as the gentleman from Mississippi [Mr. HARRISON], the distinguished Senator, soon to be, was urging earlier in the day.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. MONDELL. The gentleman from Mississippi [Mr. HARRISON], I was under the impression, wanted the item to go out. I gained that impression from his discussion this afternoon, when he called attention to a lot of other things he thought ought not to be in this bill. He has not seen fit so far to advise the gentleman from Massachusetts that there is a most excellent reason for this provision in connection with this appropriation. There is always a very considerable "hang over," if I may use that term, in an appropriation of this kind. It is impossible to expend this sort of appropriation on the kind of work it is used to carry on, without having contracts that extend beyond the fiscal year and without overlapping work. There is, or will be at the end of the present fiscal year, some moneys from the year before which will be used next year. There has always been upon the Mississippi River overlapping funds. The moneys can be best expended and most advantageously expended when the funds are used in that way. It is impossible to stop short at the end of the fiscal year a work of this kind and have it done economically.

Mr. WALSH. Mr. Chairman, I have no doubts that as to the merits of the proposition the gentleman from Wyoming has given very sound reasons, but I submit that this language in this appropriation is not authorized by law and that it is legislation, and I make the point of order.

The CHAIRMAN. The Chair is ready to rule. The point of order is made to the following paragraph:

Flood control: For prosecuting work of flood control in accordance with the provisions of the flood-control act approved March 1, 1917, as follows:

"Mississippi River, $5,670,000, to remain available until expended."

The act of 1874 is as follows:

That from and after the 1st day of July, 1874, and of each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury: *Provided, That this provision shall not apply to permanent specific appropriations, appropriations for rivers and harbors,* lighthouses, fortifications, public buildings, or the pay of the Navy and Marine Corps; *but the appropriations named in this proviso shall continue available until otherwise ordered by Congress.*

It is contended that inasmuch as Congress has seen fit to create a separate committee, known as the Flood Control Committee, and given that committee jurisdiction of all appropriations for the control of flood waters, that the exception in favor of appropriations for rivers and harbors contained in the proviso of the act of 1874 only goes to appropriations made by the Rivers and Harbors Committee and not to appropriations within the jurisdiction of the Flood Control Committee.

In order to determine this question it is necessary to analyze the purpose that Congress had in enacting the statute of 1874. It is evident that Congress at that time realized that there are certain classes of public work that can be prosecuted more economically by continuous work, and that in the very nature of things the work must be uninterrupted, and for that reason it covered the appropriations for that class of work by the proviso in the act of 1874, which provided that appropriations made for that class of public work shall continue available until otherwise ordered by Congress.

This proviso does not undertake to say that appropriations of a *certain character* for rivers and harbors shall continue available, but it specifically provides for "appropriations for rivers." This language covers *all* appropriations for rivers of *whatever character* and proposed by *any committee* of Congress. The test is not what committee reports the appropriation; but is the appropriation for rivers? If the appropriation is for rivers or for a river, then the proviso of the act of 1874 covers the appropriation regardless of whether it is reported by the Rivers and Harbors Committee, by the Flood Control Committee, or by any other committee to which the Congress by its rules and for its own convenience and for the purpose of intelligent consideration may have assigned jurisdiction.

The act of March, 1917, under which the pending item is provided for, specifically provides for a continuing work on the Mississippi River, with a limit of $45,000,000, with a proviso that not more than $10,000,000 of the total shall be expended in any one year. This appropriation is certainly an "appropriation for rivers," and is further an appropriation for a project of the class that was evidently in the mind of Congress when it enacted the act of 1874, and therefore falls clearly within that class of appropriations which by the proviso of that act shall continue available.

For these reasons the Chair overrules the point of order.

Mr. WALSH. Mr. Chairman, I offer to amend on line 13, page 66, by striking out the figures "$6,670,000" and inserting "$3,250,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 66, line 13, strike out "$6,670,000" and insert "$3,250,000."

Mr. WALSH. Mr. Chairman, I have offered this amendment in view of the fact that it is admitted apparently they will be unable to expend this sum of money in the work on the Mississippi flood control during the coming year, and apparently they have not been able to expend this vast appropriation during the past year. I do not know whether it is due to the work that has already been done under this activity of the Government, but certainly this past year or 18 months that section of the country has not suffered unduly from floods and there has been no great loss of life or damage to property by reason of this river overflowing its banks or breaking through the levee. Now, it seems to me when we get to appropriating money for this work in sums of $6,670,000, when we have a bill containing items for placing headstones and monuments to the soldiers of the Republic who have died either in the service or after they have been discharged, and that the gentleman from Mississippi criticizes these appropriations and contrasts them with the lack of enthusiasm on the part of the majority of this committee to increase the appropriation for rehabilitation purposes, that here is a chance for his magnanimous soul to indicate his generosity and be willing to cut in half the appropriation for the great river which empties into the Gulf not far from his district and leave in the Treasury $3,000,000 which may be available, perhaps, if his motion to recommit should prevail, for the worthy object for which he plead so eloquently and ably earlier in the session of the committee. Now, I think the gentleman will admit that $3,000,000 in that section will do a vast amount of work apparently as there has been no serious damage done to the banks or levees of the river during the last winter or fall or spring or summer or whatever time of the year the river usually undertakes to go on a rampage, I believe it is usually in the spring, and I trust the gentleman will not assume that I am offering this amendment in any spirit of opposition to the work but purely with the idea of economizing on some of these larger appropriations.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. WALSH) there were—ayes 6, noes 10.

So the amendment was rejected.

The Clerk read as follows:

Survey of northern and northwestern lakes: For survey of northern and northwestern lakes, Lake of the Woods, and other boundary and connecting waters between said lake and Lake Superior, Lake Champlain, and the natural navigable waters embraced in the navigation system of the New York canals, including all necessary expenses for preparing, correcting, extending, printing, binding, and issuing charts and bulletins, and of investigating lake levels with a view to their regulation, $125,000.

Mr. WALSH and Mr. GARD rose.

Mr. GARD. Mr. Chairman, if I may be recognized, I desire to ask some information of the chairman of the Committee on Flood Control concerning this item about a survey of the northern and northwestern lakes. I am led to make the inquiry because I think this Congress, in establishing the Committee on Flood Control, had in mind a very useful thing, and I am interested to know whether the question of flood control is being intelligently pursued, and I note from this item—survey of northern and northwestern lakes—that certain surveys are

attempted. I therefore ask the chairman of the Committee on Flood Control, now that he has returned, whether this item of survey of northern lakes, Lake of the Woods, and so forth, are embraced under the activities of his committee?

Mr. HUMPHREYS. They are not.

Mr. GARD. Do I understand that the only item that has to do with flood control is the item of the Mississippi River?

Mr. HUMPHREYS. The only two projects in the United States, according to the report of the engineers, which were ready for congressional action were the Mississippi River and the Sacramento River in California.

Mr. GARD. In all seriousness, does not the gentleman think in the length of time this Committee on Flood Control has been in existence that they should intelligently have sought to develop some form of flood control, not to pick out two rivers that happen to flow in the territory, and that is my understanding, of members of the Committee on Flood Control, but to get down to a basis of a system of flood control where flood control should be operated? I assume, of course, that it could best be done under the Corps of Engineers. What I am leading up to is to ask the gentleman, now that he is here, does he understand the report of the engineers to call for a yearly expenditure of $6,670,000 on the Mississippi River?

Mr. HUMPHREYS. The report of the engineers of the Mississippi River Commission called for an expenditure of $10,000,000 as authorized by the act of Congress. But the committee saw fit to cut that to $6,670,000, which, I think, in view of the emergency, is reasonable.

Mr. GARD. You mean the lack of emergency. There is no emergency at the present time, nor was there one last year caused by a flood in any of the reaches of the Mississippi River. What I want to get at is whether the flood-control system such as the committee has developed, and I am critical in what it has developed, and honestly critical, is embraced only in this sum of $6,670,000 which yearly must be appropriated for the Mississippi River? Is there anything else to be done? Has the committee anything else in mind?

Mr. HUMPHREYS. Of course, if the gentleman does not understand there is any emergency facing this country, I think it hopeless for me to give him any information.

Mr. GARD. I think there is an emergency. There is a country-wide emergency, and the Committee on Flood Control was created, and I would be glad to have the plan of action and I am sure the country would.

Mr. HUMPHREYS. Mr. Chairman, I agree with the gentleman that the committee should go about this matter intelligently, and I think the committee did go about it intelligently. The gentleman from Ohio did not think that, and made a very vigorous protest at the time to the House, but was not able to get enough gentlemen to agree to his view, even to the extent of calling for the yeas and nays.

Mr. GARD. That is not convincing at all.

Mr. HUMPHREYS. It was not at all convincing, inasmuch as the gentleman, as I said, could not get enough to agree to his views to even have the roll called. It was thoroughly unconvincing. But the position which the Flood Control Committee took, having been submitted to the House, after three days of very illuminating debate, was thoroughly convincing to the House, so much so that the bill was passed, as I recall it, by a vote of 186 to 19. So much for the intelligent manner in which the committee treated the subject over the protests and suggestions of the gentleman from Ohio.

Now, Mr. Chairman, on the 6th of April, 1917, what the rest of us have since then considered a great emergency arose.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. Mr. Chairman, I move to strike out the last word.

Mr. GARD. Mr. Chairman, I ask that the gentleman be given five additional minutes.

Mr. BLAND of Indiana. I object. Let us get down to the bill.

Mr. BYRNES of South Carolina. This is not relevant to this particular section that provides for the charting of the lakes. They are discussing the flood control and their positions relative to the same. I would be glad if they would let us go on, because the time is getting short.

Mr. HUMPHREYS. I have no desire to delay. I will withdraw the request. The gentleman from Ohio called upon me to enlighten the House and the country, and I assumed he spoke for both, and therefore I wanted to accommodate him.

Mr. GARD. I ask unanimous consent that the gentleman may be permitted one minute so that I can ask him a question.

The CHAIRMAN. Is there objection?

Mr. HAYES. I object.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words. For a number of years I have been receiving—and I suppose in company with other Members—charts showing surveys of the northwestern lakes. I rise to inquire what is meant by continuing in this bill the $125,000 appropriation every year?

Mr. BYRNES of South Carolina. The appropriation is carried for the purpose of enabling these people to chart the lakes, which the maritime interests on the lakes say is more absolutely essential at this time than ever before, and the estimate asked for is far in excess of the appropriation.

Mr. STAFFORD. I was under the impression that this work was performed by the Coast and Geodetic Survey.

Mr. BYRNES of South Carolina. It is performed by these people, and the appropriation has been made $125,000 for a number of years. Nevertheless they are urging that the condition of the lakes, and they urged it in a very forcible manner, demanded additional charting of area.

Mr. STAFFORD. Am I in error in assuming that the Coast and Geodetic Survey has not made a survey of the Great Lakes?

Mr. BYRNES of South Carolina. The survey is conducted under this item here.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For pay of crews and maintenance of patrol fleet, six steam tugs and one launch, $90,000;
In all, $100,260.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. LAGUARDIA. Mr. Chairman, I will ask the gentleman from South Carolina what fleet is this? What patrol fleet is that in New York Harbor?

Mr. BYRNES of South Carolina. It is under the Chief of Engineers, to prevent dumping of refuse in New York Harbor.

Mr. LAGUARDIA. It is in the Engineer Department?

Mr. BYRNES of South Carolina. Yes.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Appliances for disabled soldiers: For furnishing surgical appliances to persons disabled in the military or naval service of the United States prior to October 6, 1917, and not entitled to artificial limbs or trusses for the same disabilities, $500.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Mr. Chairman, will the gentleman having charge of the bill explain the reason for inserting in this paragraph the limitation as to those who would be entitled to receive this aid to those who were injured prior to October 6, 1917?

Mr. BYRNES of South Carolina. Because the insurance act provides for those who were injured after that. During this war they are provided for under the war insurance act. This provides only for those who were injured in the Civil War and in the Spanish-American War.

Mr. STAFFORD. I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For farm, including the same objects specified under this head for the Central Branch, $9,000; in all, $441,000.

Mr. GARD. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 72, line 25, after the period, insert:

"*Provided*, That jurisdiction and control over said Southern Branch shall be reinvested in the Board of Managers of the National Home for Disabled Volunteer Soldiers on or about May 1, 1920."

Mr. BYRNES of South Carolina. I reserve a point of order on that, Mr. Chairman.

Mr. DYER. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from South Carolina and the gentleman from Missouri reserve points of order on the amendment.

Mr. GARD. Mr. Chairman, I am led to offer this amendment by the receipt of a petition from certain members of the National Home for Disabled Volunteer Soldiers who are now resident at the Central Branch at Dayton, Ohio. The petition is worded in such a direct, simple, and beautiful way as I think must carry a very pertinent appeal to all persons here, and therefore as part of my statement I will read the petition:

CENTRAL BRANCH, N. H. D. V. S.

To the Senate and House of Representatives of the United States, greeting:

Subject: To be returned to the Southern Branch of the National Home for Disabled Volunteer Soldiers at Hampton, Va.

We concede the fact, that as veteran soldiers of the Civil War and other wars, our prayer should be answered in the affirmative by the honorable Members of the Congress, inasmuch as many of your petitioners have wife, children, and grandchildren residing in and about Hampton, Phoebus, and Newport News, Va.

Indigent circumstances deprive us from bringing these dear ones to Dayton, Ohio (our present abode), and all we ask is simple justice and that you put yourself in our place for the nonce and act accordingly.

We urgently wish to return to Virginia. Of the nearly 500 ex-members of the Southern Branch now here, a vast majority come directly from Pennsylvania, New York, and Maryland, with our loved ones distant only 12 hours by rail away.

The Congress saved the South Dakota Sanitarium to the veterans; we ask simple justice of you to restore our old home to the undersigned, who gave their all to save our country from disruption.

We are aware that the Southern Branch has fulfilled its mission and is now almost vacated.

Individually and collectively we haven't a word derogatory to express against the Central Branch or its conduct. It is simply a longing to be nearer to those we love and cherish.

The petition is signed by some 500 veterans of the Civil War, of the Spanish-American War, and of other wars. When the act of October 4, 1918, was carried into effect these members were transferred from the Hampton Home to the Central Branch Home at Dayton, Ohio. Now, I am strongly in accord with their wish, and I entertain rather an advanced idea of the utility of these soldiers' homes, because I think they should be used in the best possible way. I did not offer any objection, and I do not offer any objection now, to the use of the Hampton Branch Home as a hospital. I think it is aiding in a great purpose, and I would not for a moment wish that it be deterred from continuing its great purpose. It is used as a branch hospital where our soldier boys returning from foreign shores are temporarily placed until they can be sent to other and more permanent hospitals or to their homes. I would not think of offering this amendment if I had not first communicated with the office of the Surgeon General, and Col. Smith, in charge of the office, advises me that, so far as his best information goes—it is impossible to be definite—they will not need for hospital purposes the soldiers' home at Hampton any longer than a year from this time. Now, in order to afford the fullest opportunity for its use, the amendment I present provides that it shall not be transferred back or revested, in the language of the old bill, until on or before May 1, 1920, my idea being that in that length of time its use as a hospital will be fully terminated.

The language of the act of October 4, 1918, provides that it shall be returned to the board of managers. The transfer was but a temporary one, and that which the amendment seeks to carry into effect is the fixing of a date when, after the conclusion of the hospital work, the soldiers' home at Hampton, Va., may be returned to the board of managers.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. DYER. How many are included in this petition whom the gentleman would have sent back to the Southern Branch?

Mr. GARD. I do not have them sent back. I am simply presenting their petition.

Mr. DYER. How many are there that the gentleman's amendment is intended to send back?

Mr. GARD. The petition, which I read, states:

Of the nearly 500 ex-members of the Southern Branch now here a vast majority come directly from Pennsylvania, New Jersey, and Maryland, with our loved ones distant only 12 hours by rail away.

Mr. DYER. The gentleman is speaking of the Central Branch. They are now at the Central Branch?

Mr. GARD. They are now at the Central Branch.

Mr. DYER. Can the gentleman tell us how many soldiers there are at the Central Branch at this time?

Mr. GARD. I think there are in the neighborhood of 3,000.

Mr. DYER. And the facilities there are for how many?

Mr. GARD. With the 500 there may be more than 3,000 there now. There may be possibly between 3,500 and 4,000. There have been as many as 4,000 or 4,500 members there.

Mr. DYER. The place is not crowded at all?

Mr. GARD. Oh, no. These people are being well cared for. There is no question about that. This is the situation: The gentleman probably knows it as well as I do, since he has given very intelligent attention to the subject. The gentleman has visited Dayton, and they were very proud to have him there when he was commander in chief of the Spanish War Veterans.

The situation regarding these homes is that the older men, men who have some little means and who have families, who wish to be with their wives or families, desire to live outside the home. They rent little cottages. They utilize such money as they get for the rental of small cottages, and seek to live with their wives just outside the reservation of the home. This is the situation more particularly with regard to the home at Hampton, Va., than it is at Dayton, even. The mildness of the climate down there appeals to the older members of the home at Dayton who formerly lived at Hampton, Va. The two controlling things in their minds, as I can advise the members of the committee, are that they want to get back there, because it is near their homes. They want to get back and be as near their families as they can, and they want also to enjoy the mild, pleasant climate down at Hampton.

Mr. BYRNES of South Carolina. Did not the act transferring the home for hospital purposes transfer it only for the period of the war?

Mr. GARD. Section 2 of the act provides that upon the close of the war, or as soon thereafter as may be practicable, the Secretary of War shall cause said home to be vacated by the medical department of the Army, and thereupon jurisdiction and control over said home shall revert to said Board of Managers of the National Home for Disabled Volunteer Soldiers.

The only thing which the amendment seeks to carry into effect is to fix an outside date, a far limit, by which the time may be established when this return can be made, and that date I have fixed after consultation with the Surgeon General's office.

Mr. BYRNES of South Carolina. Mr. Chairman, I must insist on the point of order, because, as the gentleman has read, the law now provides that this home shall be turned over to the Army for the use of a hospital, to receive wounded soldiers as they return and shall so continue until the close of the war, or as soon thereafter as practicable. This amendment would change existing law, and would be legislation on an appropriation bill.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

For farm, including the same objects specified under this head for the Central Branch, $5,000.

Mr. GANDY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 76, after line 17, insert the following as a new paragraph:

"For increase of present water supply, including the purchase of land and pipe line, $10,000."

Mr. BYRNES of South Carolina. Mr. Chairman, I reserve a point of order on that.

Mr. GANDY. Mr. Chairman, the amendment offered seeks to appropriate $10,000 for additional water supply for the Battle Mountain Sanitarium at Hot Springs. The present water supply was donated by two Hot Springs ladies, Mrs. Martin and Mrs. Miner, her mother, at the time the institution was established.

My remembrance is they donated half of what is known as the Mammoth Spring, and that amounts to a flow of about 500 gallons per minute. The institution has grown to be a larger one than was then contemplated. The grounds have become more spacious and the gardens are larger, and they have need of more water. Last year and the year before the water supply was not sufficient through the summer season.

The reason this item did not come regularly was due to the fact that at the time the estimates were being prepared there was prospect that the institution would be temporarily transferred to the War Department for hospital purposes.

The matter of additional water supply had been considered by the chief engineer and by the governor of the institution, by a representative of the board of managers, and by the committee of the Surgeon General's office who inspected the sanitarium.

In discussing the matter the Surgeon General's office was of the opinion that if the institution be transferred to the War Department, they could take care of the increased water supply out of existing lump-sum appropriations. At that time it was thought that there was no doubt the transfer would be made, and so the board of managers did not include the item in their estimates, thinking that when the transfer was made the War Department would take care of the item.

The transfer was not made to the War Department and apparently will not be made. We are confronted with a shortage of water and we know, too, that there has passed the Senate an item in a general hospital bill which seeks to make available all unused space in this institution for the care of these discharged soldiers and sailors of the present war for whom the War Risk Bureau is obligated to care. I hope we will not come to next summer season without provision for additional water supply.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. GANDY. Yes.

Mr. LAGUARDIA. Of whom is it intended to buy the water rights, from the same people who made the gift of the water?

Mr. GANDY. Yes; I was just coming to that.

Mr. LAGUARDIA. That is the objection to these gifts. They always come around afterwards and want to sell it. I am not criticizing these splendid ladies in this instance, but every time we come to a gift we run up against this proposition.

Mr. GANDY. I may say that the donation was 15 or 18 years ago, and there was no thought at that time that an additional water supply would be needed. This is a gravity water supply, water from the hot springs flowing down to the institution, and there is still available in the same canyon additional springs that can be purchased.

Mr. DYER. How many soldiers are there at the home now?

Mr. GANDY. Three hundred and thirty at this time.

Mr. DYER. The gentleman is proposing to transfer this branch to the War Department for use as a hospital.

Mr. GANDY. Not now. The bill authorizing the transfer failed of passage.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GANDY. I ask for five minutes more.

The CHAIRMAN. Is there objection?

Mr. BYRNES of South Carolina. I dislike to object, and I would not do so if the amendment is in order. But if it is not I must insist on the point of order.

Mr. MONDELL. Will the gentleman withhold it for just one moment?

Mr. GANDY. I do not concede the point of order.

Mr. BYRNES of South Carolina. I make the point of order that there is no authority for it.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GANDY. Mr. Chairman, I want to be heard on this. There is a water system at this institution. It is a Government institution. Every step of the way this institution has been authorized by law. I maintain that the same authority that established the institution, that appropriated the money for the building of the pipe lines and everything incident to the completion of the institution, is authority now for the increasing of the water supply when it is found to be deficient.

The CHAIRMAN. Does the gentleman contend that an amendment seeking to purchase land would be in order on an appropriation bill?

Mr. GANDY. The amendment seeking to purchase land is only in connection with the springs.

Mr. WELLING. It is a right of way.

Mr. GANDY. It is a right of way. You can not purchase the springs without purchasing the land, unless you have a bucket to carry the water away with. I desire now to yield to the gentleman from Wyoming, who is acquainted with the situation.

The CHAIRMAN. Does the gentleman from South Carolina withhold his point of order?

Mr. BYRNES of South Carolina. Mr. Chairman, on an appropriation bill we certainly can not appropriate to purchase lands not authorized by law.

Mr. MONDELL. Mr. Chairman, I do not rise to argue the point of order with my colleague on the committee. As this matter has been raised, and as I have some information on the subject, I would like to make a brief statement.

Mr. BYRNES of South Carolina. Mr. Chairman, I withhold the point of order.

Mr. MONDELL. I am fairly well acquainted with the condition at Battle Mountain Sanitarium. It is quite near my home. The water supply is somewhat deficient. There has never been as liberal a water supply as there should be. The present supply was, I think, a gift from some relatives of ex-Congressman Martin. It is now proposed to add to that water supply by purchasing some small springs in the same locality.

Mr. GANDY. Mr. Chairman, let me interrupt the gentleman to say that they are not small springs. The springs proposed to be purchased have a capacity of around 800 gallons per minute.

Mr. MONDELL. I did not mean that they were small springs in the sense that they were not entirely adequate, because they are, but they are not as large as some of the very large springs that furnish the water at Hot Springs. An additional water supply is needed. There is no question about that. Word came to me in regard to the matter after we had considered the items of the bill, and this is the first opportunity I have had of expressing an opinion in regard to it. If the way were open to provide for the purchase, I think it would be well to do it.

The CHAIRMAN. Does the gentleman from South Carolina insist upon his point of order?

Mr. BYRNES of South Carolina. I find myself compelled to do so. No information from anyone connected with the home was given to the committee. I insist upon the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

In all, National Home for Disabled Volunteer Soldiers, $4,716,850.

Mr. DYER. Mr. Chairman, do I understand the gentleman is about to move to rise?

Mr. BYRNES of South Carolina. As soon as we finish this particular portion of the bill.

Mr. DYER. I wanted to ask the gentleman a question in regard to this item. The amount carried here is $4,716,850. That is more than was carried in the last appropriation bill.

Mr. BYRNES of South Carolina. There is an increase for the reason that the increased cost of all supplies necessitated a slight increase for subsistence at every one of these homes.

Mr. DYER. But the number of soldiers in the homes has decreased.

Mr. BYRNES of South Carolina. That is true, but you have got to have just as much coal to heat the buildings, and they have had to spend more money this year for that.

Mr. DYER. Mr. Chairman, that is one of the reasons why the National Homes for Disabled Volunteer Soldiers are not in my judgment all that we would like to have them in this respect. Of course we want to give the best we have in this country to these old soldiers, but here we have in the soldiers' homes an expenditure going on to $5,000,000, a substantial increase over the last year, and yet we know that many of these old soldiers died since the last appropriation bill. How they are able to increase the expenditures, with the number of soldiers decreasing, is explained by only one thing, and that is that the soldiers' homes are to-day filled up and honeycombed with civilian employees, whose jobs are the result in many respects of political patronage and appointments.

And instead of the old soldiers getting the benefit of this home the money is going largely to pay salaries of men outside, officers of the board and hundreds and hundreds of civilian employees. In fact, Mr. Chairman, I know it as a matter of fact in the past, and I believe it is so to-day, that where there is opportunity to give employment and pay some of these small wages to the soldiers themselves who are able to do some work very little opportunity is given them, but civilians are brought in and paid this money and we go on appropriating and voting for it believing that we are doing it for the benefit of the soldiers, and Members of the House, if we rise in our places and call attention to it, oftentimes have criticisms made that we are not trying to help these unfortunate veterans of the war when as a matter of fact I believe that the country has not anything too good for these old soldiers and for their dependents, too.

But, Mr. Chairman, we ought to see that the money goes for the benefit of the soldiers, and not for the benefit of civilians who are feeding and fattening upon the money appropriated for carrying on the work of taking care of these old veterans. And an effort is being made, I think largely by the board of managers of these homes, to try to find some way of taking in now some boys of the present war. I want to say, Mr. Chairman, that in my judgment they are violating the law when they are doing so, and I hope that this Congress will not permit the enlarging of the powers of these homes to take in soldiers from this war in order that these jobs may be continued for the benefit of a lot of politicians.

The CHAIRMAN. The time of the gentleman has expired. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Provided, That no part of the foregoing appropriations shall be expended for any purpose at any branch of the National Home for Disabled Volunteer Soldiers that maintains or permits to be maintained on its premises a bar, canteen, or other place where beer, wine, or other intoxicating liquors are sold.

Mr. DYER. Mr. Chairman, I move to strike out the paragraph. Mr. Chairman, this section will not become effective under this bill until the 1st of July. Now, we know there is a law on the statute books that provides not only that there shall

not be any saloons or bars in the soldiers' homes, but there shall not be any anywhere in the United States; so I do not see the necessity for expending the money of the people in printing something that is of no use and no meaning. I move to strike it out.

Mr. RANDALL. Mr. Chairman, I think the gentleman is not in earnest at all. The war prohibition act provides several exceptions, and one of these is a governmental exception. It might be possible that the governors of the soldiers' homes would attempt to reestablish the canteen on the basis that it was a governmental exception from the war prohibition act.

Mr. DYER. Does the gentleman think that after the 1st of July we will be able to continue barrooms or create barrooms on Government property?

Mr. RANDALL. Hardly, except that under that theory they might call it a governmental use.

Mr. DYER. The gentleman thinks the House Office Building will be dry?

Mr. RANDALL. I hardly think the gentleman from Missouri is in accord with the sentiment of his own State, which ratified the prohibition amendment.

The CHAIRMAN. The question is on striking out the paragraph.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. DYER) there were—ayes 6, noes 15.

So the amendment was rejected.

Mr. GARD. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I very seriously differ from the gentleman from Missouri, who lately spoke regarding the use of these governmental homes for disabled soldiers, by the soldiers of the present war, the war in which the United States of America has been engaged. I think it is the highest duty of every American citizen, whether he be here in this Congress or anywhere else, to afford every opportunity which can be afforded for the care and betterment of the returned soldiers who in foreign fields have borne American arms. These soldiers' homes were created for disabled American soldiers; they have been used for the purpose of sheltering and caring for veterans of every American war, and there is no reason why they can not now be used to take care of men who come back from our foreign fighting fronts. The gentleman from Missouri the other day made an objection to a bill which had for its purpose the clarifying of the atmosphere relative to the admission to the National Military Home.

But I say that under the present law it is my opinion that men of the American Army to-day and of the American Army at any time during this present war emergency are entitled to admission to national military homes if they are disabled and if they are indigent, and for one I will see that every opportunity for their care in national military homes is afforded.

Mr. LAGUARDIA. Would the gentleman prefer to have them in these homes as objects of charity than to giving them proper pensions so that they can live decently?

Mr. GARD. No, sir; I would have no American soldier an object of charity.

Mr. MONDELL. Mr. Chairman, just a moment. I think the soldiers' homes are well conducted. I think they are economically managed. There are no men carrying on Government activities and who appear before the Committee on Appropriations who present as clear and definite and understandable statements with regard to their expenditures as the managers of the soldiers' homes. They know exactly where they have spent their money, how they have spent it, and what they have spent it for. They give the committee full and complete information with regard to their expenditures.

Mr. DYER. Will the gentleman yield for a question?

Mr. MONDELL. There is every evidence that they carefully consider their expenditures.

Yes; I yield to the gentleman from Missouri.

Mr. DYER. Will the gentleman tell the committee approximately how much of this $4,716,850 is to be used for the feeding and housing of the veterans and how much of it is to be used for paying salaries and for feeding and other things for the employees?

Mr. MONDELL. My friend has the appropriations before him and he can go through the different items and foot them up. He is as good a mathematician as I am, I am sure.

Mr. DYER. The gentleman is a member of the Committee on Appropriations.

Mr. MONDELL. It is no part of the business of the Appropriations Committee to separate those items. The soldiers' homes are, in my opinion, well managed and the soldiers are well cared for.

Mr. DYER. Will the gentleman yield again?

Mr. MONDELL. Yes.

Mr. DYER. Does the gentleman know that the soldiers, the old veterans who have fought and who saved the Union, are not given the same quality and variety of food as civilian employees are given in these homes?

Mr. MONDELL. If the gentleman can, on his responsibility as a Member, say that that is so——

Mr. DYER. That is so.

Mr. MONDELL. I have not visited the homes, and so I shall not challenge his statement to that effect. But I nevertheless believe the soldiers are well cared for.

Now, with regard to the opening of the soldiers' homes to the soldiers of the present war, I agree with the gentleman from Ohio [Mr. GARD] that under the law they are entitled to admission to these homes. Furthermore they are being admitted to the homes. And the estimates in this bill are allowed with the fact in view that the soldiers of the present war are being admitted to the homes in considerable number.

Mr. DYER. Mr. Chairman, I would like to ask the gentleman one question in his time.

The CHAIRMAN. The gentleman's time has expired.

Mr. DYER. I move to strike out the last two words. I simply wanted to do that, Mr. Chairman, for the purpose of calling the gentleman's attention to what I believe is a fact, and that is, that the law creating the soldiers' homes was specifically created, and it was so stated in the original act, for the benefit of the Union veterans of the Civil War. Those who served in the Spanish War were later added. No amendment has ever been added to that act by this Congress to include the veterans of this present war.

Mr. MONDELL. An amendment to the act includes the veterans of the Spanish War—and I do not know whether there are any later campaigns specifically referred to or not—and other wars in which the United States has been engaged.

Mr. DYER. Yes; wars in which this Nation has been engaged; but that was passed before this war was declared.

Mr. MONDELL. Has not the United States been engaged in this war? Of course it has and the law applies.

The Clerk read as follows:

For arrears of pay and allowances on account of service of officers and men of the Army during the War with Spain and in the Philippine Islands that may be certified to be due by the accounting officer of the Treasury during the fiscal year 1920 and that are chargeable to the appropriations that has been carried to the surplus fund, $500.

Mr. BYRNES of South Carolina. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. GARD having assumed the chair as Speaker pro tempore, Mr. CARAWAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 5999. An act for the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise; and

H. R. 171. An act to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915.

HOUR OF MEETING TO-MORROW—11 O'CLOCK A. M.

Mr. BYRNES of South Carolina. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

Mr. WALSH. Reserving the right to object, Mr. Speaker, do I understand that it is the intention to go on to-morrow with the sundry civil bill?

Mr. GARRETT of Tennessee. No; the bond bill comes up to-morrow.

Mr. STAFFORD. They are to take up the bond bill at 4 o'clock.

Mr. WALSH. Has that been stated to the House?

Mr. BYRNES of South Carolina. It was stated to the House before.

The SPEAKER pro tempore. The Chair would state that the chairman of the Committee on Ways and Means [Mr. KITCHIN] announced that he would call up the bond bill at 4 o'clock to-morrow afternoon. Is there objection to the request of the gentleman from South Carolina that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow?

There was no objection.

ADJOURNMENT.

Mr. BYRNES of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 36 minutes p. m.) the House adjourned, pursuant to the order previously agreed to, until to-morrow, Tuesday, February 25, 1919, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HILLIARD, from the Committee on Education, to which was referred the bill (H. R. 16016) providing additional aid for the American Printing House for the Blind, reported the same without amendment, accompanied by a report (No. 1128), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. POU, from the Committee on Rules, to which was referred the resolution (H. Res. 607) providing for the consideration of H. R. 15993, reported the same without amendment, accompanied by a report (No. 1132), which said bill and report were referred to the House Calendar.

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 16129) to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of certain public buildings; and to authorize the purchase of sites for certain public buildings, and for other purposes, reported the same without amendment, accompanied by a report (No. 1133), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORT OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 4225) for the relief of the Atlas Lumber Co.; Babcock & Willcox; Johnson, Jackson & Corning Co.; and the C. H. Klein Brick Co., each of which companies furnished to Silas N. Opdahl, a failing Government contractor, certain building materials which were used in the construction of Burke Hall, at the Pierre Indian School, in the State of South Dakota, reported the same without amendment, accompanied by a report (No. 1134), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BENJAMIN L. FAIRCHILD: A bill (H. R. 16137) to provide for entry under bond of exhibits of arts, sciences, and industries; to the Committee on Ways and Means.

By Mr. SMITH of Michigan: A bill (H. R. 16138) authorizing the Secretary of War to donate to the city of Battle Creek, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16139) authorizing the Secretary of War to donate to the city of Coldwater, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 16140) authorizing the Secretary of war to donate to the town of Union City, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LUNDEEN: A bill (H. R. 16141) to provide for a referendum vote of the people of the United States on the proposed league of nations; to the Committee on the Judiciary.

By Mr. HAYDEN: A bill (H. R. 16142) providing for a review of the finding of general courts-martial convened during the war with Germany; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 16143) authorizing the Secretary of War to donate to the city of Cottonwood, Cal., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 16144) to provide relief for the producers of manganese, chrome, pyrites, or tungsten mined to supply the urgent needs of the Nation in the prosecution of the war; to the Committee on Mines and Mining.

By Mr. EAGLE: A bill (H. R. 16145) waiving the age limit for admission to the United States Naval Academy in the case of John E. Adkins; to the Committee on Naval Affairs.

By Mr. GOULD: A bill (H. R. 16146) providing a penalty for those who wear or display medals of honor, decoration, etc., unless such medals or decoration were duly awarded them by military procedure; to the Committee on the Judiciary.

By Mr. CANDLER of Mississippi: A bill (H. R. 16149) authorizing the Secretary of War to donate to the city of Starkville, Miss., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 16150) authorizing the Secretary of War to donate to the city of Macon, Miss., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 16151) authorizing the Secretary of War to donate to the city of Aberdeen, Miss., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 16152) authorizing the Secretary of War to donate to the city of Columbus, Miss., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 16153) authorizing the Secretary of War to donate to the city of Tupelo, Miss., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 16154) authorizing the Secretary of War to donate to the town of Fulton, Miss., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 16155) authorizing the Secretary of War to donate to the town of Booneville, Miss., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 16156) authorizing the Secretary of War to donate to the city of Corinth, Miss., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 16157) authorizing the Secretary of War to donate to the town of Iuka, Miss., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. CAMPBELL of Kansas: A bill (H. R. 16159) authorizing and directing the Secretary of War to donate to the city of Caney, Kans., one captured German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LAZARO: Resolution (H. Res. 605) to allow additional clerks to the Committee on Enrolled Bills; to the Committee on Accounts.

By Mr. FERRIS: Resolution (H. Res. 606) to pay Willis J. Davis extra compensation for performing the duties of clerk to the Committee on Water Power; to the Committee on Accounts.

By the SPEAKER: Memorial requesting the Congress of the United States to legislate with respect to resolution of the American National Live Stock Association; to the Committee on Interstate and Foreign Commerce.

Also, joint memorial to the Congress of the United States relative to the construction of a military highway between Fort Leavenworth, Camp Funston, and Fort Bliss; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of South Dakota, urging Congress to appropriate money for the purchase of the wheat crop of 1919; to the Committee on Agriculture.

By Mr. BURNETT: Memorial from the Legislature of the State of Alabama, urging the Congress of the United States to appropriate $250,000 for the elimination of influenza; to the Committee on Agriculture.

Also, memorial from the Legislature of the State of Alabama, urging Congress to continue the nitrate development at Muscle Shoals, Ala.; to the Committee on Agriculture.

By Mr. FOSS: Memorial from the Legislature of the State of Illinois, favoring lower freight rates on material for public works; to the Committee on Interstate and Foreign Commerce.

By Mr. McARTHUR: Memorial from the Legislature of the State of Oregon, favoring the continuance of the United States Employment Service; to the Committee on Appropriations.

Also, memorial from the Legislature of the State of Oregon, urging the passage of House bill 12770; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HICKS: A bill (H. R. 16147) directing the Secretary of the Navy to grant an honorable discharge to Charles D. Uhl; to the Committee on Naval Affairs.

Also, a bill (H. R. 16148) directing the Secretary of War to grant an honorable discharge of Robert Zakin; to the Committee on Military Affairs.

By Mr. SCOTT of Michigan: A bill (H. R. 16158) granting an increase of pension to Benjamin J. Schlusser; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROWNING: Petition of employees of Taylor & Co., Camden, N. J., protesting against the repeal of the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. BURROUGHS: Resolutions of Portsmouth Lodge, No. 444, Loyal Order of Moose, favoring the granting to all men in the military service six months' pay at the time of their discharge from the service as a bonus; to the Committee on Military Affairs.

Also, telegrams from the following residents of New Hampshire, advocating the continuance of the United States Employment Service of the Department of Labor: Enos K. Sawyer, Federal director United States Employment Service; and Tilton Optical Co., by Stanton E. Smith, treasurer, of Franklin; Charles P. Herrick, president Tilton (N. H.) Chamber of Commerce. Also, Berlin (N. H.) Central Labor Union, by Earl C. Lane, of Berlin. Also, Elizabeth C. Sawyer, chairman New Hampshire Committee Womans' Land Army, of A. M. A. (Inc.), of Dover. Also, Concord Axle Co., by George Kenney, foreman; Charles J. French, mayor; Lyster Bros., wholesale and retail grocers; the R. J. Crowley Coal Co.; the Very Rev. Thomas M. O'Leary; and Charles J. Corning, judge of probate court; Roy W. Ludlow, chairman of Boston & Maine Railroad local federated crafts; the Central Cash Market, by John Higgins, manager; William Mullen, foreman, Boston & Maine Railroad; George A. S. Kimball, city marshal; the M. E. Clifford Co.; Concord Wiring & Supply Co., by William T. Ferns, manager; the David E. Murphy Department Stores, by David E. Murphy; Joseph A. Worthen, industrial adviser; Central Hotel, by Orrin Hodgdon, manager; Boston & Maine Railroad, by Honer B. Clough, foreman, all of the city of Concord; to the Committee on Appropriations.

By Mr. CARY: Petition of Progressive Mutual Loan Corporation, Milwaukee, Wis., protesting against Burnett bill (H. R. 13069) pertaining to immigration; to the Committee on Immigration and Naturalization.

Also, petition of Mrs. William Kittle, chairman Women in Industry; Mrs. Edwin C. Thompson, State council of defense, representing 80,000 women, urging continuance of Women in Industry, Department of Government Employment Service; to the Committee on Labor.

By Mr. CLASSON: Petition of citizens of Kaukauna and Appleton, Wis., in favor of Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Petition of Traffic Club, of Chicago, Ill., urging naval appropriation of $1,500,000 originally provided for the purpose of caring for harbor at Great Lakes Naval Training Station, Great Lakes, Ill.; to the Committee on Appropriations.

By Mr. FULLER of Illinois: Petitions of A. F. Pickard, master, Illinois State Grange, Rockford; Frank Rademacher, examiner in charge, La Salle; Victor A. Olander, secretary-treasurer, Illinois State Federation of Labor, Chicago; John H. Camlin, president, and R. D. Chappell, secretary, Rockford Chamber of Commerce; James F. Farrell, secretary Ottawa Chamber of Commerce; the Ottawa Chamber of Commerce; the Ottawa Building Trades Council; E. F. Bradford, mayor of Ottawa; and Hibbard, Spencer Bartlett Co., of Chicago, all in the State of Illinois, favoring appropriation to continue the United States Employment Service; to the Committee on Appropriations.

By Mr. GALLIVAN: Petition of Biograph Co., New York; Maude E. Woodruff; Morse Dry Dock & Repair Co.; American Sugar Refining Co.; McAlpine Employment Department; Bankers' Pen Co.; C. Kenyon Co. (Inc.); Barnett & Brown, New York; Nathan Manufacturing Co., Flushing, Long Island; Parker-Davis Co.; New York Consolidated Card Co.; E. D. Anderson Co.; H. W. Hepburn & Co.; Headquarters Air Service Depot; Poughkeepsie Chamber of Commerce; Mrs. Mary Linto; the Beacon Falls Rubber Shoe Co. (Inc.); Simon Ascher & Co.; Wright-Martin Corporation; Houghin-Aiken Co. (Inc.); Women's City Club of New York; the Austin Co., Dover, N. J.; the British Consulate General; Brooklyn Victory Celebration Committee; Robert H. Ingersoll & Bros.; Kenneth Malcoln; Isabel A. Ward; Mrs. J. L. Ward; Harlem Board of Commerce; Colony Club; C. J. Tagliabue Manufacturing Co.; Pyrene Manufacturing Co.; Brewster & Co.; Quinn & Quinn (Inc.); Bonwitt-Teller Co.; Eastern District Piece Dye Works (Inc.); J. F. Tapley Co.; Pemoldi Products Co.; Lapidolith L. Sonneborn Sons (Inc.); Department of Street Cleaning; Novelty Veiling Co.; Chamber of Commerce, Corning, N. Y.; Permoline Products Co.; Hotel Association of New York City; the American Red Cross; Mrs. M. T. Chapman; the Hand Embroidery Co.; Knickerbocker Cleaning & Dyeing Co.; the Mechanics & Metals National Bank; Altman Neckwear Co.; J. H. Cox; the Home Talk Publishing Co.; Lowe Motor Supplies Co.; Operative Plasterers and Cement Finishers; Houpert Machine Co.; Pianostyle Music Co.; P. L. Coonley, lieutenant colonel of the Chemical Warfare Service, United States Army; Kanter Modry & Co.; Thomas De La Rue & Co. (Ltd.); National Biscuit Co.; Fred D. Shandorf; Ensor & Co.; Harry C. Plootze; N. H. Bunker; L. W. F. Engineering Co. (Inc.); the Charity Organization Society; the Goodyear Tire & Rubber Co.; Eagle Hut; American Can Co.; Stephen Ransom (Inc.); the Bronx Board of Trade; American Ever Ready Works; John N. Loughory; Howell, Field & Goddard (Inc.); Crown Music Co.; Pennsylvania Textile Co.; the National City Bank; Jules Weber; Brunswick Balke Collender Co.; Empire Art Metal Co.; Charles V. Devonshire; Rosenwasser Bros. (Inc.); Harold Woodruff; Paul R. Peicott; A. E. Rineay; John Thomson Press Co.; American Hard Rubber Co.; Burroughs Adding Machine Co.; Aeolian Co.; Federation of American Motorcyclists; Frank Bros.' Boot Shop; J. F. Tapley Co.; the Remiller Co.; Loft (Inc.); Chamber of Commerce of the Tonawandas; American Druggist Syndicate; Neptune Meter Co.; Rite Form Corset Co. (Inc.); the Prager Co.; the Lamson Co.; the National Sugar Refining Co. of New Jersey; Oppenheim, Collins & Co.; Joseph Raffaele, jr.; Roswell D. Thompkins; George Batten Co.; Oppenheimer, Collins & Co.; Charleston Port Terminal; favoring the continuation of the United States Employment Service; to the Committee on Appropriations.

Also, petition of Young Women's Christian Association, Scranton, Pa.; Young Women's Christian Association, Allentown, Pa.; Young Women's Christian Association, Bay City, Mich.; Young Women's Christian Association, Wilmington, Del.; Young Women's Christian Association, Reading, Pa.; National Council of Women Voters, Boise, Idaho; Young Women's Christian Association, East St. Louis, Ill.; industrial committee of the Young Women's Christian Association, Harrisburg, Pa.; metropolitan industry secretary Young Women's Christian Association, Baltimore, Md.; Young Women's Christian Association, Seattle, Wash.; Young Women's Christian Association, Coatesville, Pa.; staff of Business Women's League, Philadelphia, Pa.; Young Women's Christian Association, McKeesport, Pa.; Women in Industry and Council of Defense, Madison, Wis.; Young Women's Christian Association, Athens, Ga.; board of directors of Young Women's Christian Association, Lancaster, Pa.; Young Women's Christian Association, Racine, Wis.; Young Women's Christian Association, Anderson, Ind.; Young Women's Christian Association, Savannah, Ga.; Young Women's Christian Association, Columbia, S. C.; Young Women's Christian Association, Aurora, Ill.; Young Women's Christian Association, Chester, Pa.; Young Women's Christian Association, Pittsburgh, Pa.; Young Women's Christian Association, Battle Creek, Mich.; National American Women's Suffrage Association, Philadelphia, Pa.; Equal Suffrage Association, Portsmouth, N. H.; executive committee on war work, National Council, Young Women's Christian Association, New York; South Atlantic field committee, Young Women's Christian Association, Richmond, Va.; Women's Trade Union League, New York; industrial committee, national board, Young Women's Christian Association, New York; Suffragists of Pennsylvania; South Central field committee, Young Women's Christian Association, St. Louis, Mo.; Woman's Division, State Council of Defense, Hartford, Conn.; northwestern field committee, Young Women's Christian Association, Seattle, Wash.; board of directors, Consumers' League, Providence, R. I.; committee of women's industry, State of Rhode Island, Providence; Connecticut Woman Suffrage Association, Hartford; Equal Suffrage League, Aiken, S. C.; the Equal Suffrage League, Wilmington, Del.; conference of Young Women's Christian Association, Erie, Pa.; Ruth Bond, York, Pa., all urging Congress to continue Bureau of Women in Industry in Department of Labor; to the Committee on Appropriations.

Also, petition of Anna Weinstock, secretary Neckwear Workers' Union, representing 15,200 members, of Boston, Mass., and Mrs. Edward W. Biddle, president Civic Club of Philadelphia, representing 1,500 women, urging passage of the full appropriation asked for by Secretary of Labor for Employment Service

and Women in Industry Service; to the Committee on Appropriations.

Also, petition of Catherine D. McKeen; A. J. Clements; Thomas A. H. Hay, secretary; Treadwell Engineering Co.; R. H. Track, assemblyman; Northampton Co., all of Easton, Pa., and Joseph Lee, president War Camp Community Service, New York, urging passage of appropriation bill for continuance of Government Employment Service; to the Committee on Appropriations.

Also, petition of E. C. Fisher, of the Wickes Boiler Co., Saginaw, Mich.; Saginaw Shipbuilding Co., H. J. Smith, manager; James C. McCabe, secretary Board of Commerce, Bay City, Mich.; and Joshua Brugh, Lafayette Post, Grand Army of the Republic; Rev. John E. McCann; J. J. Cunningham, manager Bureau Returning Soldiers and Sailors, of Easton, Pa., urging appropriation for continuance of Government Employment Service; to the Committee on Appropriations.

By Mr. HOLLINGSWORTH: Petition of Wellsville Chamber of Commerce, favoring temporary continuance of Government control of wire system until legislation can be enacted for their reasonable return to their owners without injury; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Association of Custodian Employees, United States Treasury Department, Detroit, Mich., favoring House bill 15130, to increase salaries; to the Committee on Public Buildings and Grounds.

Also, petition of Yorkville (Ohio) Lodge. No. 81, Amalgamated Association of Iron, Steel, and Tin Workers of North America, demanding withdrawal of American troops from Russia at the earliest possible moment; to the Committee on Military Affairs.

Also, petition of United Mine Workers of America, favoring completion of authorized public improvements; also prohibiting immigration until soldiers, sailors, and war workers find employment; also extra monthly pay for 12 months unless sooner employed, and the purchase of waste land and improvement of it and Government-owned land and sale on easy terms to soldiers, sailors, and others; to the Committee on Military Affairs.

Also, memorial of board of education of city school district of Cleveland, Ohio, urging passage of bill to loan machine tools to technical high schools; to the Committee on Military Affairs.

By Mr. LINTHICUM: Petition of George S. Webster; Bureau for Soldiers, Sailors, and War Workers; J. K. Shaw; George M. Henderson; Albert C. Bruce; Community Labor Board; and William H. Hayward, president Baltimore Chamber of Commerce, of Baltimore, Md., urging appropriation for Government Employment Service; to the Committee on Appropriations.

Also, petition of J. C. L. Cole; Lawrasau Iggs; John H. Ferguson; E. A. Slack; John K. Shaw; State advisory board; Clinton L. Riggs, Federal director; Merchants and Miners' Association, of Baltimore, Md., urging appropriation for Employment Service, Department of Labor; to the Committee on Appropriations.

Also, petition of H. M. Moler, Baltimore, Md., urging free transportation for returning soldiers to place of enlistment instead of some demobilization camp from which they are compelled to pay their car fare home; to the Committee on Military Affairs.

Also, petition of Alex Blumberg, president of United Hebrew Charities of Baltimore, Md., with membership of 8,000, supported by the most influential citizens, protesting against the Burnett bill, against immigration; to the Committee on Immigration and Naturalization.

Also, petition of Bernard Munter, Baltimore, Md., urging that the United States Coast Guard be made a part of the United States Navy; to the Committee on Navy Affairs.

Also, petition of the Maryland Chrome Corporation, Owings Mills, Baltimore, Md., urging Government protection for chromite mining and asking for appropriation for damages sustained by producers of war minerals; to the Committee on Appropriations.

Also, petition of Katherine V. Hopper, Baltimore Kindergarten Club, asking for passage of Senate bill 4987; to the Committee on Education.

Also, petition of Robert Biggs, Baltimore, Md., protesting against Burnett immigration bill and urging an amendment; to the Committee on Immigration and Naturalization.

Also, petition of Baltimore Federation of Labor, Henry F. Broening, secretary, recommending the further control by the Government of public utilities; to the Committee on Interstate and Foreign Commerce.

Also, petition of A. Ray Katz, president Federated Jewish Charities of Baltimore, Md., protesting against the Burnett immigration bill now pending before Congress; to the Committee on Immigration and Naturalization.

By Mr. LONDON: Memorial of Socialist Party, Bronx County organization, demanding amnesty to all persons imprisoned during the war for acts or utterances dictated by their conscience or for reasons directly or indirectly due to their active participation in the labor movement; to the Committee on Military Affairs.

Also, memorial of Lithuanian Library Association of Pittston, Pa., asking for the withdrawal of American troops from Russian soil; to the Committee on Foreign Affairs.

Also, memorial of Local 32, Lithuanian Socialist Party, Pittston, Pa., requesting the withdrawal of American troops on Russian soil and the recognition of the Russian Soviet Government; to the Committee on Foreign Affairs.

Also, memorial of Local Union No. 2, Amalgamated Clothing Workers of America, urging the Government of the United States to grant an immediate and general amnesty to those who have been convicted of expressing views found to be incompatible with the interests of the country under the conditions of war; to the Committee on Military Affairs.

Also, petition of citizens of Alderson, Pa., and vicinity, to pass a law for the immediate establishment of Government ownership and operation of the railroads and wire systems of the Nation; to the Committee on Interstate and Foreign Commerce.

Also, memorial of special convention of Seventh District Lithuanian Socialist Party, held at Scranton, Pa., calling for the withdrawal of American troops on Russian soil and requesting recognition for Russian Soviet government; to the Committee on Foreign Affairs.

By Mr. RAKER: Petition of City Federation of Women's Clubs, San Francisco, Cal., favoring the league of nations; to the Committee on Foreign Affairs.

Also, petition of Vallejo (Cal.) Metal Trades, requesting the maintenance of the Woman in Industry Service and the Employment Service of the United States Department of Labor; to the Committee on Labor.

Also, petition of James B. Helan, of San Francisco, urging appropriation for United States Department of Labor Employment Service; to the Committee on Appropriations.

Also, petition of Northern California Milk Producers' Association, protesting against the granting of privileges to the manufacturers of foreign butter; to the Committee on Foreign Affairs.

By Mr. RANDALL: Petition of Northern California Milk Producers' Association, protesting against importation of foreign adulterated butter; to the Committee on Foreign Affairs.

Also, petition of City Federation of Women's Clubs, of San Francisco, Cal., favoring the league of nations; to the Committee on Foreign Affairs.

By Mr. ROWLAND: Papers in case of J. R. Campbell, House bill 9036; to the Committee on Claims.

By Mr. SCHALL: Petition of Minneapolis City Council, asking Congress to grant the soldiers and sailors six months' extra pay upon discharge; to the Committee on Military Affairs.

Also, petition of Local 928, United Brotherhood of Maintenance of Wage Employees and Shop Laborers, of Minneapolis, Minn., urging Government ownership of railways; to the Committee on Interstate and Foreign Commerce.

By Mr. STINESS: Petition of Chamber of Commerce, Providence, R. I., protesting against Government operation of the telephone systems of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. VARE: Petition of Philadelphia Chamber of Commerce regarding the purchase and enlargement of the Chesapeake & Delaware Canal; to the Committee on Railways and Canals.

By Mr. WOOD of Indiana: Petition of General Assembly of State of Indiana, indorsing universal military training; to the Committee on Military Affairs.